



SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission

HEARING DATE: DECEMBER 3, 2015

CONTINUED FROM NOVEMBER 19, 2015 HEARING AND SEPTEMBER 24, 2015 HEARING
DISAPPROVAL OF CONDITIONAL USE AUTHORIZATION

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Date: November 25, 2015
Case No.: **2013.1522CUAV**
Project Address: **24 Ord Court**
Permit Application: 201310219830 (Proposed New Construction at Rear)
Zoning: RH-2 (Residential House, Two-Family)
40-X Height and Bulk District
Block/Lot: 2619/066
Project Sponsor: David Clarke – (415) 370.5677
P.O. Box 14352
San Francisco, CA 94114
Staff Contact: Tina Chang – (415) 575.9197
tina.chang@sfgov.org

On September 25, 2015, the Commission adopted a motion of intent to disapprove Conditional Use Authorization Application No. 2013.1522CUAV. The Project proposed the new construction of a two-story-above-grade, single-family dwelling unit at the rear of 24 Ord Court, currently developed with an existing +/- 2,000 square-foot, single-family structure.

After public testimony, the Commission found that the project was neither necessary nor desirable pursuant to Planning Code Section 303. Further, the Commission did not find that it would be infeasible to add a unit to the already developed street frontage of the lot, nor did it find additional development on the subject lot to be infeasible without exceeding 55% lot coverage, pursuant to interim zoning controls established by Planning Code Section 206.7¹.

At the hearing, the Commission moved to continue the item to November 19, 2015, to allow the project sponsor additional time to revise the Project. On October 30, 2015, the Project Sponsor withdrew Conditional Use Authorization Application No. 2013.1522CUAV. On November 13, 2015, the Project Sponsor withdrew Variance Application No. 2013.1522CUAV. On November 19, 2015, the Commission voted to continue the item to December 3, 2015.

Attached is a revised Motion for Disapproval of the Conditional Use Authorization Application No. 2013.1522CUAV.

Enclosures:

Draft CUA Motion
Project Sponsor Drawings Dated September 3, 2015

¹ File No. 150192, Interim Zoning Controls – Large Residential Projects in RH-1, RH-2, RH-3 Zoning Districts

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SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other (Market & Octavia Impact Fees)

Planning Commission Draft Motion

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Staff Contact: Tina Chang – (415) 575.9197
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Recommendation: **Disapproval**

ADOPTING FINDINGS RELATING TO THE DISAPPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 306.7 ESTABLISHING INTERIM ZONING CONTROLS IMPOSED BY RESOLUTION NO. 76-15 ON MARCH 9, 2015 TO PERMIT LOT COVERAGE OF A PARCEL TO EXCEED 55% AND AN INCREASE TO THE EXISTING SQUARE FOOTAGE IN EXCESS OF 3,000 SQUARE FEET AND BY MORE THAN 100% BY CONSTRUCTING A NEW, +/-2,500 GROSS SQUARE FOOT, TWO-STORY DWELLING UNIT AT THE REAR OF THE EXISTING THROUGH LOT. THE PROJECT SITE IS LOCATED WITHIN AN RH-2 (RESIDENTIAL HOUSE, TWO FAMILY) ZONING AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On October 18, 2013 Reza Khosnevisan, on behalf of Kenneth Tam, filed a Variance Application Case No. 2013.1522V to construct a three-story single family dwelling unit in the required rear yard of the property at 24 Ord Court.

On October 21, 2013, Reza Khosnevisan, on behalf of Kenneth Tam, filed Building Permit Application Numbers 20131021980 for the new construction of a three-story, single family dwelling unit fronting States Street.

On September 5, 2014 Chris Parkes filed a Discretionary Review (DR) against Building Permit Application No. 2013.1021.9832 for the vertical addition of the existing structure and Building Permit Application No. 2013.1021.9817 for the new construction of the three story single family dwelling at the rear of the property. The DR filer also initiated Discretionary Review for Building Permit Application No. 2013.1021.9830 for the new construction of a dwelling unit at the rear of 24 Ord Court. Chris Parkes raised concerns about the removal of significant trees at the rear of 24 Ord Court, and felt that the projects at 22 and 24 Ord Court as proposed did not meet Residential Design Guidelines. The DR Requestor was also opposed to the project because of noncompliance with the Planning Code and the need for a variance to construct in the required rear yard.

On December 4, 2014, a duly noticed public hearing was held for the public initiated discretionary review of and variance requests for the proposed projects at 22 and 24 Ord Court. After public testimony in opposition to the Project the Planning Commission continued the subject item to February 5, 2015. The project was subsequently continued to February 12th, to allow for additional time to conduct environmental review of the project changes. Though suggestions were made regarding the existing structure at 22 Ord Court, definitive requests were made to the proposed new construction at the rear of the subject property, primarily including the removal of top level of the proposed new structure at the rear; differentiation of architectural design between the proposed structures at the rear of 22 and 24 Ord Court and the reduction of parking provided to increase habitable space within the proposed new structure. The removal of the trees at 24 Ord Court had been approved by the Department of Public Works due to poor structure, though this decision was appealed. At the time of the December 4th hearing, the Department of Public Works DPW had not yet issued the resulting order from the hearing held for the trees in question. In addition to the changes outlined above, the Commission was also interested in learning outcome of the DPW hearing.

On February 12, 2015, the Commission again heard the Discretionary Review Requests for 22-24 Ord Court. In response to the Commission's requests, the Project Sponsor presented changes to the proposed construction which included a reduction in the number of floors above grade from three to two, a reduction of off-street parking spaces from two-to-one thus increasing habitable living space, and the alteration of the front façade at 22 Ord Court to better differentiate the two structures. By the time of the February 12, 2015 hearing, the resulting order from the DPW had been issued indicating that the removal of trees would be approved on the condition that all necessary permit approvals were attained to construct the new building at 24 Ord Court. After public testimony, the Commission voted, again, to continue the item to March 12, 2015, so that the Project Sponsor could explore options to preserve the mature trees at 24 Ord Court, while also exploring ways to differentiate the two buildings at 22 and 24 Ord Court even more.

On March 9, 2015, the Board of Supervisors passed interim legislation to impose interim zoning controls for an 18-month period for parcels in RH-1, RH-2, and RH-3 zoning districts within neighborhoods known as Corbett Heights and Corona Heights, requiring Conditional Use authorization for any residential development on a vacant parcel that would result in total residential square footage exceed 3,000 square feet; Conditional Use authorization for any new residential development on a developed

parcel that will increase the existing gross square footage in excess of 3,000 square feet by more than 75% without increasing the existing legal unit count, or more than 100% if increasing the existing legal unit count; and requiring Conditional Use authorization for residential development that results in greater than 55% total lot coverage. As the project site was affected by the interim legislation, therefore requiring Conditional Use authorization for the projects at 22 and 24 Ord Court as proposed, the Project Sponsor requested a continuance to May 24, 2015. The items were again continued to June 25, 2015, August 13, 2015, and finally to September 24, 2015 at the request of the Project Sponsor.

On June 30, 2015, Alan Murphy, on behalf of Kenneth Tam, (hereinafter "Project Sponsor") filed Application No. 2013.1522CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") seeking authorization for development exceeding 55% lot coverage, and increasing the existing gross square footage in excess of 3,000 square feet and more than 100% with an increase to the legal unit count within the RH-2 (Residential House, Two Family) Zoning District and a 40-X Height and Bulk District. The proposal includes the new construction of a +/- 2,500 square foot dwelling on an developed parcel that would result in residential square footage exceeding 3,000 gross square feet and by more than 100%, since the existing single family dwelling at 24 Ord Court is approximately 2,000 square feet.

On September 24, 2015, the Planning Commission ("Commission") conducted public hearing at a regularly scheduled meeting on Case Nos. 2013.1521CUAV and 2013.1522CUAV and adopted a motion of intent to disapprove Conditional Use Authorization for Application No. 2013.1522CUAV.

