Memo to the Planning Commission

HEARING DATE: JUNE 23, 2016 Continued from the May 5, 2016 Hearing San Francisco. CA 94103-2479

1650 Mission St. Suite 400

Reception:

415.558.6378

Fax: 415.558.6409

Planning

Information: 415.558.6377

Date: June 13, 2016

2008.0428K, 2014-002330ENVCUAVAR Case No.:

Project Addresses: 300 Octavia Street (a.k.a. Central Freeway Parcel N) and

350 Octavia Street (a.k.a. Central Freeway Parcel M)

Zoning: Hayes-Gough Neighborhood Commercial Transit (NCT) District

50-X Height and Bulk District

Block/Lots: 0832/094 (formerly lot 26) and 0832/092 (formerly lot 25)

Project Sponsor: Stuart Rickard

Bay Area Urban Development, LLC

981 Park Street

Alameda, CA 94501

Staff Contact: Carly Grob - (415) 575-9138

carly.grob@sfgov.org

Recommendation: **Approval with Conditions**

BACKGROUND

The project proposes to construct two five-story, mixed-use buildings, one on Parcel M (lot 094 or 350 Octavia) and one on Parcel N (lot 092 or 300 Octavia). Each proposed building would contain 12 dwelling units and about 943 square feet of ground floor retail, split between two retail suites on either end of each structure. Of the 24 proposed units, eight are proposed two-bedroom units (33.3%) and 16 are proposed studio units (66.7%). The project proposes 1,661 square feet of usable open space on the rooftop of each building. On-site bicycle parking is provided for the units in the lobby of each building, and no vehicle parking is proposed. Each of the buildings would be outfitted with perforated bronze mechanical louvres. Allowing the residents to raise or lower the exterior shades on the building combines a functional architectural feature while contributing to a dynamic façade that is constantly in flux.

On May 5, 2016, the Planning Commission considered the proposed project at Parcels M and N (Case No. 2008.0428K and 2014-002330CUAVAR), which included a request for Conditional Use Authorization to allow a Dwelling Unit Mix with less than 40% two-bedroom units. The project also includes a request for a Variance from Section 121 (Lot Dimensions), Section 136 (Permitted Obstructions over Streets and Alleys) and Section 145.1 (Active Ground Floor Uses).

The Planning Commission continued these items to the public hearing on June 23, 2016, residents from the adjacent property at 333 Fell who attended the hearing were strongly against the new construction, as the project on Parcel M would block their property line windows and breezeways. The Commission requested that the project sponsor redesign the project to activate the rear building wall, as well as provide additional background information on the development of 333 Fell. The Commission also requested that the shared restroom at the ground floor be redesigned to provide more privacy.

Memo to Planning Commission Hearing Date: June 23, 2016

CURRENT PROPOSAL

The project sponsor has proposed the following changes into the project to activate the rear building wall and to allow more light to reach adjacent properties.

- The eastern corners of the building have been angled away from the neighboring property line windows to provide a greater setback and more light. Generally, property line windows would need to be removed if a building was constructed immediately adjacent, but these setbacks allow the existing windows on 333 Fell to remain;
- The parapet and stair enclosure at the top of the building have been angled away from the adjacent building to provide more light from the top of the building;
- The height of the solid parapet has been reduced from 42" to 30" with a 12" glass guardrail at the
- The rear windows have been enlarged to bring in western light through the stairwells; the enlarged windows would be translucent fire-rated glass in response to privacy concerns of adjacent residents;
- A mural would be painted on the rear wall, the subject of which would be determined at a later
- The space between the existing building at 333 Fell and the proposed building on Parcel M would be greened beginning at the second floor. Trees will be planted in existing planters at the second level at 333 Fell, and planters will be added to Parcel M to create a green wall. Planting and a green wall is not proposed for Parcel N;
- The one foot, six inch gap between the proposed building and the interior property line has been removed at the ground floor in response to concerns about trash collecting at this level. This setback is maintained at the second through the fifth floors to allow for sway during an earthquake, but has been closed using sheet metal so less water and trash will accumulate there;
- Sun-reflecting mirrors would be installed on the wall to increase the reflection of the light throughout the space on Parcel M only;
- The ground floor bathroom has been enlarged and a privacy valence has been added.

In addition to modifying the project, the sponsor has also completed further community outreach. Specifically, the sponsor has met with Bridge Housing and the residents of 333 Fell, adjacent to Parcel M, to obtain feedback on their project and proposed changes. The sponsor has also met with the property owner of the lots adjacent to Parcel N. The modifications to the project have been further refined as a result of feedback from neighbors. Floor plans and a Notice of Special Restrictions regarding property line windows are attached to provide additional information on 333 Fell.

MARKET AND OCTAVIA PLAN BACKGROUND

In 1989 the Loma Prieta earthquake rendered the double deck Central freeway seismically deficient and in need of reconstruction. The proposed freeway redesign would bring a new side by side freeway structure within inches of existing buildings. An alternative was proposed to construct a multi-lane boulevard in its place.

In 1998 a voter initiative (Prop E) called the Central Freeway Replacement Project (one of three initiatives) passed to remove the freeway and build Octavia boulevard which opened in 2005. In doing so, and via California State Senate Bill 798 (Burton), 22 parcels from the former freeway were transferred to the City

SAN FRANCISCO
PLANNING DEPARTMENT 2 Memo to Planning Commission Hearing Date: June 23, 2016

from the State for sale and for development of affordable and market rate housing. The proceeds are required under an agreement between San Francisco and the State of California (2000) to fund the construction of the boulevard and other community transportation benefits, including bringing portions of Van Ness to a "State of Good Repair", a project which is finally imminent, thanks to the sale of these Caltrans former Freeway parcels. The sales have also funded a myriad of area improvements, including Patricia's Green. This voter initiative, the Senate Bill and the agreement with the State all contemplated the whole package of the 22 former Central Freeway Parcels that we now refer to as parcels A through V; this includes parcels M&N.

