



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: FEBRUARY 11, 2016

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CA 94103-2479

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Date: February 4, 2016
Case No.: **2013.0915E,DRP,V**
Project Address: **1469 PACIFIC AVENUE**
Permit Application: 2012.1031.3210
Zoning: Pacific Avenue Neighborhood Commercial District (NCD)
40-X Height and Bulk District
Block/Lot: 0185/029
Project Sponsor: Tuija Catalano
Reuben, Junius & Rose
One Bush Street
San Francisco, CA 94104
Staff Contact: Carly Grob – (415) 575-9138
carly.grob@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The proposal is to convert a 12,270 square foot, two-story warehouse building into a mixed-use building with nine residential units, ten off-street parking spaces, ten bicycle parking spaces, and 1,962 square feet of commercial space at the ground floor and basement level. The project proposes the alteration of the existing structure, including a two-story vertical addition within the existing buildable area of the lot, resulting in a building which would be 40 foot tall and 75 feet, 8 inches deep, and would allow the construction of seven dwelling units. The remaining two dwelling units would be constructed within the existing building envelope at the rear. The proposed nine residential units would consist of two one-bedroom units, two two-bedroom units, and five three-bedroom units. Also included is the removal of the second story at the center of the property while retaining the existing side walls to create an interior court, serving as private open space for four of the units. Additional common and private open space would be located on a roof deck, which is proposed on top of the 40 foot portion of the structure. The majority of the noncomplying structure would be retained, as the east, south, and west walls of the existing building would be retained and the front façade would be replaced.

The project sponsor is seeking a Variance from the rear yard requirements of the Planning Code. Per Section 134(a)(1)(C), the minimum required rear yard setback shall be provided at the lowest story containing a dwelling unit. Since the existing building covers the entire lot, and the proposal would include the addition of dwelling units at the ground floor and second floor within the existing building envelope, there would be no rear yard setback provided at the lowest level containing a dwelling unit. In addition, the maximum width of a balcony within the required rear setback is 10 feet Per Planning Code Section 136(c)(3)(C). Two of the proposed balconies which encroach into the rear yard setback exceed the permitted dimensions, as they are proposed at 14 feet, 3 inches wide.

SITE DESCRIPTION AND PRESENT USE

The subject lot is 63 feet 9 inches wide, 137 feet 6 inches deep, and approximately 8,766 square feet in area. It extends about halfway into the subject block, and abuts six lots facing Larkin Street, the adjacent lot facing Pacific Avenue, and three lots that face McCormick Street. The property is located on the southern side of Pacific Avenue between Larkin Street and McCormick Street. Pacific Avenue slopes upward moving east from Larkin St. to McCormick St. The existing building covers the entire lot and is considered a legal, noncomplying structure. It is a two story warehouse, measuring 27 feet 3 inches in height within the first 25 feet of building depth, and approximately 20 feet in height for the remainder of lot depth. The building is currently used by a local leather bag craftsman as production space, and as storage for the property owner.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project is mixed-use in character. The property is located within the Pacific Avenue Neighborhood Commercial District (NCD), a linear zoning district that extends along Pacific Avenue roughly between Polk Street and Jones Street. Pacific Avenue is predominately residential in character, with some small, neighborhood-serving commercial uses interspersed on the ground floor. A similar pattern is found along Hyde Street to the east. The areas immediately to the north and south of the project comprise the residential areas of Russian Hill and Nob Hill, which include isolated commercial and institutional uses.

The Polk Street NCD is located about one block to the west, and primarily extends along Polk Street between Post and Filbert Streets. Ground floor retail spaces are occupied by convenience and specialty uses, as well as numerous entertainment uses such as restaurants and bars. Many of the buildings within the Polk Street NCD have residential uses situated on upper floors above the ground floor retail spaces. The intersecting streets adjacent to the Polk corridor tend to be more residential in character, with commercial uses interspersed on selected blocks.

The scale of existing buildings varies in the vicinity of the subject property. Buildings on the subject block facing Pacific Avenue range from two- to four-stories in height. Along Larkin Street to the east, there is a pattern of predominately four-story residential buildings south of Pacific Ave. and three story buildings north of Pacific Ave. Lots with frontage along McCormick Street abut the rear of the subject property. McCormick Street is 20 feet wide, and is primarily characterized by one- to two-story buildings.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
312 Notice	30 days	August 28, 2015- September 27, 2015	September 28, 2015*	February 11, 2016	112 days

*The final notification date for DR filing was on a weekend, so the deadline to file was extended to the next business day, or September 28, 2015.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	February 1, 2016	January 19, 2016	22 days
Mailed Notice	10 days	February 1, 2016	February 1, 2016	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	8	2	0
Neighborhood groups	0	1	0

The project sponsor has submitted 16 letters of support for his project, eight from neighbors and workers on the subject block. These neighbors believe that the existing building is not compatible with the surrounding neighborhood, in terms of both use and architectural style. The non-active frontage invites criminal behavior, and adding more compatible uses would enhance the site. The reuse of the existing building will not only be more respectful during construction, but will also be more seismically sound. Letters of support were provided by the sponsor and are included in the attached project sponsor submittal.

The Department has received two letters in opposition to the project from neighbors on the block. These neighbors expressed concerns that the project will inhibit all access to natural sunlight, and will create a financial hardship for the increased energy bills for light and heat. The neighbors also referenced privacy and noise issues caused by proposed decks and terraces. These letters can be found as attachments to this analysis.

DR REQUESTOR

Andrew Madden and Robyn Tucker on behalf of the Pacific Avenue Neighborhood Association (PANA)

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached *Discretionary Review Application*, dated September 28, 2015 and supplemental memo dated October 16, 2015. Please also see the most up-to-date memo from PANA, dated February 11, 2016.

Discretionary Review Application dated September 28, 2015

Concerns:

Issue 1: The proposed project does not comply with the Pacific Avenue NCD Zoning.

Issue 2: The design disrupts the neighborhood plan, which calls for staggered roof lines, overwhelms Pacific Avenue's narrow right of way, and deprives neighborhood properties of privacy, light and air, and a quiet environment due to the lack of space between buildings.

Issue 3: There has been no outreach between the sponsor and the community for more than three years prior to the 312 notice.

Alternatives proposed by the DR Requestor:

PANA requests that the entire neighborhood is offered a Pre-Application meeting to view the most updated plans with the project sponsor, that neighbors are given reasonable time to review and discuss the plans, its impact, and alternative design ideas among each other and with professionals, and that reasonable time is allowed to present and discuss concerns with the project sponsor.

Supplemental Memo dated October 16, 2015

Concerns:

- The project does not preserve the small-scale, low-rise neighborhood character with two- to three-story residential and mixed-use buildings with taller buildings on the corners of the blocks.
- The project does not preserve neighborhood livability, as it contradicts how the neighbors and legislation view and define livability, respectively.
- The project would deprive a significant number of immediate residents along Larkin Street, McCormick Street, and Pacific Avenue of access to sunlight.
- The project is not compliant with the 45% rear yard setback required by the Pacific Avenue NCD Zoning Controls.

Alternatives proposed by the DR Requestor:

- Set the rear floors back to reduce massing at the interior lot and to allow solar access for neighbors most impacted by the proposed building mass.
- Set back the west side and east side of the building to create design elements consistent with the buildings across the street and reduce the massing on the interior of the lot.
- Preserve the current height on the west side of the building, and place an additional story on the east side facing Pacific Avenue.

Supplemental Memo dated February 11, 2016

Concerns:

The aforementioned memo references issues 1, 2, and 4 from the memo dated October 16, 2015, concerning residential character, negative impact to sunlight, and noncompliance with the required 45% rear setback. In addition, the PANA memo dated February 11, 2016 raises the additional following issues:

- The proposal retains and intensifies a nonconforming building, which by definition does not conform to current building codes;
- The project would overwhelm McCormick Street to the east, which is very narrow,
- The proposed decks and terraces would create a significant noise nuisance,
- Approval of the project would set a dangerous precedent within the neighborhood, and
- There are no exceptional or extraordinary circumstances which would warrant a Variance to be granted for the project.

Alternatives proposed by the DR Requestor:

- The most recent memo from PANA requests that the sponsor remove one story from the proposed vertical addition, provide a 45% rear setback at the ground level, and provide underground parking rather than parking at grade level.

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

See attached *Response to Discretionary Review*, dated October 15, 2015. Please also see the Brief in Opposition of a DR Request presented by the project sponsor dated January 27, 2016.

Response to Discretionary Review and DR Response Chart dated October 15, 2015:

Issue 1: The project is not compliant with the NCD Zoning and would erode the legislation which established the Pacific Avenue NCD.

The proposed project is compliant with the Pacific Avenue NCD Controls, with the exception of two* reasonable requests for a Variance. There are exceptional circumstances that apply to the project site that do not apply generally to neighboring properties. The existing building does not provide the required rear yard setback at all levels containing a residential unit. Providing the setback would require substantial demolition and new construction, while retaining the structure is a more sustainable alternative which will also be more sensitive to the neighbors, as it would result in fewer construction-related nuisances. Furthermore, the existing context and setting adjacent to the property includes an overwhelming pattern of nonconformance with rear yard setback requirements. The project does not change the mid-block open space, as the proposed project would not expand the existing building envelope.

*Note: The project sponsor has redesigned the project to eliminate the need for one of these variances.

Issue 2: The proposed building is out of character, scale, and form with neighboring properties. The design disrupts the neighborhood plan, which calls for staggered roof lines, overwhelms Pacific Avenue's narrow right of way, and deprives neighborhood properties of privacy, light and air, and a quiet environment due to the lack of space between buildings.

The proposed building is consistent with the character of neighboring properties, as it would remove a warehouse, which is less consistent with neighborhood character, and would result in a mixed use building comprised of residential and ground floor commercial. The proposed height of 40 feet is consistent with other buildings on the block. The depth of the building is exceptional, but is not unique on the block. An auto body shop is situated in the same position on the block opposite McCormick Street, and is also full-lot coverage.

The property is not located within any area or neighborhood "plan." The Residential Design Guidelines are not applicable here, as the property is located within an NC District. The project is fully compliant with the zoning and height requirements. Pacific Avenue is a relatively typical street and is not considered a narrow alley, so a 40 foot tall building is consistent with the zoning controls and does not overwhelm the right of way. The project has been design to break up the front façade along the width of the lot.

The design is considerate of the existing conditions and will improve the conditions towards the rear of the property, where a reduction in height is proposed in the middle of the subject property thereby resulting in an increase in light and air to the properties immediately adjacent to the proposed mid-lot open space area. As the existing building will not be demolished as a part of the project, no new rear setback area is created; however, the project does not deprive neighbors of any privacy, light and air in any exceptional manner which would justify modifications via the use of DR. The Pacific NCD does not

require side yard setbacks, however, the project is sensitive to its neighbors by providing some setback and lightwell features on the first, second and third levels.

Issue 3: There has been no outreach between the sponsor and the community for more than three years prior to the 312 notice.

The project sponsor met with representatives of the DR Requestor prior to the filing of the DR Request, which was attended by several neighbors. The project sponsor will continue to reach out to neighbors and has extended an invitation to the DR Requestors to meet. ☐ The project sponsor has satisfied the pre-application requirements. Notice required under Planning Code Section 312 was sent and included updated plans. Additionally, a notice about the project undergoing environmental review was re-sent in May 2015. The project sponsor has and will continue to actively engage neighbors.

As the DR Requestor points out, neighbors were noticed originally three years ago. The project sponsor uses the building and is present in the neighborhood. Since the commencement of the project several years ago, neighbors were notified by environmental planning of the project again in May 2015, and by the 312 notice in August 2015. The project sponsor has met with several of the neighbors recently, including Ms. Tucker and Mr. Madden who are noted as representatives of PANA, and continues to reach out to the community and be available to the community regarding this project. The DR hearing has been scheduled for December 17, 2015, almost two months from today providing ample opportunity for the neighbors to review and discuss the plans for a project that has been pending for over 3 years. In fact, the project has been pending for a much longer than average time, and thus the neighbors have had more time than neighbors would have in a typical DR case.

Brief in Opposition of a DR Request, dated January 27, 2016:

The project sponsor reiterated the response to Issue 1, stating that the project is consistent with the Pacific Avenue NCD zoning and its objectives. The sponsor also reiterated the response to Issue 2, in stating that the project has been carefully designed to be compatible with the existing context. In addition, the project sponsor argues that the DR request should be denied for the following reasons:

- There are no exceptional or extraordinary circumstances that have been established which would justify taking DR,
- The project would increase housing stock by nine dwelling units, the majority of which have been designed to be appropriate for family housing (with 5 x 3BR, 2 x 2BR, and 2 x 1BR mix),
- The project retains a structurally sound building, and thereby avoids causing extensive construction-related disruption to the neighborhood and is able to provide an environmentally better and healthier project,
- The project is supported by many neighbor residents and workers, and
- The project is appropriate and desirable in use, massing, and overall scope.

ENVIRONMENTAL REVIEW

On August 20, 2015 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project

POLICY COORDINATION LITE REVIEW

The project was reviewed by senior staff of the department following the DR filing on October 19, 2015. In response to the concerns of the DR filer and other adjacent neighbors, staff recommended that the Commission take DR and approve the project with the following modifications:

1. Remove a proposed roof deck and stair penthouses at the rear of the building, and
2. Consolidate private stair penthouses on the front portion of the building, or to provide hatches instead of individual stair penthouses.

In response to the recommendations provided following the meeting described above, the project sponsor revised the project to comply with the recommendations. Two private stair penthouses and roof decks at the rear of the building were removed, and the stair penthouses at the front portion of the building were consolidated and reduced in size. On November 10, 2015, staff reviewed the revised proposal with senior staff, and revised the recommendation to not take DR and approve the project as proposed.

Under the Commission's pending DR Reform Legislation, this project would not be referred to the Commission as this project does not contain or create any exceptional or extraordinary circumstances.

RECOMMENDATION:	Do not take DR and approve project as proposed
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Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Site Photograph
Renderings
Plans
Section 312 Notice
DR Application
PANA Memo Dated October 16, 2015
DR Requestor Submittal
Response to DR Application dated October 15, 2015 and supplemental chart
Project Sponsor Submittal
Public Comment

Block Map

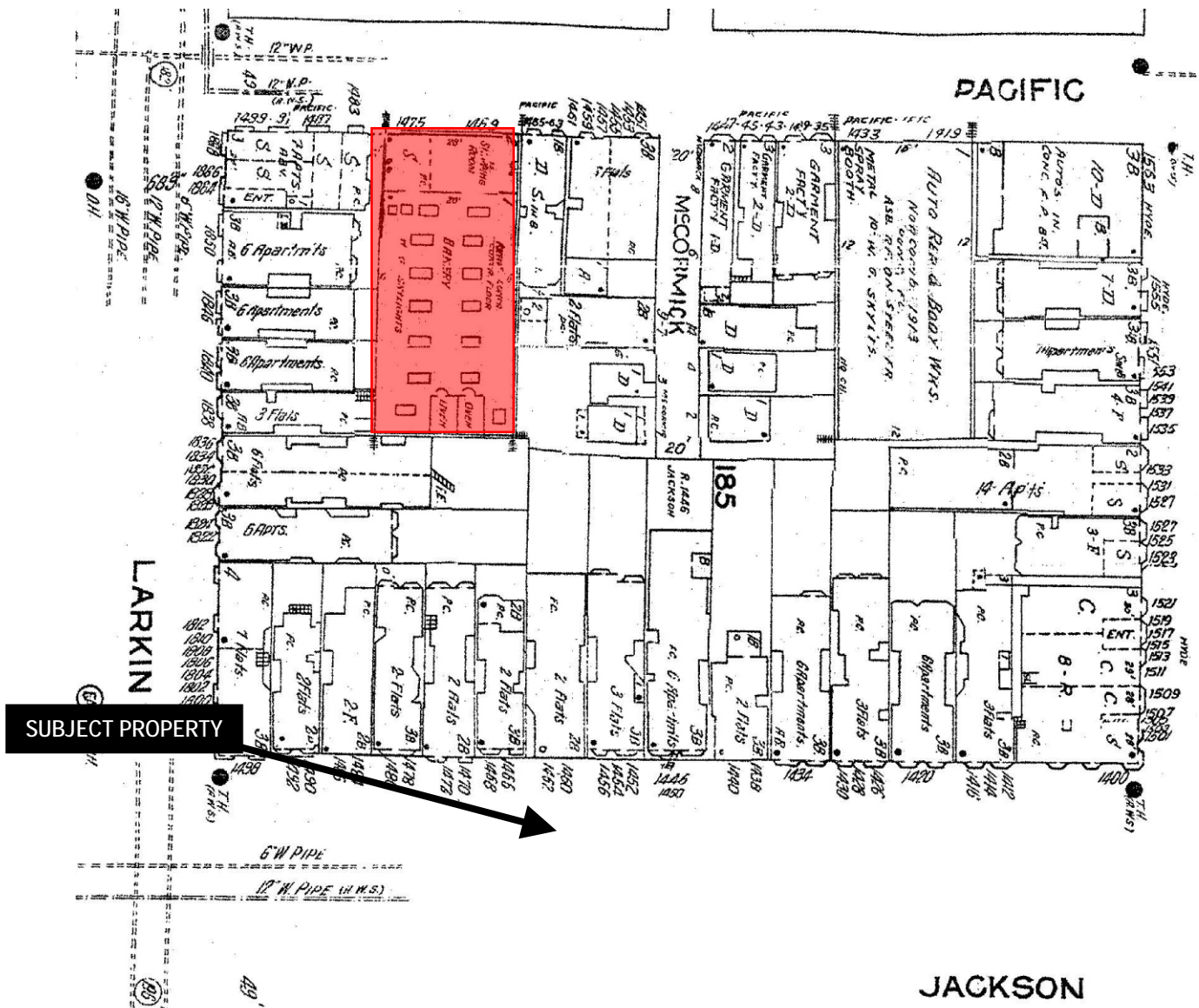


NCRS
 NEIGHBORHOOD C
 REZONING S
 Interim Controls: 1984.585ETZ
 Permanent: 1986.615ETZM; O
 Final: 1986.616ETZM; Ord. 4



Request for Discretionary Review
 Case Number 2013.0915E,DRP,VAR
 Change of Use, Vertical Addition
 1469 Pacific Ave

Sanborn Map*

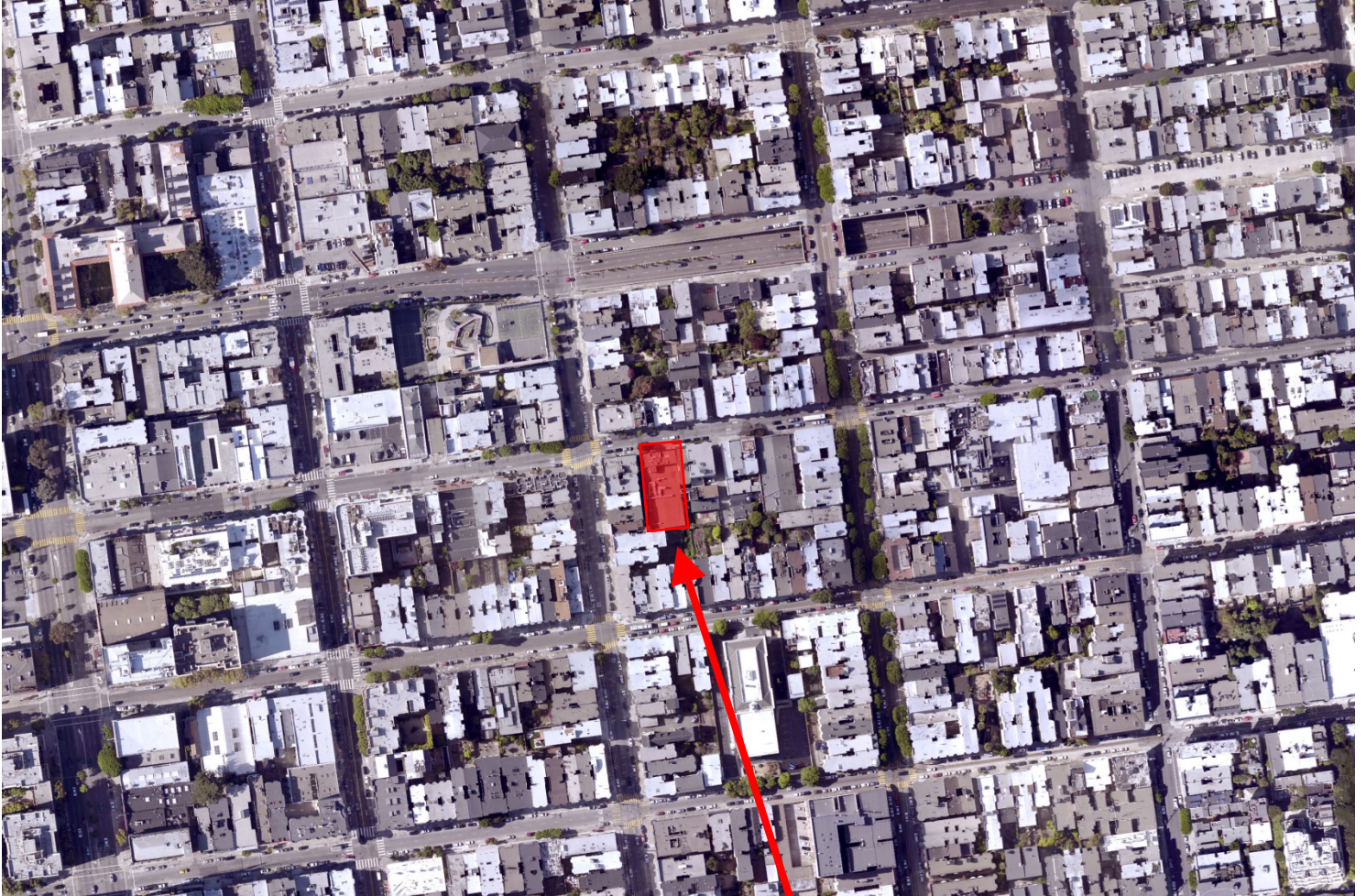


**The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*



Request for Discretionary Review
Case Number 2013.0915E,DRP,VAR
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 1469 Pacific Ave

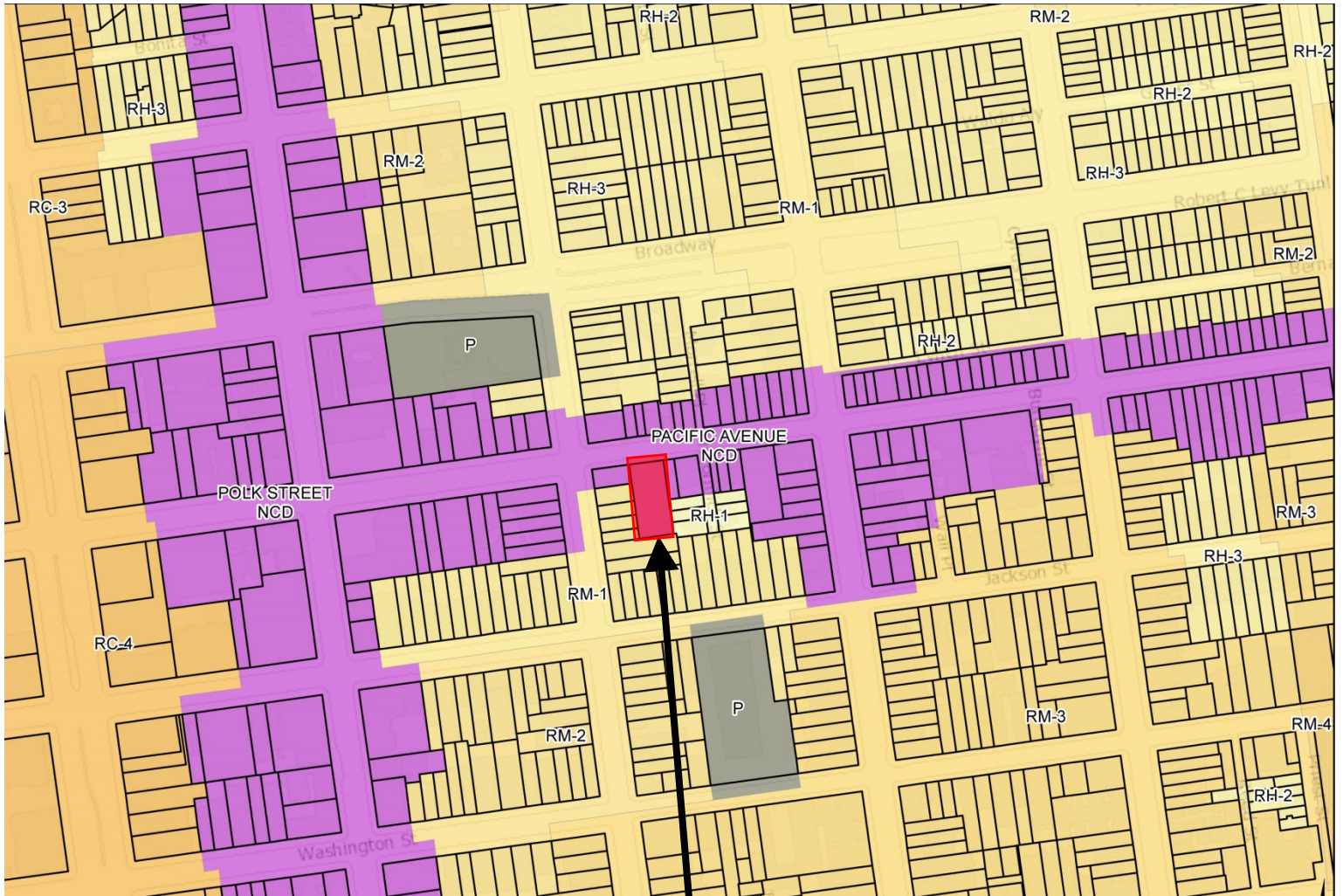
Aerial Photo



SUBJECT PROPERTY



Zoning Map



SUBJECT PROPERTY



Request for Discretionary Review
Case Number 2013.0915E,DRP,VAR
Change of Use, Vertical Addition
1469 Pacific Ave

Site Photo



Request for Discretionary Review
Case Number 2013.0915E,DRP,VAR
Change of Use, Vertical Addition
1469 Pacific Ave



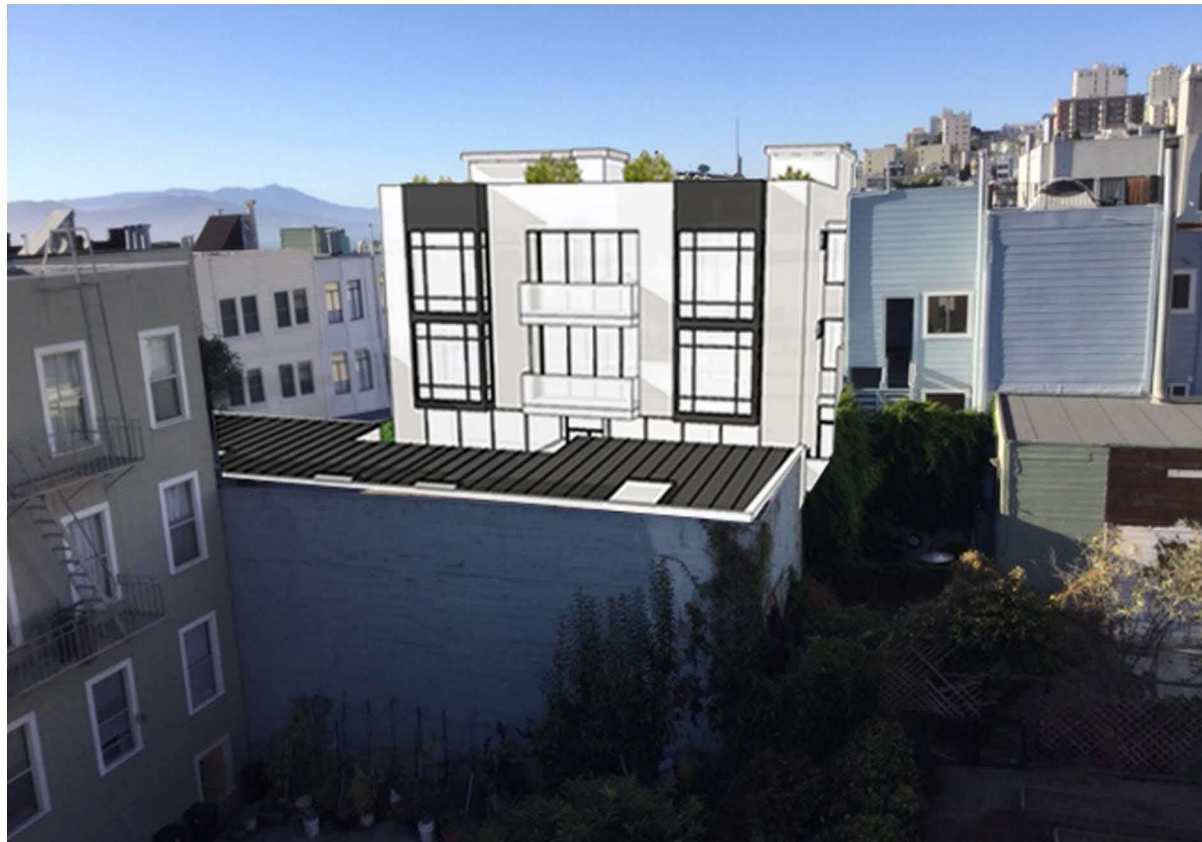
1469 PACIFIC AVENUE

ClineArchitects



PACIFIC AVENUE CONTEXT
1469 PACIFIC AVENUE

ClineArchitects



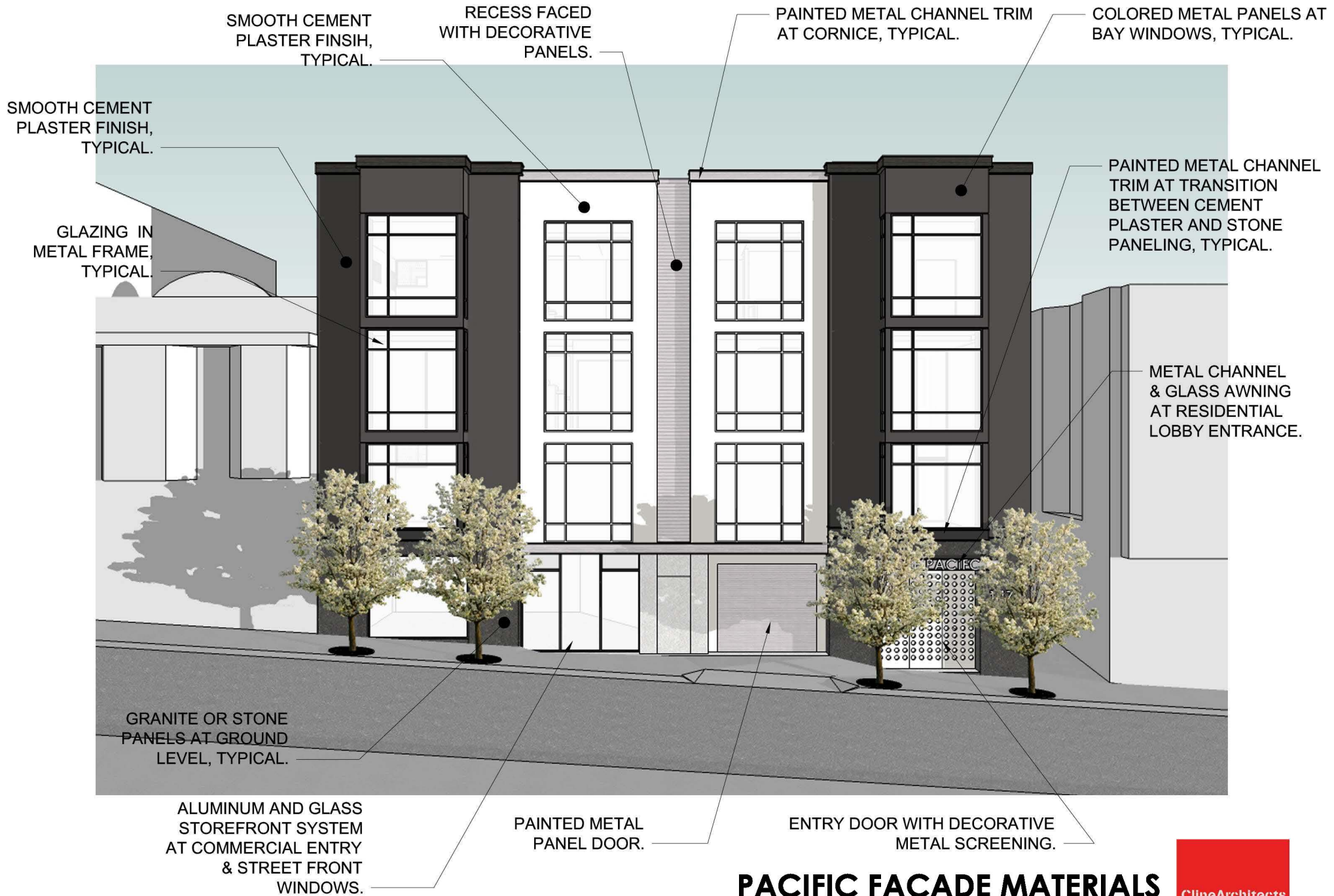
MID BLOCK CONTEXT
1469 PACIFIC AVENUE

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BIRDS EYE VIEW
1469 PACIFIC AVENUE

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PACIFIC FACADE MATERIALS
1469 PACIFIC AVENUE

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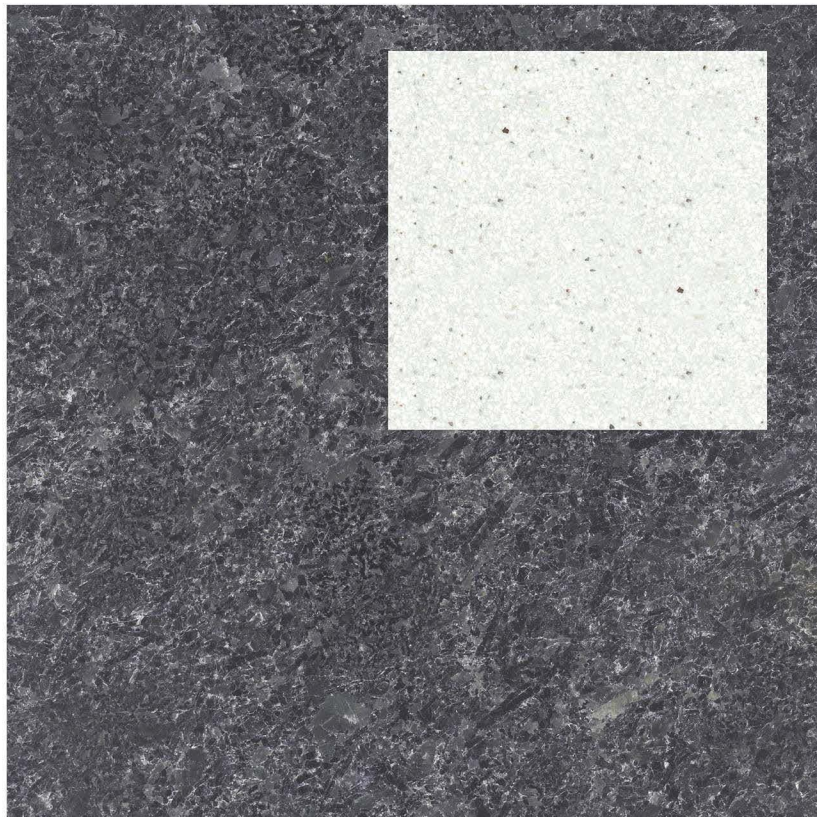
BODY: SMOOTH COAT CEMENT PLASTER
COLOR: CREAM / CHARCOAL GRAY

BAY: POWDER COATED STEEL PANELS
COLOR: CHARCOAL GRAY

WINDOWS: POWDER COATED METAL
COLOR: CREAM / CHARCOAL GRAY

PODIUM::GRANITE / STONE PANELS
COLOR: CREAM / CHARCOAL GRAY

GARAGE DOOR: PAINTED METAL PANELS
COLOR: CREAM / CHARCOAL GRAY



FACADE MATERIALS
1469 PACIFIC AVENUE

ClineArchitects



MATERIAL: POWDER COATED STEEL
STYLE: THIN HORIZONTAL SLATS
COLOR: CREAM & CHARCOAL GRAY



COURTYARD PRIVACY FENCING
1469 PACIFIC AVENUE

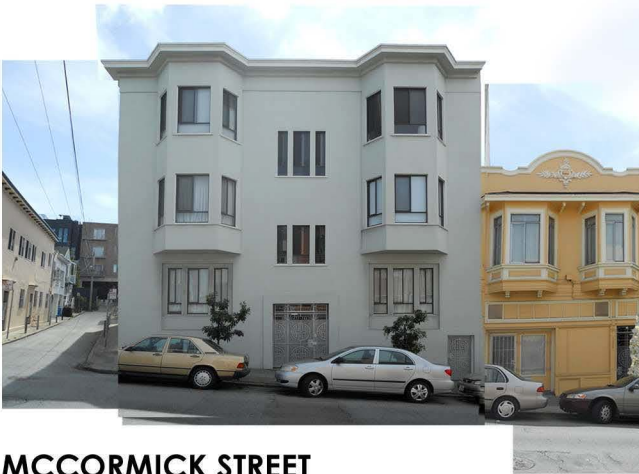
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HYDE STREET



MCCORMICK STREET



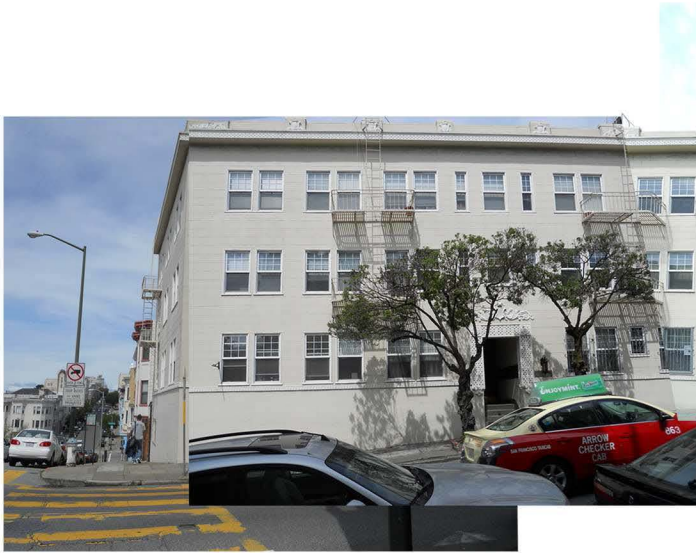
MCCORMICK STREET



LARKIN STREET

PACIFIC AVENUE - SOUTH SIDE
1469 PACIFIC AVENUE





LARKIN STREET



MORRELL PLACE

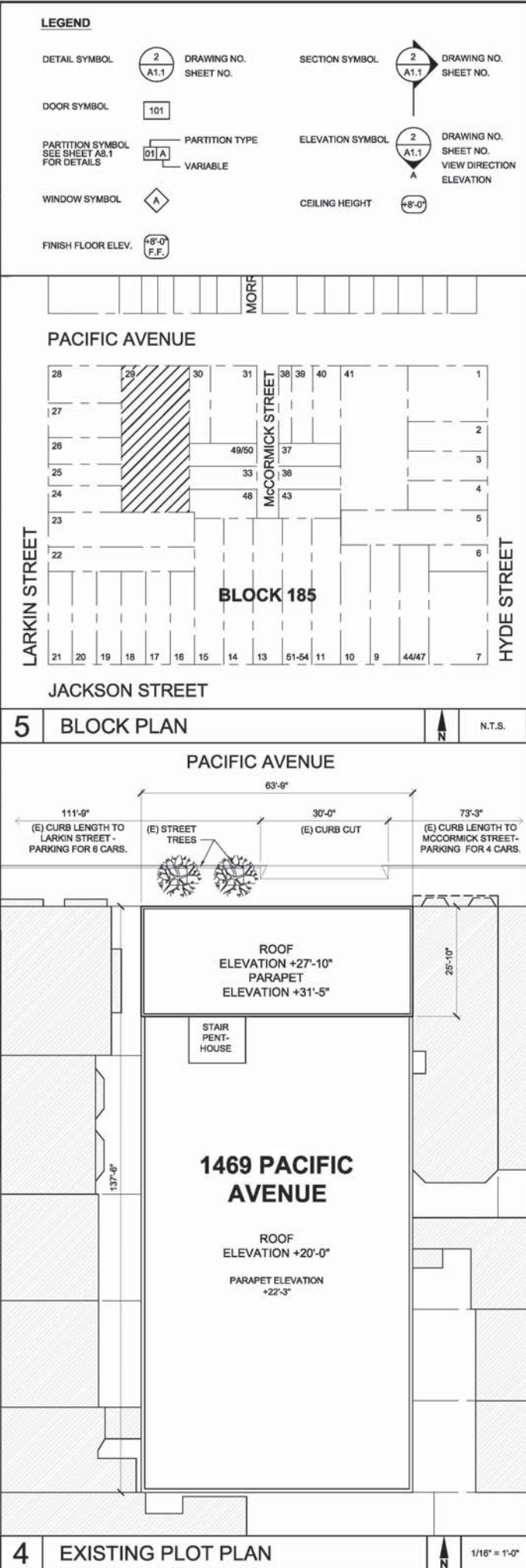
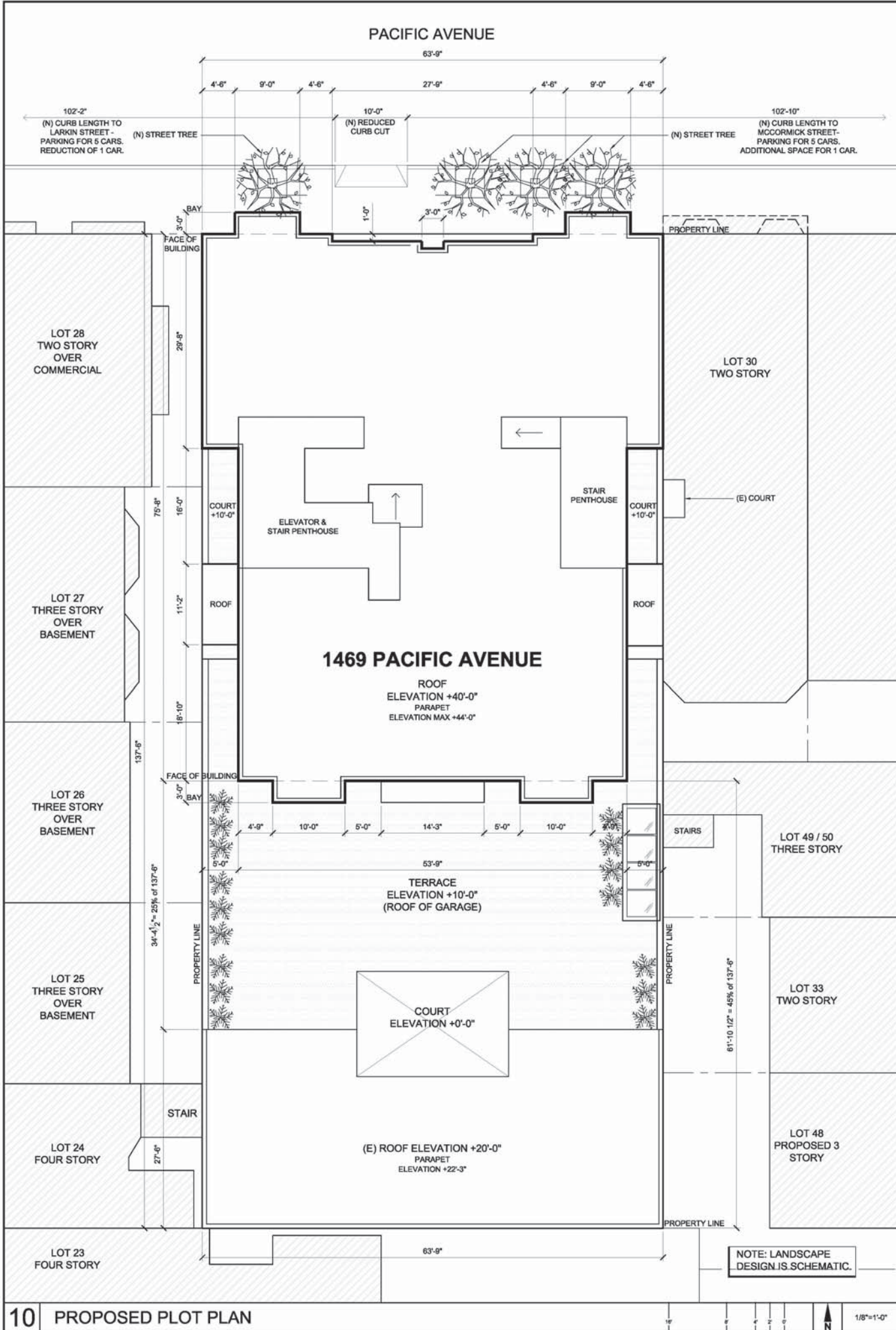


HYDE STREET

MORRELL PLACE

PACIFIC AVENUE - NORTH SIDE
1469 PACIFIC AVENUE

ClineArchitects



PROJECT NOTES	
PROJECT ADDRESS:	1469 PACIFIC AVENUE SAN FRANCISCO CA
BLOCK AND LOT	BLOCK 0185, LOT 029
ZONING DISTRICT:	PACIFIC AVENUE NCD
HEIGHT AND BULK DISTRICT	40-X
PROPOSED USE:	9 RESIDENTIAL UNITS ABOVE PARKING STRUCTURE
BUILDING HEIGHT:	LIMIT: 40'-0" PROVIDED: 40'-0"
USABLE OPEN SPACE:	REQUIRED: 100 SF PER UNIT FOR PRIVATE OPEN SPACE 133 SF PER UNIT FOR COMMON OPEN SPACE IF PRIVATE SPACE IS NOT PROVIDED
	PROVIDED: UNIT 1: 180 SF ROOF TERRACE UNIT 2: 565 SF PATIO UNIT 3: 500 SF PATIO UNIT 4: 574 SF (422 SF PATIO + 152 SF COURT) UNIT 5: 447 SF (295 SF PATIO + 152 SF COURT) UNIT 6: 804 SF ROOF TERRACE UNIT 7: 804 SF ROOF TERRACE UNIT 8: 688 SF (100 SF TERRACE + 588 SF ROOF TERR.) COMMON: 1134 SF ROOF TERRACE
OPEN SPACE REQUIREMENTS:	45%
CAR PARKING:	REQUIRED: 1 SPACE PER UNIT = 9 SPACES PROVIDED: 10 SPACES
BIKE PARKING:	REQUIRED: 1 CLASS 1 SPACE PER 1 UNITS = 10 SPACES PROVIDED: 10 SPACES
BUILDING AREA CALCULATIONS:	9 RESIDENTIAL UNITS: 13,875 SF 1 COMMERCIAL UNIT: 1,962 SF PARKING: 3760 SF COMMON LOBBY, STAIRS, HALLS, BASEMENT, STORAGE, TRASH, WALLS, ETC.: 7,506 SF BUILDING TOTAL: 27,103 SF
CODE ANALYSIS - 2010 CALIFORNIA BUILDING CODE	
PARKING LEVEL	TYPE IA
BUILDING TYPE	GROUP S-2
OCCUPANCY	3 HOUR HORIZONTAL ASSEMBLY
SEPARATION	
RESIDENTIAL	TYPE VA
BUILDING TYPE	GROUP R-2
OCCUPANCY	
BASIC ALLOWABLE	12,000 SF
MULTI STORY INCREASE	24,000 SF
AUTOMATIC SPRINKLER	48,000 SF
ALLOWABLE AREA	48,000 SF
ALLOWABLE HEIGHT	3 STORIES
CBC 509.2	CONSIDERED SEPARATE BUILDINGS FOR PURPOSES OF AREA LIMITATIONS, LIMITATION OF NUMBER OF STORIES AND TYPE OF CONSTRUCTION
SHEET INDEX	
A0.1	PROJECT NOTES, PLOT PLAN, BLOCK PLAN
A0.2	EGRESS PLANS, NOTES & ABBREVIATIONS
A1.1	EXISTING FLOOR PLANS
A1.2	EXISTING EXTERIOR ELEVATIONS
A2.1	FLOOR PLANS - BASEMENT LEVEL, GARAGE LEVEL
A2.2	FLOOR PLANS - LEVEL 1, LEVEL 2
A2.3	FLOOR PLANS - LEVEL 3, ROOF
A3.1	NORTH, SOUTH AND EAST ELEVATIONS
A3.2	WEST, SOUTH, AND NORTH ELEVATIONS
A3.3	BUILDING SECTIONS
SCOPE OF WORK	
THE PROPOSED PROJECT CONSISTS OF THE CONVERSION OF AN EXISTING WAREHOUSE BUILDING INTO A NINE-UNIT RESIDENTIAL BUILDING WITH ONE COMMERCIAL OFFICE SPACE AND 10 OFF-STREET PARKING SPACES. IT INCLUDES RETENTION OF EAST, SOUTH, AND WEST WALLS OF THE EXISTING BUILDING, DEMOLITION OF THE FRONT FACADE, AND CONSTRUCTION OF A 10 FOOT GARAGE PODIUM WITH TWO SEPARATE RESIDENTIAL STRUCTURES WITH A MID-LOT OPEN SPACE. THE PROPOSED STRUCTURE FRONTING PACIFIC AVENUE WILL BE THREE STORIES OVER GARAGE CONTAINING SEVEN RESIDENTIAL UNITS, AND THE REAR STRUCTURE WILL BE ONE STORY OVER GARAGE CONTAINING TWO RESIDENTIAL UNITS.	
APPLICABLE CODES	
The work shall be performed in accordance with applicable code requirements and applicable requirements of all other regulatory agencies, including, but not limited to the following:	
CALIFORNIA BUILDING STANDARD ADMINISTRATIVE CODE 2010 (PART 1) CALIFORNIA BUILDING CODE 2010 (PART 2) CALIFORNIA ELECTRICAL CODE 2010 (PART 3) CALIFORNIA MECHANICAL CODE 2010 (PART 4) CALIFORNIA PLUMBING CODE 2010 (PART 5) CALIFORNIA ENERGY CODE 2010 (PART 6) CALIFORNIA ELEVATOR SAFETY CODE 2010 (PART 7) CALIFORNIA HISTORICAL BUILDING CODE 2010 (PART 8) CALIFORNIA FIRE CODE 2010 (PART 9) CALIFORNIA CODE FOR BUILDING CONSERVATION 2010 (PART 10) CALIFORNIA REFERENCE STANDARDS CODE 2010 (PART 12) SAN FRANCISCO PLANNING CODE- CURRENT EDITION SAN FRANCISCO BUILDING CODE - CURRENT EDITION SAN FRANCISCO HOUSING CODE - CURRENT EDITION	

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All drawings and written material appearing herein constitute original and unpublished work of the Architect and may not be duplicated, used or disclosed without written consent of the Architect.

OWNER
PAUL BOGATSKY
1469 PACIFIC AVENUE
SAN FRANCISCO CA 94109
415.310.8967

PROJECT

Residential Units
1469 Pacific Avenue
SAN FRANCISCO CA | BLOCK 0185 LOT 029

STAMP
LICENSED ARCHITECT
JAMES B. CLINE
C 14901
REN. 11/30/17
STATE OF CALIFORNIA

REVISION

SITE PERMIT APPLICATION	10.30.2012
OWNER REVIEW	03.14.2013
MEETING WITH PLANNING	03.20.2013
RESPONSE TO COMMENTS	04.12.2013
VARIANCE APPLICATION	06.28.2013
VARIANCE APPLICATION	06.10.2014
UDAT COMMENTS REVISION	08.19.2014
PLANNING REVISION	10.30.2014
312 NOTIFICATION	08.24.2015
PLANNING REVISION	01.27.2016

SHEET NAME

PROJECT NOTES
PLOT PLAN
BLOCK PLAN

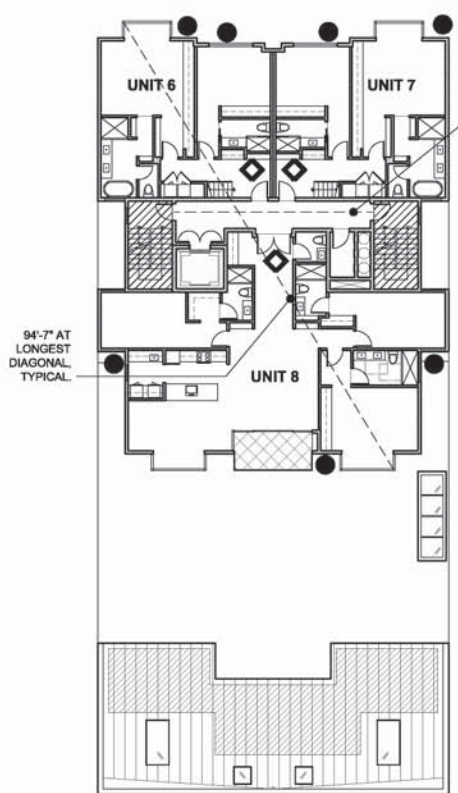
DRAWN BY	CK
DATE	01.27.2016
JOB NO.	1133
SCALE	AS NOTED

SHEET NO.

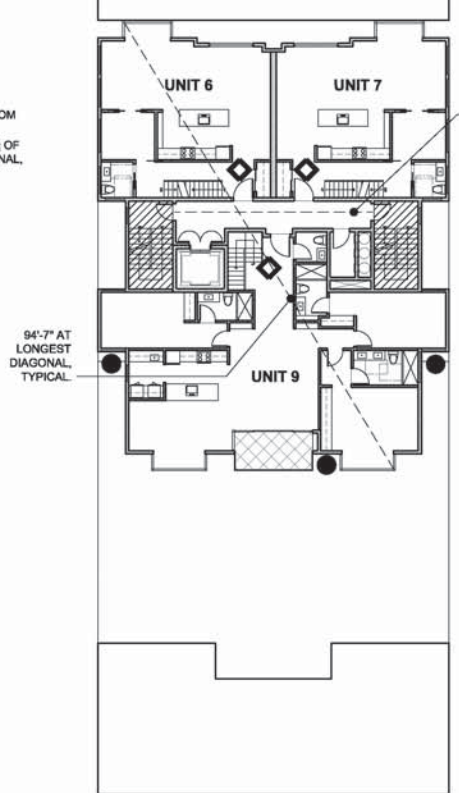
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ABBREVIATIONS			
ACOUST.	ACOUSTIC, ACOUSTICAL	G.B.	GRAB BAR
A.D.	ACCESS DOOR	GA.	GALV.
A.F.F.	ABOVE FINISHED FLOOR	GSM	GALVANIZED SHEET METAL
ADJ.	ADJUSTABLE	GYP. BD.	GYP. BOARD
AL.	ALUMINUM	GL.	GLASS
AL.	ALUMINUM	G.R.	GUARDRAIL
AND	AND	GWB	GYP. WALLBOARD
BD.	BOARD	H.B.	HOSE BIB
BACKG.	BACKING	H.P.	HIGH POINT
BLDG.	BUILDING	HR.	HOUR
BLKG.	BLOCKING	H.R.	HANDRAIL
BOT.	BOTTOM	HT.	HEIGHT
BTW.	BETWEEN	HW	HOT WATER
CAB.	CABINET	I.D.	INSIDE DIAMETER
C.J.	CORNER JOINT	IN.	INCH
C.G.	CEILING	INCAND.	INCANDESCENT
CONC.	CONCRETE	INT.	INTERIOR
CONSTR.	CONSTRUCTION	JT.	JOINT
CONT.	CONTINUOUS	LB	POUND(S)
CLR.	CLEAR	LAV.	LAVATORY
C	CENTERLINE	L.P.	LOW POINT
CPT.	CARPET	MAX.	MAXIMUM
CSK	COUNTER-SUNK	MECH.	MECHANICAL
CBC	CALIFORNIA BUILDING CODE	MET.	METAL
CW	COLD WATER	MFR.	MANUFACTURER
D	DRYER	MN.	MINIMUM/MINUTE
DES.	DESIGNATION	MWO	MICROWAVE OVEN
DET.	DETAIL	NR	NON-RATED
DL	DOWNLIGHT	NA	NOT APPLICABLE
DR.	DRAWING	(N)	NEW
DWG.	DRAWING	N.I.C.	NOT IN CONTRACT
DIA.	DIAMETER	NO.	NUMBER
Ø	DIAMETER	#	NUMBER
DM.	DIMENSION	N.T.S.	NOT TO SCALE
DN	DOWN	O.C.	ON CENTER
D.W.	DISH WASHER	O.D.	OUTSIDE DIAMETER
(E)	EXISTING	O.D.	OVERFLOW DRAIN
EA.	EACH	OPNG	OPENING
E.F.	EXHAUST FAN	OPNG	OPENING
E.J.	EXPANSION JOINT	OV.	OVEN
ELEC.	ELECTRICAL	P	PLATE/PROPERTY LINE
EL.	ELEVATION/ELEVATOR	PART.	PARTITION/PARTIAL
ELEV.	ELEVATION	PLAS.	PLASTIC
EQ.	EQUAL	P.LAM	PLASTIC LAMINATE
E.B.	EXPANSION BOLT	PLYD	PLYWOOD
EXH.	EXHAUST	PROJ.	PROJECT/PROJECTOR
EXT.	EXTERIOR	P.T.	PRESSURE TREATED
EXP.	EXPANSION	R	RADIUS/RISER
E.P.	ELECTRICAL PANEL	R.B.	RUBBER BASE
FAU	FURNACE UNIT	REF.	REFRIGERATOR/REFERENCE
FW	FACE OF FINISHED WALL	REQ.	REQUIRED
PHSM	FLATHEAD SHEET METAL SCREW	RESIL.	RESILIENT
FW	FLATHEAD WOOD SCREW	RD	ROOF DRAIN
FL.	FLOOR	RDWD	REDWOOD
FLUOR.	FLUORESCENT	RM.	ROOM
FIN.	FINISH	(R)	RELOCATE
FOC	FACE OF CONCRETE	ROD AND SHELF	ROD AND SHELF
FOE	FACE OF EXISTING WALL	RWL	RAINWATER LEADER
FOF	FACE OF FINISH		
FOB	FACE OF STUD		
FUR.	FURRING		
FTF	FINISH-TO-FINISH		
FT.	FOOT		
F.T.	FULL TILE/FIRE TREATED		
F.P.	FIREPLACE		

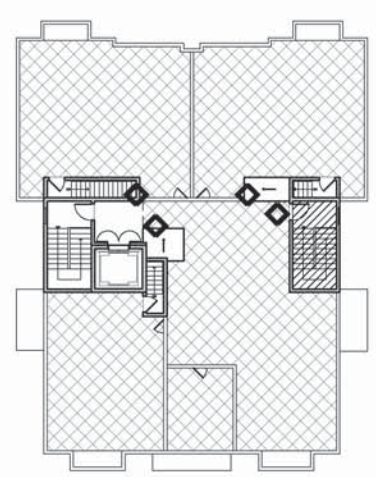
NOT ALL ABBREVIATIONS ARE USED.
PUNCTUATION MAY VARY.



