



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use

HEARING DATE: SEPTEMBER 7, 2017

*Date:* August 28, 2017  
*Case No.:* **2014-002181CUA**  
*Project Address:* **2670 GEARY BOULEVARD**  
*Zoning:* NC-3 (Moderate Scale Neighborhood-Commercial) Zoning District  
80-D Height and Bulk District  
*Block/Lot:* 1071/003  
*Project Sponsor:* Riyadh Ghannam, RGA Architecture  
560 Third St  
San Francisco, CA 9417  
*Staff Contact:* Christopher May – (415) 575-9087  
[christopher.may@sfgov.org](mailto:christopher.may@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The project sponsor proposes to demolish the existing one-story commercial building and construct a 10-story mixed-use building containing 121 residential dwelling units (80 studios, 40 two-bedroom units and 1 three-bedroom unit) above two ground floor commercial spaces totaling approximately 2,193 square feet within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and an 80-D Height and Bulk District. The studio units would range in size from approximately 342 square feet to approximately 344 square feet, the two-bedroom units would range in size from approximately 700 square feet to approximately 736 square feet and the three-bedroom unit would be approximately 1,114 square feet in size. Usable open space for the dwelling units would be provided on an approximately 4,998 square-foot shared rooftop deck and interior courtyards on the 2<sup>nd</sup> floor totaling approximately 1,787 square feet. Seven (7) vehicular parking spaces would be located behind the two ground floor commercial spaces and residential lobby, and would be accessed via a relocated curb cut on Geary Boulevard. One other existing curb cut on Masonic Avenue would be removed. One hundred and twenty-four (124) Class 1 bicycle parking spaces would be provided in a secure, weather protected area on the ground floor level. Eight (8) Class 2 bicycle parking spaces would be provided outside along the Geary Boulevard and Masonic Avenue sidewalks. The project is participating in the HOME-SF Program whereby additional height and/or density is permitted, as well as development bonuses and zoning exceptions, in exchange for providing additional affordable housing than would otherwise be required by the Inclusionary Affordable Housing Program.

### SITE DESCRIPTION AND PRESENT USE

The project is located on the northwest corner of Geary Boulevard and Masonic Avenue, Block 1071, Lot 003. The subject property is a corner lot with approximately 60 feet of frontage on Geary Boulevard and 157 feet of frontage on Masonic Avenue with a lot area of 12,730 square feet. The property is located in

the NC-3 (Moderate Scale Neighborhood-Commercial) Zoning District and 80-D Height and Bulk District. The property is currently developed with a vacant one-story commercial building formerly d.b.a. The Lucky Penny. The subject property slopes upward from Geary Boulevard towards its north side lot line at an average slope of approximately 7%.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The project site is located at the southeastern edge of the Presidio Heights neighborhood, where it meets the Western Addition neighborhood to the east and the Inner Richmond neighborhood to the south. The immediate area contains a mix of apartment buildings, and commercial and public utility buildings on large lots with varied heights. Directly adjacent and west of the subject lot is a seven-story commercial storage building and directly adjacent and north of the subject lot is a one-story grocery store (Trader Joe's). Directly across Geary Boulevard and to the south of the subject lot is a three-story building containing commercial uses on the ground floor with two floors of residential uses above. Directly across Masonic Avenue and to the east of the subject lot is a two-story building which occupies the entire block and is owned by the SFMTA for vehicle storage and office uses. Across the intersection, on the southeast corner of Geary Boulevard and Masonic Avenue is a large regional shopping complex (City Center), which also occupies the entire block. The central portion of Geary Boulevard, including two lanes of vehicular traffic in both directions, is tunneled beneath Masonic Boulevard, while the outer portions, including one lane of vehicular traffic and curbside parking, are located at grade and form two separate intersections with Masonic Avenue.

## **ENVIRONMENTAL REVIEW**

On August 21, 2017, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

## **HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	August 18, 2016	August 16, 2016	22 days
Posted Notice	20 days	August 18, 2016	August 18, 2016	20 days
Mailed Notice	20 days	August 18, 2016	August 18, 2016	20 days

## **BACKGROUND**

On December 10, 2015, Riyadh Ghannam on behalf of RGA Architecture filed an application with the Planning Department for Conditional Use Authorization, pursuant to Planning Code Sections 121.1, 271 and 303, proposing to demolish the existing one-story commercial building and construct a 7-story mixed-use building containing 21 residential rental dwelling units above approximately 9,463 square feet of ground floor commercial space, 35,224 square feet of medical office uses and 57 parking spaces within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and an 80-D Height and Bulk District.

On July 13, 2017, the Housing Opportunities Mean Equity – San Francisco Program (HOME-SF) was enacted. HOME-SF is an optional program for developers constructing mixed-income housing in certain areas of the City. Under HOME-SF, 30 percent of the units in a new housing project must be affordable to low, middle and moderate-income families. To provide more family friendly housing, 40 percent of the total units in the building must be two bedrooms or larger (with an additional option of providing 50% of all bedrooms in the project in units with 2 or more bedrooms). In return, additional height and/or density is permitted, as well as development bonuses and zoning modifications, allowing project sponsors to accommodate the additional affordable units.

On August 1, 2017, the Project Sponsor revised their Conditional Use Authorization application, pursuant to Planning Code Sections 121.1, 206.3, 271 and 303, to propose demolishing the existing one-story commercial building and instead construct a 10-story mixed-use building containing 121 residential rental dwelling units above approximately 2,193 square feet of ground floor commercial space and 7 parking spaces within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and an 80-D Height and Bulk District, in accordance with the HOME-SF Program requirements.

## **PUBLIC COMMENT/COMMUNITY OUTREACH**

As of August 28, 2017, in advance of the Planning Commission hearing on September 7, 2017, the Department has received: 1 telephone inquiry questioning the amount of proposed parking, 1 email inquiry requesting information regarding the proposed building height and the impacts on private views, and 6 emails in opposition to the proposed building height, amount of off-street parking and increased traffic congestion.

## **ISSUES AND OTHER CONSIDERATIONS**

- Building Height. The Project proposes a building height of 105 feet. Per Planning Code Section 260, the maximum height limit for the subject property is 80 feet. The HOME-SF Program permits up to two additional 10-foot stories to the project as well as an additional five feet in height above the height limit to provide a 14-foot ceiling height for nonresidential uses at the ground floor.
- Dwelling Unit Density. Pursuant to Planning Code Section 712, the size of the subject property allows for a total of 21 dwelling units, while the project proposes 121 dwelling units. The HOME-SF Program allows for an increase in dwelling unit density in exchange for providing additional residential units onsite at below market rate rent and therefore requires Conditional Use Authorization.
- Development of Large Lots. The Project proposes the development of a 12,730 square foot lot. Planning Code Section 121.1 states that new construction or significant enlargement of existing buildings on lots in excess of 10,000 square feet in the NC-3 (Moderate Scale Neighborhood Commercial) District shall be permitted only as Conditional Uses.
- Bulk. The Project proposes a building length of 153 feet and a diagonal dimension of 176 feet. Planning Code Section 270 states that in the D Bulk District, the maximum length of a building is 110 feet with a maximum diagonal dimension of 140 feet for the portion above 40 feet in height; therefore, a bulk exception is required.

- HOME-SF Zoning Modification – Dwelling Unit Exposure. Several dwelling units not facing onto either Geary Boulevard or Masonic Avenue or the rear yard obtain dwelling unit exposure from an inner court. The project is seeking a zoning modification which would place no restriction on the heights of walls adjacent to the inner court, which would measure at least 25 feet in every horizontal dimension.
- HOME-SF Zoning Modification – Interior Courts as Open Space. A total of 6,767 square feet of common usable open space is required for the 121 proposed dwelling units. The project proposes a total of 6,785 square feet of qualifying common open space. The project is seeking a zoning modification which would place no restriction on the heights of walls adjacent to the inner court, which measures approximately 625 square feet, so that it can be included in the calculation of usable open space.
- HOME-SF Exception – Rear Yard. The project proposes a total rear yard area of approximately 2,728 square feet, representing 21% of the lot area, in an interior corner of the lot as well as a central courtyard. HOME-SF allows projects located on corner properties to provide 20% of the lot area, but specifies that it be located at the interior corner of the property. As such, an exception pursuant to Planning Code Section 303(t)1(2)(C) is required.
- HOME-SF Exception – Obstructions Over Streets. The project proposes decorative vertical “fins” of a purely architectural and decorative character along the Masonic Avenue frontage that exceed the spatial requirements of Planning Code Section 136(c)(1)(B). Planning Code Section 303(t)1(2)(F) enables the Planning Commission to grant an exception to Planning Code requirements that could otherwise be modified as a Planned Unit Development in order to allow the building mass of HOME-SF projects to appropriately shift to respond to surrounding context.
- HOME-SF Exceptions – Ground Floor Active Uses. The project proposes a total of 2,193 square feet of commercial uses on the ground floor. The currently vacant, one-story commercial building (previously d.b.a. The Lucky Penny) measures approximately 3,827 square feet. Planning Code Section 206.3 requires that HOME-SF projects replace any neighborhood commercial uses demolished or removed from the site with active ground floor uses of equal or greater square footage. As such, an exception pursuant to Planning Code Section 303(t)2(2)(G) is required.
- HOME-SF - Affordable Housing. Pursuant to Planning Code Section 206.3, the project will provide thirty-six (36) affordable dwelling units (24 studios and 12 two-bedrooms) of the 121 units proposed.
- Off-Street Vehicular Parking. The project proposes seven (7) off-street parking spaces, including one handicap-accessible spaces and one car-share space in the garage level accessed from Geary Boulevard. Per Planning Code Section 150(e), the reduction of off-street parking will be offset by the provision of 132 bicycle parking spaces.



## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant Conditional Use Authorization pursuant to Planning Code Sections 121.1, 206.3, 271 and 303, to demolish the existing one-story commercial building and construct a 10-story mixed-use building containing 121 residential dwelling units (80 studios, 40 two-bedroom units and 1 three-bedroom unit) above two ground floor commercial spaces totaling approximately 2,193 square feet within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and an 80-D Height and Bulk District.

## **BASIS FOR RECOMMENDATION**

- The project will replace an underutilized site with 121 dwelling units, including 36 affordable dwelling units, and 132 bicycle parking spaces.
- One curb cut on the Masonic Avenue frontage would be removed, and the curb cut on Geary Boulevard will be shifted further from the intersection, which will reduce potential pedestrian-vehicular conflicts.
- The project will introduce new residents who will support existing businesses in the nearby City Center shopping complex and the Geary Boulevard corridor.
- Although the former restaurant use on the subject property will be eliminated, the project will provide approximately 2,193 square feet of ground floor commercial space for future retail use.
- The removal of surface parking and introduction of a pedestrian-scale commercial space along both Masonic Avenue and Geary Boulevard will help activate an otherwise underwhelming public realm.
- Other than those requirements for which a modification or exception is being sought, the project meets all applicable requirements of the Planning Code and proposes land uses that are overall in greater conformity with the Planning Code.
- The project represents the sensitive redevelopment of an underutilized site and is desirable for, and compatible with the surrounding neighborhood.

<b>RECOMMENDATION:</b>	<b>Approval with Conditions</b>
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### **Attachments:**

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Site Photographs

Shadow Analysis

Public Correspondence

Project Sponsor Submittal, including:

- TDM Plan

- Inclusionary Affordable Housing Program Affidavit

- Reduced Plans

Attachment Checklist

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary           | <input checked="" type="checkbox"/> Project sponsor submittal   |
| <input checked="" type="checkbox"/> Draft Motion                | Drawings: <u>Existing Conditions</u>  |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Zoning District Map         | Drawings: <u>Proposed Project</u>   |
| <input checked="" type="checkbox"/> Height & Bulk Map           | <input checked="" type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Block Map                   | 3-D Renderings (new construction or significant addition)   |
| <input checked="" type="checkbox"/> Sanborn Map                 | <input checked="" type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Aerial Photo                | <input type="checkbox"/> Wireless Telecommunications Materials  |
| <input checked="" type="checkbox"/> Site Photos                 | <input type="checkbox"/> Health Dept. review of RF levels   |
| <input checked="" type="checkbox"/> Public Correspondence       | <input type="checkbox"/> RF Report  |
| <input type="checkbox"/> Previously-Approved Plans              | <input type="checkbox"/> Community Meeting Notice   |
|   | <input checked="" type="checkbox"/> Housing Documents   |
|   | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

Exhibits above marked with an "X" are included in this packet

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CM  
Planner's Initials



# SAN FRANCISCO PLANNING DEPARTMENT

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*Subject to: (Select only if applicable)*

- |  |  |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415)           | <input type="checkbox"/> First Source Hiring (Admin. Code)             |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414)             |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412)            | <input type="checkbox"/> Transportation Sustainability Fee (Sec. 411A) |

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## Planning Commission Draft Motion

HEARING DATE: SEPTEMBER 7, 2017

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*Case No.:* **2014-002181CUA**  
*Project Address:* **2670 GEARY BOULEVARD**  
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560 Third St  
San Francisco, CA 9417  
*Staff Contact:* Christopher May – (415) 575-9087  
[christopher.may@sfgov.org](mailto:christopher.may@sfgov.org)

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 121.1, 206.3, 271, AND 303 PROPOSING TO DEMOLISH THE EXISTING ONE-STORY COMMERCIAL BUILDING AND CONSTRUCT A 10-STORY MIXED-USE BUILDING CONTAINING 121 RESIDENTIAL RENTAL DWELLING UNITS ABOVE APPROXIMATELY 2,193 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE AND 7 PARKING SPACES WITHIN THE NC-3 (MODERATE-SCALE NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT AND AN 80-D HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On December 10, 2015, Riyadh Ghannam on behalf of RGA Architecture (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization, pursuant to Planning Code Sections 121.1, 271 and 303, proposing to demolish the existing one-story commercial building and construct a 7-story mixed-use building containing 21 residential rental dwelling units above approximately 9,463 square feet of ground floor commercial space, 35,224 square feet of medical office uses and 57 parking spaces within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and an 80-D Height and Bulk District.

On July 13, 2017, the Housing Opportunities Mean Equity – San Francisco Program (HOME-SF) was enacted. HOME-SF is an optional program for developers constructing mixed-income housing in certain areas of the City. Under HOME-SF, 30 percent of the units in a new housing project must be affordable to low, middle and moderate-income families. In return, additional height and/or density is permitted, as well as development bonuses and zoning modifications, allowing project sponsors to accommodate the additional affordable units.

On August 1, 2017, the Project Sponsor revised their Conditional Use Authorization application, pursuant to Planning Code Sections 121.1, 206.3, 271 and 303, to propose demolishing the existing one-story commercial building and instead construct a 10-story mixed-use building containing 121 residential rental dwelling units above approximately 2,193 square feet of ground floor commercial space and 7 parking spaces within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and an 80-D Height and Bulk District, in accordance with the HOME-SF Program requirements.

On September 7, 2017, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014-002181CUA.

On August 21, 2017, 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.

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 authorizes the Conditional Use requested in Application No. 2014-002181CUA, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

## **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 project is located on the northwest corner of Geary Boulevard and Masonic Avenue, Block 1071, Lot 003. The subject property is a corner lot with approximately 60 feet of frontage on Geary Boulevard and 157 feet of frontage on Masonic Avenue with a lot area of 12,730 square feet. The property is located in the NC-3 (Moderate Scale Neighborhood-Commercial) Zoning District and 80-D Height and Bulk District. The property is currently developed with a vacant one-story commercial (restaurant) building formerly d.b.a. The Lucky Penny. The subject property slopes upward from Geary Boulevard towards its north side lot line at an average slope of approximately 7%.

3. **Surrounding Properties and Neighborhood.** The project site is located at the southeastern edge of the Presidio Heights neighborhood, where it meets the Western Addition neighborhood to the east and the Inner Richmond neighborhood to the south. The immediate area contains a mix of apartment buildings, and commercial and public utility buildings on large lots with varied heights. Directly adjacent and west of the subject lot is a seven-story commercial storage building and directly adjacent and north of the subject lot is a one-story grocery store (Trader Joe's). Directly across Geary Boulevard and to the south of the subject lot is a three-story building containing commercial uses on the ground floor with two floors of residential uses above. Directly across Masonic Avenue and to the east of the subject lot is a two-story building which occupies the entire block and is owned by the SFMTA for vehicle storage and office uses. Across the intersection, on the southeast corner of Geary Boulevard and Masonic Avenue is a large regional shopping complex (City Center), which also occupies the entire block. The central portion of Geary Boulevard, including two lanes of vehicular traffic in both directions, is tunneled beneath Masonic Boulevard, while the outer portions, including one lane of vehicular traffic and curbside parking, are located at grade and form two separate intersections with Masonic Avenue.
4. **Project Description.** The project proposes to demolish the existing one-story commercial building and construct a 105-foot tall, ten-story mixed-use building containing 121 residential rental dwelling units (80 studios, 40 two-bedrooms, and 1 three-bedroom) above approximately 2,193 square feet of ground floor commercial space, 7 parking spaces accessed via Geary Boulevard and 132 bicycle parking spaces. The studio units would range in size from approximately 342 square feet to approximately 344 square feet, the two-bedroom units would range in size from approximately 700 square feet to approximately 736 square feet and the three-bedroom unit would be approximately 1,114 square feet in size. Usable open space for the dwelling units would be provided on an approximately 4,998 square-foot shared rooftop deck and interior courtyards on the 2<sup>nd</sup> floor totaling approximately 1,787 square feet. The project is participating in the HOME-SF Program whereby additional height and/or density is permitted, as well as development bonuses and zoning exceptions, in exchange for providing additional affordable housing than would otherwise be required by the Inclusionary Affordable Housing Program.
5. **Public Comment.** As of August 28, 2017, in advance of the Planning Commission hearing on September 7, 2017, the Department has received: 1 telephone inquiry questioning the amount of proposed parking, 1 email inquiry requesting information regarding the proposed building height and the impacts on private views, and 6 emails in opposition to the proposed building height, amount of off-street parking and increased traffic congestion.
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. **HOME SF.** HOME-SF is San Francisco's local density bonus program, which requires 30% on-site affordable units and offers project sponsors priority processing, relief from density controls, and up to two extra stories of height. This program offers a set of development bonuses and zoning modifications for Projects that meet a number of location and project-specific criteria, which are discussed below.

**Eligibility – Project Features.** In order to be eligible to use the HOME-SF program, the Project must:

1. consist of new construction and must not propose additions to existing buildings;

*The project proposes the construction of a new 10-story building.*

2. provide three or more dwelling units;

*The project proposes 121 dwelling units.*

3. provide at least 30% affordable units onsite;

*The project will provide 30% onsite affordable units, for a total of 36 units.*

4. provide a dwelling unit mix that meets either of the following criteria:
  - a. Includes 40% large units (two-bedroom or more), with at least 10% three-bedroom units; or
  - b. Includes any unit mix which includes some three-bedroom or larger units such that 50% of all bedrooms in the Project are provided in units with more than one bedroom;

*Eighty-three (83) bedrooms, or approximately 51% of the total number of bedrooms in the project, would be located within dwelling units that have two or more bedrooms. The project proposes 1 three-bedroom unit.*

5. replace any neighborhood commercial uses demolished or removed from the site with active ground floor uses of equal or greater square footage, unless the Planning Commission has granted an exception under Planning Code Section 303(t)<sup>1</sup>(2)(G).

*The currently vacant, one-story commercial building (previously d.b.a. The Lucky Penny restaurant) measures approximately 3,827 square feet. The project proposes a total of 2,193 square feet of commercial uses on the ground floor, which is approximately 1,700 fewer square feet than the amount of commercial space that currently exists on the site. As such, a Planning Commission exception under Planning Code Section 303(t)<sup>1</sup>(2)(G) is required. The additional required findings are listed below under Subsection 9.*

6. not include a Formula Retail use, unless the Project includes demolition of a Formula Retail use, or it includes the demolition of any of the following uses as defined in Section 102: Gas Stations, Private or Public Parking Lots, Financial Services, Fringe Financial Services, Self-Storage, Motel, Automobile Sales or Rental, Automotive Wash, Mortuaries, Adult Business, Massage Establishment, Medical Cannabis Dispensary, or Tobacco Paraphernalia Establishment;

*The project does not include a Formula Retail use.*

7. include at least 135% of the base density as calculated in Planning Code Section 206.5;

*The allowable base density for the subject lot is 21 dwelling units. The Project proposes 121 dwelling units, which is 576% of the allowable base density.*

8. not demolish any residential units;

*The Project does not result in the demolition of a residential unit.*

9. not seek any additional state or local development bonuses;

*The project is not seeking any additional state or local development bonuses.*

10. not include a lot merger that results in a lot with more than 125 feet of frontage in NC Zoning Districts; and

*The project does not propose a lot merger.*

11. not cause a substantial adverse change in the significance of an historic resource as defined by California Code of Regulations, Title 14, Section 15064.5, create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas, or alter wind in a manner that substantially affects public areas.

*As described in the attached Class 32 Categorical Exemption environmental document, there are no substantial adverse impacts to historic resources, no new shadow that substantially affects outdoor recreation facilities, and the Project will not alter wind in a manner that affects public areas.*

**Eligibility – Project Location.** A HOME-SF Project must be located within a Zoning District that establishes a maximum dwelling unit density through a ratio of a number of units to lot area.

*The subject property is located within an NC-3 Zoning District, which establishes a dwelling unit density of 1 unit per 600 square feet of lot area. As such, the subject property's location is eligible for the HOME-SF program.*

**Development Bonuses.** The Project is eligible for any or all of the following:

1. **Form Based Density.** Density of a HOME-SF Project shall not be limited by lot area but rather by the applicable requirements and limitations set forth elsewhere in the Planning Code. Such requirements and limitations include, but are not limited to, height, including any additional height allowed by Planning Code Section 206.3(d)(2), Bulk, Setbacks/Yards, Required Open Space, Exposure, and Unit Mix, as well as applicable design guidelines, elements and area plans of the General Plan, including consistency with the Affordable Housing Bonus Program Design Guidelines.

*The allowable base density for the subject property is 21 dwelling units based on the lot area of approximately 12,730 square feet. The Project will receive a development bonus for the 121 proposed dwelling units, which represents 576% of the allowable base density.*

2. **Height.** HOME-SF Projects are entitled to up to 20 additional feet above the height authorized for site the under the Height Map of the Zoning Map. This additional height may only be used to provide up to two additional stories, each of no more than 10 feet in height.

*The project proposes an additional 20 feet of building height to allow for two additional stories.*

3. **Ground Floor Ceiling Height.** In addition to the two extra stories available for the Project, a maximum of five additional feet in height may be granted to provide a 14-foot floor-to-ceiling height for active uses at the ground floor.

*In addition to the two extra stories, the project proposes 5 additional feet of building height to allow for 14-foot ceiling heights on the ground floor.*

**Zoning Modifications.** The Project Sponsor may select up to three Zoning Modifications from a predetermined menu of options. The Project would require the following modifications:

1. **Exposure.** Dwelling unit exposure requirements may be satisfied through qualifying windows facing an unobstructed open area that is no less than 25 feet in every horizontal dimension.

*The project is seeking a zoning modification which would allow those units not fronting onto either Geary Boulevard or Masonic Avenue to obtain dwelling unit exposure from open areas that are no less than 25 feet in every horizontal dimension.*

2. **Inner Courts as Open Space:** HOME-SF Projects may instead provide an inner court that is at least 25 feet in every horizontal dimension, with no restriction on the heights of adjacent walls. All area within such an inner court shall qualify as common open space under Section 135.

*The project is seeking a zoning modification which would place no restriction on the heights of walls adjacent to the two inner courts, which would measure at least 25 feet in every horizontal dimension.*

- B. **Development of Large Lots.** Planning Code Section 121.1 states that in order to promote, protect, and maintain a scale of development which is appropriate to each district and compatible with adjacent buildings, new construction or significant enlargement of existing buildings on lots in excess of 10,000 square feet in the NC-3 (Moderate Scale Neighborhood Commercial) Zoning District shall be permitted only as conditional uses.



*The Project proposes the development of a 12,730 square foot lot and therefore requires Conditional Use Authorization. The additional required findings are listed below under Subsection 8.*

- C. **Building Height.** Per Planning Code Section 260, the maximum height limit for the subject property is 80 feet. Pursuant to Planning Code Section 206.3, the HOME-SF Program permits up to two additional 10-foot stories to the project as well as an additional five feet in height above the height limit to provide a 14-foot ceiling height for nonresidential uses at the ground floor.

*The Project proposes a total building height of 105 feet, which exceeds the maximum permitted building height by 25 feet. The additional 25 feet of building height allows for two additional stories as well as 14-foot ceiling heights on the ground floor, which are compliant with the provisions of Planning Code Section 206.3.*

- D. **Bulk.** Planning Code Section 270 states that in the D Bulk District, the maximum length of a building is 110 feet with a maximum diagonal dimension of 140 feet above 40 feet.

*The Project proposes a building length of 153 feet and a diagonal dimension of 176 feet. As the Project exceeds both the maximum permitted building length and diagonal dimension, a bulk exception is being sought. The additional required findings are listed below under Subsection 11.*

- E. **Neighborhood Notification.** Planning Code Section 312 requires notification to all owners and occupants within 150 feet of the subject property when new construction is proposed in the Neighborhood Commercial District.

*The proposal is located in the NC-3 (Moderate Scale Neighborhood Commercial) Zoning District and proposes the construction of a ten-story, mixed-use building. This new construction requires Neighborhood Notification per Planning Code Section 312. Accordingly, notification was conducted in conjunction with the noticing for the Conditional Use Authorization. The applicant also conducted a pre-application meeting prior to submission on October 30, 2015.*

- F. **Rear Yard.** Planning Code Section 134 requires that the project provide a rear yard equal to 25 percent of the total lot depth at the lowest level containing a residential unit, and at each succeeding level or story of the building, but in no case less than 15 feet. On a corner lot, the required rear yard may be substituted with an open area equal to 25 percent of the lot area which is located at the same levels as the required rear yard in an interior corner of the lot, an open area between two or more buildings on the lot, or an inner court. Planning Code Section 206.3(d)(4)(A) allows HOME-SF projects located on corner properties to provide 20% of the lot area at the interior corner of the property to meet the minimum rear yard requirement, provided that each horizontal dimension of the open area is a minimum of 15 feet; and that the open area is wholly or partially contiguous to the existing midblock open space, if any, formed by the rear yards of adjacent properties. In addition to the development bonuses granted to the project under Section 206.3 of the Planning Code, Section 303(t)<sup>1</sup>(2)(C) enables the Planning Commission to grant an exception to the rear yard requirements of Planning Code Section 134 in order to allow the building mass of HOME-SF projects to appropriately shift to respond to surrounding context.

*The subject property is a corner lot and may therefore substitute the required rear yard with an open area at the interior corner of the property equal to 20 percent of the lot area, which in this instance would amount to approximately 2,546 square feet. The project proposes a rear yard of approximately 1,300 square feet in an interior corner of the lot at the second floor as well as a two-level terraced central courtyard approximately 1,428 square feet in size at the second and third floors, for a total of approximately 2,728 square feet representing 21 percent of the lot area. As such, an exception pursuant to Planning Code Section 303(t)<sup>1</sup>(2)(C) is required. The additional required findings are listed below under Subsection 9.*

- G. **Usable Open Space.** Planning Code Section 135 requires that the project provide a minimum of 80 square feet of open space per dwelling unit, if not publically accessible. Alternatively, common useable open space, at a rate of 100 square feet per dwelling unit, shall be at least 15 feet in every horizontal dimension and shall be a minimum of 300 square feet. The area of an inner court may be credited as common usable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area, and if the height of the walls above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court. Planning Code Section 135(d)(2) further states that for dwelling units that measure less than 350 square feet plus a bathroom, the minimum amount of usable open space provided for use by each bedroom shall be one-third the amount required for a dwelling unit as specified in Table 135A of the Planning Code. Planning Code Section 206.3(d)(4)(G) allows HOME-SF projects to provide an inner court that is at least 25 feet in every horizontal dimension, with no restriction on the heights of adjacent walls, to qualify as common open space under Planning Code Section 135.

*Eighty (80) of the proposed dwelling units measure less than 350 square feet plus a bathroom, and therefore a total of 2,667 square feet of common usable open space is required for those units. The remaining forty-one (41) units would require a minimum of 4,100 square feet of common usable open space. The project proposes four qualifying common open space areas – one measuring approximately 1,162 square feet within the interior corner rear yard area on the second floor, one measuring approximately 625 square feet within the inner courtyard area on the second floor, and two rooftop decks measuring approximately 4,998 square feet, for a total of 6,785 square feet. While the heights of the walls surrounding both second floor interior courtyards would not meet the requirements of Planning Code Section 135, the project complies with Planning Code Section 206.3(d)(4)(G), which places no restriction on the heights of adjacent walls, as both inner courts are at least 25 feet in every horizontal dimension.*

- H. **Obstructions Over Streets.** Planning Code Section 136(c)(1)(B) allows overhead horizontal projections of a purely architectural or decorative character such as cornices, eaves, sills and belt courses, with a vertical dimension of no more than two feet six inches, not increasing the floor area or the volume of space enclosed by the building, and not projecting more than one foot over a street, provided they leave at least 7½ feet of headroom. In addition to the development bonuses granted to the project under Section 206.3 of the Planning Code, Section 303(t)<sup>1</sup>(2)(F) enables the Planning Commission to grant an exception to other Code requirements that could otherwise be modified as a Planned Unit Development in order to

allow the building mass of HOME-SF projects to appropriately shift to respond to surrounding context.