In a 1999 Proposition (I), San Franciscans voted to establish two priorities: Transportation Improvements and Mixed-Income Housing Development. The voter-approved Proposition established proprieties for the use of those excess parcels. It includes this requirement: "It is the expressed intent of the voters that housing, mixed-use and/or complementary development be constructed on the excess freeway parcels."

To build on the voter initiative to remove the freeway (E), as well as the separate voter initiative that established priorities (I) and the City obligations to the State, The Planning Department, supported by the Hayes Valley Neighborhood Association, started working on the Market Octavia Area Plan in 2000. Adopted in 2008, the **Market Octavia Plan** was a comprehensive plan to enhance and provide for substantial growth in this central-city neighborhood that is well served by transit. HVNA continues to be actively involved in oversight of the plan. The Planning Code was amended specifically for the Octavia boulevard parcels: waiving the rear yard requirement, and prohibiting parking off the Octavia frontage.

Core M/O Plan Principles promote innovative housing types and transportation choices; balance preservation with contemporary infill development; density with livability; and investment in public infrastructure with citizen involvement. Some goals of the M/O Plan are to repair the urban fabric. (Examples: Octavia boulevard and freeway parcels, Hickory Alley), promote density and a range of housing types, transportation choices, and livability with a high-quality public realm. It is an example of how thoughtful planning, urban design, and architecture can work together to create a vibrant, livable neighborhood.

In 2005, HVNA community members initiated an ideas design competition to set a high expectation for high-quality contemporary design to complement the civic grandeur of the new boulevard. The intent was that the scale, density, and uses enhance and complement the civic investment of the Boulevard and the Area plan. The Office of Economic and Workforce Development (OEWD), in its disposition of parcels M&N, P, and V embraced the aspiration of world class architecture and set design as part of the criteria for the competitive disposition RFPs.

The proposed buildings won both the ideas competition and the subsequent RFP for sale of parcels M&N. The project supports the Market Octavia Area Plan vision with exceptional design. Additionally, proceeds from the sale of land fund the City's continuing obligations to the priorities laid out by San Francisco voters and the City's obligations to the State. Besides adding **over 1000 units of new housing** on the former Central Freeway parcels, OEWD projects that the overall rate of permanently affordable housing collectively on those parcels will be **over 50% by project end** (final parcel sale and development).

SAN FRANCISCO
PLANNING DEPARTMENT

Memo to Planning Commission Hearing Date: June 23, 2016

Of the parcels disposed at the same time, parcel P and parcel V (8 Octavia) have been built. The Planning Department has reviewed parcels R/S and T via PPA which are currently in Environmental review.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow dwelling unit density with less than 40% two-bedroom units within the Hayes-Gough NCT, pursuant to Planning Code Section 207.6.

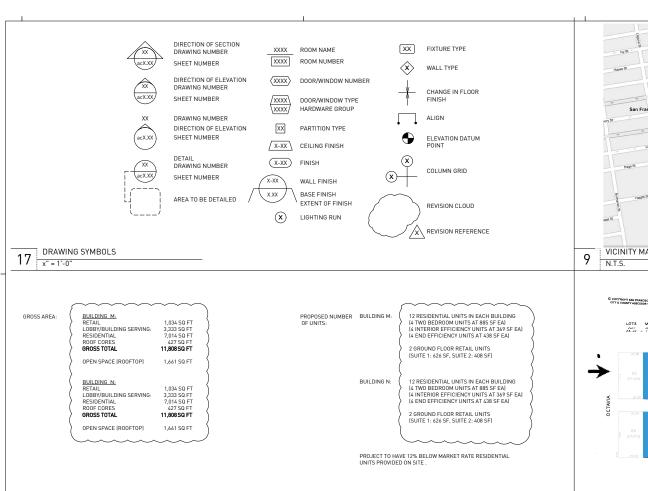
BASIS FOR RECOMMENDATION

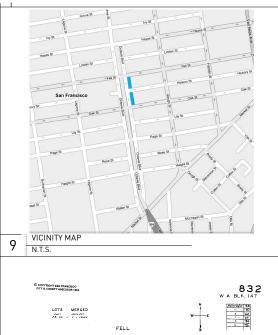
- The project provides 24 dwelling units to the City's housing stock without displacing any existing residential, commercial, or industrial uses.
- The project includes four, small-scale retail suites which are more accessible for small businesses and are consistent with the neighborhood pattern of fine-grained retail.
- The project includes active ground floor uses, which will create additional continuity along Octavia and enrich the pedestrian realm.
- No off-street vehicle parking is proposed as part of the project, and the sponsor has provided additional bicycle parking than what is required by code.
- The project incorporates high-quality materials and unique design elements to enliven the Octavia Street wall.
- The project site is an identified infill site in the Market & Octavia Plan, and the design is consistent with the goals stated in the Plan.
- The project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION: Approve with Conditions

Attachments:

Modified floor plans and renderings for Parcels M and N Presentation of primary modifications to the project Floor Plans of 333 Fell Notice of Special Restrictions for property line windows at 333 Fell Public Comment received after May 5, 2016 hearing





SANBORN MAP

10 N.T.S.

PROJECT DIRECTORY

PROJECT DIRECTORY

DEVELOPER:

OCTAVIA M + N, LLC

CITY CONTACT:

STRUCTURAL ENGINEER:

MOSSWOOD ENGINEERING

envelope A+D 2212 SIXTH STREET BERKELEY, CA 94710 CONTACT: DOUGLAS BURNHAM - (510) 644-2400

1155 THIRD STREET, SUITE 230, OAKLAND, CA 94607 CONTACT: STUART RICKARD - (510) 499-9400

CITY HALL, ROOM 448, SAN FRANCISCO, CA 94102

3360 ADELINE STREET, BERKELEY, CA 94703 CONTACT: NATE WILLIAMS - (415) 839-1022

MAYOR'S OFFICE OF WORKFORCE AND ECONOMIC DEVELOPMENT

CONTACT: ROBIN HAVENS - (415) 554-5395 - ROBINHAVENS@SFGOV.ORG

LOTS M+N OCTAVIA BOULEVARD SAN FRANCISCO, CA

(EAST SIDE OF OCTAVIA BETWEEN FELL + HICKORY)
STREET ADDRESS HAS NOT YET BEEN ASSIGNED

BLOCK/LOT BLOCK 832/ LOTS 26 (LOT M), BLOCK 832/ LOT 25 (LOT N)

PLANNING DISTRICT HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT (NCT)

DISTRICT

50 FT ALLOWED + UP TO 55 FT IF HEIGHT IS ADDED TO GROUND (RETAIL) LEVEL ABOVE 10 FT MIN. GROUND FLOOR HEIGHT

OPEN SPACE REQ'S:

HEIGHT:

PROJECT DATA

60 SQ FT/ UNIT X 1.33 (COMMON OPEN SPACE AREA)= APPROX. 80 SQ FT/UNIT (COMMON OPEN SPACE MIN 15 FT IN ALL HORIZONTAL DIMENSIONS AND 300 SF MIN).

12 UNITS PER BUILDING X 80 SF = 960 SF OPEN SPACE PROVIDED = 1,661 SF

BUILDING OCCUPANCY GROUP: MULTI FAMILY RESIDENTIAL: R-2 OVER GROUND FLOOR RETAIL: M

TYPE III -1 HOUR CONSTRUCTION TYPE:

NONE ALLOWED. NONE PROVIDED

SITE DIMENSIONS SITE M: 120.0' X 18.15' = 2.178 SE

BUILDING_M: 36 (RESIDENTIAL ONLY) OCCUPANT LOAD:

BUILDING_N: 36 (RESIDENTIAL ONLY)

SITE N: 120.0' X 18.82' = 2,258 SF

REFERENCE CODE APPROVED MARKET OCTAVIA PLAN

ALL CONSTRUCTION AND INSTALLATION SHALL CONFORM TO THE CURRENT EDITIONS OF ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS, INCLUDING BUT NOT LIMITED TO THE POLLOWING CALIFORNIA CODES: THE 2007 SAN FRANCISCO BUILDING CODE CONSISTS OF THE 2007 CALIFORNIA BUILDING CODE WITH SAN FRANCISCO ON MENOMENTS, THE 2007 SAN FRANCISCO ELECTRICAL CODE CONSISTS OF THE 2007 CALIFORNIA ELECTRICAL CODE WITH SAN FRANCISCO ON MENOMENTS, THE 2007 SAN FRANCISCO CHERROY CODE CONSISTS OF THE 2007 CALIFORNIA ENERGY CODE, WITH NO LOCAL AMENDMENTS, THE 2005 CALIFORNIA ENERGY CODE, WITH NO LOCAL AMENDMENTS, THE 2007 SAN FRANCISCO HOUSING CODE; THE 2007 SAN FRANCISCO CONSISTS OF THE 2007 CALIFORNIA ENERGY CODE WITH NO LOCAL AMENDMENTS, THE 2007 SAN FRANCISCO HOUSING CODE; THE 2007 SAN FRANCISCO HECHANICAL CODE WITH SAN FRANCISCO CONSISTS OF THE 2007 CALIFORNIA MECHANICAL CODE WITH SAN FRANCISCO CONSISTS OF THE 2007 CALIFORNIA MECHANICAL CODE WITH SAN FRANCISCO CONSISTS OF THE 2007 CALIFORNIA MECHANICAL CODE WITH SAN FRANCISCO CONSISTS OF THE 2007 THE 2007 SAN FRANCISCO PLUMBING CODE CONSISTS OF THE 2007 THE 2007 SAN FRANCISCO PLUMBING CODE CONSISTS OF THE 2007 CALIFORNIA PLUMBING CODE WITH SAN FRANCISCO AMENDMENTS. IN THE EVENT OF CONTICUTS, THE MOST STRINGENT REQUIREMENTS IN SHALL APPLY COODE REQUIREMENTS TAKE PRECEDENTS OVER THE DRAWINGS AND IT SHALL BE THE RESPONSIBILITY OF ANYONE SUPPLYING LABBOR OR MALE BETHERES FONSIBILITY OF ANYONE OF THE ANYONE OF THE PROPERTY OF THE PRO

PROJECT DATA

DRAWING INDEX

RCHITECTURAL DRAWINGS	
	SHEET NAME
.0	PROJECT DATA AND CONTENTS
.0	EXISTING SITE + PROPOSED GROUND PLAN
.1	PROPOSED TYP. FLOOR PLAN + ROOF PLAN
.2	SITE ELEVATIONS
.0	GROUND FLOOR PLAN - ENLARGED

SITE M - OCTAVIA BLVD + FELL STREET - LOOKING SOUTH



SITE M - OCTAVIA BLVD + HICKORY STREET - LOOKING NORTH



SITE N - OCTAVIA BLVD + OAK STREET - LOOKING NORTH

Sheet Information DATE

<

 \Box

 $\dot{\Box}$

Ш

Ш

>

Ш

Issue - Date:

DIMENSION REV

Project Name:

DOUGLAS

RURNHAM C25383

ARCHITECT 11.30.2015

PLAN OF DEVELOPMENT 11.21.2014 REV. FOR EEA SUBMITTAL 07.22.2015 REV. FOR EEA SUBMITTAL 10.26.2015

X + N (00)

OCTAVIA M-

12.19.2015 04,19,2016

DRAWNBY NORTH SCALE AS NOTED

PROJECT INDEX, DIRECTORY, DATA, MAPS

Sheet Number:

a0.0

EXISTING SITE PHOTOGRAPHS

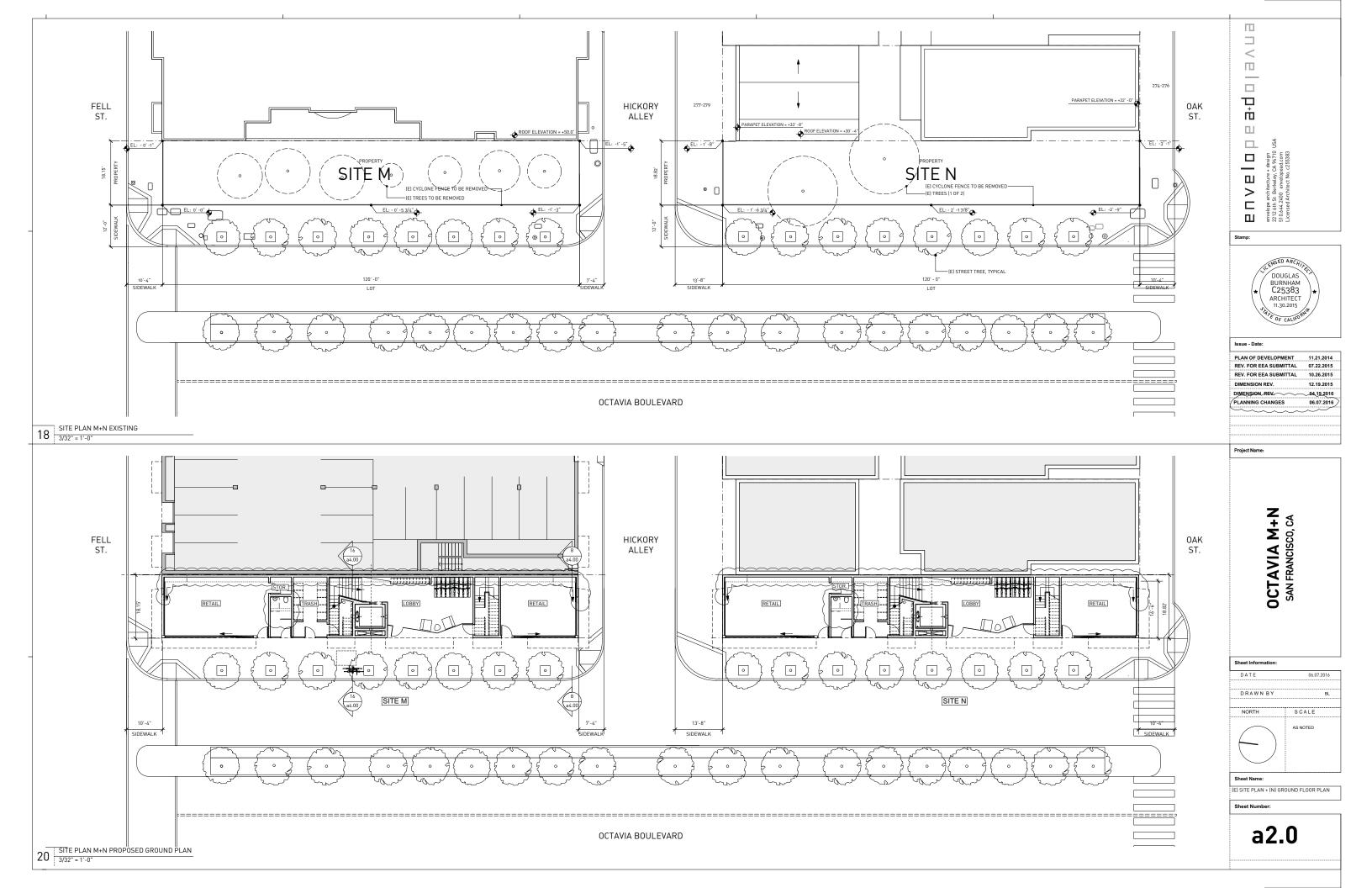
20 N.T. S.