On October 30, 2015, the Project Sponsor withdrew Conditional Use Authorization No. 2013.1522CUAV.

On November 13, 2015, the Project Sponsor withdrew Variance Application No. 2013.1522CUAV.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby disapproves the Conditional Use authorization pursuant to Planning Code Sections 303 and 306.7 establishing interim zoning controls imposed by Resolution No. 76-15 on March 9, 2015 to permit lot coverage of a parcel to exceed 55% and an increase to the existing square footage in excess of 3,000 square feet and more than 100% by constructing a new, +/- 2,500 gross square foot, two-story dwelling unit at the rear of the existing through lot at 24 Ord Court under Case No. 2013.1522CUAV, based on the following findings:

The Planning Department, Jonas O. Ionin, is the custodian of records, located in the File for Case Nos. 2013.1521CUAV and 2013.1522CUAV at 1650 Mission Street, 4th Floor, San Francisco, California.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The proposed project is located on a through lot at 24 Ord Court with frontages on both Ord Court and States Street in the Castro / Upper Market Neighborhood. The property is developed with an existing 2-story, +/- 2,000 square-foot, single family structure on a +/-2,945 square foot lot. The existing building was originally constructed as a single-family dwelling in 1910. To date, no plans to improve the existing structure at 24 Ord Court have been provided to Planning Department.
3. **Surrounding Properties and Neighborhood.** The surrounding neighborhood consists of a mixture of one-, two-, and three-story buildings, containing mostly one- or two- residential dwelling-units. The residential neighborhood contains dwellings of varying heights and depths on an up-sloping street, as one heads west. Both adjacent properties, east and west of the subject property, are three-story buildings containing two dwelling units. The building to the east is a multi-family, two stories-over-garage at the block face, and steps back to five stories after approximately 55' from the front façade. The building to the west is a single-family, one-story-over garage structure at the block face.

The subject property is within the Castro / Upper Market Neighborhood, and about .4 miles west of the Castro / Market Street intersection. Castro Street serves as the cross street on the east side of the property where the neighborhood transitions to a Residential, Mixed, Low-Density (RM-1) zoning district, the Upper Market Street Neighborhood Commercial (NCD) and Upper Market Neighborhood Commercial Transit District (NCT). RM-1 zoning districts contain ground-floor commercial spaces and mostly residential units on upper floors. A mixture of dwelling types found in RH Districts are also found in RM-1 districts, in addition to a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. The Upper Market NCT and NCD zoning districts are multi-purpose commercial districts, well served by transit including the Castro Street Station of the Market Street subway and the F-Market historic streetcar line, providing limited convenience goods to adjacent neighborhoods, but also serve as a shopping street for a broader trade area.

4. **Project Description.** The proposal includes the new construction of a two-story, +/- 2,500 square foot, single-family structure at the rear of the existing single-family dwelling. The proposed rear structure would contain two levels below grade, to include a family room and a master bedroom suite. A +/- 369 square foot patio is provided at the rear of the structure, accessed through the family room at the proposed sub-basement level. The first at-grade floor contains two bedrooms, with the main living area on the second level, which is setback approximately 12'-3" from the rear property line. No garage is included as part of the dwelling, though a screened parking pad is provided in the front setback of the proposed structure. A rear yard amounting to approximately 25% lot coverage is maintained between the existing and proposed structures; however, this would amount to greater than 55% lot coverage, as well as result in an increase to the square footage on the property in excess of 3,000 square feet and more than 100%.

5. **Public Comment.** To date, the Staff has not received public comment regarding the request for conditional use authorization. However, on October 26, 2015, an appeal was filed against the Conditional Use Authorization Approval of Application No 2013.1521CUAV, related to the new construction of a single-family home at the rear of 22 Ord Court, the adjacent property. Public comment for the previously filed discretionary review for the project can be found under case number 2013.1522DDV.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Rear Yard (Section 134).** Planning Code Section 134 requires a minimum rear yard depth equal to 45% of the total depth of the lot on which the building is situated, except that rear yard requirements can be reduced to a line on the lot, parallel to the rear lot line, which is the average between the depths of the rear building walls of both adjacent properties.

The adjacent property to the east at 22 Ord Court is currently developed with an existing 46'-3" structure whereas the property to the west is developed with a building approximately 67'-6" deep. For a code-compliant rear yard, development would need to be set back approximately 60'-6" from the rear property line. As the Project Sponsor is proposing development built 12'-3' from the rear property line with a 29'-8" deep rear yard internalized between the existing and proposed structures, a Variance is required. The hearing for the Variance will be heard by the Zoning Administrator on September 24, 2015. The Variance Hearing for the project was initially scheduled for August 27, 2015, but continued to December 4, 2014, February 5, 2015, February 12, 2015, June 25, 2015, August 13, 2015 and finally to September 24, 2015 to be heard in conjunction with the Planning Commission Hearing.

- B. **Open Space (Section 135).** The Planning Code Requires 125 square feet of open space for each dwelling unit if all private, and 166.25 square feet of open space per dwelling unit if shared. The Project requires at least 250 square feet of open space for both dwelling units or 332.5 square feet of open space, if common.

The proposed structure at the rear includes a +/- 369 square foot patio at grade, behind the proposed structure at 24 Ord Court and a 40 square foot balcony at the rear of the proposed 2nd level that would amount to a total of 409 square feet of open space, exceeding the requirements pursuant to Planning Code Section 135. A +/- 369 square foot rear yard is maintained for the existing front structure.

- C. **Streetscape and Pedestrian Improvements (Section 138.1).** Planning Code Section 138.1 requires one new street tree for every 20 feet of street frontage for projects proposing new construction.

The Project includes the new construction of a two-story residential building along the States Street frontage. There are two mature trees at the rear of 24 Ord Court that would be protected and remain. Accordingly, the Project Sponsor satisfies street tree requirements pursuant to Planning Code Section 138.1.

- D. **Bird Safety (Section 139).** Planning Code Section 139 outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards.

The subject lot is located in close proximity to a possible urban bird refuge. The Project will be required to meet the requirements of location-related standards, and will ensure that the Bird Collision Zone,

which begins at grade and extends upwards for 60 feet, consists of no more than 10% untreated glazing.

- E. **Dwelling Unit Exposure (Section 140).** Planning Code Section 140 requires that at least one room of all dwelling units face directly onto 25 feet of open area (a public street, alley or side yard) or onto an inner courtyard that is 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase in five feet in every horizontal dimension at each subsequent floor.

Both the existing structure fronting Ord Court and the proposed structure fronting States Street meets the exposure requirement in that at least one room of each dwelling unit faces directly onto 25 feet of open area – in the form of the public streets and 29'-7' rear yard in between both structures.

- F. **Section 151. Off-Street Parking:** Planning Code Section 151 requires one off-street parking space per dwelling units.

The Project includes a one-car parking pad for the proposed structure fronting States Street, therefore satisfying the off-street parking requirement.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with the criteria of Section 303, in that:

- A. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or community.

The proposed structure's size, configuration and location were not found to be compatible with the neighborhood.

- B. The use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements, or potential development in the vicinity, with respect to aspects including, but not limited to the following:

- i. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures.

The proposed size, shape and arrangement of structures were found to be inappropriate for the neighborhood.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code.

The proposed project will not exceed the density permitted by the Planning Code and is well served by public transit. The Castro Street Muni Station is less than a 10-minute walk, while the 24, 33, 35, and 37 bus lines have nearby stops. For these reasons, the type and volume of

traffic generated by the proposed project will not be detrimental to traffic patterns for persons and vehicles.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor.