SECOND FLOOR



THIRD FLOOR



ROOF

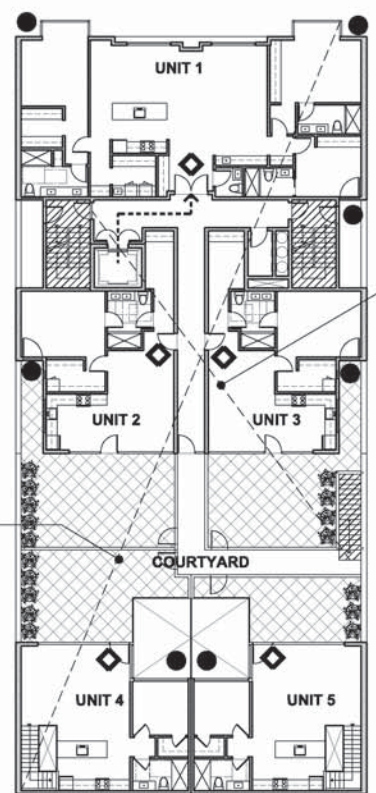
LEGEND

- EXIT ENCLOSURE - 2 HR RATED
- EXIT DISCHARGE
- EXIT ACCESS DOORWAY
- EMERGENCY ESCAPE AND RESCUE OPENING PER CBC 1026
- ACCESSIBLE PATH OF TRAVEL

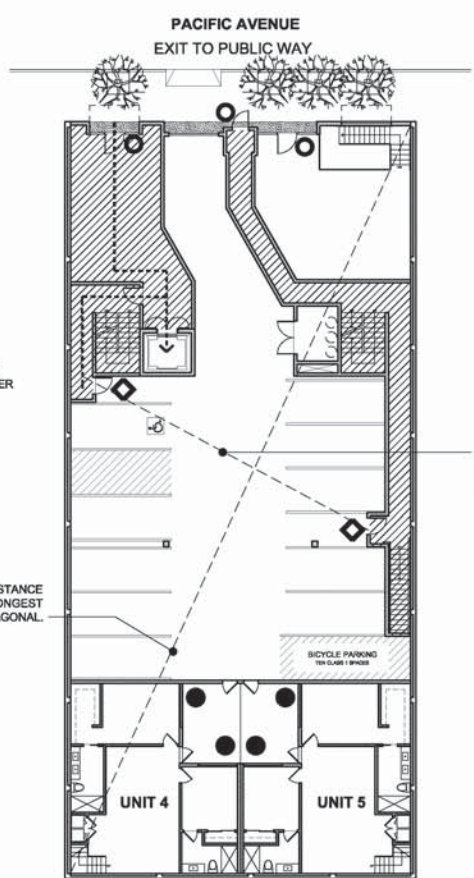
OCCUPANT LOAD

UNIT 1 :	9
UNIT 2 :	4
UNIT 3 :	4
UNIT 4 :	9
UNIT 5 :	9
UNIT 6 :	10
UNIT 7 :	10
UNIT 8 :	9
UNIT 9 :	9

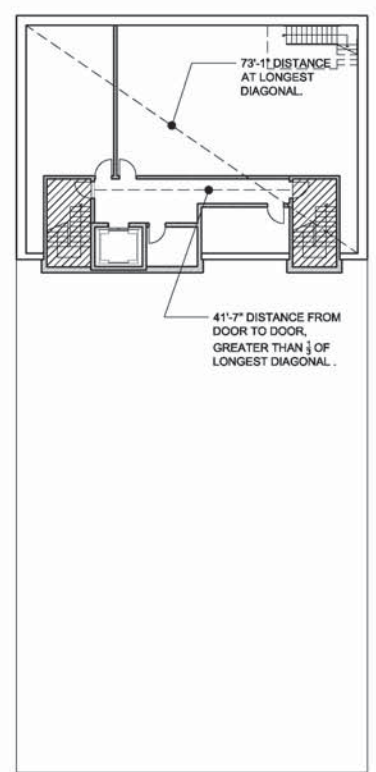
FULLY SPRINKLERED.



FIRST FLOOR



GROUND FLOOR



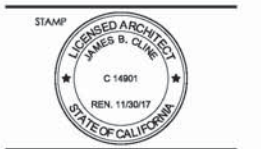
BASEMENT

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OWNER
PAUL BOGATSKY
1469 PACIFIC AVENUE
SAN FRANCISCO CA 94109
415.310.8987

PROJECT

Residential Units
1469 Pacific Avenue
SAN FRANCISCO CA | BLOCK 0185 LOT 029



REVISION	
SITE PERMIT APPLICATION	10.30.2012
OWNER REVIEW	03.14.2013
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RESPONSE TO COMMENTS	04.12.2013
UDAT COMMENTS REVISION	08.19.2014
PLANNING REVISION	10.30.2014
PLANNING REVISION	01.27.2016

SHEET NAME

EGRESS PLANS
NOTES & ABBREVIATIONS

DRAWN BY	CK
DATE	01.27.2016
JOB NO.	1133
SCALE	AS NOTED

SHEET NO.

A0.2



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415.310.8967

PROJECT

Residential Units 1469 Pacific Avenue SAN FRANCISCO CA | BLOCK 0185 LOT 029

STAMP



REVISION

SITE PERMIT APPLICATION	10.30.2012
OWNER REVIEW	03.14.2013
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312 NOTIFICATION	08.24.2015
PLANNING REVISION	01.27.2016

SHEET NAME

EXISTING FLOOR PLANS

DRAWN BY

CK

DATE

01.27.2016

JOB NO.

1133

SCALE

AS NOTED

SHEET NO.

A1.1

PACIFIC AVENUE

(E) TREE AND GRATE, TYPICAL

(E) CURB CUT

4
A1.2

4
A1.2

ELECTRICAL/
MECHANICAL

ELEVATOR

STORAGE

BATH

DEMOLISH ALL INTERIOR PARTITIONS
AND ELEVATOR

UNEXCAVATED

OFFICE

LOBBY

GARAGE

BATH

ELEVATOR

DEMOLISH FRONT FACADE AND
INTERIOR CONSTRUCTIONS.
(E) EXTERIOR CONCRETE WALLS TO
REMAIN ON THREE SIDES.

WAREHOUSE

11
A1.2

10
A1.2

11
A1.2

10
A1.2

DEMOLISH FRONT FACADE, ROOF AND
INTERIOR CONSTRUCTIONS.

ROOF

5
A1.2

5
A1.2

10 BASEMENT

7 GROUND FLOOR

4 FIRST FLOOR

1/8"=1'-0"

1/8"=1'-0"

1/8"=1'-0"

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Residential Units
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SAN FRANCISCO CA | BLOCK 0185 LOT 029



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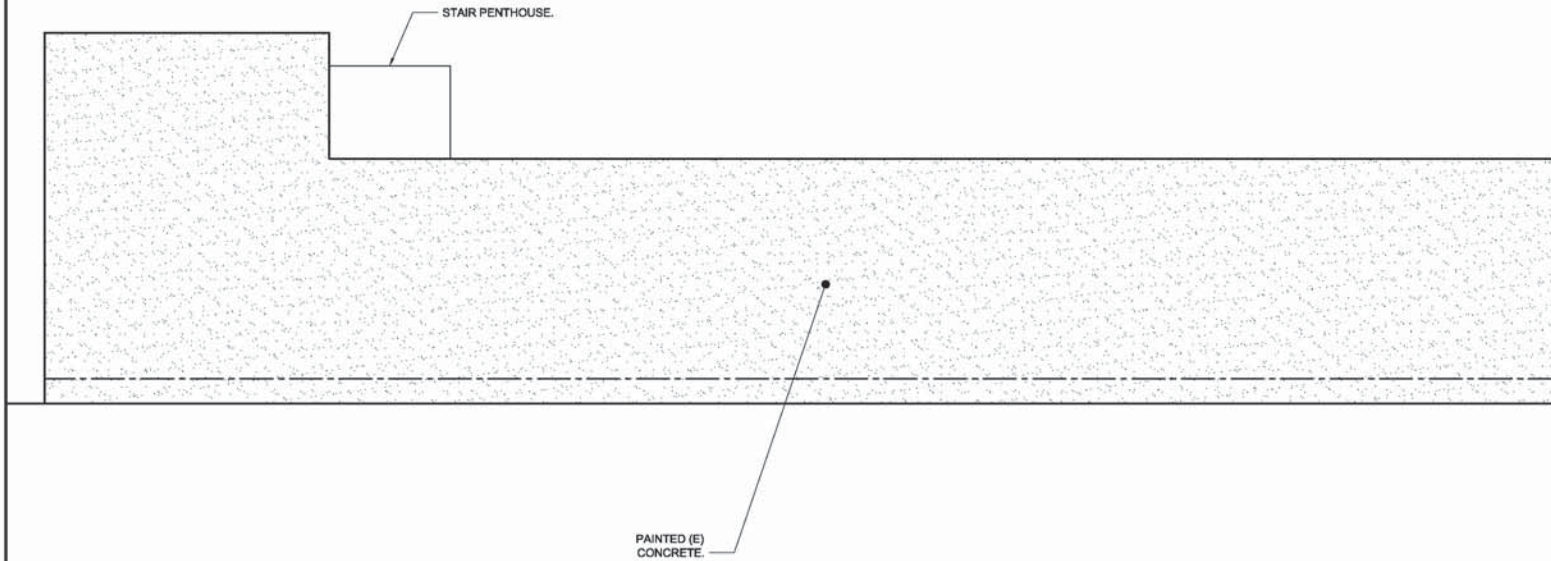
SHEET NAME

EXISTING EXTERIOR ELEVATIONS

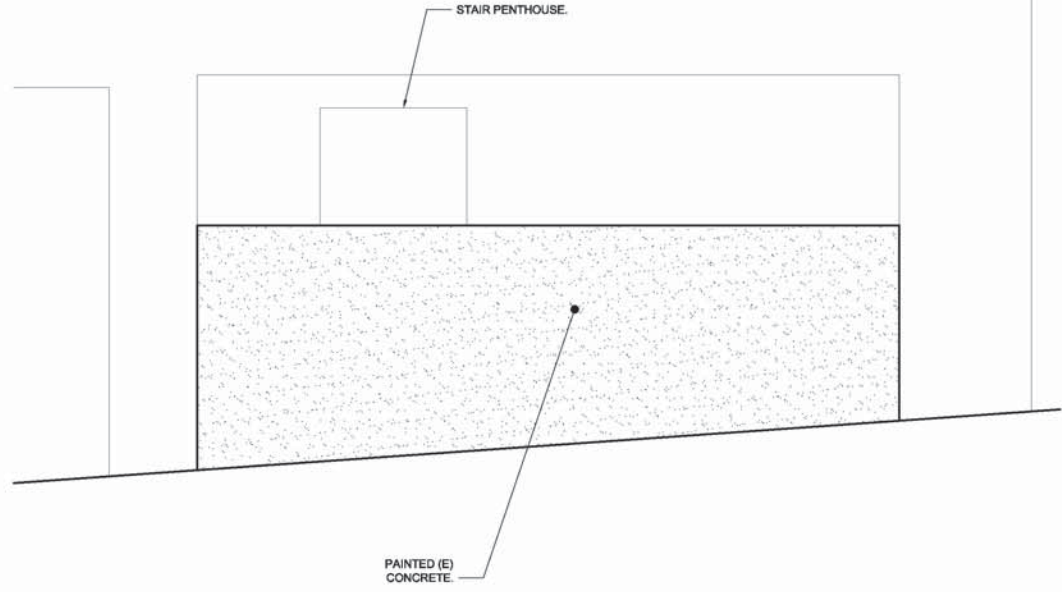
DRAWN BY CK
DATE 01.27.2016
JOB NO. 1133
SCALE AS NOTED

SHEET NO.

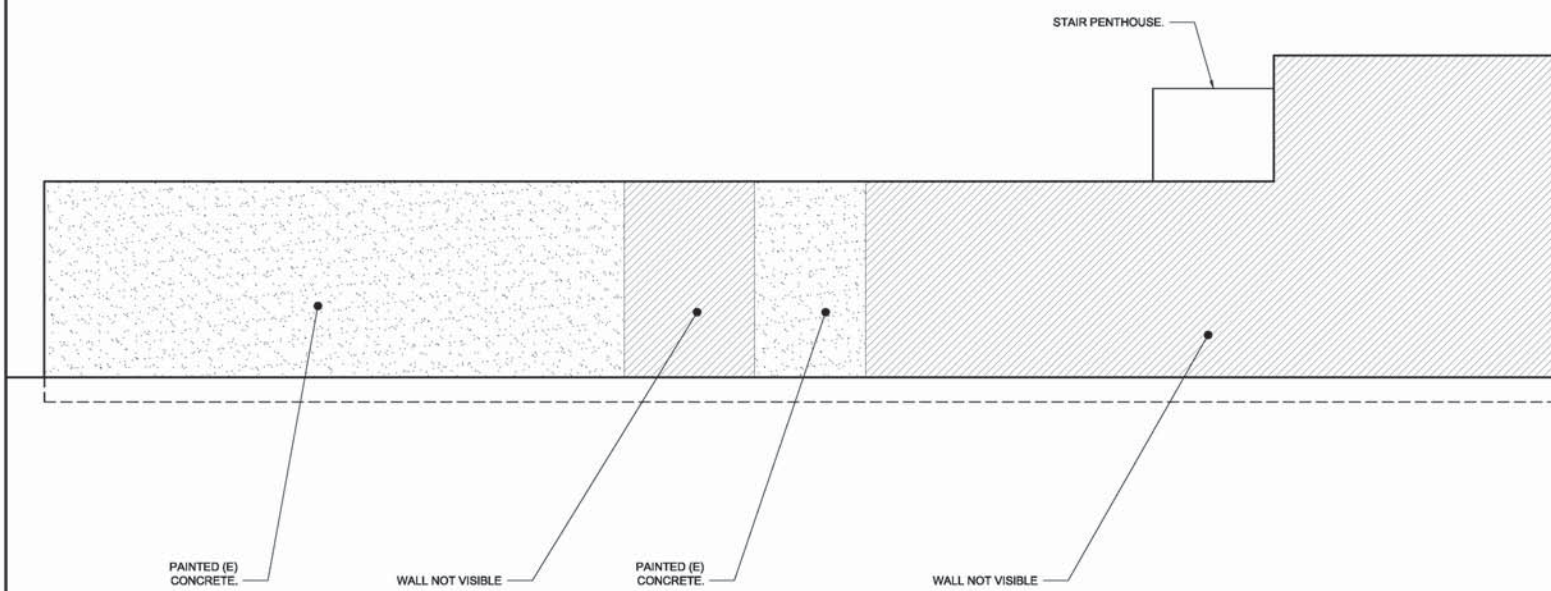
A1.2



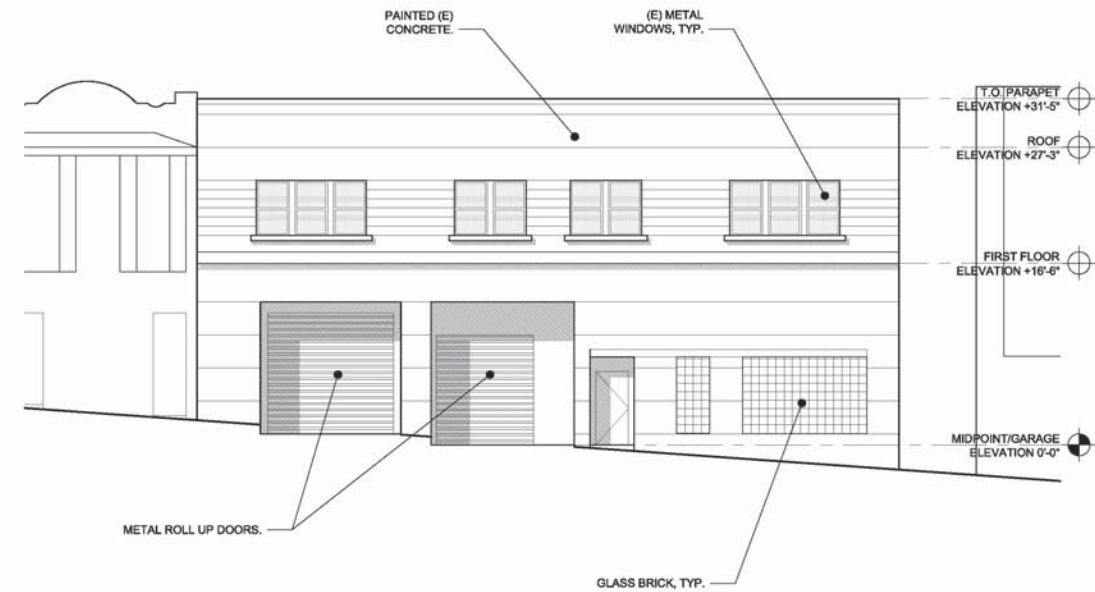
11 WEST EXISTING EXTERIOR ELEVATION 1/8" = 1'-0"



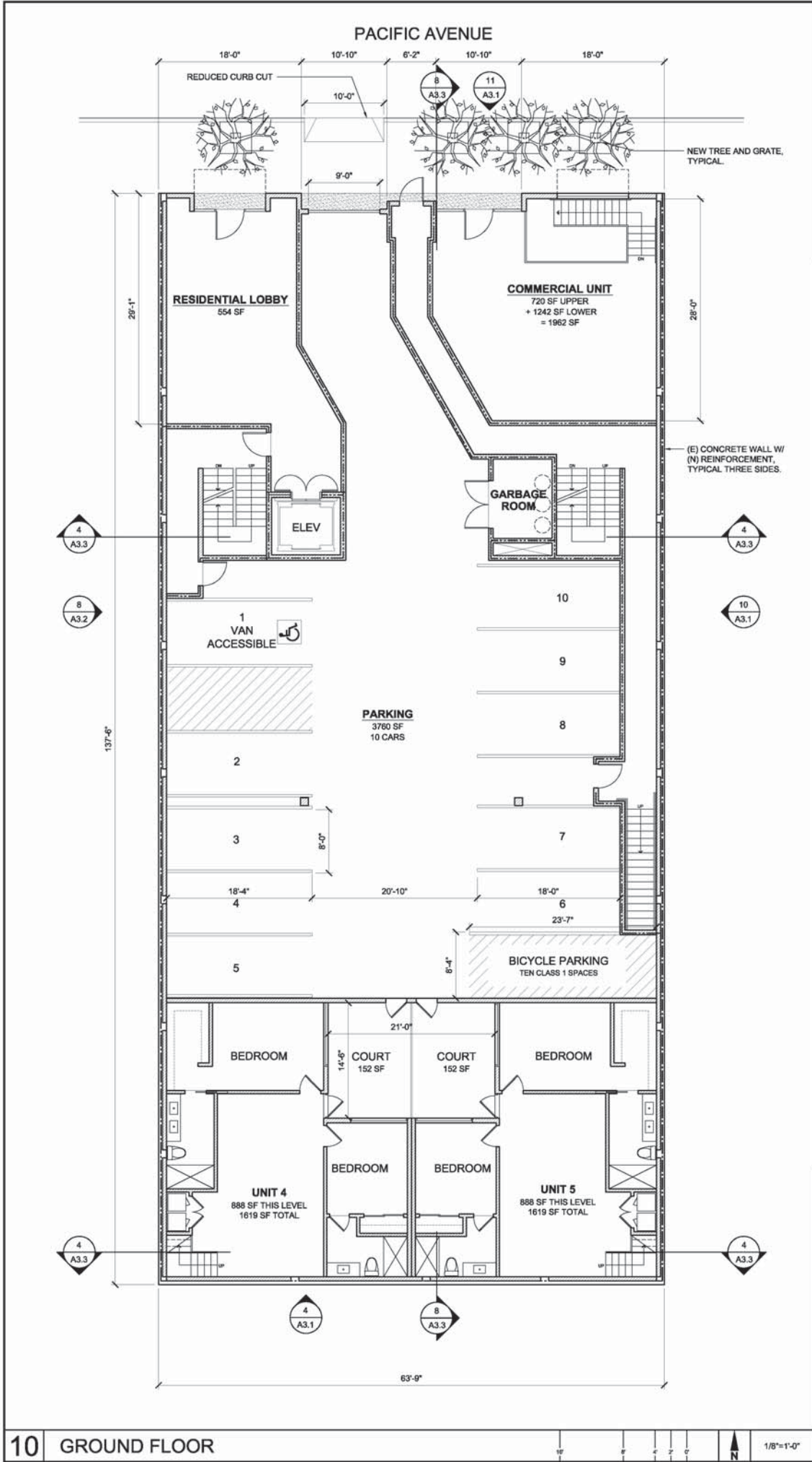
5 EXISTING SOUTH EXTERIOR ELEVATION 1/8" = 1'-0"



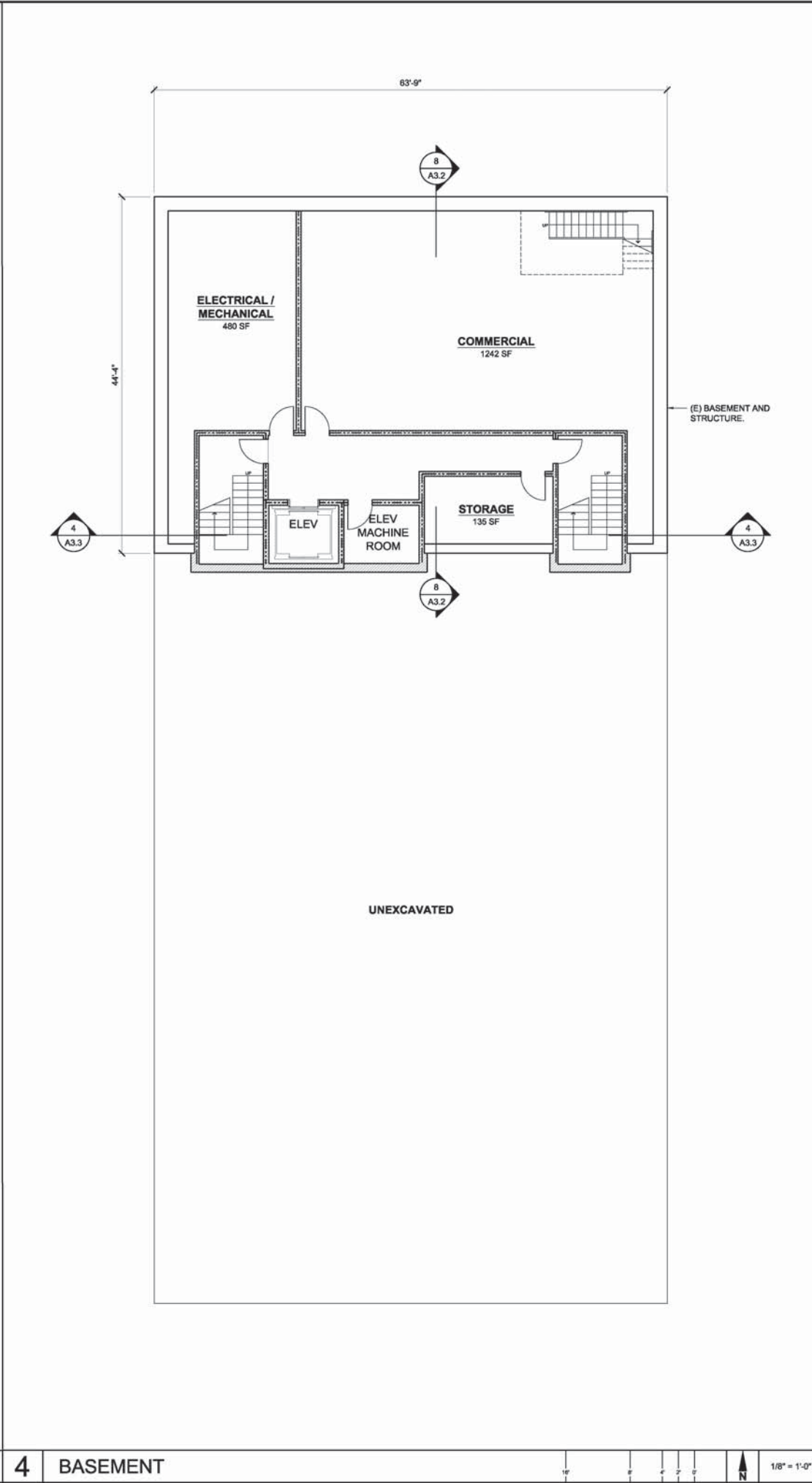
10 EAST EXISTING EXTERIOR ELEVATION 1/8" = 1'-0"



4 EXISTING NORTH EXTERIOR ELEVATION 1/8" = 1'-0"



10 GROUND FLOOR



4 BASEMENT

LEGEND - CONSTRUCTION PLAN

- (E) PARTITION OR WALL TO REMAIN
- (N) PARTITION OR WALL
- ONE HOUR RATED PARTITION OR WALL
- TWO HOUR RATED PARTITION OR WALL
- R-13 MINIMUM INSULATION
- ONE HOUR RATED PARAPET
- (N) DOOR AND FRAME
- (N) WINDOW IN (N) OR (E) WALL
- (N) STAIRS OR STEPS WITH HANDRAIL 2'-10" ABOVE NOSING



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OWNER

PAUL BOGATSKY
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415.310.8957

PROJECT

Residential Units
1469 Pacific Avenue
SAN FRANCISCO CA | BLOCK 0185 LOT 029

STAMP



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PLANNING REVISION	07.28.2015
312 NOTIFICATION	08.24.2015
PLANNING REVISION	01.27.2016

SHEET NAME

BASEMENT FLOOR PLAN
GARAGE FLOOR PLAN

DRAWN BY CK

DATE 01.27.2016

JOB NO. 1133

SCALE AS NOTED

SHEET NO.

A2.1



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415 310 8987

PROJECT

Residential Units 1469 Pacific Avenue SAN FRANCISCO CA | BLOCK 0185 LOT 029

STAMP



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312 NOTIFICATION	08.24.2015
PLANING REVISION	01.27.2016

SHEET NAME

FIRST FLOOR PLAN
SECOND FLOOR PLAN

DRAWN BY CK

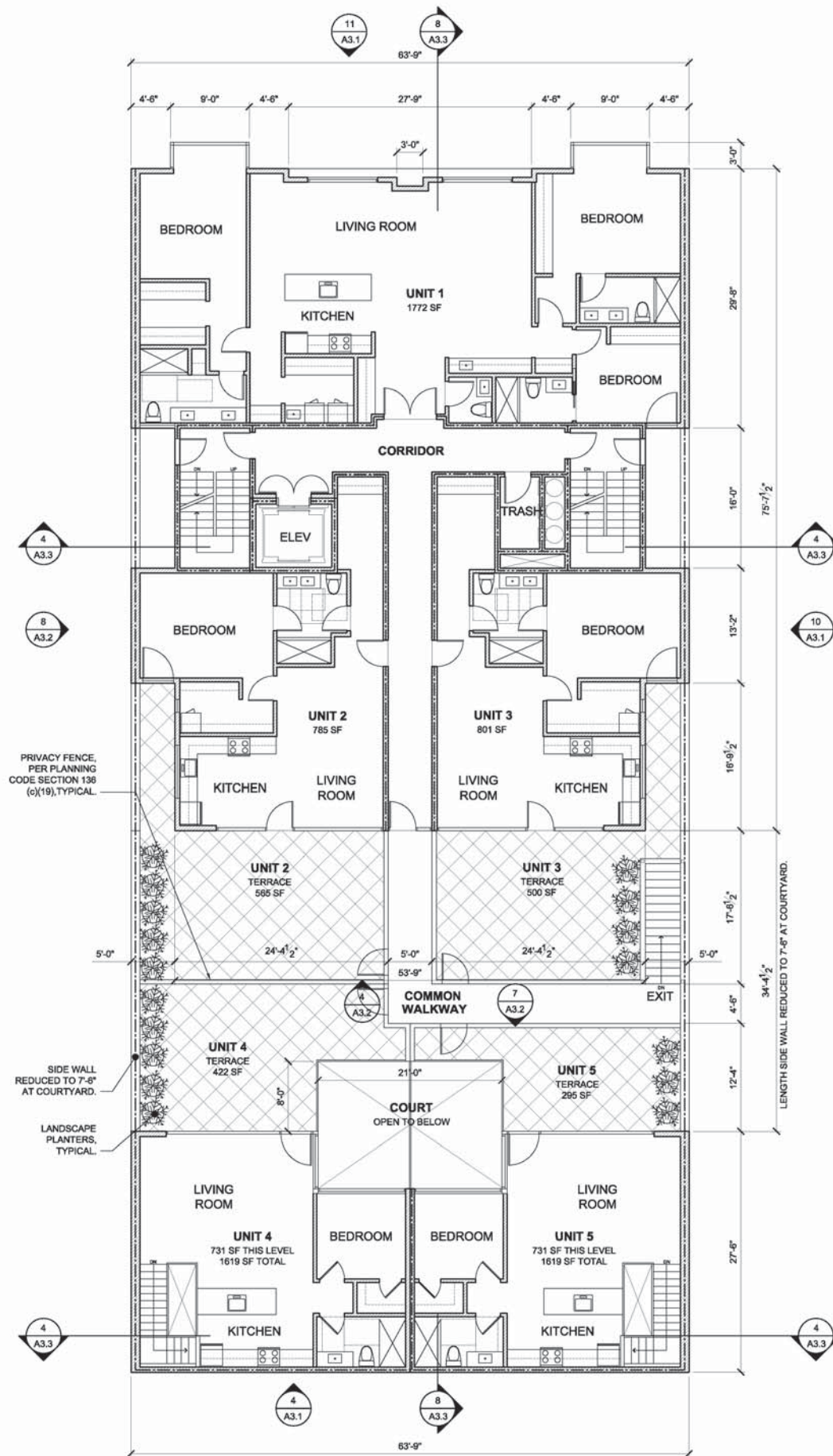
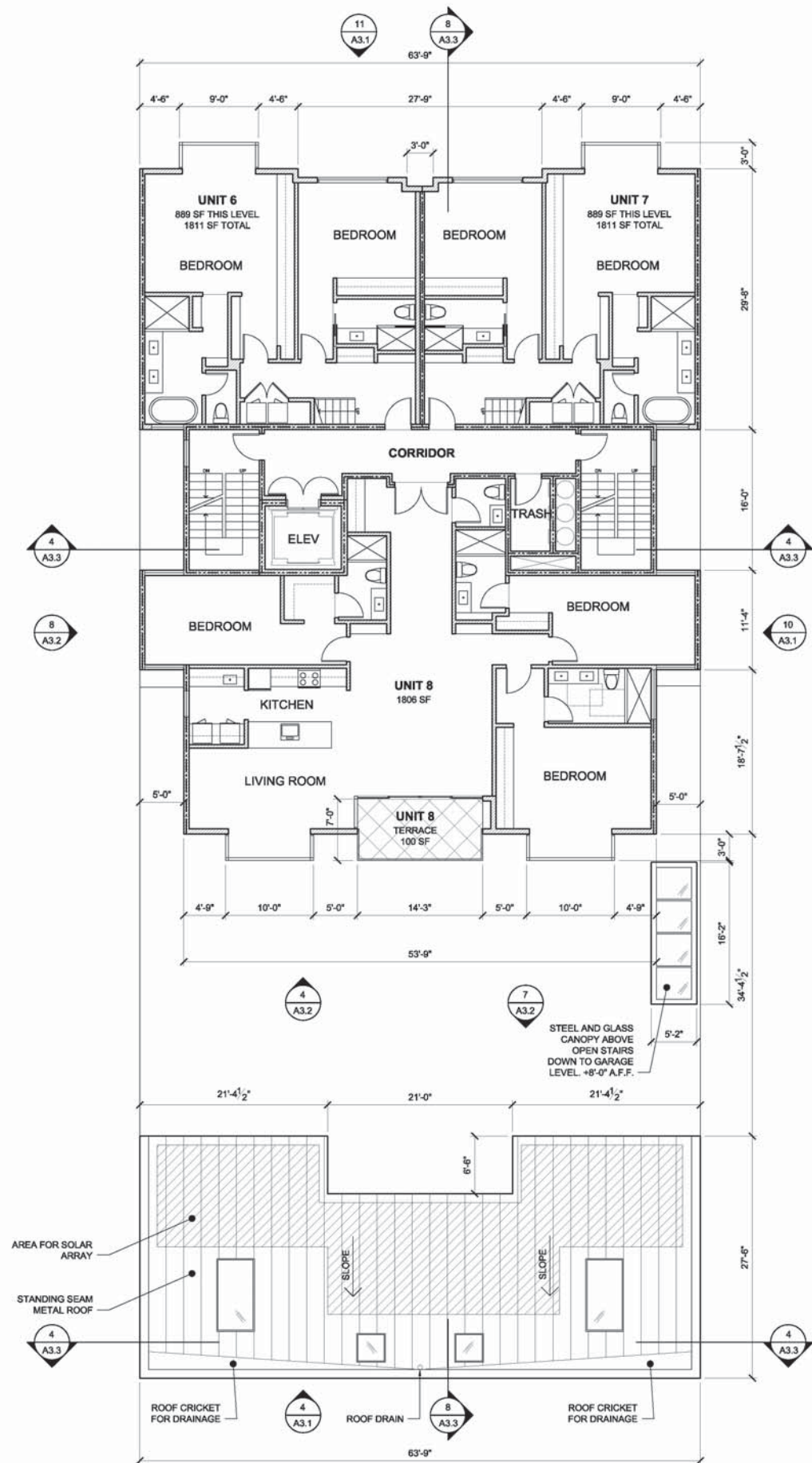
DATE 01.27.2016

JOB NO. 1133

SCALE AS NOTED

SHEET NO.

A2.2

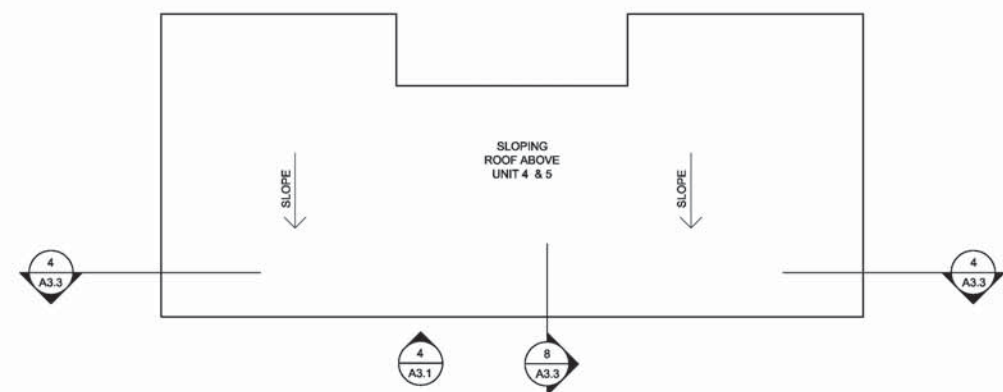
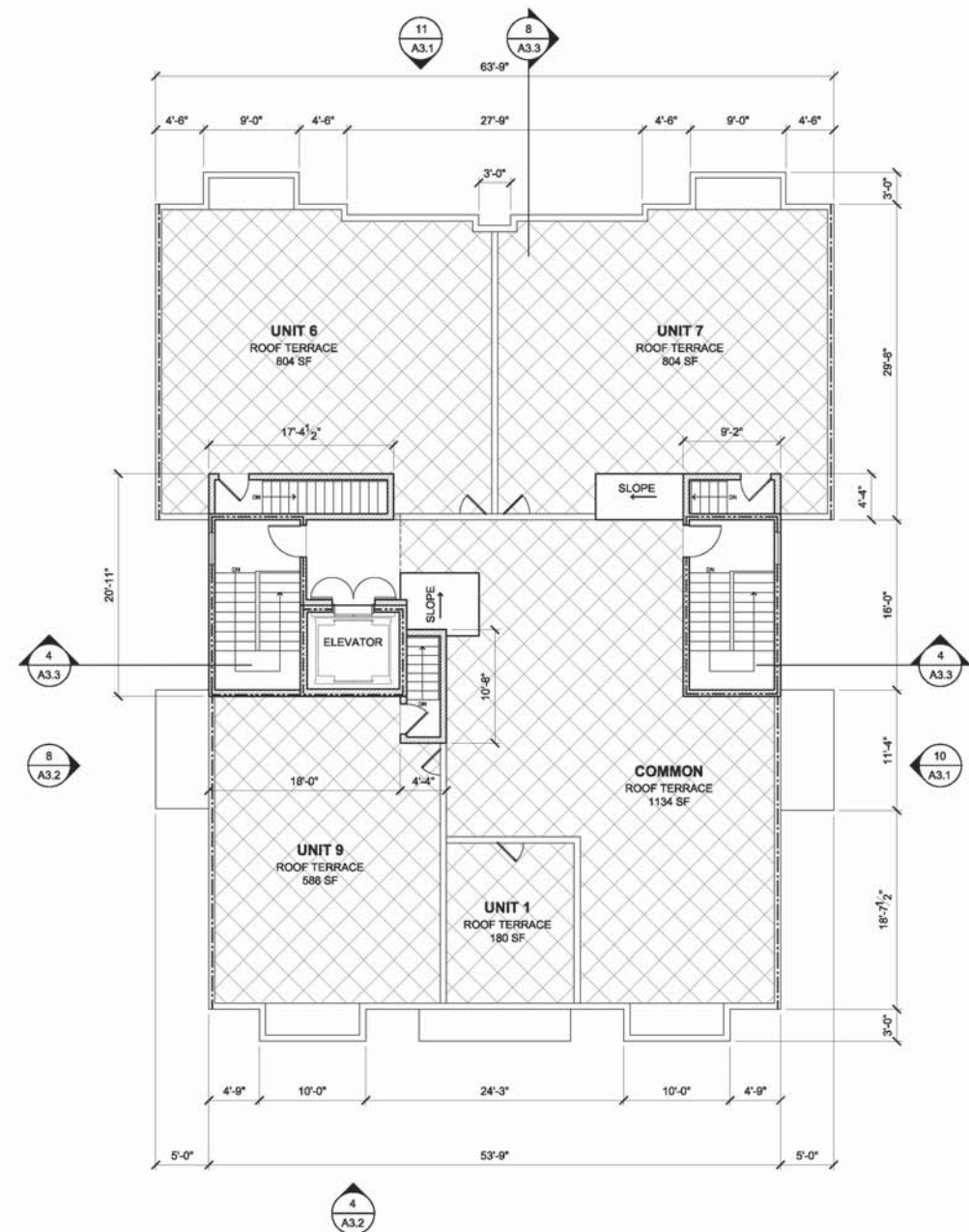


LEGEND - CONSTRUCTION PLAN

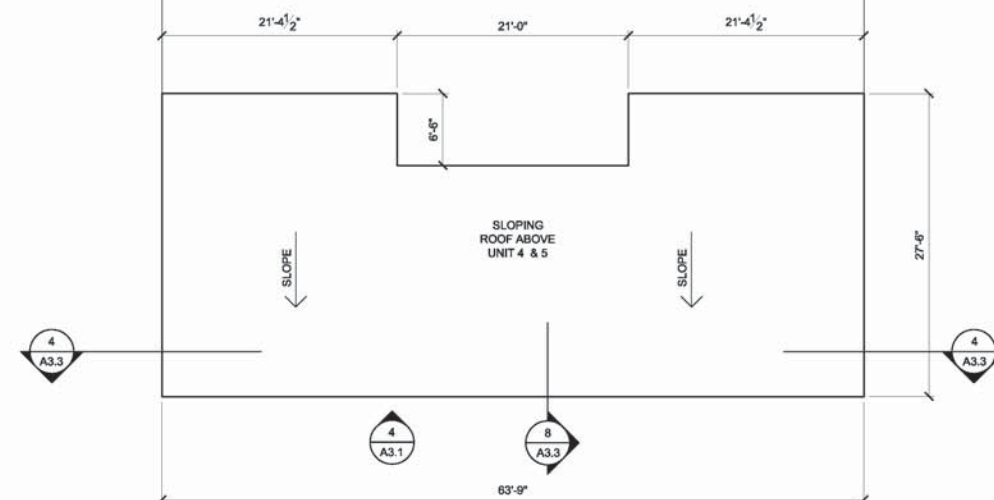
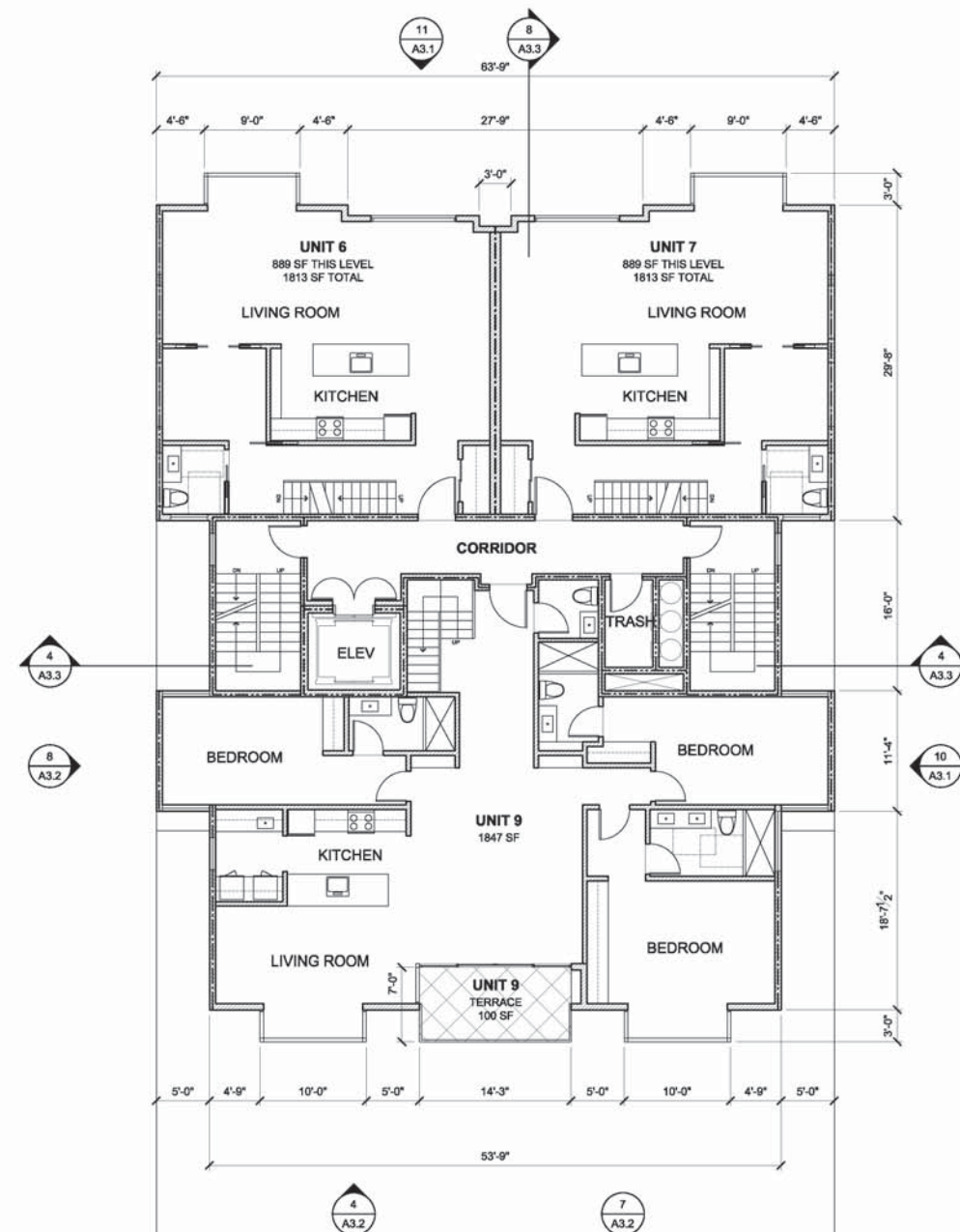
- (E) PARTITION OR WALL TO REMAIN
- (N) PARTITION OR WALL
- ONE HOUR RATED PARTITION OR WALL
- TWO HOUR RATED PARTITION OR WALL
- R-13 MINIMUM INSULATION
- ONE HOUR RATED PARAPET
- (N) DOOR AND FRAME
- (N) WINDOW IN (N) OR (E) WALL
- (N) STAIRS OR STEPS WITH HANDRAIL 2'-10" ABOVE NOSING

10 SECOND FLOOR PLAN

4 FIRST FLOOR PLAN



10	ROOF PLAN
----	-----------



4	THIRD FLOOR PLAN
---	------------------










PRIVATE STAIR PENTHOUSE REDUCTION

ORIGINAL UNIT 6 SIZE:	135 SF
REDUCED UNIT 6 SIZE:	52 SF
ORIGINAL UNIT 7 SIZE:	135 SF
REDUCED UNIT 7 SIZE:	52 SF
ORIGINAL UNIT 9 SIZE:	149 SF
REDUCED UNIT 9 SIZE:	62 SF
ORIGINAL TOTAL:	419 SF
REDUCED TOTAL:	166 SF
PERCENT REDUCTION:	61%

BIRD SAFETY NOTE:

ALL GUARDRAILS, WINDOWS AND WINDSCREENS ON ROOF DECKS SHALL CONFORM TO PLANNING CODE SECTION 139.

LEGEND - CONSTRUCTION PLAN

	(E) PARTITION OR WALL TO REMAIN
	(N) PARTITION OR WALL
	ONE HOUR RATED PARTITION OR WALL
	TWO HOUR RATED PARTITION OR WALL
	R-13 MINIMUM INSULATION
	ONE HOUR RATED PARAPET
	(N) DOOR AND FRAME
	(N) WINDOW IN (N) OR (E) WALL
	(N) STAIRS OR STEPS WITH HANDRAIL 2'-10" ABOVE NOSING



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OWNER

PAUL BOGATSKY
1469 PACIFIC AVENUE
SAN FRANCISCO CA 94109
415 310 5957

PROJECT

Residential Units
1469 Pacific Avenue
SAN FRANCISCO CA | BLOCK 0185 LOT 029



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312 NOTIFICATION	08.24.2015
PLANNING REVISION	01.27.2016

SHEET NAME

THIRD FLOOR PLAN
ROOF PLAN

DRAWN BY CK

DATE 01.27.2016

JOB NO. 1133

SCALE AS NOTED

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A2.3



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Residential Units
1469 Pacific Avenue
SAN FRANCISCO CA | BLOCK 0185 LOT 029

STAMP



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312 NOTIFICATION	08.24.2015
PLANNING REVISION	01.27.2016

SHEET NAME

NORTH ELEVATION
SOUTH ELEVATION
EAST ELEVATION

DRAWN BY

CK

DATE

01.27.2016

JOB NO.

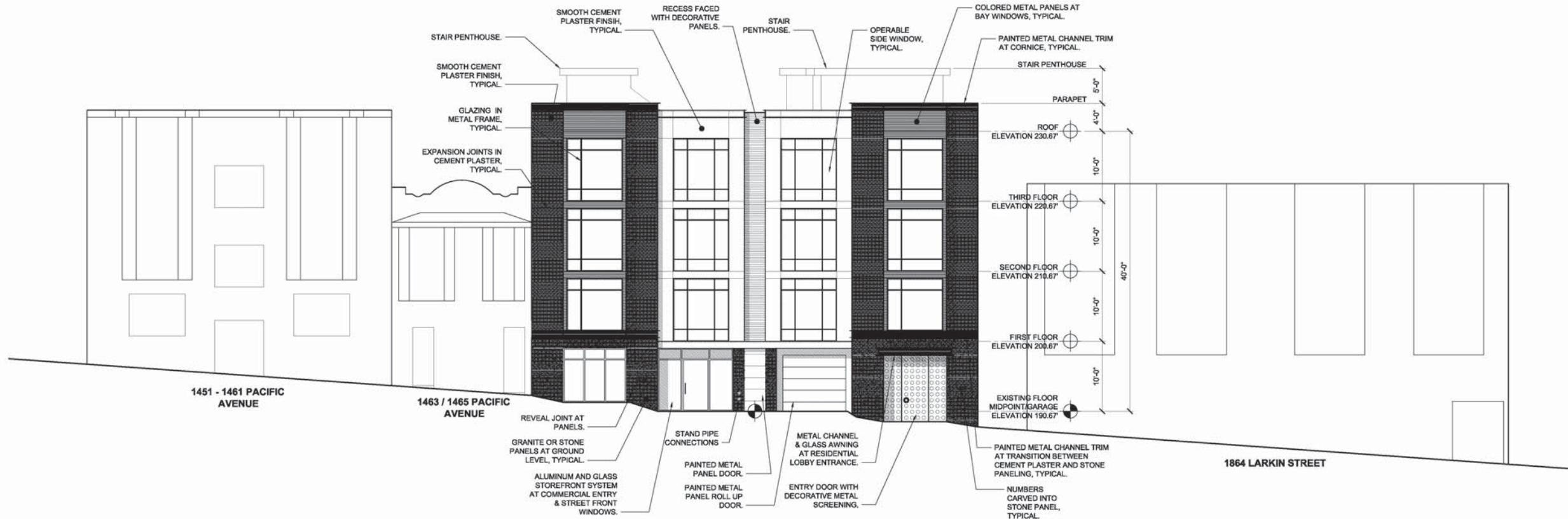
1133

SCALE

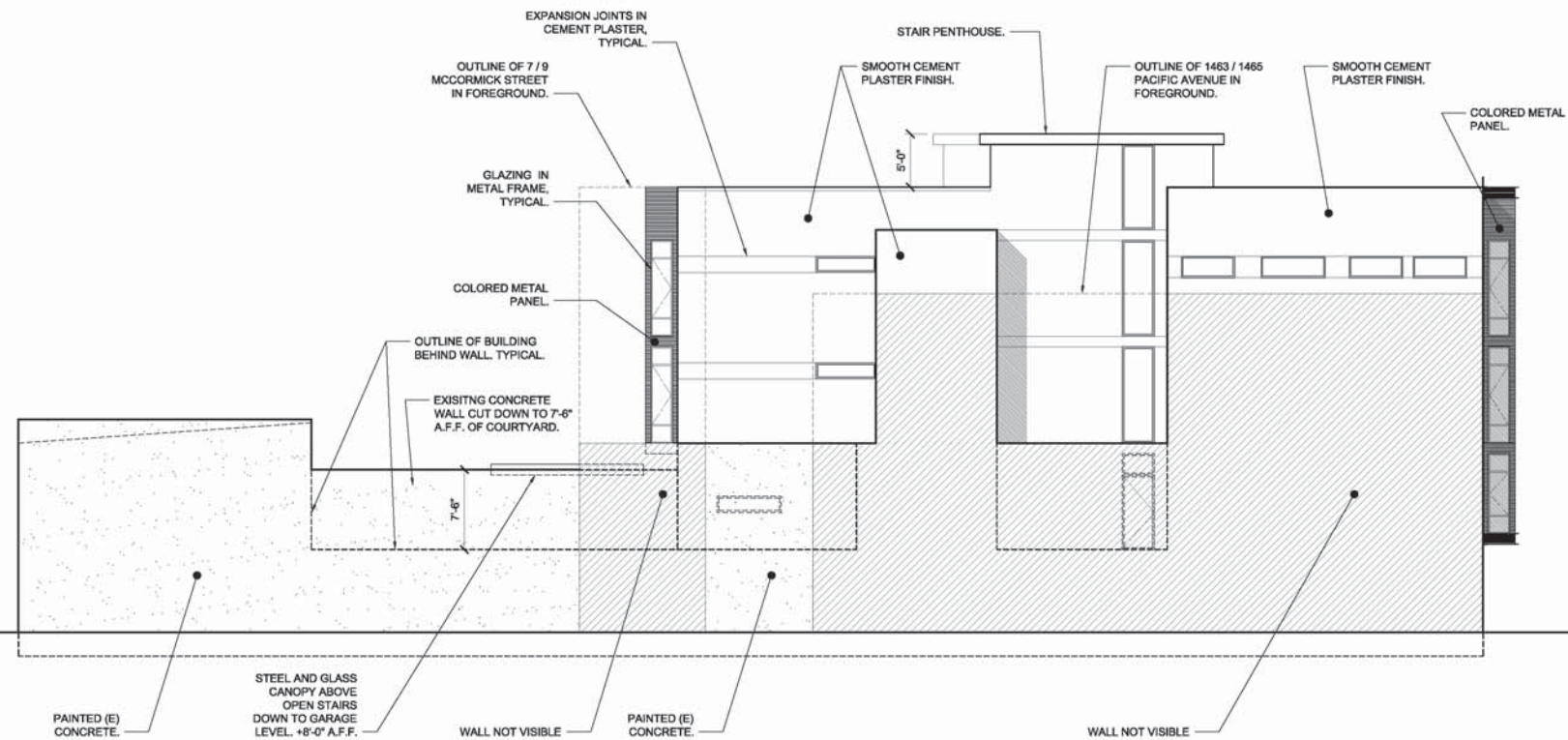
AS NOTED

SHEET NO.

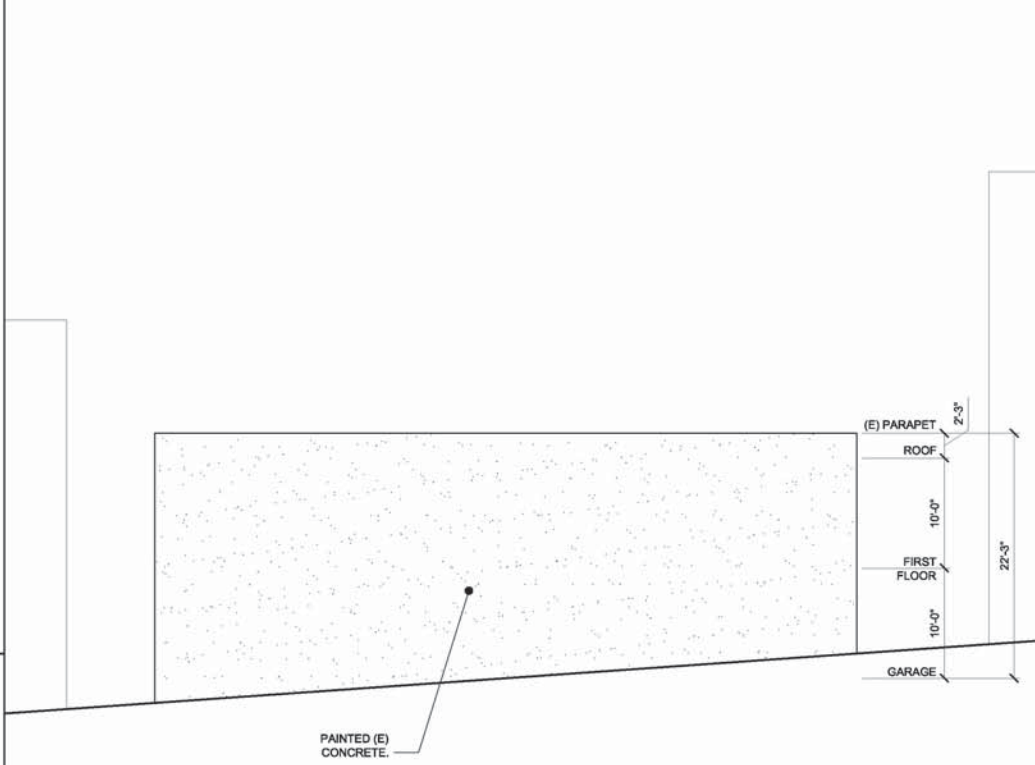
A3.1



11 NORTH EXTERIOR ELEVATION



10 EAST EXTERIOR ELEVATION



4 SOUTH EXTERIOR ELEVATION



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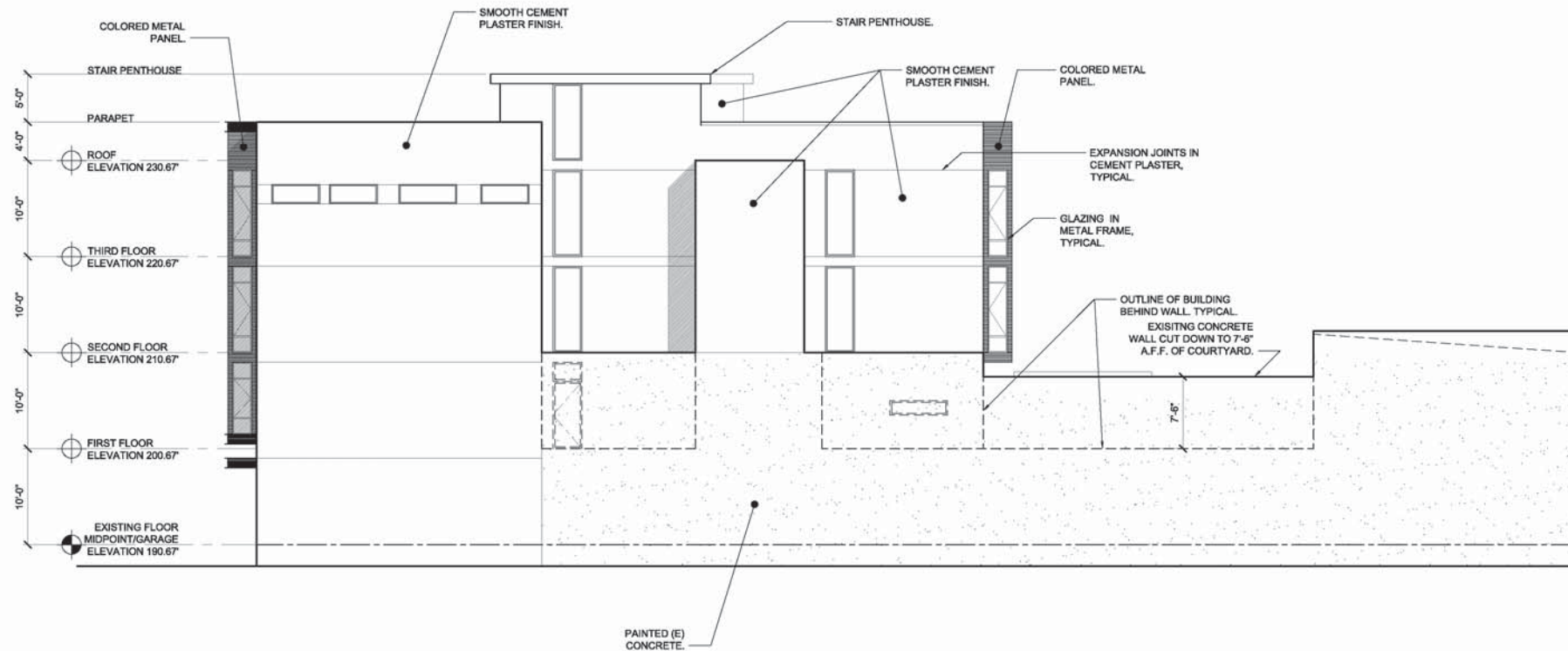
SHEET NAME

WEST EXTERIOR ELEVATION
SOUTH COURTYARD ELEVATION
NORTH COURTYARD ELEVATION

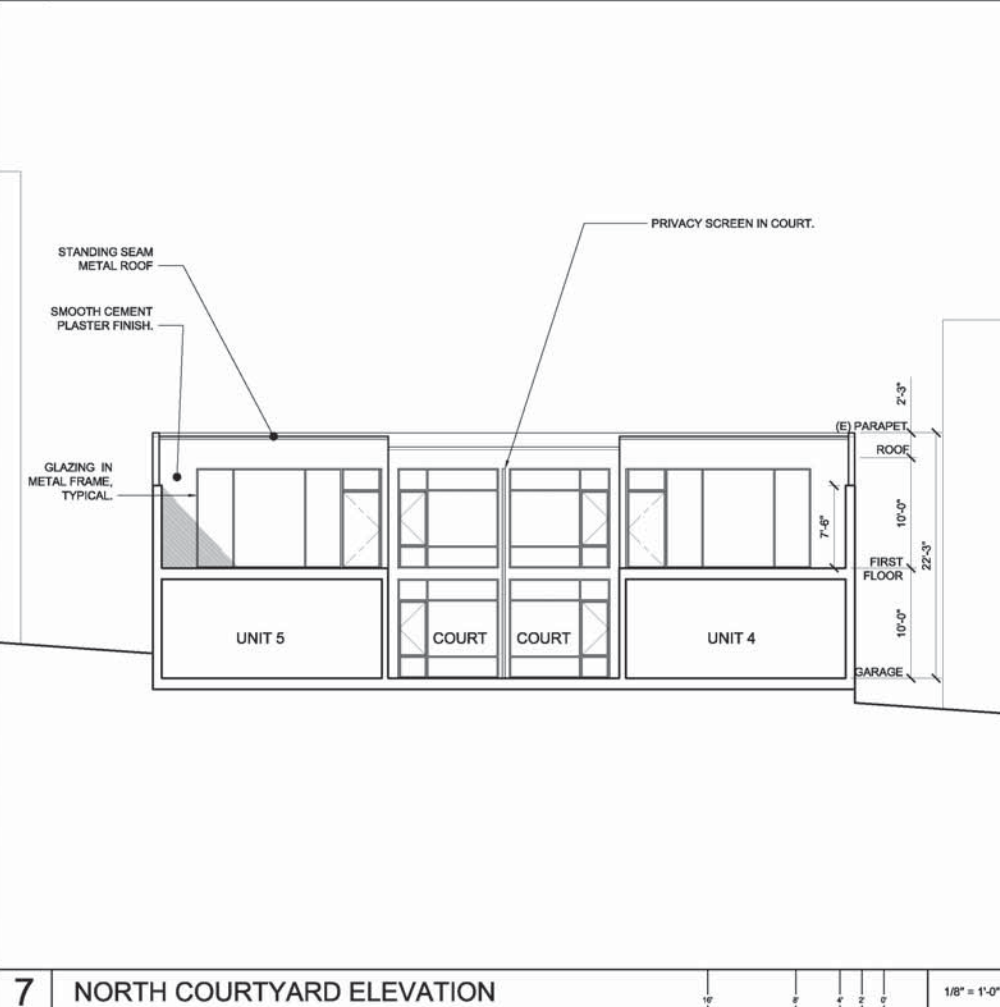
DRAWN BY CK
DATE 01.27.2016
JOB NO. 1133
SCALE AS NOTED

SHEET NO.