*The project proposes fifteen vertical projections of a purely architectural and decorative character on the Masonic Avenue frontage which are approximately 90 feet tall, project approximately 1.5 feet over the street and leave more than 7½ feet of headroom. Because these decorative “fins” do not meet the spatial requirements of Planning Code Section 136(c)(1)(B), a Planning Commission exception under Planning Code Section 303(t)(2)(F) is required. The additional required findings are listed below under Subsection 9.*

- I. **Dwelling Unit Density.** Planning Code Section 712 permits a maximum residential density of one dwelling unit per 600 square feet of lot area. The dwelling unit density of a HOME-SF Project shall not be limited by lot area but rather by Planning Code requirements including, but are not limited to, height, including any additional height allowed by Planning Code Section 206.3, bulk, setbacks, usable open space, dwelling unit exposure and unit mix as well as applicable elements and area plans of the General Plan and design review, including consistency with the Affordable Housing Bonus Program Design Guidelines.

*The size of the subject property allows for a total of 21 dwelling units, while the project proposes 121 dwelling units. The HOME-SF Program allows for an increase in dwelling unit density in exchange for providing 30% of the residential units onsite at below market rate rent and therefore requires Conditional Use Authorization. The additional required findings are listed below under Subsections 9-11.*

- J. **Dwelling Unit Exposure.** Planning Code Section 140 states that in each dwelling unit, the windows of at least one room of 120-square-foot minimum dimensions shall face directly onto a public street, public alley at least 20 feet in width, side yard at least 25 feet in width, a Code-complying rear yard, or an open area which is unobstructed and is no less than 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 of five feet in every horizontal dimension at each subsequent floor. Planning Code Section 206.3(d)(4)(B) allows units in HOME-SF projects to obtain dwelling unit exposure by facing an unobstructed open area that is no less than 25 feet in every horizontal dimension, and such open area is not required to expand in every horizontal dimension at each subsequent floor.

*While both second floor interior courtyards are at least 25 feet in every horizontal dimension, they do not increase by five feet in every horizontal dimension at each subsequent floor and therefore several of the dwelling units facing onto those courtyards would not meet the requirements of Planning Code Section 140. However, the project complies with Planning Code Section 206.3(d)(4)(B), which allows units to obtain dwelling unit exposure from such open areas that do not expand in every horizontal dimension at each subsequent floor.*

- K. **Off-Street Parking and Loading.** Sections 151 and 151.1 of the Planning Code permit a maximum of one (1) off-street parking space per dwelling unit and up to one off-street parking space for each 500 square feet of gross floor area of retail uses in the NC-3 Zoning District. Planning Code Section 152 does not require any off-street loading spaces for non-residential uses with a gross floor area less than 10,000 square feet. Planning Code Section

150(e) allows for the number of required automobile parking spaces on any lot to be reduced and replaced with bicycle parking, in accordance with the layout and design standards pursuant to Planning Code Section 155.1(c) and Zoning Administrator Bulletin No. 9.

*The project proposes seven (7) off-street parking spaces, including one handicap-accessible spaces and one car-share space in the garage level accessed from Geary Boulevard. The reduction of off-street parking will be offset by the provision of 132 bicycle parking spaces. As such, the project complies with these requirements.*

- L. **Non-Residential Bicycle Parking.** Planning Code Section 155.2 requires the provision of at least one (1) Class 2 bicycle parking space for every 2,500 square feet of occupied floor area, but no less than two, for retail uses.

*The Project would provide two (2) Class 2 bicycle parking spaces for the proposed retail uses, which complies with the Planning Code requirements.*

- M. **Residential Bicycle Parking.** Planning Code Section 155.2 requires the provision of at least one (1) Class 1 bicycle parking space per dwelling unit and one (1) Class 2 bicycle parking space per 20 dwelling units for residential uses.

*The Project would provide a total of one hundred and twenty-four (124) Class 1 bicycle parking spaces in a bicycle storage area on the first floor. Six (6) Class 2 bicycle parking spaces for the proposed residential uses would be provided which complies with the Planning Code requirements.*

- N. **Street Frontage in Neighborhood-Commercial Districts.** Section 145.1 of the Planning Code requires that, with the exception of space allowed for parking and loading access, building egress, and access to mechanical systems, space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. Building systems including mechanical, electrical, and plumbing features may be exempted from this requirement by the Zoning Administrator only in instances where those features are provided in such a fashion as to not negatively impact the quality of the ground floor space. Building lobbies are considered active uses, so long as they do not exceed 40 feet or 25 percent of building frontage, whichever is larger. The floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. No more than one-third of the width or 20 feet, whichever is less, of any given street frontage shall be devoted to parking ingress or egress. Ground floor non-residential uses in all Neighborhood Commercial districts shall have a minimum floor-to-floor height of 14 feet.

*The proposed building would front onto both Geary Boulevard and Masonic Avenue and active uses are required along both frontages. Approximately 12 feet of the Geary Boulevard frontage is dedicated to parking ingress/egress, approximately 4 feet is occupied by doors providing access to gas meters and approximately 7 feet is occupied by the secondary building ingress/egress corridor, all of which are*

*exempted from the provisions of Planning Code Section 145.1. The remainder of the Geary Boulevard frontage is occupied by a proposed commercial space ranging in depth from approximately 25 feet to 40 feet with a floor-to-floor ground floor ceiling height of approximately 20 feet. Approximately 60% of the ground floor along the Geary Boulevard frontage will be fenestrated with transparent windows.*

*On the Masonic Avenue frontage, approximately 30 feet is occupied by doors providing access to an electrical transformer and back flow preventer, both of which are exempted from the provisions of Planning Code Section 145.1. The remainder of the Masonic Avenue frontage is occupied by the residential lobby and two retail spaces which have floor-to-ceiling heights of approximately 14 feet and 20 feet and are approximately 25-40 feet in depth. Approximately 63% of the ground floor along the Masonic Avenue frontage will be fenestrated with transparent windows. As such, the proposed uses and ground floor layout along the two street frontages complies with the requirements of Planning Code Section 145.1.*

- O. **Dwelling Unit Size and Mix.** Planning Code Section 206.3(c)(3) requires that all HOME-SF units shall be no smaller than the minimum unit sizes set forth by the California Tax Credit Allocation Committee as of May 16, 2017. In addition, HOME-SF projects shall provide a minimum dwelling unit mix of either (A) at least 40% two- and three-bedroom units, including at least 10% three-bedroom units, or (B) any unit mix which includes some three-bedroom or larger units such that 50% of all bedrooms within the project are provided in units with more than one bedroom. Larger units should be distributed on all floors, and prioritized in spaces adjacent to open spaces or play yards. Units with two or three bedrooms are encouraged to incorporate family friendly amenities. Family friendly amenities shall include, but are not limited to, bathtubs, dedicated cargo bicycle parking, dedicated stroller storage, open space and yards designed for use by children.

*Eighty-three (83) bedrooms, or approximately 51% of the total number of bedrooms in the project, would be located within dwelling units that have two or more bedrooms. The two- and three-bedroom units are equitably spread across floors three through ten, and include family-friendly amenities such as bathtubs and more storage space compared to the proposed studio units. As such, the project complies with this requirement.*

- P. **Ground Floor Level Active Uses.** Planning Code Section 206.3(c)(5) requires all HOME-SF projects to include active uses at the ground floor, as defined in Planning Code Section 145.1, at the same square footages as any neighborhood commercial uses demolished or removed, unless the Planning Commission has granted an exception under Planning Code Section 303(t)<sup>1</sup>(2)(G).

*The currently vacant, one-story commercial building (previously d.b.a. The Lucky Penny restaurant) measures approximately 3,827 square feet. The project proposes a total of 2,193 square feet of commercial uses on the ground floor. As such, a Planning Commission exception under Planning Code Section 303(t)<sup>1</sup>(2)(G) is required. The additional required findings are listed below under Subsection 9.*

- Q. **Shadow.** Planning Code Section 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park

Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

*Based upon a shadow analysis, the Project does not cast any net new shadow upon property under the jurisdiction of the Recreation and Parks Commission.*

- R. **Entertainment Commission Outreach.** Planning Code Section 314 requires that the Planning Department and Planning Commission consider the compatibility of uses when approving residential uses adjacent to or near existing permitted Places of Entertainment and shall take all reasonably available means through the City's design review and approval processes to ensure that the design of such new residential development project takes into account the needs and interests of both the Places of Entertainment and the future residents of the new development.

*The subject property is not located within 300 feet of a place of entertainment.*

- S. **Transportation Sustainability Fee.** Planning Code Section 411A is applicable to any development project that results in the construction of more than twenty (20) new dwelling units.

*The Project proposes the construction of one hundred and twenty-one (121) new dwelling units and is therefore subject to the Transportation Sustainability Fee. These fees must be paid prior to the issuance of the first construction document.*

- T. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior to Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 11 points.

*The Project submitted a completed Environmental Evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 6.5 points. As currently proposed, the Project will achieve 19 points through the following TDM measures:*

- *Unbundled Parking*
- *Parking Supply*
- *Car Sharing*
- *Bicycle Parking*
- *On-Site Affordable Housing*

- U. **Inclusionary Affordable Housing.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units.

*The project sponsor is participating in the HOME-SF Program, and is therefore required to provide a higher level of affordability than would otherwise be required by Planning Code Section 415, in exchange for increased building height and dwelling unit density. Except for the percentage of required on-site units and the required affordable sales/rental price that are required by HOME-SF, the Project is required to comply with the on-site requirements pursuant to Planning Code Section 415.6.*

- V. **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.

*Prior to issuance of a building permit, the Project Sponsor will submit a First Source Hiring Affidavit and will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.*

- W. **Child Care Fee.** Planning Code Section 414A requires payment of a child care impact fee for a project that results in one net new dwelling unit.

*The Project proposes 121 new dwelling units and will be required to pay a fee of \$0.91 for each net new gross square foot of residential development.*

7. **Conditional Use Authorization Findings.** Planning Code Section 303(c) establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

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

*The size of the proposed mixed-use building is necessary and desirable, as it will add 121 dwelling units to the City's housing stock. While more dense than the NC-3 Zoning District allows and slightly taller than what the 80-D Height and Bulk District permits, the project is compatible with the heights and uses at the intersection of Geary Boulevard and Masonic Avenue, and is reflective of density which would support the planned Geary Boulevard bus rapid transit (BRT) line. The proposed project would also replace the currently vacant 1-story commercial building and surface parking lot with two neighborhood-serving ground floor commercial spaces.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The proposed size, shape and arrangement of the proposed building would not be detrimental to persons residing or working in the vicinity, as the new building, in general, is consistent with the massing and height of other tall buildings found within the immediate vicinity, particularly the seven-story storage building directly to the west of the subject property. The proposed project represents the appropriate infill of a lot that is currently underdeveloped.*

- 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;

*The project would provide seven (7) unbundled off-street parking spaces for the residential uses in a garage located behind the two ground floor commercial spaces. The Planning Code does not require parking or loading for the proposed 2,193 square feet of commercial uses. The project would eliminate the existing curb cut currently providing access to the site on the Masonic Avenue frontage and would relocate the curb cut on the Geary Boulevard frontage to be further from the intersection, reducing the potential for pedestrian and vehicular conflicts. Parking access would be located solely on Geary Boulevard so as to not impede the westbound turning lane on Masonic Avenue.*

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

*The project is not expected to cause any negative noise, glare, dust or odor impacts.*

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

*The project locates residential parking on the ground floor behind the residential lobby and commercial spaces fronting onto both Geary Boulevard and Masonic Avenue. The third floor outer court facing the east elevation would be landscaped as a green roof and would be fully visible from the residential units fronting the interior court. Likewise, the second floor interior courtyard would be landscaped and fully accessible from a residential corridor and fitness room. The project proposes approximately 4,998 square feet of open space on two shared rooftop decks. The project sponsor has completed the required Tree Planting and Protection Checklist and has identified that eleven (11) street trees are required by the project. The feasibility of planting the required number of street trees at the project will be determined by the Department of Public Works, Urban Forestry Division.*

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

*The Project complies with all relevant requirements and standards of the Planning Code. Where the project deviates from the standard provisions of the Planning Code, the project sponsor is requesting*



*the necessary exceptions and variances as required by the Planning Code. The project is consistent with objectives and policies of the General Plan as detailed below.*

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood-Commercial District.

*The proposed project is consistent with the stated purposed of NC-3 District in that it proposes high-density housing with ground floor commercial uses that are compatible with other uses nearby.*

8. **HOME-SF Findings.** Planning Code Section 303(t)<sup>1</sup> establishes criteria for the Planning Commission to consider when reviewing HOME-SF Projects under Planning Code Section 206.3. While most projects in the Program will likely be somewhat larger than their surroundings in order to facilitate higher levels of affordable housing, the Planning Commission and Department shall ensure that each project is consistent with the Affordable Housing Bonus Design Guidelines and any other applicable design guidelines, as adopted and periodically amended by the Planning Commission, so that projects respond to their surrounding context, while still meeting the City's affordable housing goals. The Planning Commission may, consistent with the Affordable Housing Bonus Program Design Guidelines, and any other applicable design guidelines, and upon recommendation from the Planning Director, make minor modifications to a project to reduce the impacts of such differences in scale. The Planning Commission may require these or other modifications or conditions, or disapprove a project, in order to achieve the objectives and policies of the Affordable Housing Bonus Program or the purposes of this Code. This review shall be limited to design issues including the following:

- A. Whether the bulk and massing of the building is consistent with the Affordable Housing Program Bonus Design Guidelines.

*The bulk and massing of the project is consistent with the draft Affordable Housing Program Bonus Design Guidelines in that it embraces the city's natural topography by stepping up with the lateral slope of Masonic Avenue and maintains a strong street wall presence along Geary Boulevard, continuing the massing created by the neighboring storage building immediately to the west.*

- B. Whether building design elements including, but not limited to architectural treatments, façade design, and building materials, are consistent with the Affordable Housing Bonus Program Design Guidelines and any other applicable design guidelines.

*The architectural treatment of the proposed building exhibits exceptional architectural quality and thoughtful design by providing unique vertical projections along the Masonic Avenue façade using high-quality materials that will provide visual interest and enhance the pedestrian experience.*

- C. Whether the design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and parking and loading access is consistent with the Affordable Housing Bonus Program Design Guidelines, and any other applicable design guidelines.

*The project is consistent with the draft Affordable Housing Bonus Program Design Guidelines in that the building offers generous ground floor ceiling heights to allow a variety of commercial uses. The project also provides a residential entrance that is directly accessible from the public sidewalk and is distinct from the adjacent commercial spaces by being partially recessed from the main facade.*

- D. Whether the required streetscape and other public improvements such as tree planting, street furniture, and lighting are consistent with the Better Streets Plan, and any other applicable design guidelines.

*The project will provide streetscape elements such as pedestrian-level lighting, street trees and bicycle rings consistent with the Better Streets Plan.*

9. **HOME-SF - Exceptions.** As a component of the review process under Planning Code Section 303(t)<sup>1</sup>, the Planning Commission may grant minor exceptions to the provisions of the Code, in addition to the development bonuses granted to the project in Section 206.3(d). Such exceptions, however, should only be granted to allow building mass to appropriately shift to respond to surrounding context, and only when the Planning Commission finds that such modifications:

- A. Do not substantially reduce or increase the overall building envelope permitted by the Program under Sections 206.3; and
- B. Are consistent with the Affordable Housing Bonus Design Guidelines.

*In addition to the development bonuses granted to the project in Section 206.3(d), the project is seeking minor zoning exceptions as they relate to the required rear yard, architectural obstructions over streets and active ground floor use requirements.*

*Planning Code Section 206.3(d)(4)(A) allows HOME-SF projects located on corner properties to provide a rear yard equal to 20% of the lot area at the interior corner of the property, rather than the 25% requirement pursuant to Planning Code Section 134. The project proposes a modified rear yard, equal to 21% of the lot area, separated into two areas – one in the interior corner of the property at the second floor, and the other in the central courtyard on the second and third floors.*

*Planning Code Section 303(t)<sup>1</sup>(2)(F) enables the Planning Commission to grant an exception to Planning Code requirements that could otherwise be modified as a Planned Unit Development in order to allow the building mass of HOME-SF projects to appropriately shift to respond to surrounding context. The project proposes vertical decorative fins of a purely architectural and decorative character along the Masonic Avenue frontage that do not meet the spatial requirements of Planning Code Section 136(c)(1)(B).*

*Planning Code Section 206.3(c)(5) requires HOME-SF projects to replace any neighborhood commercial uses demolished or removed from the site with active ground floor uses of equal or greater square footage. The currently vacant, one-story commercial building (previously d.b.a. The Lucky Penny restaurant) measures approximately 3,827 square feet. The project proposes a total of 2,193 square feet of commercial uses on the ground floor.*

*The modified rear yard, architectural obstructions over the street and reduction of ground floor active uses do not substantially reduce or increase the overall building envelope that would otherwise be permitted by the HOME-SF Program. The project appropriately responds to the surrounding context by shifting massing from the interior corner of the lot, where there is no strong pattern of midblock open space, to the eastern portion of the site, where a generous break in the façade is necessary to reduce the apparent massing of the building and to provide adequate exposure to light and air for the dwelling units not fronting directly onto the street. The additional two floors of building height results in the project being considered a high-rise for Building Code purposes, which in turn requires a significant portion of the ground floor be reserved for fire prevention systems. The vertical obstructions over the Masonic Avenue sidewalk do not substantially reduce or increase the overall building envelope and help to articulate this prominent façade, which is slightly taller than would otherwise be expected, with unique architectural sculpting. The ground floor commercial space, while slightly smaller than that which it would replace, is proposed to be directly accessible from the sidewalk with no surface parking in front. As such, the project is consistent with the draft Affordable Housing Bonus Design Guidelines.*

10. **HOME-SF - Additional Criteria.** Pursuant to Planning Code Section 303(t)<sup>1</sup>(3), the Planning Commission shall consider, in addition to the criteria set forth in Planning Code Section 206.3, the extent to which the following criteria are met:

- A. Whether the project would require the demolition of an existing building;

*The project would require the demolition of an existing vacant one-story commercial building.*

- B. Whether the project would remove existing commercial or retail uses;

*The existing commercial building is vacant.*

- C. If the project would remove existing commercial or retail uses, how recently the commercial or retail uses were occupied by a tenant or tenants;

*The existing commercial building was most recently occupied by a restaurant d.b.a. The Lucky Penny, which ceased operations in December, 2015.*

- D. Whether the project includes commercial or retail uses;

*The project proposes approximately 2,193 square feet of commercial uses on the ground floor, in two separate spaces – one fronting Masonic Avenue and the other straddling the corner of Masonic Avenue and Geary Boulevard.*

- E. Whether there is an adverse impact on the public health, safety, and general welfare due to the loss of commercial or retail uses in the district where the project is located; and

*As described in the attached environmental document, there are no substantial adverse impacts on the public health, safety, and general welfare due to the loss of the existing commercial use, as the project proposes commercial uses on the ground floor of the new building.*

- F. Whether any existing commercial or retail use has been designated, or is eligible to be designated, as a Legacy Business under Administrative Code Section 2A.242; or is a formula retail business.

*The existing use on the site is not a formula retail business and has not been, nor is it eligible, to be designated as a Legacy Business.*

11. **Bulk Exception Findings.** Pursuant to Planning Code Section 270, the “D” Bulk District shall have a maximum length of 110 feet and a maximum diagonal dimension of 140 feet for the portion of a building greater than 40 feet in height.

*The Project proposes a building length of 153 feet and a diagonal dimension of 176 feet, therefore the project requires a bulk exception pursuant to Planning Code Section 271.*

Planning Code Section 271 establishes criteria to allow exceptions to the Bulk limit with Conditional Use Approval. On balance, the project does comply with said criteria in that:

- A. The appearance of the bulk in the building, structure or development shall be reduced by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass.
- i. Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;

*The bulk of the building is interrupted by a large central courtyard from the third floor up on the Masonic Avenue frontage measuring approximately 1,250 square feet (25 feet by 50 feet), thus creating a break in the building mass and giving the appearance of two distinct masses.*

- ii. Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;

*In response to the laterally sloping topography of the site from south to north, there is one additional story on the northern portion of the building. This, along with the central courtyard, helps to visually break the building into separate elements.*

- iii. Differences in materials, colors or scales of the facades that produce separate major elements;

*All facades are treated with exterior materials of various textures and colors to create a building scale and massing that is appropriate within the surrounding context. The ground floor is also differentiated by its height, scale and materials.*

- iv. Compensation for those portions of the building, structure or development that may exceed the bulk limits by corresponding reduction of other portions below the maximum bulk permitted; and

*The large central courtyard along the Masonic Avenue frontage, along with the varying number of floors at the top of the building creates the appearance of two distinct masses, each of which would meet the bulk limits if measured as separate elements.*

- v. In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.

*This criterion is not applicable as only one tower is proposed.*

- B. In every case the building, structure or development shall be made compatible with the character and development of the surrounding area by means of all of the following factors:

- i. A silhouette harmonious with natural land-forms and building patterns, including the patterns produced by height limits;

*The building height and silhouette is harmonious with the surrounding topography on the Geary Boulevard and Masonic Avenue corridors.*

- ii. Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;

*The height, setbacks and placement of architectural detailing references the building heights and scale in the surrounding neighborhood.*

- iii. Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and

*The scale and selection of exterior materials on the ground floor reflect the mix of commercial uses along the Geary Boulevard corridor. The window proportions and use of balconies reflect the residential uses contained within the upper portion of the building.*

- iv. Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

*The majority of the subject property adjacent to the sidewalk is currently occupied by surface parking. The project proposes pedestrian-scale commercial uses at-grade, immediately adjacent to the sidewalk along both the Masonic Avenue and Geary Boulevard frontages. The removal of the curb cut on Masonic Avenue and the proposed retail space will enhance pedestrian activity along that frontage.*

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

## HOUSING

### Objectives and Policies

#### **OBJECTIVE 1:**

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

#### **Policy 1.2:**

Focus housing growth and infrastructure necessary to support growth according to community plans. Complete planning underway in key opportunity areas.

#### **Policy 1.10:**

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

*The project is located in a Moderate Scale Neighborhood-Commercial (NC-3) Zoning District, which has been identified as an area where existing and planned infrastructure can support residential and commercial growth. Future residents of the proposed building will be able to rely on public transit, walking and bicycling for the majority of their daily trips.*

#### **OBJECTIVE 4:**

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

#### **Policy 4.1:**

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

*The project will provide 40 two-bedroom units and 1 three-bedroom unit which would be suitable for families with children.*

#### **OBJECTIVE 12:**

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

#### **Policy 12.1:**

Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

#### **Policy 12.2:**

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

#### **Policy 12.3:**

Ensure new housing is sustainably supported by the City's public infrastructure systems.

*The subject site is already adequately served by the City's water, and sewer systems, electricity and gas utilities, MUNI public transit, and receives solid waste and recycling collection.*

**OBJECTIVE 13:**

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

**Policy 13.3:**

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

*The proposed residential building would provide 132 bicycle parking spaces for its residents to encourage bicycling, and is located within walking distance to several public transit lines, including the future Geary Boulevard bus rapid transit (BRT) line.*

## **NEIGHBORHOOD COMMERCE**

### **Objectives and Policies**

**OBJECTIVE 1:**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

**Policy 1.1:**

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

**Policy 1.2:**

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

**Policy 1.3:**

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

*The proposed project will provide approximately 2,193 square feet of commercial space on the ground floor, which will contribute positively to the diversity of commercial uses and services found in the surrounding neighborhood.*

**OBJECTIVE 2:**

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

**Policy 2.1:**

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

*The Project will offer two ground floor spaces for new commercial activity and will enhance the diverse economic base of the City.*

**OBJECTIVE 6:**

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

**Policy 6.1:**

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

*The project is proposing two separate commercial spaces that would enable the district to achieve optimal diversity in the types of goods and services available in the neighborhood.*

**Policy 6.2:**

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

*An independent entrepreneur is sponsoring the proposal. The proposed use is a neighborhood serving use. No Formula Retail use is being proposed.*

## TRANSPORTATION ELEMENT

### Objectives and Policies

**OBJECTIVE 2:**

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

**Policy 2.1:**

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

*The project proposes to create high-density housing within walking distance of MUNI lines 1AX, 2, 31AX, 31BX, 38, 38AX, 38BX, 38R, 43, and NX. In addition, the subject site is near the Geary Boulevard transit corridor, which is proposed to be redesigned for a bus rapid transit (BRT) line in the near future. The project would provide only seven off-street parking spaces, for a total of 0.06 spaces per dwelling unit, and will not provide any parking for the proposed commercial uses which will encourage transit usage amongst residents and patrons of the ground floor retail spaces.*



**OBJECTIVE 11:**

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

**Policy 11.3:**

Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

*The project is located within a neighborhood well-served by public transportation and, with only 0.06 off-street parking spaces per dwelling unit, occupants of the proposed building are expected to rely heavily on public transit, cycling or walking for the majority of their daily trips. Within a few blocks of the subject site, there are several MUNI bus lines, including the future Geary Boulevard bus rapid transit (BRT) line.*

**OBJECTIVE 28:**

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

**Policy 28.1:**

Provide secure bicycle parking in new governmental, commercial, and residential developments.

**Policy 28.3:**

Provide parking facilities which are safe, secure, and convenient.

*The project will provide 124 Class 1 bicycle parking spaces within a secure, weather protected area within the building as well as 8 Class 2 bicycle parking spaces along the Geary Boulevard and Masonic Avenue frontages that will accommodate both employees and patrons of the building's commercial uses as well as guests of the residential units above.*

**OBJECTIVE 34:**

RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

**Policy 34.1:**

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

**Policy 34.3:**

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

**Policy 34.5:**

Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

*A minimum of 121 off-street parking spaces are required (one for every dwelling unit) in the NC-3 Zoning District; however, the project proposes to replace all but seven (7) off-street parking spaces with bicycle parking spaces. The proposed commercial uses do not require nor propose any off-street parking or loading. As such, the project is consistent with the objectives of the General Plan for parking reduction for new buildings in residential and commercial areas adjacent to transit centers.*

## URBAN DESIGN

### Objectives and Policies

#### OBJECTIVE 3:

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

#### Policy 3.1:

Promote harmony in the visual relationships and transitions between new and older buildings.

#### Policy 3.6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

*In order to respond to the surrounding context in terms of bulk and massing, the project proposes a large central courtyard along the east (Masonic Avenue) elevation, thus creating a break in the building mass and giving the appearance of two buildings. The exposed north side elevation facing the Trader Joe's site will be treated with pre-finished architectural panels and will feature reveal joints to create visual interest until such time that the adjacent property redevelops.*

13. **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.

*The subject site is located at the intersection of Masonic Avenue and Geary Boulevard and across from the City Center retail and commercial complex. The project will introduce new residents who will visit and shop at the existing neighborhood retail and commercial establishments, thereby enhancing their businesses. Although the existing vacant building formerly occupied by a restaurant use on the subject property will be demolished, the project will provide approximately 2,193 square feet of ground floor commercial space for future commercial 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 project would not displace any existing housing or negatively affect the existing neighborhood character. The project would improve the existing character of the neighborhood by redeveloping an underutilized lot with new residential and commercial uses that will add economic diversity to the neighborhood, including a mix of dwelling unit types on-site. The proposed ground floor retail spaces are consistent with the pedestrian-oriented uses in the immediate area.*

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

*There is currently no housing on the subject property, and therefore no affordable housing is proposed to be removed for this project. Moreover, the project would enhance the City's supply of affordable housing by providing thirty-six (36) on-site affordable dwelling units, in compliance with the HOME-SF Program pursuant to Planning Code Section 206.3.*

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

*The project is well-served by public transit, particularly along the Geary Boulevard and Masonic Avenue corridors. With only seven (7) off-street parking spaces for the proposed 121 dwelling units, the project is not expected to generate much commuter traffic that would overburden local streets or affect neighborhood parking.*

- 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.