The proposal will not produce or include uses that would emit noxious or offensive emissions such as noise, glare, dust and odor.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

The proposal does not include loading or services areas, nor will it include atypical lighting or signage. The project would have complied with Planning Code Section 138. The two mature trees at the rear of 24 Ord Court will remain protected.

- C. That such use or feature as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The proposed project does not comply with all applicable requirements and standards of the Planning Code, once the requested variance is issued, and is consistent with the Objectives and Policies of the General Plan as documented under item 10.) below.

- 9. **Interim Zoning Controls (Resolution 76-15).** On March 9, 2015, the Board of Supervisors passed interim legislation to impose interim zoning controls for an 18-month period for parcels in RH-1, RH-2, and RH-3 zoning districts within neighborhoods known as Corbett Heights and Corona Heights, requiring Conditional Use authorization for any residential development on a vacant parcel that will result in total residential square footage exceeding 3,000 square feet; Conditional Use authorization for any new residential development on a developed parcel that will increase the existing gross square footage in excess of 3,000 square feet by more than 75% without increasing the existing legal unit count, or more than 100% if increasing the existing legal unit count; and requiring Conditional Use authorization for residential development that results in great than 55% total lot coverage.

- A. The Planning Commission shall only grant a Conditional Use authorization allowing residential development to result in greater than 55% lot coverage upon finding unique or exceptional lot constraints that would make development on the lot infeasible without exceeding 55% total lot coverage, or in the case of the addition of a residential unit, that such addition would be infeasible without exceeding 55% total lot coverage; and

The Planning Commission did not find that additional development on the subject lot would be infeasible without exceeding 55% lot coverage.

- B. The Planning Commission, in considering a Conditional Use authorization in a situation where an additional new residential unit is proposed on a through lot on which there is already an existing buildings on the opposite street frontage, shall only grant such

authorization upon finding that it would be infeasible to add a unit to the already developed street frontage of the lot.

The Planning Commission did not find that it would be infeasible to add a unit to the already developed street frontage of the lot.

10. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 4

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

If approved, the Project would have advanced this policy by creating a new single-family home and expanding an existing one to be adequately sized for families and children. Families with children typically seek more bedrooms and larger shared living areas than smaller households.

OBJECTIVE 11

SUPPORT AND RESPECT THE DIVERS AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility and innovative design, and respects existing neighborhood character.

Policy 11.2:

Ensure implementation of accepted design standards in project approvals.

Policy 11.3:

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.5:

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

The proposed project was not found to be consistent with the existing character and density of the neighborhood.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3:

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

The proposed project directly furthers this policy by creating additional residential uses in an area well-served by the City's public transit systems. The Castro Street Muni Station is less than a 10-minute walk from the project site, while the 24, 33, 35 and 37 bus lines all have bus stops nearby as well. The numerous nearby public transit options will help ensure the proposed project has no adverse impacts on traffic patterns in the vicinity of the project site.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 4:

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.12:

Install, promote and maintain landscaping in public and private areas.

The proposed project included and maintained landscaping.

11. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

This policy does not apply to the proposed project, as the project is residential and will not affect or displace any existing neighborhood-serving retail uses.

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

The proposed project is consistent with this policy, as the existing single-family home at 22 Ord Court is preserved, with only a modest expansion. The new proposed single-family home is designed to be consistent with the height and size typical of the existing neighborhood. Moreover, the project preserves existing significant trees on the States Street side to further conserve the character of the neighborhood.

- C. That the City's supply of affordable housing be preserved and enhanced.

The proposed project at 22 Ord Court preserves one existing single-family home and would have added one new single-family home to the City's housing stock. No affordable housing units will be removed, and no new affordable housing units are required under the Planning Code.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The proposed project is located in an area well-served by the City's public transit systems and incorporates off-street parking that satisfies City parking requirements. The Castro Street Muni Station is less than a 10 minute walk from the project site, while the 24, 33, 35, and 37 bus lines all have stops nearby as well. The proposed project, therefore, would not have overburdened Streets or neighborhood parking, or overburden Muni transit service.

- E. 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.

This policy does not directly apply to the proposed project, as the project does not include commercial office development and will not displace industrial or service sector uses.

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

The proposed residential building would have complied with all applicable structural and seismic safety requirements of the City's Building Code and any other requirements related to earthquake safety and therefore are consistent with this policy.

- G. That landmarks and historic buildings be preserved.

There are no landmarks or historic buildings on the project site.

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

The proposed project is consistent with this policy, as parks and public open space would not have been developed, nor would access to sunlight be affected by its development. No vistas would have been blocked or otherwise affected by the proposed project.

11. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

The Project Sponsor completed the First Source Hiring Affidavit in January 2014.

12. The Project is not consistent with and would not promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would not contribute to the character and stability of the neighborhood and would not constitute a beneficial development.
13. The Commission hereby finds that approval of the Conditional Use Authorization would not promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **DISAPPROVES Conditional Use Authorization No. 2013.1522CUAV** under Planning Code Sections 303 and 306.7 establishing interim zoning controls imposed by resolution no. 76-15 on March 9, 2015 to permit lot coverage of a parcel to exceed 55% and an increase to the existing square footage in excess of 3,000 square feet and more than 100 per cent by constructing a new, +/-2,500 gross square foot, two-story dwelling unit at the rear of the existing through lot. The project site is located within an RH-2 (Residential House, Two-Family) zoning and a 40-X height and bulk district.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 19334. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on December 3, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 3, 2015



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SHEET TITLE

Site Plan

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ISSUES / REVISIONS

NO.	DATE	DESCRIPTION

DRAWN R.L.

DESIGN R.K.