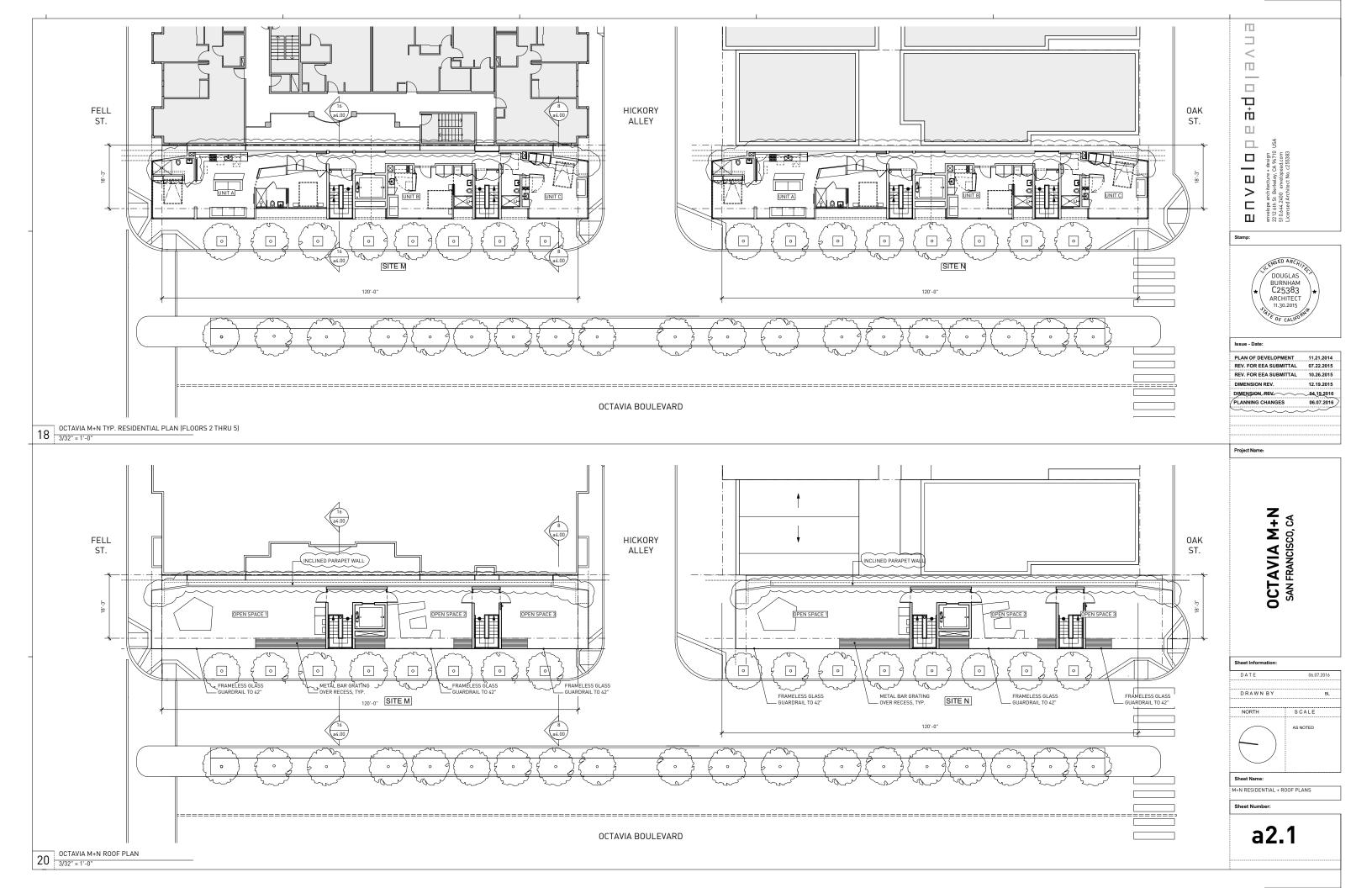
GENERAL NOTES