*The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.*

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

*The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*A landmark or historic building does not occupy the Project site.*

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

*A shadow analysis was prepared and the project's shadow does not reach any parks or open spaces under the jurisdiction of the Department of Recreation and Parks. The project will have no negative impact on existing parks and open spaces.*

14. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
15. The Commission hereby finds that approval of the Conditional Use authorization would 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 **APPROVES Conditional Use Application No. 2014-002181CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 28, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**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. XXXXX. 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 September 7, 2017.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: September 7, 2017

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow the construction of a 10-story building with 121 dwelling units above two ground floor commercial spaces totaling approximately 2,193 square feet located at 2670 Geary Boulevard, Block 1071, Lot 003, pursuant to Planning Code Sections 121.1, 206.3, 271 and 303 within the NC-3 Zoning District and an 80-D Height and Bulk District; in general conformance with plans, dated August 28, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2014-002181CUA and subject to conditions of approval reviewed and approved by the Commission on September 7, 2017 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on September 7, 2017 under Motion No XXXXXX.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

### CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

## Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## Conditions of Approval

### DESIGN – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.  
*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org)*
7. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.  
*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org)*
8. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.  
*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org)*
9. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.  
*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org)*
10. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:
  - a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
  - b. On-site, in a driveway, underground;



## Conditions of Approval

- c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*

11. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

*For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, [www.sfmta.org](http://www.sfmta.org)*

## PARKING AND TRAFFIC

12. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate “add-on” option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner’s rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

13. **Car Share.** Pursuant to Planning Code Section 166, no fewer than two (2) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

14. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 129 bicycle parking spaces (121 Class 1 spaces and 6 Class 2 spaces for the residential portion of the Project and 2 Class 2 spaces for the commercial portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at [bikeparking@sfmta.com](mailto:bikeparking@sfmta.com) to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA’s bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

15. **Parking Requirement.** Pursuant to Planning Code Section 151, the Project shall provide **seven (7)** independently accessible off-street parking spaces.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

16. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## Conditions of Approval

### PROVISIONS

17. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.  
*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org)*
18. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.  
*For information about compliance, contact the First Source Hiring Manager at 415-581-2335, [www.onestopSF.org](http://www.onestopSF.org)*
19. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.  
*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org)*
20. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.  
*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org)*

## Conditions of Approval

### AFFORDABLE HOUSING

**HOME-SF Units.** The following affordable housing requirements for HOME-SF projects are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project shall comply with the requirements in place at the time of issuance of first construction document.

21. **Number of Required Dwelling Units.** Pursuant to Planning Code Section 206.3(c), the Project is required to provide 30% of the proposed dwelling units as HOME-SF units, or on-site income restricted residential units that are affordable to qualifying households. The Project contains 121 units; therefore, 36 HOME-SF units are required. The Project Sponsor will fulfill this requirement by providing the 36 HOME-SF units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

22. **Required Affordable Rental Rates.** Pursuant to Planning Code Section 206.3(c), the Project is required to provide 12% of the HOME-SF units at an average affordable rent set at 55% of Area Median Income (AMI), 9% of the HOME-SF units at an average affordable rent set at 80% of AMI, and 9% of the HOME-SF units at an average rent set at 110% of AMI. All HOME-SF Units must be marketed at a price that is at least 20% less than the current market rate for that unit size and neighborhood, and MOHCD shall reduce the Area Median Income levels set forth herein in order to maintain such pricing. The Project contains 36 HOME-SF units; therefore, 14 HOME-SF units are required at 55% of AMI, 11 HOME-SF units are required at 80% of AMI, and 11 HOME-SF units are required at 110% of AMI. If the number of market-rate units change, the number of required HOME-SF units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

23. **Dwelling Unit Mix.** The Project contains 80 studios, 40 two-bedroom, and 1 three-bedroom units; therefore, the required HOME-SF unit mix is 24 studios and 12 two-bedroom units. If the market-rate unit-mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

24. **Dwelling Unit Location.** The HOME-SF units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

## Conditions of Approval

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

25. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than 30 percent (30%) of the each phase's total number of dwelling units as on-site HOME-SF units.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

26. **Duration.** Under Planning Code Section 206.3(c), all HOME-SF units constructed pursuant to Section 206.3 must remain affordable to qualifying households for the life of the project.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

27. **Other Conditions.** Pursuant to Planning Code Section 206.3(b)(7), the Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415.6 of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"), provided the percentage of HOME-SF units and required affordable sales prices are as provided in Section 206.3. The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- a. The HOME-SF unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The HOME-SF unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in HOME-SF units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for

## Conditions of Approval

new housing. Other specific standards for on-site units are outlined in the Procedures Manual.

- b. If the units in the building are offered for rent, the HOME-SF unit(s) shall be rented to low-income households, as defined in the Planning Code and Procedures Manual. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of HOME-SF units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of HOME-SF units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the HOME-SF units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. If the Project Sponsor fails to comply with the HOME-SF Program requirements, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 206.3 and 415 et seq. at any time during the life of the project shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- g. If the Project becomes ineligible for the HOME-SF Program, prior to issuance of the first construction permit, these approvals shall be null and void.

## Conditions of Approval

28. **HOME-SF.** The Project is using HOME-SF, San Francisco's local density bonus program. Pursuant to Planning Code Section 206.3, the Project must meet the following criteria to remain eligible for the program. If there are changes to the Project, then the following features must be modified accordingly to remain eligible for the HOME-SF program. In the event that the requirements change, the Project shall comply with the requirements in place at the time of issuance of first construction document.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- a. **Dwelling Unit Mix.** All HOME-SF projects must provide a minimum dwelling unit mix of (A) at least 40% two- and three-bedroom units, including at least 10% three bedroom units, or (B) any unit mix which includes some three bedroom or larger units such that 50% of all bedrooms within the HOME-SF project are provided in units with more than one bedroom.
- b. **Minimum Dwelling Unit Sizes.** All HOME SF units shall be no smaller than the minimum unit sizes set forth by the California Tax Credit Allocation Committee as of May 16, 2017. Those minimum unit sizes are as follows:
  - i. Studio Units: 200 square feet
  - ii. One-Bedroom Units: 450 square feet
  - iii. Two-Bedroom Units: 700 square feet
  - iv. Three-Bedroom Units: 900 square feet
  - v. Four- Bedroom Units: 1,000 square feet
- c. **Base Density.** The Project must provide at least 135% of the Base Density as calculated under Planning Code Section 206.5.
- d. **Minimum Project size.** The project must provide at least three dwelling units to remain eligible for the HOME-SF program.

## Conditions of Approval

### MONITORING - AFTER ENTITLEMENT

1. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

2. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*



## Conditions of Approval

### OPERATION

1. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.  
*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*
2. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.  
*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>*
3. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.  
*For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, [www.sfdph.org](http://www.sfdph.org)*  
*For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, [www.sfdbi.org](http://www.sfdbi.org)*  
*For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, [www.sf-police.org](http://www.sf-police.org)*
4. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.  
*For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), [www.baaqmd.gov](http://www.baaqmd.gov) and Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
5. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## Conditions of Approval

6. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

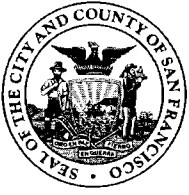
## Conditions of Approval

### TRANSPORTATION DEMAND MANAGEMENT

1. **Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sf-planning.org](http://www.sf-planning.org)*



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Exemption from Environmental Review

Case No.: 2014-002181ENV  
Project Title: 2670 Geary Boulevard  
Zoning: NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District  
80-D Height and Bulk District  
Block/Lot: 1071/003  
Lot Size: 12,684 square feet  
Project Sponsor: Riyadh Ghannam, Architect – (415) 699-3640  
[riyad@rg-architecture.com](mailto:riyad@rg-architecture.com)  
Staff Contact: Justin Horner – (415) 575-9023 [Justin.Horner@sfgov.org](mailto:Justin.Horner@sfgov.org)

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### PROJECT DESCRIPTION:

2670 Geary Boulevard (Assessor's Block 1071, Lot 003) is located at the southeast corner of the block bounded by Euclid Avenue to the north, Geary Boulevard to the south, Masonic Avenue to the east, and Emerson Street to the west in San Francisco's Presidio Heights neighborhood. The parcel is approximately 12,700 square feet in size. The parcel currently contains a 3,827-sf retail building that recently became vacant (recently occupied by Lucky Penny Coffee Shop), built in 1971, and a 20-space surface parking lot with a 22-foot wide curb cut along Masonic Avenue and a 16-foot wide curb cut on Geary Boulevard. The proposed project includes the demolition of the existing building and the construction of a 105-foot tall (120 feet tall with rooftop structures), eleven-story mixed-use residential building with approximately 2,300-sf of ground floor retail space and 121 dwelling units.

(Continued on next page)

### EXEMPT STATUS:

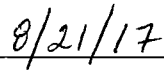
Categorical Exemption, Class 32 (California Environmental Quality Act [CEQA] Guidelines Section 15332). See page 2.

(Continued on next page)

### DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

  
\_\_\_\_\_  
Lisa Gibson  
Environmental Review Officer

  
\_\_\_\_\_  
Date

cc: Riyadh Ghannam, Project Sponsor  
Christopher May, Current Planner

Supervisor Farrell, District 2 (via Clerk of the Board)  
Virna Byrd, M.D.F.

**PROJECT DESCRIPTION (continued):**

The proposed project would also include 124 bicycle parking spaces and seven vehicle spaces on the first floor. Pedestrian access to the residential spaces would be from a lobby on Masonic Avenue and a garage entry on Geary Boulevard, with pedestrian access to the commercial space from entrances near the corner of Masonic Avenue and Geary Boulevard. The proposed project would remove the existing curb cuts on Masonic Avenue and Geary Boulevard. The proposed project would provide vehicle ingress and egress from Geary Boulevard. A new 10-foot-wide curb cut would be provided on Geary Boulevard, approximately 15 feet to the west of the existing curb cut to be removed. The proposed project would include 2,750 cubic yards of excavation to a depth of up to 10 feet. Construction would last approximately 18 months.

**Project Approvals**

Pursuant to Planning Code Sections 121.1 (Development of Large Lots in Neighborhood Commercial Districts), 271 (Bulk Limits: Special Exceptions), 206.3 (Housing Opportunities Mean Equity – San Francisco Program) and 303 (Conditional Uses), the proposed project requires a Conditional Use Authorization from the Planning Commission.

**Approval Action:** The granting of a Conditional Use Authorization by the Planning Commission constitutes the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

**EXEMPT STATUS (continued):**

CEQA Guidelines Section 15332, or Class 32, provides an exemption from environmental review for in-fill development projects that meet the following conditions. As discussed below, the proposed project satisfies the terms of the Class 32 exemption.

- a) *The project is consistent with applicable general plan designations and policies as well as with applicable zoning designations.*

The San Francisco General Plan, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The proposed project would not obviously or substantially conflict with any such policy, and would be consistent with the San Francisco General Plan and with applicable zoning designations. The proposed project would be consistent with other applicable policies and standards associated with the project site's existing General Plan designation and zoning controls. The project site is located in an 80-D Height and Bulk District, which typically limits building heights to 80 feet. However, the proposed project's height, at 105 feet (120 feet with rooftop structures) as defined by the Planning Code, is consistent with the

height permitted on the project site under section 206.3 of the Planning Code (Affordable Housing Bonus Program, or HOME-SF).<sup>1</sup>

- b) *The development occurs within city limits on a site of less than five acres surrounded by urban uses.*

The 12,684-square-foot (approximately 0.3 acre) project site is located within a fully developed area of San Francisco. The surrounding area consists of residential and commercial uses. Thus, the proposed project would be properly characterized as an infill development surrounded by urban uses on a site of less than five acres.

- c) *The project site has no habitat for endangered, rare or threatened species.*

The 12,684-square-foot project site is located within a densely developed urban area and currently contains a building, side driveways, and a rear parking lot. The project site does not have habitat value for endangered, rare, or threatened species.

- d) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

**Transportation.** A Transportation Impact Study was completed for the proposed project.<sup>2</sup> The following transportation analysis is based on that study and its conclusions.

On March 3, 2016, in anticipation of the future certification of revised CEQA Guidelines pursuant to Senate Bill 743, the San Francisco Planning Commission adopted State Office of Planning and Research's recommendation in the *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*<sup>3</sup> to use the Vehicle Miles Traveled (VMT) metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of impacts on non-automobile modes of travel such as riding transit, walking, and bicycling.) Accordingly, this categorical exemption does not contain a separate discussion of automobile delay (i.e., traffic) impacts. Instead, a VMT analysis is provided within.

#### *VMT and Induced Vehicle Travel*

According to the Department's Transportation Information Map, the existing average daily VMT per capita for residential uses is 7.1 for the transportation analysis zone the project site is located in, 687. This is 59 percent below the existing regional average daily VMT per resident of 17.2. The existing average daily VMT per retail employee is 8.2 for the transportation analysis zone the project site is located in, 687. This is 45 percent below the existing regional average daily VMT per retail employee of 14.9. Given the project site is located in an area where existing VMT is more than 15 percent below

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<sup>1</sup> Section 206(d)(2) Height. Up to 20 additional feet above the height authorized for the HOME-SF Project under the Height Map of the Zoning Map. This additional height may only be used to provide up to two additional 10-foot stories to the project, or one additional story of no more than 10 feet in height. Building features exempted from height controls under Planning Code Section 260(b) shall be measured from the roof level of the highest story provided under this section

<sup>2</sup> TJKM, Transportation Impact Study 2670 Geary Blvd, June 29, 2017. See also: SF Planning Department, *Memo to File: 2670 Geary Boulevard Transportation Impact Study*, August 21, 2017.

<sup>3</sup> This document is available online at: [https://www.opr.ca.gov/s\\_sb743.php](https://www.opr.ca.gov/s_sb743.php).

the existing regional average, the proposed project would not result in substantial additional VMT. Future 2040 average daily VMT per resident is 6.4 for transportation analysis zone 687, which is 60 percent below the future 2040 regional average daily VMT per resident of 16.1. Future 2040 average daily VMT per retail employee is 7.7 for the transportation analysis zone 687. This is 47 percent below the future 2040 regional average daily work-related VMT per retail employee of 14.6.

#### *Trip Generation*

The proposed project would generate about 1,355 person trips (inbound and outbound) on a weekday daily basis, of which 544 would be vehicle trips. Of the 1,355 daily person trips, 206 would be during the PM peak hour. Of those 206 PM peak hour person trips, 106 would be automobile trips (not including vehicle occupancy), 65 would be transit trips, 22 would be walk trips and 13 would be trips by other modes (which includes bicycles).

#### **Noise.**

##### *Construction Noise*

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the City Police Code). Section 2907 of the Police Code requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (such as jackhammers and impact wrenches) must have both intake and exhaust muffled to the satisfaction of the San Francisco Public Works. Section 2908 of the Police Code prohibits construction work between 8:00 p.m. and 7:00 a.m. if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by San Francisco Public Works.

Construction of the proposed project would temporarily increase noise levels in the project vicinity. Construction phases would consist of approximately three months for excavation and shoring, one-and-a-half months for foundation installation, nine months for the superstructure, and eight months for interior and exterior finishes (some of these phases would be overlapping). Daily construction would occur during the working hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday. The main sources of construction noise on this project would be engines from construction equipment, typically diesel engines. The initial construction phases of excavation and shoring and foundation installation, approximately three months in duration, would tend to be the noisiest with noise generated by bulldozers, loaders, graders and trucks. The large equipment movements would vary day to day until the foundation system is completed. The construction of the main building structure would include a tower crane and man hoist which would be more stationary and around the site perimeter. The daily variations in noise beyond the site would diminish as the building envelope is completed and construction would consist of interior and exterior finishes. Delivery trucks would be the main source of noise over the remaining phases of construction. Although some increase in noise levels would be associated with project construction, construction noise would be intermittent and limited to the duration of construction, which is estimated to last about 18 months. Compliance with the Noise Ordinance would minimize noise from construction activities. For these reasons, construction of the proposed project would not result in a significant impact with respect to noise.

*Operational Noise*

Residential uses are considered sensitive receptors for the purpose of noise impact analysis. There are no residential uses on adjacent properties. The proposed project would include mechanical equipment, such as heating and ventilation systems, that could produce operational noise and potentially disturb nearby sensitive receptors. Also, project-related traffic would contribute to vehicular noise in the vicinity.

The San Francisco Noise Ordinance prohibits unwanted, excessive, and avoidable noise in order to protect public health from elevated community noise. Section 2909 of the Noise Ordinance establishes a noise limit from mechanical sources, such as the proposed project's building equipment, specified as a certain noise level in excess of the ambient noise level at the property line. For noise generated by residential uses, the source must not cause a noise level more than 5 dBA in excess of ambient noise levels; for noise generated by commercial and industrial uses, the limit is 8 dBA in excess of ambient noise levels; for noise on public property, including streets, the limit is 10 dBA in excess of ambient noise levels. In addition, the Noise Ordinance provides for a separate fixed-source noise limit at residential interiors of 45 dBA at night (from 10:00 p.m. until 7:00 a.m.) and 55 dBA during the day and evening hours (from 7:00 a.m. until 10:00 p.m.).

In the project vicinity, vehicular traffic on Geary Boulevard and Masonic Avenue are the primary sources of noise. Noise from the rooftop HVAC equipment would be unlikely to be noticeable above the background noise levels in the vicinity. Further, noise levels would attenuate between the equipment and nearby residences, and would be reduced by at least 25 dBA (with windows closed) due to standard building construction materials which provide noise insulation.

With respect to project-generated traffic noise, the traffic volume at a given location would need to double in order to produce a 3-dB increase in ambient noise levels, which would be barely perceptible to most people.<sup>4</sup> The proposed project would generate an increase of approximately 544 daily vehicle trips to the local street network. At most of the study intersections, the increase in traffic volumes would represent less than a one percent increase over existing conditions. Therefore, vehicle trips attributable to the proposed project would not result in a perceptible increase in ambient noise levels near the project site. Project-related noise is not likely to exceed the 45 dBA nighttime limit for interior noise at nearby residences and the proposed project would also be required to meet the Section 2909 criteria.

For these reasons, operation of the proposed project would not result in a significant impact with respect to noise.

**Air Quality.** In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>) and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The Bay Area Air Quality Management District (BAAQMD) in their *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine if projects would violate an air quality standard, contribute substantially to an air

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<sup>4</sup> United States Department of Transportation, Federal Highway Administration, *Highway Traffic Noise: Analysis and Abatement Guidance*, December 2011, p. 9. Available online at: <https://tinyurl.com/y844ntrg>



quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the San Francisco Bay Area Air Basin. If a proposed project meets the screening criteria, then the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The proposed project, which includes 121 dwelling units and approximately 2,300 cubic yards of excavation, would not exceed criteria air pollutant screening levels for operations or construction (which are 494 dwelling units and 240 dwelling units, respectively; and/or 10,000 cubic yards of excavation).

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but short-term) adverse effects to human health, including carcinogenic effects. In response to growing concerns of TACs and their human health effects, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, article 38 (Ordinance 224-14, effective December 8, 2014)(Article 38). The purpose of article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. Projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

The proposed project is not within an Air Pollutant Exposure Zone. Therefore, the proposed project would not result in a significant effect with respect to siting new sensitive receptors in areas with substantial levels of air pollution.

The proposed project would require construction activities for the approximate 18-month construction phase. However, construction emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to, and comply with, California regulations limiting idling to no more than five minutes,<sup>5</sup> which would further reduce nearby sensitive receptors' exposure to temporary and variable TAC emissions. Therefore, construction period TAC emissions would not result in a significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

In view of the above, the proposed project would not result in significant air quality impacts.

**Water Quality.** The proposed project would not generate substantial wastewater or result in discharges that would have the potential to degrade water quality or contaminate a public water supply. Project-related wastewater and stormwater would flow into the City's combined sewer system and would be subject to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plan prior to discharge.

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<sup>5</sup> California Code of Regulations, Title 13, Division 3, § 2485 (on-road) and § 2449(d)(2) (off-road).

The proposed project has been required to prepare a Stormwater Control Plan, pursuant to San Francisco's Stormwater Management Ordinance and the San Francisco Public Utility Commission's Stormwater Design Guidelines. The approved Stormwater Control Plan aims to reduce the total volume and peak flow rate of stormwater at the project site, and requires a signed maintenance agreement to ensure proper care of any stormwater controls.

Therefore, the proposed project would not result in significant impacts related to water quality.

e) *The site can be adequately served by all required utilities and public services.*

The project site is located in a dense urban area where public services and facilities are available; no expansion of public services or utilities is anticipated. Therefore, the proposed project would not result in adverse impacts related to utilities and public services.

## DISCUSSION OF ENVIRONMENTAL ISSUES:

CEQA Guidelines Section 15300.2 establishes exceptions to the application of a categorical exemption for a project. None of the established exceptions applies to the proposed project.

Guidelines Section 15300.2, subdivision (c), provides that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. As discussed above, the proposed project would not have a significant effect on traffic, noise, air quality and water quality. In addition, the proposed project would not have a significant effect on the environment due to unusual circumstances for other environmental topics, including those discussed below.

**Transportation (Transit).** The project is expected to generate 405 daily transit person-trips, 65 of which would occur in the PM peak hour. The project site is well served by Muni. The 38-Geary, 38L-Geary and 38-Geary Express lines run along Geary Boulevard in front of the project, and the 43-Masonic runs along Masonic Avenue adjacent to the project. The site is within two blocks of the 2-Clement and within four blocks of both the 1-California and 31-Balboa lines. The project site is also served by Golden Gate Transit's 92 line. The proposed driveway entrance to the project on Geary Boulevard is not anticipated to result in delays to transit vehicles, as that section of Geary Boulevard includes a single 20-foot travel lane and an 8-foot curb-side zone, adjacent to the proposed garage entrance. This configuration would allow garage egress and ingress, and curb-side pick-up/drop-offs, to occur outside of the path of travel of buses. Thus, the project would not substantially affect the neighborhood's existing conditions for transit.

**Hazardous Materials.** As the proposed project includes the excavation of more than 50 cubic yards, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the SFDPH. The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to evaluate the potential presence of petroleum hydrocarbons and hazardous materials in soil and/or groundwater at the site. Accordingly in November, 2014, a Phase I

Environmental Site Assessment (ESA) Report was completed for the project site.<sup>6</sup> The ESA determined there was no evidence of recognized environmental conditions in connection with the project site, although the age of the existing building indicates the potential for asbestos-containing materials that could be disturbed by the proposed demolition.

In accordance with Maher Program, the project sponsor may also be required to submit a Site Mitigation Plan to SFDPH for review and approval prior to project construction.<sup>7</sup> The Site Mitigation Plan must include soil and groundwater handling procedures, designs for mitigating measures that control human exposure to remaining hazardous substances, an environmental contingency plan, health and safety plan and other information. With compliance with Article 22A of the Health Code, as described, the proposed project would not pose a significant impact to the environment related to hazardous materials.

**Wind.** Given the proposed height of the new building, 105-feet-tall (120-feet-tall with rooftop structures), a wind consultant prepared a screening-level wind analysis.<sup>8</sup> The analysis noted that the neighboring seven-story Public Storage building at 2696 Geary Boulevard would shelter the new building from most of the prevailing northwesterly winds. However, as the proposed project is slightly wider in the north-south direction, the north portion of the new building would be exposed to northwesterly winds, resulting in wind accelerations at the northeast corner of the new building along Masonic Avenue. Sidewalks along Masonic that are now exposed to prevailing winds would be sheltered due to the new building. While the analysis recommended consideration of wind control measures along the northeastern corner of the new building and near or within the open spaces within the new building, the analysis concluded that the wind hazard criterion used for the purposes of CEQA would not be exceeded. Therefore, the project would not result in significant wind impacts.

**Serpentine Soils/Naturally Occurring Asbestos.** Based upon mapping conducted by the U.S. Geological Survey (USGS) the project site may be underlain by serpentine rock.<sup>9</sup> The proposed project would involve construction throughout the project site, potentially releasing serpentinite into the atmosphere. Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA) or tremolite-actinolite, a fibrous mineral that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. Although the California Air Resources Board (ARB) has not identified a safe exposure level for asbestos in residential areas, exposure to low levels of asbestos for short periods of time poses minimal risk.<sup>10</sup> To address health concerns from exposure to NOA, ARB enacted an Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001. The requirements established by the Asbestos ATCM are contained in California

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<sup>6</sup> Partner Engineering and Science Inc, Phase I Environmental Site Assessment Report for Commercial Property at 2670 Geary Street, November 6, 2014.

<sup>7</sup> San Francisco Department of Public Health, *Letter to SoMa Residential Development*, November 8, 2016.

<sup>8</sup> RWDI, *Screening-Level Wind Analysis, 2670 Geary Boulevard*, August 4, 2017.

<sup>9</sup> Planning Department, GIS Layer, "Areas Affected by Serpentine Rocks." Created February 25, 2010 from United States Geological Survey and San Francisco Department of Public Health data.

<sup>10</sup> California Air Resources Board, Fact Sheet #1 Health Information on Asbestos, 2002. Available online at: <http://www.arb.ca.gov/toxics/Asbestos/1health.pdf>. Accessed April 15, 2013.

Code of Regulations (CCR) Title 17, Section 93105,<sup>11</sup> and are enforced by the Bay Area Air Quality Management District (BAAQMD).

The Asbestos ATCM requires construction activities in areas where NOA is likely to be found to employ best available dust control measures. Additionally, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance in 2008 to reduce fugitive dust generated during construction activities. The requirements for dust control as identified in the Construction Dust Control Ordinance are as effective as the dust control measures identified in the Asbestos ATCM. Thus, the measures required in compliance with the Construction Dust Control Ordinance would protect the workers themselves as well as the public from fugitive dust that may also contain asbestos. The project sponsor would be required to comply with the Construction Dust Control Ordinance, which would ensure that significant exposure to NOA would not occur. Therefore, the proposed project would not result in a hazard to the public or environment from exposure to NOA.

**Public Notice and Comment.** On August 5, 2015, the Planning Department mailed a "Notification of Project Receiving Environmental Review" to community organizations, tenants of the affected property and properties adjacent to the project site, and those persons who own property within 300 feet of the project site. A comment was received from a nearby resident who was concerned about the height of the proposed project, impacts of the project on the view from the commenter's backyard, and the proposed project's compatibility with the surrounding neighborhood.

As discussed above, the proposed project is consistent with the zoning and height and bulk restrictions applicable to the project site. The proposed project would not cast new shadows on public parks or other public open spaces<sup>12</sup> and, as discussed above under Wind, would not increase wind speeds at the sidewalk level as to create a hazard.

In accordance with CEQA Section 21099 – Modernization of Transportation Analysis for Transit Oriented Projects – aesthetics, including a project's potential impacts on views and the visual character of the surrounding community, shall not be considered in determining if a project has the potential to result in significant environmental effects under CEQA, provided the project meets all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus CEQA requires that aesthetics not be analyzed in determining the impact of the proposed project under CEQA.<sup>13</sup>

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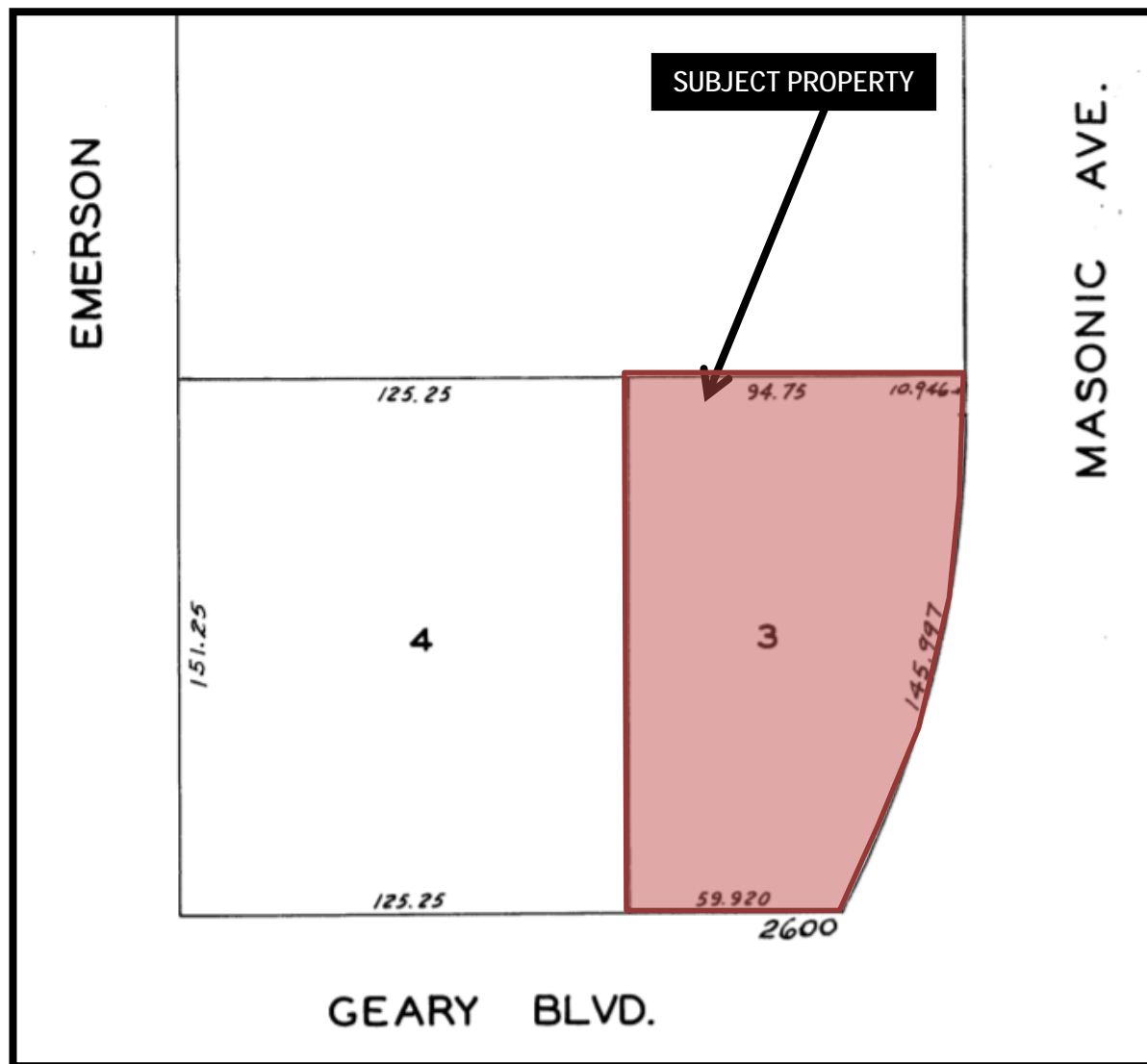
<sup>11</sup> California Air Resources Board, Regulatory Advisory, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, July 29, 2002.