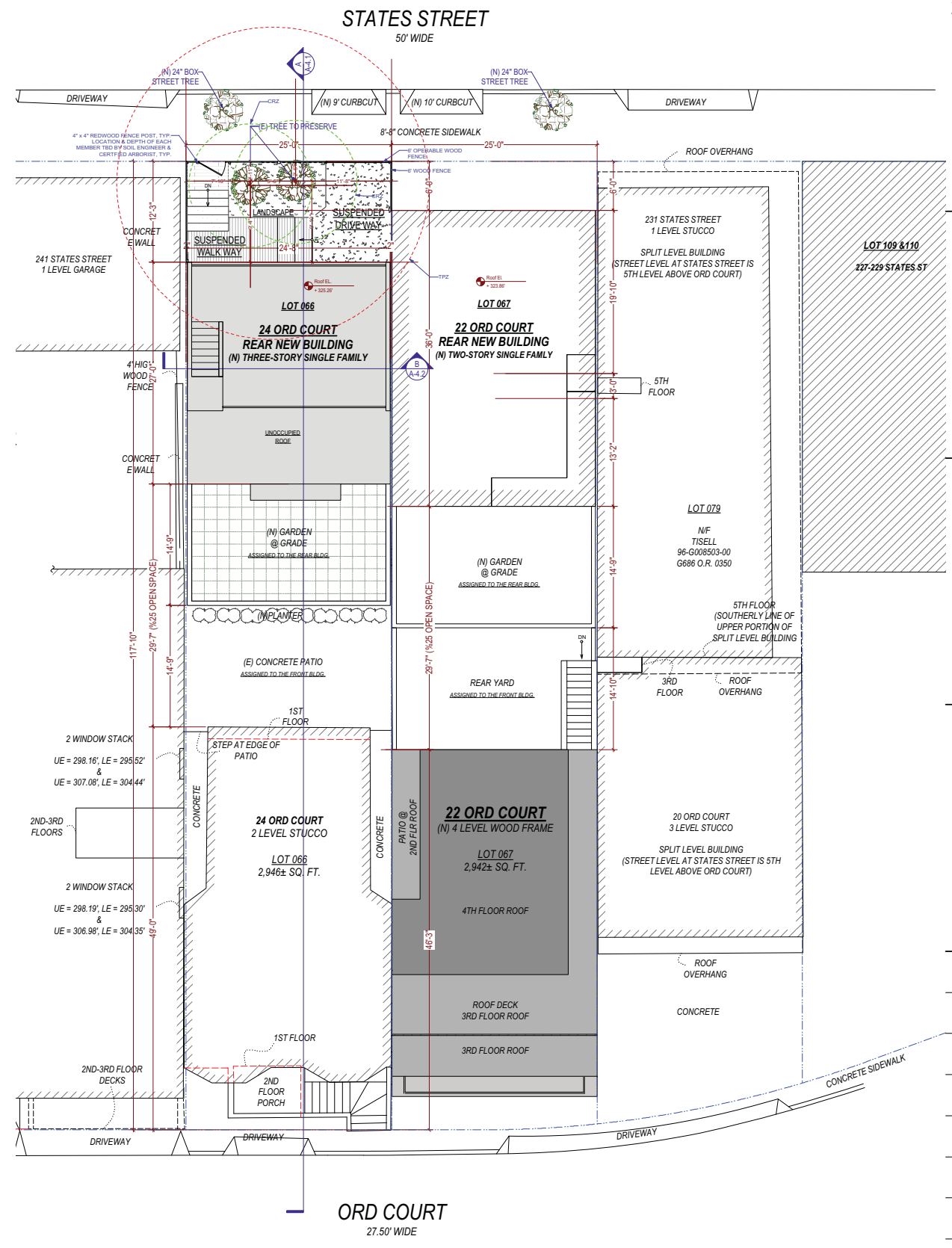
DATE 08/19/2013

REVISED DATE 09/03/2015


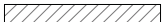
JOB NO. 13-1590

SHEET NO.

A-1.1



Proposed Site
 1/8" = 1'-0"

BLOCK & LOT: 2619-066
PROPERTY LINE: _____
OUTLINE OF SUBJECT BUILDING: 
OUTLINE OF NEIGHBORS: 