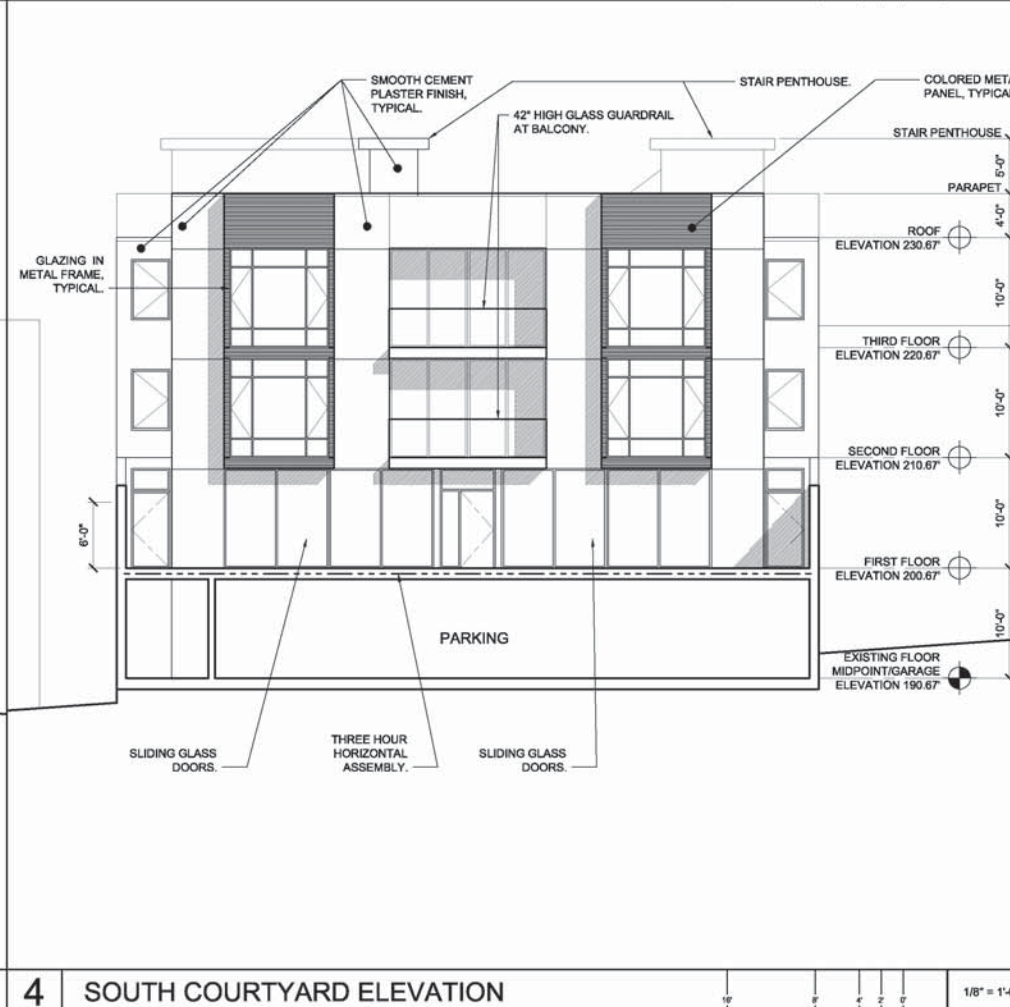
A3.2



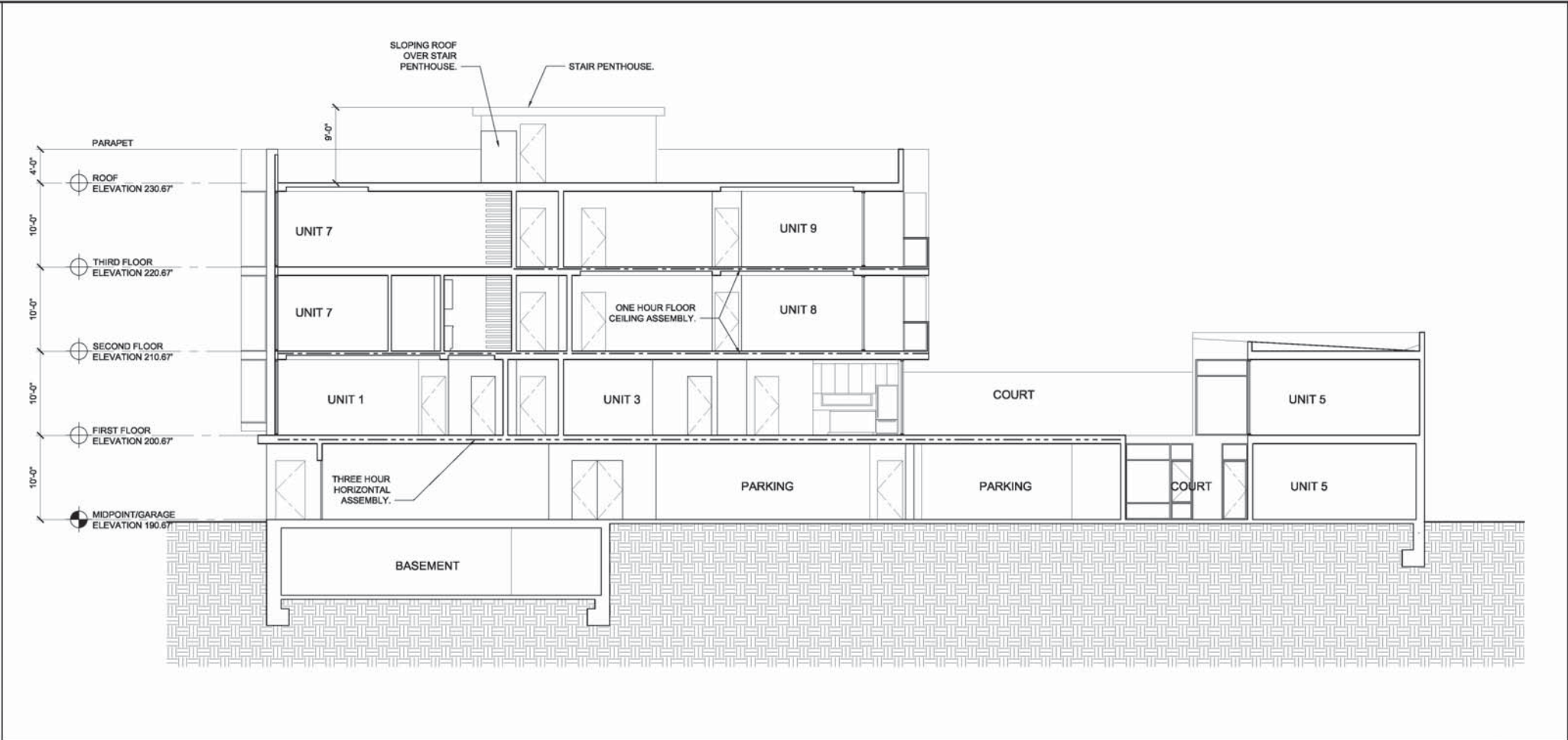
8 WEST EXTERIOR ELEVATION



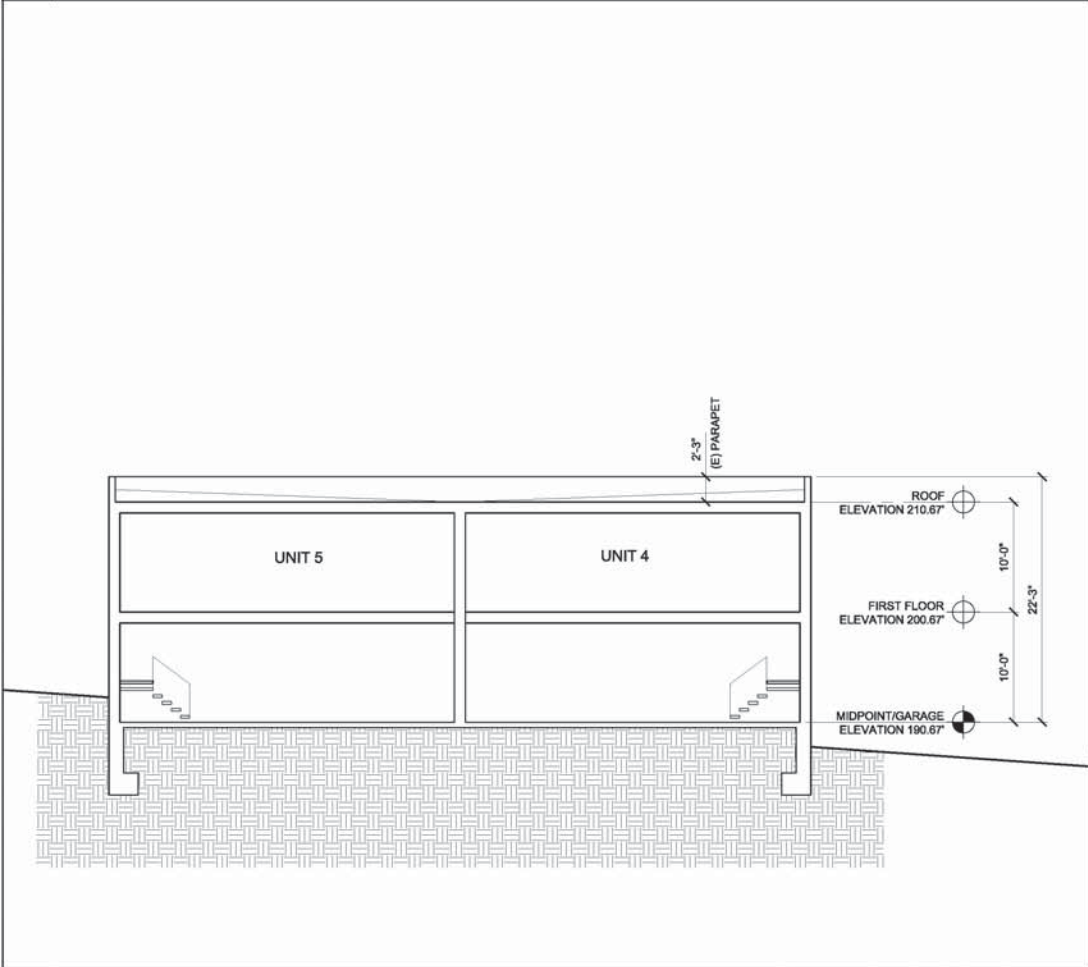
7 NORTH COURTYARD ELEVATION



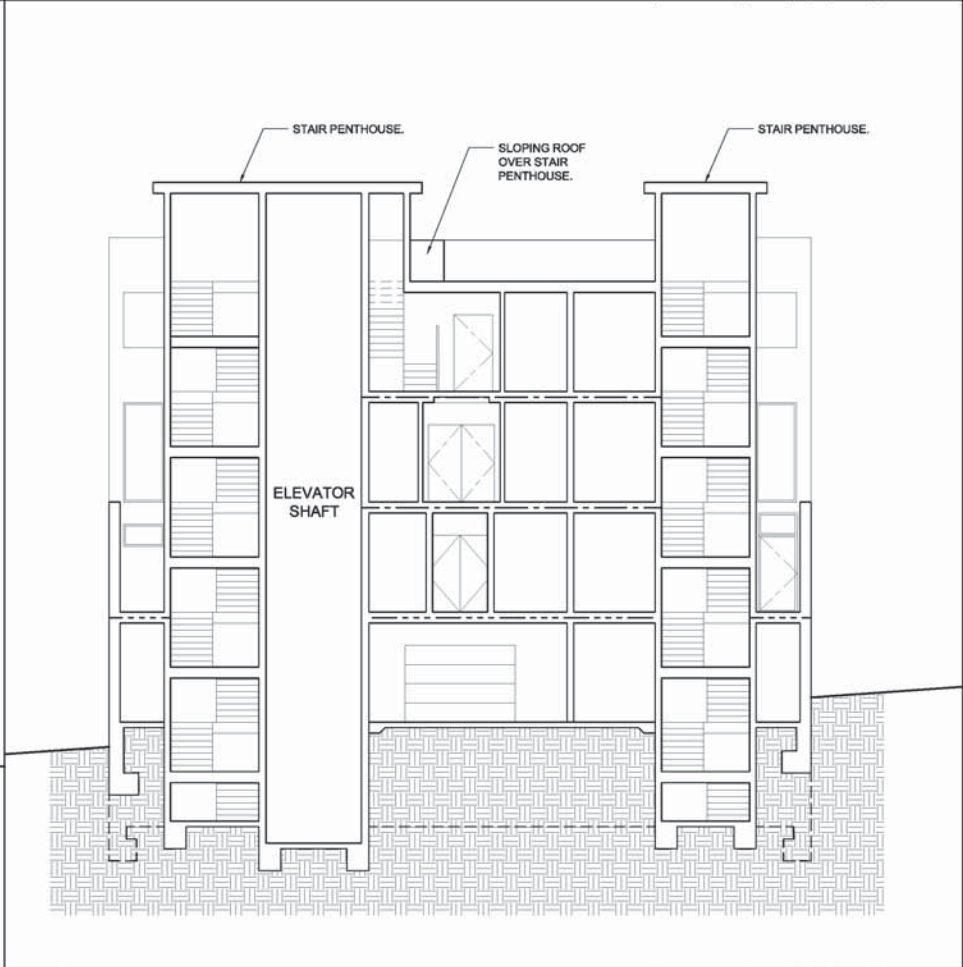
4 SOUTH COURTYARD ELEVATION



8 BUILDING SECTION 1/8" = 1'-0"



7 SOUTH BUILDING SECTION 1/8" = 1'-0"



4 NORTH BUILDING SECTION 1/8" = 1'-0"



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415 310 8987

PROJECT

Residential Units
1469 Pacific Avenue
SAN FRANCISCO CA | BLOCK 0185 LOT 029



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PLANNING REVISION	01.27.2016

SHEET NAME

BUILDING SECTIONS

DRAWN BY CK
DATE 01.27.2016
JOB NO. 1133
SCALE AS NOTED

SHEET NO.

A3.3



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 312)

On **October 31, 2012**, the Applicant named below filed Building Permit Application No. **2012.1031.3210** with the City and County of San Francisco.

PROPERTY INFORMATION		APPLICANT INFORMATION	
Project Address:	1469 Pacific Avenue	Applicant:	James Cline
Cross Street(s):	Larkin Street	Address:	870 Market Street, Suite 478
Block/Lot No.:	0185/029	City, State:	San Francisco, CA 94109
Zoning District(s):	Pacific Ave. NCD / 40-X	Telephone:	(415) 706-6953

You are receiving this notice as a property owner or resident within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

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.

PROJECT SCOPE		
<input type="checkbox"/> Demolition	<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Alteration
<input checked="" type="checkbox"/> Change of Use	<input checked="" type="checkbox"/> Façade Alteration(s)	<input type="checkbox"/> Front Addition
<input checked="" type="checkbox"/> Rear Addition	<input type="checkbox"/> Side Addition	<input checked="" type="checkbox"/> Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Warehouse/Commercial	Residential/Commercial
Front Setback	None	None
Side Setbacks	None	None
Building Depth	137 feet, 6 inches	No change
Rear Yard	None	No Change
Building Height	27 feet, 3 inches	40 feet (front); No Change at rear (20 feet)
Number of Stories	2	4 over basement, No Change at rear (2 story)
Number of Dwelling Units	0	9
Number of Parking Spaces	2	10

PROJECT DESCRIPTION

The proposal is convert the existing 12,270 square foot, two-story warehouse building into a mixed-use building with nine residential units and 1,962 square feet of commercial space. The project includes the construction of two separate residential structures over a 10 foot garage podium, which would occupy the entire lot, with mid-lot open space above the garage between the two residential structures. The residential structure facing Pacific Ave. would be three stories over garage with seven units, and the proposed structure in the rear would be one story over garage with two units. The east, south, and west walls of the existing building would be retained, and the front façade would be renovated. The project requires a Variance from Planning Code Sections 134 (Rear Yard) as two of the proposed dwelling units are within the rear yard setback, and two proposed balconies exceed the 10' maximum width for permitted obstructions within the rear yard setback, and Section 135 (Usable Open Space) as private open space for one of the proposed units is not immediately adjacent to the unit. The Variance Hearing for this project (Case No. 2013.0915V) is scheduled for October 28, 2015. See attached plans.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

For more information, please contact Planning Department staff:

Planner: Carly Grob
Telephone: (415) 575-9138
E-mail: carly.grob@sfgov.org

Notice Date:
Expiration Date:

中文詢問請電: (415) 575-9010

Para información en Español llamar al: (415) 575-9010

GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, please contact the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00am - 5:00pm Monday-Friday. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. **We strongly urge that steps 1 and 2 be taken.**

1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at www.communityboards.org for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, **you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice.** Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at www.sfplanning.org. You must submit the application in person at the Planning Information Center (PIC) between 8:00am - 5:00pm Monday-Friday, with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you.**

Incomplete applications will not be accepted.

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the **Board of Appeals within 15 calendar days after the building permit is issued** (or denied) by the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

DR APPLICANT'S NAME: Pacific Avenue Neighborhood Association		
DR APPLICANT'S ADDRESS: 7 McCormick ST, San Francisco, CA	ZIP CODE: 94109	TELEPHONE: (415) 609-5607 425-5197
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: Mr. Paul Bogatsky		
ADDRESS: 1469 Pacific Avenue, San Francisco, CA	ZIP CODE: 94109	TELEPHONE: ()
CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> Andrew Madden 415-425-5197 or R. Tucker 415-609-5607 on behalf of PANA		
ADDRESS: 7 McCormick ST, San Francisco, CA 94109	ZIP CODE: 94109	TELEPHONE: (415) 609-5607 425-5197
E-MAIL ADDRESS: venturesv@icloud.com (Tucker) and at madden@yahoo.com (Madden)		

2. Location and Classification

STREET ADDRESS OF PROJECT: 1469-75 Pacific Avenue, San Francisco, CA		ZIP CODE: 94109
CROSS STREETS: Larkin Street & Hyde Street		
ASSESSORS BLOCK/LOT: 0185 / 029	LOT DIMENSIONS: 64 x 138	LOT AREA (SQ FT): 8,766
ZONING DISTRICT: Pacific Ave NCD		HEIGHT/BULK DISTRICT: 40ft/1000sf/unit

3. Project Description

Please check all that apply

Change of Use ☒ Change of Hours ☐ New Construction ☒ Alterations ☒ Demolition ☒ Other ☐

Additions to Building: Rear ☒ Front ☒ Height ☒ Side Yard ☒

Present or Previous Use: Commercial / Industrial

Proposed Use: Residential / Commercial

Building Permit Application No. 2012.1031.3210 Date Filed: October 31, 2012

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

None that PANA or its representatives are aware of.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

Please see attached.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

Please see attached.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

Please see attached.

Box 1: What are the reasons for filing the Discretionary Review?

The proposed project does not comply with the Pacific Avenue Neighborhood Commercial District (NCD) zoning unanimously adopted by the Board of Supervisors on July 10, 2007 and approved by Mayor Gavin Newsom on July 20, 2007.

Box 2: Explain the unreasonable impacts.

The proposed building is out of character and out of scale and form with the neighboring properties.

The design as proposed

- disrupts the neighborhood plan which calls for staggered roof lines,
- overwhelms the Pacific Avenue's narrow right of way,
- deprives neighborhood properties facing the East, West and North of the proposed project of privacy, light and air, and a quiet environment due to the lack of space between buildings.

The proposed project will have a significant adverse impact on surrounding properties and their residents. .

Box 3: What alternatives or changes?

There has been no outreach between the project sponsor and the Pacific Avenue NCD community for more than three years before the most recent 312 Notice.

The project creates a serious risk to the entire neighborhood and quality of life of its neighbors by eroding the legislation establishing the Pacific Avenue NCD and its code requirements.

The Pacific Avenue Neighborhood Association (PANA) requests the Planning Commission to suspend further review of the proposed plans until:

- 1) the entire neighborhood is offered a pre-app meeting to view updated plans with the project sponsor/representatives,
- 2) the neighbors are given a reasonable time to review and discuss the plans, its impact and alternative design ideas among each other and with professionals, and
- 3) reasonable time is allowed to present and discuss concerns and design ideas with the project sponsor.

ATTACHMENTS - PHOTOS

1. Inner block massing of 1469-75 Pacific Ave.
2. View of project mass fronting Pacific Ave
3. View from Mid-Block, North side of Pacific Avenue, looking at McCormick Alley (less than 12 feet wide)







Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: _____



Date: _____

9/28/15

Print name, and indicate whether owner, or authorized agent:

R Tucker

Owner / Authorized Agent (circle one)

RECEIVED

SEP 28 2015

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
PIC

Application for Discretionary Review	
CASE NUMBER: For Staff Use only	

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent**.

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input checked="" type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input type="checkbox"/>

NOTES:

- ☐ Required Material.
☒ Optional Material.

☐ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: 

RECEIVED

SEP 28 2015

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT

Date:  9/28/15

MEMORANDUM

To: San Francisco Planner Carly Grob

From: PANA Leadership Team: Andrew Madden, Robyn Tucker, Bill Matteson, Michelle Murray

Re: 2007 Legislation Re-Zoning Pacific Avenue, 1469 Pacific Avenue Project

Date: October 16, 2015

As a member of the leadership team who helped to draft legislation re-zoning Pacific Avenue, it is incumbent that I share the following: The Pacific Avenue NCD was established in response to outdated and patchwork zoning along Pacific Avenue. At one time Pacific Avenue was thought to develop as a major commercial corridor, but this never happened. Perhaps, because of the topography and narrow right-of-way, the community developed into a predominately small-scale, residential neighborhood of one, two and three storied residential buildings, with commercial spaces at the ground level serving the community.

The Planning Department suggested “layering” that would conform zoning along Pacific Avenue:

- to protect the existing character of the neighborhood, including building heights and bulk and solar access, and
- to create additional green and open space in the City’s most densely populated neighborhood.

The re-zoning team made up of the Planning Department and neighborhood leaders met with the neighbors (residential and commercial) along Pacific Avenue and the fragile alleys running perpendicular and parallel to the street. The re-zoning was personally discussed with over 450 property owners, neighbors, business owners, and local shoppers. With the exception of approximately three property owners and developers, inclusively, the neighborhood overwhelmingly favored the re-zoning and was grateful that the initiative was being taken.

To help explain and describe the neighborhood plan created by the 2007 legislation establishing the Pacific Avenue Neighborhood Commercial District (NCD), please consider the following Ordinance adding 731 et al to the Planning Code. Relevant sections are set forth in **bold** below:

The Pacific Avenue NCD legislative intent is clearly set forth immediately before the zoning table amending specific code sections. It states:

Section 1. Findings. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

- a. There is no longer an economic justification . . .
- b. Rezoning of the existing NC-2 zoning district along Pacific Avenue between Polk and Jones Streets is necessary to preserve neighborhood character and environmental qualities that respond to the topography and narrow street right-of-way.**
- c. Rezoning the existing NC-2 zoning district along Pacific Avenue . . . is necessary to preserve the residential character of the block.

Section 3. The San Francisco Planning Code is hereby amended by adding Sections 732 et seq., to read as follows:

Section ~ 732.1 Pacific Avenue Neighborhood Commercial District

*The Pacific Avenue Neighborhood Commercial District, on Pacific Avenue just east of Polk Street to all (our) corners of Pacific Avenue and Jones Street, is situated on the north-slope of the Nob Hill neighborhood and south of the Broadway Tunnel. Pacific Avenue is a multi-purpose, **small-scale**, mixed-use neighborhood shopping district on a **narrow street** that provides limited convenience goods to the adjacent neighborhoods.*

The Pacific Avenue Neighborhood Commercial District controls are designed to promote a small neighborhood serving a mixed-use commercial street that preserves the surrounding neighbor residential character. These controls are intended to preserve livability in a largely low-rise development residential neighborhood, enhance solar access on a narrow street right-or-way and protect residential rear yard patterns at the ground floor.

The proposed development at 1469 Pacific Avenue:

- Does not preserve the surrounding residential character. It negatively imposes on and conflicts with the residential character; the character of housing and small businesses along Pacific Avenue is a charming mix of predominately two to three storied residential homes and apartments. We value the mixed use and commercial buildings that currently reside in the neighborhood. The re-zoning was intended to preserve the current character and nature of the neighborhood while encouraging development that is consistent with the new zoning and enhances the design of the neighborhood.

- Does not preserve neighborhood livability as it contradicts how the neighbors and the legislation view and define livability, respectively;
- Is the opposite of low-rise development; the Planning Department working closely with neighbors living along Pacific Avenue, the alleys perpendicular to and parallel with Pacific Avenue determined that taller buildings (consistent with the General Plan) would place taller buildings at the corners of each block;
- Deprives a significant number (100+) of immediate residents along Larkin Street, McCormick Alley, and Pacific Avenue of solar access; in fact, the building design as proposed will negatively impact or create such significant shadows as to destroy existing backyard gardens and to darken McCormick Alley and Pacific Avenue.
- Has the opposite effect of protecting rear yard patterns at the ground floor; the Pacific Avenue NCD requires a 45% rear yard set back at the ground level and every floor above. This was and is a critical component of the Pacific Avenue NCD that was publicly vetted with the immediate neighborhood, other neighborhood organization leaders, the Planning Department, the Planning Commission, the Board of Supervisors, and signed into law by Mayor Gavin Newsom.

The building located at 1469 Pacific Avenue could be called a triple wide as compared with 99% of the neighborhood. The proposed design provides a massive concrete, rectangular building devoid of any character.

In addition, the proposed four-story plus luxury condo building is located MID BLOCK between Larkin and McCormick Alley. The current design:

1. places an undue burden on Pacific Avenue, the most narrow right of way section between Polk and Taylor Streets, causing shadows, and significantly reducing light, solar access, and air to residents to the West and North, and
2. overwhelms the residents on McCormick Alley (a 17 foot wide street with post 1906 earthquake cottages and buildings lining the street,
3. invades the privacy of any neighbor with facing windows and bedrooms, and will impose a significant noise nuisance from the 11 terraces and decks.

PANA leadership with neighbors are exploring alternative project designs that are less intrusive and imposing to present to the neighbors, the Planning Department and the Project Sponsor. Some of the ideas include:

1. setting back each of the floors at the back of the building to reduce massing on the interior lot and allow solar access for neighbors who are most impacted by the building mass.
2. setting back the west side and east side of the building to create design elements consistent with buildings across the street and reduce the massing on the interior of the lot and on Pacific Avenue (the most narrow portion of the street);
3. preserving the current height of the building on the West side and place an additional story on the East side facing Pacific Avenue.

In all cases, the 45% rear yard setback should be maintained or risk eroding the entire legislation that took more than 4 years to research, develop and present.

Finally, The project sponsor could have reached out to the neighborhood to present the most recent design. Instead, to the best of our knowledge, the project sponsor has made no attempt to reach out to the broader neighborhood for more than three years. The neighbors who received the 312 Notice feel blindsided and are dumbfounded that the project as proposed is being considered for approval.

This project if approved will set a precedent for the entire neighborhood that could erode the entire 2007 legislation and negatively impact this and all neighborhoods throughout San Francisco. PANA, its members, and neighbors are committing significant time, resources and money to develop alternative designs, publicly vet them, present them to the project sponsor and to the planning department.

Additionally, given the potential effect on the 2007 legislation that this project could have and the significant amount of time that has passed since the project sponsor communicated with the immediate neighborhood and community, PANA is asking the Planning Department to suspend review of the project until community outreach is accomplished and alternative designs can be developed and discussed with the community, project sponsor and the broader neighborhood and presented to the Planning Department.

**Pacific Avenue Neighborhood Association
(PANA)**

**San Francisco Planning Commission
Discretionary Review & Variance Hearing**

Date: February 11, 2016
Case No.: 2013.0915DRP
Project Add.: 1469 Pacific Avenue
BP App No.: 2012.1031.3210

PANA (Pacific Avenue Neighborhood Association) respectfully requests that the Planning Commission and Zoning Administrator deny the requested variances and building permits for proposed development at 1469 Pacific Avenue.

The proposed 1469 Pacific Avenue development violates San Francisco Planning Code §732 et seq. implemented on June 20, 2007, and establishing the Pacific Avenue Neighborhood Commercial District (NCD). The proposed development materially and adversely affects the core elements of the Pacific Avenue Zoning Controls and absolutely contradicts the legislation establishing it.

Details of the Proposed Development

- ❖ Ignores the required 45% rear yard set back at the first story and above and at all residential levels.
- ❖ Intrudes on the predominately low-rise, small-scale neighborhood character where buildings of greater height and mass are located at corners.
- ❖ Discontinues a nonconforming use and must conform to the Pacific Avenue NCD, the prevailing neighborhood plan, and the legislation establishing it.
- ❖ Significantly shadows public sidewalks and streets and deprives at least 40 residents along Larkin Street, McCormick Alley, and Pacific Avenue of solar access and privacy.
- ❖ Overwhelms an extremely narrow 12-foot McCormick Alley, which is lined with historic, post 1906 earthquake cottages and buildings. [Exhibit J]
- ❖ Would create a significant noise nuisance from the 9 planned terraces and decks.
- ❖ Would set a dangerous pattern of project approvals for planned and future neighborhood development that ignore neighborhood plans, legislation establishing them and the applicable zoning controls.

**Pacific Avenue Neighborhood Association
(PANA)**

"The Pacific Avenue NC-2 neighborhood commercial strip has a unique small scale neighborhood character and narrow street pattern that is at risk to development pressures of mixed-use development that are not in keeping with the desired neighborhood serving character." Set forth in San Francisco Planning Commission Resolution April 5, 2007." [Exhibit C, Direct quote]

The Proposal Does Not Meet Requirements for Approval of A Variance

Planning Code §305(c) outlines the five criteria that must be met in order for the Zoning Administrator to grant a variance. The §305(c) criteria are as follows:

1. That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;

There are no "exceptional or extraordinary circumstances." The subject property is one of four similarly situated warehouse style buildings on Pacific Avenue between Polk St. and Hyde St. DR Requestor has submitted alternatives to the project sponsor.

2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

There is no "practical difficulty or unnecessary hardship." The project sponsor was aware of the requirements of the Pacific Avenue NCD and chose to pursue the current design. The proposed development can be modified to meet the requirements of the legislation, Ordinance 167-07 and associated zoning controls.

3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

"...substantial property right" does not mean maximum property return. The project sponsor is a developer entitled to a profit, but not at the expense of the

**Pacific Avenue Neighborhood Association
(PANA)**

community. In fact, properties of the size, area and nature of the project sponsor's property were specifically identified as ideal for opening up rear yards and continuing rear yard patterns as part of the Pacific Avenue NCD; especially since District 3 is the most densely populated in the City.

4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity;

As stipulated in this document, the proposed development will be "...materially detrimental to the public welfare and materially injurious to the property or improvements in the vicinity."

5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the Master Plan.

The proposed development is NOT in harmony with the general purpose and intent of the Pacific Avenue Neighborhood Commercial District. It violates the zoning controls and legislative intent in substantial and material ways. On April 5, 2007...the Planning Commission, in Resolution No. 17413...adopted findings that the legislation [creating the Pacific Avenue NCD] is consistent, on balance, with the City's General Plan and eight priority policies of Planning Code §101.1. This resolution was codified by the City Attorney and signed by the Mayor June 20, 2007. [Exhibits B, C, D.]

Planning Process and Purpose of the Pacific Avenue NCD

The Pacific Avenue Neighborhood Commercial District (NCD) was established in 2007 in response to the community's desire to preserve and enhance its small-scale community character and nature and to enhance open space in the City's most densely populated neighborhood.

The Pacific Avenue NCD was the result of a four-year process to address the outdated and patchwork zoning along Pacific Avenue. Because of the topography and narrow right-of-way (R-O-W) Pacific Avenue never developed into a major commercial thoroughfare. Rather, it developed into a predominately small-scale, residential neighborhood of three stories or less residential buildings, with commercial spaces at the ground level serving the neighborhood.

Pacific Avenue Neighborhood Association (PANA)

From 2004 to 2007 neighbors rallied to preserve the neighborhood character thru an initiative that was more than traditional re-zoning; it was a broad-based neighborhood and City team effort that included community engagement and neighborhood review, analysis and planning. This initiative required legislative action that put the Planning Department and City's imprimatur into action that resulted in "layering" new zoning over existing structures along Pacific Avenue: Staff [Planning] during this discussion of building heights also pointed out that "Pacific Avenue becomes narrower at Larkin Street. On the West side of Larkin Street the Pacific Avenue right of way (R-O-W) is approximately 68 feet wide and narrows to 49 feet wide to the East of Larkin Street. The more narrow portions of Pacific Avenue are the areas subject to height reductions for the purposes of maintaining solar access to the sidewalks and street R-O-W that is the public realm"

- to protect the existing scale and character of the neighborhood, which included recognition "that the vast majority of the existing building in the surrounding area and in the current NC-2 Zoning designation are 3 stories or less". [Exhibit B]
- to open up inner block space in the City's most densely populated neighborhood.

Pacific Avenue Is A Predominately Low-Rise Small Scale Neighborhood

The Pacific Avenue Project Team, composed of 10 neighborhood leaders and a Lead Planner assigned by the San Francisco Planning Department, met with residential and commercial neighbors along Pacific Avenue and the vulnerable alleys running perpendicular and parallel to it. The re-zoning was personally discussed with over 450 property owners, residents, business owners, and local shoppers. With the exception of three property owners and developers, the neighborhood overwhelmingly favored the re-zoning and was grateful that the initiative was being undertaken. [Exhibit A] The initiative establishing a neighborhood plan required legislative action. This took the form of legislation (Ordinance 167-07) establishing the Pacific Avenue Neighborhood Commercial District (NCD), which was vetted and passed by the Planning Commission, Board of Supervisors and signed into law by then Mayor Gavin Newsom. (Exhibits C, D)

Fast-forward almost a decade and the community's consensus – developed by a diverse ethnic, economic, and multi-generation community -- is being challenged by

**Pacific Avenue Neighborhood Association
(PANA)**

development that will adversely affect the small-scale nature of the neighborhood and its residents.

Properties of the size, area and nature of the project sponsor's property were specifically identified as ideal for opening up rear yards and continuing rear yard patterns as part of the Pacific Avenue NCD; especially since District 3 is the most densely populated in the City.

Opening up rear yards provides the community surrounding it with light, air, and privacy, e.g., in the present case, specifically those properties located around the perimeter on Pacific Avenue, McCormick Alley and Larkin and Jackson Streets. McCormick Alley is especially vulnerable if mid-block development continues to ignore the predominately low-rise, small-scale neighborhood design and required 45% rear yard setback. **McCormick residents will feel like they are living in a fish bowl and at the bottom of an elevator shaft. [Exhibit J]**

Legislation, Intent, Application of the Pacific Avenue NCD

On April 5, 2007 the San Francisco Planning Commission adopted by Resolution the Pacific Avenue Neighborhood Commercial District's §732 et seq. of the San Francisco Planning Code. On June 20, 2007, these zoning controls were implemented by City Ordinance 167-07 adding §732 et seq. to the Planning Code. The legislative intent establishing the Pacific Avenue NCD is clearly set forth in the EXECUTIVE SUMMARY prepared for SF Planning Commission hearing on March 7, 2007 [by then Lead Planner Paul Lord], the San Francisco Planning Commission's Resolution, April 5, 2007 and in City Ordinance 167-07. **[Exhibits B, C & D]**

"Ordinance No. 167-07 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows [relevant sections]:

b. Rezoning of the existing NC-2 zoning district along Pacific Avenue between Polk and Jones Streets is necessary to preserve neighborhood character and environmental qualities that respond to the topography and narrow street right-of-way.

Ordinance 167-07 Section 3. The San Francisco Planning Code is hereby amended by adding Sections 732 et seq., to read as follows:"

**Pacific Avenue Neighborhood Association
(PANA)**

“Pacific Avenue Neighborhood Commercial District (NCD)

The Pacific Avenue Neighborhood Commercial District, on Pacific Avenue from just east of Polk Street to all four corners of Pacific Avenue and Jones Street, is situated on the north-slope of the Nob Hill neighborhood and south of the Broadway Tunnel. Pacific Avenue is a multi-purpose, small-scale, mixed-use neighborhood-shopping district on a narrow street that provides limited convenience goods to the adjacent neighborhoods.”

“The Pacific Avenue Neighborhood Commercial District Zoning Controls are designed to promote a small [scale] neighborhood serving mixed-use, commercial-street that preserves the surrounding neighborhood residential character. These controls are intended to preserve livability in a largely low-rise development residential neighborhood, enhance solar access on a narrow street right-of-way and protect residential rear yard patterns at the ground floor.”

Proposal Conflicts with the Pacific Avenue NCD - Materially and Adversely

The Legislative intent and resulting Pacific Avenue NCD are: **[Exhibits B, C, D]**

- open up rear yards by requiring a 45% rear yard setback,
- limit heights to 40 foot [or less]
- adhere design with the small scale, predominately low rise neighborhood character [consistent with three stories or less],
- specific small businesses that serve the community.

In addition, buildings of greater mass and height should be located at the corners of each block per San Francisco Residential Design Guidelines Section IV “Building Scale and Form” and per then assigned SF Lead Planner Paul Lord. (Exhibits E, F)

The proposed development has absolutely no rear yard setback. The proposed design includes a four story plus building from property line to property line to the North, West and East and a two story, two unit building in the rear yard at the rear property line. The front building’s design is massive in size, located mid-block, and will be much taller than the adjacent buildings. It disrupts the neighborhood’s staggered roofline design of one, two and three storied buildings, which enable maximum light, air, and views. **[Exhibit H]**

**Pacific Avenue Neighborhood Association
(PANA)**

The front building will directly impact and block the light, air and views of several buildings on Larkin Street from Pacific Avenue to Jackson Streets, McCormick Alley and adversely impact the light, air, views, and privacy of neighbors surrounding and across from the development and further shadow [darken] the public sidewalks and street. [Exhibit H]

Proposal Intensifies A Nonconforming Use

The project sponsor contends that the existing nonconforming use is carried over to the proposed development. This contention depends on accepting that retention of a perimeter wall is sufficient to warrant designation as continued nonconforming use and justifies noncompliance of prevailing zoning controls. The proposed development design does not support this contention as the current building would be significantly altered and intensified.

The proposed development changes the building use from commercial to mixed-use and intensifies the structure as it substantially alters and enlarges the building composition. These factors coupled with the legislative intent establishing the Pacific Avenue NCD should require conforming to the latter's Zoning Controls: specifically, with a 45% rear yard setback, and scale and massing that adheres to and complements the neighborhood design, character and scale, e.g., three stories or less and development of greater height and mass located at the corners.

To the extent that the proposed development consists of an intensification of an existing structure, Planning Code Section 181 prohibits any such intensification unless the result would be the elimination of the nonconforming use. Whether the use is determined nonconforming or conforming, the variance should be denied as the property is subject to the Pacific Avenue NCD Zoning Controls. They should override any arguments to the contrary.

[Please note that the San Francisco's City Planning Commission Resolution of April 5, 2007, makes clear that, "The Pacific Avenue NC-2 neighborhood commercial strip bounded by Polk Street Commercial District on the west and Taylor Street on the east has a unique small scale neighborhood character and narrow street pattern that is at risk to development pressures of mixed-use projects that are not in keeping

**Pacific Avenue Neighborhood Association
(PANA)**

with the desired neighborhood-serving character.” The Planning Department and Pacific Avenue Project Team saw an opportunity to open up inner block open space, to preserve the existing scale of buildings to allow for maximum exposure to air and light, and to identify the types of businesses that were needed and desired to serve the community.

Exhibit F affirms this zoning control: SF Lead Planner states in his recent letter to the SF Planning Commission that, “Even when the historic built environment did not provide the maximum rear yard open space, the intent of the 2007 NCD controls was to preserve and create, in new development proposals, these mid-block open spaces.” Therefore, the proposed development should be required to strictly adhere to the Pacific Avenue NCD Zoning Controls.

Urban Design Team Review Upholds the Pacific Avenue NCD Controls

On three separate occasions – June 11 and June 30, 2013 and June 25, 2014--the Planning Department’s Urban Design Team (UDAT) reviewed the proposed design plans and reaffirmed the zoning controls applicable to the property. In all instances, UDAT “recommended a code complying rear yard that provides the minimum area, exposure, access and preservation of the mid-block open space, and usability. Based on the current mid-block pattern, the new construction [proposed for 1469 Pacific Avenue] further exacerbates the current lack of mid-block open space.”

Furthermore, “UDAT recommended a parking strategy that minimizes the parking footprint at the ground level... This may be achieved while retaining parking by providing sub-grade parking and/or stacked parking system.” (**Exhibit G**)

Summary: The Planning Commission Must Deny the Requested Variance and Building Permits

The proposed development does not further neighborhood livability and absolutely contradicts the purpose and zoning controls of the Pacific Avenue NCD.

It deprives over 100 residents along Larkin Street, McCormick Alley, and Pacific Avenue of solar access, privacy, and quiet enjoyment in their homes. [**Exhibit H**]

The proposed design is basically a concrete block building inconsistent with the

**Pacific Avenue Neighborhood Association
(PANA)**

neighborhood's historic design. The mass and height of proposed development at MID Block is contrary to San Francisco's Residential Design Guidelines, which encourage buildings of greater height and mass to be placed on corners. This design pattern has been in effect in the City for over a century and is evident in neighborhoods throughout. [Exhibit E, F]

Proposed Design Changes

The changes proposed by project sponsor, while appreciated, do NOT conform to the Pacific Avenue NCD and the legislative intent establishing it.

The DR requestor has presented alternative design concepts, which the project sponsor has not addressed except to say that he would not consider an alternative design. Alternative designs include a 45% rear yard setback at the ground story and at every level above, underground parking and removal of one story from the front building. The suggested design changes are consistent with the legislative intent, Pacific Avenue NCD Zoning Controls and UDAT's recommendations in 2013 and 2014. [Exhibit G]

Respectfully, Please Deny Variance and Building Permits

There are a significant number of official documents available that describe and explain the legislative rationale and intent for establishing the Pacific Avenue NCD.

Any questions regarding prevailing and applicable zoning controls should be resolved by legislative intent set forth in the Planning Commission Resolution and resulting City Ordinance 167-07.

PANA respectfully requests that the Planning Commission halt dismantling of the Pacific Avenue NCD Zoning Controls and preserve Pacific Avenue neighborhood's character. To do otherwise will set a precedent for planned and future development that disrupts the Neighborhood Plan embodied in the Pacific Avenue NCD Zoning Controls protecting rear yards, light, air, privacy, vulnerable alleys and community desires and livability.

The Pacific Avenue Neighborhood Association respectfully requests that variance and building permit requests be denied for 1469 Pacific Avenue.

EXHIBITS

Exhibit A

Graphic representing block 0185 neighborhood support of 2007 legislation,
Ordinance 167-07 – Check mark represents supporters

Exhibit B

Executive Summary, SF Lead Planner Paul Lord, prepared for SF Planning Commission

Exhibit C

Resolution Adoption April 2007, San Francisco Planning Commission

Exhibit D

Ordinance 167-07 establishing the new Pacific Avenue NCD, 2007 Legislation &
Legislative Intent

Exhibit E

SF Residential Design Guideline Sect IV Building Scale & Form [Mid-Block], p. 23

Exhibit F

Letter from Paul Lord, San Francisco Lead Planner (currently Land Use Consultant)
assigned to Pacific Avenue for rezoning review, analysis, and recommendation

Exhibit G

UDAT Meeting Notes Summaries prepared by San Francisco Planner Kate Conner
(June 25, 2014, June 30, 2013, and June 11, 2013]

Exhibit H

Current Photos of 1469 Pacific Avenue – Front, Rear and Above
Architect Graphic [with neighbor input] & Photos depicting 1469 Pacific Avenue now
& after proposed development

Exhibit I

Photos of Pacific Avenue North and South Sides between Larkin & Hyde Streets

Exhibit J

Photos of McCormick Alley – 12 feet wide curb to curb

✓

NO NO ?

150 FT

MCCORMICK STREET

29

HYDE STREET.

JACKSON STREET

On Jun 30, 2015, at 2:57 PM, Marlayne Morgan <marlayne16@gmail.com> wrote:

Mr. Rodney Fong, President
SF Planning Commission

Re: Cases 2014.0883DV, 2013.0884DV

Dear President Fong and Commissioners:

The ***Cathedral Hill Neighborhood Association (CHNA)*** supports the Alternative to the the above-referenced proposed project submitted by the ***Pacific Avenue Neighborhood Association (PANA)***.

Due to the high volume of development proposals for the Van Ness corridor and surrounding streets over the last ten years, the adjacent neighborhood associations have joined together to support green, affordable, code compliant and sustainable projects that become part of our larger neighborhood. Neighbors from Russian Hill, Polk Street, Pacific Avenue, Pacific Heights, Japantown, Hayes Valley, Civic Center, Cathedral Hill and others routinely weigh in over individual projects as well as the cumulative impact of new developments.

The projects that have moved through the planning pipeline are those submitted by responsible developers who engage with the community. Those who rely on a high number of variances and exceptions and negatively impact our neighbors have been successfully resisted for the most part.

We believe the ***PANA*** Alternative provides an appropriate use for this site while mitigating negative impacts on neighbors and avoids the longer-term implications of spot zoning on this neighborhood.

We urge you to oppose this project as proposed.

Regards,

Marlayne Morgan
President
Cathedral Hill Neighborhood Association

September 20, 2015

SF Zoning Administrator
SF Planning Commission
1650 Mission ST, #400
San Francisco, CA 94103

RE: Please Save Our Small Scale, Low-Rise Neighborhood Character and Quality of Life – Reject Proposed Plans for 1469 Pacific Ave

To Whom It May Concern:


Please deny the variances requested by the project sponsor of 1469 Pacific Avenue. The project sponsor is planning an out of scale, four-story plus, luxury condo building of massive size at MID BLOCK between Larkin and Hyde Streets; adjacent to McCormick Alley.

- The proposed plans are contrary to the Pacific Avenue NCD zoning, requiring a 45% rear yard set-back at the ground level and each level above; this requirement maintains solar access and green space in the densest district in the City.
- The proposed project does not comply with residential guidelines, which promote taller buildings at corners of each block, establishing staggered rooflines and architectural style of similar character.

No hardship is present to warrant a building of this size or nature. The 2007 legislation establishing the Pacific Avenue NCD requirements protects our neighborhood's precious alleys, rental stock, and homes along a narrow right of way. If allowed, this development will destroy our small scale, predominately low-rise residential neighborhood character, our privacy, existing and planned contiguous green spaces and gardens, limit solar access and will present unreasonable noise to the immediate neighborhood and beyond.

I respectfully request that the Zoning Administrator and Planning Commission deny the request for variances.

Sincerely,

Jouni Heikkinen


Signature

72 Lynch Street
San Francisco, CA,
94109

Address



PLANNING DEPARTMENT

EXHIBIT B

City and County of San Francisco 1660 Mission Street, Suite 500 San Francisco, CA 94103-2414

(415) 558-6378

PLANNING COMMISSION
FAX: 558-6409

ADMINISTRATION
FAX: 558-6426

CURRENT PLANNING/ZONING
FAX: 558-6409

LONG RANGE PLANNING
FAX: 558-6426

EXECUTIVE SUMMARY for Hearing on March 1, 2007

Project Name: Proposed Rezoning the NC-2 Zoning District between Polk and Taylor to the Pacific Avenue Neighborhood Commercial District (NCD) and Small Scale Mixed Use Residential (RM-1)
Case Number: 2006.1275TZ
Initiated by: Planning Commission
Staff Contact: Paul Lord / 415.558.6311

Project Description

The proposed Ordinance would amend Planning Code and Zoning Maps for the City and County of San Francisco to create a new Neighborhood Commercial District on Pacific Avenue east of Polk Street to the east side of the intersection of Pacific Avenue and Jones Street. The remainder of the parcels east of Jones to Taylor Street would be rezoned to RM-1 (Small Scale Mixed Use Residential). This proposed rezoning would also eliminate the existing Planning Code Section 236 provisions for a Garment Manufacturing Special Use District in the neighborhood.

The Way It Is Now: Currently, there is a Small Scale Neighborhood Commercial district (NC-2) that begins just east of Polk Street on Pacific Avenue and runs nearly continuously east on both block faces to the west side of Taylor Street. In 2005, Supervisor Aaron Peskin initiated a rezoning for number of parcels on the south side of Pacific Avenue between Larkin and Hyde Street to RM-1. The Board of Supervisors subsequently enacted this 2005 rezoning. At the time of the 2005 Planning Commission rezoning hearing there was expressed interest in reevaluating the NC-2 zoning for the entire length of current NC-2 area of Pacific Avenue.

The Way It Would Be: A map representation a Pacific Avenue NCD and RM-1 zoning on the eastern end of the current NC-2 zoning district is attached as Appendix A to this report. The elimination of the existing Garment Manufacturing Special Use District will result from eliminating Section 236 from the Planning Code.

Following 2006 neighborhood meetings and presentations to neighbors of these proposed controls, Planning Commission initiation of the proposed Planning Code and Zoning Map amendments on March 29, 2007 (Resolution 17388), the Planning Commission action to adopt the proposed Planning Code modifications and rezoning are necessary to create the Pacific Avenue Neighborhood Commercial District, changing the NC-2 (Small Scale Neighborhood Commercial) to RM-1 (Small Scale Mixed Use Residential) between Taylor and Jones Streets, and elimination of the existing Garment Manufacturing District. A key part of these draft-zoning amendments will lower the existing 65 foot height district to 40 feet.

Required Commission Action

Adopt the proposed rezoning and forward recommendations to the Board of Supervisors for their consideration.

Issues and Other Considerations

The proposed Ordinance has been crafted to permit the continued use of the commercial portions of Pacific Avenue in a neighborhood commercial zoning district that has been tailored to meet the small scale operational needs and sentiments of local residential property owners and businesses. The

tailored controls for the Pacific Avenue NCD preserve the scale and existing character of the neighborhood by reducing allowable height limits, increased yard requirements and limiting appropriate commercial uses on the street. The garment manufacturing Special Use District no longer has commercial viability or locational needs in this neighborhood.

Basis for Recommendation

After the 2005 rezoning between Larkin and Hyde Streets on Pacific Avenue, staff attended numerous neighborhood meeting and conducted a publicly noticed neighborhood meeting to hear from property owners and businesses. An analysis of the current commercial character of the street was evaluated on its own and in the context of numerous pipeline development proposals. During the next year, staff prepared a rezoning proposal, with consultations from the Pacific Avenue Neighborhood Association (PANA) that addresses many broader neighborhood development concerns and long term commercial needs.

During the Planning Commission Pacific Avenue rezoning initiation hearing on March 29, 2007, the Commission requested additional information and clarification from staff on a couple of issues.

First, the Commissioners inquired as to the prevailing and existing building heights on the block subject to the proposed rezoning. Based on Planning Department records as provided in Attachment D to this report, it is clear that the vast majority of the existing building in the surrounding area and in the current NC-2 Zoning designation are 3 stories or less. Staff during this discussion of building heights also pointed out the Pacific Avenue becomes narrower at Larkin Street. On the West side of Larkin Street the Pacific Avenue right of way (R-O-W) is approximately 68 feet wide and narrows to 49 feet wide to the East of Larkin Street. The more narrow portions of Pacific Avenue are the areas subject to height reductions for the purposes of maintaining solar access to the sidewalks and street R-O-W that is the public realm for this commercial strip.

Secondly, the Commissioners expressed the hope that the proposed new zoning controls would reduce the possible overall need for conditional use authorizations from the Commission. Based on the existing NC-2 Zoning there are 26 situations that would trigger the need for Conditional Use authorizations. The proposed Pacific Avenue NCD Zoning reduces the number of conditions where Conditional Uses would be needed to 16. The proposed new zoning therefore reduces the existing potential Conditional Use authorizations situations by 39 percent.

Finally the Commission requested general information regarding the number and types of existing businesses in this NC-2 Zoning District on Pacific Avenue. The following table summarizes some of these business activity characteristics. Residential uses surround the Pacific Avenue NC-2 District. Within the NC-2 zoning there are many neighborhood-serving businesses and residential uses. The general business characteristics are summarized in the table and map below. Additionally, a few representative contextual photographs have been attached.

PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT

General Characteristics and Attributes (Dunn & Bradstreet 2004 data)

Total Number of Businesses	42
Total Employment	292
Total Annual Sales (2004)	\$10,582,000
Total Square Footage	86,920
Average Number of Employees	7
Average Annual Sales (2004)	\$251,952
Average Square Footage	2,070

SAN FRANCISCO
CITY PLANNING COMMISSION
RESOLUTION NO.

ADOPTION OF AMENDMENTS TO THE ZONING MAP AND PLANNING CODE (ZONING ORDINANCE) BY MODIFYING THE CURRENT NC-2 ZONING IN THE VICINITY OF PACIFIC AVENUE BETWEEN POLK STREET AND TAYLOR STREET TO A NEW PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT. THESE MODIFIED CONTROLS ARE INTENDED AND DESIGNED TO DEAL WITH AND AMELIORATE THE PROBLEMS AND CONDITIONS ASSOCIATED WITH CONSERVING THE SCALE AND CHARACTER IN AND ABOUT THE PROPOSED PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

WHEREAS, in 1986, Planning Code the voters adopted Section 101.1 as an Initiative Ordinance known as Proposition M. Planning Code Section 101.1 recognizes preservation of neighborhood commercial character as an important and necessary goal. Preservation of neighborhood commercial character also is expressed in Objective 6 of the Commerce and Industry Element of the San Francisco General Plan.

Planning controls implemented in the City's Neighborhood Commercial Districts ("NCDs") recognize that certain uses which traditionally have been permitted to locate in neighborhood commercial areas can be beneficial to the NCDs in small or limited numbers, but can disrupt the balanced mix of neighborhood-serving retail stores and character if allowed to proliferate.

The Pacific Avenue NC-2 neighborhood commercial strip bounded by Polk Street Commercial District on the west and Taylor Street on the east has a unique small scale neighborhood character and narrow street pattern that is at risk to development pressures of mixed-use projects that are not in keeping with the desired neighborhood-serving character and scale of the area.

This legislation is intended to create a Pacific Avenue Neighborhood Commercial District and to provide a comprehensive and flexible zoning system for the Pacific Avenue Neighborhood Commercial District that is consistent with the objectives and policies set forth in the San Francisco General Plan.

The amendment of these zoning controls is necessary to preserve the status quo, if not to improve the status quo, and follows a study and a determination by the Department of City Planning and the Board of Supervisors of the appropriate permanent controls for uses in and about the Pacific Avenue Neighborhood Commercial District.

The Planning Department, in 2005, noted the concerns of local neighborhood organizations, residents and merchants about the current NC-2 zoning controls on Pacific Avenue during 2005 hearings on a Board of Supervisors proposal to rezone portions of the NC-2 district to RM-1 on Pacific Avenue to address height and rear yard dimensions in local development proposals. These new neighborhood commercial district controls are intended and designed to deal with and ameliorate the problems and conditions associated with development pressures of mixed-use projects that are not in keeping with the desired neighborhood-serving character and scale of the area.

On March 1, 2007, the Planning Commission conducted a regularly scheduled and legally noticed meeting to consider initiation of these proposed Zoning Code amendments.

On March 1, 2007, the Planning Commission adopted Resolution 17388 to initiate and to schedule a public hearing on April 5, 2007 to consider adoption of these proposed Zoning Code amendments.

On April 5, 2007, the Planning Commission conducted a regularly scheduled and legally noticed meeting. On January 12, 2007, the San Francisco Environmental Review Officer issued a General Rule Exclusion for the proposed rezoning. The Planning Commission determined during this April 5, 2007 meeting that the proposed rezoning action will not result in any physical changes to the environment, and therefore does not constitute a "project" under the California Environmental Quality Act and is therefore exempt from environmental review.

The proposed policies are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

- 1 That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed policies promote the preservation of this important neighborhood-serving uses, local ownership and employment opportunities.

- 2 That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed policies would facilitate the conservation of neighborhood character

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed policies would significantly enhance the retention of existing affordable housing and provide opportunities for new residential development in keeping with the existing scale and character of the neighborhood.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed policies could have positive direct impacts on traffic or transit service.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed policies would enhance the viability of an existing economic base and locally owned neighborhood businesses.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed policies would have no affect on the City's preparedness for an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed policies would have no immediate impact on landmarks or historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed policies would not impact or facilitate any development that could have any impact on our parks and open space or their access to sunlight and vistas.

THEREFORE BE IT RESOLVED THAT, the Commission APPROVES the Planning Code Amendments as presented in the draft ordinances signed by the City Attorney dated February 22, 2007 and attached to this draft resolution as Exhibit A and declares its intention to hold a legally noticed public hearing on April 5, 2007 to consider whether to recommend to the Board of Supervisors that the proposed amendment be adopted.

THEREFORE BE IT FURTHER RESOLVED THAT, only development proposals that have received Planning Commission project approvals prior to initiation of this proposed rezoning ordinance on March 29, 2007 are exempt from these proposed new Zoning controls.

FILE NO. 070681

ORDINANCE NO. 167-07

[Zoning - Pacific Avenue Individual Area Neighborhood Commercial District.]

Ordinance adding Planning Code Sections 734 732 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

a. There is no longer an economic justification for a Garment Shop Special Use District.

b. Rezoning of the existing NC-2 zoning district along Pacific Avenue between Polk and Jones Streets is necessary to preserve neighborhood character and environmental qualities that respond to the topography and narrow street right-of-way.

c. Rezoning the existing NC-2 zoning district along Pacific Avenue between Jones and Taylor Streets is necessary to preserve the residential character of the block.

Section 3. The San Francisco Planning Code is hereby amended by adding Sections 734 732 et seq., to read as follows:

Section 731.1 732.1 Pacific Avenue Neighborhood Commercial District

The Pacific Avenue Neighborhood Commercial District, on Pacific Avenue from just east of Polk Street to all four corners of Pacific Avenue and Jones Street, is situated on the north slope of the Nob Hill neighborhood and south of the Broadway Tunnel. Pacific Avenue is a multi-purpose, small-scale mixed-use neighborhood shopping district on a narrow street that provides limited convenience goods to the adjacent neighborhoods.

The Pacific Avenue Neighborhood Commercial District controls are designed to promote a small, neighborhood serving mixed-use commercial street that preserves the surrounding neighborhood residential character. These controls are intended to preserve livability in a largely low-rise development residential neighborhood, enhance solar access on a narrow street right-of-way and protect residential rear yard patterns at the ground floor.