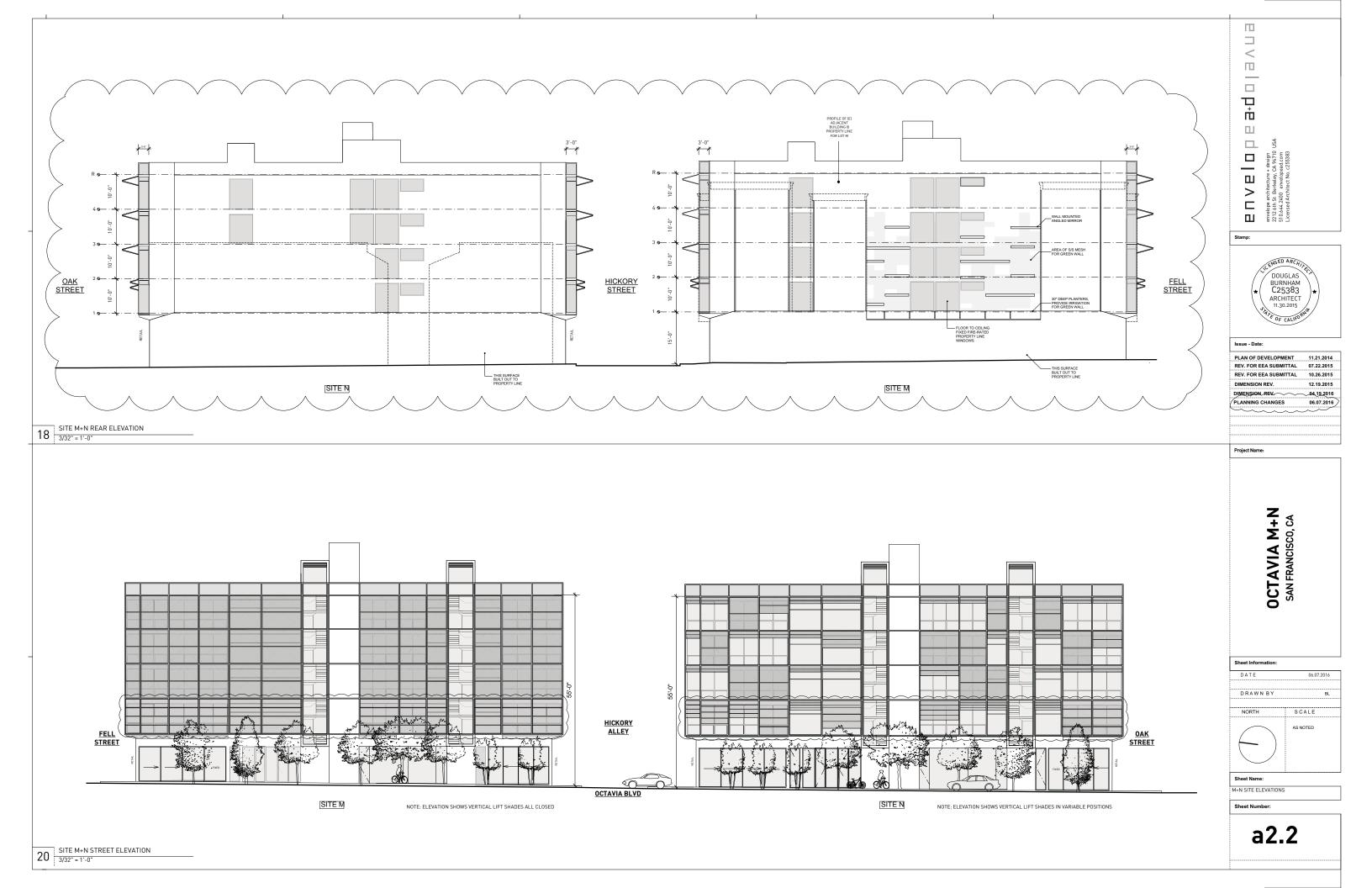
18

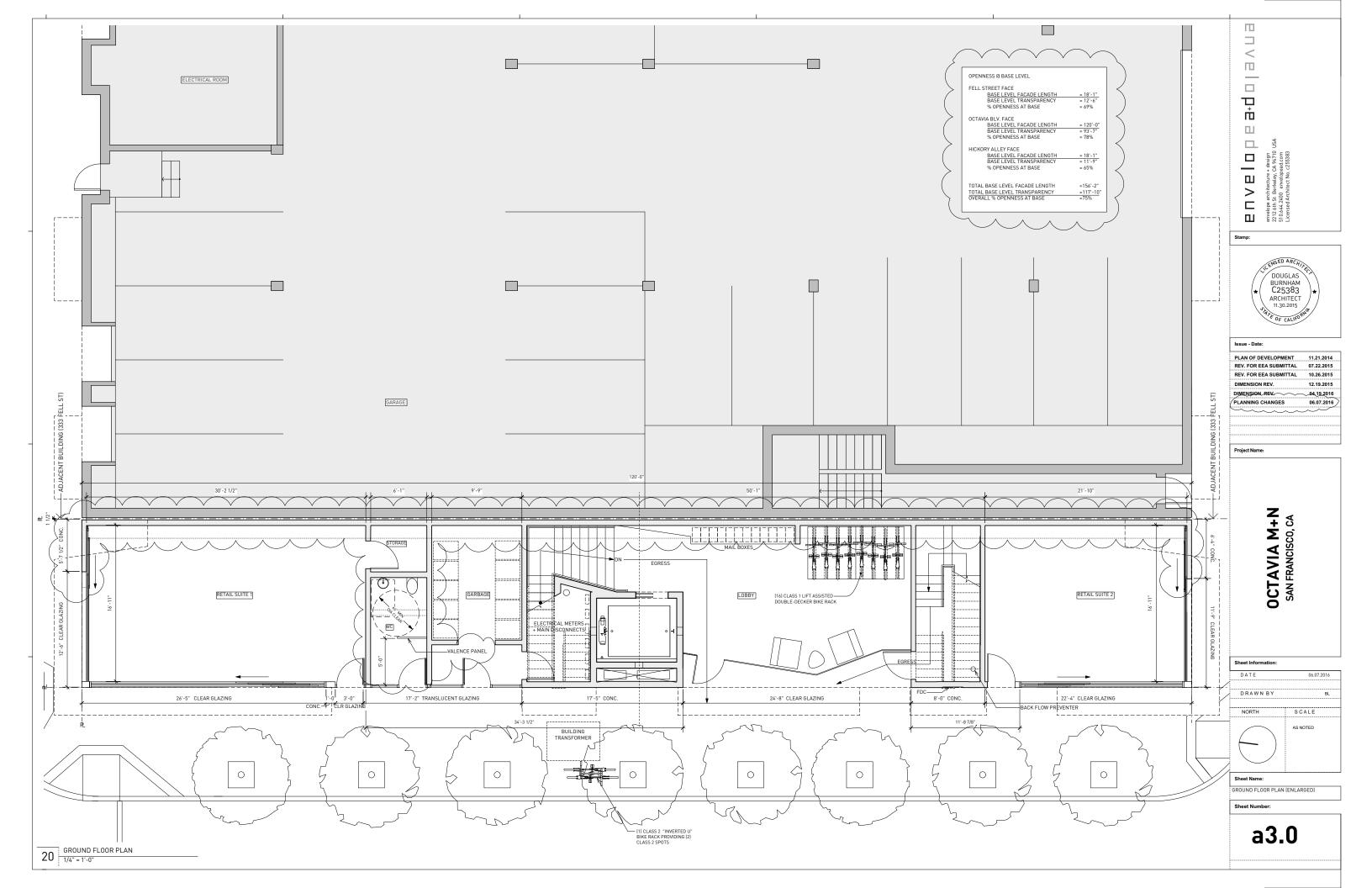