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SHEET TITLE
Sub Basement, Basement, & First Floor Plans

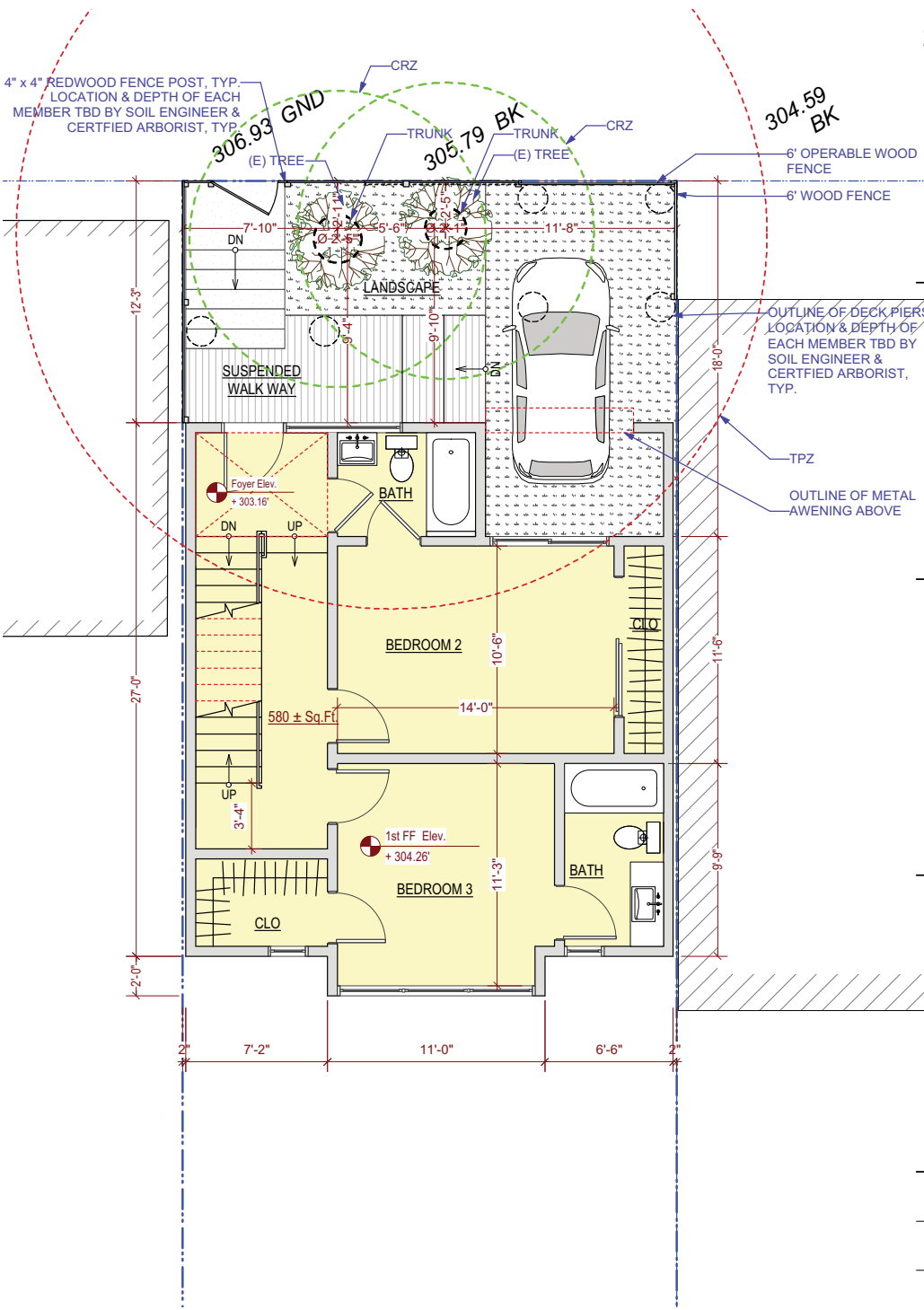
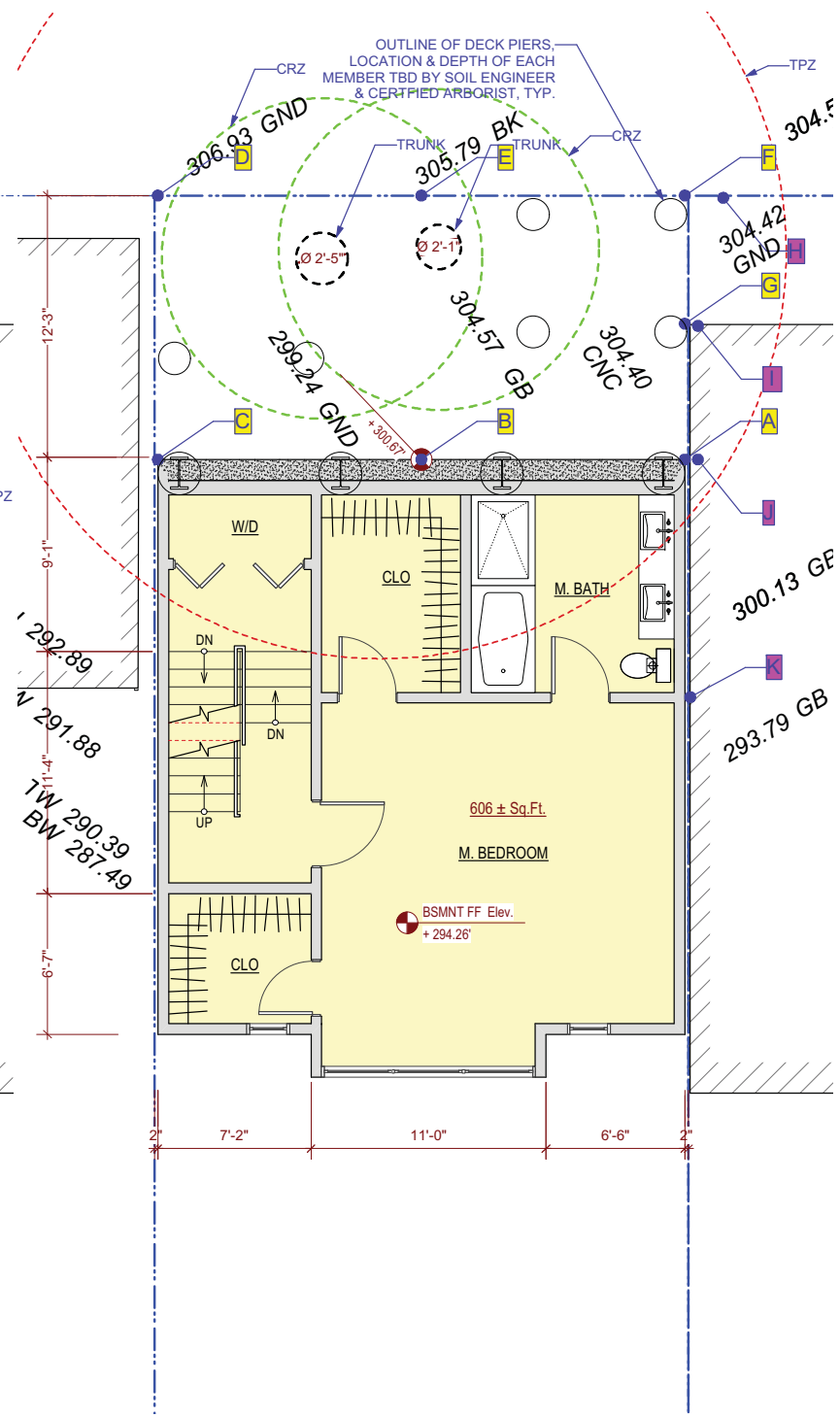
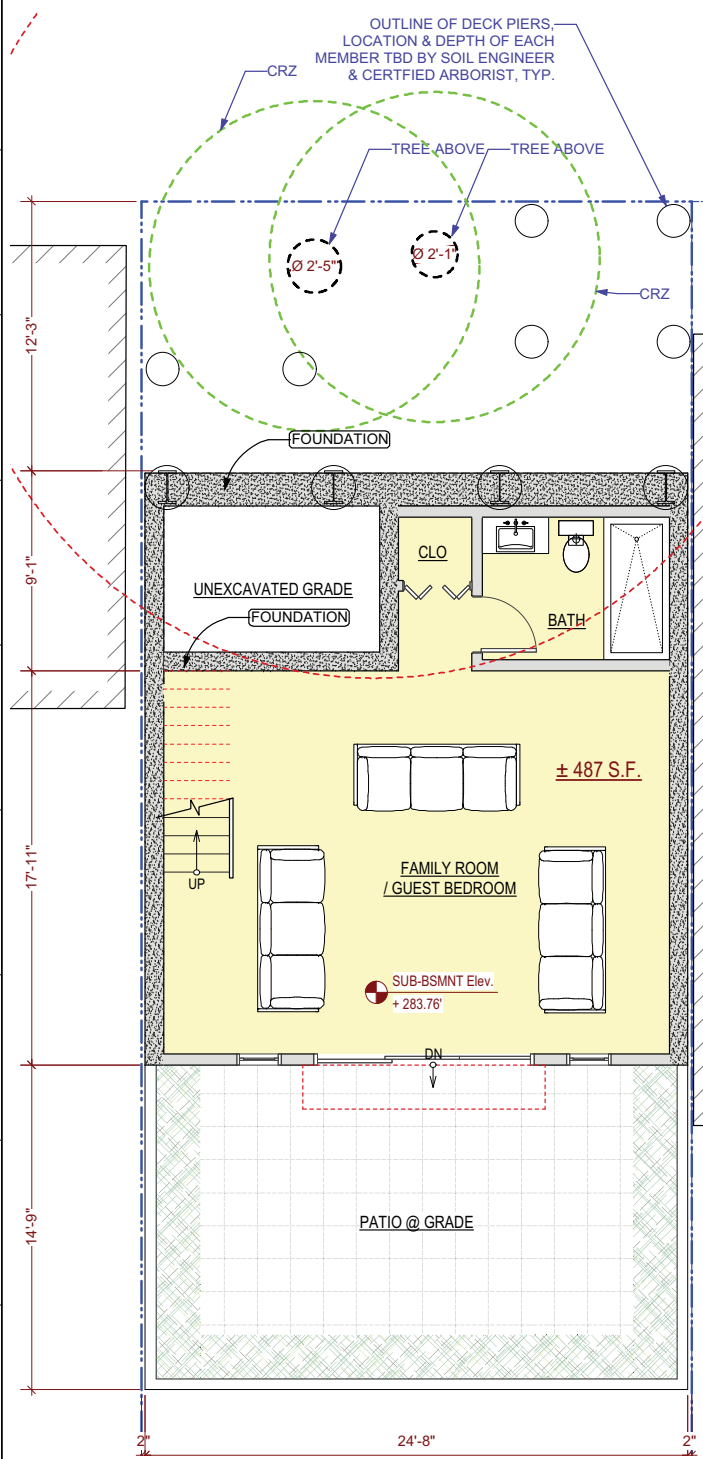
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ISSUES / REVISIONS