SEC. 734732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

			<u>Pacific Avenue NCD</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING STANDARDS</u>			
<u>731.10</u> <u>732.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106,</u> <u>250-252, 260, 270, 271</u>	<u>40-X</u> <u>See Zoning Map</u>
<u>731.11</u> <u>732.11</u>	<u>Lot Size [Per</u> <u>Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft.;</u> <u>C 10,000 sq. ft. & above</u> <u>§ 121.1</u>

1	731.23	<u>Off-Street Freight Loading</u>	<u>§§ 150, 153-155, 204.5</u>	<u>Generally, none required if gross floor area is less than 10,000 sq. ft.</u>	
2	<u>732.23</u>			<u>§§ 152, 161(b)</u>	
4	731.24	<u>Outdoor Activity Area</u>	<u>§ 790.70</u>	<u>P if located in front;</u>	
5	<u>732.24</u>			<u>C if located elsewhere</u>	
6				<u>§ 145.2(a)</u>	
7	731.25	<u>Drive-Up Facility</u>	<u>§ 790.30</u>		
8	<u>732.25</u>				
9	731.26	<u>Walk-Up Facility</u>	<u>§ 790.140</u>	<u>P if recessed 3 ft.;</u>	
10	<u>732.26</u>			<u>C if not recessed</u>	
11				<u>§ 145.2(b)</u>	
12	731.27	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m. - 10 p.m.;</u>	
13	<u>732.27</u>			<u>C 10 p.m. - 2 a.m.</u>	
14	731.30	<u>General Advertising Sign</u>	<u>§§ 262, 602-604, 608,</u>		
15	<u>732.30</u>		<u>609</u>		
16	731.31	<u>Business Sign</u>	<u>§§ 262, 602-604, 608,</u>	<u>P</u>	
17	<u>732.31</u>		<u>609</u>	<u>§ 607.1(f) 2</u>	
18	731.32	<u>Other Signs</u>	<u>§§ 262, 602-604, 608,</u>	<u>P</u>	
19	<u>732.32</u>		<u>609</u>	<u>§ 607.1(c) (d) (g)</u>	
20					
21				<u>Pacific Avenue NCD</u>	
22				<u>Controls by Story</u>	
23					
24	<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>1st</u>	<u>2nd</u>
25				<u>3rd+</u>	

1	<u>732.47</u>				
2	731.48	<u>Other Entertainment</u>	<u>§ 790.38</u>		
3	<u>732.48</u>				
4	731.49	<u>Financial Service</u>	<u>§ 790.110</u>	<u>C</u>	
5	<u>732.49</u>				
6	731.50	<u>Limited Financial Service</u>	<u>§ 790.112</u>	<u>P</u>	
7	<u>732.50</u>				
8	731.51	<u>Medical Service</u>	<u>§ 790.114</u>	<u>C</u>	<u>C</u>
9	<u>732.51</u>				
10	731.52	<u>Personal Service</u>	<u>§ 790.116</u>	<u>P</u>	<u>C</u>
11	<u>732.52</u>				
12	731.53	<u>Business or Professional Service</u>	<u>§ 790.108</u>	<u>P</u>	<u>C</u>
13	<u>732.53</u>				
14	731.54	<u>Massage Establishment</u>	<u>§ 790.60,</u>		
15	<u>732.54</u>		<u>§ 2700 Police Code</u>		
16	731.55	<u>Tourist Hotel</u>	<u>§ 790.46</u>		
17	<u>732.55</u>				
18	731.56	<u>Automobile Parking</u>	<u>§§ 790.8, 156, 160</u>	<u>C</u>	
19	<u>732.56</u>				
20	731.57	<u>Automotive Gas Station</u>	<u>§ 790.14</u>		
21	<u>732.57</u>				
22					
23					
24					
25					

1	016, 017, 018, 019, 020, 021, Assessor's Block 0155, 2 Lots 009, 010, 012, 013, 3 014, 015, 016, 017, 019, 4 020, 021, 022, 023, 024, 5 025, 026, 054, 6 Assessor's Block 0156, 7 Lots 007, 008, 009, 010, 8 011, 012, 013, 014, 015, 9 016, 017 (partial), 018 10 (partial), 019 (partial), 020 11 (partial), 021, 022, 12 Assessor's Block 0157, 13 Lot 021, 14 Assessor's Block 0596, 15 Lots 001, 002, 003, 004, 16 005, 026, 027, 031, 032, 17 033, 18 Assessor's Block 0185, 19 Lots 001, 002, 003, 004, 20 006, 007, 028, 21 Assessor's Block 0184, 22 Lots 021, 022, 023, 024, 23 025, 026, 027, 029, 030, 24 031, 035, 036 (partial), 25 Assessor's Block 0183, Lots 001, 026, 027, 028, 029, 031, 032, 033, 034, 035, 036, 037, 038, 039, and Assessor's Block 0182, Lots 021.		<u>732</u> et seq.
18	Assessor's Block 0185, Lots 005, 029, 030, 031, 038, 039, 041	RM-1	
20	Assessor's Block 0157, Lots 007, 008, 009, 010, 011, 013, 014, 015, 016, 017, 018, 019, 020, 063, and Assessor's Block 0182, Lots 001, 022, 023, 024, 031, 031B, 031C, 032, 034, 035	NC-2	RM-1
25	Assessor's Block 0186, Lot 001, and	NC-2	RM-3

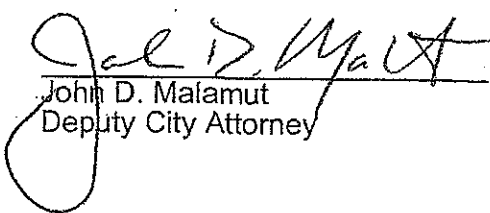
1 Lots 021, 022, 023, 024,
2 025, 026, 027, 029, 030,
3 031, 035, 036 (partial),
4 Assessor's Block 0183,
5 Lots 001, 026, 027, 028,
6 029, 031, 032, 033, 034,
7 035, 036, 037, 038, 039,
8 and
9 Assessor's Block 0182,
10 Lots 001, 021, 022, 023,
11 024, 031, 031B, 031C, 032,
12 034, 035.

13
14 c. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change is
15 hereby adopted as an amendment to the Zoning Map of the City and County of San
16 Francisco: Sectional Map 1 SU shall delete all reference to the Garment Shop Special Use
17 District, Planning Code Section 236.

18 Section 6. This Section is uncoded. This Ordinance shall not apply to those
19 development proposals that receive Planning Department or Zoning Administrator project
20 approval prior to the effective date of this Ordinance.
21
22
23
24
25

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By:


John D. Malamut
Deputy City Attorney

File No. 070681

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on July 10, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

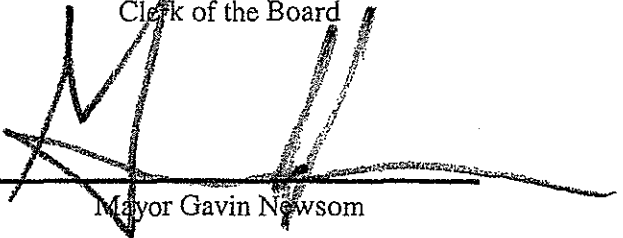
JUL 20 2007

Date Approved



Angela Calvillo

Clerk of the Board



Mayor Gavin Newsom

EXHIBIT E

IV. Building Scale And Form

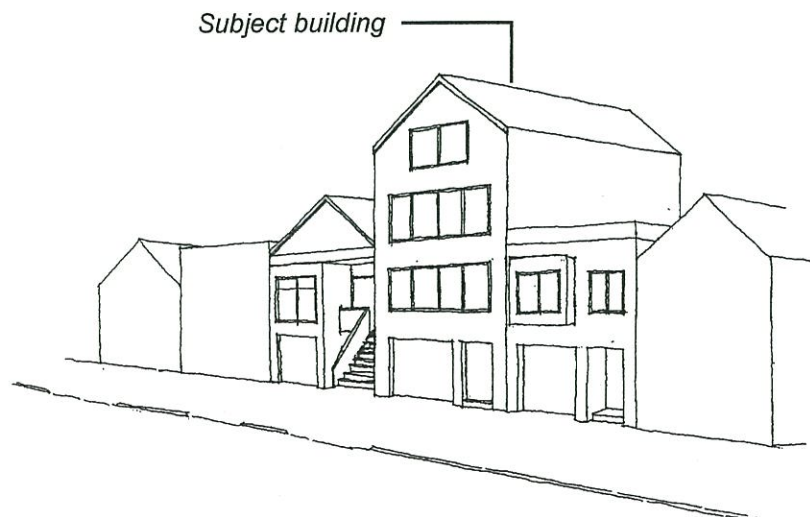
DESIGN PRINCIPLE: Design the building's scale and form to be compatible with that of surrounding buildings, in order to preserve neighborhood character.

BUILDING SCALE

GUIDELINE: Design the scale of the building to be compatible with the height and depth of surrounding buildings.

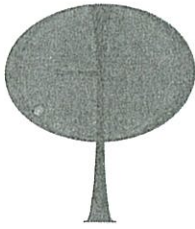
The building scale is established primarily by its height and depth. It is essential for a building's scale to be compatible with that of surrounding buildings, in order to preserve the neighborhood character. Poorly scaled buildings will seem incompatible (too large or small) and inharmonious with their surroundings.

A building that is larger than its neighbors can still be in scale and be compatible with the smaller buildings in the area. It can often be made to look smaller by facade articulations and through setbacks to upper floors. In other cases, it may be necessary to reduce the height or depth of the building.



This building is out of scale with surrounding buildings because it is not articulated to make it more compatible with the scale of surrounding two-story homes.

EXHIBIT F



Greenlight Plan – Land Use Consultants

Paul A. Lord, Jr.
PO Box 210106
San Francisco, CA 94121
415.314.8185
www.greenlightplan.com

November 16, 2015

San Francisco Planning Commission
C/O Commission Secretary
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Recommendations for the Proposed Development at 1469 Pacific Avenue Case 2013.091DRP

Dear Members of the San Francisco Planning Commission;

It has been a few years since I last addressed any specific professional hopes or concerns directly to this Commission. In my opinion, as a former San Francisco City Planner and original project manager for creating the 2007 Pacific Avenue NCD controls, the proposed plans for 1469 Pacific Avenue neither comply with the intent, nor the expected outcomes of the Pacific Avenue NCD zoning.

In my direct experience and professional opinion as a former San Francisco City Planner and current land use consultant, the proposed plans for 1469 Pacific Avenue neither complies with the intent, nor does the proposed development meet the expected outcomes of the current Pacific Avenue NCD zoning controls. I, therefore, urge the Planning Commission to:

1. reject the plans as proposed and ask the project sponsor to scale down the building height and massing (especially on this narrow portion of Pacific Avenue); and
2. to require any subsequent design to integrate the existing neighborhood character conditions; and
3. require a 45 percent open rear yard at the ground level and every level above.

BACKGROUND

I worked as staff to the Planning Commission for nearly 30 years. From 2004 through 2007, I was designated the lead Planner for re-zoning Pacific Avenue from just East of Polk Street to Taylor Street. I have recently been asked by concerned neighbors to summarize the reasons that prompted the 2007 re-zoning, the process, and the expected long term outcomes.

The Pacific Avenue neighborhood includes Nob Hill and Russian Hill properties and is located in District 3, the most densely populated neighborhood in San Francisco. At one time Pacific Avenue housed many garment and industrial businesses. It was expected that Pacific Avenue would further develop into a major commercial thoroughfare. However, this did not happen. Instead, the

neighborhood small business serving character maintained its low-scale neighborhood character supporting predominately two to three story single and multi-family housing with taller buildings placed at the corner of each block and staggered roof-lines lining a narrow street.

In 2004, the Pacific Avenue Neighborhood Association (PANA), representing property owners, residents, and neighbors from Polk Street to Taylor Street and Broadway to Jackson Street asked the Planning Department to consider re-zoning the neighborhood to conform, reflect and preserve the existing neighborhood scale, design and character. Critical in the adopted regulations was the need to preserve mid-block open space for the adjacent and juxtaposed residential zoned portions of the blocks and to retain open mid-block rear yards when new construction occurs.

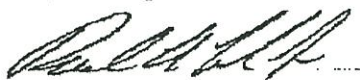
Over nearly four years between 2004 and 2007, the Planning Department and PANA hosted numerous public meetings to obtain community input, concerns and ideas. The neighbors overwhelmingly voiced their support for maintaining the scale of their neighborhood and to create and retain rear yard mid-block open spaces. Even when the historic built environment did not provide the maximum rear yard open space, the intent of the 2007 NCD controls was to preserve and create, in new development proposals, these mid-block open spaces.

The expected outcome of the re-zoning was to preserve the small-scale nature of the existing neighborhood design and character. To accomplish this outcome, new zoning regulations were developed pursuant to legislation passed by the San Francisco Planning Commission, San Francisco Board of Supervisors and signed into law by Mayor Gavin Newsom. At the time, only three dissenters made known their opposition to the proposed re-zoning.

The named Pacific Avenue Neighborhood Commercial District was established by this public process and legislation. Critical elements of the zoning are:

- to limit new and modified nonconforming building development to 40 feet or less; and
- to require a 45 percent lot depth in open rear yard open spaces; and
- to identify new specific small businesses that can serve neighborhood needs while also maintaining existing businesses.

Sincerely,



Paul A. Lord, Jr.
plord@greenlightplan.com
Greenlight Plan



EXHIBIT G

SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

UDAT MEETING NOTES

Project: 1469 Pacific Avenue

Planner: Kate Conner

Date: June 25, 2014

Attendees: Alexis Smith, David Winslow, Maia Small, Glenn Cabreros, Kevin Guy, Jeff Joslin

Site Design, Open Space, and Massing.

UDAT recommends reconfiguring the massing by eliminating the units located in a separate structure in the rear yard and consolidating those units instead into a mass that comes from the back of the front structure with notches on either side for exposure. This reduction of the rear portion would extend to grade eliminating part of the parking in the ground level and would have the effect of providing a rear yard and common open space for the residents and opening up the mid-block open space for the adjacent properties.

Parking and Access.

UDAT recommends reducing the parking as indicated above.

Street Frontage.

UDAT recommends reducing the curb cut further to a maximum width of 10'.

Architecture.

UDAT recommends modifying the commercial glazing and entry to read as more commercial or storefront and less as a residential-type punched window. This could be accomplished by bringing the glazing further towards the ground, adding more that connects it with the doorway, or by adding verticality into its proportions.



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UDAT MEETING NOTES

Project: 1469 Pacific

Planner: Kate Conner

Date: 06/11/13; 06/30/13

Attendees: Glenn Cabrerios, Neil Hrushowy, Jeff Joslin, Alexis Smith, Sara Vellve

General

The proposed project is the construction of a new 4-story, 9-unit residential building over a ground floor lobby and parking in a NC-D / 40-X district.

Site Design, Open Space, and Massing

- UDAT recommends a code complying rear yard that provides the minimum required area, exposure, access and preservation of the mid-block open space, and usability. Based on the current mid-block pattern, the new construction at the rear of the property further exacerbates the current lack of mid-block open space.

Vehicle Circulation, Access and Parking

- UDAT recommends a parking strategy that minimizes the parking footprint at the ground level to allow for a deeper and a larger residential entrance at the street. This may be achieved while retaining parking by providing sub-grade parking and/or a stacked parking system.

Architecture

- The proposed bays are an appropriate way to break up the building's façade. UDAT recommends more variety in the width and configuration of the bays so as to create a more dynamic elevation. Likewise, the proportion and configuration of the windows within the bays should be reexamined.
- UDAT appreciates the recent changes that have been made to the elevation, specifically recessing the central vertical element, and reducing the amount of glazing on either side of this central element.



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UDAT MEETING NOTES

Project: 1469 Pacific

Planner: Kate Conner

Date: 06/11/13

Attendees: Glenn Cabrereros, Neil Hrushowy, Jeff Joslin, Alexis Smith, Sara Vellve

- **General**

The proposed project is new construction of a 4-story, 9- unit residential building over ground floor lobby and parking in a NC-D / 40-X district.

- **Site Design, Open Space, and Massing**

- UDAT recommends a code complying rear yard that provides the minimum area, exposure, access and preservation of the mid-block open space, and usability. Based on the current mid-block pattern, the new construction further exacerbates the current lack of mid-block open space.

- **Vehicle Circulation, Access and Parking**

UDAT recommends a parking strategy that minimizes the parking footprint at the ground level to allow for a deeper and a larger residential entrance at the street. This may be achieved while retaining parking by providing sub-grade parking and/or a stacked parking system.

Architecture

- The proposed bays are an appropriate way to break up the building's façade. UDAT recommends more variety in the width and configuration of the bays so as to create a more dynamic elevation. Likewise, the proportion and configuration of the windows within the bays should be reexamined.
- As currently designed, there is no relationship between the ground floor and the upper floors. UDAT recommends several adjustments to unify these two portions of the façade:
 - Pull the first floor back three feet so that it aligns with the recessed area between the bays, thus eliminating the ledge that currently exists over the ground floor. This will create the opportunity to link the ground level with the upper floors through the detailing of the recessed areas as they extend down to the ground level. Shifting the ground level back three feet will also establish a hierarchy

EXHIBIT H

Front



1469 Pacific Ave
FRONT





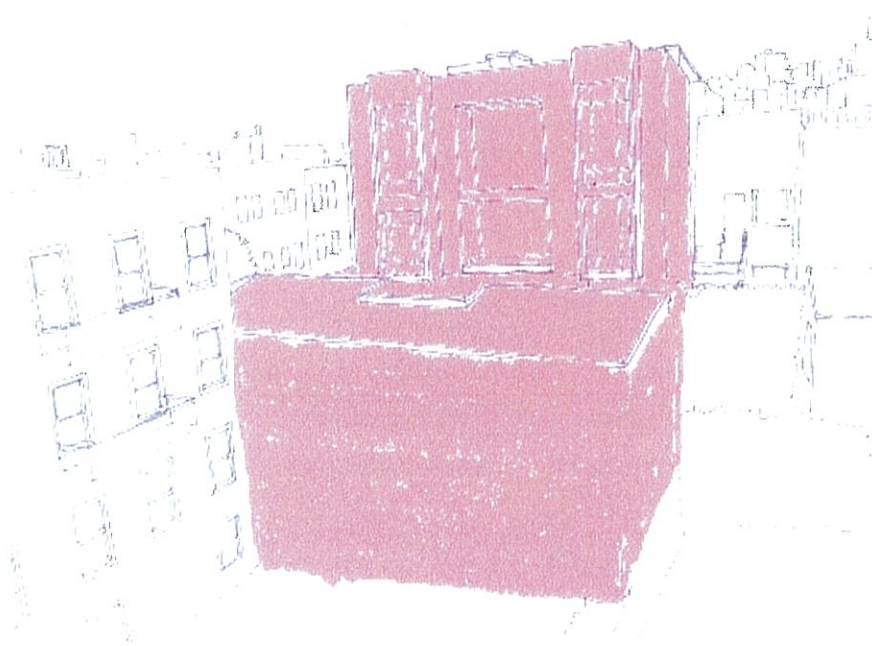
P69 Pacific
Row

EXHIBIT H

1469 Pacific Ave



BUILDING NOW



BUILDING AFTER DEVELOPMENT

From Jackson Street North



BUILDINGS WITH LIGHT BLOCKED BY PROPOSED PROJECT



1469 Pacific Ave

BUILDINGS WITH LIGHT BLOCKED BY PROPOSED PROJECT

BUILDING NOW: Facing Pacific Ave



AFTER DEVELOPMENT:



4 South Side
Pacific Ave

EXHIBIT I
South Side

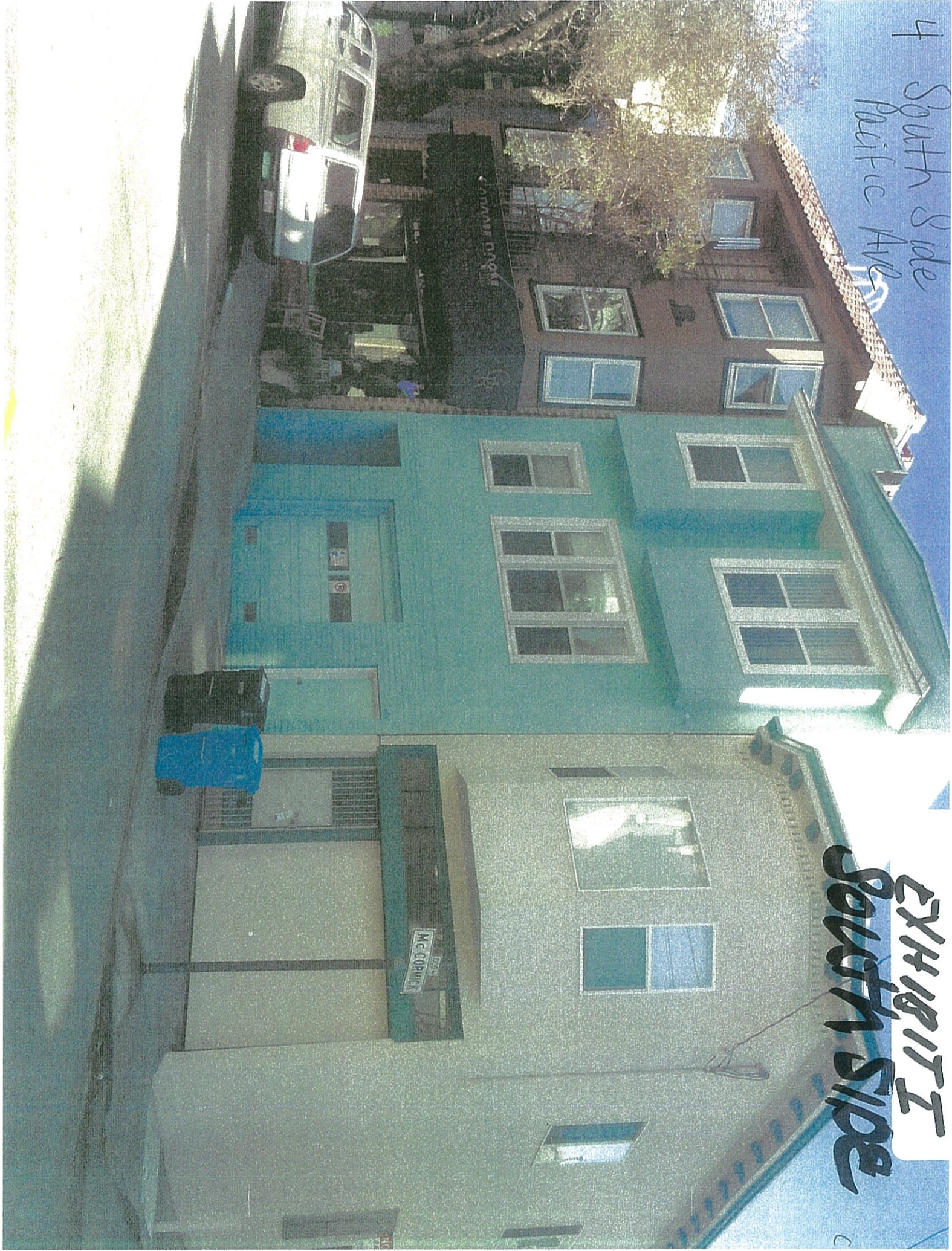


EXHIBIT Northside

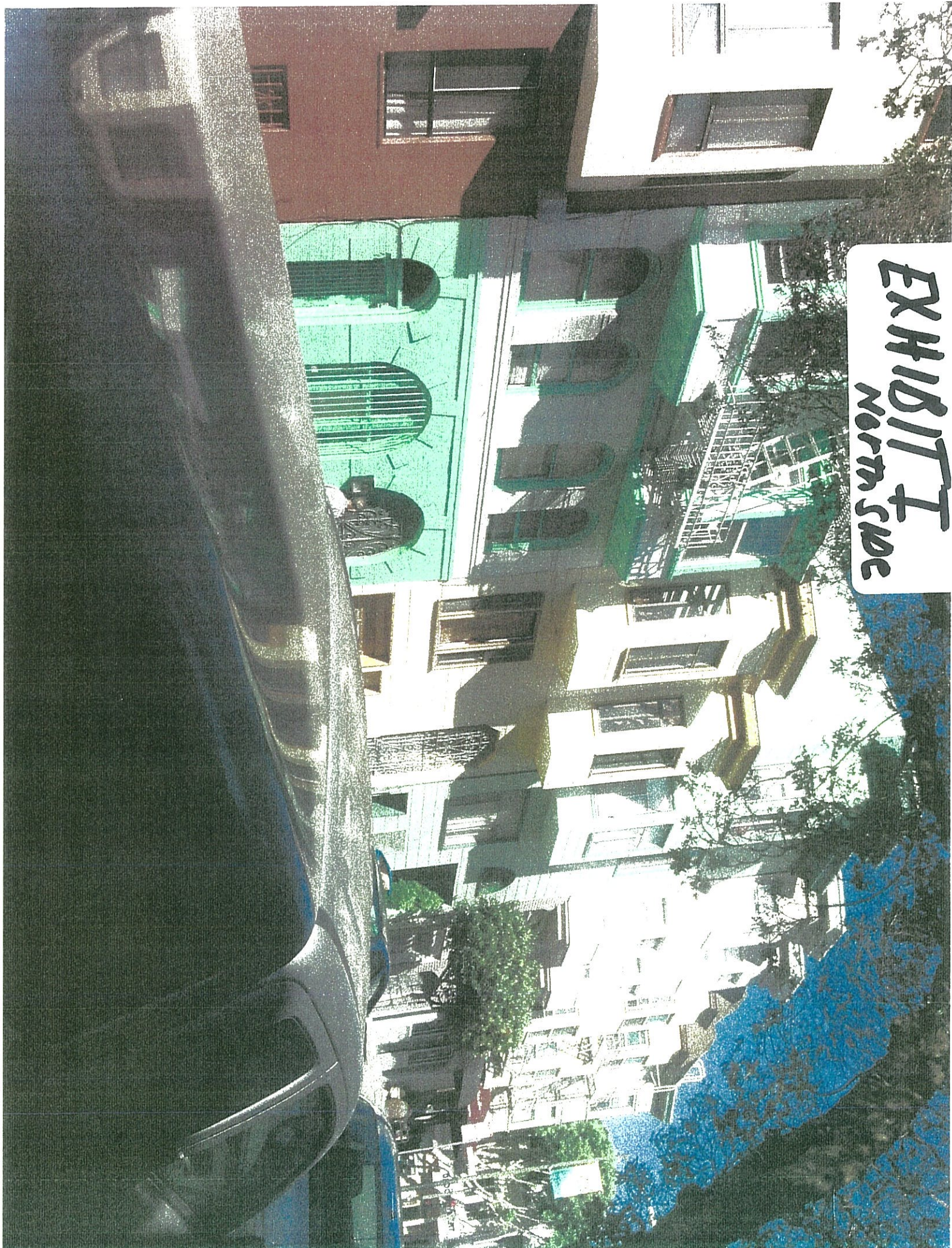


EXHIBIT - 12' AND



RESPONSE TO DISCRETIONARY REVIEW (DRP)



San Francisco
Planning

SAN FRANCISCO PLANNING DEPARTMENT
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103-2479
MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address:

Zip Code:

Building Permit Application(s):

Record Number:

Assigned Planner:

Project Sponsor

Name:

Phone:

Email:

Required Questions

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Include an explanation of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

Project Features

Please provide the following information about the project for both the existing and proposed features. **Please attach an additional sheet with project features that are not included in this table.**

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)		
Occupied Stories (all levels with habitable rooms)		
Basement Levels (may include garage or windowless storage rooms)		
Parking Spaces (Off-Street)		
Bedrooms		
Height		
Building Depth		
Rental Value (monthly)		
Property Value		

I attest that the above information is true to the best of my knowledge.

Signature:	Date:
Printed Name:	<input type="checkbox"/> Property Owner <input type="checkbox"/> Authorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1469 Pacific Avenue DR Application Arguments and Responses

DR Request Argument	Response
<ul style="list-style-type: none"> The proposed project is not compliant with the NCD zoning district and would erode the legislation that established the Pacific Avenue Neighborhood Commercial District. 	<ul style="list-style-type: none"> The proposed project for the property at 1469 Pacific Avenue is Code compliant, with the exception of the two reasonable variance requests from rear yard setback requirement under Section 134(a)(1)(C) and access to private open space with respect to one unit under Section 135(b)(1). Relief from these requirements are justifiable because the project and the requests meet the criteria of section 305: i.e. there are exceptional circumstances that apply to the project site that do not apply generally to neighboring properties; because of the existing exceptional circumstances, the literal enforcement of the requirement will result in unnecessary hardship; the variance is necessary for the preservation and enjoyment of a substantial property right of the property possessed by similar properties in the district; granting a variance here will not be materially detrimental to the public welfare or materially injurious to the site or improvements in the vicinity; and granting a variance will be in harmony with the general purpose and intent of the Planning Code and will not adversely affect the General Plan. <p>The project site is on a larger, approx. 8,765-sf lot with an existing building. The project involves the conversion of that existing building to a mix of residential and commercial uses. The existing building does not provide the required rear yard setback at all levels that contain a residential unit, which would require demolition of a sound structure and a significant amount of new construction. Re-use of an existing structure is a more sustainable alternative and is also more sensitive to the neighbors resulting in significantly less construction-related noise, dust, and other inconveniences. The project is also consistent with the Pacific NCD zoning by converting an existing warehouse building into a primarily residential building with approx. 1,962 sf of commercial use, thereby supporting the promotion of a small, neighborhood serving mixed-use commercial street that preserves the surrounding neighborhood residential character as noted in Sec. 732.</p> <p>The existing context and setting adjacent to the property includes an overwhelming non-conformity with respect to the rear yard setback requirement, which majority of the adjacent properties failing to provide a Code compliant rear yard setback. The property owners who signed the DR Request on behalf of PANA (Robyn Tucker and Andrew Madden) are no exception as their building is located partially up to the rear property line boundary and thus failing to comply with the rear yard setback requirement. One of the purposes for requiring a rear yard setback is to maintain an existing mid-block open space patterns, which does not exist here. The project does not change the existing mid-block open space configuration since the project is constructed within the existing building envelope and since the immediately adjacent properties do not themselves provide or contribute to Code compliant rear yard setbacks.</p> <ul style="list-style-type: none"> The project improves the neighborhood and is in harmony with the stated purpose of the legislation that established the Pacific NCD and the characteristics of the neighborhood that the Board of Supervisors aimed to preserve. In the findings for Ordinance no. 167-07, which established the district, the City found that the creation of the district was necessary to preserve the neighborhood character and environmental qualities that respond to the topography and narrow street right-of-way. This particular area of the neighborhood consists of mostly residential buildings, with some commercial uses on the ground floor. The project will further preserve the neighborhood character by replacing a warehouse use with dwelling units and a small commercial space at the ground floor. Planning Code Section 732.1 states that the district controls are “designed to promote a small, neighborhood serving mixed-used commercial street that preserves the surrounding neighborhood residential character.” This project would contribute to the neighborhood a neighborhood-serving, mixed-use building.

1469 Pacific Avenue DR Application Arguments and Responses

DR Request Argument	Response
<ul style="list-style-type: none"> The proposed building is out of character, scale, and form with the neighboring properties. 	<ul style="list-style-type: none"> The proposed building is consistent with the character of the neighboring properties. Of the roughly forty parcels on the block, only two are exclusively commercial, including the existing warehouse at the project site. The remaining parcels are either explicitly residential or consist of dwelling units on top of ground floor commercial spaces. The Project would result in a building that is much closer to the character of the neighboring properties by converting the warehouse into a mix of uses, including dwelling units and a ground-floor commercial use. The proposed building is consistent with the scale of the neighboring properties. Neighboring properties are generally three to four stories, with some two-story structures. A four-story building at 1478 Pacific is across Pacific Avenue from the property. The proposed building will be one-, two- and four-stories. The height at the street facade along Pacific Avenue is 40 feet, which is consistent with the zoning. The building depth is exceptional due to the size and depth of the lot, however, it is nevertheless not unique to the block. There is one other building and lot on the block that is nearly identical in orientation and depth. The depth of the proposed project/building will be unchanged from the existing building configuration since the project will not modify the existing building footprint. The proposed building is also consistent with the form of the neighboring properties. The building's street frontage on Pacific Avenue is consistent with the adjacent buildings and the proposed design is appropriate for the 63'9" width without overwhelming the facade.
<ul style="list-style-type: none"> The design disrupts the neighborhood plan, which calls for staggered roof lines. 	<ul style="list-style-type: none"> The property is not within any area or neighborhood "plan". The Residential Design Guidelines are also not applicable here as the property is in a neighborhood commercial district. The relevant "neighborhood" controls are those provide by the Pacific NCD zoning, and with a height of 40 feet at the front portion of the property, the project is fully consistent and compliant with the zoning and height designation.
<ul style="list-style-type: none"> The design overwhelms the Pacific Avenue right of way. 	<ul style="list-style-type: none"> The project's proposed height at 40 feet is fully compliant with zoning and the height designation. Pacific Avenue right of way adjacent to the building is a relatively typical street and not a narrow alley. Construction of a 40-foot tall building at the Pacific avenue consistent with zoning controls does not overwhelm the right of way, especially with the design considerations that have been incorporated into the design which break down the massing for the 63'9" site width.
<ul style="list-style-type: none"> The design deprives neighboring properties of privacy, light and air, and quiet environment due to the lack of space between buildings. 	<ul style="list-style-type: none"> The design is considerate of the existing conditions and will improve the conditions towards the rear of the property, where a reduction in height is proposed in the middle of the subject property thereby resulting in an increase in light and air to the properties immediately adjacent to the proposed mid-lot open space area. As the existing building will not be demolished as a part of the project, no new rear setback area is created, however, the project does not deprive neighbors of any privacy, light and air in any exceptional manner which would justify modifications via the use of DR. The Pacific NCD does not require side yard setbacks, however, the project is sensitive to its neighbors by providing some setback and lightwell features on the first, second and third levels.

1469 Pacific Avenue DR Application Arguments and Responses

DR Request Argument	Response
<ul style="list-style-type: none"> There has been no community outreach for the last three years since the last 312 notice. 	<ul style="list-style-type: none"> The project sponsor is available, and has been available, to meet with members of the community and is actively engaging the neighborhood. The project sponsor met with representatives of the DR Requestor prior to the filing of the DR Request, which was attended by several neighbors. The project sponsor will continue to reach out to neighbors and has extended an invitation to the DR Requestors to meet.
<ul style="list-style-type: none"> The entire neighborhood has not been offered a pre-application meeting to view updated plans with the project sponsor or representatives. 	<ul style="list-style-type: none"> The project sponsor has satisfied the pre-application requirements. Notice required under Planning Code Section 312 was sent and included updated plans. Additionally, a notice about the project undergoing environmental review was re-sent in May 2015. The project sponsor has and will continue to actively engage neighbors.
<ul style="list-style-type: none"> Neighbors have not been given a reasonable time to review and discuss the plans, its impacts, and alternative design, with each other and with professionals. 	<ul style="list-style-type: none"> As the DR Requestor points out, neighbors were noticed originally three years ago. The project sponsor uses the building and is present in the neighborhood. Since the commencement of the project several years ago, neighbors were notified by environmental planning of the project again in May 2015, and by the 312 notice in August 2015. The project sponsor has met with several of the neighbors recently, including Ms. Tucker and Mr. Madden who are noted as representatives of PANA, and continues to reach out to the community and be available to the community regarding this project. The DR hearing has been scheduled for December 17, 2015, almost two months from today providing ample opportunity for the neighbors to review and discuss the plans for a project that has been pending for over 3 years. In fact, the project has been pending for a much longer than average time, and thus the neighbors have had more time than neighbors would have in a typical DR case.

REUBEN, JUNIUS & ROSE, LLP

January 27, 2016

President Rodney Fong
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 1469 Pacific Avenue (0185/029)
Brief in Opposition of a DR Request
Planning Department Case no. 2013.0915DRP/V
Hearing Date: February 11, 2016
Our File No.: 5194.02

Dear President Fong and Commissioners:

Our office represents Paul Bogatsky, the owner of a property at 1469 Pacific Avenue, Assessor's Block 0185, Lot 029 ("**Property**"). The Property consists of a large 8,765-sf, approx. 64' x 137.5' lot which is improved with a two-story warehouse building. The project proposes to convert the existing warehouse building into nine (9) residential dwelling units, approx. 2,000 sf of commercial space and ten (10) off-street parking spaces ("**Project**").

A Discretionary Review (DR) request was filed by Robyn Tucker and Andrew Madden, who live adjacent to the Property, on behalf of PANA. The DR request should be denied and the Project should be approved because:

- No exceptional or extraordinary circumstances have been established that would justify taking of DR;
- Project is consistent with the Pacific Avenue NCD zoning and advances its objectives;
- Project will increase the City's housing stock by nine (9) dwelling units, majority of which have been designed to be appropriate for family housing (with 5 x 3BR, 2 x 2BR, and 2 x 1BR unit mix);
- Project retains an existing structurally sound building, and thereby avoids causing extensive construction-related disruption to the neighborhood and is able to propose an environmentally better and healthier Project;
- Project is supported by many neighbor residents and workers; and
- Project is appropriate and desirable in use, massing and overall scope, and has been carefully designed in order to be compatible with the existing context.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben¹ | Tuija I. Catalano | Thomas Tunny
David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Stephanie L. Haughey
Chloe V. Angelis | Louis J. Sarmiento | Jared Eigerman^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

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San Francisco, CA 94104

tel: 415-567-9000
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A. Project Description

The Property is improved with a structurally sound, full lot coverage, two-story warehouse building that shares a common property boundary with ten other parcels. The existing warehouse building is proposed to be converted into a 9-unit building with 10 off-street parking spaces and one commercial, approx 2,000 sf unit. The residential units consist of 5 x 3BR, 2 x 2BR, and 2 x 1BR units, with an average unit size of 1,541 sf. All of the units are provided with one off-street parking, as required by the Planning Code. The residential units are also provided with ample open space areas, with an average of approx. 500 sf of private open space per unit.

B. The Standard for Discretionary Review Was Not Met

DR Standard of Review. Discretionary review is a “special power of the Commission, outside of the normal building permit approval process. It is supposed to be used only when there are exceptional and extraordinary circumstances associated with the proposed project.”¹ The discretionary review authority is based on Sec. 26(a) of the Business & Tax Regulations Code, and moreover, pursuant to the City Attorney’s advice, it is a “sensitive discretion ... which must be exercised with the utmost restraint”. Exceptional or extraordinary circumstances have been defined as complex topography, irregular lot configuration, unusual context, or other circumstances not addressed in the design standards.

The DR Requestors have not established any exceptional or extraordinary circumstances that are necessary in a DR case, as more particularly discussed and shown below:

Request to eliminate the top floor is a disguise for preservation of views. Ms. Tucker has requested that one story be removed from the front part of the building facing Pacific Avenue in order to improve neighbors' access to solar, light and air, and to improve privacy and noise protection. The development of a 40-foot tall building in a 40-X height and bulk district is entirely consistent with the existing zoning. The elimination of the top floor would not significantly improve any of the objectives Ms. Tucker has outlined due to the orientation of the Property, and thus the Project overall has minimal impact on the neighbors' access to light, air and sun. The Project will, however, result in Ms. Tucker and Mr. Madden losing their view from their Property/roof deck towards the Golden Gate Bridge.

The front elevation of the existing building roof is 27' 10" and the proposed project will result in a front roof elevation of 40', thus proposing only a 13' 2" increase over the existing roof. Ms. Tucker is asking the Project to eliminate an entire floor, i.e. 10' of height, so that only an extremely minimal, approx. 2-foot increase would be allowed over the existing roof level. Such request is completely void of any justification and entirely inconsistent with the zoning Ms. Tucker herself advocated for in 2007. Further, a 40-foot height limit at the front of the property is not only reasonable height, it is consistent with the heights of other buildings in the vicinity.

¹ Planning Department publication for the Application Packet for Discretionary Review; emphasis added.

The request to eliminate a top floor is an attempt to protect Ms. Tucker and Mr. Madden's views from their homes. To be clear, Ms. Tucker and Mr. Madden have asked the Project Sponsor to eliminate three (3) dwelling units (i.e. 33% of the Project's units) and approx. 3,600 sf of residential floor area (i.e. approx. 26% of total residential Project floor area) so that their private views are preserved. This is in addition to their request to eliminate two (2) more units (i.e. another 22% of the Project units) and approx. 3,200 sf of floor area at the rear of the Property (i.e. another 23% of residential floor area). In total, Ms. Tucker and Mr. Madden are asking that the Project be reduced by five (5) units, leaving only four (4) of the proposed units for the Project, and by eliminating approx. 49% of the proposed residential floor area. There is no reason or justification for such a drastic reduction, and more importantly such reduction would not be materially beneficial to the neighborhood and certainly not advantageous to the City as a lost opportunity to create nine (9) new units with a number of family-sized units.

Proposed uses are more compatible than the existing warehouse uses. The existing Property is improved with a two-story warehouse building with a footprint covering the entire lot. The existing uses are not ideal or entirely compatible with the primarily residential character of the neighborhood and the current Pacific Avenue NCD zoning, which Ms. Tucker advocated in favor of almost 10 years ago. The Project will allow conversion of the existing building into more compatible uses, simultaneously increasing the City's housing stock by 9 units.

Conversion and re-use of an existing building is less disruptive to neighbors. Ms. Tucker and Mr. Madden are effectively asking for the existing building to be demolished and reconstructed in order to provide a 45% rear yard setback, where none exists today. The demolition of the existing structure would extend the projected construction time by approx. 6 - 8 months, and would cause significantly more noticeable disruption to the neighbors. For example, demolition and new construction would be accompanied with more significant air quality, dust, noise and traffic flow disruptions that are entirely unnecessary. In fact, when Ms. Tucker (along with other McCormick Street Neighbors) opposed and filed a DR on a project at 1 McCormick Street in August 2011, one of the objections they raised was the disruption the proposed demolition and new construction would cause to the neighborhood.² In this case, the existing building is structurally very sound and there is absolutely no reason to take down the perimeter walls that would need to be put back again with the new construction. Fortunately, in this case there is no need to cause extensive construction related disruption to the neighborhood due to demolition and new construction, and thus the proposed conversion of the existing building is more desirable and beneficial to the neighbors.

² See DR application filed by The McCormick Street Neighbors and its individual members, including a signature by Ms. Tucker, dated August 29, 2011, Planning Department Case Nos. 2008.0953D and 2011.1065D, whereby the DR Requestors argued, among other items, that "...the developer is attempting to shoehorn a large structure into a physical site that cannot reasonably accommodate it in light of the fact that the *only* way to access the site is to use the narrow, 12'2", one-lane, dead-end, no-parking alley to transport materials, equipment, trucks, and debris and, in doing so, necessarily block access to the surrounding homes and driveways for extended periods of time given a project of this size and scope. This will result in exceptional and undue interference with the use and enjoyment of the property around the proposed site." (at p. 4 of the DR application attachment);

Beyond the construction impacts, with new construction the adjacent buildings would need to be underpinned and the demolition+new construction alternative would be more invasive to the neighbors from this aspect as well. By re-using the existing building, the Project will be able to utilize existing utilities, e.g. gas, water, sprinklers and electrical. If the existing building were demolished, new utilities would need to be installed, which would result in additional excavation at the street/sidewalk areas along Pacific Avenue.

Conversion and re-use of an existing building is an environmentally better option. From a purely environmental perspective conversion of the existing building is much better and "greener" option. It is no secret that retention and reuse of existing buildings preserves materials, energy, and human capital already expended in the construction of the older building, and accordingly lessens the use of materials and energy required to complete a new project.³

On balance demolition of the existing rear portion of the building is not desirable. Ms. Tucker and Mr. Madden have asked the existing building to be demolished with respect to the last 45% of the lot depth in order to accomplish technical compliance with the rear yard requirement. The rear yard setback requirement exists for the purpose of protecting "an established midblock, landscaped open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings."⁴ Due to the Property's large size, unique configuration and location, combined with the siting of the adjacent buildings, which in significant part are non-conforming with respect to rear yard requirements, there is no established midblock open space within the meaning of the Code which would be subject to protection via the rear yard setback requirement. Please see the diagram attached as Exhibit A that shows the approximate rear yard setback requirements for the adjacent parcels and the existing, significant non-conformities.

The Project retains and preserves the existing scale and status quo with respect to the rear yard. As of today, the existing 45% rear yard depth is improved with the existing building up to an elevation of 20'. The existing 20' roof floor height and the building envelope will be retained for the last 27.5' of the lot depth, and will be reduced to a roof floor height at an elevation of 10' for a mid-lot 25% portion, thereby improving the existing status quo. Requiring the existing building to be demolished for the rear 45% depth would effectively trigger full demolition of the existing building and new construction, instead of the proposed conversion and re-use of the existing, structurally sound building.

Lastly, it is important to note that Ms. Tucker/PANA have not consistently objected to projects proposing less than full compliance with the 45% rear yard requirement. For example, the property at 1424-26 Pacific Avenue⁵ was allowed to average the rear yard requirement based

³ See e.g. California Office of Historic Preservation Brochure, http://www.ohp.parks.ca.gov/?page_id=24592 (Jan. 26, 2016).

⁴ See Planning Code Section 134.

⁵ The 1424-26 Pacific project, located in the Pacific Avenue NCD district, consisted of a 2,403 sf addition to an existing 1,762-sf building, with an 11'2" vertical addition to an existing 28'10" building. See EE application, under

Planning Code Section 134(c) and the existing rear yard setbacks provided by the adjacent properties. A 312 notice was sent out for a vertical and horizontal addition at 1424-26 Pacific Avenue on October 15, 2013, however, no DR was filed by Ms. Tucker and/or PANA due to the rear yard setback or the addition of a fourth floor up to 40-foot height. The project at 1424-26 Pacific provided a rear yard setback of approx. 30%, short of the 45% standard requirement. If the Project were to utilize the same Planning Code Section 134(c) for the reduction of the rear yard requirement based on the conditions on the adjacent lots, a rear yard setback would be required only for 25% of the lot depth, the minimum rear yard setback allowed by the Code.⁶

Notwithstanding the above, the existing building is also a legal non-conforming structure without any rear yard setback. The Project does not increase the existing physical non-conformity, and has no impact on any existing midblock open space, since none exists, due to the fact that at least 8 out of the 10 adjacent properties, including the DR Requestors' property, are grossly non-compliant with respect to rear yard setback requirements, and thus do not contribute to any existing midblock open space. Thus, a rear yard setback is not necessary for the purpose of preserving an established midblock open space. It is important to note that the Project does not add any new height within the 45% setback area, and in fact, the Project lowers the existing building height at a mid-lot location for an area equal to 25% of the lot depth so that the roof elevation therein is at 10'. The Zoning Administrator is reviewing a variance request for the rear yard setback in light of the existing conditions and purpose of the requirement.

No justification for taking DR. No exceptional or extraordinary circumstances relating to the Project were provided by the DR Requestors that would justify Planning Commission's exercise of its DR power. The Project is exceptional only in a positive sense by being able to create a family-sized units and a total of 9 new residential units by converting an existing warehouse building into more compatible uses.

C. Outreach and Project History

Long History and Many Variations. The proposed Project was not conceived yesterday, in fact, the first reiteration of a residential proposal at the Property was introduced to the neighbors in 2005 prior to the 2007 Rezoning (see the sign-in sheet for a neighborhood meeting for February 22, 2005, and the original project plans, attached as Exhibit B). The original project proposal was for a 6-story, 65-foot tall 11-unit building, and the Project has been revised many times and in many ways since then. After the completion of the 2007 Rezoning, a variation of Project was re-proposed in 2012, and the pre-app meeting with the neighbors was held on September 28, 2012 (see the sign-in sheet for the pre-app meeting with the then-proposed Project plans attached as Exhibit C). Ms. Tucker has participated in the neighborhood meetings for the Project since the beginning, as noted in the above-referenced sign-in sheets.

Planning Department Case No. 2012.1101E, filed on August 16, 2012. According to the project plans, the project also included a horizontal addition at the rear,

⁶ See Planning Code Section 134(c) for the reduction of rear yard setback requirements.

2015 Meetings and Notices. In 2015, there have been multiple notices by the Planning Department to the neighborhood about the environmental review and the Project proposal, including an environmental notice, dated June 24, 2015, and the 312 notice, dated August 28, 2015. The Project sponsor has met with the DR Requestors (Ms. Tucker and Mr. Madden) and other neighbors on several occasions (see sign-in sheets for meetings held on September 23, 2015 and November 9, 2015 attached as Exhibits D and E, respectively). Moreover, the Project sponsor's representative (i.e. the undersigned) has repeatedly communicated and offered the project team's availability to meet and discuss the Project proposal (see some of the email communications primarily between Ms. Tucker and the undersigned attached as Exhibit F).

The inability to resolve the DR filed by Ms. Tucker and Mr. Madden is not because of the Project sponsor's unwillingness to compromise and/or revise the Project, but rather because the DR Requestors' demands are excessive and would not result in material and/or substantial benefits to the larger neighborhood/context or to the City. The DR Requestors' "project" would result in significant disruption to the neighborhood (in noise, dust and other demolition and new construction related consequences) and would eliminate a significant number of the proposed units (5 of the proposed 9 units) and approx. 49% of the residential unit floor area, thereby depriving the ability to contribute a total of 9 units to the City's housing supply with a majority of units being designed to be appropriate as family-sized housing.

Project Support and Other Neighbors. The Project sponsor has met and communicated with many other neighbors as well. Many of those discussions and meetings have resulted in subsequent revisions to the Project particularly during Fall and Winter 2015 based on constructive and reasonable requests by the neighbors and the Project sponsor's willingness to modify the Project and to create a Project that is appropriate and desirable in every aspect.

Copies of support letters from 21 individuals, including nearby property owners and occupants as well as business owners, are attached in Exhibit G.

D. History for the 2007 Pacific Avenue NCD Rezoning and Related Project Compliance

Rezoning processes take many months and often years to complete, and usually they are the product of many community, neighborhood and other stakeholder surveys and meetings, combined with Planning Commission and Board of Supervisors' hearings. It is extremely rare for proposed zoning controls to remain unchanged through-out the process, and more typically, the proposed legislation changes and evolves as the process approaches legislative adoption. At the conclusion of a rezoning process, the final intent and the reason the City adopted any particular rezoning controls can be obtained from the official findings for the adopted ordinance, combined to a lesser degree with the supporting documents.

The 2007 Rezoning was approved by the BOS pursuant to Ordinance No. 167-07, on July 10, 2007 and became effective on August 20, 2007 ("**2007 Rezoning**"). A complete copy of the legislative file (no. 070681) is attached as Exhibit H (with the exception of the mailing list that has

been omitted). The proposed Project is entirely consistent with the overall purpose of the 2007 Rezoning as well as the official findings, as follows:

FINDING A: "There is no longer an economic justification for a Garment Shop Special Use District."

- The Project will result in the elimination of the existing commercial/industrial uses and instead will construct nine (9) residential uses in addition to small amount (approx. 2,000 sf) of neighborhood-serving commercial uses. Thus the Project is entirely consistent with this finding for the 2007 Rezoning.

FINDING B: "Rezoning ... is necessary to preserve neighborhood character and environmental qualities that respond to the topography and narrow street right-of-way."

- The 2007 Rezoning resulted in the down-zoning of the Property from its prior 65-X height and bulk district to the current 40-X district. The Project advances this finding by proposing a building that is primarily residential, up to 40 feet in height at the street facade, and

FINDING C: "Rezoning ... is necessary to preserve the residential character of the block."

- The Project fully supports this finding by converting a warehouse building into primarily residential uses within a multi-unit structure consistent with the existing context. Pursuant to the zoning designation prior to the 2007 Rezoning, the Property was located in the RM-1 district, which would have allowed for a higher density (with up to 11 units for the Property), and thus many of the nearby buildings contain a higher density of residential uses than would be permitted today or what is proposed for the Property.

FINDING D: "Condensing the NC-2 zoning district ... to its commercial core will be accomplished through establishment of a new individual area neighborhood commercial district..."

- The Project has been designed to be consistent with the current zoning controls, and will result in uses and improvements that are more compatible with the existing context and neighborhood character.

In one of the neighbor meetings for the Project that took place during Fall 2015, Ms. Tucker suggested that the intent of the 2007 Rezoning was to allow taller buildings at street corners and lower heights for midblock buildings. It is our understanding that this is one of the reasons why she is requesting elimination of the top floor at the front of the building. None of the adopted zoning controls include such requirement or limitation, and none of the official findings or any other supporting materials support, suggest or even mention such intent or objective. Although such controls are adopted in certain areas that was not the case with the 2007 Rezoning, whereby all of the then-existing 65-foot height limits were reduced to 40 feet, with no exceptions or differentiation between properties.

As is the case with most zoning controls, the Pacific Avenue NCD controls have been amended multiple (i.e. 13) times since original adoption. The Project is consistent with the current controls as well as the intent of the 2007 Rezoning in general.

E. Conclusion

The Project is appropriate and compatible for the context, considerate to the neighbors, and recommended for approval by the Planning Department. The Project converts an existing, under-utilized and less compatible warehouse building into nine (9) residential units, including five (5) three-bedroom units, which are appropriately sized for families. The benefits of the Project, as proposed, are many and varied, ranging from elimination of a warehouse uses from a primarily residential neighborhood to the increase to the City's housing supply, and utilization environmentally friendlier and less disruptive construction methods by way of retaining structurally sound existing buildings.

For all of the above reasons, we respectfully request the Planning Commission to deny the DR, and approve the Project as proposed. Thank you for your consideration.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Tuija I. Catalano

Enclosures:

- Exhibit A – Neighborhood diagram showing existing non-conforming rear yards
- Exhibit B – Neighborhood meeting sign-in sheet and original project plans (2-22-2005)
- Exhibit C – Pre-app meeting sign-in sheet and project plans (9-28-2012)
- Exhibit D – Neighborhood meeting sign-in sheet (9-23-2015)
- Exhibit E – Neighborhood meeting sign-in sheet (11-9-2015)
- Exhibit F – Selected emails with Ms. Tucker and Mr. Madden (Sep. 2015 – Jan. 2016)
- Exhibit G – Support letters from 21 individuals
- Exhibit H – Legislative record for the 2007 Pacific Avenue NCD rezoning

cc: Vice President Cindy Wu
Commissioner Michael Antonini
Commissioner Rich Hillis
Commissioner Christine Johnson
Commissioner Kathrin Moore
Commissioner Dennis Richards
John Rahaim – Planning Director
Scott Sanchez – Zoning Administrator
Jonas Ionin – Commission Secretary
Carly Grob – Project Planner
Paul Bogatsky - Project Sponsor
Jim Cline and Caroline Leites – Project Architects

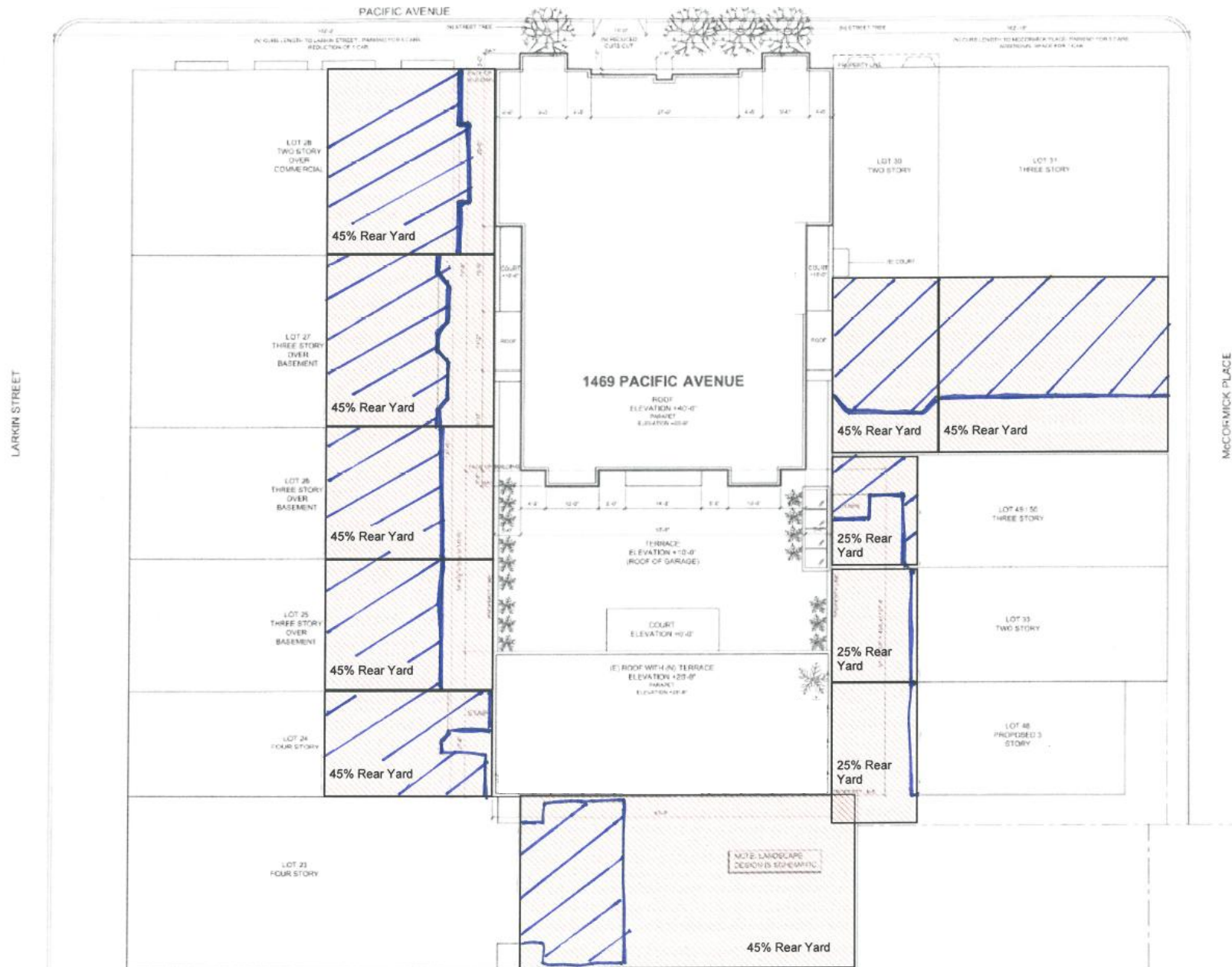
One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

www.reubenlaw.com

EXHIBIT A

Approximate location of required rear yard setbacks (in red) as compared to existing building areas within the required rear yard setback area (in blue, hatched)



2/22/05

1469 Pacific Project - neighbors meeting - sign in sheet

Bill G. Sbard

Russ Naylor

1415 JACKSON ST

Heddie Chu

1415 JACKSON ST

Nexxon R

Heather Archibald

9

McCormick St.

Eileen Archibald

9

McCormick St.