<sup>12</sup> SF Planning Department, *Shadow Fan for 2670 Geary Boulevard*, July 24, 2017.

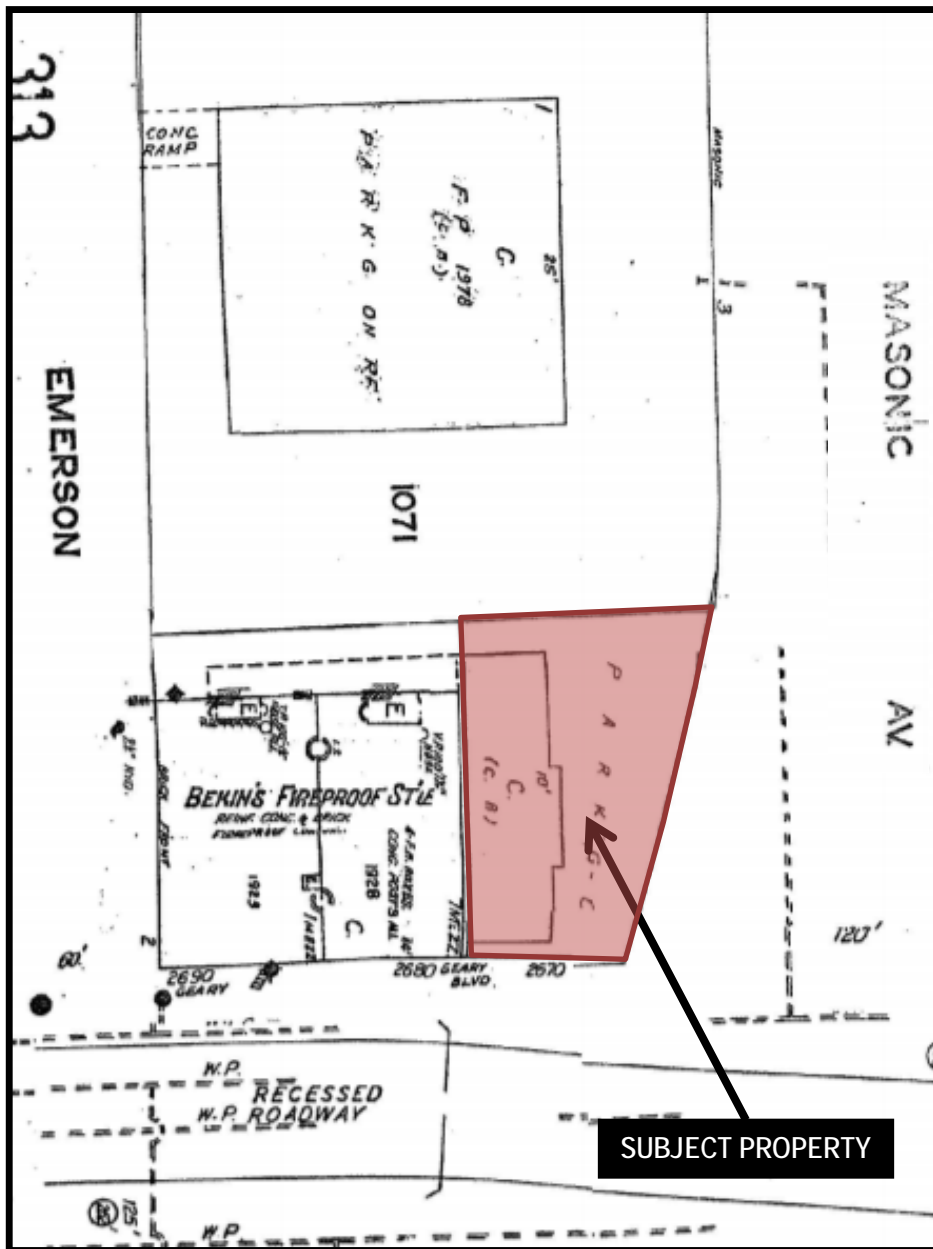
<sup>13</sup> San Francisco Planning Department. *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 2670 Geary Boulevard*, April 20, 2016.

**Conclusion.** The proposed project satisfies the criteria for exemption under the above-cited classification(s). In addition, none of the CEQA Guidelines Section 15300.2 exceptions to the use of a categorical exemption applies to the proposed project. For the above reasons, the proposed project is appropriately exempt from environmental review.

# Block Book Map



# Sanborn Map\*



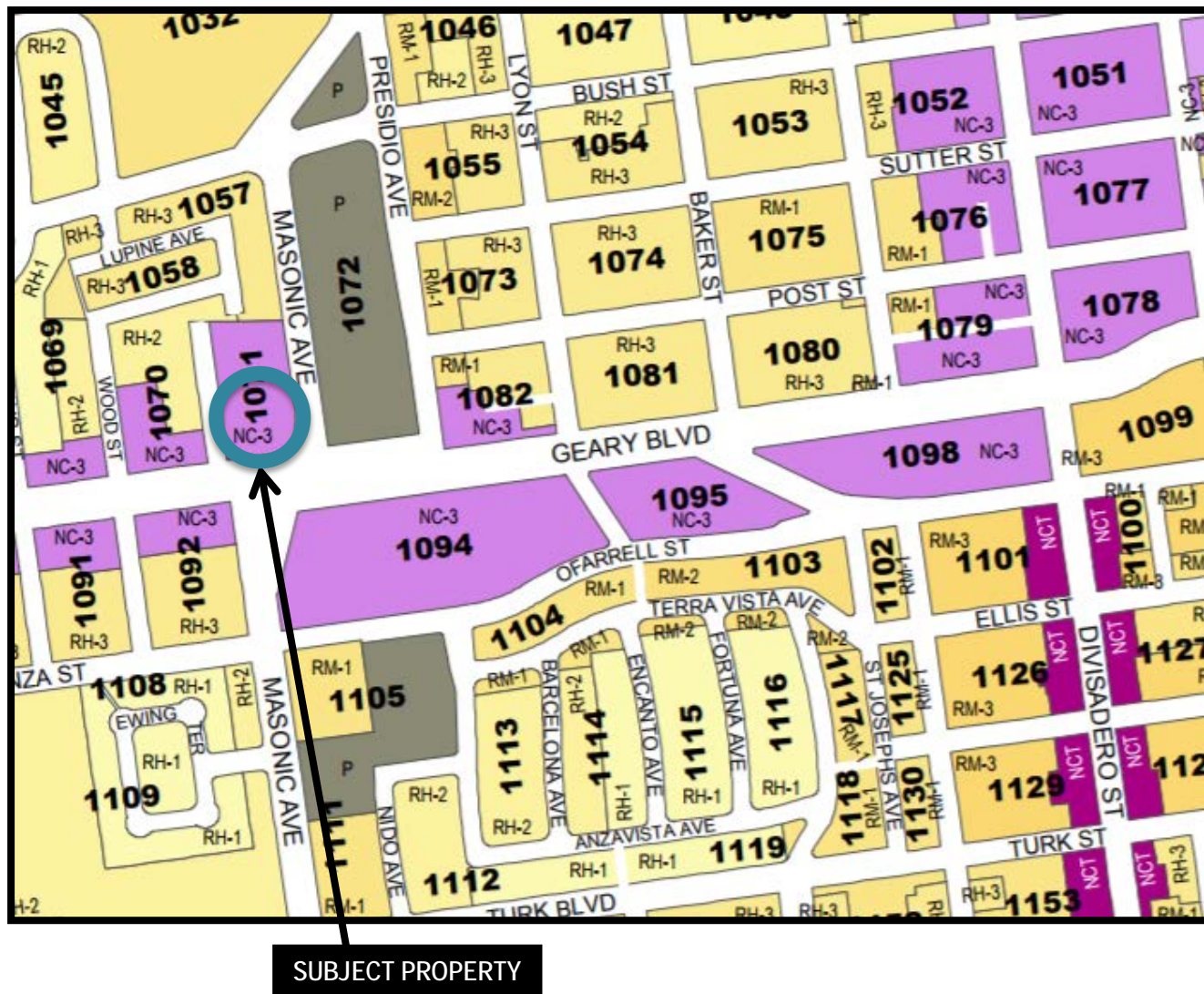
\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

SAN FRANCISCO  
PLANNING DEPARTMENT



Conditional Use Hearing  
Case Number 2014-002181CUA  
2670 Geary Blvd  
Block 1071 Lot 003

# Zoning Map



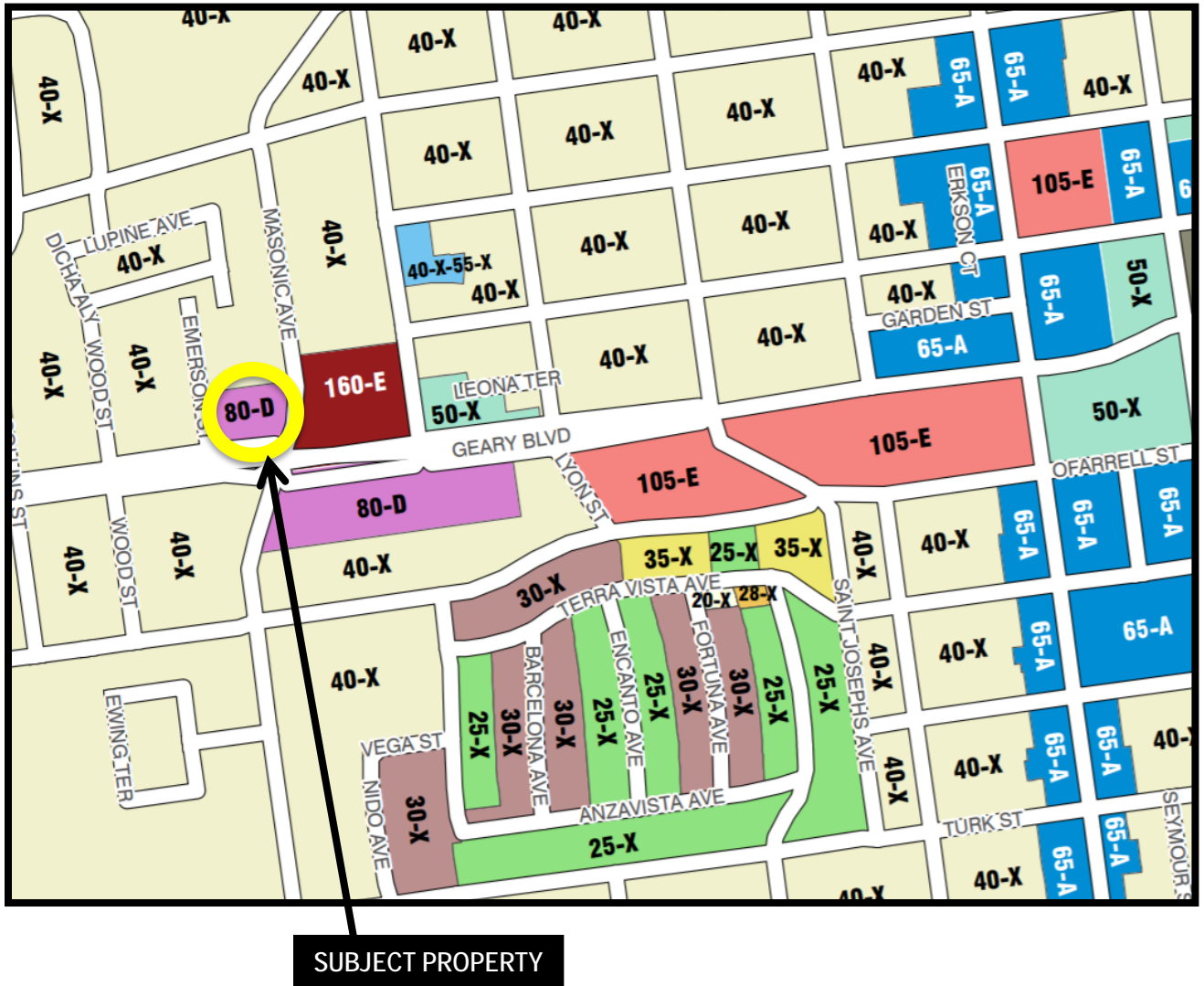
SAN FRANCISCO  
**PLANNING DEPARTMENT**



Conditional Use Hearing  
Case Number 2014-002181CUA  
2670 Geary Blvd  
Block 1071 Lot 003



# Height & Bulk Map

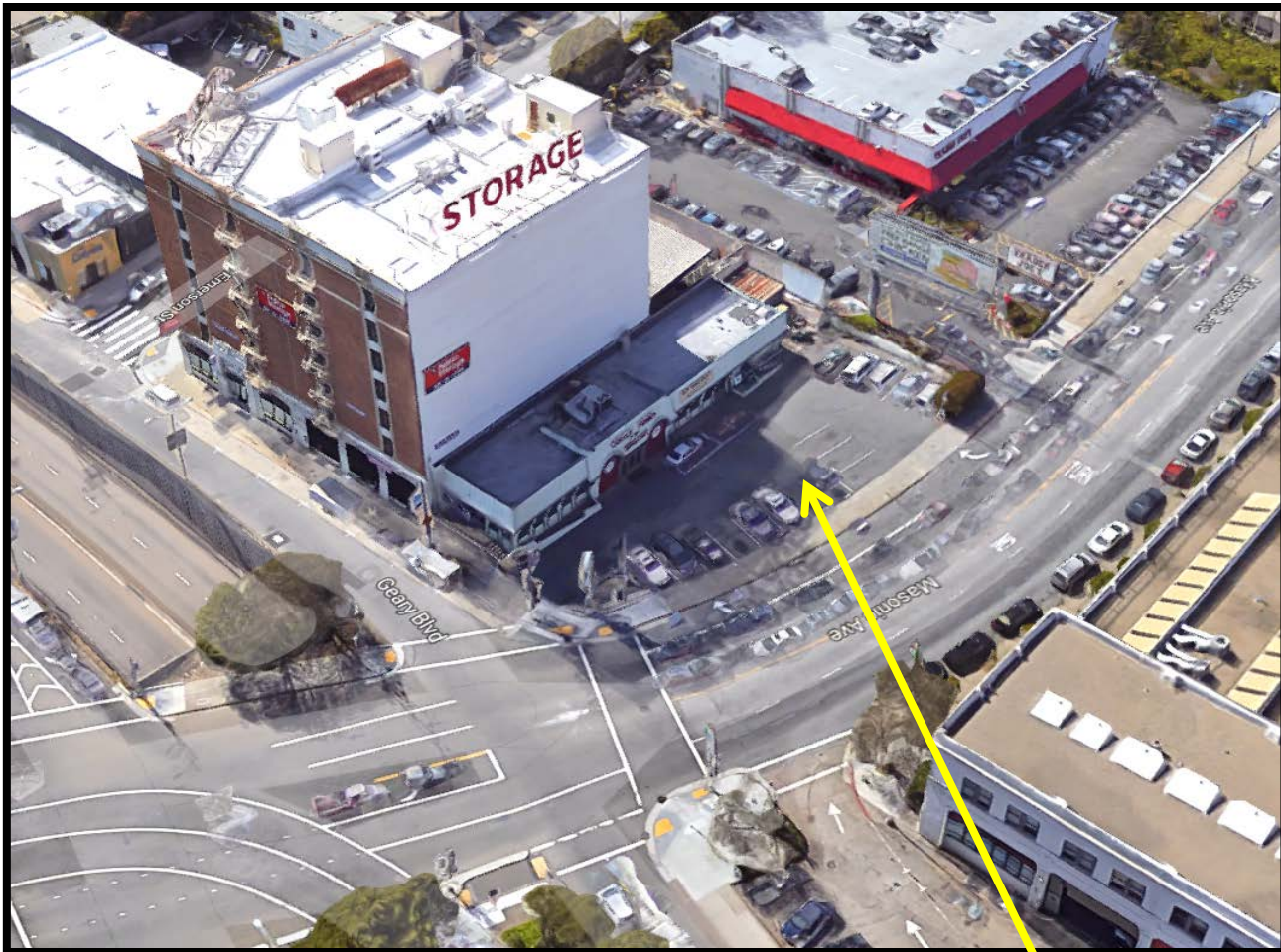


SAN FRANCISCO  
**PLANNING DEPARTMENT**



Conditional Use Hearing  
Case Number 2014-002181CUA  
2670 Geary Blvd  
Block 1071 Lot 003

# Aerial Photo



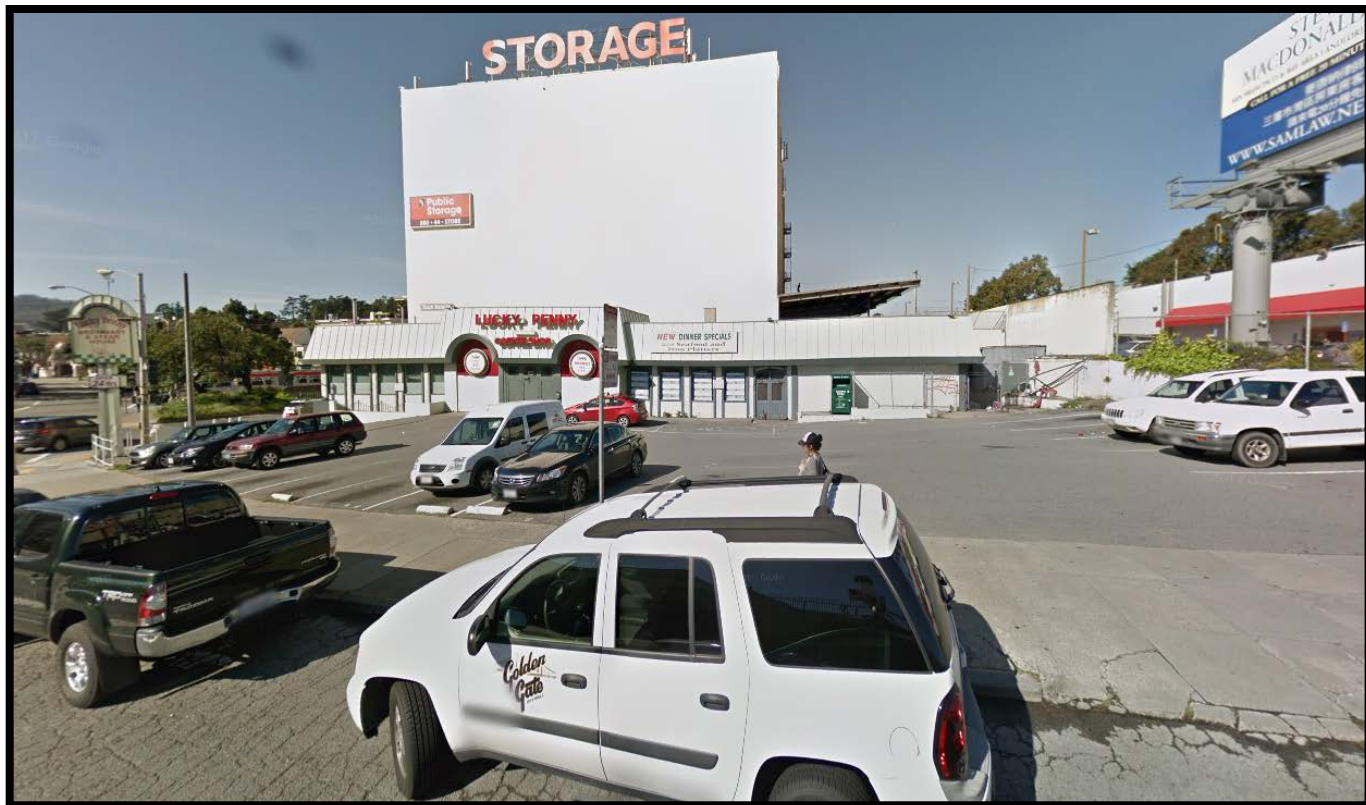
SUBJECT PROPERTY

SAN FRANCISCO  
**PLANNING DEPARTMENT**



Conditional Use Hearing  
**Case Number 2014-002181CUA**  
2670 Geary Blvd  
Block 1071 Lot 003

# Site Photo



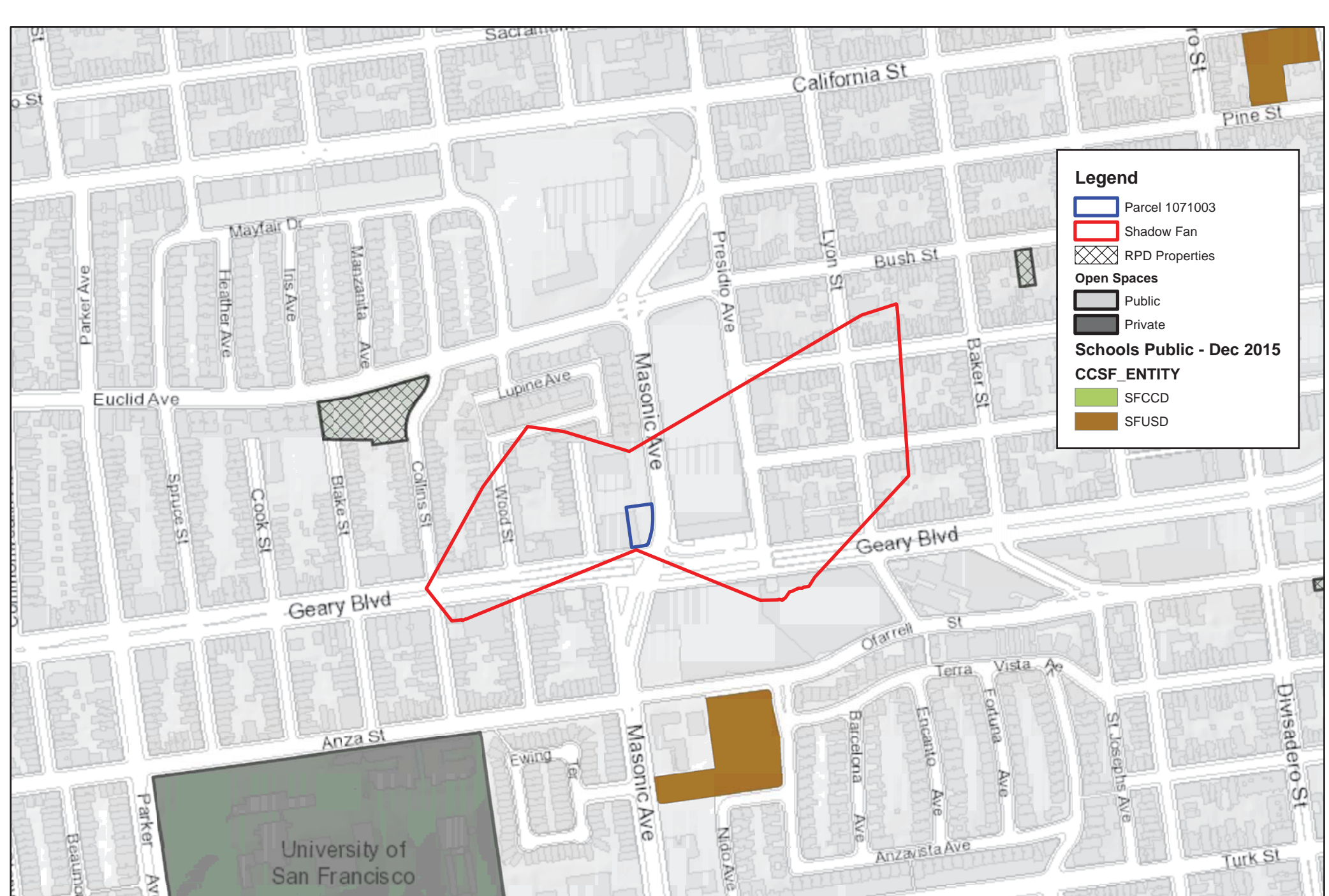
Masonic Avenue frontage



# Site Photo



Geary Boulevard frontage



Title: 2670 Geary Boulevard - Shadow Fan  
 Comments: Modeled on 105-foot tall building  
 Printed: 31 July, 2017



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**From:** [lois wander](#)  
**To:** [May, Christopher \(CPC\)](#)  
**Subject:** 2760 Geary Blvd. Proposed Project  
**Date:** Sunday, August 27, 2017 11:36:18 AM

---

Dear Mr. May,

As a nearby resident to the proposed 2670 Geary Blvd. project, I strongly urge you to continue the Sept. 7 Planning Commission Hearing because the project has changed radically, or to deny the Conditional Use authorization project approval.

The height should match the adjacent height of the Public Storage building. Moreover, seven parking spots is not ample. It is essential you provide more parking. The neighborhood cannot absorb that amount of added cars.

Thank you.

Lois Wander  
73a Wood Street  
San Francisco 9411

**From:** [Rosemary Bell](#)  
**To:** [May, Christopher \(CPC\)](#)  
**Subject:** Development of Lucky Penny site - Geary and Masonic Aves  
**Date:** Thursday, August 24, 2017 6:33:46 PM

---

Good evening,

I live at 43 Emerson St. This street is directly behind the Lucky Penny site proposed for development. I want to go on record that I and my wife are vehemently opposed to having a 121 unit building, possibly 25-35 feet higher than the Public Storage building, built on this site.

I do believe this proposition was on the ballot two years ago when this very issue of increasing the height of buildings in certain neighborhoods was up for a vote. At that time, it was a building in North Beach. I did not vote for this proposition then, and I still oppose it at this time.

Has anyone taken into consideration the following:

To build 121 units, a majority of them two-bedroom on a corner lot of one of the busiest thoroughfares, and one of the most dangerous is not a wise decision. I have lived on Emerson St., a dead-end street with 11 homes, for the past 20 years. We have seen dramatic changes on the street and the surrounding area. We have the City Center, with Target and other retailers, the Public Storage building which makes our street dangerous and sometimes impossible to leave because of large moving trucks, a wine bar, Tofino on one corner of Emerson, and Da Vita Dialysis on the other corner. Add Trader Joe's traffic, and the Muni bus yards on Masonic, and we have a traffic nightmare.

According to what I read, we're talking 121 units and 7 parking spaces! This is utterly ridiculous. We can't even park on our own street now, and if you're thinking that those people who live in this development are all going to take public transit, then I do believe the building company is hallucinating.

I will not be able to be present at the meeting on the 7th, I am in class at that time. Please make sure that whoever is involved in this endeavor, be given this letter.

Thank you very much,

Rosemary Bell  
Judy Yamamoto

**From:** [Richard Frisbie](#)  
**To:** [Farrell, Mark \(BOS\)](#); [Karunaratne, Kanishka \(BOS\)](#); [May, Christopher \(CPC\)](#); [laurelheights2016@gmail.com](#);  
[Janet Frisbie](#)  
**Subject:** Lucky Penny Gone Bad 2670 Geary Boulevard  
**Date:** Monday, August 28, 2017 9:50:54 AM

---

I am registering my opposition to the proposed development of the mega-structure on the Lucky Penny site.

This is a radical departure from previous versions and in no way reflects the input, expectations and wishes of the neighborhoods surrounding the site.

In fact, the neighborhoods were shocked when they saw what was being proposed as most had received no notification. And in fact neighborhoods which are directly impacted fall outside the notification area.

The present rules for Notification were almost certainly created using developer input as they in no way provide affected residents with adequate notification or protection.

I request that the upcoming September 7 Planning Commission hearing be delayed, as a minimum, so that the public can weigh in. Holding such a crucial hearing just after school starts and the labor Day weekend ends is totally unfair.

Conditional Use authorization/project approval should be denied until modifications to the project are made and approved.

This project requires modification beginning with height, scale, lack of middle income family housing.....

I believe there is an acceptable compromise that does not dramatically degrade the neighborhoods, provides family-friendly middle income housing and allows the developer a reasonable rate of return

The present proposal satisfies only the last criteria-developer's rate of return-extremely generous. I hesitate to use the word "usurious" but it comes to mind.

I look forward to your reply.

Respectfully,  
Dick Frisbie  
415-666-3550



**From:** [Barbara Reyes Lovrin](#)  
**To:** [May, Christopher \(CPC\)](#); [Farrell, Mark \(BOS\)](#)  
**Subject:** Lucky Penny Proposal  
**Date:** Monday, August 28, 2017 3:26:43 PM

---

Dear Sirs:

This proposal would be a DISASTER in regards to parking for the neighborhood. Only 7 parking spaces for this is outrages for 121 units.

I do plan to attend the meeting on Thursday 09/07/17 to make my opinion count and voice my disapproval.

Barbara Reyes Lovein

**From:** [zAWHOME](#)  
**To:** [Farrell, Mark \(BOS\)](#); [May, Christopher \(CPC\)](#)  
**Cc:** [Karunaratne, Kanishka \(BOS\)](#)  
**Subject:** Lucky penny site: 2670 Geary  
**Date:** Saturday, August 26, 2017 1:54:24 PM

---

I am writing to oppose the scale of the project at 2670 Geary. It should be no more than 8 stories & NOT higher than the existing public storage facility.