NO.	DATE	DESCRIPTION

DRAWN	R.L.
DESIGN	R.K.
DATE	08/19/2013

REVISED DATE	09/03/2015
JOB NO.	13-1590
SHEET NO.	A-2.1



(CD)	CARBON MONOXIDE DETECTOR/ALARM IN ALL BEDROOMS
(SD)	SMOKE DETECTOR, 110-V INTERCONNECTED WITH BATTERY BACKUP
---	PROPERTY LINE
---	(N) WALL TO BE CONSTRUCTED
---	(N) WALL TO BE 1-HR. FIRE RATED



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SHEET TITLE

Second Floor & Roof Plans

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ISSUES / REVISIONS

NO.	DATE	DESCRIPTION

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DESIGN R.K.

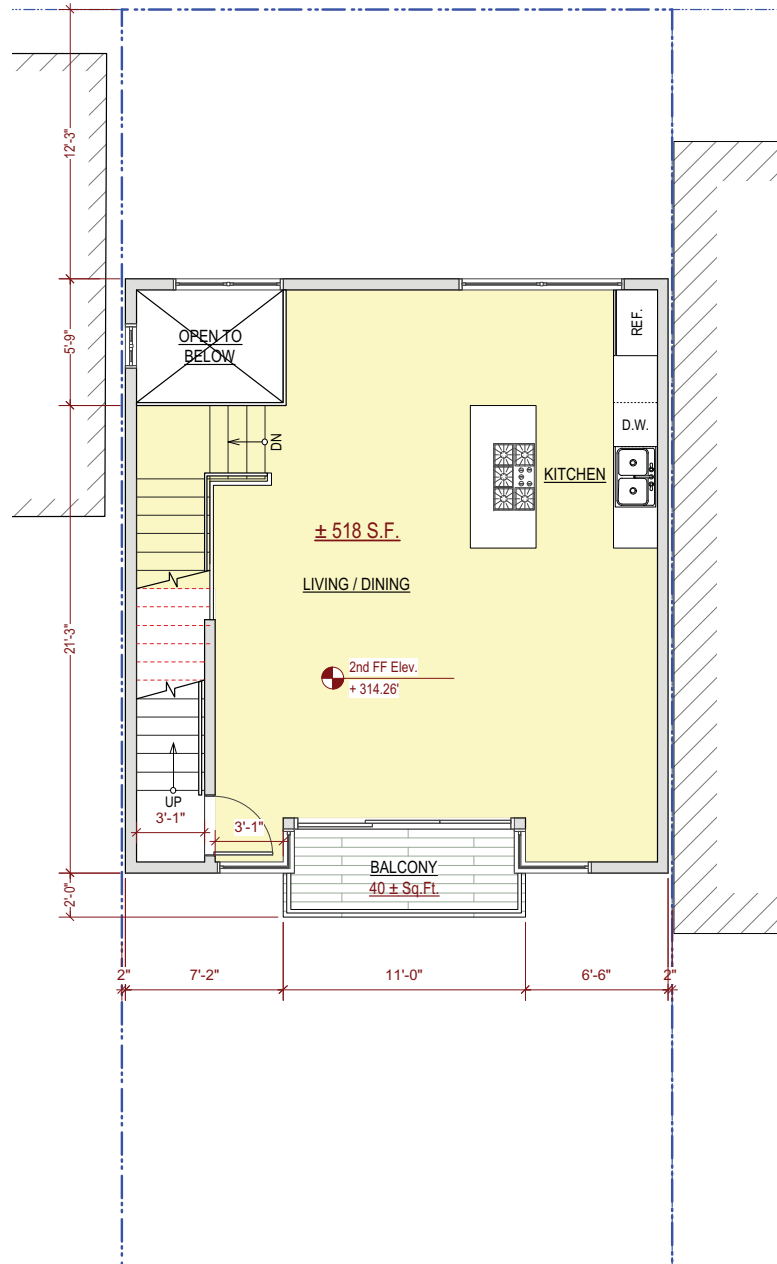
DATE 08/19/2013

REVISED DATE 09/03/2015

JOB NO. 13-1590

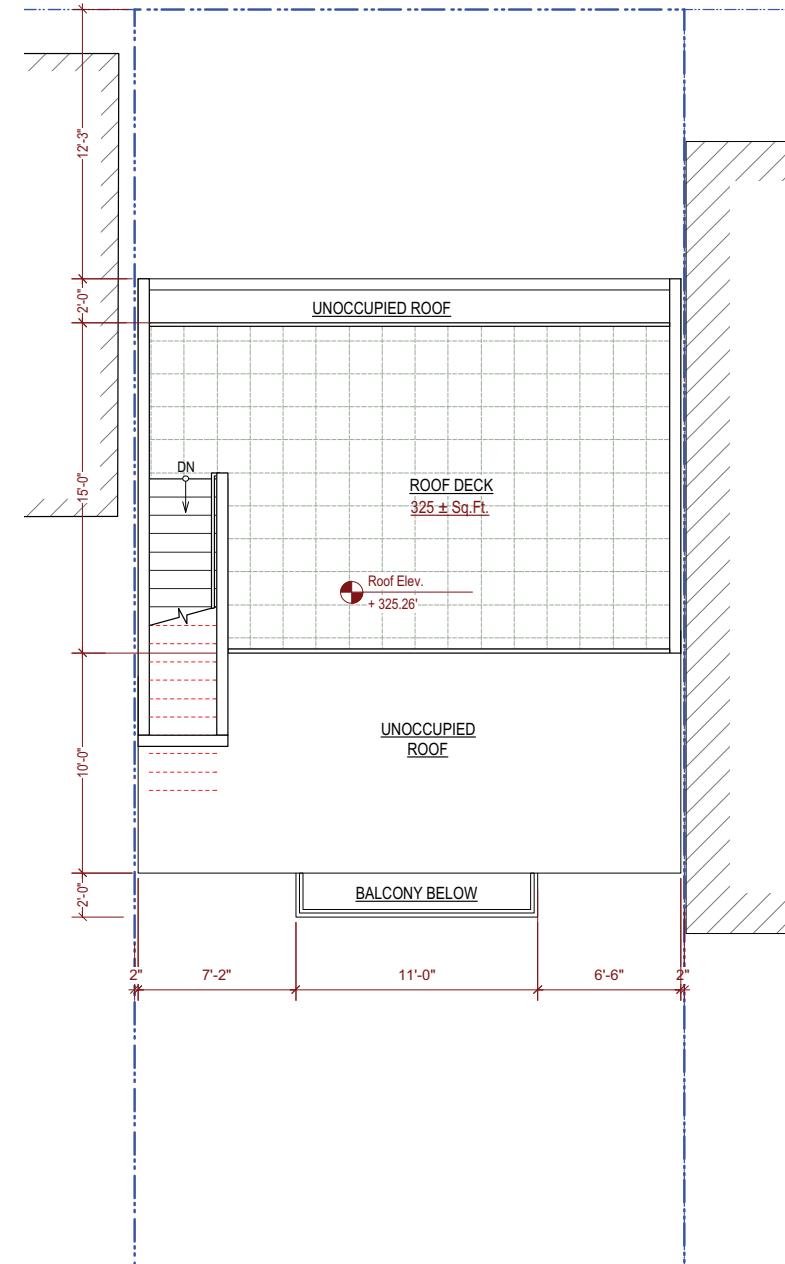
SHEET NO.

A-2.2



Proposed Second Floor Plan

1/4" = 1'-0"



Proposed Roof Plan

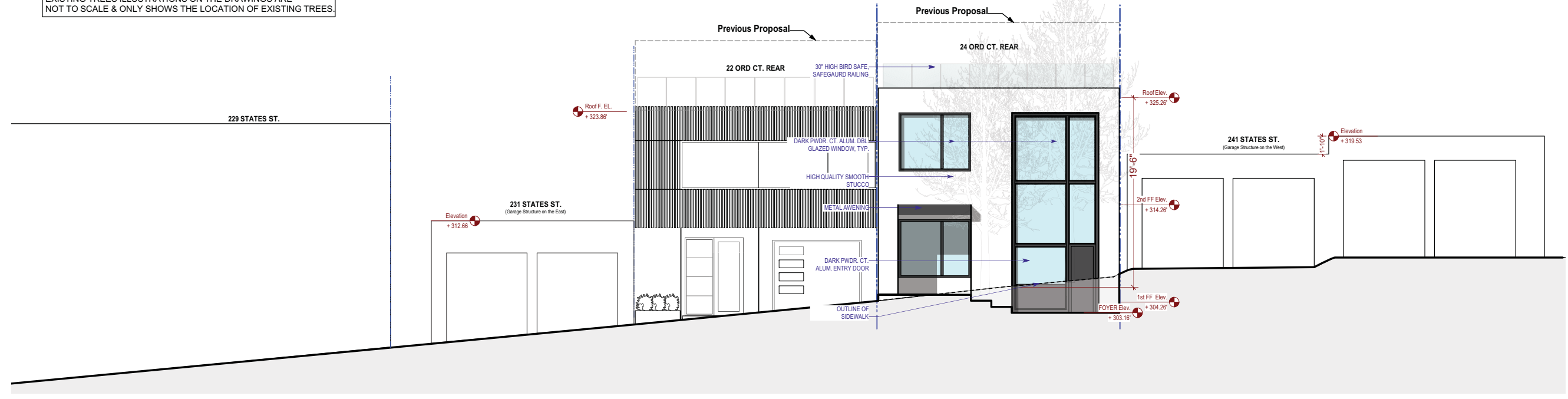
1/4" = 1'-0"

CD	CARBON MONOXIDE DETECTOR/ALARM IN ALL BEDROOMS	REVISED DATE	09/03/2015
SD	SMOKE DETECTOR, 110-V INTERCONNECTED WITH BATTERY BACKUP	JOB NO.	13-1590
---	PROPERTY LINE	SHEET NO.	A-2.2
---	(N) WALL TO BE CONSTRUCTED		
---	(N) WALL TO BE 1-HR. FIRE RATED		



NOTE:
 EXISTING TREES TO BE PRUNED UNDER SUPERVISION OF CERTIFIED ARBORIST.
 EXISTING TREES ILLUSTRATIONS ON THE DRAWINGS ARE NOT TO SCALE & ONLY SHOWS THE LOCATION OF EXISTING TREES.