Carolyn Lee

Rachel Ward

FRANK ANTONIA

3 McCormick

John Boulet

Robyn Tudor

Project sponsors:

Paul Bogatley

Aradnya Bogatley

Christina Bogatley

Peter Bogatley

Dan Dawson - Architect Consultant

1469

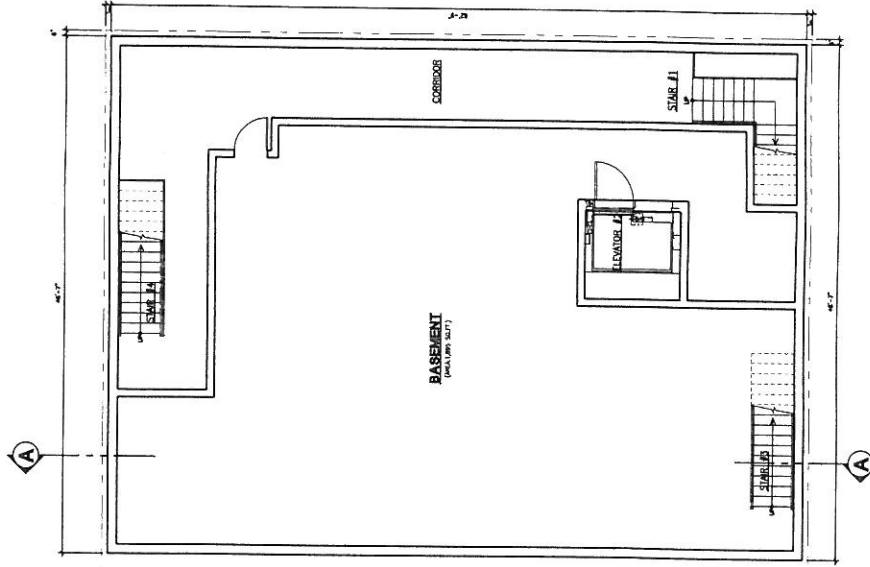
Pacific
Avenue

Residential Construction
San Francisco - California

GARY
AIA

GARY GEE ARCHITECTS, INC.
1469 Pacific Avenue, Suite 100
San Francisco, CA 94109
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Fax: 415.398.8845

Project No.	02-025	Sheet No.	02-003
Revisions			
By	Drawn	Check	Date
	02-24-04	02-24-04	
	02-24-04	02-24-04	



BASEMENT LEVEL

1/4" = 1'-0"



Floor Plan

Scale: 1/4" = 1'-0"

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Avenue

Residential Condominium
San Francisco - California

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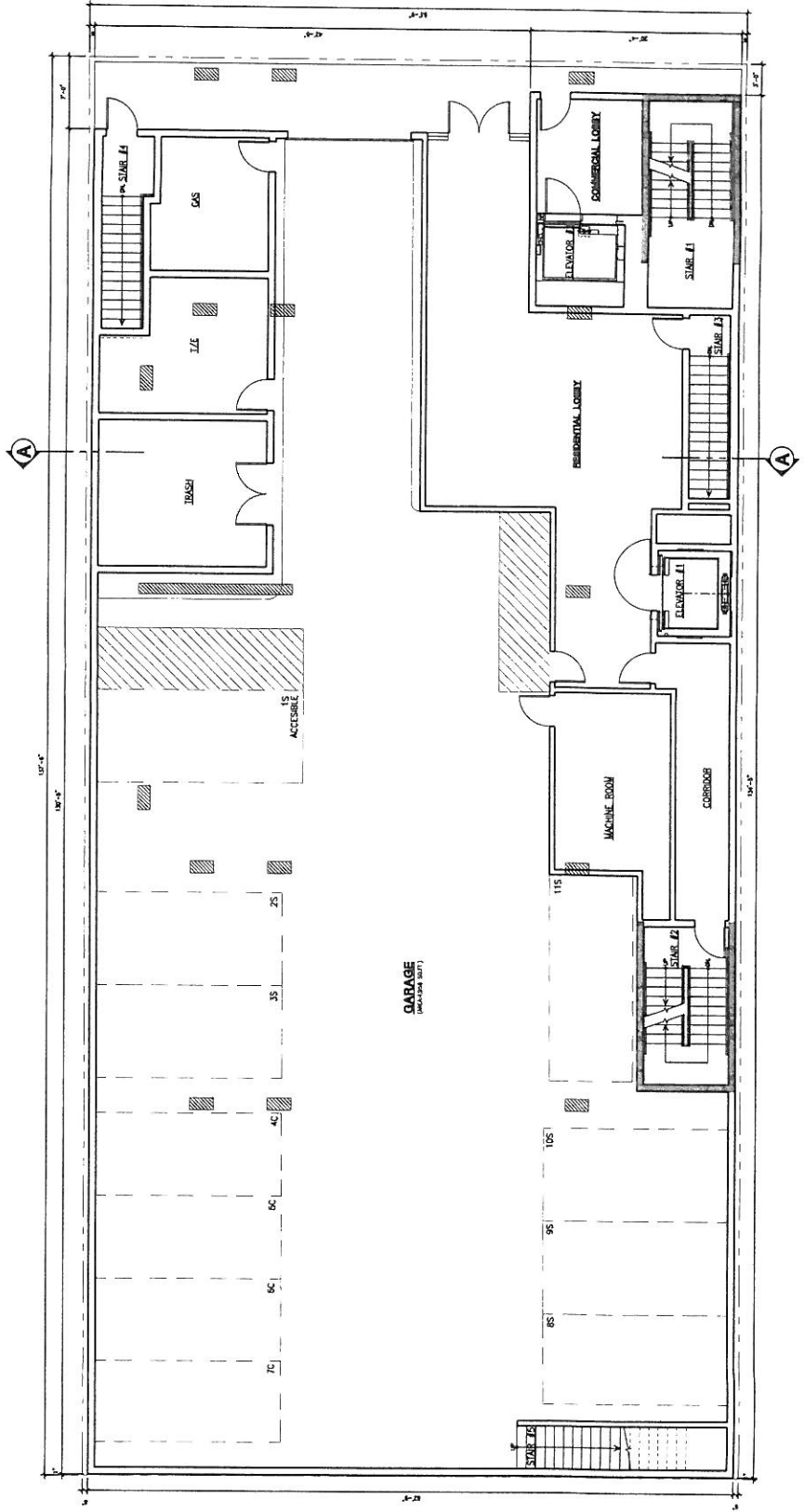
GARY E E ARCHITECTS, INC.
1469 Pacific Avenue
San Francisco, CA 94109
Tel: (415) 398-1469
Fax: (415) 398-1470

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Floor Plan

Scale: 1/4" = 1'-0"

A3



GROUND LEVEL

1/4" = 1'-0"

1469 Pacific Avenue

Residential Condominiums
San Francisco - California

GARY
ARCHITECTS
AIA

GARY ARCHITECTS, INC.
1900 Broadway, Suite 400
San Francisco, CA 94109
Tel: 415.398.1400
Fax: 415.398.1401

DATE: 07.01.00

PROJECT: 1469

REVISIONS:

NO. DATE BY

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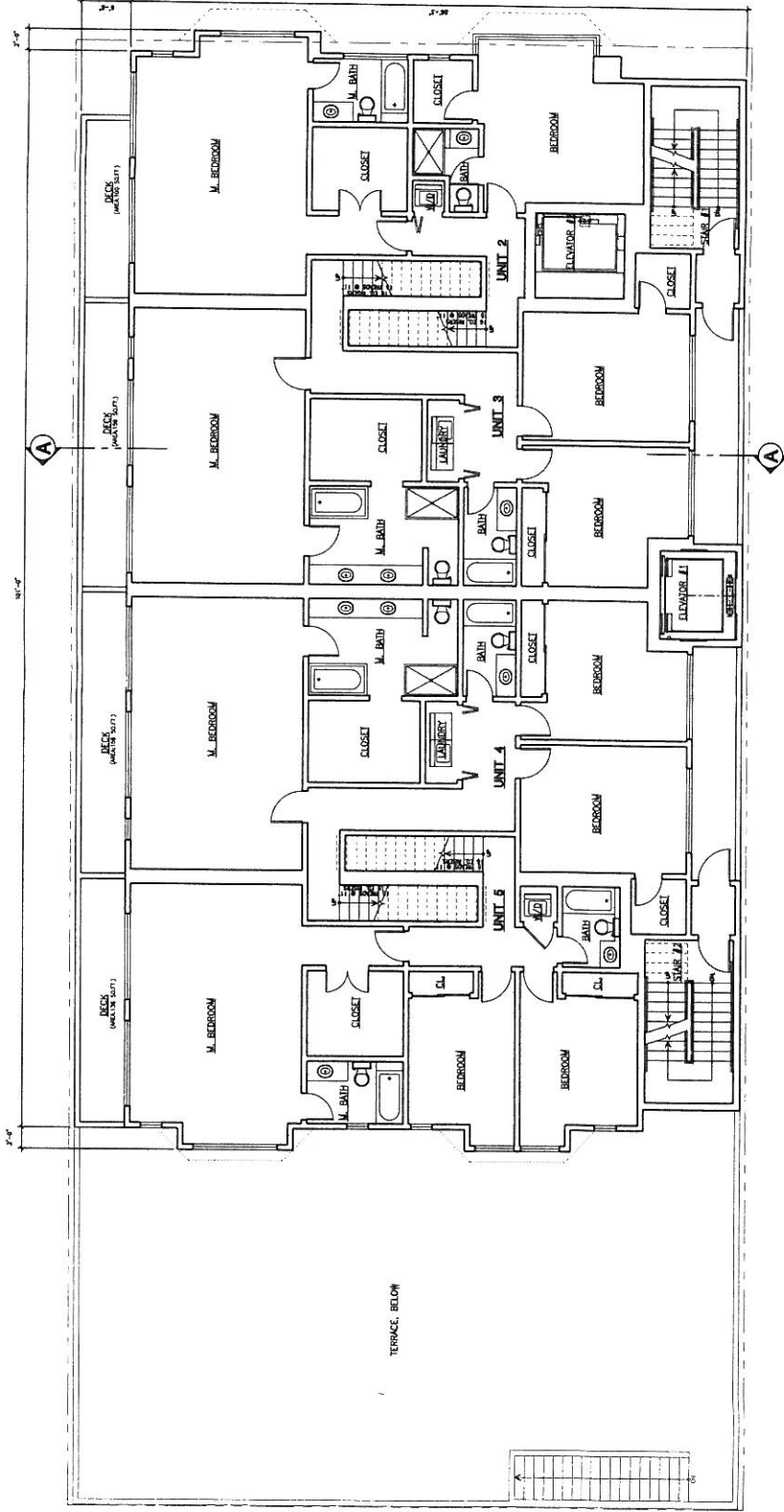
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Floor Plan

Scale: 1/4" = 1'-0"

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THIRD LEVEL

1/4" = 1'-0"



1469
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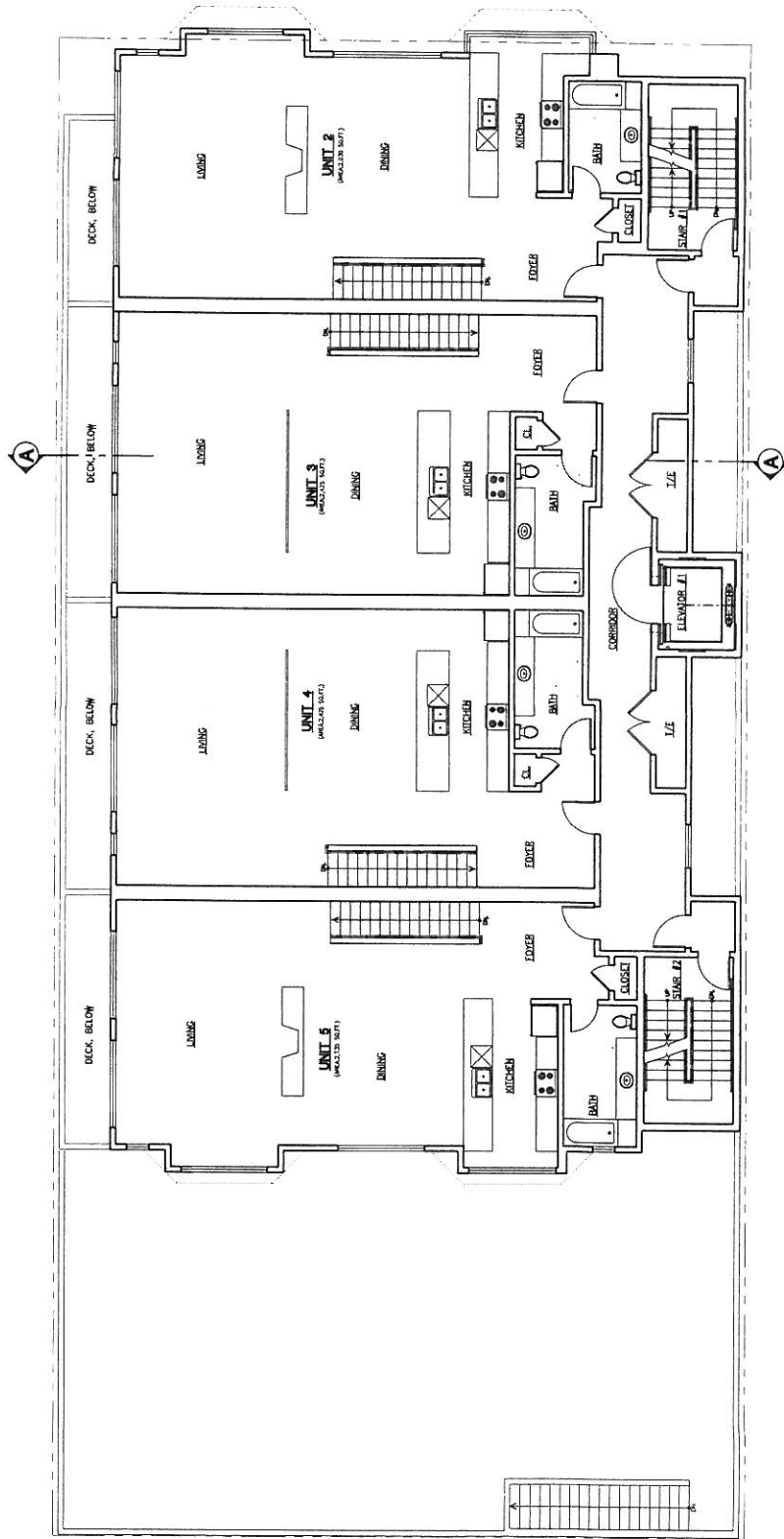
GARY BEE ARCHITECTS, INC.
1400 Market Street, Suite 100
San Francisco, CA 94102
Tel: 415.774.1100
Fax: 415.774.1101

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Floor Plan

Scale: 1/4" = 1'-0"

A6



FOURTH LEVEL

1/4" = 1'-0"

1469

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Avenue

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San Francisco - California

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E E
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Project No. 07.03.03

Residence

Unit 7 & 10

Unit 8 & 9

Unit 11

Unit 12

Unit 13

Unit 14

Unit 15

Unit 16

Unit 17

Unit 18

Unit 19

Unit 20

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Unit 36

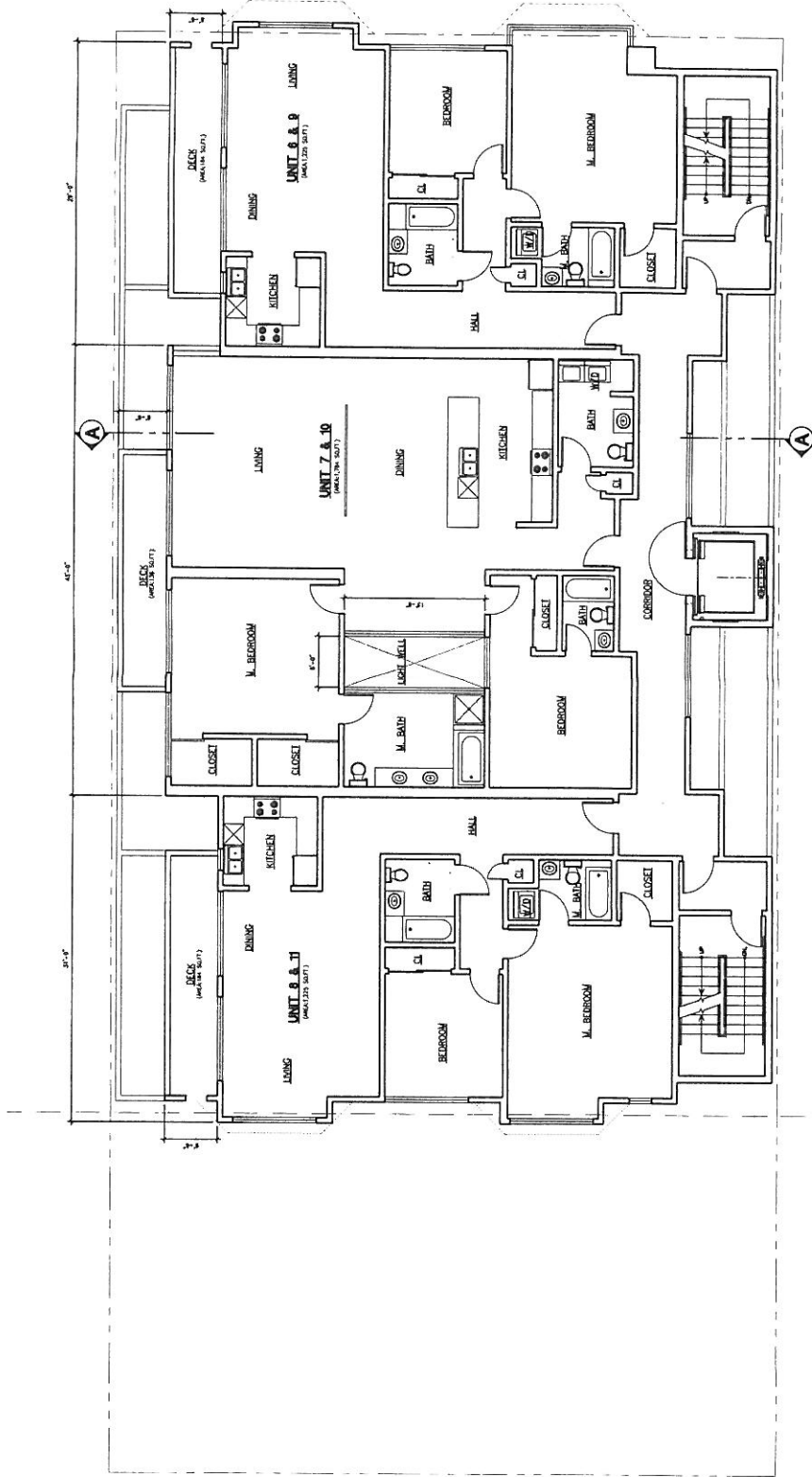
Unit 37

Unit 38

Floor Plan

Scale: 1/4" = 1'-0"

A7



FIFTH AND SIXTH LEVEL

1/4" = 1'-0"

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Avenue

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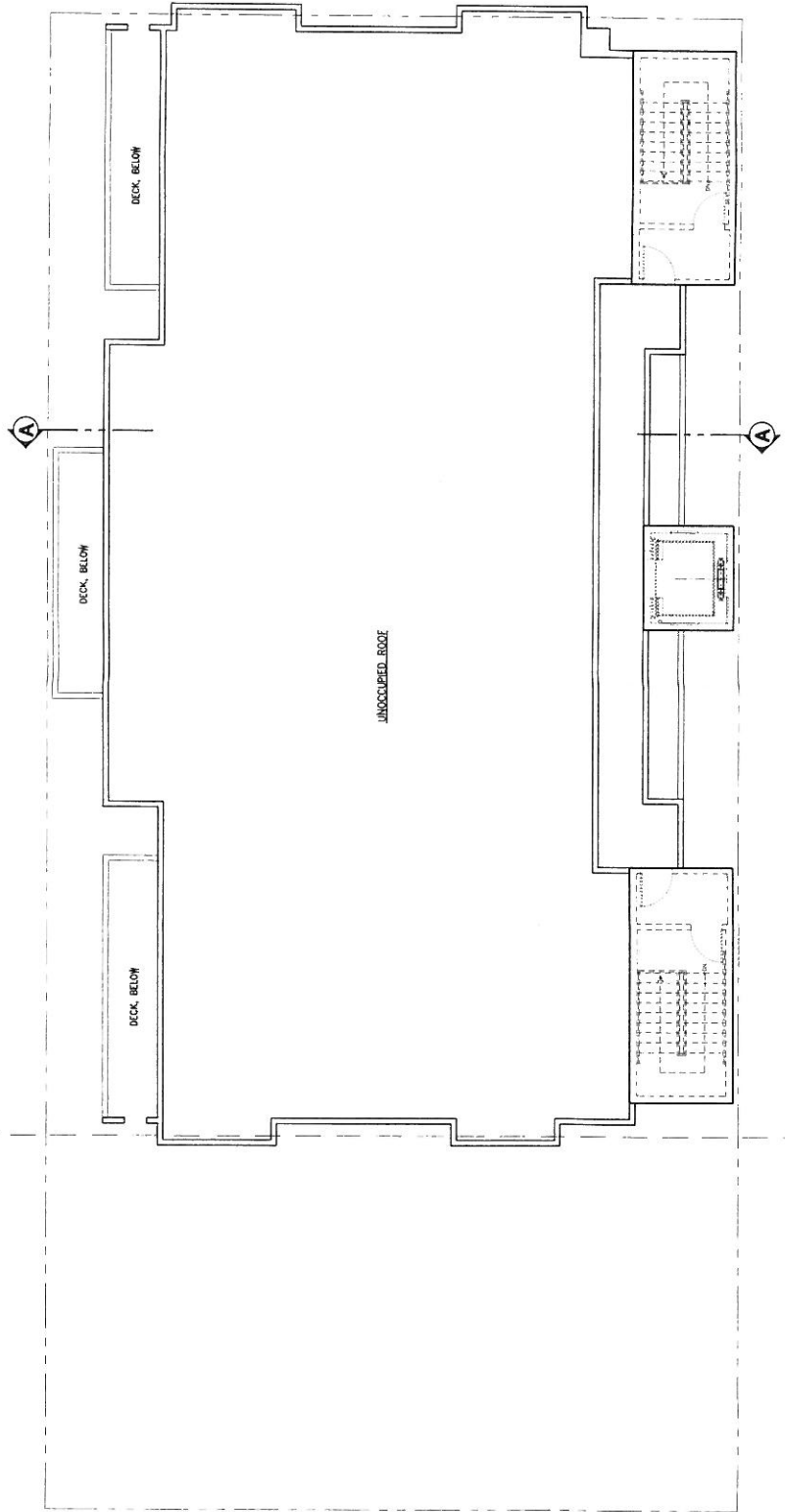
GARY E E ARCHITECTS, INC.
1400 Broadway, Suite 1400
San Francisco, CA 94109
Tel: (415) 398-1870

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By	Issue
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3	07.03.02
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Roof Plan

Scale: 1/4" = 1'-0"

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ROOF LEVEL

1/4" = 1'-0"

Pre-Application Meeting Sign-in Sheet

Meeting Date: September 28, 2012
 Meeting Time: 6:00 pm
 Meeting Address: 1965 Larkin Street, Helen Wills Playground
 Project Address: 1469 Pacific Avenue
 Property Owner Name: Paul Bogatsky
 Project Sponsor/Representative: Same/Cline Architects

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS
1. RAYMOND PIN	1850 Larkin St #1			X
2. FRED PIN	1850 Larkin St			X
3. JOANN PIN	1850 Larkin St #5			X
4. Tom Sam Tom	1146 Larkin St			X
5. GORDON TUCKER	717 McCannick St			X
6. Phil Christensen	1864 Larkin #5			X
7. Michelle Murray	1573 Pacific Ave	941 81		
8. STEVEN TOM	600 Larkin Ave ST			X
9. LAURIE PETIPAS	1341 UNION ST #7	941 116		X PPF(OK)
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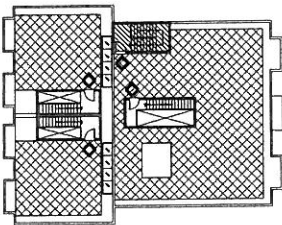
Pre-Application Meeting Sign-in Sheet

Meeting Date: September 28, 2012
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 Project Sponsor/Representative: Same/Cline Architects

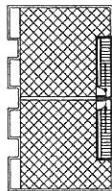
Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS
1.	Kelley Lillis	3 McCormick St.	415-474-4959		X
2.	DAMIEN "	"	"	pandica1@gmail.com	X
3.	Norman Chu	1838 Larkin	"	chu1838@gmail.com	X
4.	Stephen Tera	1546 Larkin	755-777-6980	stera@comcast.net	X
5.	Andrew Madden	9 McCormick St		at-madden@yahoo.com	X
6.	Jessie Stanshaw	2 McCormick St	415-776-6980		X
7.	Bill Matheson	2 McCormick	415-776-6980		
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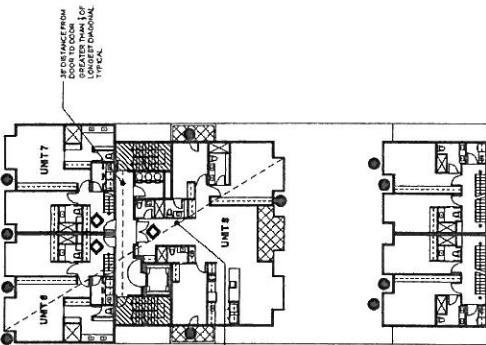
F4: ROOF



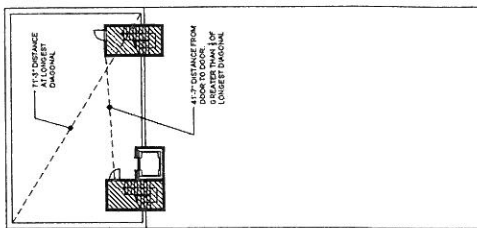
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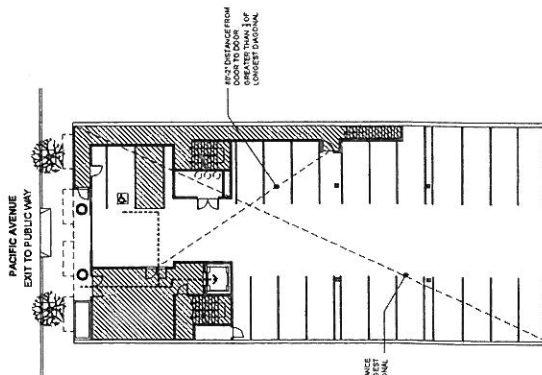
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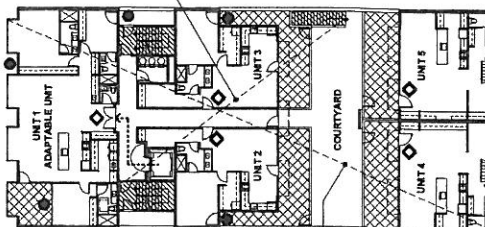
F-1: BASEMENT



F0: GARAGE



F1: FIRST FLOOR



1	EGRESS PLANS
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GENERAL NOTES

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ABBREVIATIONS

[illegible]

All drawings and written material appearing herein constitute original and unaltered work of this Architect and may not be duplicated, used or displayed without written consent of the

414

PAUL HODGSON
East Pacific Avenue
Redwood City, CA 94061

10/11/12

Residential Units
1469 Pacific Avenue
SAN FRANCISCO CA 94109-1029



INDEX

SWIFT MAIL

BASEMENT FLOOR PLAN
GARAGE FLOOR PLAN

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11

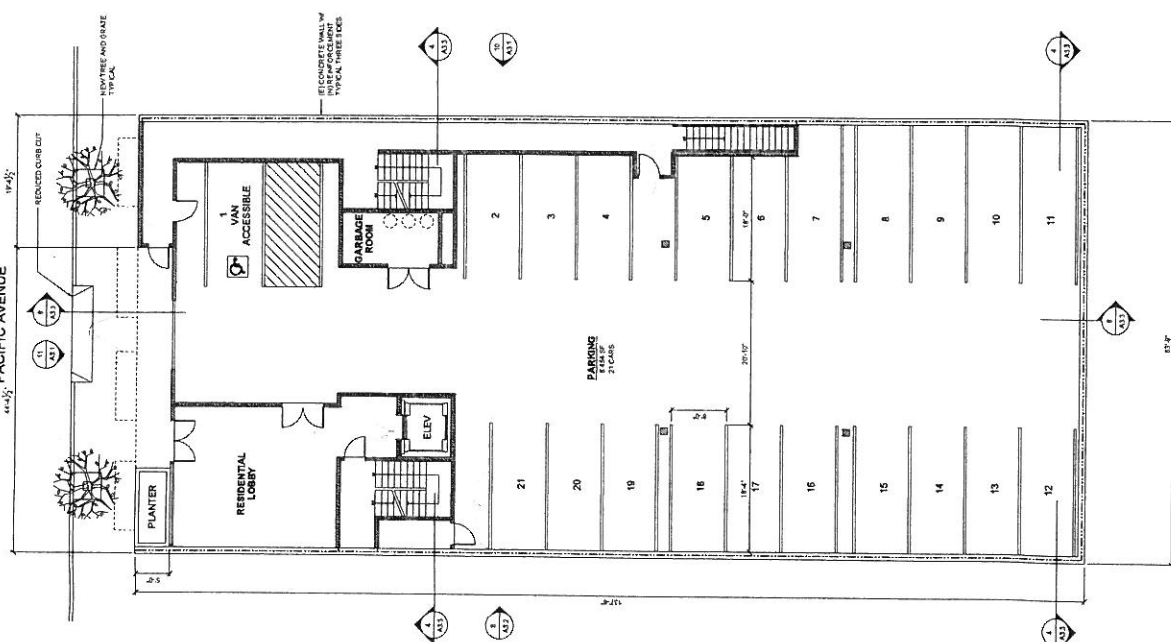
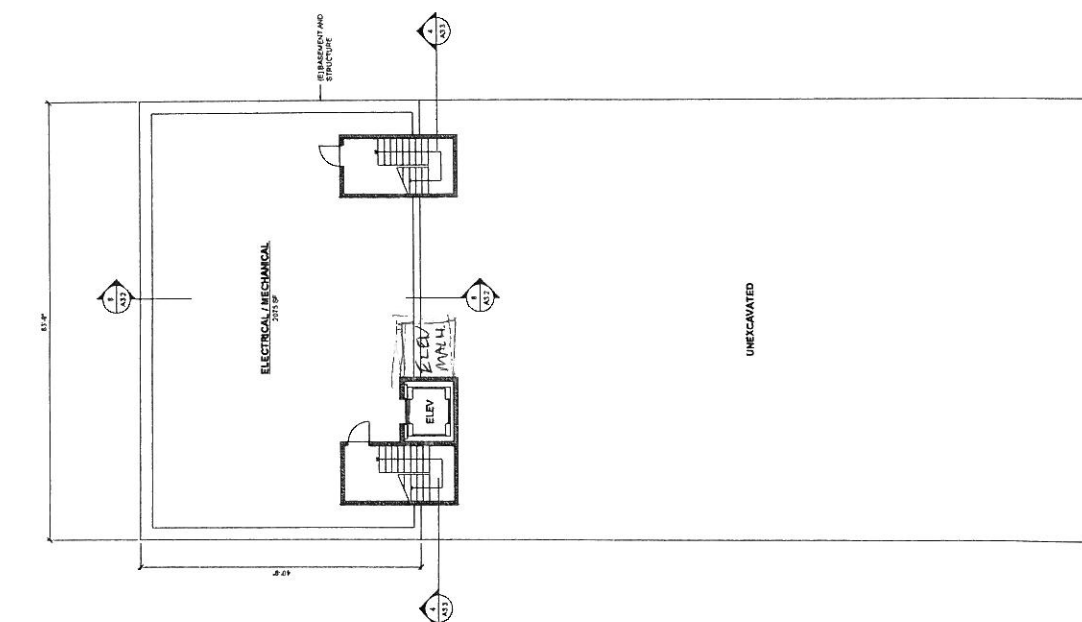
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CALL AS NOTED

A2.1

LEGEND - CONSTRUCTION PLAN

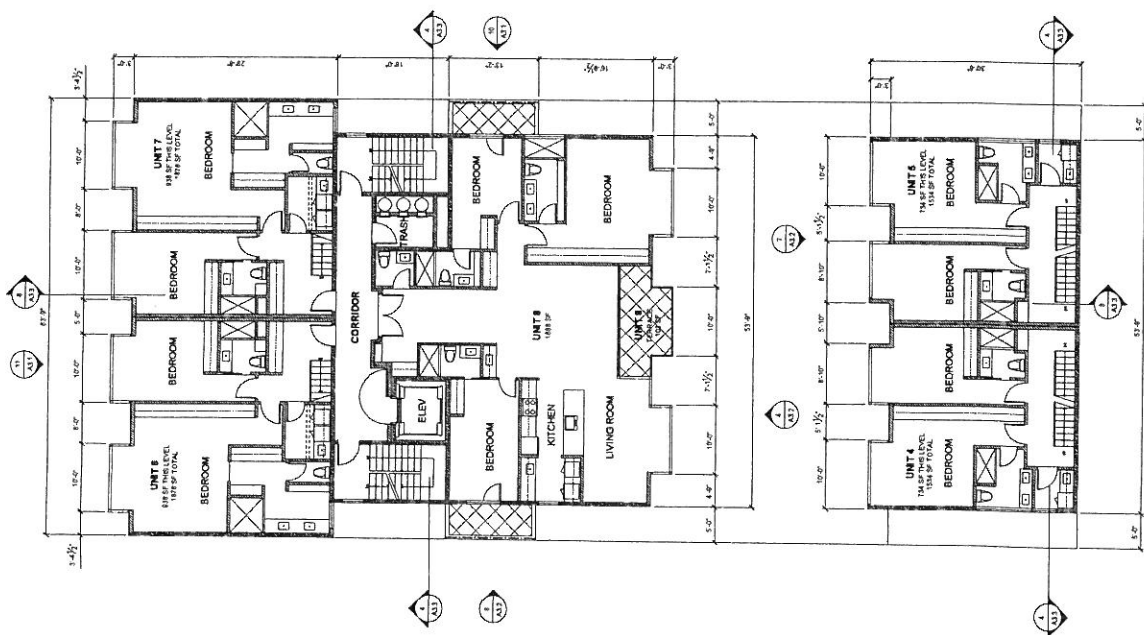
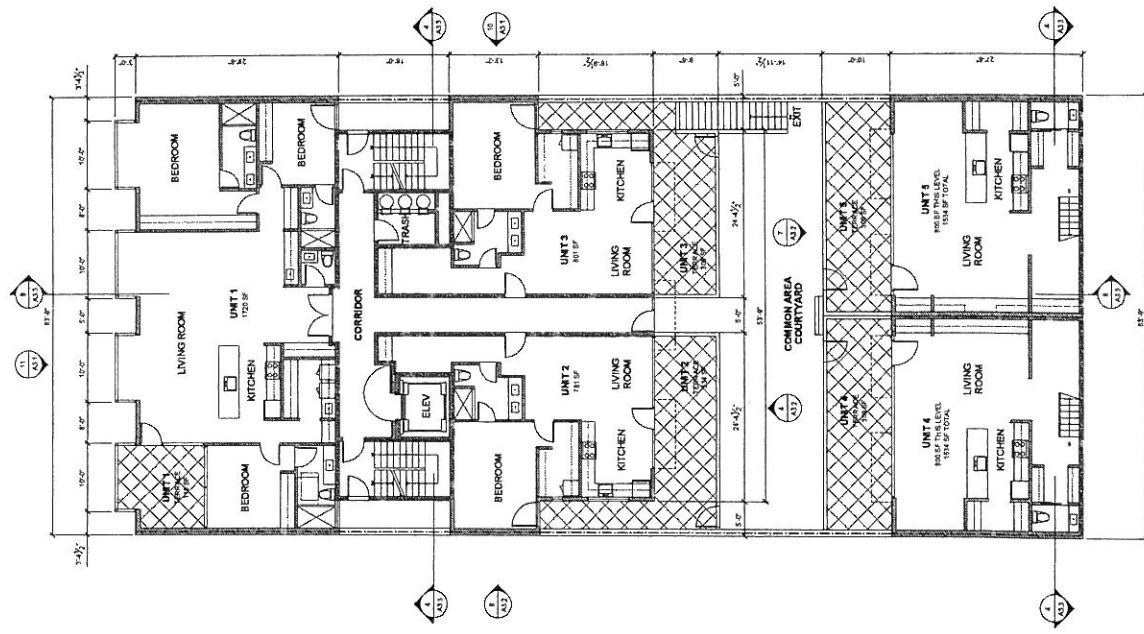
- | | |
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|  | (3) PARTITION OR WALL TO EXIST
ON PARTITION OR WALL |
|  | ONE HOUR RATED PARTITION OR WALL |
|  | TWO HOUR RATED PARTITION OR WALL |
|  | 6-13 UNARMED INSULATED |
|  | ONE HOUR RATED PARTITION |
|  | IN DOOR AND FRAME |
|  | UNFIREWORK IN DOOR RETAIL |
|  | INSTANT ON SITE AND |
|  | NOISE TESTING |



10	F0 GARAGE
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4	F-1 BASEMENT
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$\Delta H_{\text{f}}^{\circ} = -890 \text{ kJ/mol}$



10	F2 SECOND FLOOR PLAN
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4	F1 FIRST E1 QOR P1 AN
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FORM COLLECTION 01 JAN 1968

- (E) PARTITION OR WALL TO ROOM
(N) PARTITION OR WALL
ONE HOUR RATED PARTITION OR WALL
TWO HOUR RATED PARTITION OR WALL
OR 13 MINIMUM INSULATION
ONE HOUR RATED PARAPET
(N) DOOR AND FRAME
(N) WINDOW (N) OR RE WALL
(N) STAIRS OR STEPS WITH
HANDRAILS 2' 10" ABOVE FINISH
FLOOR

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Chris [9]
Paula, NOBARTBY
1589 PACIFIC AVENUE
SAN FRANCISCO, CA 94115
415 740 8827

PROJCT

Residential Units
1469 Pacific Avenue
SAN FRANCISCO CA 94109-1079



INDEX

PROVIDING










THIRD FLOOR PLAN
ROOF PLAN

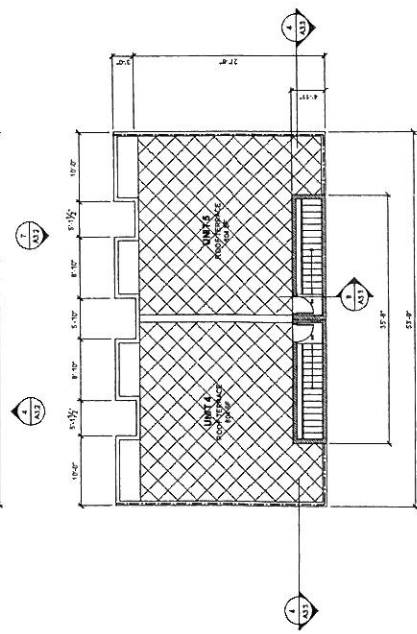
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CH NO.	1133
SCALE	AS NOTED

EVENT NO.

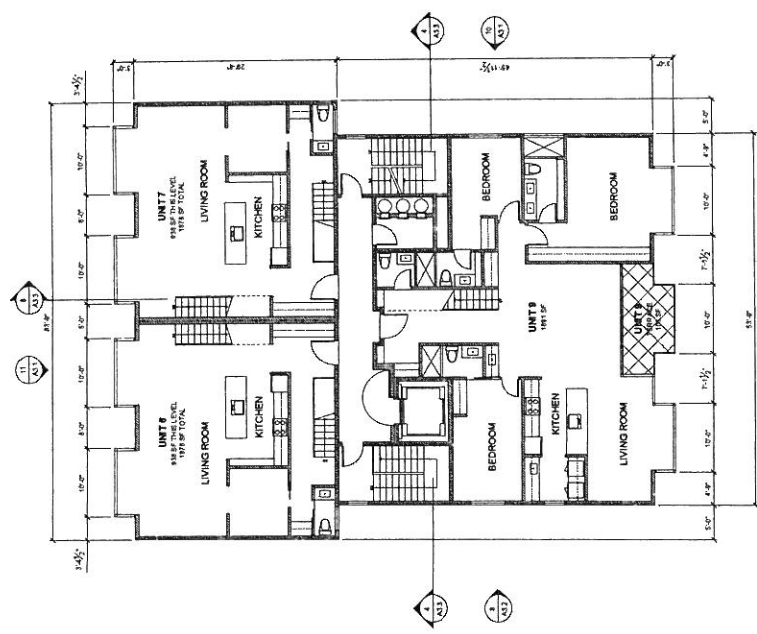
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LEGEND - CONSTRUCTION PLAN

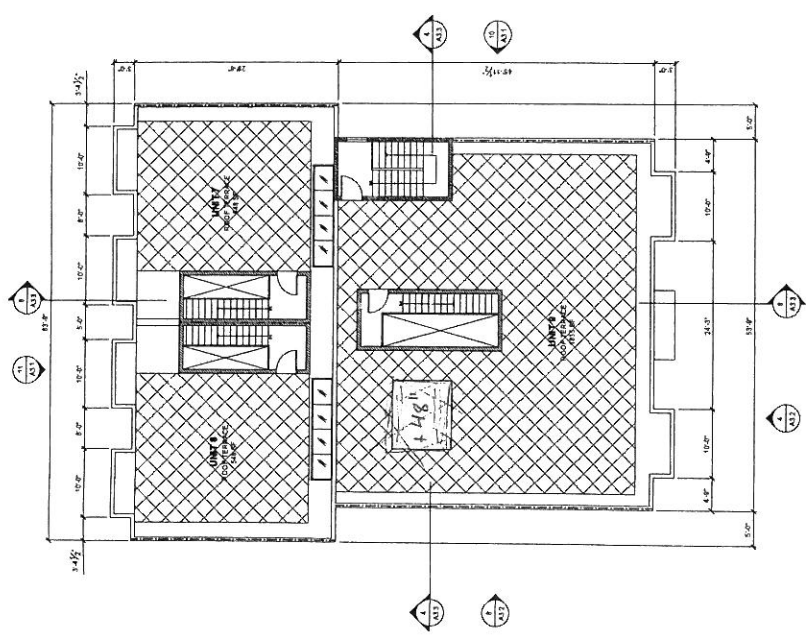
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|---|--|
|  | EXPANSION JOINT ON WALL TO EXTERIOR |
|  | INSULATION ON WALL |
|  | ONE HOUR RATED PARTITION ON WALL |
|  | TWO HOUR RATED PARTITION ON WALL |
|  | 8 INCH MASONRY FOUNDATION |
|  | ONE HOUR RATED PARAPET |
|  | INTERIOR AND FRAME |
|  | WINDOW IN EXTERIOR WALL |
|  | INTERIOR OR EXTERIOR STAIRS WITH MAXIMUM 7' 10" ABOVE TREADS |



4	F3 THIRD FLOOR PLAN
---	---------------------



10	F4 ROOF PLAN
----	--------------



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Over 100
PAUL BOGARTY
14817 PACIFIC AVENUE
SAN FRANCISCO, CA 94132

Product

Residential Units
1469 Pacific Avenue
SAN FRANCISCO CA 94109-1079

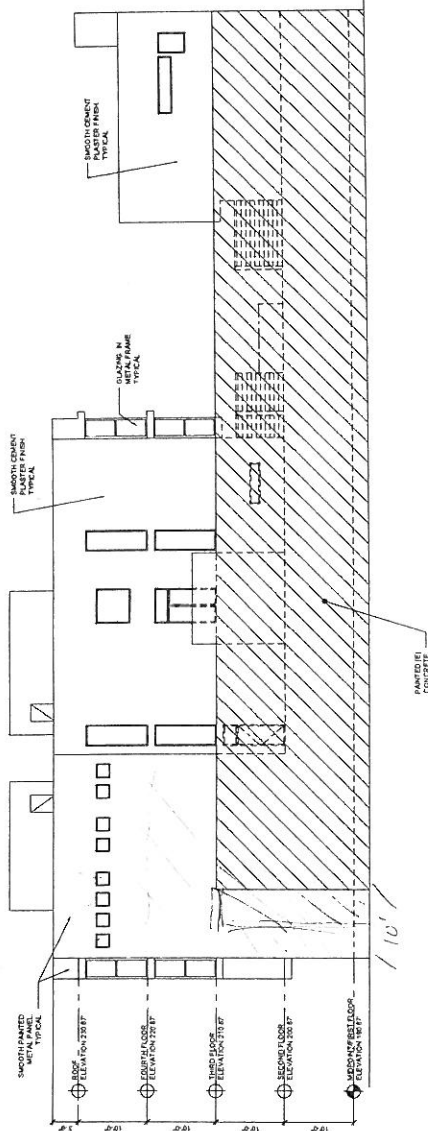
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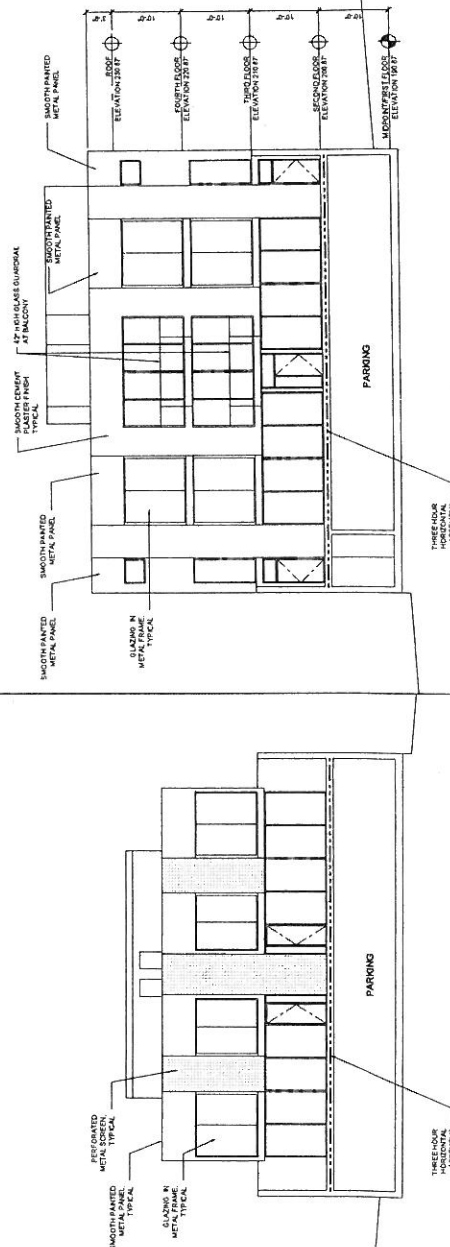
WEST EXTERIOR ELEVATION
SOUTH EXTERIOR ELEVATION
NORTH COURTYARD ELEVATION

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JCH NO.	1123
SCALE	AS NOTED
SHEET NO.	

A3.2

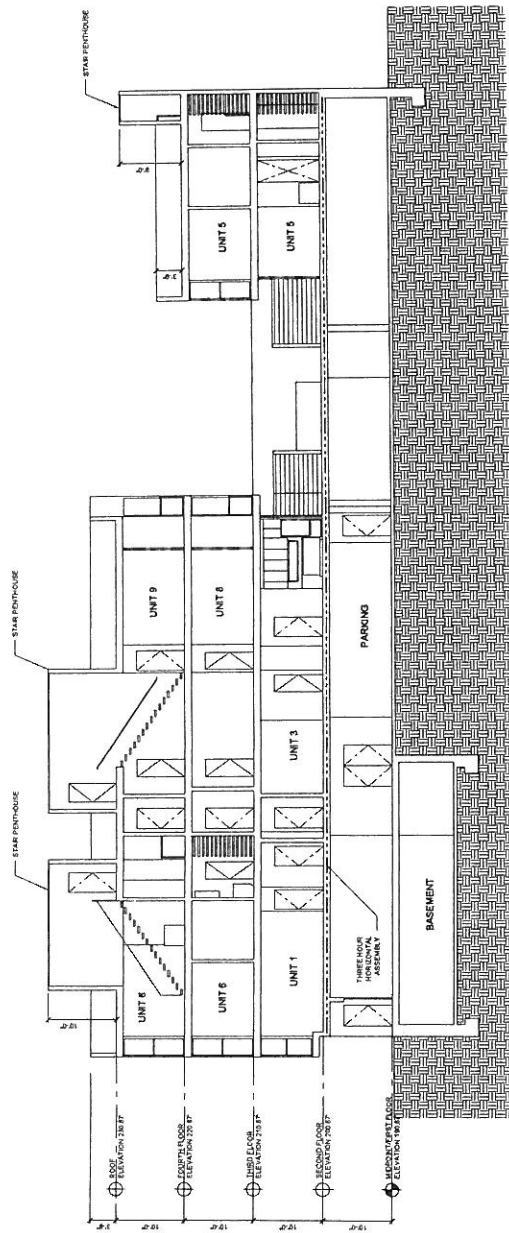


8 WEST EXTERIOR ELEVATION

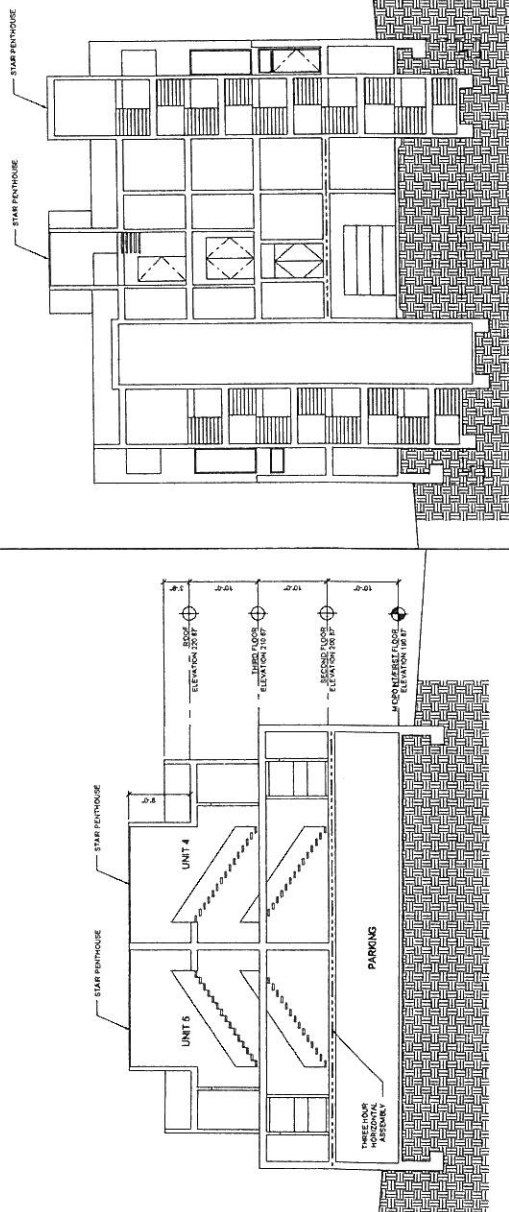


7	NORTH COURTYARD ELEVATION
---	---------------------------

4 SOUTH EXTERIOR ELEVATION



8	BUILDING SECTION
---	------------------



7 SOUTH BUILDING SECTION

4	NORTH BUILDING SECTION
---	------------------------

EXHIBIT D

1469 Pacific Avenue Neighborhood Meeting

23 September 2015

NAME	ADDRESS	EMAIL
* Kathleen Courtney	1158 Green St	kcourtney@RHCA SF. com
Andrew Madden	9 McCormick / 1537 Pacific	at_madden@yahoo.com
PIERRE ZETTERBERG	1 McCormick	p.zetterberg@ehdd.com
NORMAN CHO	1838 LARRIN AVE	CASTLE@jacobelli.net
Lobby Tucker	7 McCormick St	

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and retrieval system, without
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architect.

OWNER
THE KATZ GROUP
1451-1461 PACIFIC AVENUE
SAN FRANCISCO, CA 94109
1451-1461

PROJECT

Residential Units

1469 Pacific Avenue
SAN FRANCISCO, CA | BLOCK 0185 LOT 029

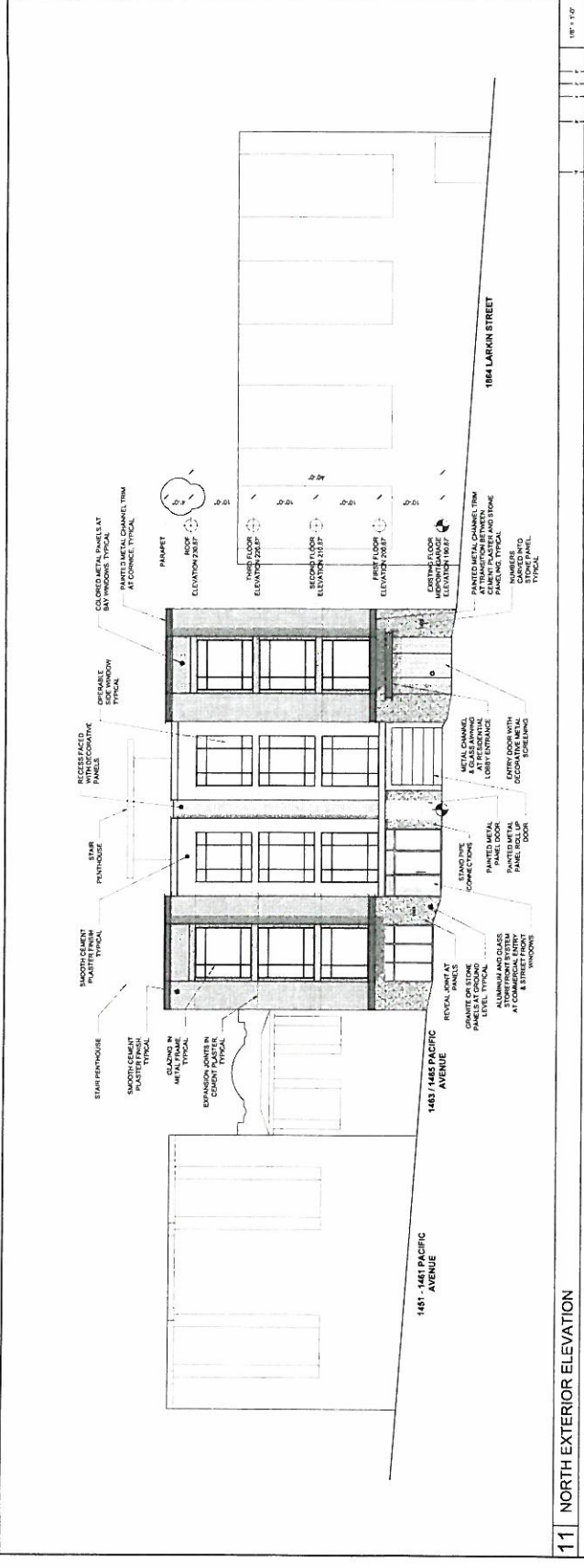


REVISION	DATE	BY	DESCRIPTION
SITE PERMIT APPLICATION	10/30/2013		
OWNER REVIEW	03/14/2013		
MEETINGS WITH PLANNING	03/20/2013		
RESPONSE TO COMMENTS	04/12/2013		
REVISIONS TO PERMITS	04/12/2013		
YARDAGE APPLICATION	06/13/2014		
LOAT COMMENTS REVISION	06/13/2014		
PLANNING REVISION	10/30/2014		
PLANNING REVISION	04/12/2015		

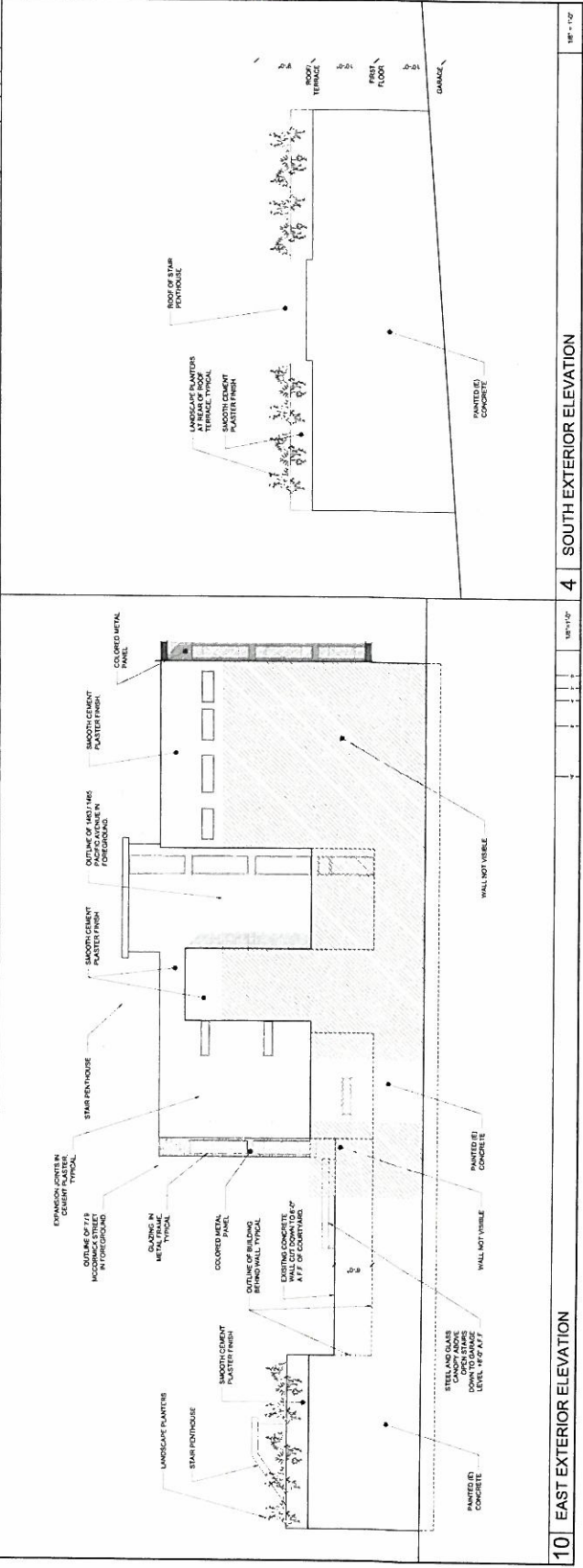
SHEET NAME
NORTH ELEVATION
SOUTH ELEVATION
EAST ELEVATION

DRAWN BY
DATE 08/12/2015
AS NO. 1131
SCALE AS NOTED
SHEET NO.

A3.1



11 NORTH EXTERIOR ELEVATION



10 EAST EXTERIOR ELEVATION

4 SOUTH EXTERIOR ELEVATION

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OWNER
CLINE ARCHITECTS
1469 PACIFIC AVENUE
SAN FRANCISCO, CA 94109
P: 415.774.2252

PROJECT

Residential Units

1469 Pacific Avenue
SAN FRANCISCO, CA | BLOCK 0185 LOT 029

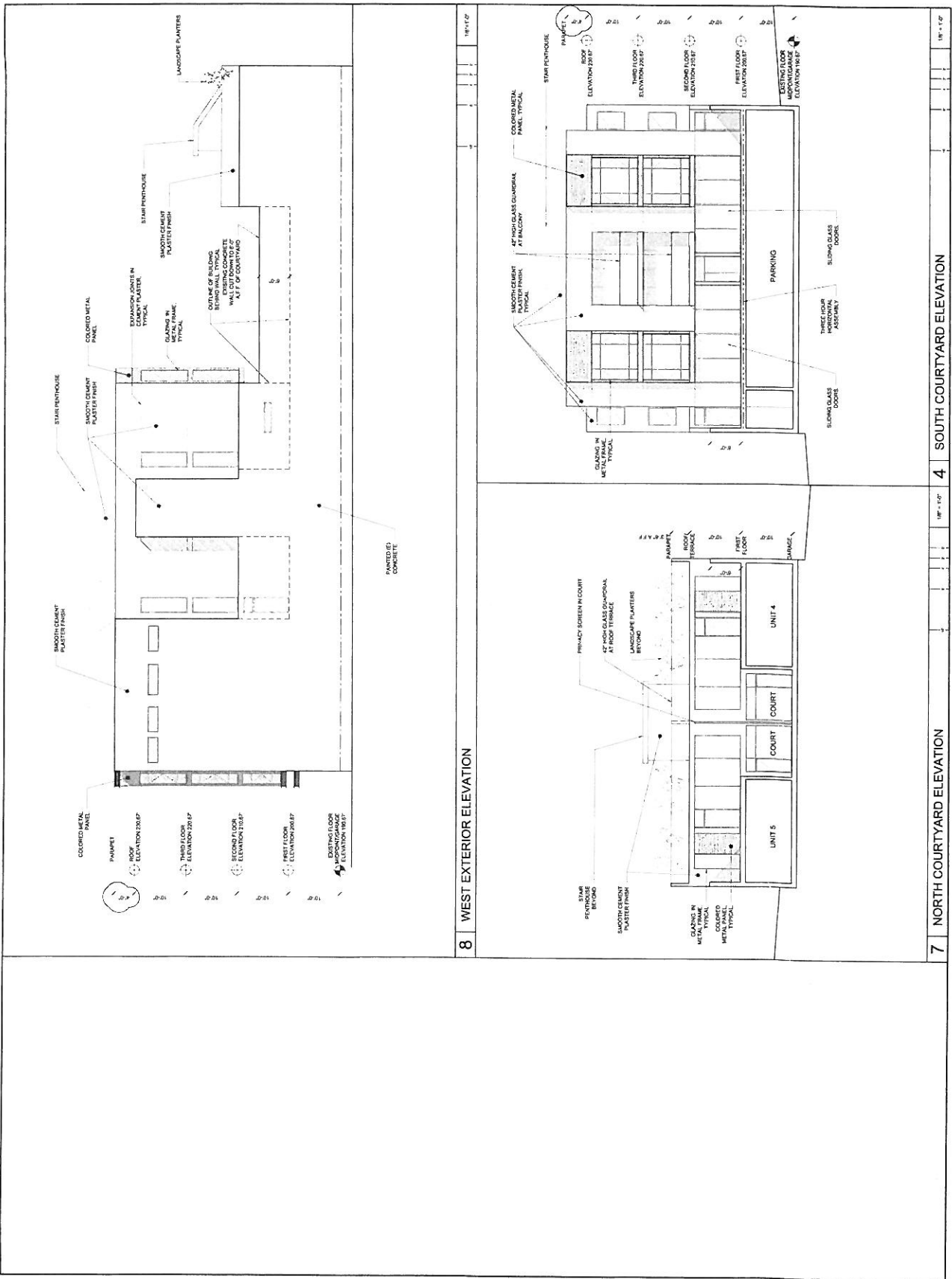


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2	01/01/2013	OWNER REVIEW
3	01/01/2013	MEETING WITH PLANNING
4	01/01/2013	PLANNING TO COMMENTS
5	01/01/2013	COMMENTS TO PLANNING
6	01/01/2013	VARIANCE APPLICATION
7	01/01/2013	VARIANCE REVIEW
8	01/01/2013	VARIANCE COMMENTS
9	01/01/2013	VARIANCE REVIEW
10	01/01/2013	VARIANCE REVIEW
11	01/01/2013	VARIANCE REVIEW
12	01/01/2013	VARIANCE REVIEW
13	01/01/2013	VARIANCE REVIEW
14	01/01/2013	VARIANCE REVIEW
15	01/01/2013	VARIANCE REVIEW
16	01/01/2013	VARIANCE REVIEW
17	01/01/2013	VARIANCE REVIEW
18	01/01/2013	VARIANCE REVIEW
19	01/01/2013	VARIANCE REVIEW
20	01/01/2013	VARIANCE REVIEW

WEST EXTERIOR ELEVATION
SOUTH COURTYARD ELEVATION
NORTH COURTYARD ELEVATION

DRAWN BY	CT
DATE	08.12.2015
JOHNSON	11/11
SCALE	AS SHOWN
SHEET NO.	