121 units with only 7 parking spaces and towering above all in the neighborhood! Not a sight I want to see nor is it beneficial to the neighborhood.

Theresa Cole & Eric LeBoa  
Home owners at 1 Emerson Street SF

**From:** [Zarin Randeria](#)  
**To:** [May, Christopher \(CPC\)](#)  
**Subject:** PROPOSED DEVELOPMENT ON Lucky Penny site at Masonic and Geary  
**Date:** Monday, August 28, 2017 8:55:35 AM

---

Dear Mr. May,

I am simply horrified to learn that there is a proposal related to the development of the Site at Masonic and Geary, which is currently occupied by Lucky Penny Restaurant which now implodes to:

- 110 feet high with a 15 foot elevator penthouse
- has only 7 parking spaces
- 121 units which include 80 tiny studios of 344 square feet, 40 "2-bedroom" units of 700-736 square feet, and one 3-bedroom unit.

As I live AROUND THE CORNER, from this location, I know how horrendous it is NOW to walk, park or try to catch a bus on Geary Avenue. So this is going to be a total nightmare for all of us who live here.

Please make sure that you hold the September 7 Planning Commission Hearing because this proposed project is ill conceived, and needs to be either radically changed or totally denied.

The height needs to match the adjacent storage building on Geary, and the scale of the project needs to be reduced together with the architectural design which is totally incompatible.

Thank you very much for your assistance on this.

Sincerely,

Zarin E. Randeria

A citizen of San Francisco, who has been a Tax Payer and an active Voter in our Community.



# TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN APPLICATION

## Property Owner's Information

Name: Yin Family (Helen Yin, Dominic Yin, Kimberly Yin)

Address: 2670 Geary Blvd.  
San Francisco, CA 94118

Email Address:

Telephone: (415) 509-7517

## Applicant Information (if applicable)

Name: SoMa Development Partners, LLC; Cyrus Sanandaji

Same as above ☐

Company/Organization:

Address: 1160 Battery Street, Suite 250  
San Francisco, CA 94111

Email Address: cyrus@presidiobay.com

Telephone: (760) 214-8753

### Please Select Billing Contact:

☐ Owner

☒ Applicant

☐ Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

### Please Select Primary Project/TDM Contact:

☐ Owner

☒ Applicant

☐ Billing

☐ Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

## Property Information

Project Address: 2670 Geary Blvd.

Block/Lot(s): 1071/003

## Project Description:

Please provide a narrative project description that summarizes the project and its purpose. ☐ See Attachment

The Project Sponsor proposes to demolish an existing 1-story former restaurant and associated surface parking lot and construct an 11-story mixed-use building with 121 dwelling units above 2,301 square feet of commercial space at the basement and ground floor levels (the "Project"). The Project would include 7 parking spaces in a below-grade garage and 6,823 square feet of open space.

## LAND USE TABLES

If you are not sure of the eventual size of the project, provide the maximum estimates.

Gross Floor Area and Occupied Floor Area are defined in Planning Code Section 102.

Land Use Category A (Retail)	
Gross Floor Area (GFA)	
<b>Occupied Floor Area (OFA)</b>	
Number of Accessory Parking Spaces	
Target Points	

Land Use Category B (Office)	
Gross Floor Area (GFA)	
<b>Occupied Floor Area (OFA)</b>	
Number of Accessory Parking Spaces	
Target Points	

Land Use Category C (Residential)	
Gross Floor Area (GFA)	
<b>Occupied Floor Area (OFA)</b>	
Number of Accessory Parking Spaces	
Target Points	

Land Use Category D (Other)	
Gross Floor Area (GFA)	
<b>Occupied Floor Area (OFA)</b>	
Number of Accessory Parking Spaces	
Target Points	

# TDM PLAN WORKSHEET

Category	Measure	Points	Land Use Category			
			A Retail	B Office	C Residential	D Other
ACTIVE-1	Improve Walking Conditions: Option A; or	1				
	Improve Walking Conditions: Option B	1				
ACTIVE-2	Bicycle Parking: Option A; or	1				
	Bicycle Parking: Option B; or	2				
	Bicycle Parking: Option C; or	3				
	Bicycle Parking: Option D	4				
ACTIVE-3	Showers and Lockers	1				
ACTIVE-4	Bike Share Membership: Location A; or	1				
	Bike Share Membership: Location B	2				
ACTIVE-5A	Bicycle Repair Station	1				
ACTIVE-5B	Bicycle Maintenance Services	1				
ACTIVE-6	Fleet of Bicycles	1				
ACTIVE-7	Bicycle Valet Parking	1				
CSHARE-1	Car-share Parking and Membership: Option A; or	1				
	Car-share Parking and Membership: Option B; or	2				
	Car-share Parking and Membership: Option C; or	3				
	Car-share Parking and Membership: Option D; or	4				
	Car-share Parking and Membership: Option E	5				
DELIVERY-1	Delivery Supportive Amenities	1				
DELIVERY-2	Provide Delivery Services	1				
FAMILY-1	Family TDM Amenities: Option A; and/or	1				
	Family TDM Amenities: Option B	1				
FAMILY-2	On-site Childcare	2				
FAMILY-3	Family TDM Package	2				
HOV-1	Contributions or Incentives for Sustainable Transportation: Option A; or	2				
	Contributions or Incentives for Sustainable Transportation: Option B; or	4				
	Contributions or Incentives for Sustainable Transportation: Option C; or	6				
	Contributions or Incentives for Sustainable Transportation: Option D	8				
HOV-2	Shuttle Bus Service: Option A; or	7				
	Shuttle Bus Service: Option B	14				

= applicable to land use category.

= applicable to land use category, see fact sheets for further details regarding project size and/or location.

= applicable to land use category only if project includes some parking.

= not applicable to land use category.

= project sponsor can select these measures for land use category D, but will not receive points.

NOTE: Please tally the points on the next page.

NOTE: A project sponsor can only receive up to 14 points between HOV-2 and HOV-3.

Category	Measure	Points	Land Use Category			
			A Retail	B Office	C Residential	D Other
HOV-3	Vanpool Program: Option A; or	1				
	Vanpool Program: Option B; or	2				
	Vanpool Program: Option C; or	3				
	Vanpool Program: Option D; or	4				
	Vanpool Program: Option E; or	5				
	Vanpool Program: Option F; or	6				
	Vanpool Program: Option G	7				
INFO-1	Multimodal Wayfinding Signage	1				
INFO-2	Real Time Transportation Information Displays	1				
INFO-3	Tailored Transportation Marketing Services: Option A; or	1				
	Tailored Transportation Marketing Services: Option B; or	2				
	Tailored Transportation Marketing Services: Option C; or	3				
	Tailored Transportation Marketing Services: Option D	4				
LU-1	Healthy Food Retail in Underserved Area	2				
LU-2	On-site Affordable Housing: Option A; or	1				
	On-site Affordable Housing: Option B; or	2				
	On-site Affordable Housing: Option C; or	3				
	On-site Affordable Housing: Option D	4				
PKG-1	Unbundle Parking: Location A; or	1				
	Unbundle Parking: Location B; or	2				
	Unbundle Parking: Location C; or	3				
	Unbundle Parking: Location D; or	4				
	Unbundle Parking: Location E	5				
PKG-2	Parking Pricing	2				
PKG-3	Parking Cash Out: Non-residential Tenants	2				
PKG-4	Parking Supply: Option A; or	1				
	Parking Supply: Option B; or	2				
	Parking Supply: Option C; or	3				
	Parking Supply: Option D; or	4				
	Parking Supply: Option E; or	5				
	Parking Supply: Option F; or	6				
	Parking Supply: Option G; or	7				
	Parking Supply: Option H; or	8				
	Parking Supply: Option I; or	9				
	Parking Supply: Option J; or	10				
	Parking Supply: Option K	11				

= applicable to land use category.

= applicable to land use category, see fact sheets for further details regarding project size and/or location.

= applicable to land use category only if project includes some parking.

= not applicable to land use category.

= project sponsor can select these measures for land use category D, but will not receive points.

#### Land Use Category Totals

A Retail      B Office      C Residential      D Other

Point Subtotal from Page 1: \_\_\_\_\_

Point Subtotal from Page 2: \_\_\_\_\_

Totals: \_\_\_\_\_

# 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 TDM Program Standards included multiple options to meet the target, and of those options, the owner has selected the TDM measures included in the TDM Plan application.
- d) Other information or applications may be required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_



# COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM



**San Francisco  
Planning**

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

Date: August 16, 2016

To: Applicants subject to Planning Code Section 415 and 419: *Inclusionary Affordable Housing Program*

From: San Francisco Planning Department

Re: **Compliance with the Inclusionary Affordable Housing Program**

All projects that include 10 or more dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Planning Code Sections 415 and 419. Every project subject to the requirements of Planning Code Section 415 or 419 is required to pay the Affordable Housing Fee. A project may be eligible for an Alternative to the Affordable Housing Fee if the developer chooses to commit to sell the new residential units rather than offer them as rental units. Projects may be eligible to provide rental affordable units if it demonstrates the affordable units are not subject to the Costa Hawkins Rental Housing Act. All projects that can demonstrate that they are eligible for an Alternative to the Affordable Housing Fee must provide necessary documentation to the Planning Department and Mayor's Office of Housing.

**Before the Planning Department and/or Planning Commission can act on the project**, this Affidavit for Compliance with the Inclusionary Affordable Housing Program must be completed. Please note that this affidavit is required to be included in Planning Commission packets and therefore, must comply with packet submittal guidelines.

The Affidavit is divided into two sections. This first section is devoted to projects that are subject to Planning Code Section 415. The second section covers projects that are located in the Urban Mixed Use (UMU) Zoning District and certain projects within the Mission Neighborhood Commercial Transit District that are subject to Planning Code Section 419. Please use the applicable form and contact Planning staff with any questions.

On June 7, 2016, Proposition C was passed by San Francisco voters to modify Affordable Housing Requirements and trailing legislation was passed by the Board of Supervisors (Ord No. 76-16 and File No. 160255) to implement the increased requirements. Please be aware that the inclusionary requirements may differ for projects depending on when a complete Environmental Evaluation Application (EEA) was submitted with the Department. Please also note that there are different requirements for smaller projects (10-24 units) and larger projects (25+ units). Please use the attached tables to determine the applicable requirement.

For new projects with complete EEA's accepted after January 12, 2016, the Inclusionary Affordable Housing Program includes provisions to allow for mixed income levels. Generally speaking, if the required number of units constructed on-site is 25%, a minimum of 15% of the units must be affordable to low-income households and 10% of the units affordable to low- or moderate/middle-income households. The Average Median Income (AMI) for low income is 55% for rental and 80% for ownership. The AMI for moderate/middle income units is 100% for rental and 120% for ownership. Projects subject to grandfathering must provide the all of the inclusionary units at the low income AMI.

**Summary of requirements.** Please determine what percentage is applicable for your project based on the size of the project, the zoning of the property, and the date that a complete Environmental Evaluation Application (EEA) was submitted. Chart A applies throughout San Francisco whereas Chart B addresses UMU (Urban Mixed Use District) Zoning Districts.

If the project received its first discretionary approval prior to January 12, 2016, please use the EEA accepted before 1/1/13 column to determine the applicable percentage because projects that received a first discretionary approval prior to January 12, 2016 are not subject to the new requirements included in the trailing legislation associated with Proposition C (Ord. No. 76-16 and File No. 160255).

The Project contains: <b>121</b> UNITS	The zoning of the property is: <b>NC-3</b>	Complete EEA was submitted on: <b>May 15, 2015</b>
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### CHART A: Inclusionary Requirements for San Francisco, excluding UMU Zoning Districts.

<i>Complete EEA Accepted: →</i>	<i>Before 1/1/13</i>	<i>Before 1/1/14</i>	<i>Before 1/1/15</i>	<i>Before 1/12/16</i>	<i>After 1/12/16</i>
<b>Fee or Off-site</b>					
10-24 unit projects	20.0%	20.0%	20.0%	20.0%	20.0%
25+ unit projects at or below 120'	20.0%	25.0%	27.5%	30.0%	33.0%
25+ unit projects over 120' in height *	20.0%	33.0%	33.0%	33.0%	33.0%
<b>On-site</b>					
10-24 unit projects	12.0%	12.0%	12.0%	12.0%	12.0%
25+ unit projects	12.0%	13.0%	13.5%	14.5%	25.0%

\* except buildings up to 130 feet in height located both within a special use district and within a height and bulk district that allows a maximum building height of 130 feet.

**CHART B: Inclusionary Requirements for UMU Districts.** Please note that the Middle Income Incentive Alternative regulated in Planning Code Section 419 was not changed by Code amendment (Ord. No. 76-16). Also, certain projects in the SOMA Youth and Family SUD rely upon UMU requirements as stipulated by the Planning Code.

<i>Complete EEA Accepted: →</i>	<i>Before 1/1/13</i>	<i>Before 1/1/14</i>	<i>Before 1/1/15</i>	<i>Before 1/12/16</i>	<i>After 1/12/16</i>
<b>On-site UMU</b>					
Tier A 10-24 unit projects	14.4%	14.4%	14.4%	14.4%	14.4%
Tier A 25+ unit projects	14.4%	15.4%	15.9%	16.4%	25.0%
Tier B 10-24 unit projects	16.0%	16.0%	16.0%	16.0%	16.0%
Tier B 25+ unit projects	16.0%	17.0%	17.5%	18.0%	25.0%
Tier C 10-24 unit projects	17.6%	17.6%	17.6%	17.6%	17.6%
Tier C 25+ unit projects	17.6%	18.6%	19.1%	19.6%	25.0%
<b>Fee or Off-site UMU</b>					
Tier A 10-24 unit projects	23.0%	23.0%	23.0%	23.0%	23.0%
Tier A 25+ unit projects	23.0%	28.0%	30.5%	33.0%	33.0%
Tier B 10-24 unit projects	25.0%	25.0%	25.0%	25.0%	25.0%
Tier B 25+ unit projects	25.0%	30.0%	32.5%	33.0%	33.0%
Tier C 10-24 unit projects	27.0%	27.0%	27.0%	27.0%	27.0%
Tier C 25+ unit projects	27.0%	32.0%	33.0%	33.0%	33.0%
<b>Land Dedication in UMU or Mission NCT</b>					
Tier A 10-24 unit < 30K	35.0%	35.0%	35.0%	35.0%	35.0%
Tier A 10-24 unit > 30K	30.0%	30.0%	30.0%	30.0%	30.0%
Tier A 25+ unit < 30K	35.0%	40.0%	42.5%	45.0%	35.0%
Tier A 25+ unit > 30K	30.0%	35.0%	37.5%	40.0%	30.0%
Tier B 10-24 unit < 30K	40.0%	40.0%	40.0%	40.0%	40.0%
Tier B 10-24 unit > 30K	35.0%	35.0%	35.0%	35.0%	35.0%
Tier B 25+ unit < 30K	40.0%	45.0%	47.5%	50.0%	40.0%
Tier B 25+ unit > 30K	35.0%	40.0%	42.5%	45.0%	35.0%
Tier C 10-24 unit < 30K	45.0%	45.0%	45.0%	45.0%	45.0%
Tier C 10-24 unit > 30K	40.0%	40.0%	40.0%	40.0%	40.0%
Tier C 25+ unit < 30K	45.0%	50.0%	52.5%	55.0%	45.0%
Tier C 25+ unit > 30K	40.0%	45.0%	47.5%	50.0%	40.0%

**AFFIDAVIT**

# COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

**PLANNING CODE SECTION 415 & 419****San Francisco  
Planning**

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

8/28/2017

Date

I, Kabir Seth,  
do hereby declare as follows:

Is this project an UMU project within the Eastern  
Neighborhoods Plan Area?

☐ Yes ☒ No

( If yes, please indicate Affordable Housing Tier )

**A** The subject property is located at (address and  
block/lot):

2670 Geary Blvd

Address

1071/003

Block / Lot

This project is exempt from the *Inclusionary  
Affordable Housing Program* because:

- ☐ This project is 100% affordable.  
☐ This project is 100% student housing.

**B** The proposed project at the above address is sub-  
ject to the *Inclusionary Affordable Housing Program*,  
Planning Code Section 415 and 419 et seq.

The Planning Case Number and/or Building Permit  
Number is:

2014-002181

Planning Case Number

Not yet filed

Building Permit Number

**C** This project will comply with the Inclusionary  
Affordable Housing Program by:

- ☐ Payment of the Affordable Housing Fee prior  
to the first construction document issuance  
(Planning Code Section 415.5).  
☒ On-site Affordable Housing Alternative  
(Planning Code Sections 415.6).  
☐ Off-site Affordable Housing Alternative  
(Planning Code Sections 415.7):  
☐ Land Dedication

This project requires the following approval:

- ☒ Planning Commission approval (e.g. Conditional  
Use Authorization, Large Project Authorization)  
☐ This project is principally permitted.

The Current Planner assigned to my project within  
the Planning Department is:

Chris May

Planner Name

**D** If the project will comply with the Inclusionary Affordable Housing Program through an **On-site** or **Off-site Affordable Housing Alternative**, please fill out the following regarding how the project is eligible for an alternative.

- ☐ **Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.
- ☒ **Rental.** Exemption from Costa Hawkins Rental Housing Act.<sup>1</sup> The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:
- ☐ Direct financial contribution from a public entity.
- ☒ Development or density bonus, or other public form of assistance.
- ☐ Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

**E** The Project Sponsor acknowledges that failure to sell the affordable units as ownership units or to eliminate the on-site or off-site affordable ownership-only units at any time will require the Project Sponsor to:

- (1) Inform the Planning Department and the Mayor's Office of Housing and, if applicable, fill out a new affidavit;
- (2) Record a new Notice of Special Restrictions; and
- (3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

**F** Affordability Levels:

No. of Affordable Units:	% Affordable Units:	AMI Level:
14	12	55%

No. of Affordable Units:	% Affordable Units:	AMI Level:
11	9	80%

11 9 110%

**G** The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document.

**H** I am a duly authorized agent or owner of the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this day in:

San Francisco, CA

*Location*

August 28, 2017

*Date*

**Sign Here**

  
*Signature*

Kabir Seth

*Name (Print), Title*

510 590 8456

*Contact Phone Number*

cc: Mayor's Office of Housing and  
Community Development  
Planning Department Case Docket

<sup>1</sup> California Civil Code Section 1954.50 and following.

## UNIT MIX TABLES

### Number of All Units in PRINCIPAL PROJECT:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
121	0	80	0	40	1

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below. If using more than one AMI to satisfy the requirement, please submit a separate sheet for each AMI level.

☒ **On-site Affordable Housing Alternative** Planning Code Section 415.6): calculated at  % of the unit total.

### Number of Affordable Units to be Located ON-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
121	0	24	0	12	0

☐ **Off-site Affordable Housing Alternative** (Planning Code Section 415.7): calculated at  % of the unit total.

### Number of Affordable Units to be Located OFF-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
Area of Dwellings in Principal Project (in sq. feet):		Off-Site Project Address:			
Area of Dwellings in Off-Site Project (in sq. feet):					
Off-Site Block/Lot(s):		Motion No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project:	

☐ **Combination of payment of a fee, on-site affordable units, or off-site affordable units** with the following distribution:

Indicate what percent of each option will be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.

1. Fee  % of affordable housing requirement.

2. On-Site  % of affordable housing requirement.

### Number of Affordable Units to be Located ON-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

3. Off-Site  % of affordable housing requirement.

### Number of Affordable Units to be Located OFF-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
Area of Dwellings in Principal Project (in sq. feet):		Off-Site Project Address:			
Area of Dwellings in Off-Site Project (in sq. feet):					
Off-Site Block/Lot(s):		Motion No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project:	

**Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT**SoMa Development Partners, LLC*Company Name*Kabir Seth*Name (Print) of Contact Person*1160 Battery Street, Suite 250*Address*SF, CA 94111*City, State, Zip*510 590 8456*Phone / Fax*kabir@presidiobay.com*Email*

I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.

**Sign Here***Signature:**Name (Print), Title:*Kabir Seth, authorized signatory**Contact Information and Declaration of Sponsor of OFF-SITE PROJECT ( If Different )**  
*Company Name*  
*Name (Print) of Contact Person*  
*Address*  
*City, State, Zip*  
*Phone / Fax*  
*Email*

I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.

**Sign Here***Signature:**Name (Print), Title:*

# 2670 Geary Blvd, San Francisco

121 New Residential Units

A Home-SF tailored development

## PROJECT INFORMATION

■ UNITS RESIDENTIAL COMMERCIAL	121 UNITS: 1 3-BEDROOM (1%), 40 2-BEDROOMS (33%), 80 STUDIOS (66%) 2 RETAIL/COMMERCIAL: 816 SF & 1,377 SF
■ LOT AREA	12,700 SF
■ HEIGHT	11 STORIES, 105' TALL (80' HEIGHT LIMIT + 20' & 5' HT. BONUS PER HOME-SF)
■ PARKING AUTOMOBILE BICYCLE	7 SPACES (1 ADA VAN + 1 CAR SHARE + 6 RESIDENTIAL FLEX SPACES ) 132 SPACES (124 CLASS 1, 8 CLASS 2)
■ REAR YARD	REAR YARD MODIFICATION PER SECTION 134.F & HOME-SF (20% OF LOT AREA)
■ OPEN SPACE	6,785 SF PROVIDED
■ ACCESSIBILITY	FULLY ADAPTABLE
■ AFFORDABILITY	30% ∴ 36 UNITS ON-SITE
■ CONSTRUCTION TYPE	TYPE 1B



ZONING SUMMARY				
	CODE REFERENCE	PERMITTED / NOTES	PROPOSED	
ASSESSORS BLOCK/LOT	Map	1071/ 003	-	
LOT AREA	Map	12,730 sf	-	
ZONING DISTRICT	731	NC-3, Moderate-Scale Neighborhood	-	
HEIGHT DISTRICT	Map	80-D		
HEIGHT MEASUREMENT	Map 263.20 206.3(d)(2)	80 feet 263.20: 5 foot increase at ground floor 206.3: 20 feet increase for density = 105 feet	105 ft	
BULK LIMIT-MEASUREMENT	270 271	Height above which maximum dimensions apply: 40 ft Maximum plan dimensions: 110 ft length, 140 ft diagonal dimension	Diagonal Dimension: 176' - 2 1/4" 36' - 2 1/4" exceedance  <b>CONDITIONAL USE AUTHORIZATION REQUIRED</b>	
LOT SIZE	121.1 712.11	Permitted: up to 9,999 sf Conditional Use: 10,000 sf & above	12,700 sf  <b>CONDITIONAL USE AUTHORIZATION REQUIRED</b>	
GROUND FLOOR ACTIVE USE	206.3(c)(5)	New project must contain ground floor active uses at the same square footage as any neighborhood commercial use demolished or reviewed	Existing Retail Use: 3,827 sf Proposed Retail Use: 2,301 sf  <b>303(t) EXCEPTION REQUIRED</b>	
REAR YARD	134 206.3(d)(4)(A)	134(e)(2): Corner properties' rear yard can be may be substituted with an open area equal to 25 percent of the lot area which is located at the same levels as the required rear yard in #1) an interior corner of the lot, #2) an open area between two or more buildings on the lot, or #3) an inner court. Must be minimum of 15 feet in each horizontal dimension. 25% of 12,730 = 3,182 sf  206.3: Corner properties can provide 20% of lot area at interior corner. Must be minimum of 15 feet in each horizontal dimension. 20% of 12,730 sf = 2,546 sf	Total Rear Yard sf: 2,728 Greater than 20% Not located in interior corner  <b>303(t) EXCEPTION REQUIRED</b>	
EXTENSIONS OVER STREET	136	Projections over streets must meet a permitted exception under 136(c)(1) - (31)	Balconies (Max. 3'-0") Architectural Features project (Max 1'-4") into street frontage on Geary & Masonic  <b>303(t) EXCEPTION REQUIRED</b>	
DWELLING UNIT EXPOSURE	140 206.3(d)(B)	140(a)(2): Each dwelling unit must face an open area that is no less than 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 of five feet in every horizontal dimension at each subsequent floor.  206.3(d)(B): must face an unobstructed area that is no less than 25 feet in every horizontal dimension, but the open area is not required to expand in every horizontal dimension at each subsequent floor.	All dwelling units face open area that is 25 feet in horizontal dimension but does not expand in every horizontal dimension on subsequent floors.  <b>206.3 MODIFICATION REQUIRED</b>	
USABLE OPEN SPACE - PER DU	135 206.3(d)(4)(G)	Private: 80 sf/ dwelling unit Common: 100 sf/ dwelling unit  135(d)(2): SRO Units shall provide one-third of the amount required  135(g)(2): inner courts may be credited as common usable open space, if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area; and if the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court  206.3(d)(4)(G): Inner courts can qualify as open space if it is at least 25 feet in every horizontal dimension, which no restriction on the heights of adjacent walls.	SRO Units: 80 80 units x 100 sf = 8,000 common open space required. 1/3 of 8,000 sf = 2,667sf 41 units x 100 sf = 4,100 sf common open space required  Total Open Space Required = 6,767 sf Provided Open Space = 6,785 sf Inner court qualifies as open space but does not expand per 135  <b>206.3 MODIFICATION REQUIRED</b>	

ZONING SUMMARY

	CODE REFERENCE	PERMITTED / NOTES	PROPOSED
DWELLING UNIT DENSITY	712 206.3(c)(1)	712: 1 unit per 600 sf of lot area, or the density permitted in the nearest R district, whichever is greater 12,730 sf lot area = 21 dwelling units permitted  206.3: 30% increase in density; density limited by form-based requirements in Code = 121 dwelling units	712: 12,730 sf lot area = 21 dwelling units permitted  206.3/ Home SF: 12,730 sf lot area = 121 dwelling units permitted
ON-SITE INCLUSIONARY HOUSING	415.6 206.3	30% of total dwelling units On site Required	30% of 121 dwelling units = 36 units provided
DWELLING UNIT MIX	206.3(c)(3)	1) At least 40% two and three bedroom units including at least 10% three bedroom units; or  2) Any unit mix which includes some three bedroom or larger units such that 50% of all bedrooms within the Home SF Project are provided in the units with more than one bedroom	3 BD = 1 2 BD = 40 Studio = 80
FLOOR AREA RATIO - COMMERCIAL	124 (a) (b)	3.6	2193 sf /12,730 f = .25
USE SIZE - NON RESIDENTIAL	790.13 121.2	Permitted: up to 5,999 sf Conditional Use: 6,000 sf & above	Retail = 2,193 sf
GROUND FLOOR CEILING HEIGHT	145.1 206.3(D)(3)	145(c)(4)(C) Ground Floor Ceiling Height: minimum 14ft	Complies
OFF-STREET PARKING, COMMERCIAL (see 731.94 Off-Street Parking, Residential)	151.1	Other retail space: 1 per 500 sf occupied floor area, when > 5,000 sf	Retail space: 4,292 sf = no parking required
OFF-STREET PARKING, RESIDENTIAL (see 731.94 Off-Street Parking, Commercial)	151.1	None required. Permitted: up to 0.5 per dwelling unit Conditional Use: up to 0.75 per dwelling unit	7 off-street parking spaces, including 1 car share parking space
OFF-STREET FREIGHT LOADING	152 162 (b)	None required if gross floor area < 10,000 sf	Retail space: 4,292 sf = no loading required
CAR-SHARE PARKING	166	50-200 Dwelling Units: 1 car-share parking space	1 car share parking provided
BIKE PARKING	155.2	Residential, Class 1: 1 per DU Retail Sales, Class 1: 1 per 7,500 sf occupied floor area  Residential, Class 2: 1 per 20 DU Retail Sales, Class 2: min. 2 spaces; 1 per 2,500 sf occupied floor area	Class 1: 124 spaces provided Class 2: 8 spaces provided Total: 132 spaces
STREETSCAPE & PEDESTRIAN IMPROVEMENTS	138.1	1 street tree per 20 ft of street frontage Geary Blvd: 60 ft frontage / 20' = 3 trees required Masonic Ave: 156 ft frontage / 20' = 7.8 = 8 trees required	5 new trees on Masonic 3 trees: In lieu fee per DPW Code

# HOME-SF INCLUSIONARY HOUSING DENSITY BONUS

## MODIFICATIONS REQUESTED:

- DWELLING UNIT EXPOSURE
- REAR YARD: 20% REAR YARD EQUIVALENT
- INNER COURT AS OPEN SPACE

## ENTITLEMENTS/APPROVALS

1. Conditional Use Authorization for Bulk Limits (Section 271): diagonal dimension
2. Conditional Use Authorization for Lot Size (Section 712.11): over 10K sf
3. HomeSF/303(t) Exception: ground floor active use (not replacing retail sf exactly 1-for-1 per 206.3(c)(5))
4. HomeSF/303(t) Exception: rear yard (not putting entire rear yard in interior corner per 206.3(d)(4)(A))
5. HomeSF/303(t) Exception: obstruction over street (balconies/architectural projections)
6. HomeSF – Modification: 206.3(d)(4)(G) inner court as open space (20%; no height on walls restriction)
7. HomeSF – Modification: 203.3(d)(4)(E) dwelling unit exposure (not required to expand in every horizontal dimension at subsequent floors)