PROJECT NAME
24 Ord Ct-Rear Building
 SAN FRANCISCO, CA



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Proposed Front Elevation
 3/16" = 1'-0"

Front Elevation



Proposed Rear Elevation
 3/16" = 1'-0"

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JOB NO.	13-1590
SHEET NO.	A-3.1



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Side Elevation

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DRAWN R.L.

DESIGN R.K.

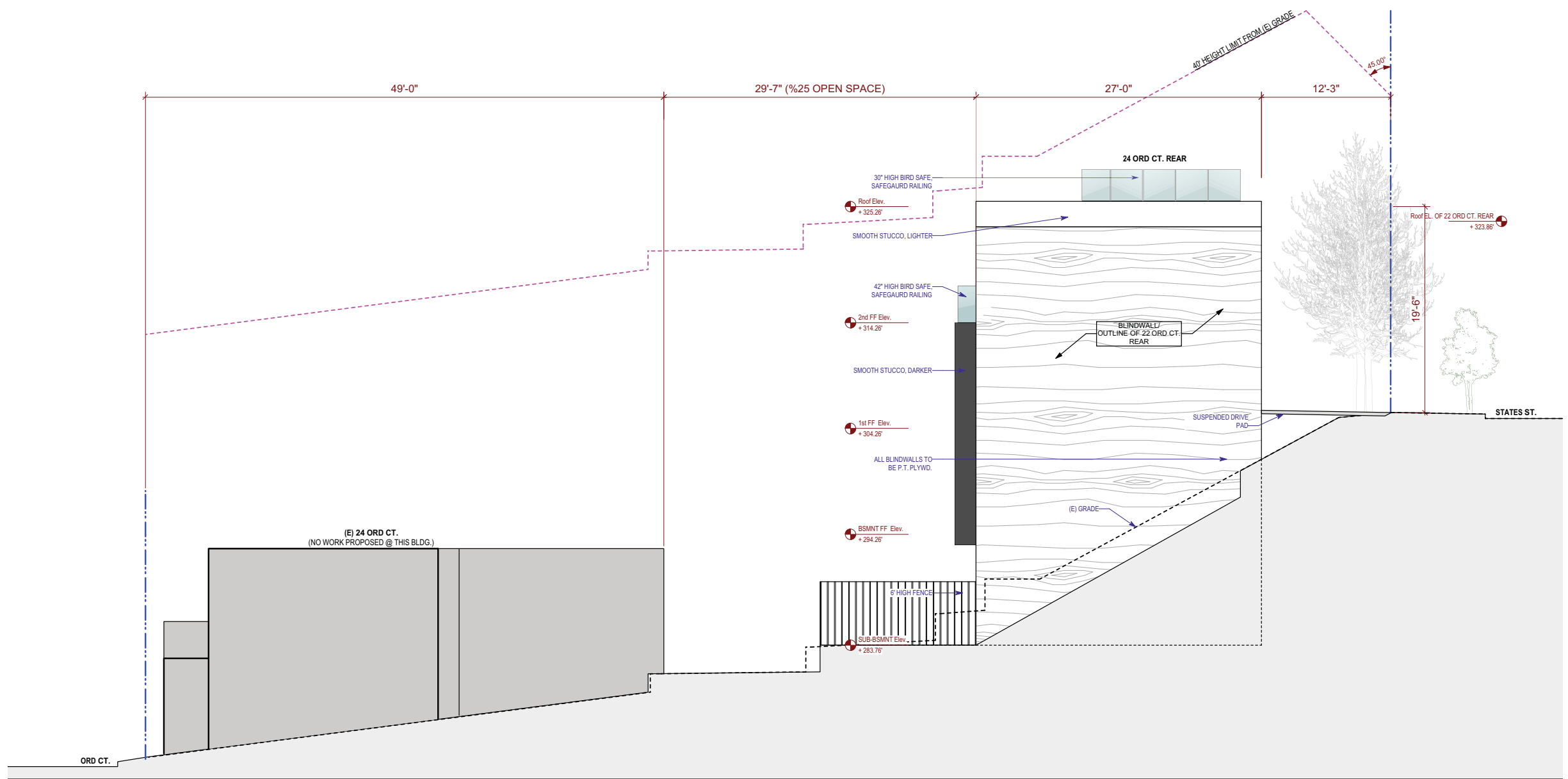
DATE 08/19/2013

REVISED DATE 09/03/2015

JOB NO. 13-1590

SHEET NO.

A-3.2



Proposed East Elevation
 3/16" = 1'-0"

NOTE:
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 EXISTING TREES ILLUSTRATIONS ON THE DRAWINGS ARE NOT TO SCALE & ONLY SHOWS THE LOCATION OF EXISTING TREES.

Green Building: Site Permit Checklist

BASIC INFORMATION:

These facts, plus the primary occupancy, determine which requirements apply. For details, see AB 093 Attachment A Table 1.

Project Name 24 ORD CT-REAR	Block/Lot 2619 / 066	Address 24 ORD CT-REAR
Gross Building Area 2,494 S.F. +/-	Primary Occupancy R-3	Design Professional/Applicant: Sign & Date Bahman Ghassemzadeh
# of Dwelling Units 1	Height to highest occupied floor 19'-6"	Number of occupied floors 4

Instructions:

As part of application for site permit, this form acknowledges the specific green building requirements that apply to a project under San Francisco Building Code Chapter 13C, California Title 24 Part 11, and related local codes. **Attachment C3, C4, or C5 will be due with the applicable addendum.** To use the form:

(a) Provide basic information about the project in the box at left. This info determines which green building requirements apply.

AND

(b) Indicate in one of the columns below which type of project is proposed. If applicable, fill in the blank lines below to identify the number of points the project must meet or exceed. A LEED or GreenPoint checklist is not required to be submitted with the site permit application, but such tools are strongly recommended to be used.

Solid circles in the column indicate mandatory measures required by state and local codes. For projects applying LEED or GreenPoint Rated, prerequisites of those systems are mandatory. This form is a summary; see San Francisco Building Code Chapter 13C for details.

PROJECT NAME

24 Ord Ct-Rear Building
SAN FRANCISCO, CA



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SHEET TITLE

Green Point Checklist

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DESIGN	R.K.
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DATE	08/19/2013
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REVISED DATE	09/03/2015
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JOB NO.	13-1590
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SHEET NO.	G-1.0
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ALL PROJECTS, AS APPLICABLE

Construction activity stormwater pollution prevention and site runoff controls - Provide a construction site Stormwater Pollution Prevention Plan and implement SFPUC Best Management Practices.	●
Stormwater Control Plan: Projects disturbing ≥5,000 square feet must implement a Stormwater Control Plan meeting SFPUC Stormwater Design Guidelines	●
Water Efficient Irrigation - Projects that include ≥ 1,000 square feet of new or modified landscape must comply with the SFPUC Water Efficient Irrigation Ordinance.	●
Construction Waste Management – Comply with the San Francisco Construction & Demolition Debris Ordinance	●
Recycling by Occupants: Provide adequate space and equal access for storage, collection and loading of compostable, recyclable and landfill materials. See Administrative Bulletin 088 for details.	●

GREENPOINT RATED PROJECTS

Proposing a GreenPoint Rated Project (Indicate at right by checking the box.)	
Base number of required Greenpoints:	75
Adjustment for retention / demolition of historic features / building:	
Final number of required points (base number +/- adjustment)	
GreenPoint Rated (i.e. meets all prerequisites)	●
Energy Efficiency: Demonstrate a 15% energy use reduction compared to 2008 California Energy Code, Title 24, Part 6.	●
Meet all California Green Building Standards Code requirements (CalGreen measures for residential projects have been integrated into the GreenPoint Rated system.)	●

Notes

- New residential projects of 75' or greater must use the "New Residential High-Rise" column. New residential projects with >3 occupied floors and less than 75 feet to the highest occupied floor may choose to apply the LEED for Homes Mid-Rise rating system; if so, you must use the "New Residential Mid-Rise" column.
- LEED for Homes Mid-Rise projects must meet the "Silver" standard, including all prerequisites. The number of points required to achieve Silver depends on unit size. See LEED for Homes Mid-Rise Rating System to confirm the base number of points required.
- Requirements for additions or alterations apply to applications received on or after July 1, 2012.