A3.2



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Owner

1992

Residential Units
1469 Pacific Avenue
SAN FRANCISCO CA 94108-0029

SA



REVISION		
DATE PERMIT APPLICATION	10/30/2012	
DRAWER REVIEW	03/14/2013	
MEETING WITH PLANNING	03/30/2013	
RESPONSE TO COMMENTS	04/12/2013	
DAT COMMENTS REVISION	08/19/2014	
PLANNING REVISION	10/30/2014	
PLANNING REVISION	08/12/2015	

SECRET NAME

BUILDING SECTIONS

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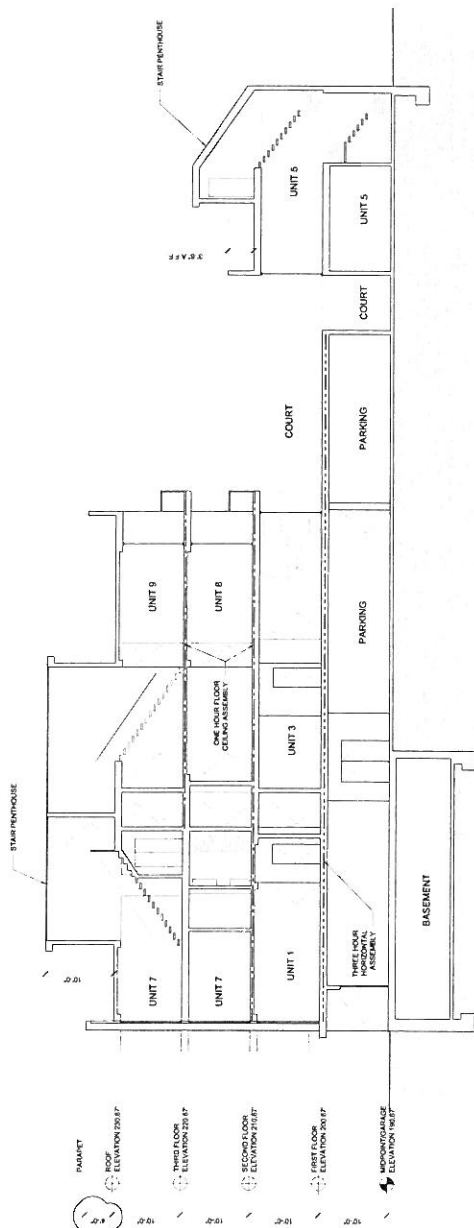
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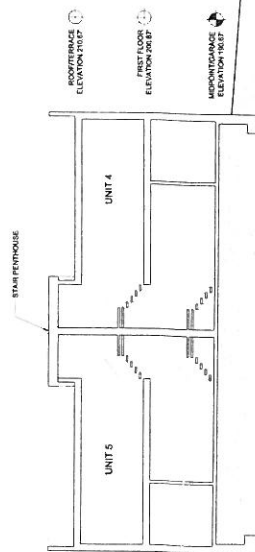
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CALL

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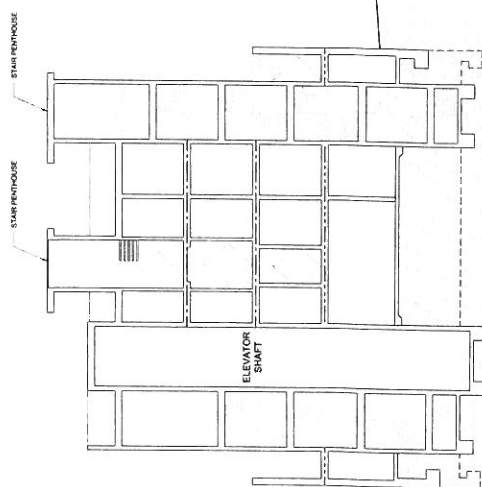
8	BUILDING SECTION
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7	SOUTH BUILDING SECTION
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4	NORTH BUILDING SECTION
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Client: [REDACTED]
Architect: cline architects
1469 Pacific Avenue
San Francisco, CA 94109
415.775.1111

PROJECT

Residential Units

1469 Pacific Avenue
SAN FRANCISCO CA 94109



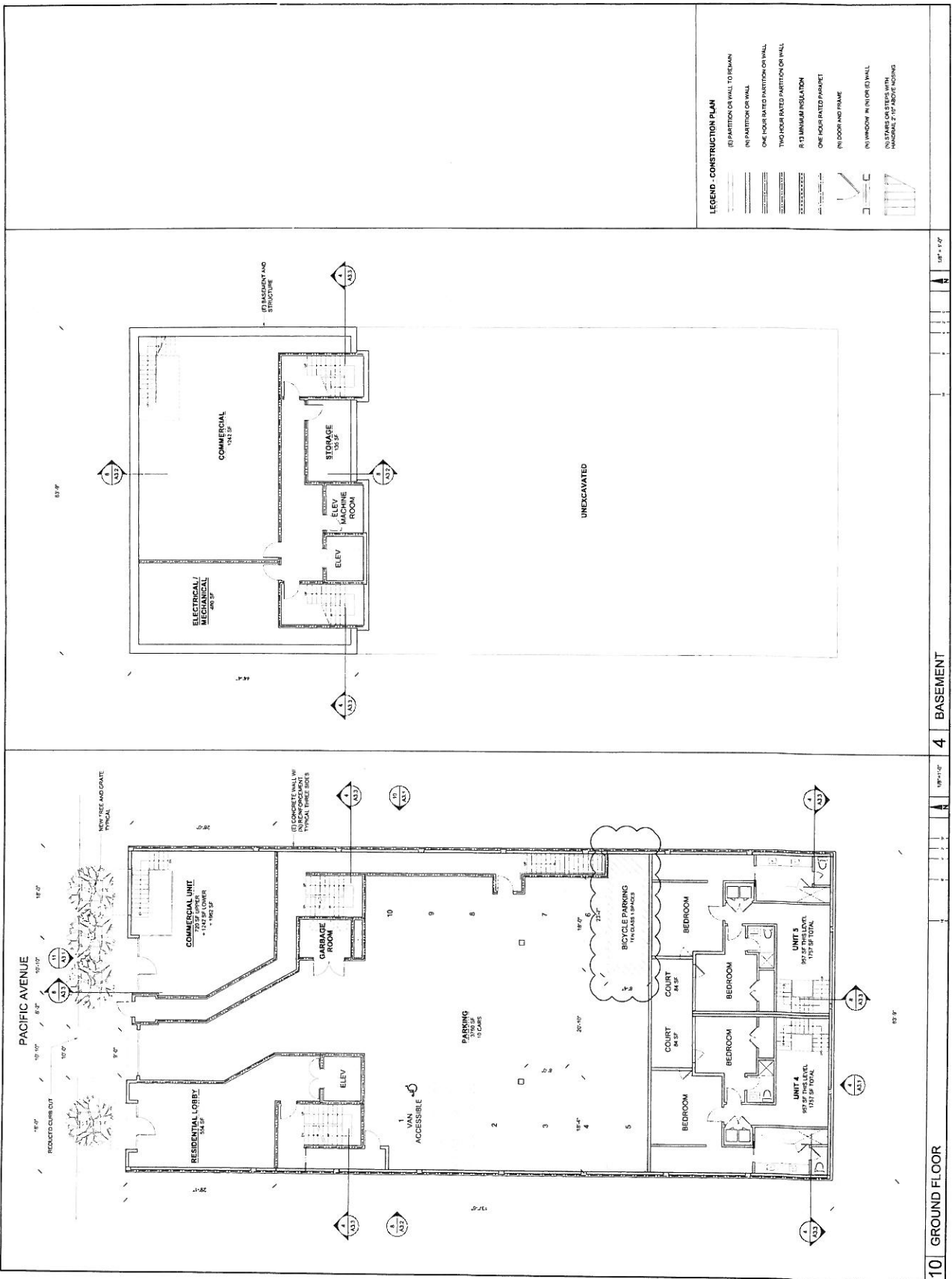
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5	08/13/2014	PLANNING REVISION
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15	08/13/2014	PLANNING REVISION
16	08/13/2014	PLANNING REVISION
17	08/13/2014	PLANNING REVISION
18	08/13/2014	PLANNING REVISION
19	08/13/2014	PLANNING REVISION
20	08/13/2014	PLANNING REVISION

SHEET NAME
BASEMENT FLOOR PLAN
GARAGE FLOOR PLAN

DATE: 07/28/2015
JOB NO: 1173
SCALE: AS SHOWN

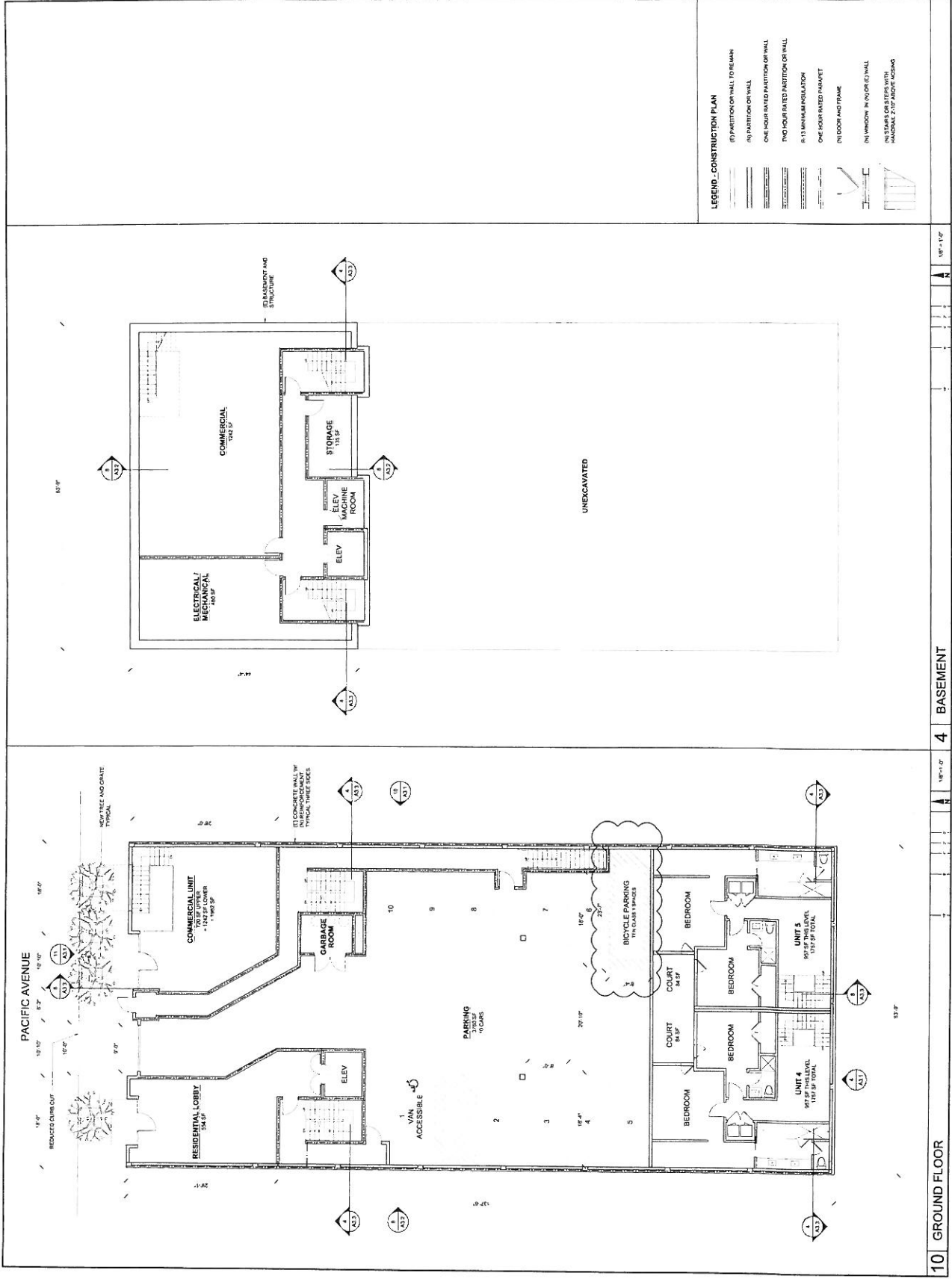
1/4" = 1'-0"

A2.1



10 GROUND FLOOR

4 BASEMENT



1469 Pacific Ave Neighborhood Meeting

9-Nov-15

NAME	ADDRESS	EMAIL
Robyn Tucker	7 McCormick St	venturesr@aol.com
Michelle Murray	1523 Pacific Ave	
	(owner) 704 Maud Ave San Leandro	mcmurray@hotmail.com
RALF KONIETZKO		RK-ARKE@SONIC.NET
Andrew Madden	1537 Pacific Ave	at_madden@yahoo.com
Harrison Dillon	1476 Pacific Ave	harrisonfdillon@gmail.com
Paul Regatsky	1469 Pacific Ave	Paul@Regatsky.com

Tuija Catalano

From: Tuija Catalano
Sent: Thursday, January 21, 2016 11:33 AM
To: 'Robyn Tucker'
Cc: andrew madden; Michelle Murray
Subject: 1469 Pacific
Attachments: Plans - 1469 PACIFIC (01-11-2016).pdf

Robyn,

I hope you had a nice holiday.

I have not heard from you since we last met on November 9th, so I wanted to reach out to you. I know we have communicated indirectly via Carly regarding continuing the hearing date from the prior December 17th to the current February 11th date. I hope that the additional time was helpful to you.

Since our last meeting, we took another look at the project plans in an attempt to see e.g. what could be done to reduce the massing on the rooftop, which was one of the concerns you have expressed. I have attached here the revised plans, although I believe you have received them from Carly already.

I am hopeful that you find the revisions as positive changes to the project. Here is a brief summary of some of the changes and the reason they were done:

- The roof top open spaces for the two units at the rear of the property (units 4 & 5) have been eliminated. We previously had approx. 1,350 sf of private open space at this location serving the two units below. We heard some concerns about the active use at the rear of the property, so we eliminated all active use in that area. We also eliminated the approx. 27' x 15' stair penthouse that previously extended 9 feet above the rear roof level.
- The roof top stair penthouses at the front portion of the property have been reduced and reconfigured. We understand the concern you have expressed about the rooftop stair enclosures given the location of your roof deck and the view towards the bridge. We went back to the drawing board in an attempt to reduce and/or reconfigure these enclosures, particularly the private stair penthouses for units 6, 7 and 9 below. We have now significantly reduced the size of the private stair penthouses, and have also reconfigured the enclosures in an effort to make them as compact as possible. We have also reduced the height of the rooftop features, including a reduction of the parapet from prior 4'3" to current 4" (minimum required per Building Code), and reduction of the penthouse enclosure height from prior 10' to the current 9' (as measured from the top of the roof floor (i.e. at maximum the roof enclosures are now only 5' above the top of the (lowered) parapet wall). I think these changes have a positive impact on the massing and appearance of the project's rooftop as seen from your property.

As has been the case all along, we welcome any comments you might have and if you would like to meet in person, please do not hesitate to let me know. We would be happy to meet with you if you would like to do that.

Thanks,

REUBEN, JUNIUS & ROSE, LLP

Tuija Catalano, Partner
One Bush Street, Suite 600
San Francisco, CA 94104
T. (415) 567-9000
F. (415) 399-9480

Tuija Catalano

From: Robyn Tucker [venturesv@aol.com]
Sent: Tuesday, December 01, 2015 7:12 PM
To: Carly Grob
Cc: Paul Bogatsky; Tuija Catalano
Subject: Re: Confirmed - DR Rescheduled for Feb. 11

Dear Carly,
Sorry for the late acknowledgement. I was back East for the holiday and just returned.
Thank you for the confirmation.

Robyn

Robyn Tucker
Co-Chair, PANA
415-609-5607

Sent from my iPhone

On Nov 19, 2015, at 6:33 PM, Grob, Carly (CPC) <carly.grob@sfgov.org> wrote:

Hi all,

This email is to confirm that the Discretionary Review hearing for 1469 Pacific has been rescheduled for the Planning Commission hearing on February 11. I will touch base after the holiday to let you know some key dates for submittals and notices.

Please feel free to contact me with any questions. Have a great Thanksgiving!

Best,
Carly

Carly Grob, LEED GA
Planner, Northeast Quadrant, Current Planning

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9138 **Fax:** 415-558-6409
Email: carly.grob@sfgov.org
Web: www.sfplanning.org

<image001.png>



<image004.png> <image005.png>

Tuija Catalano

From: Tuija Catalano
Sent: Thursday, October 29, 2015 11:07 AM
To: 'robyn tucker'
Cc: andrew madden; Michelle Murray
Subject: RE: 1469 Pacific Avenue - Plans walk through

Robyn,

That date and time would work for us.

Perhaps we meet at the same place as previously, i.e. at the project site.

Unless I hear from you otherwise, we look forward to seeing you then.
If you have any questions before then, please let me know.

Thanks,

REUBEN, JUNIUS & ROSE, LLP

Tuija Catalano, Attorney
One Bush Street, Suite 600
San Francisco, CA 94104
T. (415) 567-9000
F. (415) 399-9480
C. (925) 404-4255
tcatalano@reubenlaw.com
www.reubenlaw.com



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From: robyn tucker [mailto:venturesv@aol.com]
Sent: Wednesday, October 28, 2015 8:14 PM
To: Tuija Catalano
Cc: andrew madden; Michelle Murray
Subject: Re: 1469 Pacific Avenue - Plans walk through

Hi Tuija,

Would you and the project sponsor be available for a meeting on Monday, November 9th at 7pm?

If the proposed date and time do not work for the project sponsor, please ask him to suggest other possible dates subsequent to the aforementioned date. Thank you.

Best regards,

Robyn

Tuija Catalano

From: Tuija Catalano
Sent: Wednesday, October 21, 2015 5:31 PM
To: 'robyn tucker'
Cc: andrew madden; Michelle Murray
Subject: RE: 1469 Pacific Avenue - Plans walk through

Robyn,

Sounds good. Just let me know when/if you would like to meet.

Thanks,

REUBEN, JUNIUS & ROSE, LLP

Tuija Catalano, Attorney
One Bush Street, Suite 600
San Francisco, CA 94104
T. (415) 567-9000
F. (415) 399-9480
C. (925) 404-4255
tcatalano@reubenlaw.com
www.reubenlaw.com



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From: robyn tucker [mailto:venturesv@aol.com]
Sent: Wednesday, October 21, 2015 5:12 PM
To: Tuija Catalano
Cc: andrew madden; Michelle Murray
Subject: Re: 1469 Pacific Avenue - Plans walk through

Hi Tuija,

Thank you for the follow up. Because of busy and conflicting schedules and vacations, we have been challenged to meet with interested and concerned neighbors. I promise to give you a heads up as soon as we are ready to discuss suggestions and concerns.

Best regards,

Robyn

On Oct 21, 2015, at 4:49 PM, Tuija Catalano <tcatalano@reubenlaw.com> wrote:

Tuija Catalano

From: Tuija Catalano
Sent: Wednesday, October 21, 2015 4:49 PM
To: 'robyn tucker'
Cc: andrew madden; Michelle Murray
Subject: RE: 1469 Pacific Avenue - Plans walk through

Robyn,

I just wanted to follow up on your email. I know you mentioned that you wanted to have couple weeks, but you could meet with us thereafter.

Let me know if you are ready to meet, and when would be a good time. If you have any specific suggestions or questions, I would love to hear those and please do not hesitate to let me know.

I look forward to hearing from you.

Thanks,

REUBEN, JUNIUS & ROSE, LLP

Tuija Catalano, Attorney
One Bush Street, Suite 600
San Francisco, CA 94104
T. (415) 567-9000
F. (415) 399-9480
C. (925) 404-4255
tcatalano@reubenlaw.com
www.reubenlaw.com



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From: robyn tucker [mailto:venturesv@aol.com]
Sent: Thursday, October 08, 2015 7:40 AM
To: Tuija Catalano
Cc: andrew madden; Michelle Murray
Subject: Re: 1469 Pacific Avenue - Plans walk through

Hi Tuija,

Yes, thank you, we would like to meet to address our and the neighbors' concerns within the next few weeks. Generally, our concerns include the desire to preserve and enhance our predominately, small scale, low-rise neighborhood character, open space, and solar access and our neighborhood's quality of life. To accomplish this, we would like to see design plans for 1469 Pacific Avenue that are consistent with the zoning passed on

July 20, 2007 establishing the special district known as Pacific Avenue NCD and consistent with the legislative intent.

Since many immediate neighbors, including those who participated in the zoning legislation, have not seen the project plans for 1469 Pacific Avenue, nor received any communication from the Project Sponsor in over three years, it would be great if there was community outreach to invite neighbors to view the plans and voice their concerns.

Best regards,

Robyn

Robyn Tucker, JD, MBA
Co-Chair, PANA

Managing Director
Tucker Consulting Group
Capital & Philanthropy Advisors
415-609-5607 Cell

On Oct 6, 2015, at 5:25 PM, Tuija Catalano <tcatalano@reubenlaw.com> wrote:

Robyn and Andrew,

Thanks again for meeting with us two weeks ago on September 23rd.

I understand that a DR was filed. I wanted to follow up and see if both of you would be available to meet so that we could discuss any concerns or design ideas that you might have.

Please let me know, and if you are available, please let me know what would be a good time.

Thanks,

<image001.png>

Tuija Catalano, Attorney
One Bush Street, Suite 600
San Francisco, CA 94104
T. (415) 567-9000
F. (415) 399-9480
C. (925) 404-4255
tcatalano@reubenlaw.com
www.reubenlaw.com

<image002.png><image003.png>

Tuija Catalano

From: Tuija Catalano
Sent: Tuesday, October 06, 2015 5:26 PM
To: 'robyn tucker'
Cc: andrew madden
Subject: RE: 1469 Pacific Avenue - Plans walk through

Robyn and Andrew,

Thanks again for meeting with us two weeks ago on September 23rd.

I understand that a DR was filed. I wanted to follow up and see if both of you would be available to meet so that we could discuss any concerns or design ideas that you might have.

Please let me know, and if you are available, please let me know what would be a good time.

Thanks,

REUBEN, JUNIUS & ROSE, LLP

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One Bush Street, Suite 600
San Francisco, CA 94104
T. (415) 567-9000
F. (415) 399-9480
C. (925) 404-4255
tcatalano@reubenlaw.com
www.reubenlaw.com



PRIVILEGE AND CONFIDENTIALITY NOTICE – This transmittal is intended solely for use by its addressee, and may contain confidential or legally privileged information. If you receive this transmittal in error, please email a reply to the sender and delete the transmittal and any attachments.

From: robyn tucker [mailto:venturesv@aol.com]
Sent: Thursday, September 24, 2015 10:22 AM
To: Tuija Catalano
Cc: andrew madden; Michelle Murray
Subject: Re: 1469 Pacific Avenue - Plans walk through

Thanks Tuija, We appreciate the effort and clarification about some of the building design issues. We will be in touch if we have further questions and hope that you will be open to suggestions when we have fully vetted the project and its impacts on the neighbors and neighborhood.

Best,

Robyn

Tuija Catalano

From: Tuija Catalano
Sent: Thursday, September 24, 2015 9:27 AM
To: Robyn Tucker
Cc: andrew madden; Michelle Murray
Subject: Re: 1469 Pacific Avenue - Plans walk through

Robyn and Andrew,

Thanks for taking the time to meet with us last night. I hope we were able to answer all of the questions you had about the project. If there is anything else we can answer or provide please do not hesitate to let me know.

Thanks,

Tuija

Sent from my iPhone

On Sep 22, 2015, at 5:10 PM, Tuija Catalano <tcatalano@reubenlaw.com> wrote:

Robyn,

Thanks for the confirmation. I look forward to meeting you at the site tomorrow (Wed) at 7 pm.

Thanks,

<image001.png>

Tuija Catalano, Attorney
One Bush Street, Suite 600
San Francisco, CA 94104
T. (415) 567-9000
F. (415) 399-9480
C. (925) 404-4255
tcatalano@reubenlaw.com
www.reubenlaw.com

<image002.png><image003.png>

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From: Robyn Tucker [<mailto:venturesv@aol.com>]
Sent: Monday, September 21, 2015 9:58 AM
To: Tuija Catalano
Cc: andrew madden; Michelle Murray
Subject: Re: 1469 Pacific Avenue - Plans walk through

Tuija Catalano

From: Tuija Catalano
Sent: Thursday, September 17, 2015 4:07 PM
To: 'Robyn Tucker'
Cc: Carly Grob; andrew madden; Michelle Murray
Subject: RE: 1469 Pacific Avenue - Plans walk through

Robyn,

Thanks for the confirmation. We look forward to see you next Wednesday, Sept. 23rd at 7 pm, most likely at the site at 1469 Pacific.

If you could kindly let me know how many people you expect to join you that would be helpful so that I can make sure that we have enough seats.

Thanks,

REUBEN, JUNIUS & ROSE, LLP

Tuija Catalano, Attorney
One Bush Street, Suite 600
San Francisco, CA 94104
T. (415) 567-9000
F. (415) 399-9480
C. (925) 404-4255
tcatalano@reubenlaw.com
www.reubenlaw.com



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From: Robyn Tucker [mailto:venturesv@aol.com]
Sent: Thursday, September 17, 2015 4:05 PM
To: Tuija Catalano
Cc: Carly Grob; andrew madden; Michelle Murray
Subject: Re: 1469 Pacific Avenue - Plans walk through

Tuija,
Next Wednesday it is. I'll double check with attendees, but believe the project site is probably most convenient. I hope to confirm location by this evening. Thank you for coordinating this.
Robyn

Robyn Tucker
Co-Chair, PANA

Robyn Tucker, JD, MBA

Tuija Catalano

From: Tuija Catalano
Sent: Monday, September 14, 2015 8:52 AM
To: 'robyn tucker'
Cc: Carly Grob; andrew madden; Michelle Murray; mark.luellen@sfgov.org
Subject: RE: 1469 Pacific Avenue - Email F/U

Robyn,

Thanks for the update.

I look forward to hearing from you regarding your availability to meet. Just let me know once you have few possible dates/times that would work for you.

Thanks,

REUBEN, JUNIUS & ROSE, LLP

Tuija Catalano, Attorney
One Bush Street, Suite 600
San Francisco, CA 94104
T. (415) 567-9000
F. (415) 399-9480
C. (925) 404-4255
tcatalano@reubenlaw.com
www.reubenlaw.com



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From: robyn tucker [mailto:venturesv@aol.com]
Sent: Sunday, September 13, 2015 11:37 PM
To: Tuija Catalano
Cc: Carly Grob; andrew madden; Michelle Murray; mark.luellen@sfgov.org
Subject: Re: 1469 Pacific Avenue - Email F/U

Many neighbors and I appreciate your offer to walk through the proposed project plans. We would like to do so with an architect whom we have engaged to help us review the plans with you. Unfortunately, we have not been able to reach him as his home is in the vicinity of and path of the Valley fire. It will probably take a few days before we know of his availability. I will get back to you as soon as we have further information.
Thank you for reaching out.

Robyn Tucker, JD, MBA
Tucker Consulting Group
Capital & Philanthropy Advisors
415-609-5607

Tuija Catalano

From: Tuija Catalano
Sent: Friday, September 11, 2015 3:54 PM
To: 'Grob, Carly (CPC)'; robyn tucker
Cc: andrew madden; Michelle Murray; Luellen, Mark (CPC)
Subject: RE: 1469 Pacific Avenue - Email F/U

Carly, thanks for copying me.

Robyn, our team, including myself, would be happy to meet with you to show you the plans and answer any questions you might have. Let me know if you have couple possible dates and times in mind that might work. I will want to check with the architect and project sponsor as well so that we can have our full team present. We can meet at the project site since that would be close to everyone, however, if you feel more comfortable meeting at a different location, I can certainly offer e.g. the conference rooms at my office for that meeting as well.

My full contact info is below. I look forward to hearing from you.

REUBEN, JUNIUS & ROSE, LLP

Tuija Catalano, Attorney
One Bush Street, Suite 600
San Francisco, CA 94104
T. (415) 567-9000
F. (415) 399-9480
C. (925) 404-4255
tcatalano@reubenlaw.com
www.reubenlaw.com



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From: Grob, Carly (CPC) [<mailto:carly.grob@sfgov.org>]
Sent: Friday, September 11, 2015 3:41 PM
To: robyn tucker
Cc: andrew madden; Michelle Murray; Luellen, Mark (CPC); Tuija Catalano
Subject: RE: 1469 Pacific Avenue - Email F/U

Hi Robyn,

With regards to the 312 Notification, we request that the project sponsor limit their plan set to eight pages (four sheets front and back) which show the existing and proposed elevations and floor plans. I have attached a set that has Sheet A3.3 for your reference. We cannot reissue the 312, as the notice was completed as directed by the Department. Per your voicemail, I also included the Pre-Application sign-in sheet.

I've cc'd Tuija Catalano, who is part of the project team, so you can set up a meeting with the project sponsor directly. My concern with hosting the meeting at the Department is that our role is not to mediate this discussion, but instead to

Robin Prior Tech Support/CBE Systems

1487 Pacific Ave, San Francisco, CA 94109
415-596-7524

January 23rd, 2016
Mr. Rodney Fong, President
San Francisco Planning Commission
1650 Mission St. Ste 400
San Francisco, CA 94103

Re: Planning Department Case No. 2013..0915
Building Permit No. 2012.10.31.3210
1469 thru 1475 Pacific Avenue

Dear President Fong and Fellow Commissioners:

I am a local business owner and resident and I am writing very much in favor of the above referenced property. I believe it will be a tremendous asset/improvement to our neighborhood. I have perused the plans with Paul Bogatsky, the owner, and am very impressed with his vision. I believe the proposed property has been well-designed to not only fit into the character of our neighborhood, but also will enhance the street for all of us who share it.


We all are acutely aware of the desperate need for additional living spaces in San Francisco, and this property will not only give us nine residential units, with adequate parking, but will also give us a street level commercial space that will add to the foot traffic that other small business owners such as myself desire. The fact that Paul Bogatsky chose to design larger residential units that can house families is also very much appreciated, being a family man myself. As you know, we have an excellent neighborhood park, Helen Wills that is close by and easily accessible.

I want to spend a few minutes discussing the existing building at 1469 Pacific Ave., and how it is long-overdue for a change. I moved my business into the space at 1487 Pacific Ave. over ten years ago, and I have been a close observer of the state of our neighborhood, or more precisely, the state of the particular stretch of Pacific St. between Larkin St. and McCormick St. We are a residential neighborhood filled with apartment buildings, houses, restaurants and other small businesses. In fact, within the half block where both myself and Mr. Bogatsky's building lay, we have a Hair Salon around the corner on Larkin, then a Laundromat on the corner, then my business, the Computer Tech Support & Repair Shop, then a Tailor's Shop and then it is just this utilitarian, long grey building – Paul Bogatsky's existing building is an industrial-looking large warehouse type of building that is completely out of character with the rest of the neighborhood. No Street level commercial space is possible within the existing structure and to be honest, his building has been an eyesore for me over the years – because of the odd angled shape of the existing façade, the large double-wide garage door area has regularly been a magnet for disreputable people who take the opportunity to duck into the off-street spaces that are presented by the building in its current form and perform illegal acts. The nature of my Computer Repair business is such that I'm often coming and going from my shop at all hours, in the past I myself have witnessed drug deals and other transactions where I have had to ask the people to move on. But I digress. We are surrounded by apartment buildings with and without street level commercial spaces and the warehouse building in its existing form stands out incongruously.

I believe that the proposed structure will be a tremendous improvement of the existing structure. Paul Bogatsky and his Architect have done a tremendous job with the new plans – I took the time to see the model and I can tell the existing facade will become beautiful and safer with just a small but very important change on the front side. The way the plans were drawn up to work mostly within the existing form of the structure and his efforts to not affect the air and light spaces are pleasing to his neighbors. The proposed building will be a positive addition to our neighborhood, taking away the parts that have not meshed with the existing mix of buildings and changing it into a mixed-use that we will welcome with open arms.

I hope the Commission and Zoning Administrator approve the project as planned.

Sincerely,



Robin Prior

Gary Nelson, Architect

Registered Architect / California, Washington

1033 Jones Street • San Francisco, CA 94109
Phone: 415-361-0452 • E-Mail fs889@yahoo.com

January 25, 2015

Mr Rodney Fong
President
San Francisco Planning Commission
1650 Mission Street
Suite 400
San Francisco, California 94103

RE: Planning Department Case No. 2013..09:15
Building Permit No. 2012.10.31.3210
1469 thru 1475 Pacific Avenue

Dear President Fong and Commissioners:

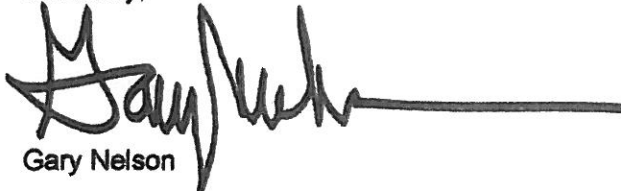
I am pleased to offer my support of this proposed 9-unit residential project. Change of use of the existing commercial building to residential will result in a significant improvement to the architectural quality of this block, similar to that of the new residential units built on Pacific Avenue, one block away. Repurposing an existing structurally sound building is a practical approach. Demolishing it will cause major impact on air quality, noise, traffic flow, adjacent buildings will need to be underpinned and construction will be much more invasive to the neighbors and community. This approach will significantly shorten the construction period.

I am a recently retired Architect/Project Manager from UCSF where I worked for 29 years. Mr Paul Bogatsky's construction firm built many of the projects I managed, from very large complex biomedical laboratories to residential projects for student and faculty housing. I have no doubt this project will be of the highest quality.

As a certified Disaster Service Professional with the State of California Safety Assessment Program, I was Head of the UCSF Building Inspection in the Emergency Operations Center and trained to inspect all University buildings for earthquake damage and determine whether they could be occupied. This experience has made me keenly aware of how important it is for San Francisco to have a solid stock of housing built to current structural codes. We are all well aware of the large number of uninhabitable units there will be when the next 1906 magnitude event occurs. The City should be encouraging well-designed projects such as this one to be built where possible.

I have reviewed the plans and model and am very impressed with the design and scale of the project. It is appropriate in design and massing for the surrounding neighborhood. I would encourage the Planning Commission and Zoning Administrator to approve the project as proposed.

Sincerely,



Gary Nelson

PORTLAND - PACIFIC

Post Office Box 192150
San Francisco, CA 94119
TEL: (415) 882.7200
FAX: (415) 727.5200
www.portland-pacific.com

January 20, 2016

Mr. Rodney Fong
President
San Francisco Planning Commission
1650 Mission Street
Suite 400
San Francisco, California 94103

RE: Planning Department Case No. 2013.0915
Building Permit No. 2012.10.31.3210
1469 thru 1475 Pacific Avenue

Dear President Fong and Commissioners:

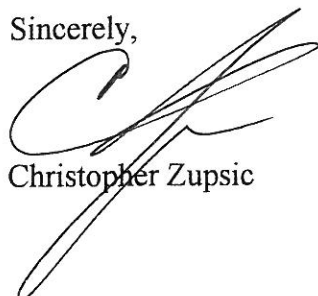
As a local resident and business owner, I am writing in the support of the above referenced property. It will be an excellent addition to our community. The owner, Mr. Paul Bogatsky, has shared the plans and model with me and I believe it is well designed and appropriate for our neighborhood. The nine residential units, with more than adequate parking, will bring much needed housing. I appreciate that he elected to make larger units, which will provide families the chance to enjoy our area as well. Finally, his plan for creating a street level commercial space will add to the streetscape and provide a terrific unit for a small local business.

I have also taken the time to look at the overall project, comparing what is there currently to the result of adapting it to a more appropriate use. The current building is out-of-sync with our neighborhood. It is impersonal, windowless and unappealing. It was from a time when high intensive businesses fit. Pacific Avenue today is a residential street. We do not want large trucks operating out of a midblock garage. Mr. Bogatsky's new design fits perfectly into what our neighborhood has become; walking streets with easy access to small local shops.

Finally, I think it is important to point out that the project has masterfully utilized the existing structure. Instead of demolishing the entire building, he has slipped the nine units within the existing walls, with just a small addition on the front portion. The light and air enjoyed by the surrounding units is not negatively impacted. He elected to keep the massing above the existing structure at an absolute minimum. I believe he has acted in a very neighborly fashion.

I hope the Commission and Zoning Administrator approve the project as proposed.

Sincerely,



Christopher Zupsic

Date: January 25, 2016

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Daniel H. Veaton.

Name: DANIEL H. VEATON

Address: 1478 PACIFIC AVENUE

SAN FRANCISCO, CA 94109

Date: 1/26, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

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I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: Myron Lee GLASED DESIGNS INC
Address: 1475 PACIFIC AVE

Date: 10-13, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

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I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name:

Lucas Augusto - LUCAS AUGUSTO

Address:

1487 PACIFIC AVE
SE CA 94109

Date: 9/28, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

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I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name:  JENNY HUANG

Address: 1485 Pacific Ave

Date: 1/26, 2016

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

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I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: DAVID WONG

Address: 1419 PACIFIC AVE.
S.F. CA. 94109.

Date: NOV. 3, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name:

ISAAC PIERRO 

Address: 1492 PACIFIC AVE.

SF, CA.

Date: Jan. 26, 2016

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: Eric Dapner

Address: 1538 Pacific Ave 102

S.F. CA 94109

Date: 9/24, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: Mischelle Hutchison Mischelle Hutchison

Address: 1439 Pacific Ave
San Francisco, Ca. 94109

Date: 10/13, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: FABIO REZENDE -

Address: 13108 PACIFIC AVE

S. FRANCISCO - CA

A large, stylized handwritten signature in black ink, appearing to read 'Fabio Rezende', is written over the printed address lines.

Date: 10/26, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: Jane Mead

Address: 1546 Pacific Ave
S.F. CA 94109

Date: 10/13, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

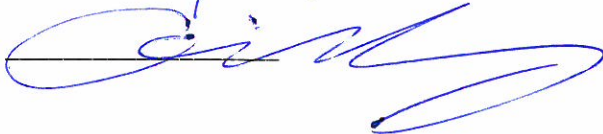
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I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: Connie Tang

Address: 1364 Pacific Ave. S.F. CA 94109



Date: 10-13, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

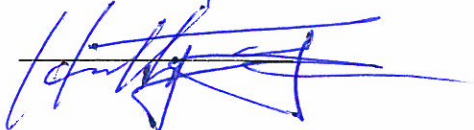
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I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: HAROLD TANG

Address: 1368 PACIFIC AVE.

A handwritten signature in blue ink, appearing to read 'Harold Tang', written over a horizontal line.

Date: 10/13, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

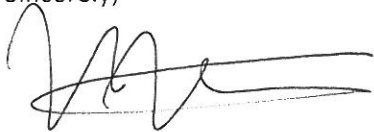
RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,



Name: Mei Wong

Address: 1544 Hyde St
SF CA 94109

Date: 10/13, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: Alexander Lee

Address: 1390 Washington Street Apt. 103
SF, CA 94109



Date: 1/25, 2016

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

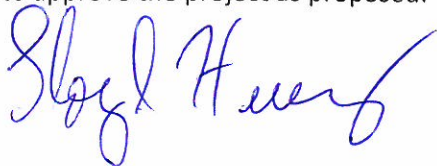
RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,



Name:

Lloyd Huey

Address:

1728 Washington St
SF CA 94109

Date: Oct 13, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: Thomas Avona



Address: 2001 Van Ness Ave # C
SF, CA 94109

Date: 10/13, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Name: Seaneen Foley Foley

Address: 1456 Jones
SFCA 94109

Seaneen Foley

Date: 10/13, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

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Sincerely,

Name: Gerald E. Hanney
Address: 1625 Leavenworth (#308)
Gerald E. Hanney



City and County of San Francisco

Master Report

EXHIBIT H

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070681 **File Type:** Ordinance **Status:** Passed

Enacted: 167-07 **Effective:**

Version: 2 **Reference:** **In Control:** Mayor

File Name: Zoning - Pacific Avenue Individual Area Neighborhood Commercial District **Introduced:** 5/15/2007

Requester: **Cost:** **Date Passed:** 7/20/2007

Comment No Fiscal Impact; No Economic Impact **Title:** Ordinance adding Planning Code Sections 732 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Indexes: **Sponsors:** Peskin

History of Legislative File 070681

Ver	Acting Body	Date	Action	Sent To	Due Date	Pass/Fail
1	President	5/15/2007	ASSIGNED UNDER 30 DAY RULE	Land Use and Economic Development Committee	6/14/2007	
<i>SUPPORTING DOCUMENTS: Planning Commission Resolution 17413 and Executive Summary.</i>						
1	Land Use and Economic Development Committee	6/18/2007	AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE			
<i>Heard in committee. Speakers: Supervisor Peskin; Paul Lord, Planning Department; Supervisor Sandoval; Supervisor Maxwell; Supervisor McGoldrick; Robyn Tucker, President, Pacific Avenue Neighborhood Association; Wyatt Landesmann; Michelle Murray; Matt Treadway; Andrea Stanshaw; Bill Matteson; Francisco Da Costa; Richard Robinson; Espanola Jackson; Sylvia Johnson; John Malamut, Deputy City Attorney.</i>						
<i>Amendment of the Whole.</i>						
2	Land Use and Economic Development Committee	6/18/2007	RECOMMENDED AS AMENDED			Passed
2	Board of Supervisors	6/26/2007	PASSED ON FIRST READING			Passed
2	Board of Supervisors	7/10/2007	FINALLY PASSED			Passed
2	Mayor	7/20/2007	APPROVED			

FILE NO. 070681

ORDINANCE NO. 167-07

[Zoning - Pacific Avenue Individual Area Neighborhood Commercial District.]

Ordinance adding Planning Code Sections 731 732 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~striketrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

a. There is no longer an economic justification for a Garment Shop Special Use District.

b. Rezoning of the existing NC-2 zoning district along Pacific Avenue between Polk and Jones Streets is necessary to preserve neighborhood character and environmental qualities that respond to the topography and narrow street right-of-way.

c. Rezoning the existing NC-2 zoning district along Pacific Avenue between Jones and Taylor Streets is necessary to preserve the residential character of the block.

1 d. Condensing the NC-2 zoning district in the abovementioned areas to its commercial
2 core will be accomplished through establishment of a new individual area neighborhood
3 commercial district, specified Zoning Map amendments to Sectional Maps 1, 1H, 1SU, 2, and
4 2H, and other related zoning actions, including reclassification of specified properties from the
5 NC-2 District designation to RM-1 or RM-3.

6 Section 2. Environmental Findings, General Plan Findings, and Other Required
7 Findings.

8 a. The Planning Department has determined that the actions contemplated in this
9 Ordinance are in compliance with the California Environmental Quality Act (California Public
10 Resources Code sections 21000 et seq.). The Board hereby affirms said determination,
11 which is part of Planning Commission Resolution No. 17413, is on file with the Clerk of the
12 Board of Supervisors in File No. 070681, and is incorporated herein by
13 reference.

14 b. On April 5, 2007, after a duly noticed public hearing, the Planning Commission, in
15 Resolution No. 17413, approved and recommended for adoption by the Board, the Pacific
16 Avenue Individual Area Neighborhood Commercial District, associated Zoning Map
17 amendments, and other related zoning actions. In said Resolution, the Planning Commission
18 also adopted findings that the legislation is consistent, on balance, with the City's General
19 Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these
20 findings as its own and incorporates these findings herein by reference.

21 c. Pursuant to Planning Code Section 302, this Board of Supervisors finds that the
22 subject Neighborhood Commercial District, Zoning Map amendments, and other related
23 zoning actions will serve the public necessity, convenience, and welfare for the reasons set
24 forth in Planning Commission Resolution No. 17413 and incorporates such reasons herein by
25 reference.

Section 3. The San Francisco Planning Code is hereby amended by adding Sections 734 732 et seq., to read as follows:

Section 731.4 732.1 Pacific Avenue Neighborhood Commercial District

The Pacific Avenue Neighborhood Commercial District, on Pacific Avenue from just east of Polk Street to all four corners of Pacific Avenue and Jones Street, is situated on the north slope of the Nob Hill neighborhood and south of the Broadway Tunnel. Pacific Avenue is a multi-purpose, small-scale mixed-use neighborhood shopping district on a narrow street that provides limited convenience goods to the adjacent neighborhoods.

The Pacific Avenue Neighborhood Commercial District controls are designed to promote a small, neighborhood serving mixed-use commercial street that preserves the surrounding neighborhood residential character. These controls are intended to preserve livability in a largely low-rise development residential neighborhood, enhance solar access on a narrow street right-of-way and protect residential rear yard patterns at the ground floor.

SEC. 731.732. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

			<u>Pacific Avenue NCD</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING STANDARDS</u>			
<u>731.10</u> <u>732.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106,</u> <u>250-252, 260, 270, 271</u>	<u>40-X</u> <u>See Zoning Map</u>
<u>731.11</u> <u>732.11</u>	<u>Lot Size [Per</u> <u>Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft.;</u> <u>C 10,000 sq. ft. & above</u> <u>§ 121.1</u>

731.12	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>45 % required at the first story and above and at all residential levels</u>
<u>732.12</u>			<u>§ 134(c)</u>
731.13	<u>Street Frontage</u>		<u>Required</u>
<u>732.13</u>			<u>§ 145.1</u>
731.14	<u>Awning</u>	<u>§ 790.20</u>	<u>P</u>
<u>732.14</u>			<u>§ 136.1(a)</u>
731.15	<u>Canopy</u>	<u>§ 790.26</u>	<u>P</u>
<u>732.15</u>			<u>§ 136.1(b)</u>
731.16	<u>Marquee</u>	<u>§ 790.58</u>	<u>P</u>
<u>732.16</u>			<u>§ 136.1(c)</u>
731.17	<u>Street Trees</u>		<u>Required</u>
<u>732.17</u>			<u>§ 143</u>
<u>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</u>			
731.20	<u>Floor Area Ratio</u>	<u>§§ 102.9, 102.11, 123</u>	<u>1.5 to 1</u>
<u>732.20</u>			<u>§ 124(a) (b)</u>
731.24	<u>Use Size [Non-Residential]</u>	<u>§ 790.130</u>	<u>P up to 1,999 sq. ft.;</u>
<u>732.21</u>			<u>C 2,000 sq. ft. & above</u>
			<u>§ 121.2</u>
731.22	<u>Off-Street Parking, Commercial/Institutional</u>	<u>§§ 150, 153-157, 159-160, 204.5</u>	<u>Generally, none required if occupied floor area is less than 2,000 sq. ft.</u>
<u>732.22</u>			<u>§§ 151, 161(g)</u>

731.23 <u>732.23</u>	<u>Off-Street Freight Loading</u>	<u>§§ 150, 153-155, 204.5</u>	<u>Generally, none required if gross floor area is less than 10,000 sq. ft. §§ 152, 161(b)</u>		
731.24 <u>732.24</u>	<u>Outdoor Activity Area</u>	<u>§ 790.70</u>	<u>P if located in front;</u> <u>C if located elsewhere</u> <u>§ 145.2(a)</u>		
731.25 <u>732.25</u>	<u>Drive-Up Facility</u>	<u>§ 790.30</u>			
731.26 <u>732.26</u>	<u>Walk-Up Facility</u>	<u>§ 790.140</u>	<u>P if recessed 3 ft.;</u> <u>C if not recessed</u> <u>§ 145.2(b)</u>		
731.27 <u>732.27</u>	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m. - 10 p.m.;</u> <u>C 10 p.m. - 2 a.m.</u>		
731.30 <u>732.30</u>	<u>General Advertising Sign</u>	<u>§§ 262, 602-604, 608, 609</u>			
731.31 <u>732.31</u>	<u>Business Sign</u>	<u>§§ 262, 602-604, 608, 609</u>	<u>P</u> <u>§ 607.1(f) 2</u>		
731.32 <u>732.32</u>	<u>Other Signs</u>	<u>§§ 262, 602-604, 608, 609</u>	<u>P</u> <u>§ 607.1(c) (d) (g)</u>		

			<u>Pacific Avenue NCD</u>		
			<u>Controls by Story</u>		
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>

		<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd +</u>
731.38	<u>Residential Conversion</u>	<u>§ 790.84</u>	<u>C</u>		
732.38					
731.39	<u>Residential Demolition</u>	<u>§ 790.86</u>	<u>C</u>		
732.39					
<u>Retail Sales and Services</u>					
731.40	<u>Other Retail Sales and Services</u>	<u>§ 790.102</u>	<u>P</u>	<u>C</u>	
732.40	<u>[Not Listed Below]</u>				
731.41	<u>Bar</u>	<u>§ 790.22</u>			
732.41					
731.42	<u>Full-Service Restaurant</u>	<u>§ 790.92</u>	<u>C</u>		
732.42					
731.43	<u>Large Fast Food Restaurant</u>	<u>§ 790.90</u>			
732.43					
731.44	<u>Small Self-Service Restaurant</u>	<u>§ 790.91</u>			
732.44					
731.45	<u>Liquor Store</u>	<u>§ 790.55</u>			
732.45					
731.46	<u>Movie Theater</u>	<u>§ 790.64</u>			
732.46					
731.47	<u>Adult Entertainment</u>	<u>§ 790.36</u>			

<u>732.47</u>					
<u>731.48</u>	<u>Other Entertainment</u>	<u>§ 790.38</u>			
<u>732.48</u>					
<u>731.49</u>	<u>Financial Service</u>	<u>§ 790.110</u>	<u>C</u>		
<u>732.49</u>					
<u>731.50</u>	<u>Limited Financial Service</u>	<u>§ 790.112</u>	<u>P</u>		
<u>732.50</u>					
<u>731.51</u>	<u>Medical Service</u>	<u>§ 790.114</u>	<u>C</u>	<u>C</u>	
<u>732.51</u>					
<u>731.52</u>	<u>Personal Service</u>	<u>§ 790.116</u>	<u>P</u>	<u>C</u>	
<u>732.52</u>					
<u>731.53</u>	<u>Business or Professional Service</u>	<u>§ 790.108</u>	<u>P</u>	<u>C</u>	
<u>732.53</u>					
<u>731.54</u>	<u>Massage Establishment</u>	<u>§ 790.60,</u> <u>§ 2700 Police Code</u>			
<u>732.54</u>					
<u>731.55</u>	<u>Tourist Hotel</u>	<u>§ 790.46</u>			
<u>732.55</u>					
<u>731.56</u>	<u>Automobile Parking</u>	<u>§§ 790.8, 156, 160</u>	<u>C</u>		
<u>732.56</u>					
<u>731.57</u>	<u>Automotive Gas Station</u>	<u>§ 790.14</u>			
<u>732.57</u>					

1	731.58	<u>Automotive Service Station</u>	<u>§ 790.17</u>			
2	<u>732.58</u>					
3	731.59	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C</u>		
4	<u>732.59</u>					
5	731.60	<u>Automotive Wash</u>	<u>§ 790.18</u>			
6	<u>732.60</u>					
7						
8	731.61	<u>Automobile Sale or Rental</u>	<u>§ 790.12</u>			
9	<u>732.61</u>					
10	731.62	<u>Animal Hospital</u>	<u>§ 790.6</u>			
11	<u>732.62</u>					
12						
13	731.63	<u>Ambulance Service</u>	<u>§ 790.2</u>			
14	<u>732.63</u>					
15	731.64	<u>Mortuary</u>	<u>§ 790.62</u>			
16	<u>732.64</u>					
17	731.65	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>C</u>		
18	<u>732.65</u>					
19						
20	731.66	<u>Storage</u>	<u>§ 790.117</u>			
21	<u>732.66</u>					
22	731.67	<u>Video Store</u>	<u>§ 790.135</u>	<u>C</u>		
23	<u>732.67</u>					
24	<u>Institutions and Non-Retail Sales and Services</u>					
25						

1	731.70	<u>Administrative Service</u>	<u>§ 790.106</u>			
2	<u>732.70</u>					
3	731.80	<u>Hospital or Medical Center</u>	<u>§ 790.44</u>			
4	<u>732.80</u>					
5	731.81	<u>Other Institutions, Large</u>	<u>§ 790.50</u>			
6	<u>732.81</u>					
7						
8	731.82	<u>Other Institutions, Small</u>	<u>§ 790.51</u>	<u>C</u>		
9	<u>732.82</u>					
10	731.83	<u>Public Use</u>	<u>§ 790.80</u>	<u>C</u>		
11	<u>732.83</u>					
12	<u>RESIDENTIAL STANDARDS AND USES</u>					
13						
14	731.90	<u>Residential Use</u>	<u>§ 790.88</u>	<u>P</u>	<u>P</u>	<u>P</u>
15	<u>732.90</u>					
16	731.91	<u>Residential Density,</u>	<u>§§ 207, 207.1,</u>	<u>Generally, 1 unit per</u> <u>1,000 sq. ft. lot area</u> <u>§ 207.4</u>		
17	<u>732.91</u>	<u>Dwelling Units</u>	<u>790.88(a)</u>			
18	731.92	<u>Residential Density, Group</u>	<u>§§ 207.1, 790.88(b)</u>	<u>Generally, 1 bedroom per</u> <u>275 sq. ft. lot area</u> <u>§ 208</u>		
19	<u>732.92</u>	<u>Housing</u>				
20						
21	731.93	<u>Usable Open Space</u>	<u>§§ 135, 136</u>	<u>Generally, either</u> <u>100 sq. ft if private, or</u> <u>133 sq. ft. if common</u> <u>§ 135(d)</u>		
22	<u>732.93</u>	<u>[Per Residential Unit]</u>				
23						
24	731.94	<u>Off-Street Parking,</u>	<u>§§ 150, 153-157, 159-</u>	<u>Generally, 1 space for</u> <u>each dwelling unit</u>		
25		<u>Residential</u>	<u>160, 204.5</u>			

<u>732.94</u>			<u>§§ 151, 161(a) (g)</u>		
<u>731.95</u>	<u>Community Residential</u>	<u>§ 790.10</u>	<u>C</u>		
<u>732.95</u>	<u>Parking</u>				

Section 4. The San Francisco Planning Code is hereby amended by deleting Section 236 in its entirety as follows:

~~SEC. 236. GARMENT SHOP SPECIAL USE DISTRICT.~~

~~In order to provide for garment shops of limited size in a recognized area of the City, there shall be a Garment Shop Special Use District as designated on Sectional Map No. 1 SU of the Zoning Map. The following provisions shall apply within such special use district:~~

~~—— (a) — A garment shop equipped with single head power or hand sewing machines and specialty machines, where the total number of such single head machines does not exceed 25, shall be permitted as a principal use on any lot in an NC District, C District or Residential Commercial Combined District therein at a location where commercial uses are permitted.~~

Section 5. Zoning Map Amendments.

a. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change, as shown and further delineated in attachments to Planning Commission Resolution No. 17413, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco, Sectional Maps 1 and 2 as follows:

Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block 0573, Lots 004, 004A, 004B, 005, 006, 008, 009, 010, Assessor's Block 0154, Lots 007, 008, 009, 010, 011, 012, 013, 014, 015,	NC-2	Pacific Avenue Neighborhood Commercial District, pursuant to Planning Code Sections 734

1	016, 017, 018, 019, 020, 021, Assessor's Block 0155, 2 Lots 009, 010, 012, 013, 3 014, 015, 016, 017, 019, 4 020, 021, 022, 023, 024, 5 025, 026, 054, 6 Assessor's Block 0156, 7 Lots 007, 008, 009, 010, 8 011, 012, 013, 014, 015, 9 016, 017 (partial), 018 10 (partial), 019 (partial), 020 11 (partial), 021, 022, 12 Assessor's Block 0157, 13 Lot 021, 14 Assessor's Block 0596, 15 Lots 001, 002, 003, 004, 16 005, 026, 027, 031, 032, 17 033, 18 Assessor's Block 0185, 19 Lots 001, 002, 003, 004, 20 006, 007, 028, 21 Assessor's Block 0184, 22 Lots 021, 022, 023, 024, 23 025, 026, 027, 029, 030, 24 031, 035, 036 (partial), 25 Assessor's Block 0183, Assessor's Block 0182, Lots 001, 026, 027, 028, 029, 031, 032, 033, 034, 035, 036, 037, 038, 039, and Assessor's Block 0182, Lots 021.		<u>732</u> et seq.
18	Assessor's Block 0185, Lots 005, 029, 030, 031, 038, 039, 041	RM-1	
20	Assessor's Block 0157, Lots 007, 008, 009, 010, 011, 013, 014, 015, 016, 017, 018, 019, 020, 063, and Assessor's Block 0182, Lots 001, 022, 023, 024, 031, 031B, 031C, 032, 034, 035	NC-2	RM-1
25	Assessor's Block 0186, Lot 001, and	NC-2	RM-3

Assessor's Block 0187,
Lots 025

b. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change, as shown and further delineated in attachments to Planning Commission Resolution No. 17413, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco, Sectional Maps 1H and 2H as follows:

Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block 0573, Lots 004, 004A, 004B, 005, 006, 008, 009, 010, Assessor's Block 0154, Lots 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, Assessor's Block 0155, Lots 009, 010, 012, 013, 014, 015, 016, 017, 019, 020, 021, 022, 023, 024, 025, 026, 054, Assessor's Block 0156, Lots 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017 (partial), 018 (partial), 019 (partial), 020 (partial), 021, 022, Assessor's Block 0157, Lots 007, 008, 009, 010, 011, 013, 014, 015, 016, 017, 018, 019, 020, 021, 063, Assessor's Block 0596, Lots 001, 002, 003, 004, 005, 026, 027, 028, 031, 032, 033, Assessor's Block 0185, Lots 001, 002, 003, 004, 005, 007, 028, 029, 030, 031, 038, 039, 041 Assessor's Block 0184,	Height District: 65-X	Height District : 40-X

1 Lots 021, 022, 023, 024,
2 025, 026, 027, 029, 030,
3 031, 035, 036 (partial),
4 Assessor's Block 0183,
5 Lots 001, 026, 027, 028,
6 029, 031, 032, 033, 034,
7 035, 036, 037, 038, 039,
8 and
9 Assessor's Block 0182,
10 Lots 001, 021, 022, 023,
11 024, 031, 031B, 031C, 032,
12 034, 035.

13
14 c. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change is
15 hereby adopted as an amendment to the Zoning Map of the City and County of San
16 Francisco: Sectional Map 1 SU shall delete all reference to the Garment Shop Special Use
17 District, Planning Code Section 236.

18 Section 6. This Section is uncodified. This Ordinance shall not apply to those
19 development proposals that receive Planning Department or Zoning Administrator project
20 approval prior to the effective date of this Ordinance.

21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By:

24 
25 John D. Malamut
Deputy City Attorney

[Zoning - Pacific Avenue Individual Area Neighborhood Commercial District.]

Ordinance adding Planning Code Sections 731 et seq. to establish the Pacific Avenue Individual Area Neighborhood Commercial District, as specifically defined herein and generally encompassing the length of Pacific Avenue from Polk Street to Taylor Street; deleting Section 236, the Garment Shop Special Use District; amending the City's Zoning Map Sectional Maps 1, 1H, 2, and 2H to reflect the boundaries of the Pacific Avenue Neighborhood Commercial District, other associated zoning changes, and related changes to height and bulk districts and amending Zoning Map Sectional Map 1 SU to delete the Garment Shop Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

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deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

a. There is no longer an economic justification for a Garment Shop Special Use District.

b. Rezoning of the existing NC-2 zoning district along Pacific Avenue between Polk and Jones Streets is necessary to preserve neighborhood character and environmental qualities that respond to the topography and narrow street right-of-way.

c. Rezoning the existing NC-2 zoning district along Pacific Avenue between Jones and Taylor Streets is necessary to preserve the residential character of the block.

Supervisor Peskin
Planning Commission
BOARD OF SUPERVISORS

*Superseded by
AOW 6-18-07*

1 d. Condensing the NC-2 zoning district in the abovementioned areas to its commercial
2 core will be accomplished through establishment of a new individual area neighborhood
3 commercial district, specified Zoning Map amendments to Sectional Maps 1, 1H, 1SU, 2, and
4 2H, and other related zoning actions, including reclassification of specified properties from the
5 NC-2 District designation to RM-1 or RM-3.

6 Section 2. Environmental Findings, General Plan Findings, and Other Required
7 Findings.

8 a. The Planning Department has determined that the actions contemplated in this
9 Ordinance are in compliance with the California Environmental Quality Act (California Public
10 Resources Code sections 21000 et seq.). The Board hereby affirms said determination,
11 which is part of Planning Commission Resolution No. 17413, is on file with the Clerk of the
12 Board of Supervisors in File No. 070681, and is incorporated herein by
13 reference.

14 b. On April 5, 2007, after a duly noticed public hearing, the Planning Commission, in
15 Resolution No. 17413, approved and recommended for adoption by the Board, the Pacific
16 Avenue Individual Area Neighborhood Commercial District, associated Zoning Map
17 amendments, and other related zoning actions. In said Resolution, the Planning Commission
18 also adopted findings that the legislation is consistent, on balance, with the City's General
19 Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these
20 findings as its own and incorporates these findings herein by reference.

21 c. Pursuant to Planning Code Section 302, this Board of Supervisors finds that the
22 subject Neighborhood Commercial District, Zoning Map amendments, and other related
23 zoning actions will serve the public necessity, convenience, and welfare for the reasons set
24 forth in Planning Commission Resolution No. 17413 and incorporates such reasons herein by
25 reference.

Section 3. The San Francisco Planning Code is hereby amended by adding Sections 731 et seq., to read as follows:

Section 731.1 Pacific Avenue Neighborhood Commercial District

The Pacific Avenue Neighborhood Commercial District, on Pacific Avenue from just east of Polk Street to all four corners of Pacific Avenue and Jones Street, is situated on the north slope of the Nob Hill neighborhood and south of the Broadway Tunnel. Pacific Avenue is a multi-purpose, small-scale mixed-use neighborhood shopping district on a narrow street that provides limited convenience goods to the adjacent neighborhoods.

The Pacific Avenue Neighborhood Commercial District controls are designed to promote a small, neighborhood serving mixed-use commercial street that preserves the surrounding neighborhood residential character. These controls are intended to preserve livability in a largely low-rise development residential neighborhood, enhance solar access on a narrow street right-of-way and protect residential rear yard patterns at the ground floor.