## **FAMILY ORIENTED DESIGN & AMENITIES**

- W/D IN EACH UNIT
- TRASH CHUTES
- COMMUNITY LOUNGE SPACE
- FITNESS ROOM
- THEATER
- COMMUNITY MEETING ROOM
- DOORMAN
- COLD STORAGE (FOR APP BASED FOOD DELIVERY)
- PARCEL STORAGE
- ABUNDANT OUTDOOR OPEN SPACE ON MULTIPLE LEVELS
- INTERNAL RESIDENTIAL LOADING ZONE
- CAR SHARE

6,785 SF

## BULK

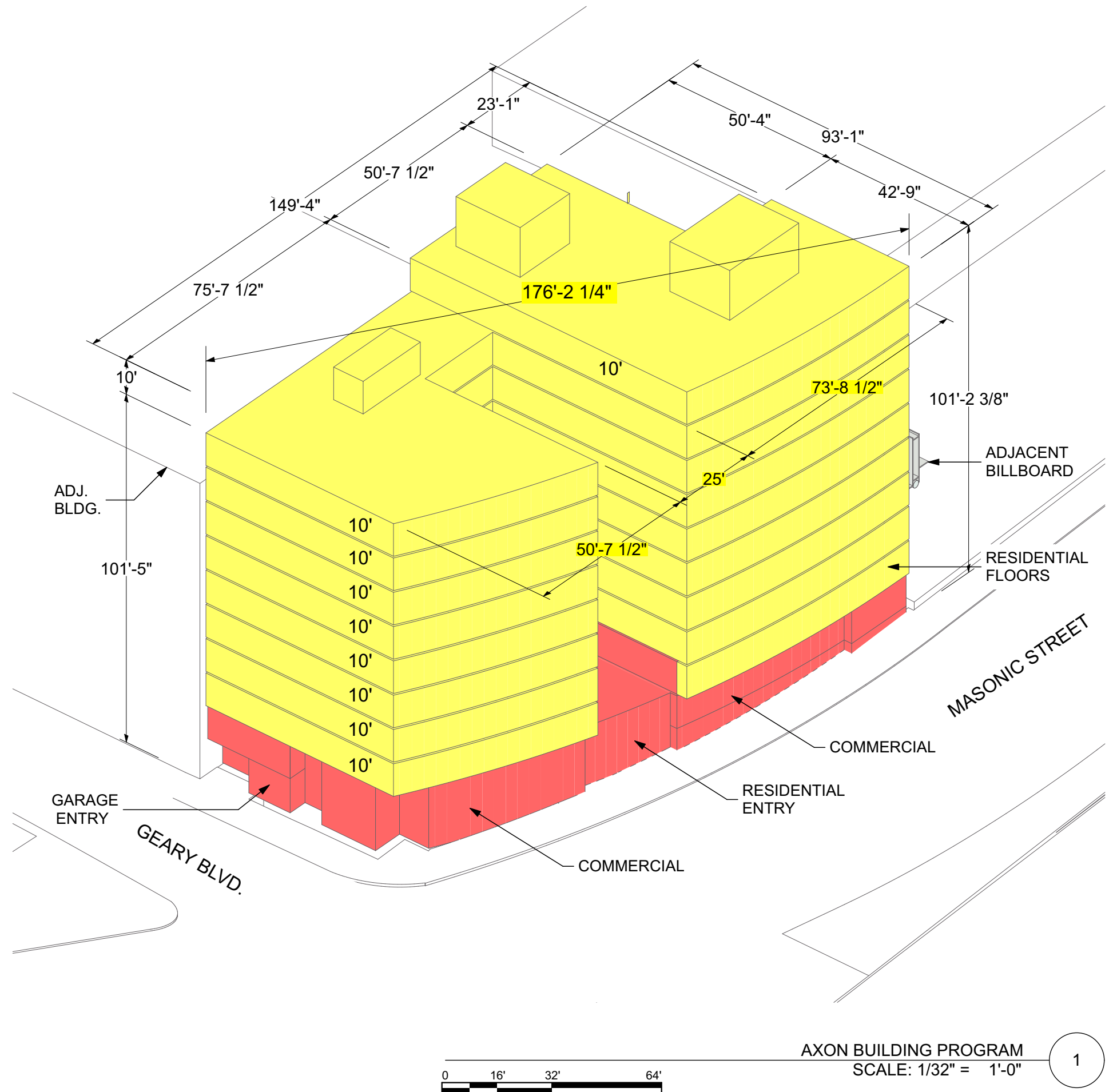
BULK EXCEEDS 140' MAX. DIAGONAL ABOVE 40' HEIGHT THEREFORE MUST BE APPROVED VIA C.U. MASSING DESIGNED TO STRENGTHEN STREET WALL BUT DISTINCT TOWERS REDUCE VISUAL BULK

## REAR YARD

MODIFIED PER SEC. 134 & HOME-SF  
2,728 SF PROVIDED EQUIVALENT TO  
20% OF LOT AREA

## OPEN SPACE

6,785 SF PROVIDED IN REAR YARD,  
COURT & ROOF DECKS







BIRD VIEW LOOKING AT SUBJECT PROPERTY @ GEARY BLVD. & MASONIC AVE.

A



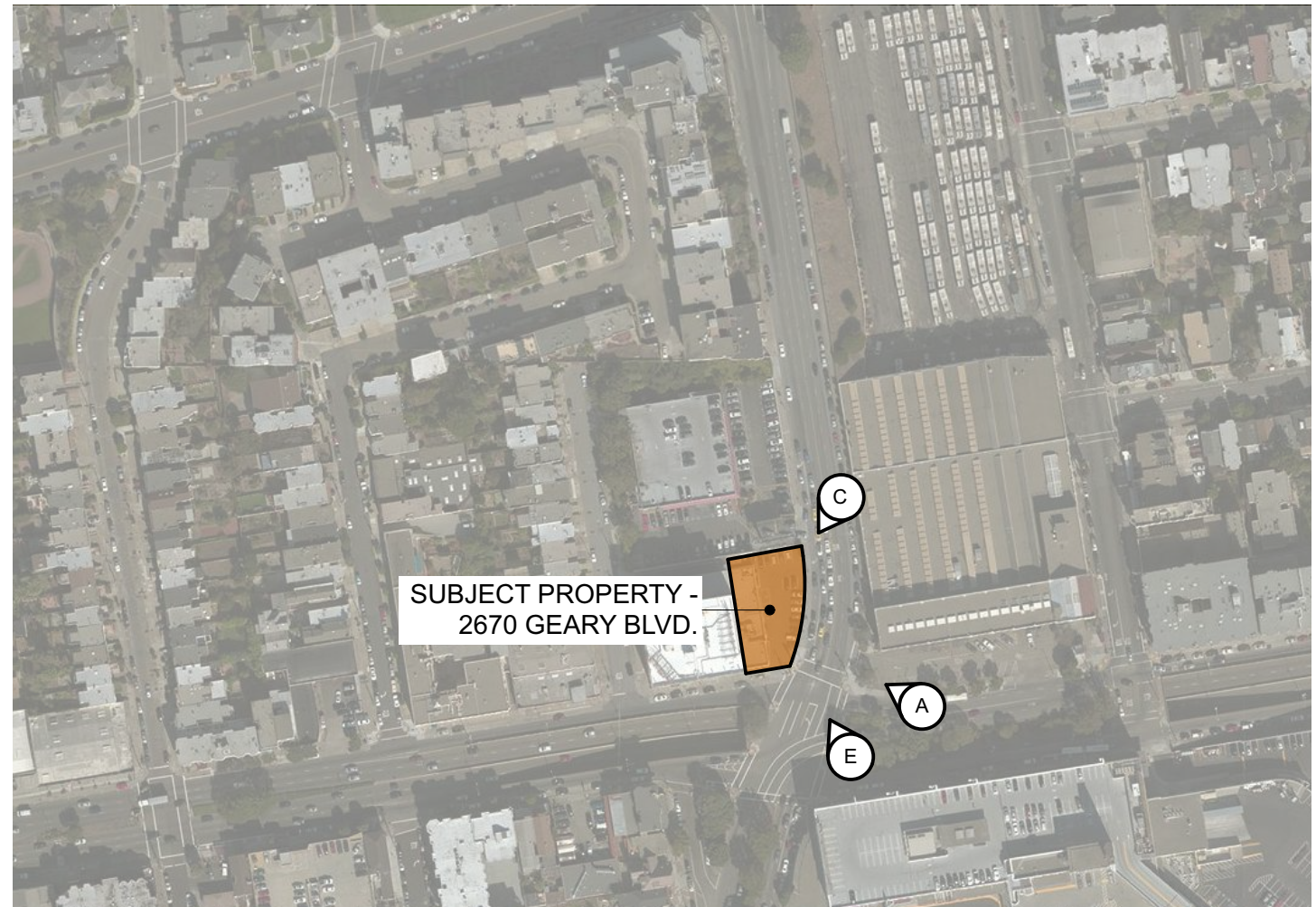
VIEW OF 2670 GEARY BLVD. - LOOKING TOWARDS GEARY BLVD. FROM MASONIC AVE.

B



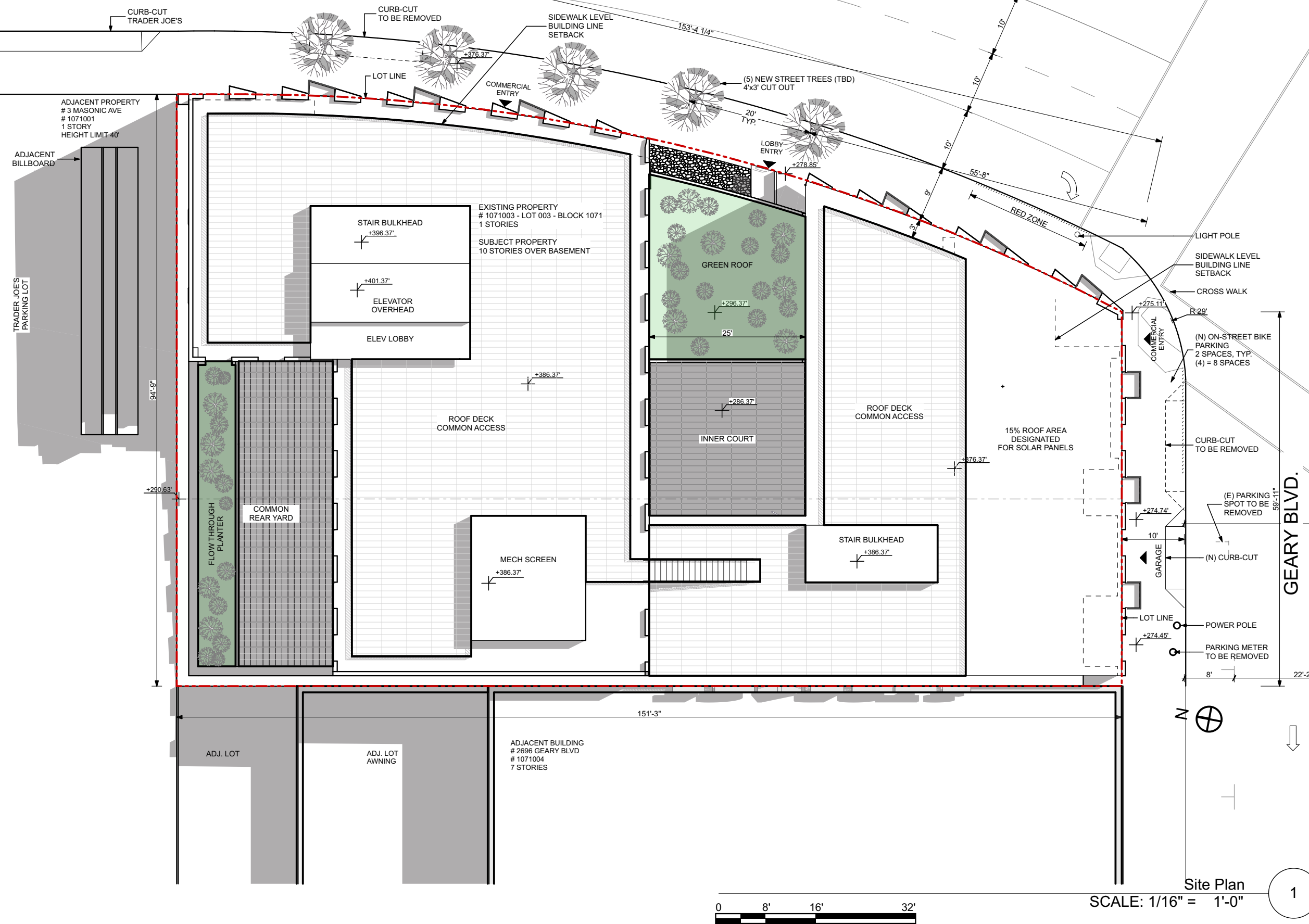
VIEW OF 2670 GEARY BLVD. - INTERSECTION @ GEARY BLVD. & MASONIC AVE.

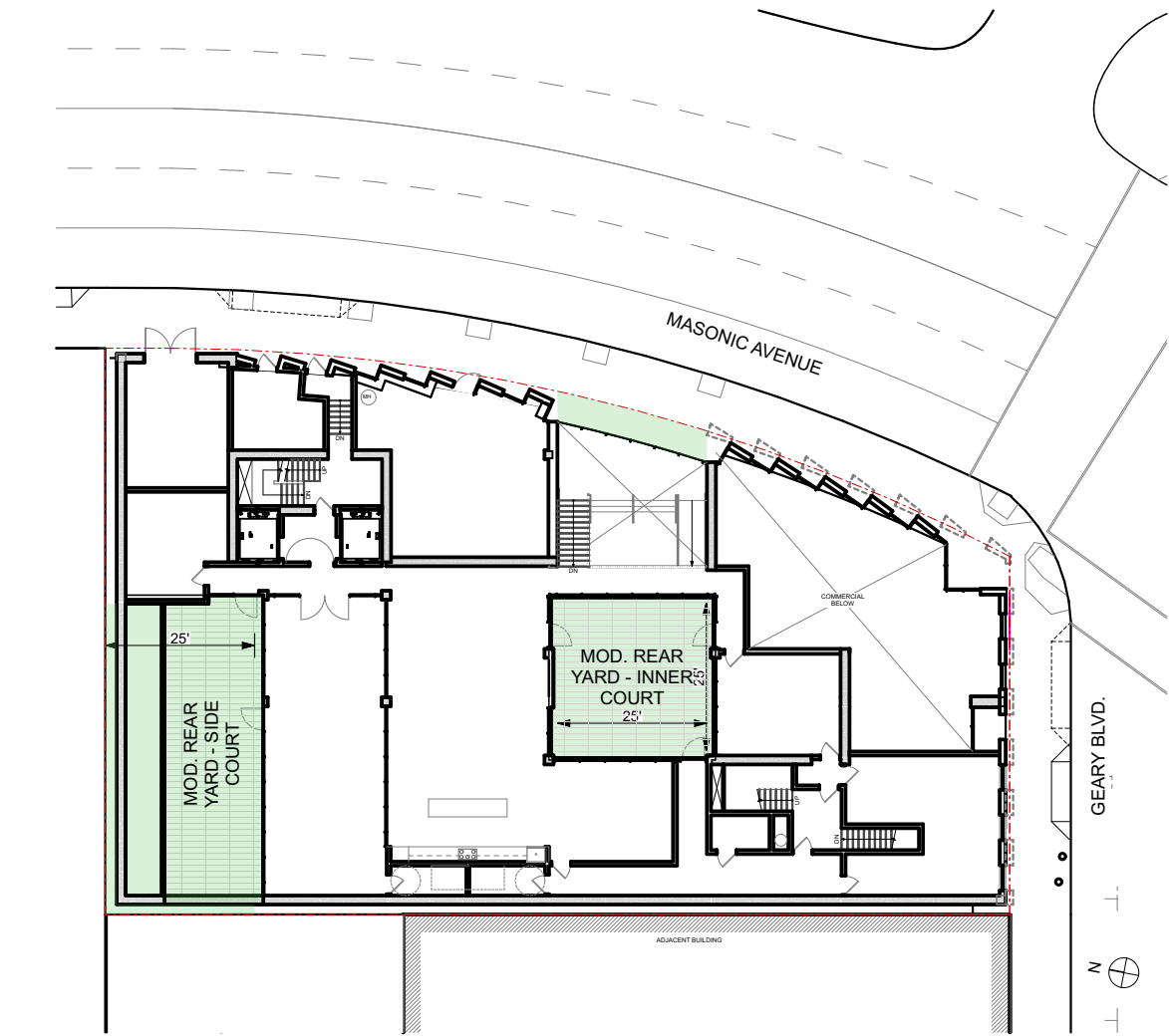
C



AERIAL VIEW







Second Floor - Rear Yard

1



Third Floor - Rear Yard

2

AREA OF MODIFIED REAR YARD

### REAR YARD ZONING

134(e)(2): Corner properties' rear yard can be may be substituted with an open area equal to 25 percent of the lot area which is located at the same levels as the required rear yard in #1) an interior corner of the lot, #2) an open area between two or more buildings on the lot, or #3) an inner court. Must be minimum of 15 feet in each horizontal dimension.  
25% of 12,730 = 3,182 sf

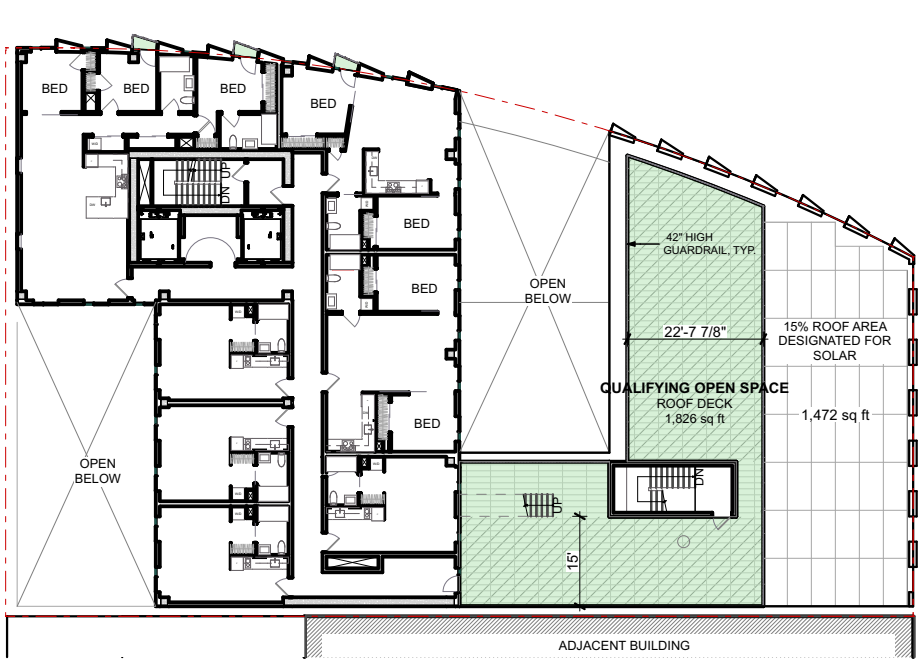
206.3: Corner properties can provide 20% of lot area at interior corner. Must be minimum of 15 feet in each horizontal dimension.  
20% of 12,730 sf = 2,546 sf

Total Rear Yard sf: 2,728  
Greater than 20%  
Not located in interior corner

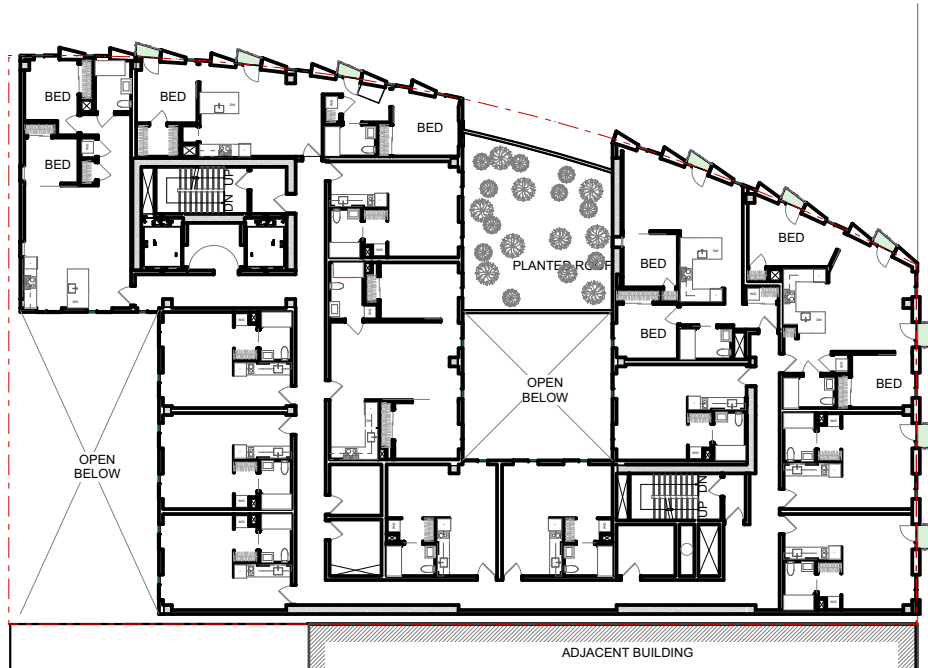
**303(t) EXCEPTION REQUIRED**

Area Calculations: Modified Rear Yard			
Floor (Story)	Zone Name	Zone Number	Measured Area
Second Floor			
	MOD. REAR YARD	INNER COURT	625
	MOD. REAR YARD	SIDE YARD	1,300
			1,925 sq ft
Third Floor			
	MOD. REAR YARD	OUTER COURT	803
			803 sq ft
			2,728 sq ft

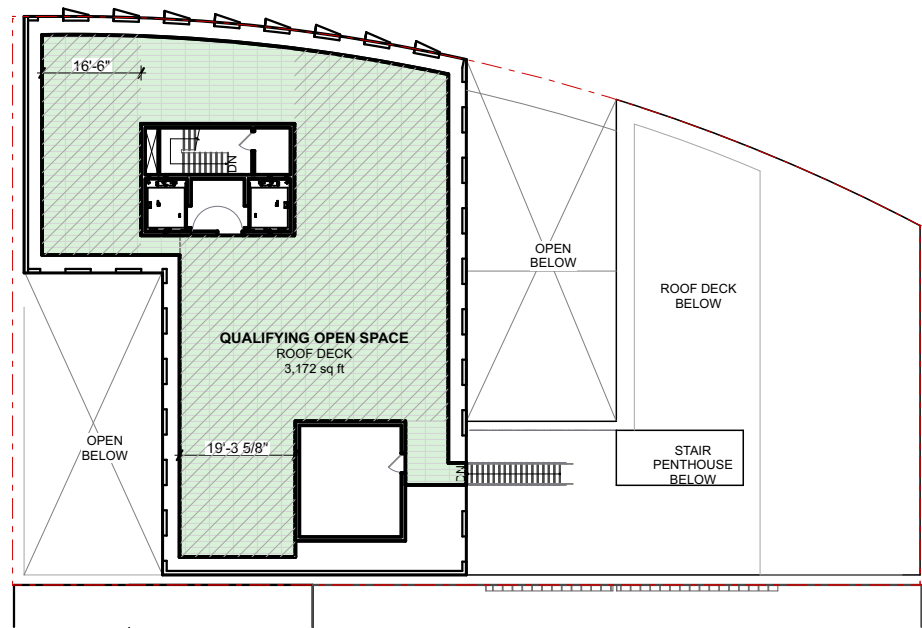




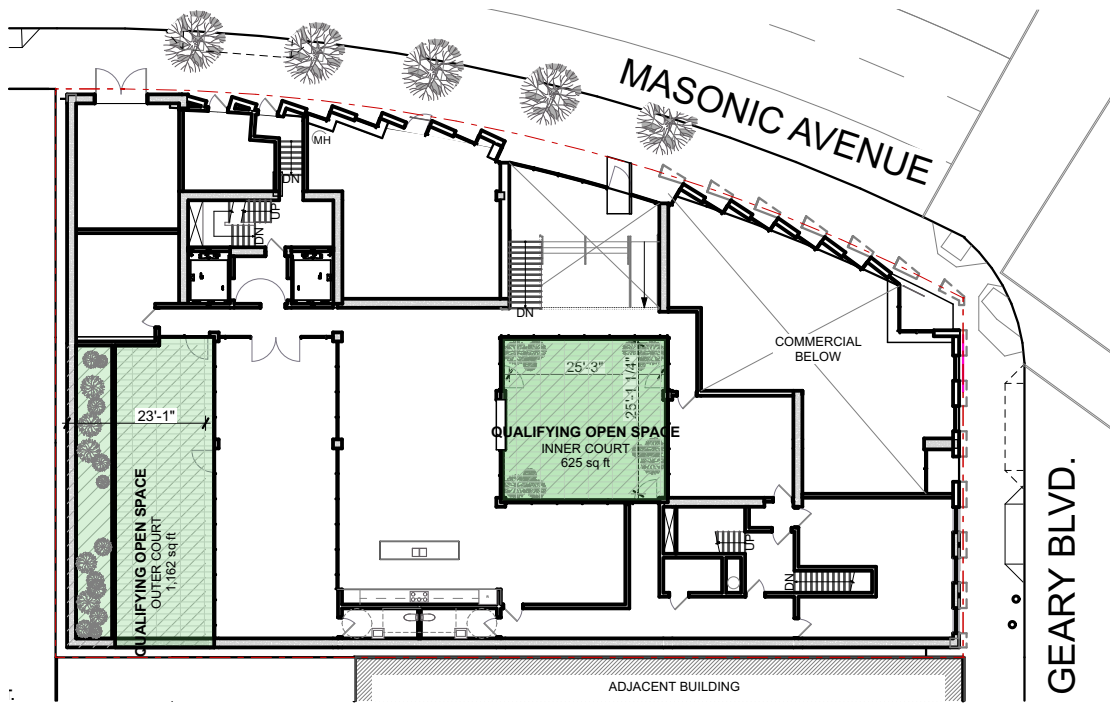
ELEVENTH FLOOR PLAN



THIRD - TENTH FLOOR PLAN



ROOF FLOOR PLAN



SECOND FLOOR PLAN

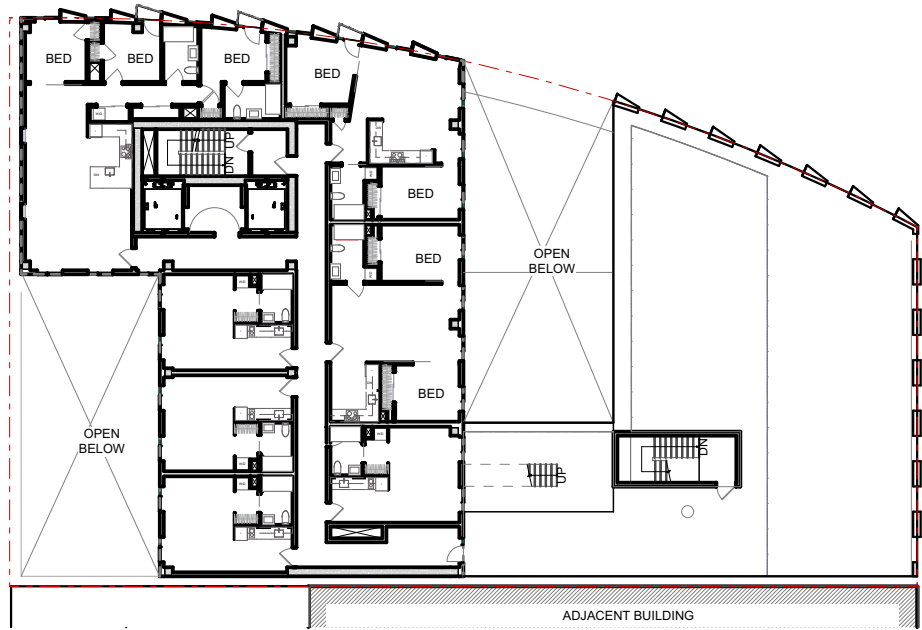
OPEN AREA CALCULATIONS

Area Calculations: Open Space: Private (Non-qualifying open space)	
Zone Number	Measured Area
BALCONY	
	621
	621 sq ft

Area Calculations: Open Space: Common			
Home Story	Zone Name	Zone Number	Measured Area
Second Floor			
	QUALIFYING OPEN SPACE	INNER COURT	625
	QUALIFYING OPEN SPACE	OUTER COURT	1,162
Eleventh Floor			
	QUALIFYING OPEN SPACE	ROOF DECK	1,826
Roof			
	QUALIFYING OPEN SPACE	ROOF DECK	3,172
			6,785 sq ft