LEED PROJECTS

Type of Project Proposed (Indicate at right)	New Large Commercial	New Residential Mid-Rise ¹	New Residential High-Rise ¹	Commerical Interior	Commercial Alteration	Residential Alteration
Overall Requirements:						
LEED certification level (includes prerequisites):	GOLD	SILVER	SILVER	GOLD	GOLD	GOLD
Base number of required points:	60	2	50	60	60	60
Adjustment for retention / demolition of historic features / building:				n/a		
Final number of required points (base number +/- adjustment)				50		
Specific Requirements: (n/r indicates a measure is not required)						
Construction Waste Management – 75% Diversion AND comply with San Francisco Construction & Demolition Debris Ordinance LEED MR 2, 2 points	●	●	●	●	Meet C&D ordinance only	●
15% Energy Reduction Compared to Title-24 2008 (or ASHRAE 90.1-2007) LEED EA 1, 3 points	●	●	●	●	LEED prerequisite only	
Renewable Energy or Enhanced Energy Efficiency Effective 1/1/2012: Generate renewable energy on-site ≥1% of total annual energy cost (LEED EA2), OR Demonstrate an additional 10% energy use reduction (total of 25% compared to Title 24 Part 6 2008), OR Purchase Green-E certified renewable energy credits for 35% of total electricity use (LEED EA6).	●	n/r	n/r	n/r	n/r	n/r
Enhanced Commissioning of Building Energy Systems LEED EA 3	●				Meet LEED prerequisites	
Water Use - 30% Reduction LEED WE 3, 2 points	●	n/r	●		Meet LEED prerequisites	
Enhanced Refrigerant Management LEED EA 4	●	n/r	n/r	n/r	n/r	n/r
Indoor Air Quality Management Plan LEED IEQ 3.1	●	n/r	n/r	n/r	n/r	n/r
Low-Emitting Materials LEED IEQ 4.1, 4.2, 4.3, and 4.4	●	n/r	●	●	●	●
Bicycle parking: Provide short-term and long-term bicycle parking for 5% of total motorized parking capacity each, or meet San Francisco Planning Code Sec 155, whichever is greater, or meet LEED credit SSc4.2. (13C.5.106.4)	●		n/r	●	n/r	n/r
Designated parking: Mark 8% of total parking stalls for low-emitting, fuel efficient, and carpool/van pool vehicles. (13C.5.106.5)	●			●	n/r	n/r
Water Meters: Provide submeters for spaces projected to consume more than 1,000 gal/day, or more than 100 gal/day if in building over 50,000 sq. ft. (13C.5.303.1)	●	n/r	n/r	n/r	n/r	n/r
Air Filtration: Provide at least MERV-8 filters in regularly occupied spaces of mechanically ventilated buildings (or LEED credit IEQ 5). (13C.5.504.5.3)	●	n/r	n/r	●	n/r	n/r
Air Filtration: Provide MERV-13 filters in residential buildings in air-quality hot-spots (or LEED credit IEQ 5). (SF Health Code Article 38 and SF Building Code 1203.5)	n/r	●	●	n/r	n/r	n/r
Acoustical Control: Wall and roof-ceilings STC 50, exterior windows STC 30, party walls and floor-ceilings STC 40. (13C.5.507.4)	●		See CBC 1207	●	n/r	n/r

OTHER APPLICABLE NON-RESIDENTIAL PROJECTS

Type of Project Proposed (Check box if applicable)	Other New Non-Residential	Addition >2,000 sq ft OR Alteration >\$500,000 ³
Energy Efficiency: Demonstrate a 15% energy use reduction compared to 2008 California Energy Code, Title 24, Part 6. (13C.5.201.1.1)	●	n/r
Bicycle parking: Provide short-term and long-term bicycle parking for 5% of total motorized parking capacity each, or meet San Francisco Planning Code Sec 155, whichever is greater (or LEED credit SSc4.2). (13C.5.106.4)	●	●
Fuel efficient vehicle and carpool parking: Provide stall marking for low-emitting, fuel efficient, and carpool/van pool vehicles; approximately 8% of total spaces. (13C.5.106.5)	●	●
Water Meters: Provide submeters for spaces projected to consume >1,000 gal/day, or >100 gal/day if in buildings over 50,000 sq. ft.	●	●
Indoor Water Efficiency: Reduce overall use of potable water within the building by 20% for showerheads, lavatories, kitchen faucets, wash fountains, water closets, and urinals. (13C.5.303.2)	●	●
Commissioning: For new buildings greater than 10,000 square feet, commissioning shall be included in the design and construction of the project to verify that the building systems and components meet the owner's project requirements. (13C.5.410.2) OR for buildings less than 10,000 square feet, testing and adjusting of systems is required.	●	(Testing & Balancing)
Protect duct openings and mechanical equipment during construction (13C.5.504.3)	●	●
Adhesives, sealants, and caulks: Comply with VOC limits in SCAQMD Rule 1168 VOC limits and California Code of Regulations Title 17 for aerosol adhesives. (13C.5.504.4.1)	●	●
Paints and coatings: Comply with VOC limits in the Air Resources Board Architectural Coatings Suggested Control Measure and California Code of Regulations Title 17 for aerosol paints. (13C.5.504.4.3)	●	●
Carpet: All carpet must meet one of the following: 1. Carpet and Rug Institute Green Label Plus Program 2. California Department of Public Health Standard Practice for the testing of VOCs (Specification 01350) 3. NSF/ANSI 140 at the Gold level 4. Scientific Certifications Systems Sustainable Choice AND Carpet cushion must meet CRI Green Label, AND Carpet adhesive must not exceed 50 g/L VOC content. (13C.5.504.4.4)	●	●
Composite wood: Meet CARB Air Toxics Control Measure for Composite Wood (13C.5.504.4.5)	●	●
Resilient flooring systems: For 50% of floor area receiving resilient flooring, install resilient flooring complying with the VOC-emission limits defined in the 2009 Collaborative for High Performance Schools (CHPS) criteria or certified under the Resilient Floor Covering Institute (RFCI) FloorScore program. (13C.5.504.4.6)	●	●
Environmental Tobacco Smoke: Prohibit smoking within 25 feet of building entries, outdoor air intakes, and operable windows. (13C.5.504.7)	●	●
Air Filtration: Provide at least MERV-8 filters in regularly occupied spaces of mechanically ventilated buildings. (13C.5.504.5.3)	●	Limited exceptions. See CA T24 Part 11 Section 5.714.6
Acoustical Control: Wall and roof-ceilings STC 50, exterior windows STC 30, party walls and floor-ceilings STC 40. (13C.5.507.4)	●	● See CA T24 Part 11 Section 5.714.7
CFCs and Halons: Do not install equipment that contains CFCs or Halons. (13C.5.508.1)	●	●
Additional Requirements for New A, B, I, OR M Occupancy Projects 5,000 - 25,000 Square Feet		
Construction Waste Management – Divert 75% of construction and demolition debris AND comply with San Francisco Construction & Demolition Debris Ordinance.	●	Meet C&D ordinance only
Renewable Energy or Enhanced Energy Efficiency Effective January 1, 2012: Generate renewable energy on-site equal to ≥1% of total annual energy cost (LEED EA2), OR demonstrate an additional 10% energy use reduction (total of 25% compared to Title 24 Part 6 2008), OR purchase Green-E certified renewable energy credits for 35% of total electricity use (LEED EA6).	●	n/r