DRAWING INDEX

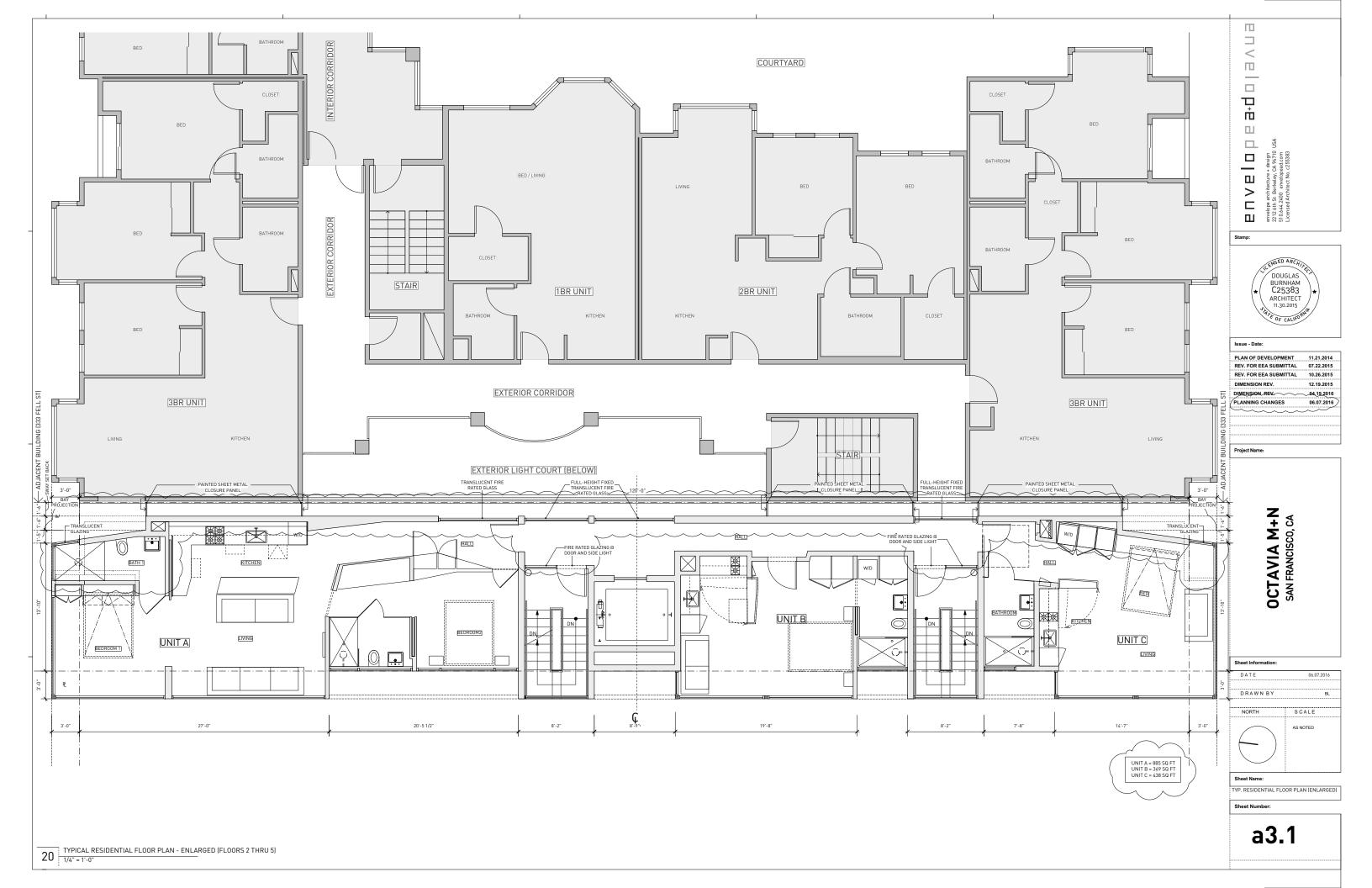
4