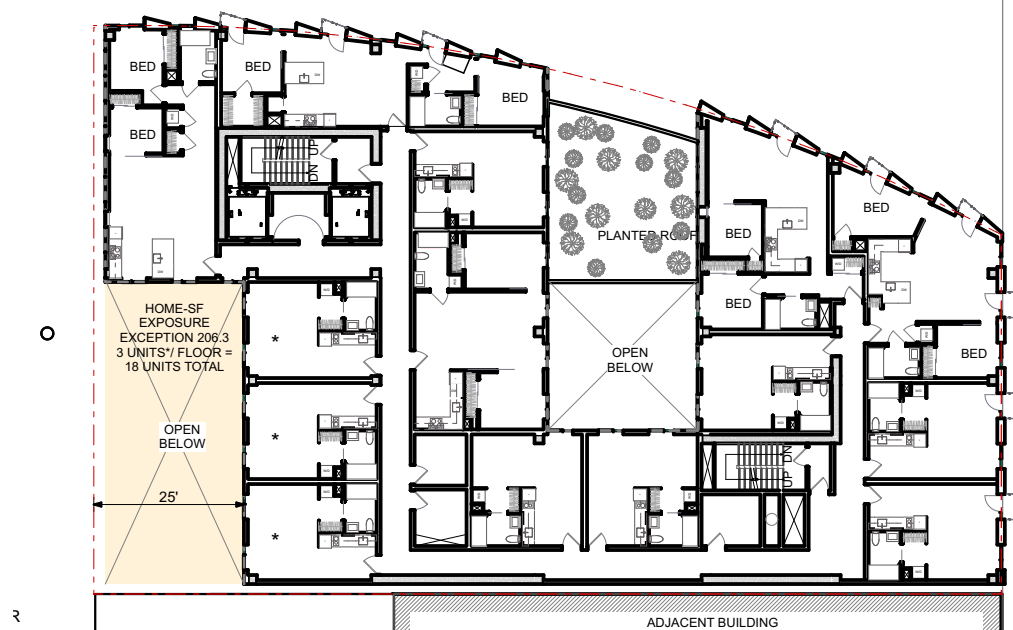
COMMON OPEN SPACE REQUIRED Section 135(d)(2)			
(80 units(less than 350 sq ft)x 100 x 1/3) + (41 units x 100) = 6,767 sq ft			
6,785 sq ft PROVIDED > 6,767 sq ft REQUIRED			

- QUALIFYING OPEN SPACE
- OPEN SPACE



ALL UNITS MEET EXPOSURE REQUIREMENTS

**ELEVENTH FLOOR PLAN**



ALL UNITS MEET EXPOSURE REQUIREMENTS EXCEPT UNITS WITH \*

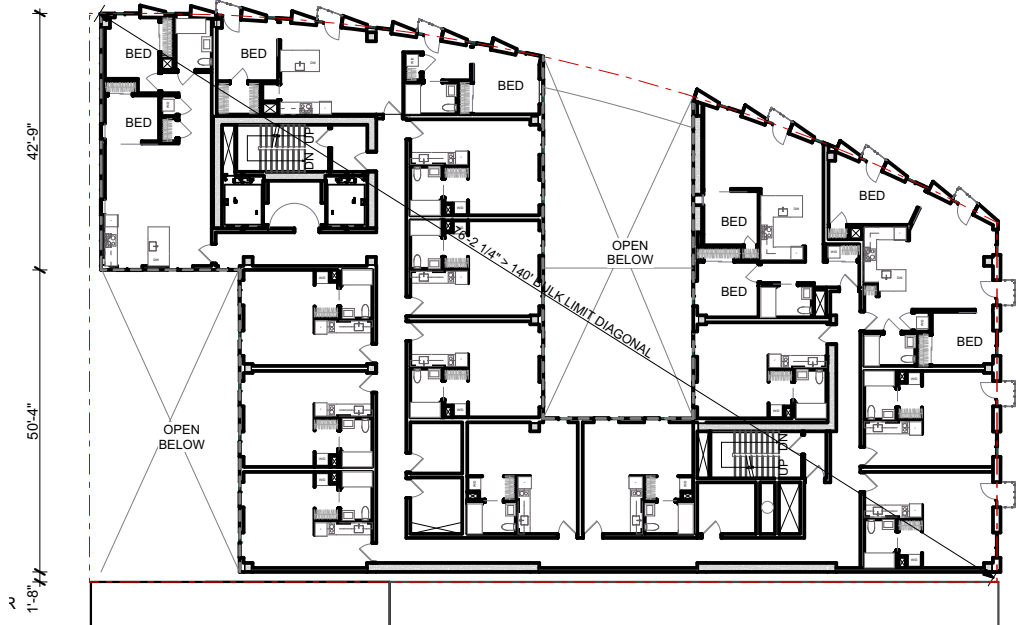
**THIRD - EIGHTH FLOOR PLAN**



**UNIT EXPOSURE EXCEPTION**

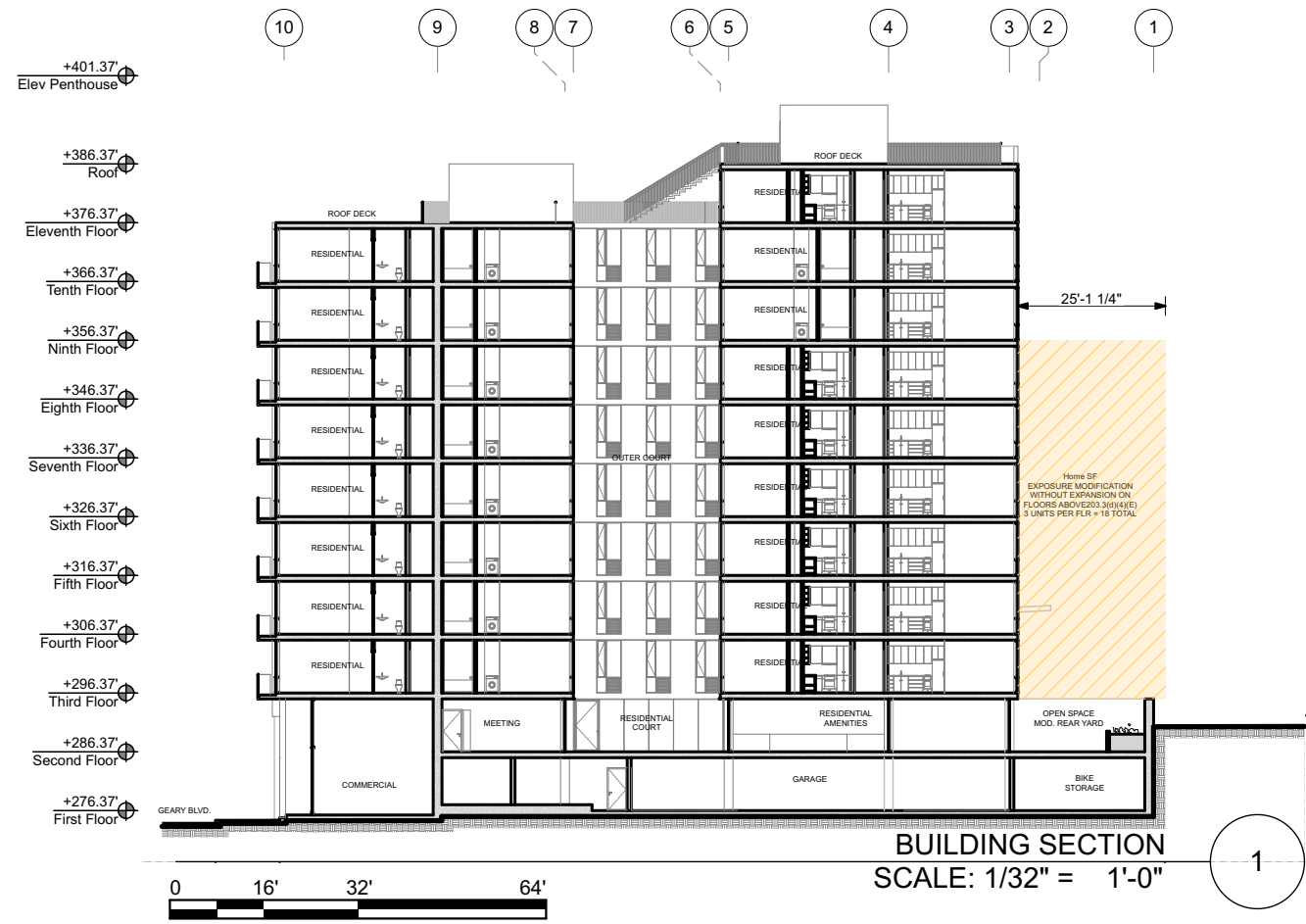
HomeSF – Modification: 203.3(d)(4)(E) dwelling unit exposure (not required to expand in every horizontal dimension at subsequent floors)

- UNIT #'s**  
 312, 313, 314  
 412, 413, 414  
 512, 513, 514  
 612, 613, 614  
 712, 713, 714  
 812, 813, 814  
 16 UNITS TOTAL



ALL UNITS MEET EXPOSURE REQUIREMENTS

**NINTH- TENTH FLOOR PLAN**



**BUILDING SECTION**  
 SCALE: 1/32" = 1'-0"





VIEW FROM GEARY BLVD AND MASONIC AVE INTERSECTION





VIEW FROM MASONIC AVE





VIEW FROM MASONIC AVE @ LOBBY





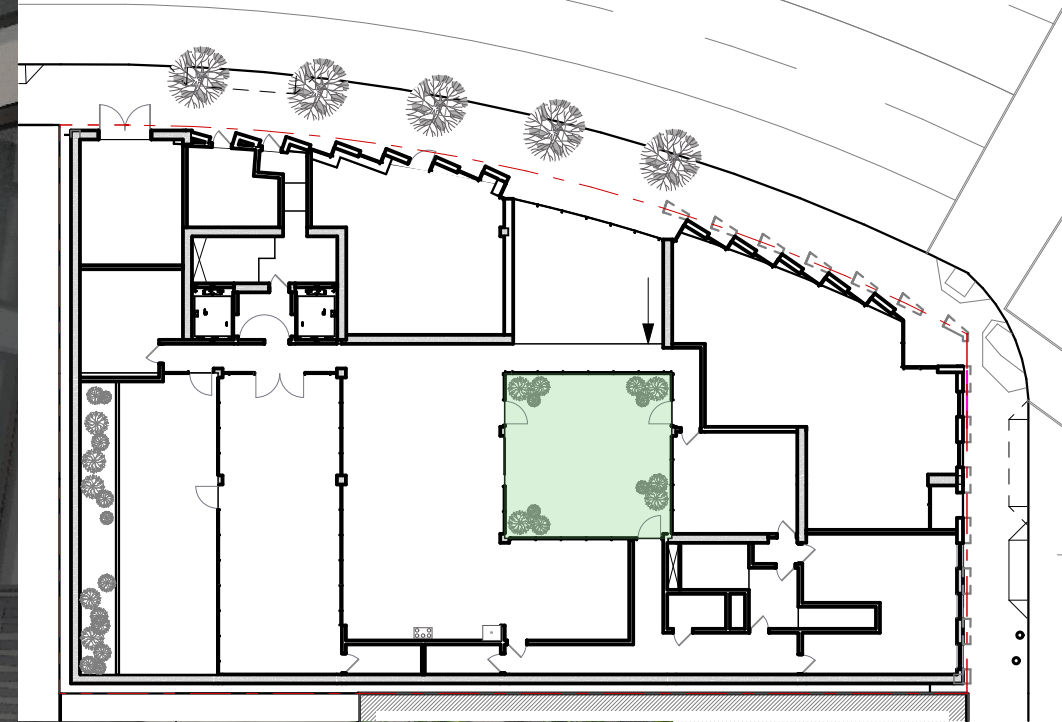
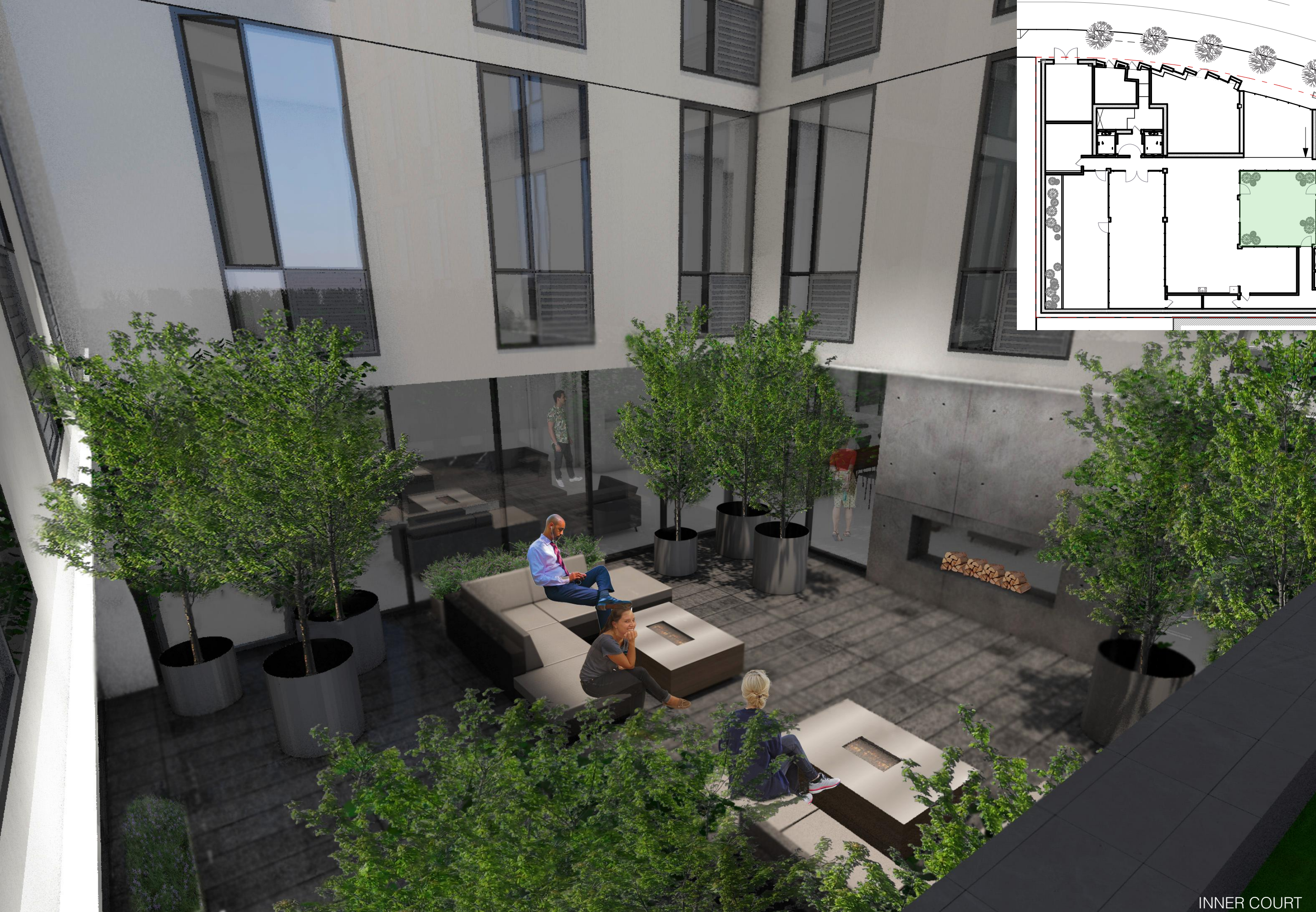
VIEW FROM GEARY BLVD AND MASONIC AVE INTERSECTION