SEC. 731. PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

			<u>Pacific Avenue NCD</u>
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>Controls</u>
<u>BUILDING STANDARDS</u>			
<u>731.10</u>	<u>Height and Bulk Limit</u>	<u>§§ 102.12, 105, 106, 250-252, 260, 270, 271</u>	<u>40-X</u> <u>See Zoning Map</u>
<u>731.11</u>	<u>Lot Size [Per Development]</u>	<u>§§ 790.56, 121.1</u>	<u>P up to 9,999 sq. ft.;</u> <u>C 10,000 sq. ft. & above</u> <u>§ 121.1</u>

<u>731.12</u>	<u>Rear Yard</u>	<u>§§ 130, 134, 136</u>	<u>45 % required at the first story and above and at all residential levels</u> <u>§ 134(c)</u>
<u>731.13</u>	<u>Street Frontage</u>		<u>Required</u> <u>§ 145.1</u>
<u>731.14</u>	<u>Awning</u>	<u>§ 790.20</u>	<u>P</u> <u>§ 136.1(a)</u>
<u>731.15</u>	<u>Canopy</u>	<u>§ 790.26</u>	<u>P</u> <u>§ 136.1(b)</u>
<u>731.16</u>	<u>Marquee</u>	<u>§ 790.58</u>	<u>P</u> <u>§ 136.1(c)</u>
<u>731.17</u>	<u>Street Trees</u>		<u>Required</u> <u>§ 143</u>
<u>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</u>			
<u>731.20</u>	<u>Floor Area Ratio</u>	<u>§§ 102.9, 102.11, 123</u>	<u>1.5 to 1</u> <u>§ 124(a) (b)</u>
<u>731.21</u>	<u>Use Size [Non-Residential]</u>	<u>§ 790.130</u>	<u>P up to 1,999 sq. ft.;</u> <u>C 2,000 sq. ft. & above</u> <u>§ 121.2</u>
<u>731.22</u>	<u>Off-Street Parking,</u> <u>Commercial/Institutional</u>	<u>§§ 150, 153-157, 159-160, 204.5</u>	<u>Generally, none required if occupied floor area is less than 2,000 sq. ft.</u> <u>§§ 151, 161(g)</u>
<u>731.23</u>	<u>Off-Street Freight Loading</u>	<u>§§ 150, 153-155, 204.5</u>	<u>Generally, none required if gross floor area is less than 10,000 sq. ft.</u>

			<u>§§ 152, 161(b)</u>
<u>731.24</u>	<u>Outdoor Activity Area</u>	<u>§ 790.70</u>	<u>P if located in front;</u> <u>C if located elsewhere</u> <u>§ 145.2(a)</u>
<u>731.25</u>	<u>Drive-Up Facility</u>	<u>§ 790.30</u>	
<u>731.26</u>	<u>Walk-Up Facility</u>	<u>§ 790.140</u>	<u>P if recessed 3 ft.;</u> <u>C if not recessed</u> <u>§ 145.2(b)</u>
<u>731.27</u>	<u>Hours of Operation</u>	<u>§ 790.48</u>	<u>P 6 a.m. - 10 p.m.;</u> <u>C 10 p.m. - 2 a.m.</u>
<u>731.30</u>	<u>General Advertising Sign</u>	<u>§§ 262, 602-604, 608,</u> <u>609</u>	
<u>731.31</u>	<u>Business Sign</u>	<u>§§ 262, 602-604, 608,</u> <u>609</u>	<u>P</u> <u>§ 607.1(f) 2</u>
<u>731.32</u>	<u>Other Signs</u>	<u>§§ 262, 602-604, 608,</u> <u>609</u>	<u>P</u> <u>§ 607.1(c) (d) (g)</u>

			<u>Pacific Avenue NCD</u>		
			<u>Controls by Story</u>		
<u>No.</u>	<u>Zoning Category</u>	<u>§ References</u>	<u>1st</u>	<u>2nd</u>	<u>3rd+</u>
		<u>§ 790.118</u>	<u>1st</u>	<u>2nd</u>	<u>3rd +</u>
<u>731.38</u>	<u>Residential Conversion</u>	<u>§ 790.84</u>	<u>C</u>		
<u>731.39</u>	<u>Residential Demolition</u>	<u>§ 790.86</u>	<u>C</u>		
<u>Retail Sales and Services</u>					

1	<u>731.40</u>	<u>Other Retail Sales and Services</u> <u>[Not Listed Below]</u>	<u>§ 790.102</u>	<u>P</u>	<u>C</u>	
2						
3	<u>731.41</u>	<u>Bar</u>	<u>§ 790.22</u>			
4						
5	<u>731.42</u>	<u>Full-Service Restaurant</u>	<u>§ 790.92</u>	<u>C</u>		
6						
7	<u>731.43</u>	<u>Large Fast Food Restaurant</u>	<u>§ 790.90</u>			
8						
9	<u>731.44</u>	<u>Small Self-Service Restaurant</u>	<u>§ 790.91</u>			
10						
11	<u>731.45</u>	<u>Liquor Store</u>	<u>§ 790.55</u>			
12						
13	<u>731.46</u>	<u>Movie Theater</u>	<u>§ 790.64</u>			
14						
15	<u>731.47</u>	<u>Adult Entertainment</u>	<u>§ 790.36</u>			
16						
17	<u>731.48</u>	<u>Other Entertainment</u>	<u>§ 790.38</u>			
18						
19	<u>731.49</u>	<u>Financial Service</u>	<u>§ 790.110</u>	<u>C</u>		
20						
21	<u>731.50</u>	<u>Limited Financial Service</u>	<u>§ 790.112</u>	<u>P</u>		
22						
23	<u>731.51</u>	<u>Medical Service</u>	<u>§ 790.114</u>	<u>C</u>	<u>C</u>	
24						
25	<u>731.52</u>	<u>Personal Service</u>	<u>§ 790.116</u>	<u>P</u>	<u>C</u>	
	<u>731.53</u>	<u>Business or Professional Service</u>	<u>§ 790.108</u>	<u>P</u>	<u>C</u>	
	<u>731.54</u>	<u>Massage Establishment</u>	<u>§ 790.60,</u> <u>§ 2700 Police Code</u>			
	<u>731.55</u>	<u>Tourist Hotel</u>	<u>§ 790.46</u>			

1	<u>731.56</u>	<u>Automobile Parking</u>	<u>§§ 790.8, 156, 160</u>	<u>C</u>		
2	<u>731.57</u>	<u>Automotive Gas Station</u>	<u>§ 790.14</u>			
3	<u>731.58</u>	<u>Automotive Service Station</u>	<u>§ 790.17</u>			
4	<u>731.59</u>	<u>Automotive Repair</u>	<u>§ 790.15</u>	<u>C</u>		
5	<u>731.60</u>	<u>Automotive Wash</u>	<u>§ 790.18</u>			
6	<u>731.61</u>	<u>Automobile Sale or Rental</u>	<u>§ 790.12</u>			
7	<u>731.62</u>	<u>Animal Hospital</u>	<u>§ 790.6</u>			
8	<u>731.63</u>	<u>Ambulance Service</u>	<u>§ 790.2</u>			
9	<u>731.64</u>	<u>Mortuary</u>	<u>§ 790.62</u>			
10	<u>731.65</u>	<u>Trade Shop</u>	<u>§ 790.124</u>	<u>C</u>		
11	<u>731.66</u>	<u>Storage</u>	<u>§ 790.117</u>			
12	<u>731.67</u>	<u>Video Store</u>	<u>§ 790.135</u>	<u>C</u>		
13	<u>Institutions and Non-Retail Sales and Services</u>					
14	<u>731.70</u>	<u>Administrative Service</u>	<u>§ 790.106</u>			
15	<u>731.80</u>	<u>Hospital or Medical Center</u>	<u>§ 790.44</u>			
16	<u>731.81</u>	<u>Other Institutions, Large</u>	<u>§ 790.50</u>			
17	<u>731.82</u>	<u>Other Institutions, Small</u>	<u>§ 790.51</u>	<u>C</u>		
18	<u>731.83</u>	<u>Public Use</u>	<u>§ 790.80</u>	<u>C</u>		
19	<u>RESIDENTIAL STANDARDS AND USES</u>					

1	<u>731.90</u>	<u>Residential Use</u>	<u>§ 790.88</u>	<u>P</u>	<u>P</u>	<u>P</u>
2	<u>731.91</u>	<u>Residential Density,</u>	<u>§§ 207, 207.1,</u>	<u>Generally, 1 unit per</u>		
3		<u>Dwelling Units</u>	<u>790.88(a)</u>			
4				<u>1,000 sq. ft. lot area</u>		
5	<u>731.92</u>	<u>Residential Density, Group</u>	<u>§§ 207.1, 790.88(b)</u>	<u>Generally, 1 bedroom per</u>		
6		<u>Housing</u>				
7				<u>275 sq. ft. lot area</u>		
8	<u>731.93</u>	<u>Usable Open Space</u>	<u>§§ 135, 136</u>	<u>Generally, either</u>		
9		<u>[Per Residential Unit]</u>				
10				<u>100 sq. ft if private, or</u>		
11	<u>731.94</u>	<u>Off-Street Parking,</u>	<u>§§ 150, 153-157, 159-</u>	<u>Generally, 1 space for</u>		
12		<u>Residential</u>	<u>160, 204.5</u>			
13				<u>each dwelling unit</u>		
14	<u>731.95</u>	<u>Community Residential</u>	<u>§ 790.10</u>	<u>§§ 151, 161(a) (g)</u>		
15		<u>Parking</u>				

Section 4. The San Francisco Planning Code is hereby amended by deleting Section 236 in its entirety as follows:

~~SEC. 236. GARMENT SHOP SPECIAL USE DISTRICT.~~

~~In order to provide for garment shops of limited size in a recognized area of the City, there shall be a Garment Shop Special Use District as designated on Sectional Map No. 1 SU of the Zoning Map. The following provisions shall apply within such special use district:~~

~~— (a) — A garment shop equipped with single head power or hand sewing machines and specialty machines, where the total number of such single head machines does not exceed 25, shall be permitted as a principal use on any lot in an NC District, C District or Residential-Commercial Combined District therein at a location where commercial uses are permitted.~~

Section 5. Zoning Map Amendments.

a. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change, as shown and further delineated in attachments to Planning Commission Resolution No. 17413, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco, Sectional Maps 1 and 2 as follows:

Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block 0573, Lots 004, 004A, 004B, 005, 006, 008, 009, 010, Assessor's Block 0154, Lots 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, Assessor's Block 0155, Lots 009, 010, 012, 013, 014, 015, 016, 017, 019, 020, 021, 022, 023, 024, 025, 026, 054, Assessor's Block 0156, Lots 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017 (partial), 018 (partial), 019 (partial), 020 (partial), 021, 022, Assessor's Block 0157, Lot 021, Assessor's Block 0596, Lots 001, 002, 003, 004, 005, 026, 027, 031, 032, 033, Assessor's Block 0185, Lots 001, 002, 003, 004, 006, 007, 028, Assessor's Block 0184, Lots 021, 022, 023, 024, 025, 026, 027, 029, 030, 031, 035, 036 (partial), Assessor's Block 0183, Lots 001, 026, 027, 028, 029, 031, 032, 033, 034,	NC-2	Pacific Avenue Neighborhood Commercial District, pursuant to Planning Code Sections 731 et seq.

035, 036, 037, 038, 039, and Assessor's Block 0182, Lots 021.		
Assessor's Block 0185, Lots 005, 029, 030, 031, 038, 039, 041	RM-1	
Assessor's Block 0157, Lots 007, 008, 009, 010, 011, 013, 014, 015, 016, 017, 018, 019, 020, 063, and Assessor's Block 0182, Lots 001, 022, 023, 024, 031, 031B, 031C, 032, 034, 035	NC-2	RM-1
Assessor's Block 0186, Lot 001, and Assessor's Block 0187, Lots 025	NC-2	RM-3

b. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change, as shown and further delineated in attachments to Planning Commission Resolution No. 17413, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco, Sectional Maps 1H and 2H as follows:

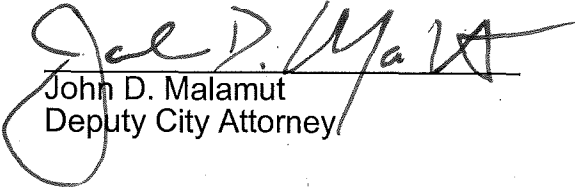
Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block 0573, Lots 004, 004A, 004B, 005, 006, 008, 009, 010, Assessor's Block 0154, Lots 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, Assessor's Block 0155, Lots 009, 010, 012, 013, 014, 015, 016, 017, 019, 020, 021, 022, 023, 024,	Height District: 65-X	Height District : 40-X

025, 026, 054,
 Assessor's Block 0156,
 Lots 007, 008, 009, 010,
 011, 012, 013, 014, 015,
 016, 017 (partial), 018
 (partial), 019 (partial), 020
 (partial), 021, 022,
 Assessor's Block 0157,
 Lots 007, 008, 009, 010,
 011, 013, 014, 015, 016,
 017, 018, 019, 020, 021,
 063,
 Assessor's Block 0596,
 Lots 001, 002, 003, 004,
 005, 026, 027, 028, 031,
 032, 033,
 Assessor's Block 0185,
 Lots 001, 002, 003, 004,
 005, 007, 028, 029, 030,
 031, 038, 039, 041
 Assessor's Block 0184,
 Lots 021, 022, 023, 024,
 025, 026, 027, 029, 030,
 031, 035, 036 (partial),
 Assessor's Block 0183,
 Lots 001, 026, 027, 028,
 029, 031, 032, 033, 034,
 035, 036, 037, 038, 039,
 and
 Assessor's Block 0182,
 Lots 001, 021, 022, 023,
 024, 031, 031B, 031C, 032,
 034, 035.

c. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change is
 hereby adopted as an amendment to the Zoning Map of the City and County of San
 Francisco: Sectional Map 1 SU shall delete all reference to the Garment Shop Special Use
 District, Planning Code Section 236.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3 By:

4 
5 John D. Malamut
6 Deputy City Attorney
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SAN FRANCISCO PLANNING DEPARTMENT

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2007 MAY 14 AM 11:20

BY SW

TRANSMITTAL MEMORANDUM

DATE: May 14, 2006
FROM: Dean L. Macris - Director, Planning Department
TO: Gloria L. Young, Clerk of the Board of Supervisors

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

SUBJECT: PROPOSED ORDINANCE THAT WOULD ADD PLANNING CODE SECTION 731 TO ESTABLISH THE PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT, AS SPECIFICALLY DEFINED HERIN AND GENERALLY ENCOMPASSING THE LENGTH OF PACIFIC AVENUE FROM POLK TO TAYLOR STREET; DELETEDING SECTION 236, THE GARMENT SHOP SPECIAL USE DISTRICT, AMENDING THE CITY'S ZONING SECTIONAL MAPS 1, 1H, 2 AND 2H TO REFLECT THE BOUNDARIES OF THE PACIFIC AVENUE NEIGHBORHOOD COMMERICLA DISTRICT AND OTHER ASSOCIATED ZONING CHANGES, AND RELATED CHANGES TO HEIGHT AND BULK DISTRICTS AND AMENDING ZONING MAP SECTIONAL MAP 1SU TO DELETE THE GARMENT SHOP SPECIAL USE DISTRICT; MAING ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PRIORITY POLICEIS OF PLANNING CODE SECTION 101.1.

Submitted herewith are materials regarding a Planning Commission initiated rezoning of the current NC-2 (Small Scale Commercial) Zoning District that generally runs the length of Pacific Avenue between Polk Street and Taylor Street. The establishment of the Pacific Avenue Neighborhood Commercial District to replace the current NC-2 district also establishes new use controls and height limits along Pacific Avenue. An integrated companion Zoning Code amendment to the proposed rezoning of this strip NC-2 Zoning district is the deletion of Section 236 (Garment Shop Special Use District) from the Planning Code.

On April 5, 2007, the Planning Commission adopted Resolutions No. 17431 to recommend that the Board of Supervisors adopt the draft ordinance signed by the City Attorney and dated February 22, 2006. This ordinance includes modifications for a Zoning Map Amendment and a Planning Code text amendment, respectively.

If you have any questions regarding this project or the attached documents, please feel free to call Paul Lord of my staff at 415.558.6311 or via email at paul.lord@sfgov.org.

The attached materials are as follows:

1. *Executive Summaries (five copies of each)*
2. *For the Zoning Code and Map Amendments:*
 - a. Draft Ordinance (five copies)
 - b. Planning Commission Resolution 17431 (five copies)
3. Neighborhood Organization Mailing List ("3-Across Format")



PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street, Suite 500 San Francisco, CA 94103-2414

(415) 558-6378

PLANNING COMMISSION
FAX: 558-6409

ADMINISTRATION
FAX: 558-6426

CURRENT PLANNING/ZONING
FAX: 558-6409

LONG RANGE PLANNING
FAX: 558-6426

EXECUTIVE SUMMARY for Hearing on April 5, 2007

Project Name: Proposed Rezoning the NC-2 Zoning District between Polk and Taylor to the Pacific Avenue Neighborhood Commercial District (NCD) and Small Scale Mixed Use Residential (RM-1)
Case Number: 2006.1275TZ
Initiated by: Planning Commission
Staff Contact: Paul Lord / 415.558.6311

Project Description

The proposed Ordinance would amend Planning Code and Zoning Maps for the City and County of San Francisco to create a new Neighborhood Commercial District on Pacific Avenue east of Polk Street to the east side of the intersection of Pacific Avenue and Jones Street. The remainder of the parcels east of Jones to Taylor Street would be rezoned to RM-1 (Small Scale Mixed Use Residential). This proposed rezoning would also eliminate the existing Planning Code Section 236 provisions for a Garment Manufacturing Special Use District in the neighborhood.

The Way It Is Now: Currently, there is a Small Scale Neighborhood Commercial district (NC-2) that begins just east of Polk Street on Pacific Avenue and runs nearly continuously east on both block faces to the west side of Taylor Street. In 2005, Supervisor Aaron Peskin initiated a rezoning for number of parcels on the south side of Pacific Avenue between Larkin and Hyde Street to RM-1. The Board of Supervisors subsequently enacted this 2005 rezoning. At the time of the 2005 Planning Commission rezoning hearing there was expressed interest in reevaluating the NC-2 zoning for the entire length of current NC-2 area of Pacific Avenue.

The Way It Would Be: A map representation a Pacific Avenue NCD and RM-1 zoning on the eastern end of the current NC-2 zoning district is attached as Appendix A to this report. The elimination of the existing Garment Manufacturing Special Use District will result from eliminating Section 236 from the Planning Code.

Following 2006 neighborhood meetings and presentations to neighbors of these proposed controls, Planning Commission initiation of the proposed Planning Code and Zoning Map amendments on March 29, 2007 (Resolution 17388), the Planning Commission action to adopt the proposed Planning Code modifications and rezoning are necessary to create the Pacific Avenue Neighborhood Commercial District, changing the NC-2 (Small Scale Neighborhood Commercial) to RM-1 (Small Scale Mixed Use Residential) between Taylor and Jones Streets, and elimination of the existing Garment Manufacturing District. A key part of these draft-zoning amendments will lower the existing 65 foot height district to 40 feet.

Required Commission Action

Adopt the proposed rezoning and forward recommendations to the Board of Supervisors for their consideration.

Issues and Other Considerations

The proposed Ordinance has been crafted to permit the continued use of the commercial portions of Pacific Avenue in a neighborhood commercial zoning district that has been tailored to meet the small scale operational needs and sentiments of local residential property owners and businesses. The

tailored controls for the Pacific Avenue NCD preserve the scale and existing character of the neighborhood by reducing allowable height limits, increased yard requirements and limiting appropriate commercial uses on the street. The garment manufacturing Special Use District no longer has commercial viability or locational needs in this neighborhood.

Basis for Recommendation

After the 2005 rezoning between Larkin and Hyde Streets on Pacific Avenue, staff attended numerous neighborhood meeting and conducted a publicly noticed neighborhood meeting to hear from property owners and businesses. An analysis of the current commercial character of the street was evaluated on its own and in the context of numerous pipeline development proposals. During the next year, staff prepared a rezoning proposal, with consultations from the Pacific Avenue Neighborhood Association (PANA) that addresses many broader neighborhood development concerns and long term commercial needs.

During the Planning Commission Pacific Avenue rezoning initiation hearing on March 29, 2007, the Commission requested additional information and clarification from staff on a couple of issues.

First, the Commissioners inquired as to the prevailing and existing building heights on the block subject to the proposed rezoning. Based on Planning Department records as provided in Attachment D to this report, it is clear that the vast majority of the existing building in the surrounding area and in the current NC-2 Zoning designation are 3 stories or less. Staff during this discussion of building heights also pointed out the Pacific Avenue becomes narrower at Larkin Street. On the West side of Larkin Street the Pacific Avenue right of way (R-O-W) is approximately 68 feet wide and narrows to 49 feet wide to the East of Larkin Street. The more narrow portions of Pacific Avenue are the areas subject to height reductions for the purposes of maintaining solar access to the sidewalks and street R-O-W that is the public realm for this commercial strip.

Secondly, the Commissioners expressed the hope that the proposed new zoning controls would reduce the possible overall need for conditional use authorizations from the Commission. Based on the existing NC-2 Zoning there are 26 situations that would trigger the need for Conditional Use authorizations. The proposed Pacific Avenue NCD Zoning reduces the number of conditions where Conditional Uses would be needed to 16. The proposed new zoning therefore reduces the existing potential Conditional Use authorizations situations by 39 percent.

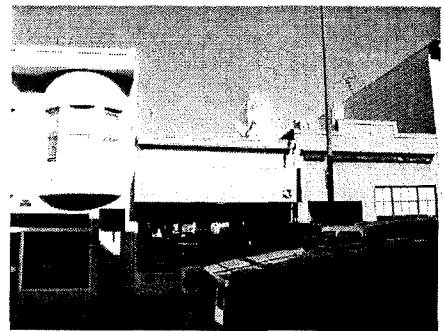
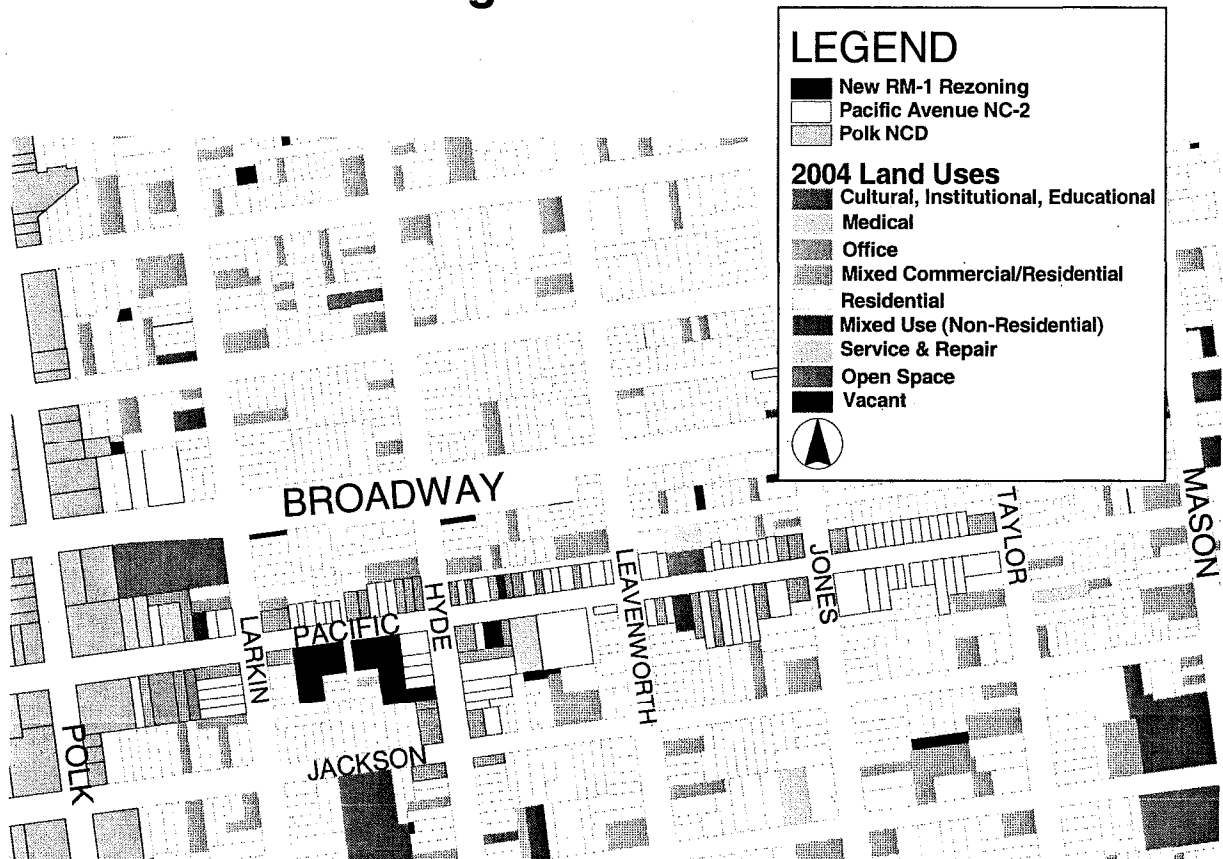
Finally the Commission requested general information regarding the number and types of existing businesses in this NC-2 Zoning District on Pacific Avenue. The following table summarizes some of these business activity characteristics. Residential uses surround the Pacific Avenue NC-2 District. Within the NC-2 zoning there are many neighborhood-serving businesses and residential uses. The general business characteristics are summarized in the table and map below. Additionally, a few representative contextual photographs have been attached.

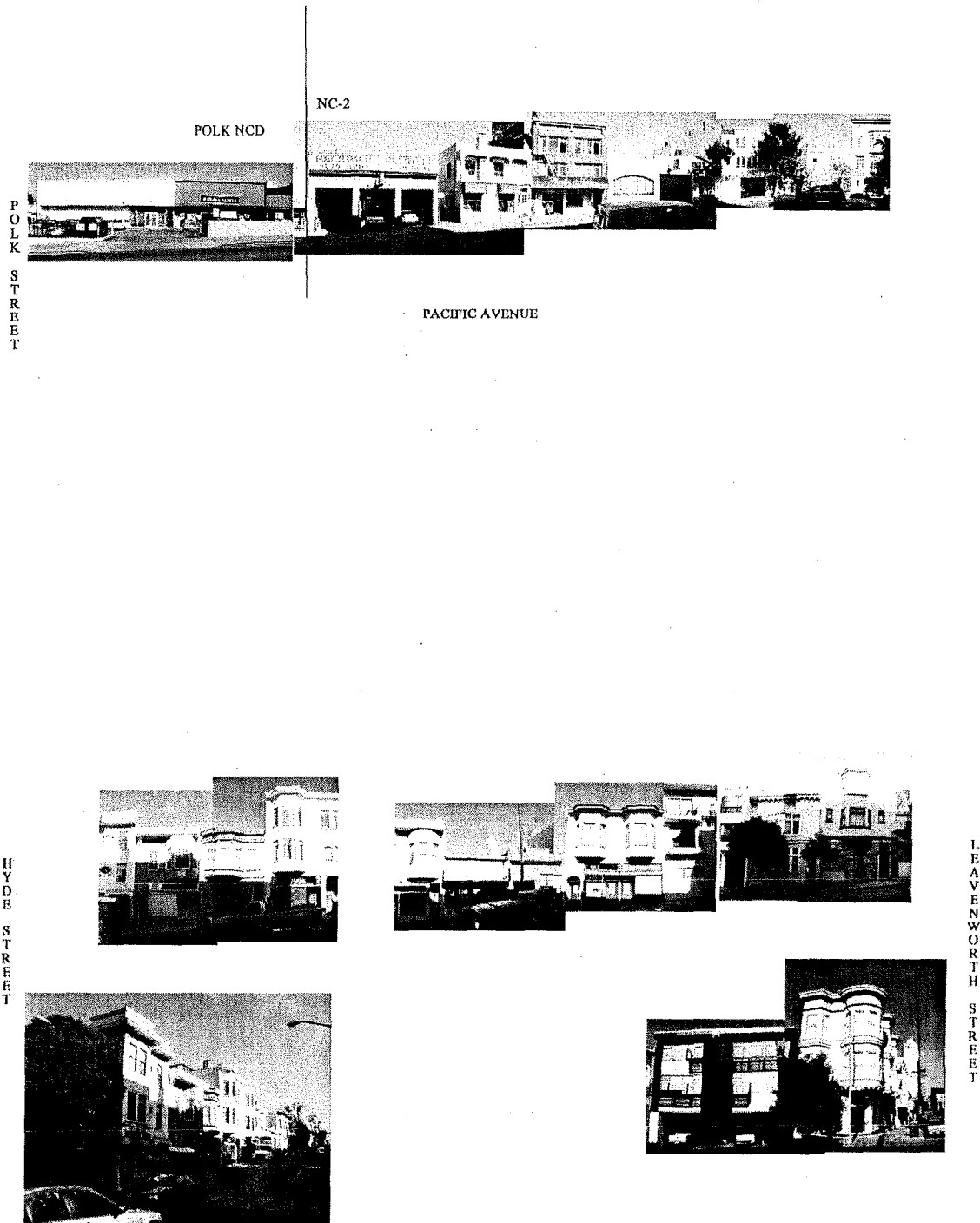
PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT

General Characteristics and Attributes (Dunn & Bradstreet 2004 data)

Total Number of Businesses	42
Total Employment	292
Total Annual Sales (2004)	\$10,582,000
Total Square Footage	86,920
Average Number of Employees	7
Average Annual Sales (2004)	\$251,952
Average Square Footage	2,070

Pacific Avenue Neighborhood Commercial District





Recommendation

The Department recommends that the Commission adopt the attached Draft Resolution adopting the proposed rezoning and forwarding the proposed rezoning to the Board of Supervisors for their consideration.

Environmental Review Status

The proposed Ordinance has been determined to be categorically exempt from environmental review.

Public Comment

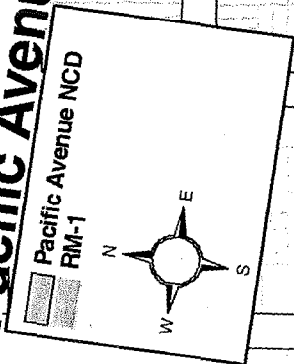
Staff is aware of both support and opposition to the proposed rezoning and Planning Code text amendment.

Attachments

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Draft Rezoning Ordinance
- Exhibit C: Pacific Avenue NCD Zoning Map
- Exhibit D: Pacific Avenue Prevailing Building Heights

EXHIBIT C

Pacific Avenue Proposed Rezoning



SAN FRANCISCO
CITY PLANNING COMMISSION
RESOLUTION NO. 17413

ADOPTION OF AMENDMENTS TO THE ZONING MAP AND PLANNING CODE (ZONING ORDINANCE) BY MODIFYING THE CURRENT NC-2 ZONING IN THE VICINITY OF PACIFIC AVENUE BETWEEN POLK STREET AND TAYLOR STREET TO A NEW PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT. THESE MODIFIED CONTROLS ARE INTENDED AND DESIGNED TO DEAL WITH AND AMELIORATE THE PROBLEMS AND CONDITIONS ASSOCIATED WITH CONSERVING THE SCALE AND CHARACTER IN AND ABOUT THE PROPOSED PACIFIC AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT.

WHEREAS, in 1986, Planning Code the voters adopted Section 101.1 as an Initiative Ordinance known as Proposition M. Planning Code Section 101.1 recognizes preservation of neighborhood commercial character as an important and necessary goal. Preservation of neighborhood commercial character also is expressed in Objective 6 of the Commerce and Industry Element of the San Francisco General Plan.

Planning controls implemented in the City's Neighborhood Commercial Districts ("NCDs") recognize that certain uses which traditionally have been permitted to locate in neighborhood commercial areas can be beneficial to the NCDs in small or limited numbers, but can disrupt the balanced mix of neighborhood-serving retail stores and character if allowed to proliferate.

The Pacific Avenue NC-2 neighborhood commercial strip bounded by Polk Street Commercial District on the west and Taylor Street on the east has a unique small scale neighborhood character and narrow street pattern that is at risk to development pressures of mixed-use projects that are not in keeping with the desired neighborhood-serving character and scale of the area.

This legislation is intended to create a Pacific Avenue Neighborhood Commercial District and to provide a comprehensive and flexible zoning system for the Pacific Avenue Neighborhood Commercial District that is consistent with the objectives and policies set forth in the San Francisco General Plan.

The amendment of these zoning controls is necessary to preserve the status quo, if not to improve the status quo, and follows a study and a determination by the Department of City Planning and the Board of Supervisors of the appropriate permanent controls for uses in and about the Pacific Avenue Neighborhood Commercial District.

The Planning Department, in 2005, noted the concerns of local neighborhood organizations, residents and merchants about the current NC-2 zoning controls on Pacific Avenue during 2005 hearings on a Board of Supervisors proposal to rezone portions of the NC-2 district to RM-1 on Pacific Avenue to address height and rear yard dimensions in local development proposals. These new neighborhood commercial district controls are intended and designed to deal with and ameliorate the problems and conditions associated with development pressures of mixed-use projects that are not in keeping with the desired neighborhood-serving character and scale of the area.

On March 1, 2007, the Planning Commission conducted a regularly scheduled and legally noticed meeting to consider initiation of these proposed Zoning Code amendments.

On March 1, 2007, the Planning Commission adopted Resolution 17388 to initiate and to schedule a public hearing on April 5, 2007 to consider adoption of these proposed Zoning Code amendments.

On April 5, 2007, the Planning Commission conducted a regularly scheduled and legally noticed meeting. On January 12, 2007, the San Francisco Environmental Review Officer issued a General Rule Exclusion for the proposed rezoning. The Planning Commission determined during this April 5, 2007 meeting that the proposed rezoning action will not result in any physical changes to the environment, and therefore does not constitute a "project" under the California Environmental Quality Act and is therefore exempt from environmental review.

The proposed policies are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

- 1 That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed policies promote the preservation of this important neighborhood-serving uses, local ownership and employment opportunities.

- 2 That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed policies would facilitate the conservation of neighborhood character

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed policies would significantly enhance the retention of existing affordable housing and provide opportunities for new residential development in keeping with the existing scale and character of the neighborhood.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed policies could have positive direct impacts on traffic or transit service.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed policies would enhance the viability of an existing economic base and locally owned neighborhood businesses.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed policies would have no affect on the City's preparedness for an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed policies would have no immediate impact on landmarks or historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed policies would not impact or facilitate any development that could have any impact on our parks and open space or their access to sunlight and vistas.

THEREFORE BE IT RESOLVED THAT, the Commission APPROVES the Planning Code Amendments as presented in the draft ordinances signed by the City Attorney dated February 22, 2007 and attached to this draft resolution as Exhibit A and declares its intention to hold a legally noticed public hearing on April 5, 2007 to consider whether to recommend to the Board of Supervisors that the proposed amendment be adopted.

THEREFORE BE IT FURTHER RESOLVED THAT, during the April 5, 2007 Planning Commission hearing on this proposed re-Zoning, the Planning Commission supported the staff recommendation, reflected in the final Ordinance language, to remove Assessor's Block/Lots 0187/025 and 0186/001 from the Pacific Avenue Neighborhood Commercial District Zoning District and rezone these to parcels from NC-2 to RM-3 and retain the existing 65 foot height limits on the south block face of the intersection of Hyde and Jackson Streets.

THEREFORE BE IT FURTHER RESOLVED THAT, only development proposals that have received Planning Commission project approvals prior to effective date of this re-Zoning ordinance are exempt from these proposed new Zoning controls.

I hereby certify that the City Planning Commission ADOPTED the foregoing Resolution on April 5, 2007.

Linda Avery
Commission Secretary

AYES: Alexander, Antonini, S. Lee, Moore, Olague, Suguya

NOES: NONE

ABSENT: NONE

EXCUSED: B. Lee

ADOPTED: April 5, 2007

SAN FRANCISCO
CITY PLANNING COMMISSION
RESOLUTION NO. 17413

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I hereby certify that the City Planning Commission ADOPTED the foregoing Resolution on April 5, 2007.

Linda Avery
Commission Secretary

AYES: Alexander, Antonini, S. Lee, Moore, Olague, Suguya

NOES: NONE

ABSENT: NONE

EXCUSED: B. Lee

ADOPTED: April 5, 2007

ATTACHMENT D

Pacific Avenue Prevailing Building Heights

BLOCK	LOT	STORIES	LOSTNO	STREETNAME	STTYPE
0157	035	3	14	BERNARD	ST
0157	034	2	19	BERNARD	ST
0157	036	2	22	BERNARD	ST
0157	033	2	23	BERNARD	ST
0157	037	2	26	BERNARD	ST
0157	032	3	27	BERNARD	ST
0157	038	3	30	BERNARD	ST
0157	031	2	33	BERNARD	ST
0157	064	3	39	BERNARD	ST
0157	039	2	42	BERNARD	ST
0157	030	3	45	BERNARD	ST
0157	040	1	46	BERNARD	ST
0157	029	1	51	BERNARD	ST
0157	041	3	52	BERNARD	ST
0157	042	2	56	BERNARD	ST
0157	028	2	57	BERNARD	ST
0157	069	3	66	BERNARD	ST
0157	070	3	66	BERNARD	ST
0157	071	3	66	BERNARD	ST
0157	027	2	67	BERNARD	ST
0157	043A	3	68	BERNARD	ST
0157	026	2	71	BERNARD	ST
0157	078	0	74	BERNARD	ST
0157	025	1	75	BERNARD	ST
0157	079	0	76	BERNARD	ST
0157	046	2	80	BERNARD	ST
0157	024	1	83	BERNARD	ST
0157	047	2	88	BERNARD	ST
0156	031	1	115	BERNARD	ST
0156	032	3	120	BERNARD	ST
0156	030	1	123	BERNARD	ST
0156	032A	2	126	BERNARD	ST
0156	029	2	127	BERNARD	ST
0156	033	2	130	BERNARD	ST
0156	028	2	133	BERNARD	ST
0156	034	2	138	BERNARD	ST
0156	027	2	139	BERNARD	ST
0156	035	2	144	BERNARD	ST
0156	014A	2	145	BERNARD	ST
0156	050A	2	150	BERNARD	ST
0156	015A	1	151	BERNARD	ST
0156	026	1	157	BERNARD	ST
0156	037	2	162	BERNARD	ST
0156	036	1	164	BERNARD	ST
0156	038	2	168	BERNARD	ST
0156	018	1	169	BERNARD	ST
0156	038A	2	174	BERNARD	ST
0156	039	2	180	BERNARD	ST
0157	001	3	1001	BROADWAY	
0157	062	2	1015	BROADWAY	
0157	061	2	1023	BROADWAY	

Pacific Avenue Prevailing Building Heights

BLOCK	LOT	STORIES	LOSTNO	STREETNAME	STTYPE
0157	060	2	1027	BROADWAY	
0157	067	1	1033	BROADWAY	
0157	068	2	1035	BROADWAY	
0157	058	3	1037	BROADWAY	
0157	056	2	1041	BROADWAY	
0157	057	2	1041	BROADWAY	
0157	055	3	1045	BROADWAY	
0157	072	1	1061	BROADWAY	
0157	073	1	1061	BROADWAY	
0157	074	1	1061	BROADWAY	
0157	075	2	1067	BROADWAY	
0157	076	1	1069	BROADWAY	
0157	077	1	1069	BROADWAY	
0157	065	0	1073	BROADWAY	
0157	066	0	1075	BROADWAY	
0157	051	2	1077	BROADWAY	
0157	050	2	1085	BROADWAY	
0156	057	1	1107	BROADWAY	
0156	055	3	1125	BROADWAY	
0156	054	3	1139	BROADWAY	
0156	052	2	1141	BROADWAY	
0156	051	2	1147	BROADWAY	
0156	049	2	1157	BROADWAY	
0156	048	2	1165	BROADWAY	
0156	047	2	1171	BROADWAY	
0156	046	2	1175	BROADWAY	
0156	045	2	1183	BROADWAY	
0155	047	0	1205	BROADWAY	
0155	050	2	1215	BROADWAY	
0155	046	2	1235	BROADWAY	
0155	045A	3	1237	BROADWAY	
0155	044	3	1243	BROADWAY	
0155	043	3	1245	BROADWAY	
0155	042	3	1261	BROADWAY	
0155	041	3	1263	BROADWAY	
0155	038	0	1269	BROADWAY	
0154	039	2	1333	BROADWAY	
0154	031	3	1351	BROADWAY	
0154	030	2	1357	BROADWAY	
0154	045	2	1367	BROADWAY	
0154	044	2	1371	BROADWAY	
0154	028	0	1379	BROADWAY	
0573	001	0	1401	BROADWAY	
0573	016	1	1461	BROADWAY	
0573	017	1	1461	BROADWAY	
0573	018	1	1461	BROADWAY	
0573	019	1	1461	BROADWAY	
0573	020	1	1461	BROADWAY	
0573	021	1	1461	BROADWAY	
0573	022	1	1461	BROADWAY	
0573	023	1	1461	BROADWAY	

Pacific Avenue Prevailing Building Heights

BLOCK	LOT	STORIES	LOSTNO	STREETNAME	STTYPE
0573	024	1	1461	BROADWAY	
0573	025	1	1461	BROADWAY	
0573	026	1	1461	BROADWAY	
0573	027	1	1461	BROADWAY	
0573	028	1	1461	BROADWAY	
0573	029	1	1461	BROADWAY	
0573	030	1	1461	BROADWAY	
0573	031	1	1461	BROADWAY	
0573	032	1	1461	BROADWAY	
0573	033	1	1461	BROADWAY	
0573	034	1	1461	BROADWAY	
0573	014	1	1463	BROADWAY	
0573	015	1	1465	BROADWAY	
0569	004	6	1700	BROADWAY	
0569	005	2	1716	BROADWAY	
0569	006	6	1740	BROADWAY	
0569	007	2	1750	BROADWAY	
0569	008	3	1752	BROADWAY	
0569	009	3	1756	BROADWAY	
0569	010	6	1770	BROADWAY	
0569	024	4	1790	BROADWAY	
0155	051	1	3	CYRUS	PL
0155	052	1	5	CYRUS	PL
0155	053	2	7	CYRUS	PL
0569	003	3	2323	FRANKLIN	ST
0569	025	3	2341	FRANKLIN	ST
0569	026	3	2341	FRANKLIN	ST
0569	027	3	2341	FRANKLIN	ST
0569	028	3	2341	FRANKLIN	ST
0569	029	3	2341	FRANKLIN	ST
0569	030	3	2341	FRANKLIN	ST
0569	002	3	2349	FRANKLIN	ST
0569	013	3	2412	GOUGH	ST
0569	014	3	2414	GOUGH	ST
0569	015	3	2416	GOUGH	ST
0569	016	3	2418	GOUGH	ST
0569	017	2	2420	GOUGH	ST
0569	018	3	2422	GOUGH	ST
0569	019	4	2424	GOUGH	ST
0187	015	3	1400	HYDE	ST
0186	028	3	1401	HYDE	ST
0187	016	3	1406	HYDE	ST
0186	027	3	1407	HYDE	ST
0187	017	2	1414	HYDE	ST
0186	006A	3	1415	HYDE	ST
0187	018	3	1420	HYDE	ST
0186	006	3	1421	HYDE	ST
0187	019	3	1428	HYDE	ST
0186	005	3	1429	HYDE	ST
0186	006B	0	1429	HYDE	ST
0187	020	2	1432	HYDE	ST

Pacific Avenue Prevailing Building Heights

BLOCK	LOT	STORIES	LOSTNO	STREETNAME	STTYPE
0186	004A	3	1435	HYDE	ST
0187	021	3	1440	HYDE	ST
0186	004	3	1441	HYDE	ST
0187	022	2	1446	HYDE	ST
0186	003	3	1449	HYDE	ST
0187	023	3	1450	HYDE	ST
0186	002	3	1453	HYDE	ST
0187	024	3	1456	HYDE	ST
0186	001	3	1459	HYDE	ST
0187	025	3	1462	HYDE	ST
0184	021	3	1500	HYDE	ST
0185	007	3	1501	HYDE	ST
0184	022	1	1516	HYDE	ST
0184	023	2	1520	HYDE	ST
0185	006	3	1523	HYDE	ST
0185	005	2	1529	HYDE	ST
0184	024	3	1530	HYDE	ST
0185	004	4	1535	HYDE	ST
0184	025	2	1540	HYDE	ST
0184	026	3	1544	HYDE	ST
0184	027	4	1550	HYDE	ST
0185	003	4	1551	HYDE	ST
0185	002	4	1555	HYDE	ST
0185	001	3	1563	HYDE	ST
0154	007	3	1601	HYDE	ST
0155	033	3	1610	HYDE	ST
0154	006	3	1623	HYDE	ST
0155	034	2	1626	HYDE	ST
0155	035	3	1630	HYDE	ST
0154	005	1	1631	HYDE	ST
0155	036	3	1636	HYDE	ST
0154	004	3	1637	HYDE	ST
0155	037	3	1642	HYDE	ST
0154	003	3	1645	HYDE	ST
0154	002	2	1655	HYDE	ST
0182	036	4	1100	JACKSON	ST
0182	037	3	1110	JACKSON	ST
0182	008	4	1120	JACKSON	ST
0182	006B	2	1126	JACKSON	ST
0182	009	3	1134	JACKSON	ST
0182	010	3	1142	JACKSON	ST
0182	011	2	1152	JACKSON	ST
0182	012	3	1162	JACKSON	ST
0182	013	2	1166	JACKSON	ST
0182	014	3	1180	JACKSON	ST
0182	015	4	1184	JACKSON	ST
0183	007	3	1200	JACKSON	ST
0183	008	3	1222	JACKSON	ST
0183	009	3	1230	JACKSON	ST
0183	010	3	1234	JACKSON	ST
0183	011	3	1242	JACKSON	ST

Pacific Avenue Prevalling Building Heights

BLOCK	LOT	STORIES	LOSTNO	STREETNAME	STTYPE
0183	012	3	1248	JACKSON	ST
0183	013	3	1254	JACKSON	ST
0183	014	3	1260	JACKSON	ST
0183	015	2	1268	JACKSON	ST
0183	016	3	1276	JACKSON	ST
0183	016A	3	1278	JACKSON	ST
0183	017	4	1290	JACKSON	ST
0184	009	4	1312	JACKSON	ST
0187	034	3	1315	JACKSON	ST
0187	033	3	1319	JACKSON	ST
0184	010	3	1324	JACKSON	ST
0187	032	3	1325	JACKSON	ST
0184	011	2	1334	JACKSON	ST
0187	031	2	1335	JACKSON	ST
0184	012	4	1344	JACKSON	ST
0187	036	3	1347	JACKSON	ST
0187	035	2	1351	JACKSON	ST
0187	028	3	1359	JACKSON	ST
0184	013	2	1360	JACKSON	ST
0184	013A	1	1368	JACKSON	ST
0187	027	3	1371	JACKSON	ST
0184	017	2	1372	JACKSON	ST
0187	026	2	1375	JACKSON	ST
0184	018	2	1376	JACKSON	ST
0184	035	3	1390	JACKSON	ST
0185	044	3	1412	JACKSON	ST
0185	045	3	1414	JACKSON	ST
0185	046	3	1416	JACKSON	ST
0185	047	3	1418	JACKSON	ST
0185	009	3	1420	JACKSON	ST
0186	024	3	1423	JACKSON	ST
0185	010	3	1426	JACKSON	ST
0186	023	2	1429	JACKSON	ST
0185	011	3	1434	JACKSON	ST
0185	012	3	1438	JACKSON	ST
0185	013	3	1446	JACKSON	ST
0185	014	3	1452	JACKSON	ST
0185	015	2	1460	JACKSON	ST
0185	016	3	1466	JACKSON	ST
0185	017	2	1470	JACKSON	ST
0186	021	3	1471	JACKSON	ST
0186	020	2	1475	JACKSON	ST
0185	018	3	1478	JACKSON	ST
0185	019	2	1484	JACKSON	ST
0185	020	2	1490	JACKSON	ST
0182	016	2	1506	JONES	ST
0182	017	1	1512	JONES	ST
0182	018	2	1514	JONES	ST
0183	006	3	1517	JONES	ST
0183	005	3	1529	JONES	ST
0182	019	3	1530	JONES	ST

Pacific Avenue Prevailing Building Heights

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0182	020	3	1534	JONES	ST
0183	004	2	1535	JONES	ST
0183	003	3	1537	JONES	ST
0182	021	3	1540	JONES	ST
0183	002	4	1549	JONES	ST
0157	022	3	1606	JONES	ST
0156	006	2	1615	JONES	ST
0156	005	3	1619	JONES	ST
0157	023	4	1620	JONES	ST
0156	004	3	1625	JONES	ST
0157	048	4	1630	JONES	ST
0156	003	3	1635	JONES	ST
0156	002	0	1645	JONES	ST
0157	049	3	1650	JONES	ST
0156	001	3	1653	JONES	ST
0186	011	3	1710	LARKIN	ST
0186	012	3	1714	LARKIN	ST
0186	013	3	1720	LARKIN	ST
0186	015	2	1736	LARKIN	ST
0186	016	3	1740	LARKIN	ST
0186	017	3	1748	LARKIN	ST
0186	018	3	1754	LARKIN	ST
0186	019	3	1758	LARKIN	ST
0185	021	3	1800	LARKIN	ST
0185	022	3	1824	LARKIN	ST
0185	023	3	1828	LARKIN	ST
0185	024	3	1838	LARKIN	ST
0185	025	3	1840	LARKIN	ST
0185	026	3	1846	LARKIN	ST
0185	027	3	1850	LARKIN	ST
0185	028	3	1864	LARKIN	ST
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0573	003	2	1917	LARKIN	ST
0154	021A	2	1918	LARKIN	ST
0154	022	2	1922	LARKIN	ST
0573	002	2	1925	LARKIN	ST
0154	023A	2	1928	LARKIN	ST
0154	024	1	1934	LARKIN	ST
0154	025	3	1952	LARKIN	ST
0154	026	3	1958	LARKIN	ST
0154	027	3	1964	LARKIN	ST
0187	038	3	1415	LEAVENWORTH	ST
0187	037	3	1429	LEAVENWORTH	ST
0187	004	3	1439	LEAVENWORTH	ST
0187	003	3	1445	LEAVENWORTH	ST
0187	002	3	1449	LEAVENWORTH	ST
0187	001	3	1455	LEAVENWORTH	ST
0184	008	4	1501	LEAVENWORTH	ST
0183	018	3	1506	LEAVENWORTH	ST
0183	019	2	1512	LEAVENWORTH	ST
0184	007	2	1515	LEAVENWORTH	ST

Pacific Avenue Prevailing Building Heights

BLOCK	LOT	STORIES	LOSTNO	STREETNAME	STTYPE
0183	020	3	1520	LEAVENWORTH	ST
0183	021	3	1524	LEAVENWORTH	ST
0183	022	3	1530	LEAVENWORTH	ST
0184	006	3	1535	LEAVENWORTH	ST
0183	023	3	1536	LEAVENWORTH	ST
0184	005	2	1541	LEAVENWORTH	ST
0183	024	3	1542	LEAVENWORTH	ST
0183	025	2	1548	LEAVENWORTH	ST
0184	004	4	1549	LEAVENWORTH	ST
0183	026	3	1554	LEAVENWORTH	ST
0184	003	1	1555	LEAVENWORTH	ST
0184	002	3	1561	LEAVENWORTH	ST
0184	001	2	1567	LEAVENWORTH	ST
0156	022	3	1610	LEAVENWORTH	ST
0156	023	3	1620	LEAVENWORTH	ST
0155	008	4	1625	LEAVENWORTH	ST
0156	040	3	1630	LEAVENWORTH	ST
0155	007	2	1635	LEAVENWORTH	ST
0156	041	2	1636	LEAVENWORTH	ST
0155	006	2	1639	LEAVENWORTH	ST
0156	042	2	1640	LEAVENWORTH	ST
0155	005	2	1643	LEAVENWORTH	ST
0156	043	2	1648	LEAVENWORTH	ST
0155	004	2	1649	LEAVENWORTH	ST
0156	044	3	1656	LEAVENWORTH	ST
0155	002	3	1661	LEAVENWORTH	ST
0155	001	2	1665	LEAVENWORTH	ST
0155	027A	1	38	LYNCH	ST
0155	027	1	44	LYNCH	ST
0155	028	2	46	LYNCH	ST
0155	029	2	48	LYNCH	ST
0155	029A	1	50	LYNCH	ST
0155	030	1	62	LYNCH	ST
0155	031	2	68	LYNCH	ST
0155	055	0	72	LYNCH	ST
0155	056	0	74	LYNCH	ST
0569	011			Lot 024	
0569	012			Lot 024	
0184	010A			Lot 036	
0184	032			Lot 036	
0184	033			Lot 036	
0184	034			Lot 036	
0185	035			Lot 043	
0185	034			Lot 048	
0185	042			Lot 048	
0573	012A			Lots 014-034	
0569	002A			Lots 025-030	
0569	023B			Lots 031-032	
0569	023			Lots 033-034	
0182	007			Lots 036-037	
0184	028			Lots 037-038	

Pacific Avenue Prevailing Building Heights

BLOCK	LOT	STORIES	LOSTNO	STREETNAME	STTYPE
0182	001			Lots 038-049	
0185	008			Lots 044-047	
0185	032			Lots 049-050	
0155	032			Lots 055-056	
0157	044			Lots 065-066	
0157	052			Lots 065-066	
0157	059			Lots 067-068	
0157	043			Lots 069-071	
0157	054			Lots 072-074	
0157	053			Lots 075-077	
0157	045			Lots 078-079	
0185	048	1	1	MCCORMICK	ST
0185	043	1	2	MCCORMICK	ST
0185	033	1	3	MCCORMICK	ST
0185	036	1	4	MCCORMICK	ST
0185	049	0	7	MCCORMICK	ST
0185	050	0	7	MCCORMICK	ST
0185	037	1	14	MCCORMICK	ST
0154	017A	2	15	MORRELL	ST
0154	034	1	19	MORRELL	ST
0154	035	1	22	MORRELL	ST
0154	033	2	25	MORRELL	ST
0154	032	1	37	MORRELL	ST
0154	036	3	38	MORRELL	ST
0154	037	2	44	MORRELL	ST
0154	038	2	58	MORRELL	ST
0182	038	1	1101	PACIFIC	AV
0182	039	1	1101	PACIFIC	AV
0182	040	1	1101	PACIFIC	AV
0182	041	1	1101	PACIFIC	AV
0182	042	1	1101	PACIFIC	AV
0182	043	1	1101	PACIFIC	AV
0182	044	1	1101	PACIFIC	AV
0182	045	1	1101	PACIFIC	AV
0182	046	1	1101	PACIFIC	AV
0182	047	1	1101	PACIFIC	AV
0182	048	1	1101	PACIFIC	AV
0182	049	1	1101	PACIFIC	AV
0157	008	2	1116	PACIFIC	AV
0157	009	3	1120	PACIFIC	AV
0182	035	2	1123	PACIFIC	AV
0157	010	2	1126	PACIFIC	AV
0182	034	2	1129	PACIFIC	AV
0157	011	3	1132	PACIFIC	AV
0182	032	3	1135	PACIFIC	AV
0157	063	2	1140	PACIFIC	AV
0157	013	3	1144	PACIFIC	AV
0182	031C	2	1145	PACIFIC	AV
0182	031B	2	1151	PACIFIC	AV
0157	014	2	1154	PACIFIC	AV
0182	031	2	1159	PACIFIC	AV

Pacific Avenue Prevailing Building Heights

BLOCK	LOT	STORIES	LOSTNO	STREETNAME	STTYPE
0157	015	1	1162	PACIFIC	AV
0157	016	1	1164	PACIFIC	AV
0182	024	2	1167	PACIFIC	AV
0157	017	2	1168	PACIFIC	AV
0182	023	2	1171	PACIFIC	AV
0157	018	3	1174	PACIFIC	AV
0182	022	3	1175	PACIFIC	AV
0157	019	1	1182	PACIFIC	AV
0157	020	2	1186	PACIFIC	AV
0157	021	3	1192	PACIFIC	AV
0156	007	2	1200	PACIFIC	AV
0183	001	3	1201	PACIFIC	AV
0156	008	3	1212	PACIFIC	AV
0183	039	3	1215	PACIFIC	AV
0156	009	3	1220	PACIFIC	AV
0156	010	3	1222	PACIFIC	AV
0183	038	3	1225	PACIFIC	AV
0156	011	2	1230	PACIFIC	AV
0183	037	3	1233	PACIFIC	AV
0156	012	3	1236	PACIFIC	AV
0183	036	2	1241	PACIFIC	AV
0156	013	3	1242	PACIFIC	AV
0156	014	2	1244	PACIFIC	AV
0183	035	2	1247	PACIFIC	AV
0156	015	2	1250	PACIFIC	AV
0183	034	3	1251	PACIFIC	AV
0156	016	2	1256	PACIFIC	AV
0183	033	2	1261	PACIFIC	AV
0156	017	1	1262	PACIFIC	AV
0183	032	3	1267	PACIFIC	AV
0183	031	3	1269	PACIFIC	AV
0156	019	2	1272	PACIFIC	AV
0156	020	1	1278	PACIFIC	AV
0183	029	1	1279	PACIFIC	AV
0156	021	3	1282	PACIFIC	AV
0183	028	2	1285	PACIFIC	AV
0183	027	3	1289	PACIFIC	AV
0155	009	3	1300	PACIFIC	AV
0155	010	2	1308	PACIFIC	AV
0155	013	2	1310	PACIFIC	AV
0155	012	2	1314	PACIFIC	AV
0155	014	3	1324	PACIFIC	AV
0155	015	3	1332	PACIFIC	AV
0184	036	5	1333	PACIFIC	AV
0155	016	3	1338	PACIFIC	AV
0155	017	2	1344	PACIFIC	AV
0155	054	3	1350	PACIFIC	AV
0155	019	2	1354	PACIFIC	AV
0184	031	2	1355	PACIFIC	AV
0184	030	3	1363	PACIFIC	AV
0155	020	1	1364	PACIFIC	AV

Pacific Avenue Prevailing Building Heights

BLOCK	LOT	STORIES	LOSTNO	STREETNAME	STTYPE
0155	021	1	1370	PACIFIC	AV
0155	022	2	1372	PACIFIC	AV
0155	023	3	1378	PACIFIC	AV
0184	029	1	1383	PACIFIC	AV
0184	037	2	1385	PACIFIC	AV
0184	038	2	1387	PACIFIC	AV
0155	024	2	1388	PACIFIC	AV
0155	025	2	1392	PACIFIC	AV
0155	026	3	1396	PACIFIC	AV
0154	008	3	1406	PACIFIC	AV
0154	009	3	1414	PACIFIC	AV
0154	010	3	1418	PACIFIC	AV
0185	041	1	1419	PACIFIC	AV
0154	011	2	1424	PACIFIC	AV
0154	012	3	1430	PACIFIC	AV
0185	040	3	1435	PACIFIC	AV
0154	013	3	1436	PACIFIC	AV
0185	039	2	1441	PACIFIC	AV
0185	038	2	1447	PACIFIC	AV
0154	014	3	1448	PACIFIC	AV
0154	015	2	1450	PACIFIC	AV
0185	031	3	1453	PACIFIC	AV
0154	016	2	1456	PACIFIC	AV
0154	017	2	1460	PACIFIC	AV
0185	030	2	1463	PACIFIC	AV
0185	029	2	1469	PACIFIC	AV
0154	018	2	1472	PACIFIC	AV
0154	019	2	1476	PACIFIC	AV
0154	020	4	1478	PACIFIC	AV
0154	021	3	1492	PACIFIC	AV
0573	004A	2	1510	PACIFIC	AV
0573	004B	2	1520	PACIFIC	AV
0573	005	2	1524	PACIFIC	AV
0573	006	1	1536	PACIFIC	AV
0573	008	2	1544	PACIFIC	AV
0573	009	2	1550	PACIFIC	AV
0573	010	1	1560	PACIFIC	AV
0182	028	2	2	PHOENIX	TR
0182	027	2	3	PHOENIX	TR
0182	029	2	8	PHOENIX	TR
0182	026	2	9	PHOENIX	TR
0182	030	2	14	PHOENIX	TR
0182	025	2	15	PHOENIX	TR
0573	011	1	2030	POLK	ST
0573	012	3	2032	POLK	ST
0182	006	6	1425	TAYLOR	ST
0182	004	4	1441	TAYLOR	ST
0182	002	3	1451	TAYLOR	ST
0157	007	3	1501	TAYLOR	ST
0157	006	3	1513	TAYLOR	ST
0157	005	3	1521	TAYLOR	ST

Pacific Avenue Prevailing Building Heights

BLOCK	LOT	STORIES	LOSTNO	STREETNAME	STTYPE
0157	004	3	1529	TAYLOR	ST
0157	003	2	1541	TAYLOR	ST
0157	002	3	1545	TAYLOR	ST
0569	001	4	1701	VALLEJO	ST
0569	032	3	1729	VALLEJO	ST
0569	031	2	1731	VALLEJO	ST
0569	023A	3	1739	VALLEJO	ST
0569	033	1	1751	VALLEJO	ST
0569	034	3	1751	VALLEJO	ST
0569	022	4	1761	VALLEJO	ST
0569	021	3	1765	VALLEJO	ST
0569	020	3	1777	VALLEJO	ST
0184	013B	4	2	WALL	PL
0184	016	2	3	WALL	PL
0184	014	0	8	WALL	PL
0187	007	4	1400	WASHINGTON	ST
0187	008	4	1426	WASHINGTON	ST
0187	009	2	1432	WASHINGTON	ST
0187	010	4	1440	WASHINGTON	ST
0187	011	2	1458	WASHINGTON	ST
0187	012	2	1464	WASHINGTON	ST
0187	013	0	1470	WASHINGTON	ST
0187	014	3	1474	WASHINGTON	ST
0186	007	0	1560	WASHINGTON	ST
0186	008	2	1570	WASHINGTON	ST
0186	009	3	1580	WASHINGTON	ST
0186	010	3	1590	WASHINGTON	ST

INTRODUCTION FORM
By a member of the Board of Supervisors or the Mayor

5/15/07
M

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- x 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
2. Request for next printed agenda without reference to Committee
3. Request for Committee hearing on a subject matter.
4. Request for letter beginning "Supervisor inquires...".
5. City Attorney request.
6. Call file from Committee.
7. Budget Analyst request (attach written motion).