VIEW FROM GEARY BLVD AND MASONIC AVE INTERSECTION





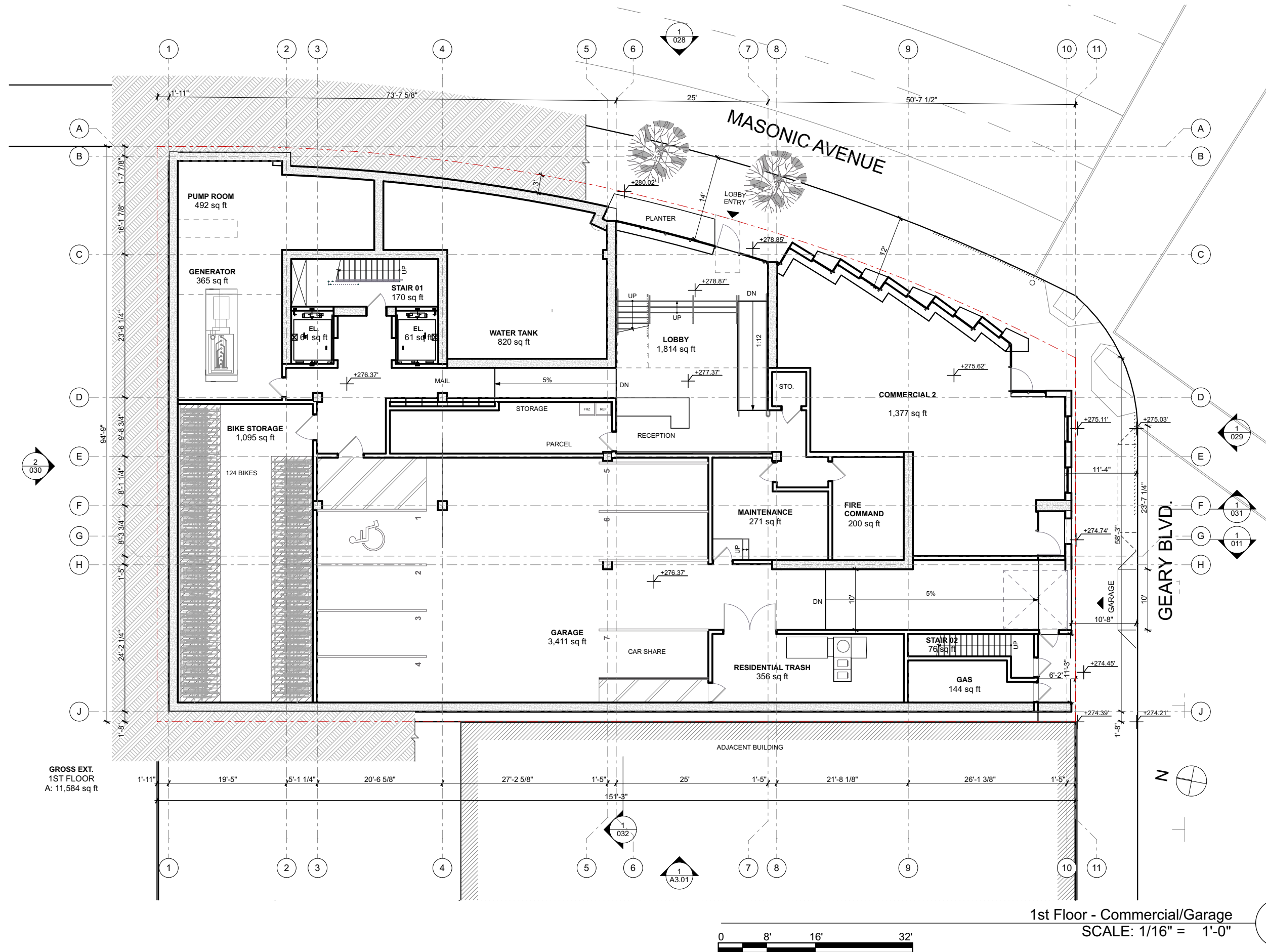
INNER COURT

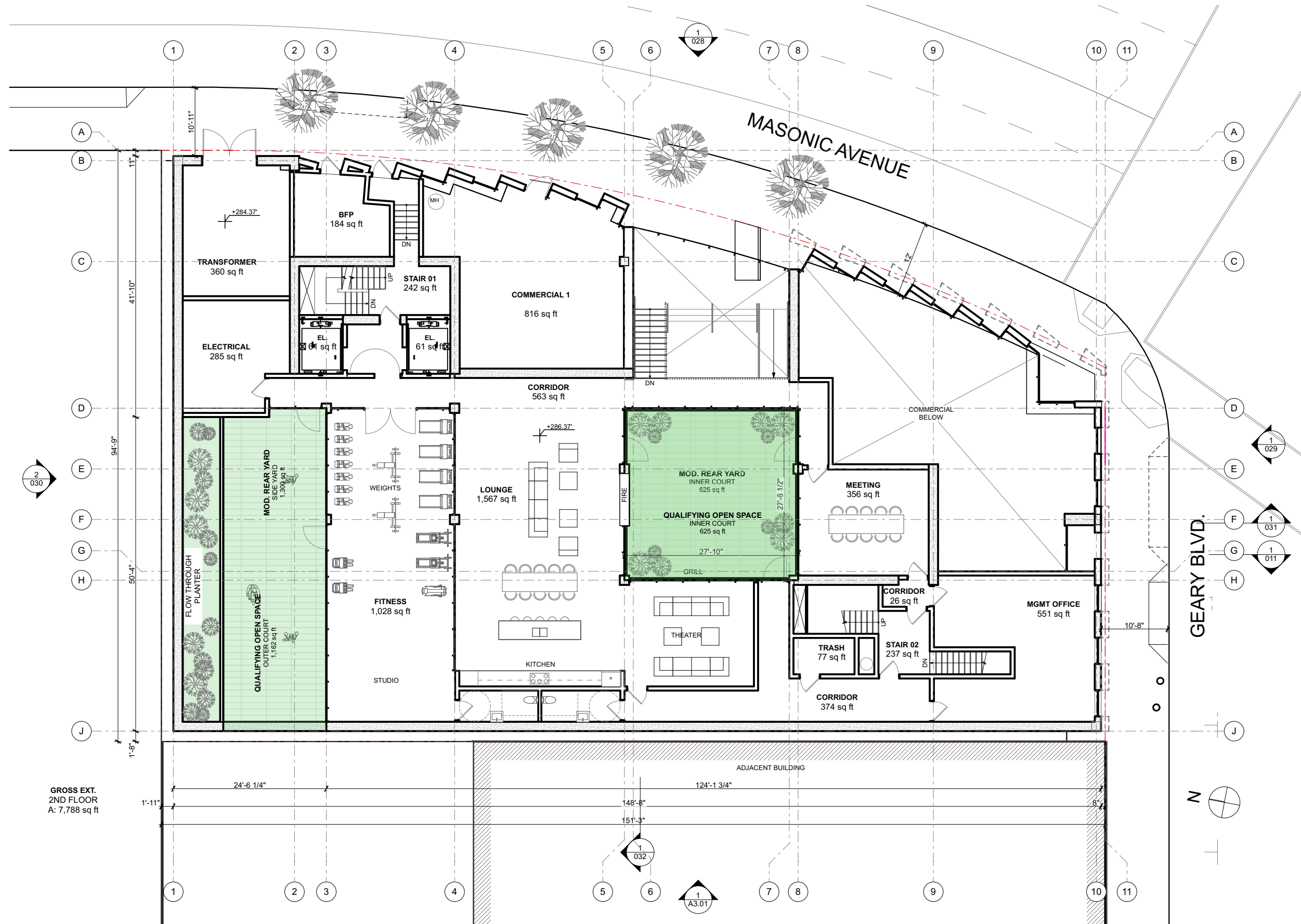


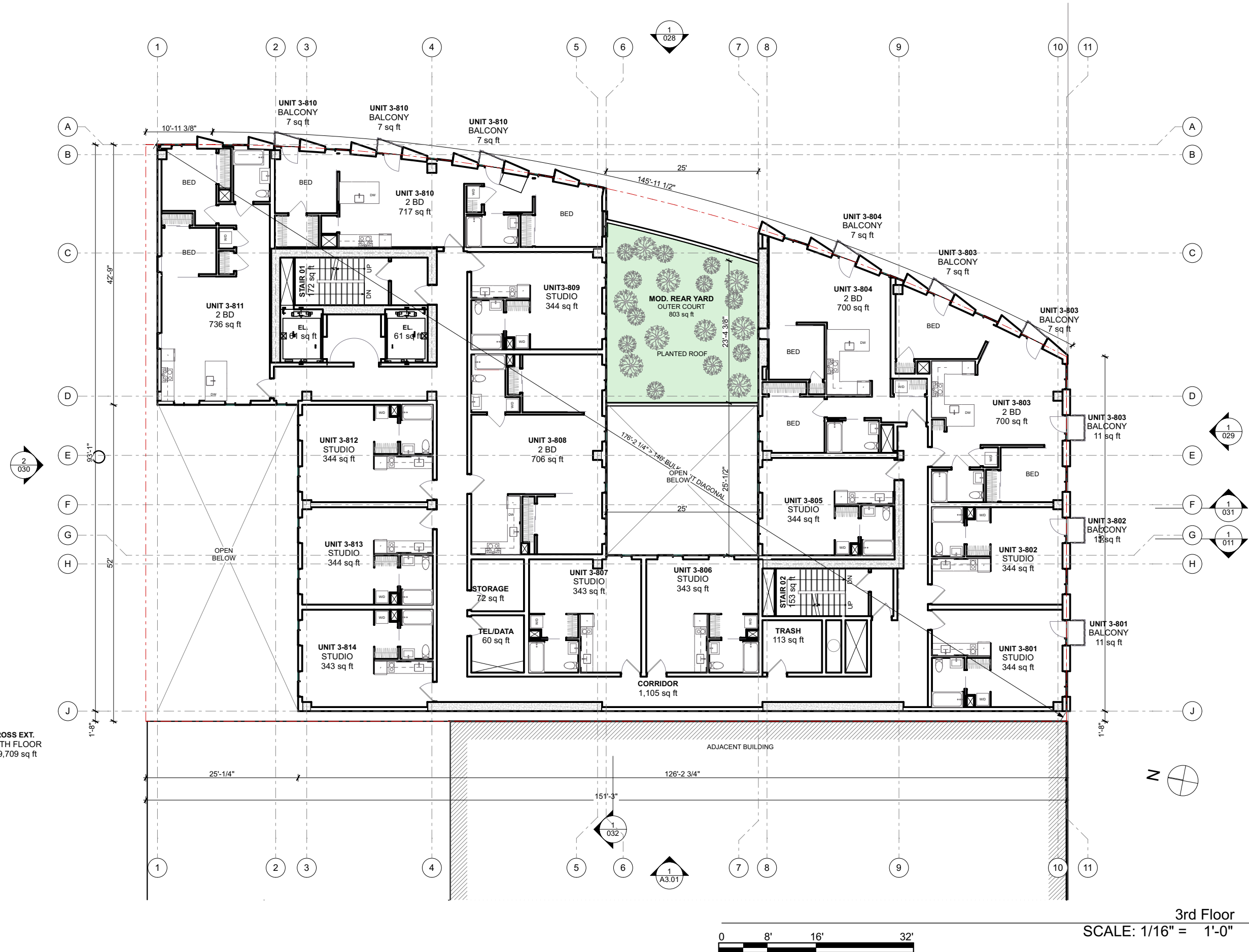


SIDE YARD



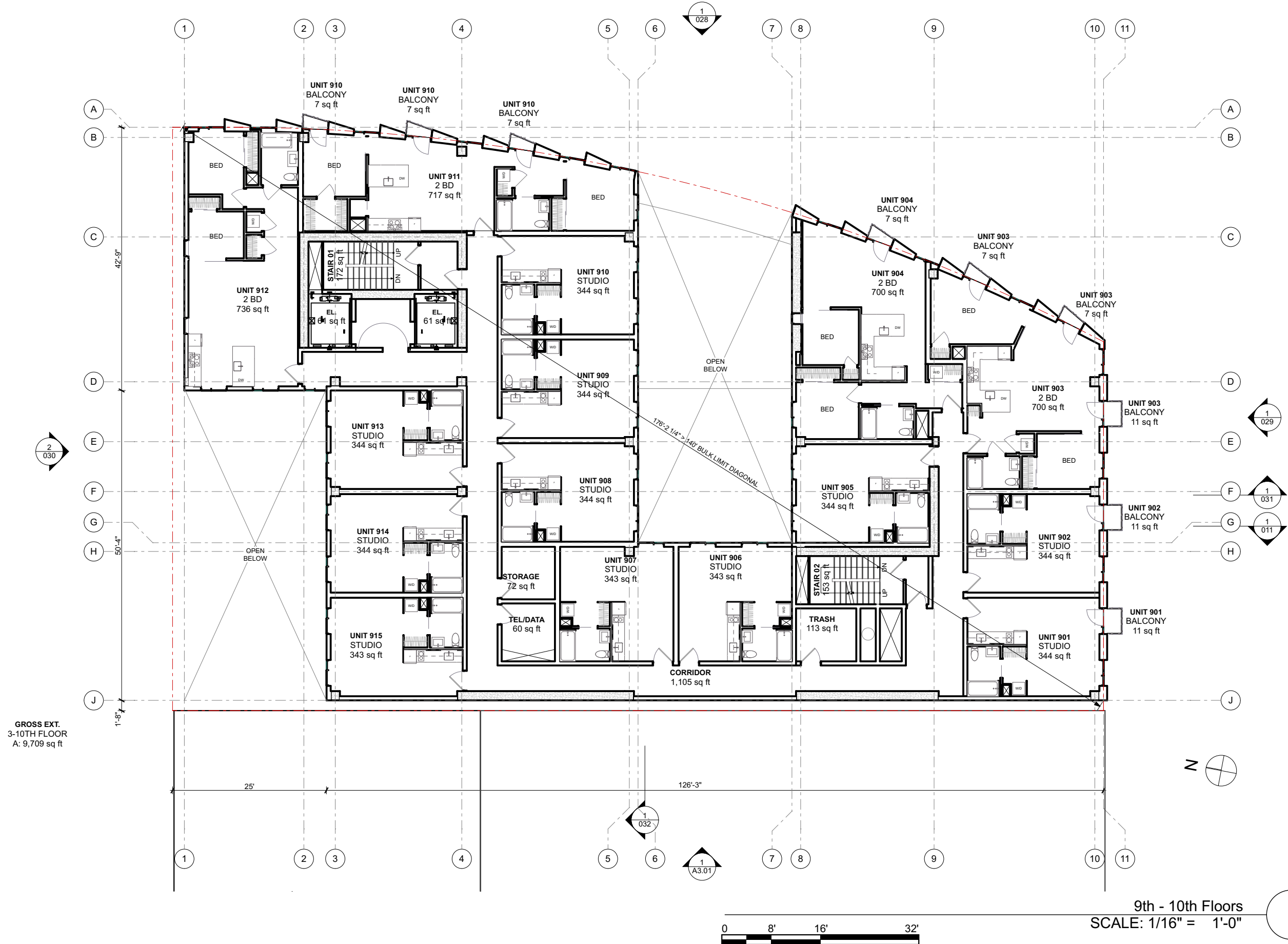






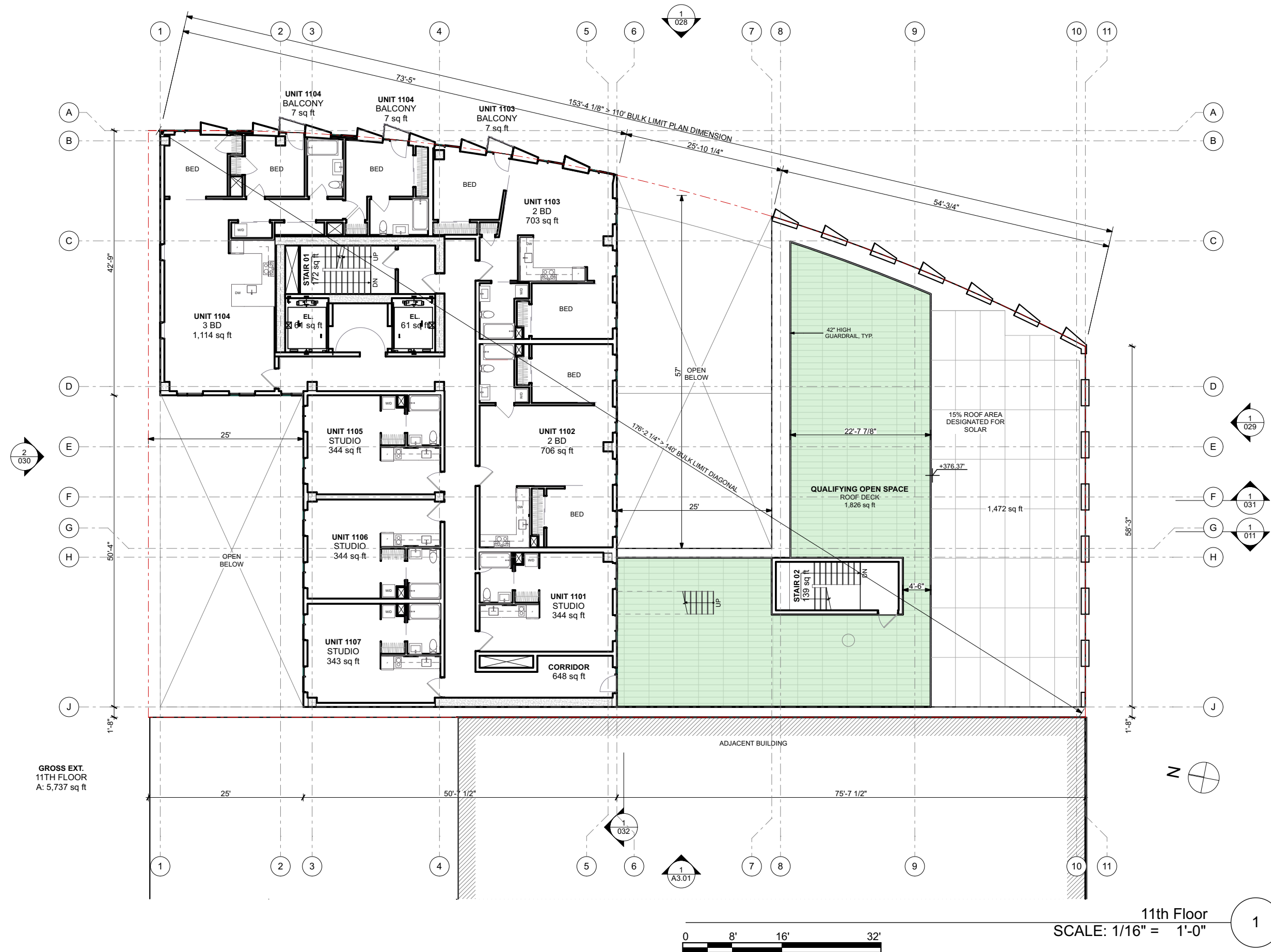






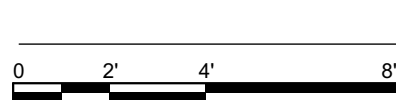
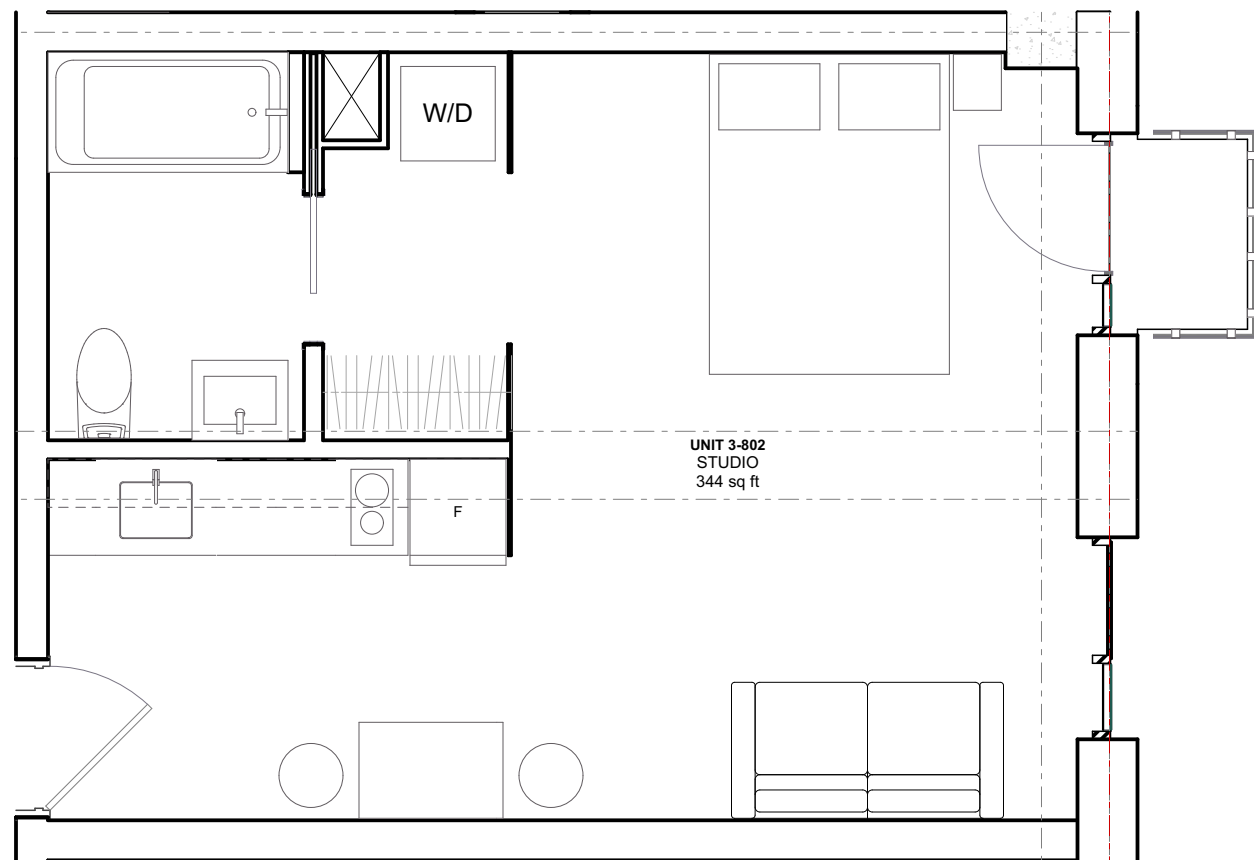
9th - 10th Floors  
SCALE: 1/16" = 1'-0"

1



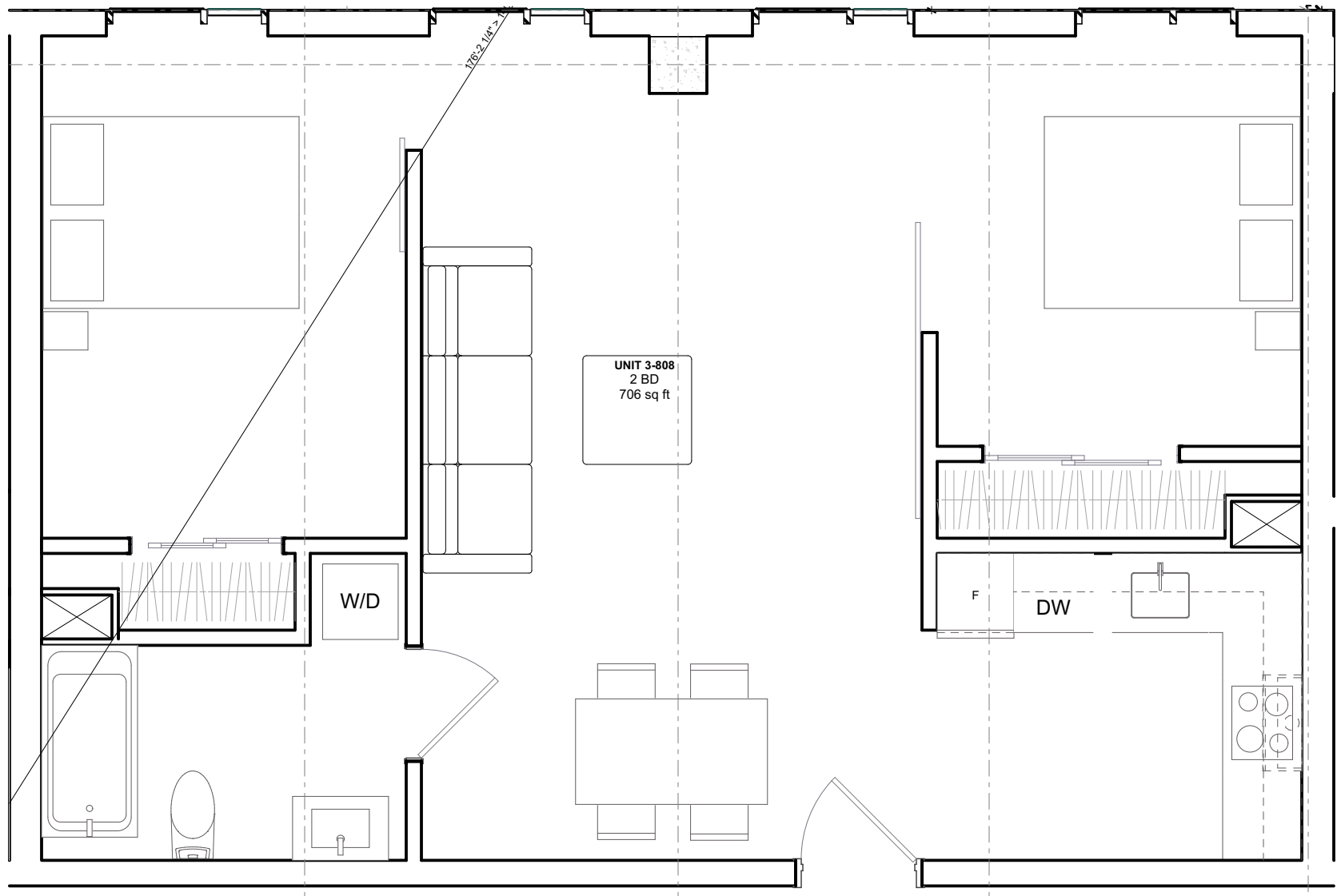






TYPICAL STUDIO  
SCALE: 1/4" = 1'-0"

1

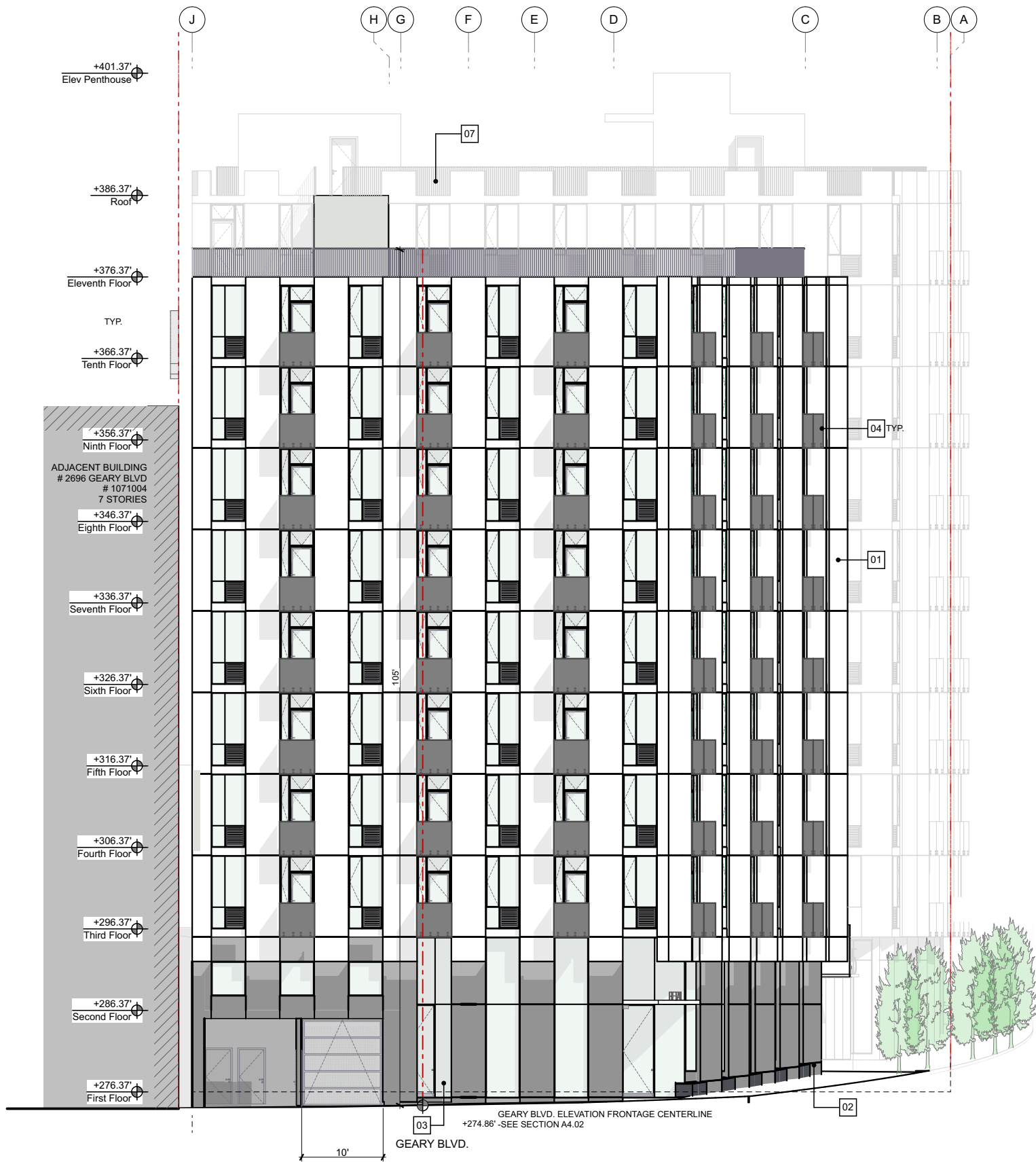




ID	DESCRIPTION
01	RAIN SCREEN ARCHITECTURAL PANEL SYSTEM
02	HARD TROWLED CEMENT PLASTER, PAINTED
03	GLASS STOREFRONT
04	FROSTED GLASS GUARDRAIL
05	DARK BRONZE ANODIZED ALUM WINDOW FRAMES W/ INTEGRATED HVAC LOUVER
06	PLANTED ROOF
07	MTL GUARDRAIL, PTD.

MASONIC AVE (EAST) ELEVATION  
SCALE: 1/16" = 1'-0"

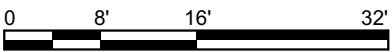
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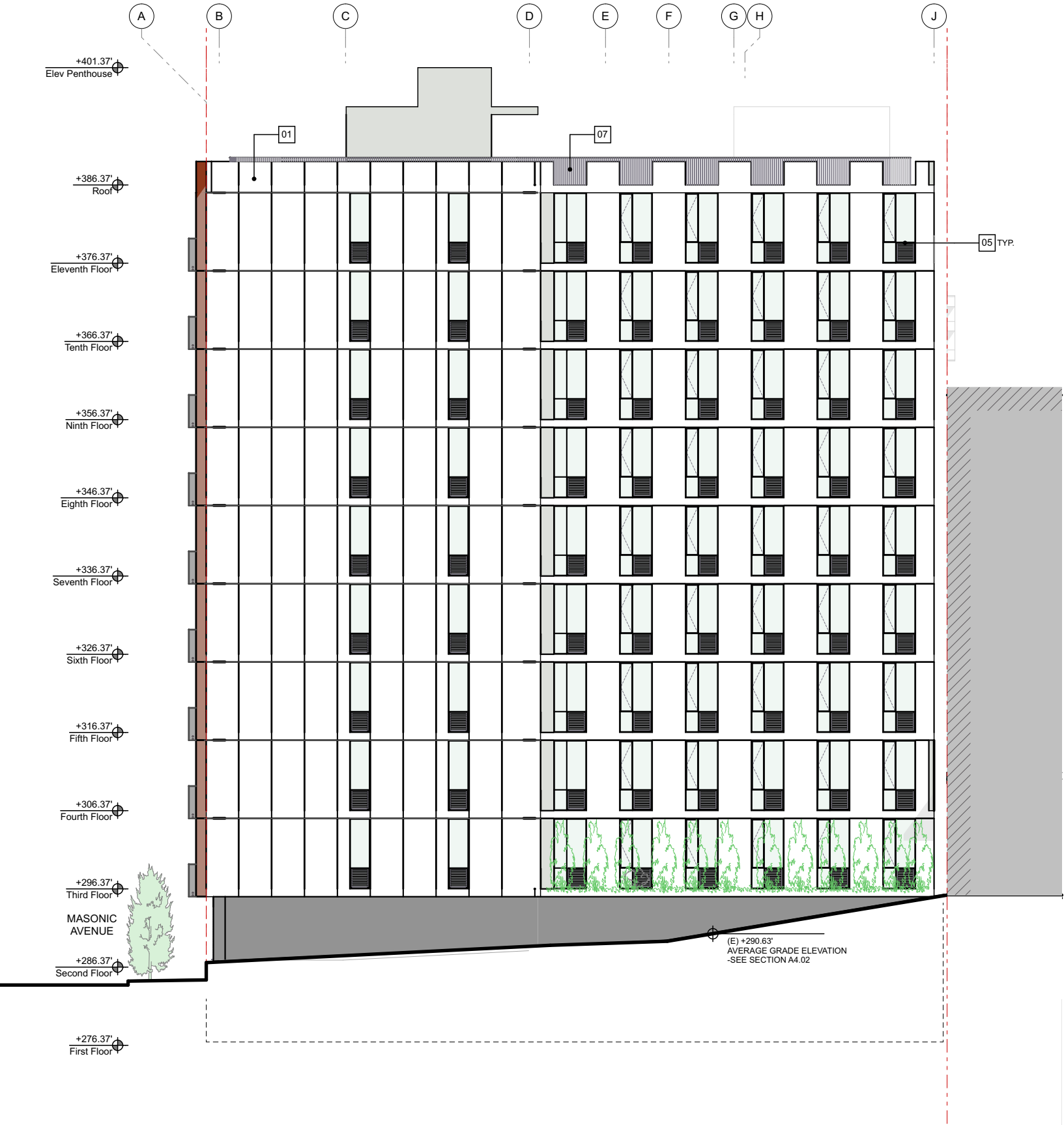
ID	DESCRIPTION
01	RAIN SCREEN ARCHITECTURAL PANEL SYSTEM
02	HARD TROWLED CEMENT PLASTER, PAINTED
03	GLASS STOREFRONT
04	FROSTED GLASS GUARDRAIL
05	DARK BRONZE ANODIZED ALUM WINDOW FRAMES W/ INTEGRATED HVAC LOUVER
06	PLANTED ROOF
07	MTL GUARDRAIL, PTD.

GEARY BLVD (SOUTH) ELEVATION  
SCALE: 1/16" = 1'-0"

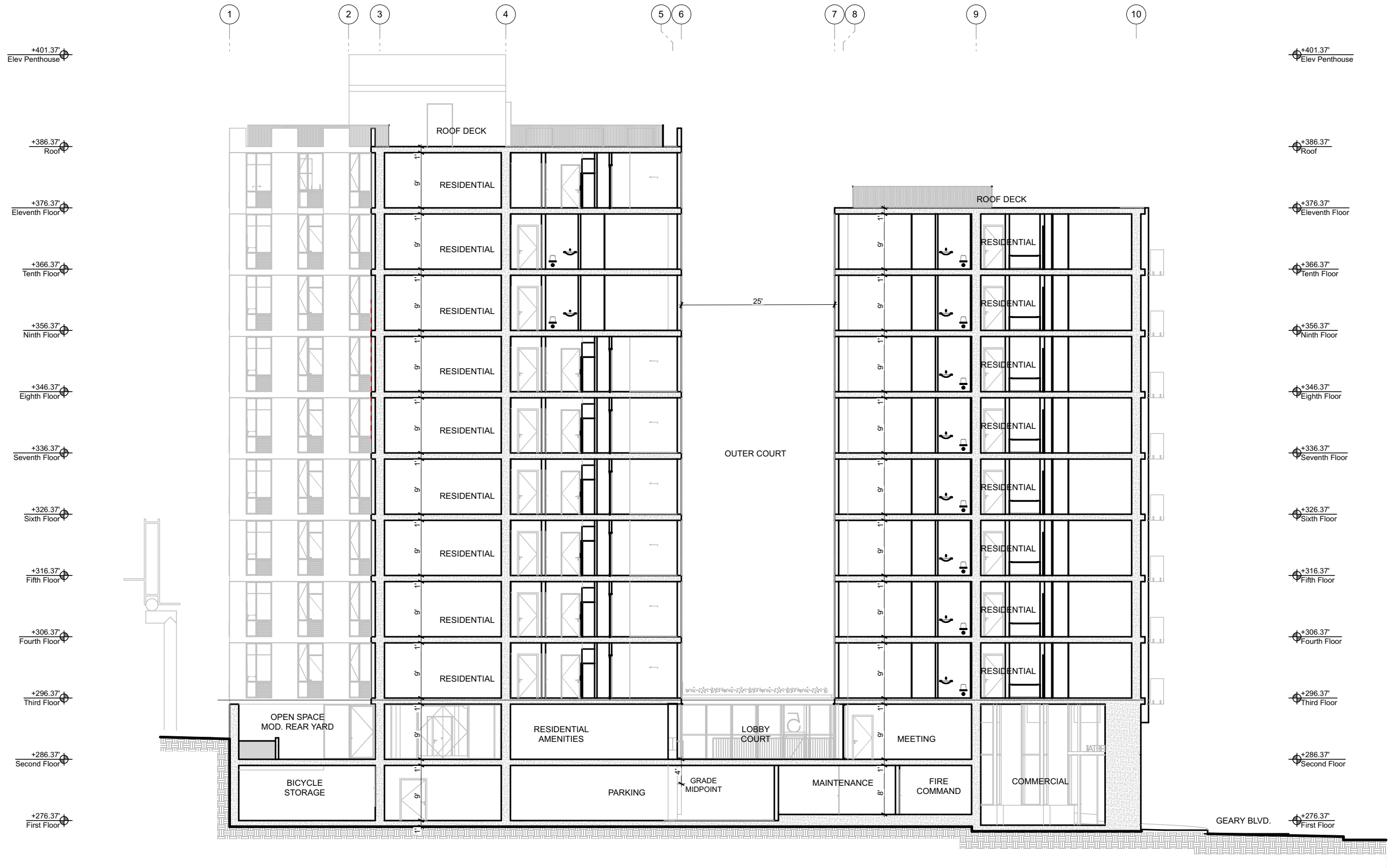
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ID	DESCRIPTION
01	RAIN SCREEN ARCHITECTURAL PANEL SYSTEM
02	HARD TROWLED CEMENT PLASTER, PAINTED
03	GLASS STOREFRONT
04	FROSTED GLASS GUARDRAIL
05	DARK BRONZE ANODIZED ALUM WINDOW FRAMES W/ INTEGRATED HVAC LOUVER
06	PLANTED ROOF
07	MTL GUARDRAIL, PTD.

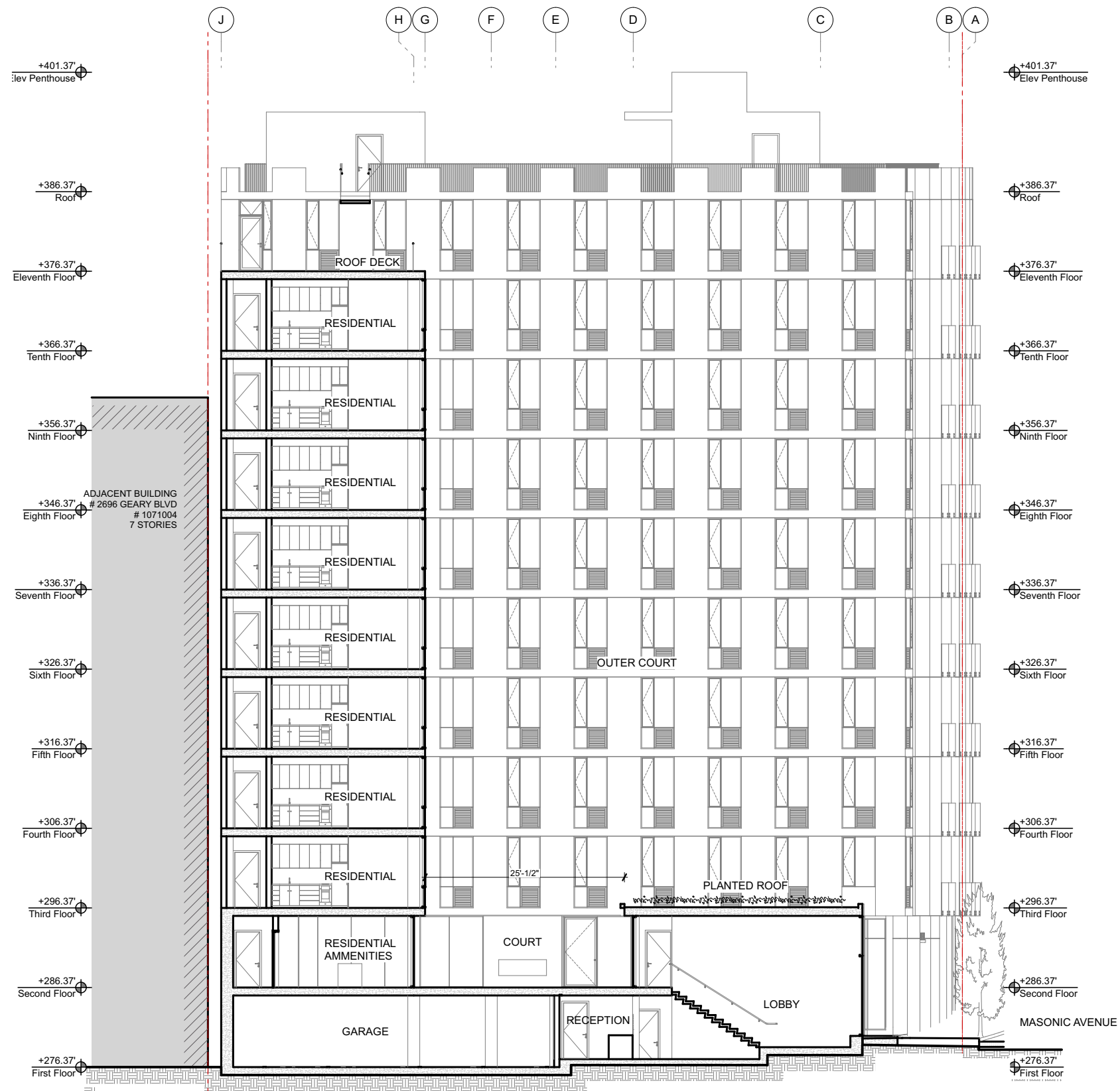






BUILDING SECTION  
SCALE: 1/16" = 1'-0"

1



BUILDING SECTION  
SCALE: 1/16" = 1'-0"

1



BUILDING SECTION  
SCALE: 1/16" = 1'-0"

0 8' 16' 32'

1





VIEW FROM GEARY BLVD AND MASONIC AVE INTERSECTION