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

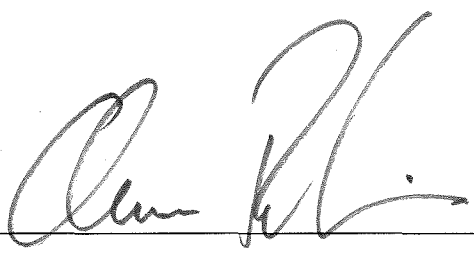
- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

Sponsor(s): Supervisor Peskin

SUBJECT: [Zoning – Pacific Avenue Individual Area Neighborhood Commercial District.]

The text is listed below or attached:

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

File No. 070681

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use

Date 6-18-07

Board of Supervisors Meeting

Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

(Use back side if additional space is needed)

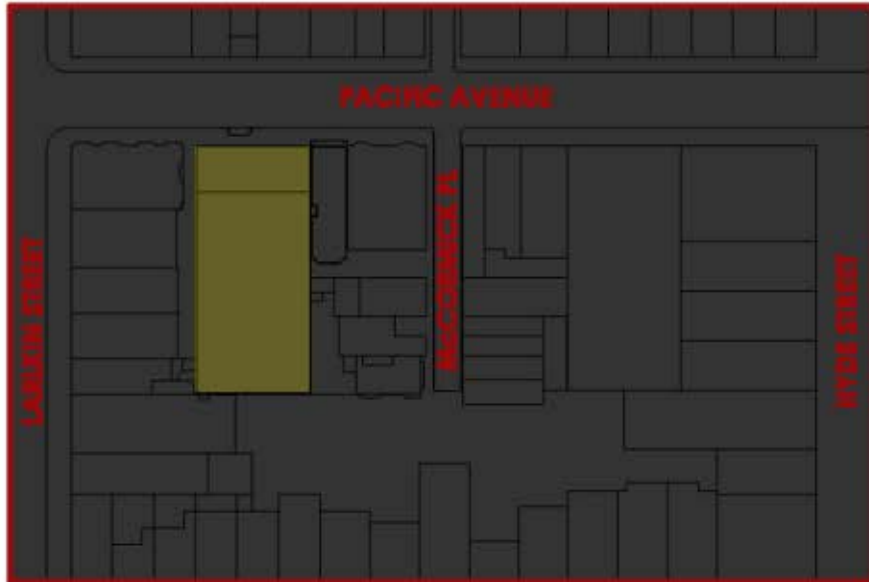
- | | | |
|-------------------------------------|--------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Planning Commission Resolution 17431 |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Completed by: McRed
Completed by: _____

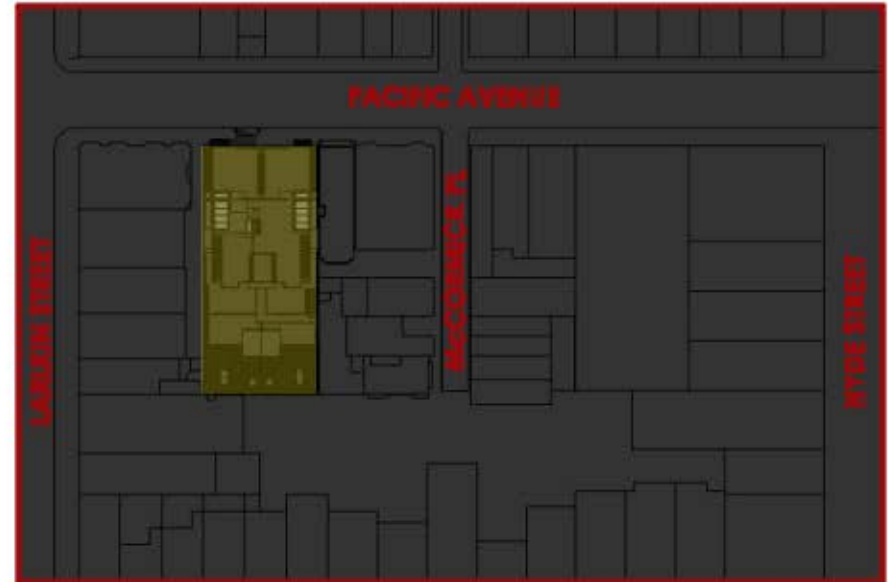
Date 6-15-07
Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

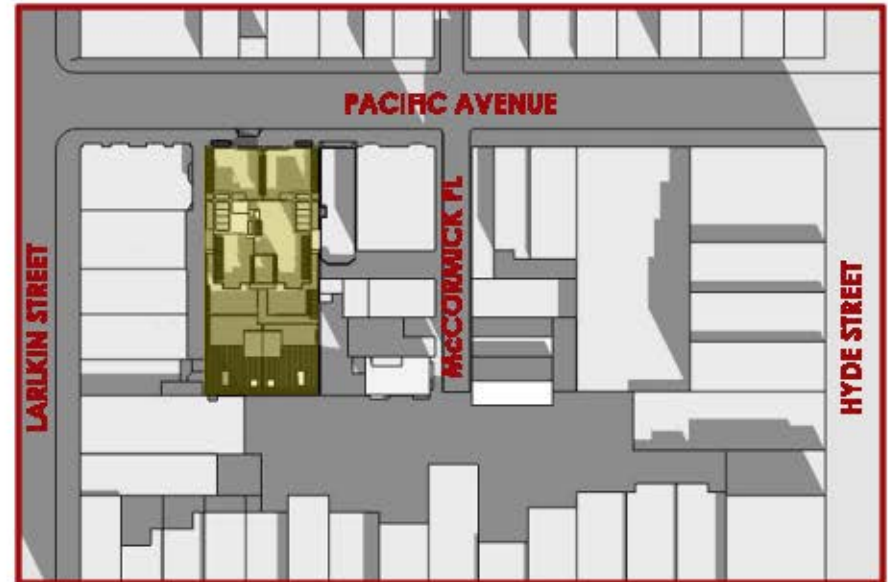
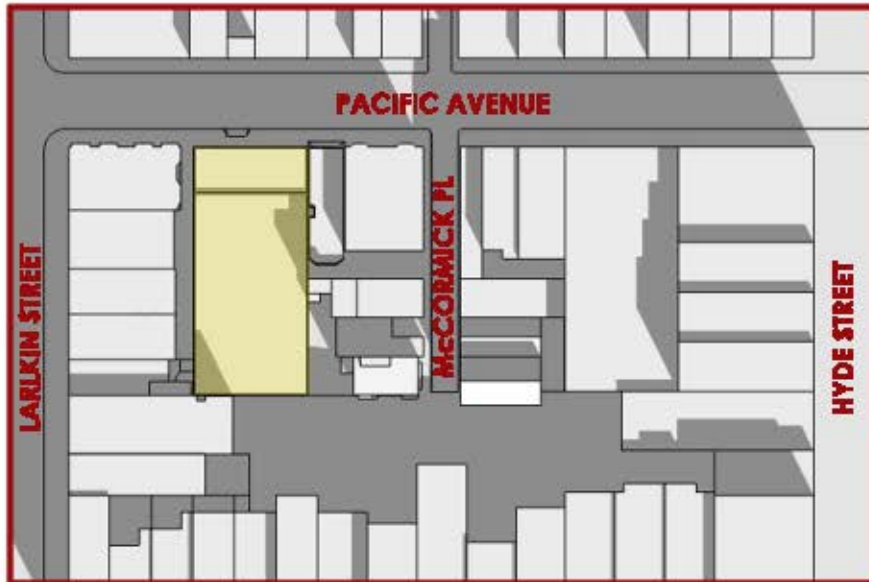
EXISTING



PROPOSED



7:00AM



10:00 AM

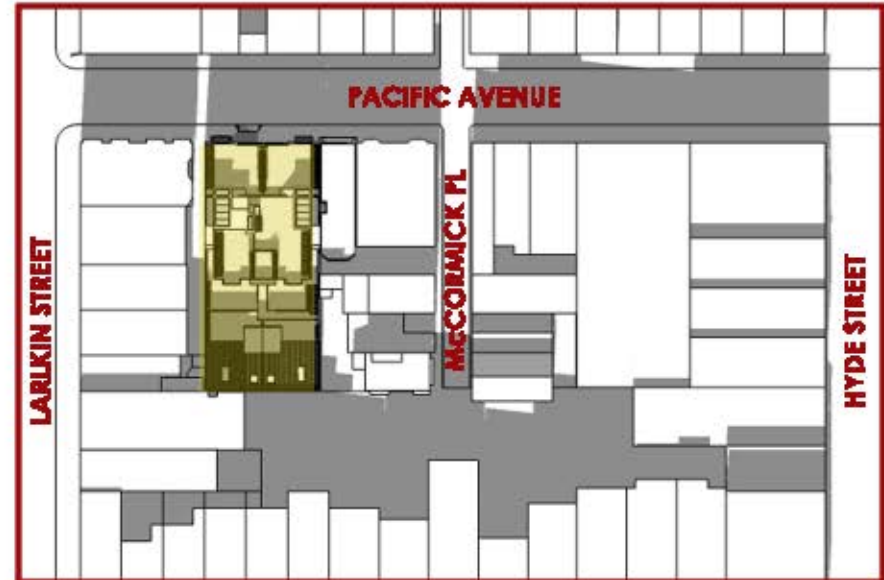
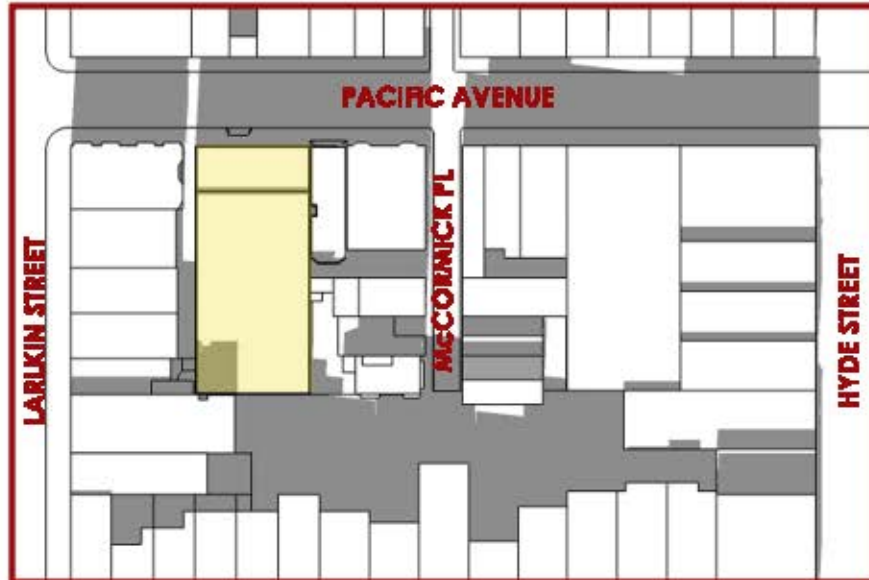
WINTER SOLSTICE - DECEMBER 21

SHADOW STUDIES
1469 PACIFIC AVENUE

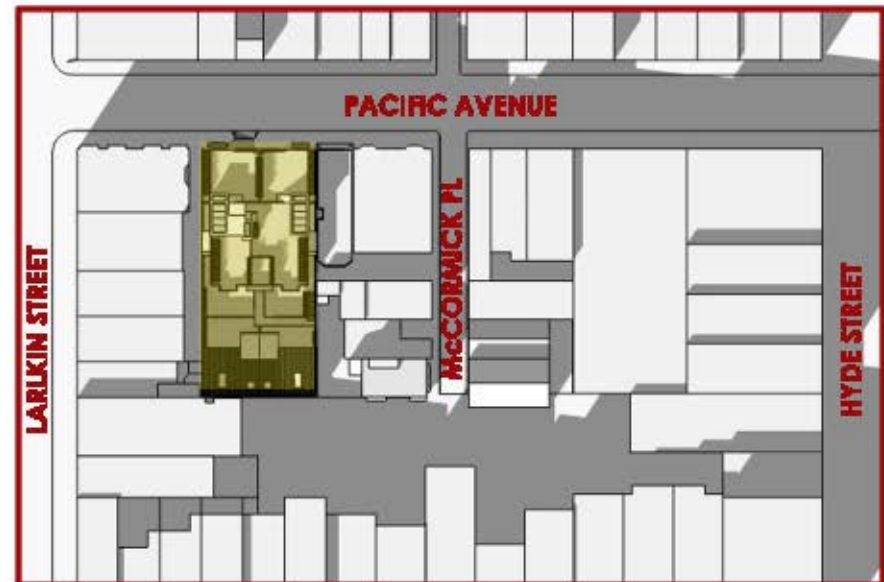
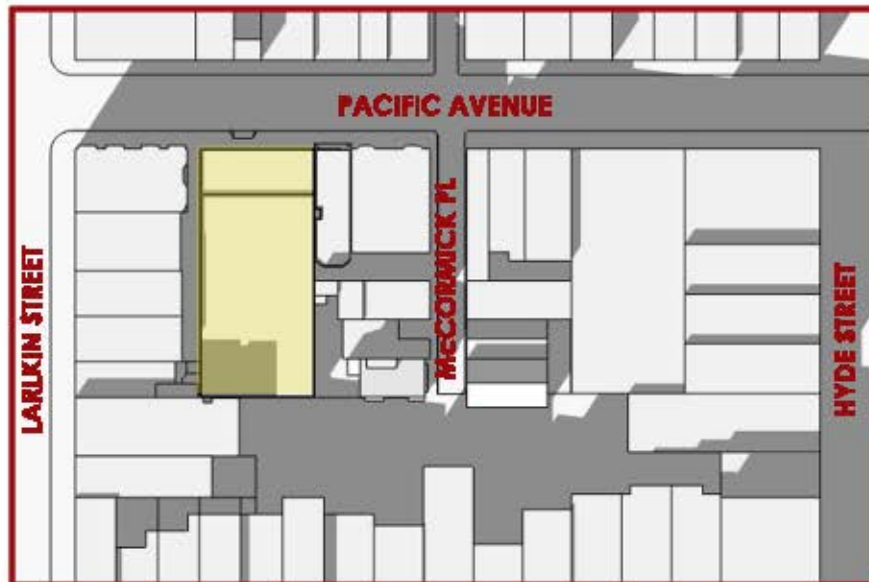
ClineArchitects

EXISTING

PROPOSED



12:00 NOON



2:00 PM

WINTER SOLSTICE - DECEMBER 21

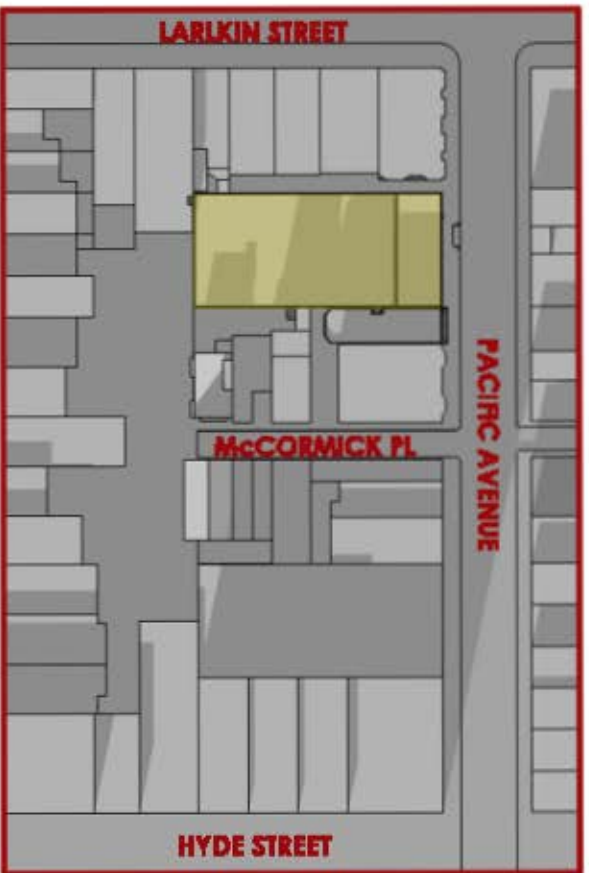
NOTE: SUN HAS SET BY 5:00 PM

SHADOW STUDIES

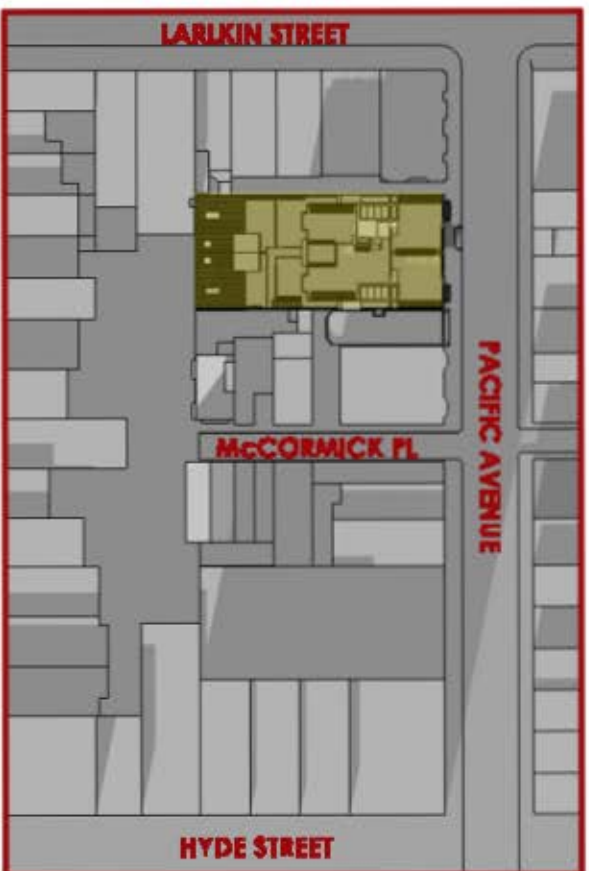
1469 PACIFIC AVENUE

ClineArchitects

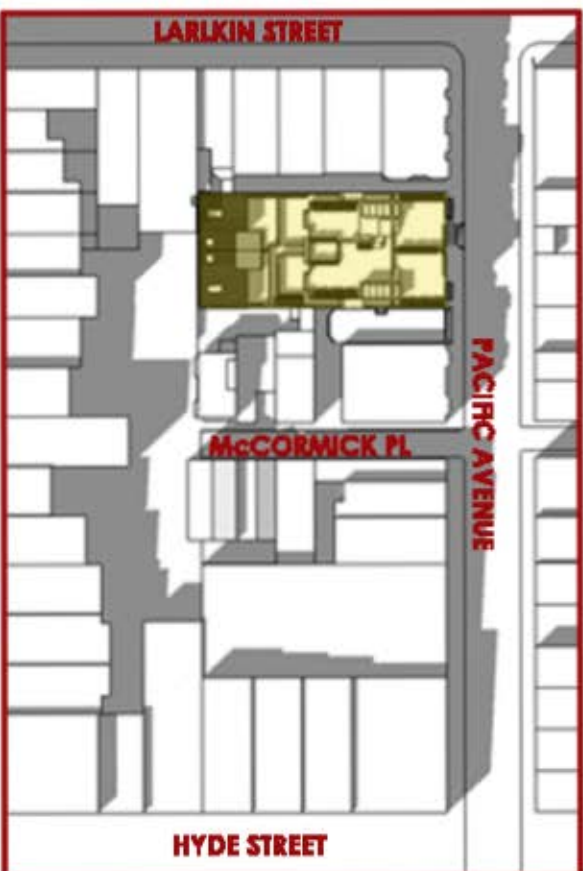
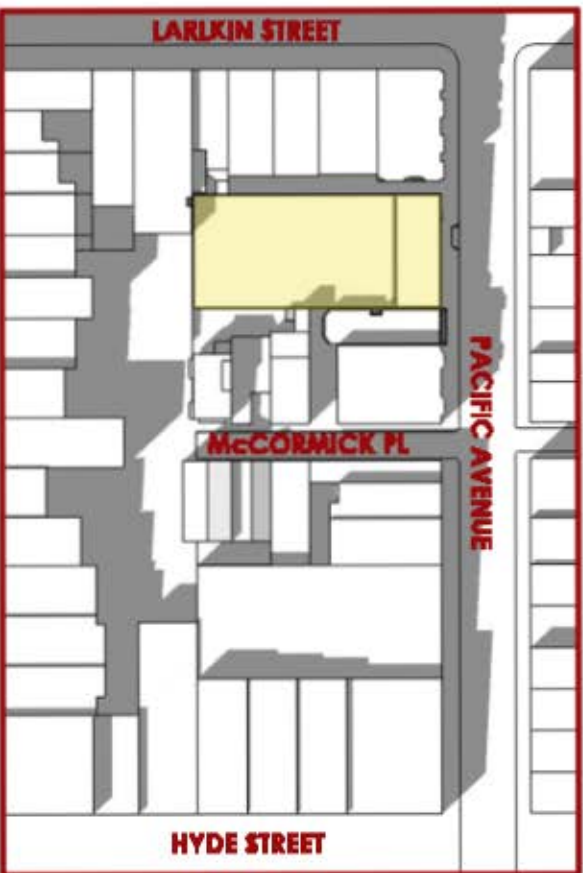
EXISTING



PROPOSED



7:00AM



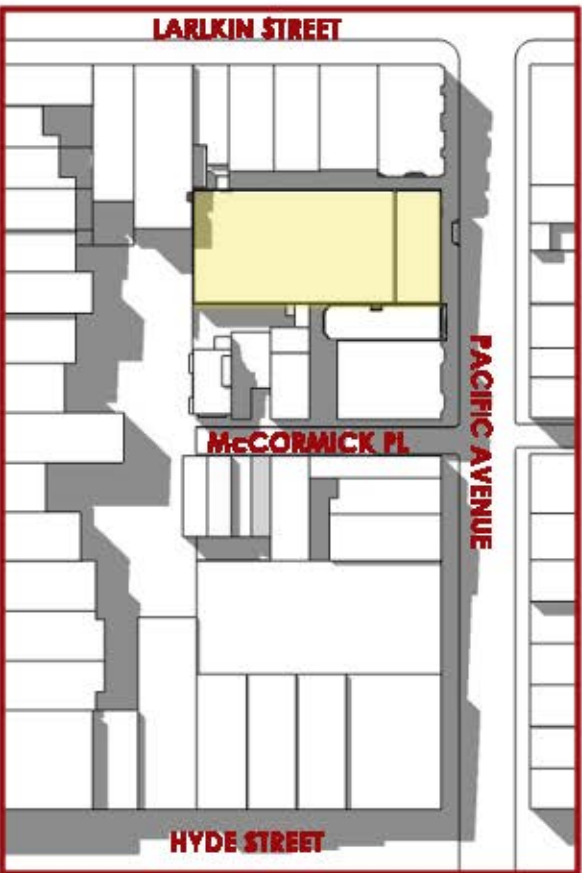
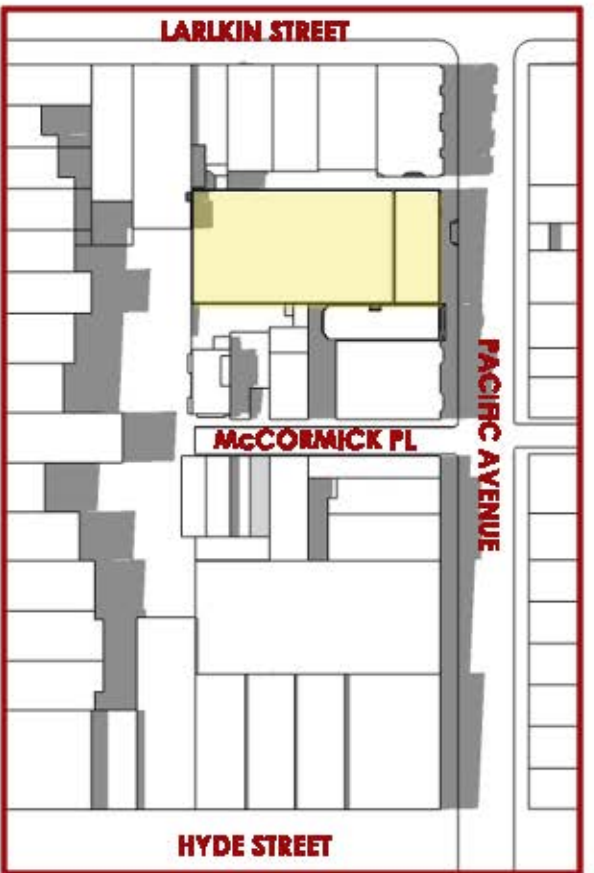
10:00 AM

EQUINOX - MARCH 21, SEPTEMBER 21

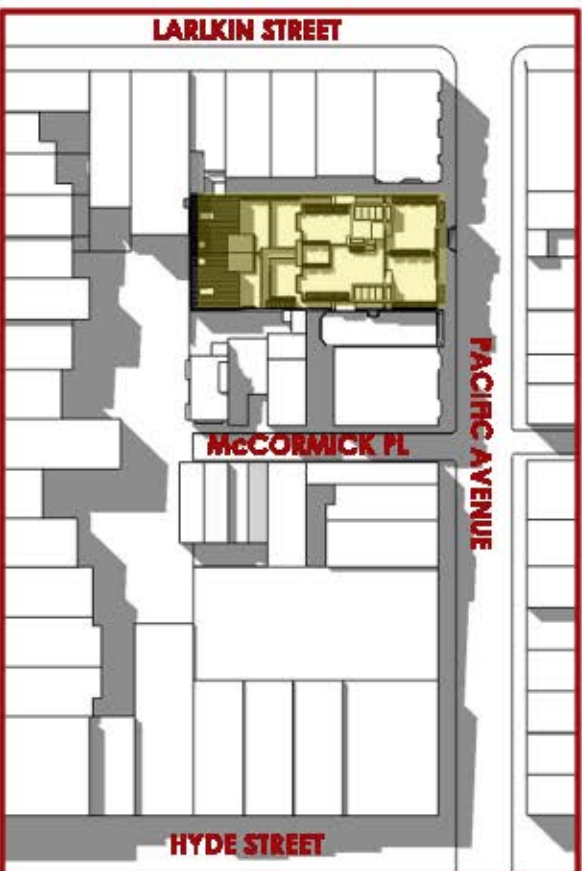
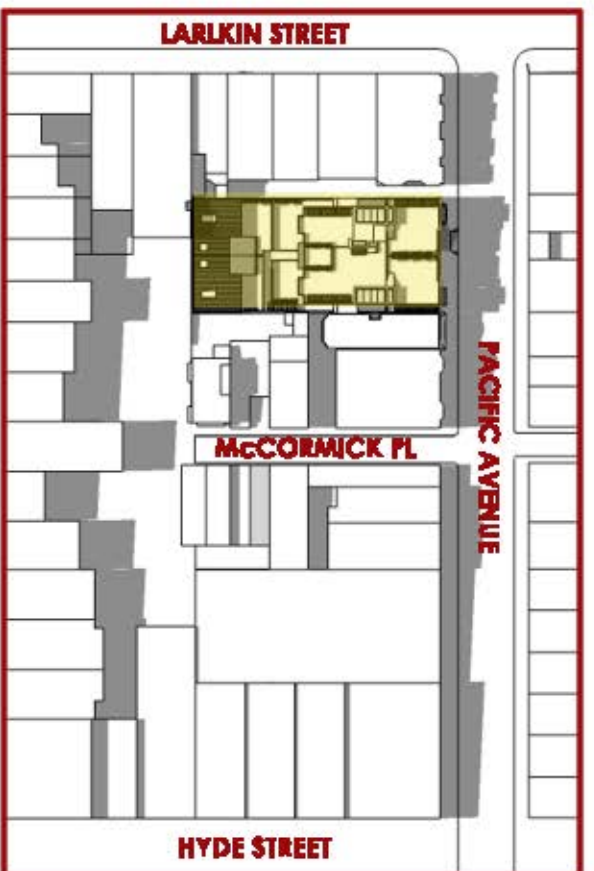
SHADOW STUDIES
1469 PACIFIC AVENUE

ClineArchitects

EXISTING



PROPOSED



2:00 PM

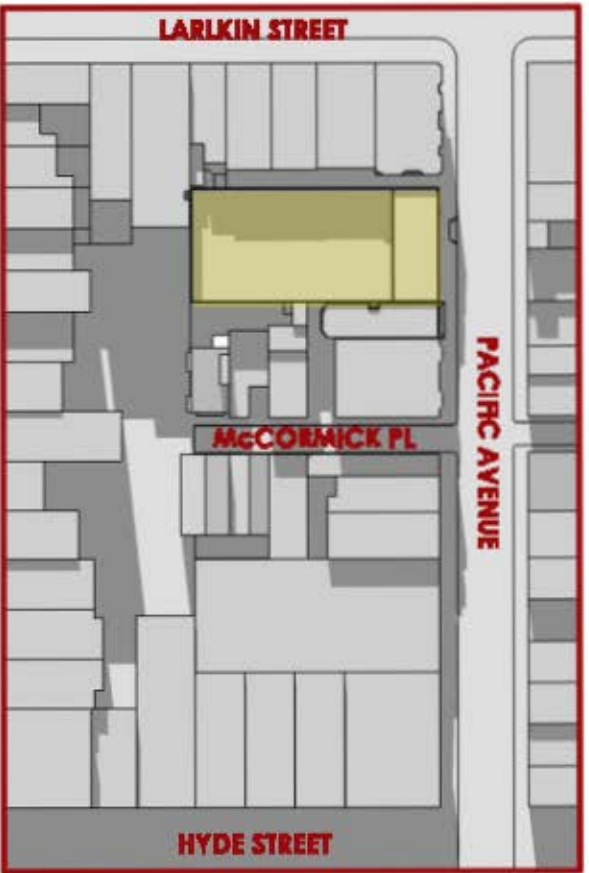
12:00 NOON

EQUINOX - MARCH 21, SEPTEMBER 21

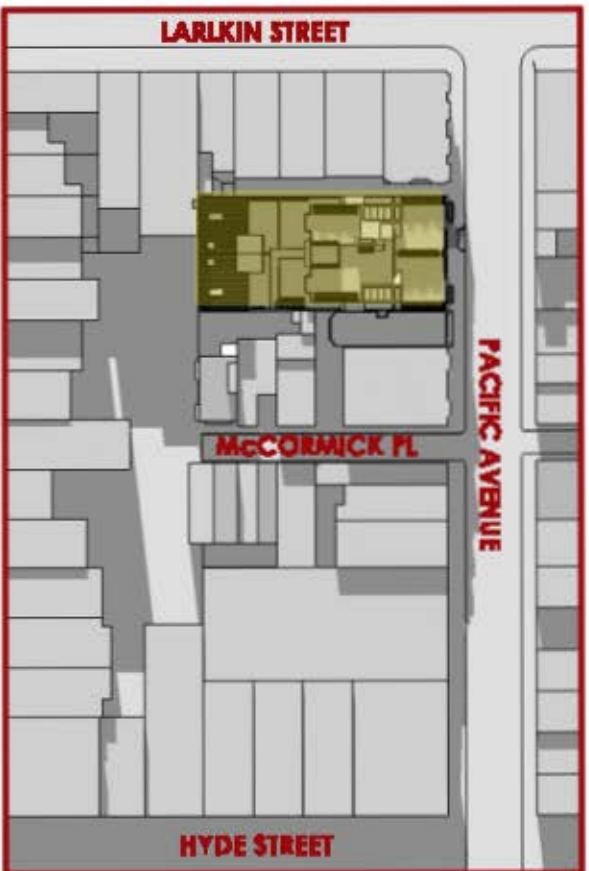
SHADOW STUDIES
1469 PACIFIC AVENUE

ClineArchitects

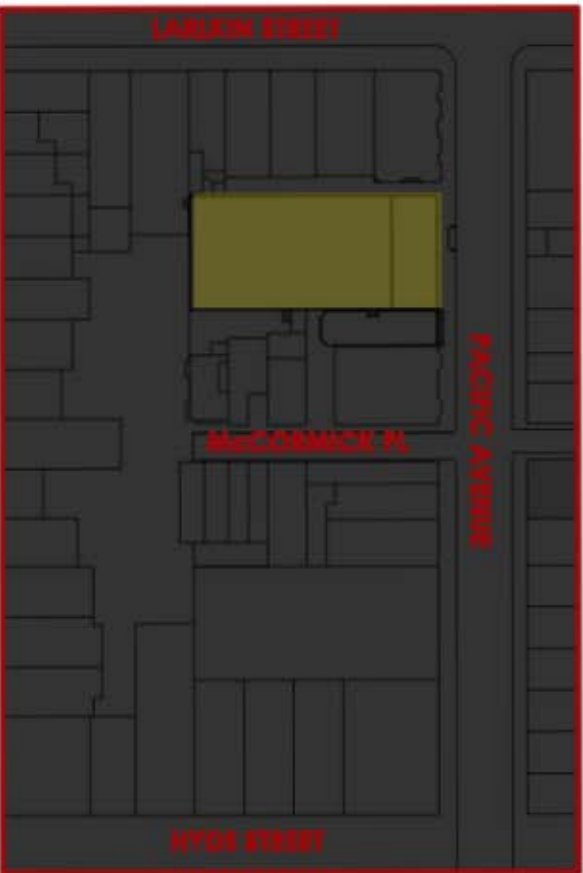
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PROPOSED



5:00 PM



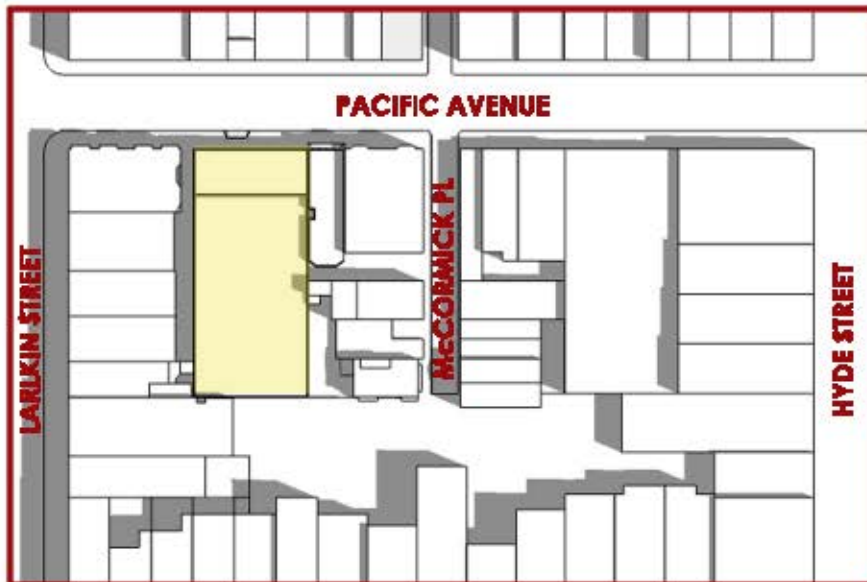
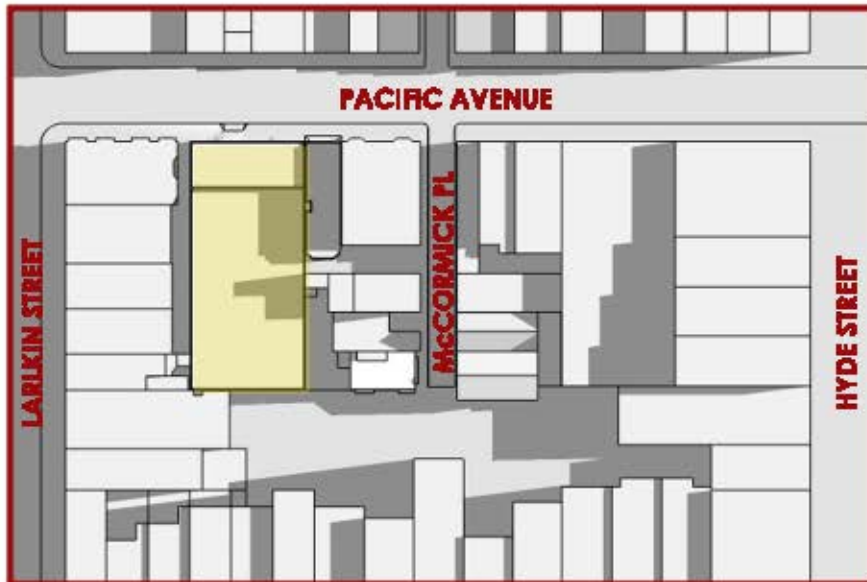
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EQUINOX - MARCH 21, SEPTEMBER 21

SHADOW STUDIES
1469 PACIFIC AVENUE

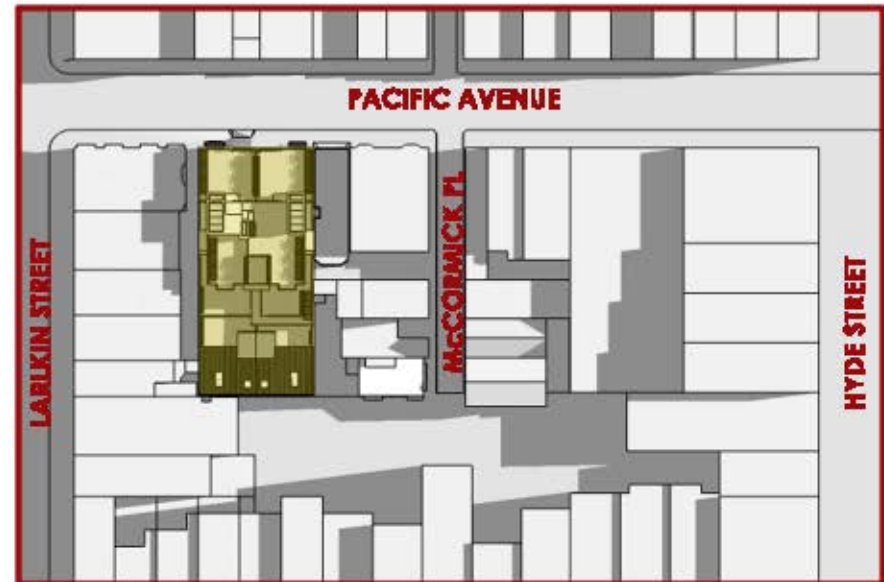
ClineArchitects

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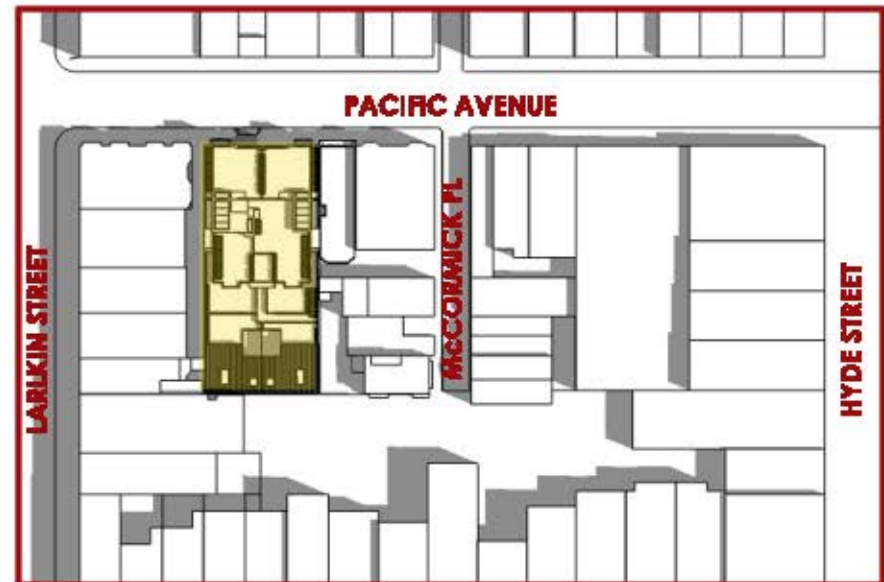


SUMMER SOLSTICE - JUNE 21

PROPOSED



7:00AM

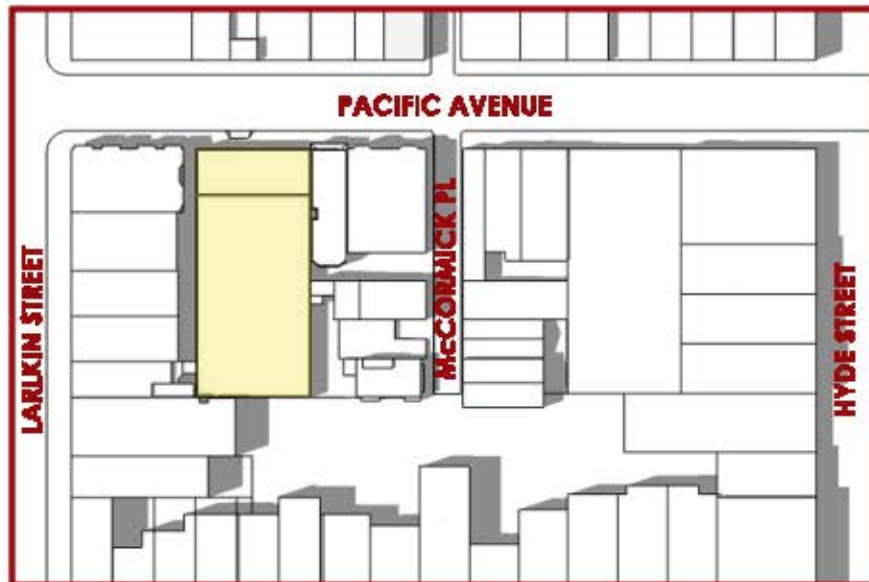
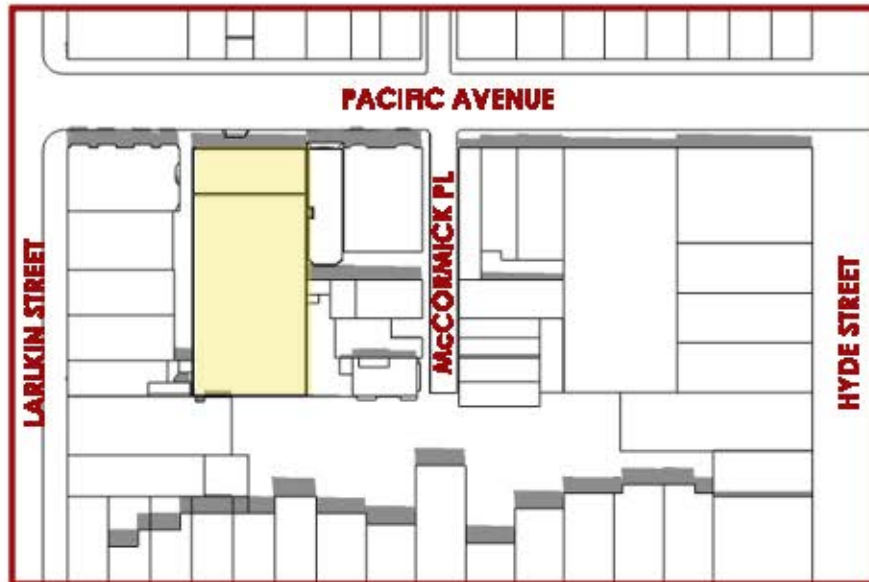


10:00 AM

SHADOW STUDIES
1469 PACIFIC AVENUE

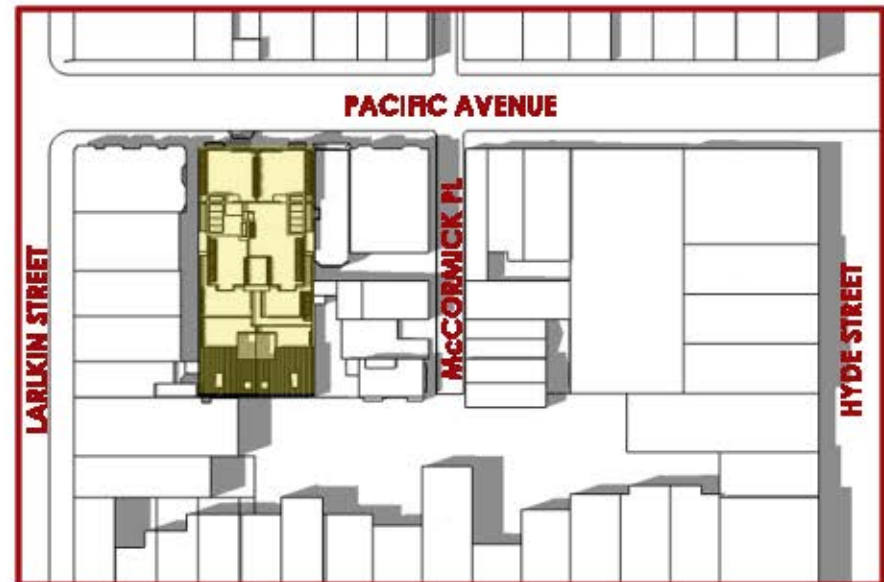
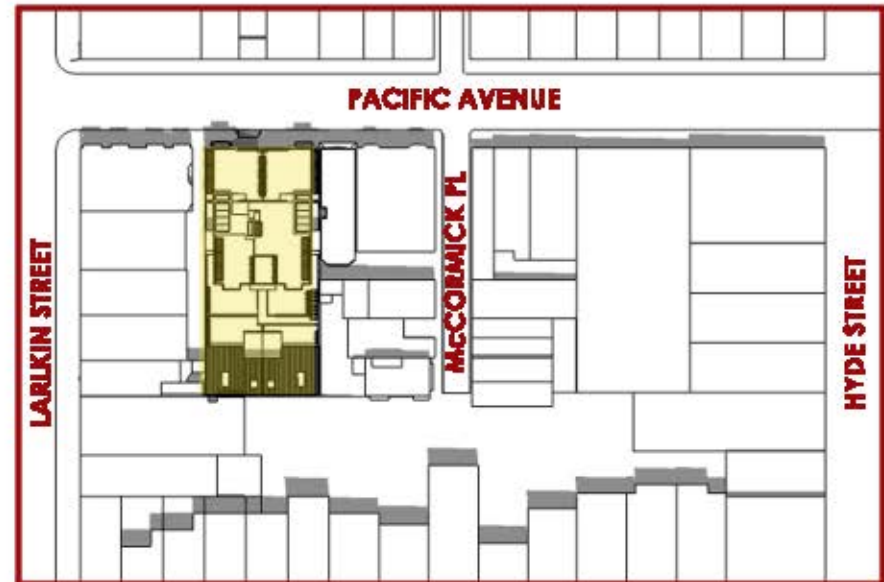
ClineArchitects

EXISTING



SUMMER SOLSTICE - JUNE 21

PROPOSED



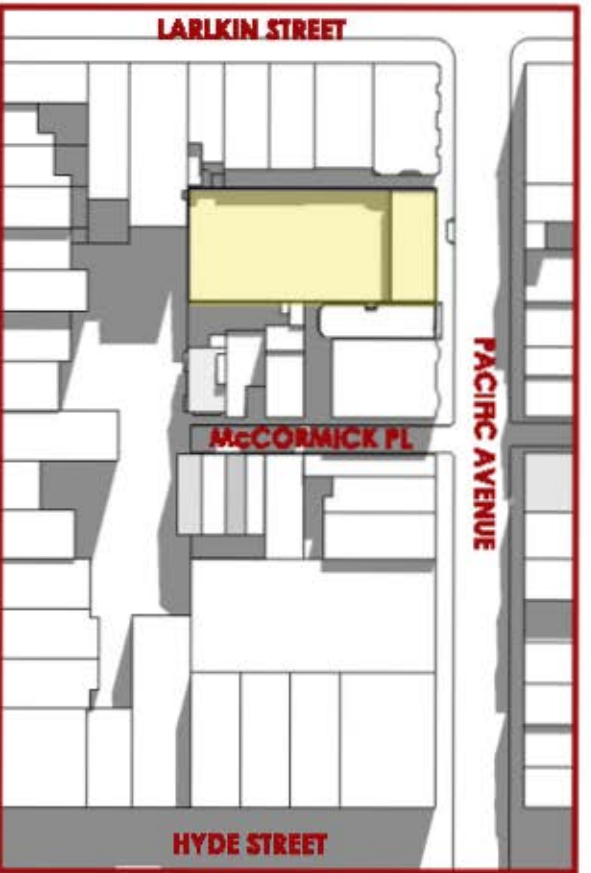
12:00 NOON

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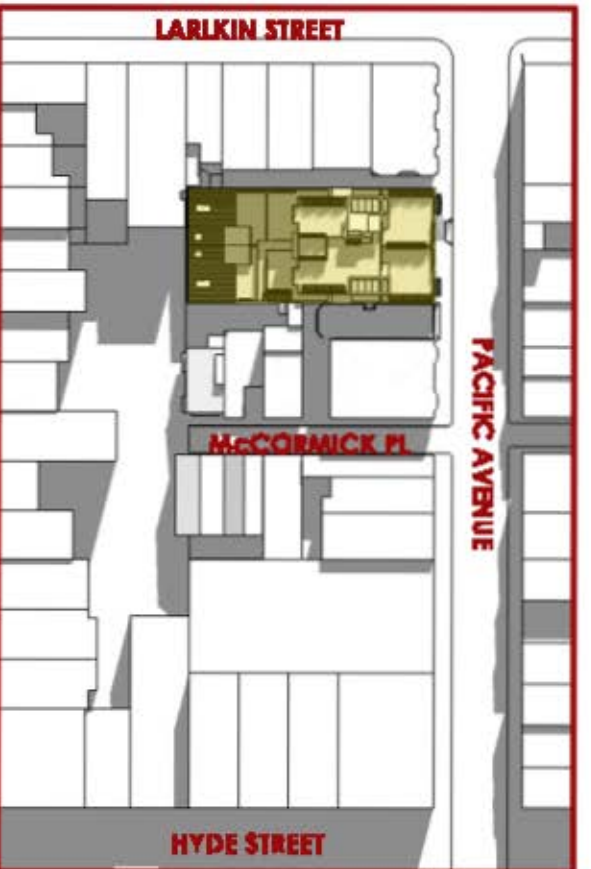
SHADOW STUDIES
1469 PACIFIC AVENUE

ClineArchitects

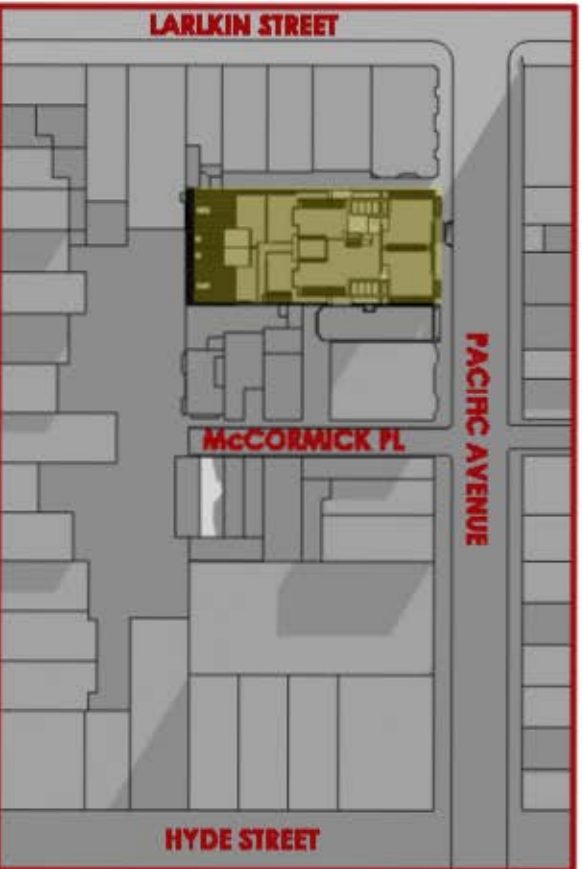
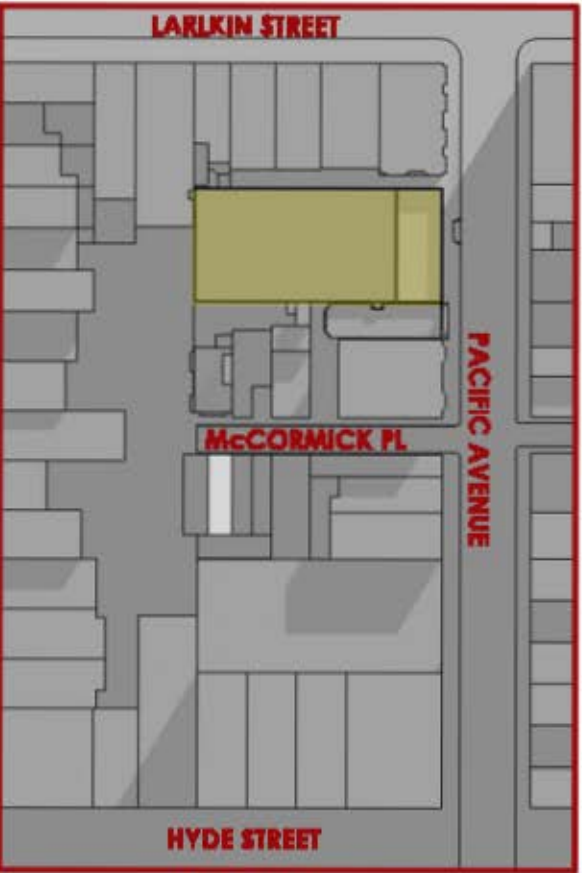
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PROPOSED



5:00 PM



7:00 PM

SUMMER SOLSTICE - JUNE 21

SHADOW STUDIES
1469 PACIFIC AVENUE

CilinoArchitects

Date: Feb 15, 2015

Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Planning Department Case no. 2013.0915
Building permit no. 2012.10.31.3210
1469-1475 Pacific Avenue

To Whom It May Concern:

I reside/work in close proximity to the proposed project at 1469-1475 Pacific Avenue. I have seen the plans for the mixed-use project with nine (9) residential units, 1,962 sf of commercial spaces and ten (10) parking spaces for 1469-1475 Pacific Avenue.

I would like to express my support for the project and I urge the Planning Commission and/or Zoning Administrator to approve the project as proposed.

Sincerely,

Doug Huey

Name: GARY Huey

Address: 1456 Pacific Ave.
San Francisco, Ca

From: [Pierre Zetterberg](#)
To: [Grob, Carly \(CPC\)](#)
Subject: RE: 1469 Pacific
Date: Tuesday, September 01, 2015 11:31:32 AM
Attachments: [image001.png](#)

My wife and I own 1 McCormick which backs up to the rear side of 1469 Pacific. We received the 312 notice yesterday and have issues with the proposed development which does not comply with the stated goals of the Pacific Avenue Neighborhood Commercial District. I met with the previous owner and project sponsor, Mr. Bogardes, over a year ago expressing these opinions. These views were expressed to Kate Connor, Kevin Guy, and we submitted comments to Chelsea Fordham in response to environmental review. Apparently you are the third planner after Kate Connor and Kevin Guy assigned to this project within the last year. We read the 312 notice to say the City Planning Department has found the project to be compliant with Zoning with acceptable Variance request and takes no issue with the project.

We would like to meet with you regarding the following. Please contact us at your earliest convenience.

- 1) Eight of nine side yard neighboring properties have substandard rear yards fronting 1469. Seven of the eight are significantly less than standard. All are buildings about 100 years old constructed relative to the enclosed commercial use and building configuration of the 1469 property. If 1469 converts residential 'Use' it should seek do so with minimal impact to these neighbors who's privacy, acoustic separation, light and air are seriously threatened even if means building to a smaller envelop than permitted by current planning design guidelines for the property. Neighbor have from 2 to 6 units so approximately 32 units of housing may be directly affected.
- 2) The north half of this block is over 97% building, street and hardscape. There are only a couple of trees. This is a significant detriment to a residential block. If the property is repurposed, design of 1469 going forward should provide significant contributions to lush green open space in favor of high use hardscape proposed. With the podium construction this project has the capability to provide trees.
- 3) Constructing residential space deep within the block open space is contrary to district zoning and in this case has a serious detrimental effect on 10's upon 10's of properties. What Project drawings propose is third floor activity spaces to the edges of the property in center the mid-block open space, with added wall height of four feet and planting screens above that. Many of neighbors are just feet away. This block developed on the principal of residential development with midblock (rear yard) open space benefiting all residents of the block. If 1469 converts to residential use and seeks to add housing within the required rear yard setback, design should limit itself to the enclosing walls of warehouse, face inward to the property in this zone, and be non-intrusive to neighbors meaning no encroachment or activity spaces should be allowed in or above the existing 20' high warehouse walls within the rear yard setback (including glazed or non-glazed openings, roof decks, roof access, added wall height, parapet walls, planting screens, light pollution, or sound intrusion). Legal restrictions prohibiting such future alterations should be a condition of approval.

Stated intent behind the Pacific Avenue Neighborhood Commercial District

The Pacific Avenue Neighborhood Commercial District, on Pacific Avenue from just east of Polk Street to all four corners of Pacific Avenue and Jones Street, is situated on the north slope of the Nob Hill neighborhood and south of the Broadway Tunnel. Pacific Avenue is a multi-purpose, small-scale mixed-use neighborhood shopping district on a narrow street that provides limited convenience goods to the adjacent neighborhoods.

The Pacific Avenue Neighborhood Commercial District controls are designed to promote a small, neighborhood serving mixed-use commercial street that preserves the surrounding neighborhood residential character. These controls are intended to preserve livability in a largely low-rise development residential neighborhood, enhance solar access on a narrow street right-of-way and protect residential rear yard patterns at the ground floor.

Pierre Zetterberg
D 415-401-1893

VIA U.S. Post

To: Carly Grob
E-mail: carly.grob@stgov.org
Address: 1650 Mission Street Ste. 400, 94103

Re: Building permit application no. 2012.1031.3210 for 1469 Pacific Avenue

According to your property map I live on Lot 28 on the corner of Pacific and Larkin. I am opposed to the variances, especially the rear yard variance because zoning laws are put in place to protect adjoining properties and surrounding neighborhoods. If these zoning variances are granted his condo building will completely destroy my home and its value as well as other surrounding properties and their values.

1. I will have a solid wall no more than 8 feet from the ONLY windows in my home. I have a studio apartment on the top floor of 1864 Larkin. Currently I am above the warehouse roof, and get plenty of sunshine, but if a wall is built ALL MY SUNLIGHT will be blocked. Further, all my free-flowing air will be blocked. Currently it comes in over the warehouse roof and into my apartment.

2. On cloudy days, even at noon, I must use electric lights in order to see in my studio apt. If a wall is built next to me I will have no choice but to live by electric light 24/7. This will substantially increase my PG&E bill and as I am a senior on Social Security who has no investments and no bank savings I cannot afford this. I oppose these variances on FINANCIAL HARDSHIP GROUNDS.

3. Because my apartment will no longer be warmed by the sun in the winter and because during the winter my apartment will always be dark and cold my gas heating bill will rise substantially. As I am a senior living on Social Security with no investments and no bank savings I cannot afford this greater cost and oppose the variances on FINANCIAL HARDSHIP GROUNDS.

4. Bogatsky proposes building roof decks and balconies. I oppose the balconies variance and I oppose the roof deck design because 1469 Pacific is surrounded on three sides by apartments and single-family homes. The current echo in that space is severe. The noise level from parties and other gatherings would be horrendous and there is no law or rule that says that we neighbors must put up with destructive noise. An EIR was never done – it was waived – and so the severe noise factor involved with waiving the balcony variance was never considered. You need to go back and have an EIR done for noise damage, sunlight damage, and free-flowing air damage done to 1469's neighbors.

5. During construction the noise and lack of privacy would be untenable for me. I would have to keep my ONLY windows thru which I get air and sunlight closed and would need to keep the blinds closed. My kitchen window, which is on a light well, does not communicate with the main room of my studio; they are separated by a wall and a small hallway. I get no light nor air to the main part of my studio by the kitchen window. You have no right forcing me to live like this.

This project is wrong for this space because of the above-noted damage that it does to me and does to my neighbors on Lots 27, 26, 49, 50, and 53 most particularly, as well as the other surrounding properties. The project does not belong in this space and the zoning laws should not be abrogated just so that it can be built. Bogatsky may have the right to build on his own property, but he does not have the right to destroy other homes and property values in the process. Please deny these zoning variances.