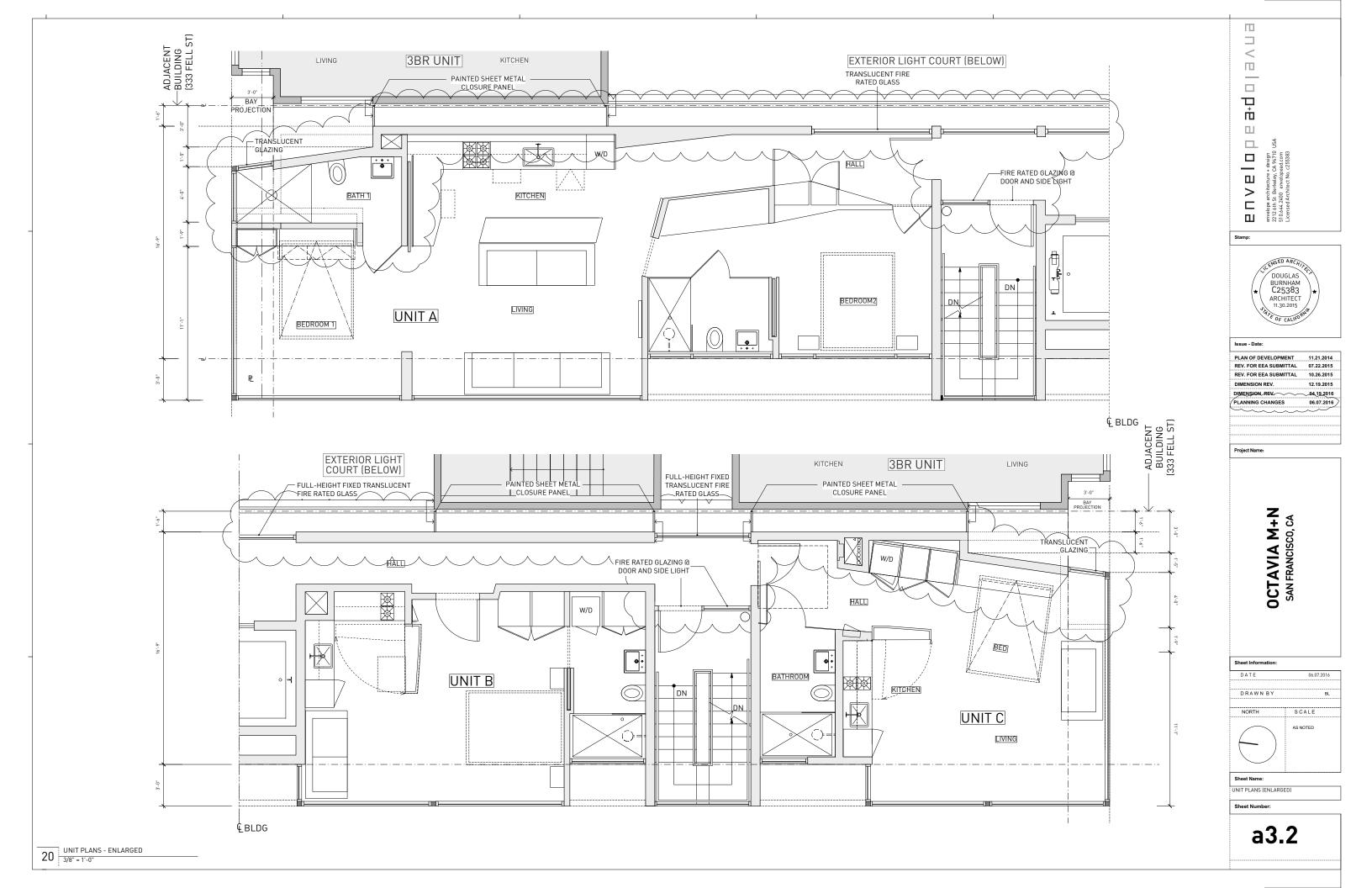


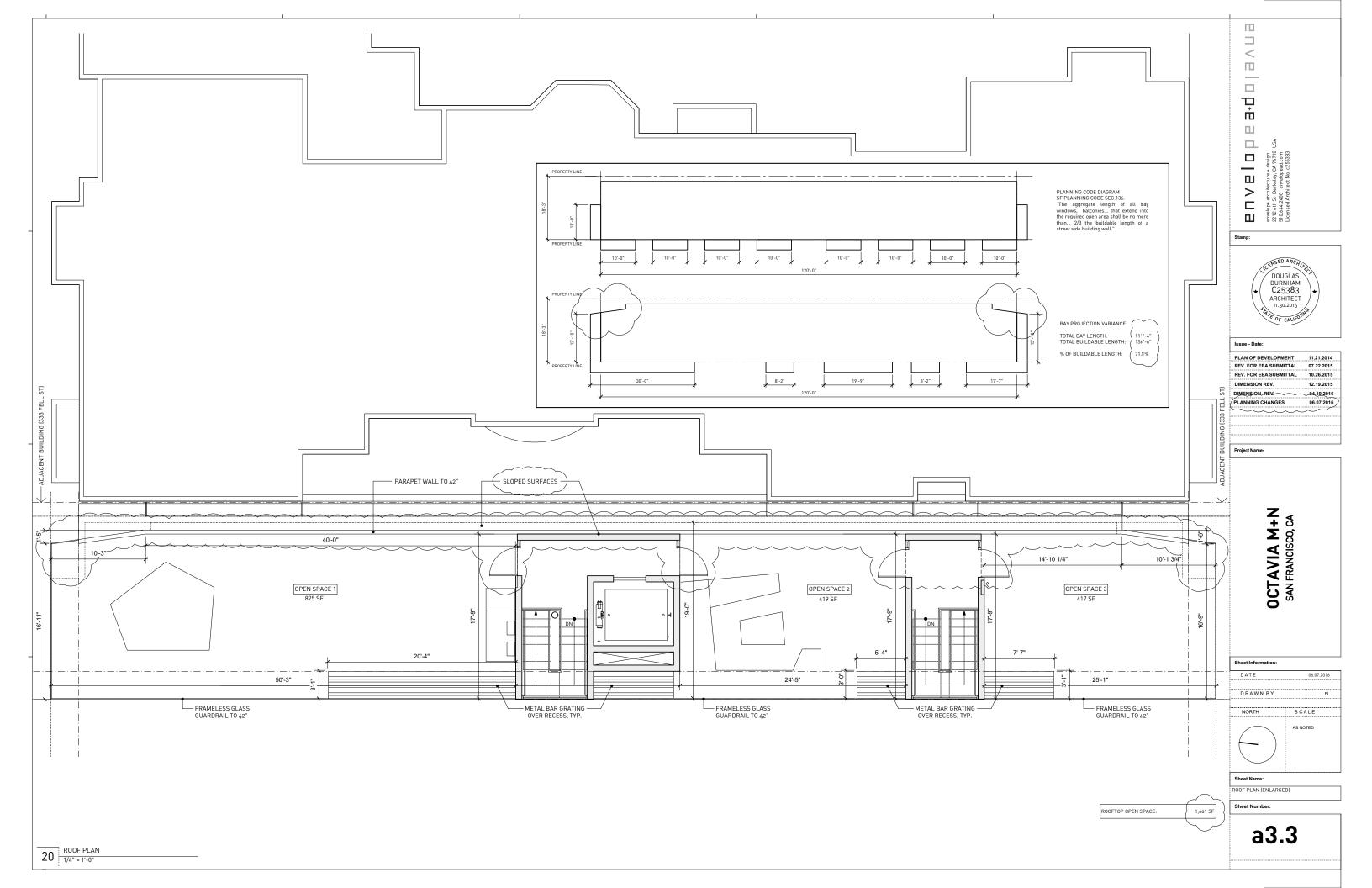


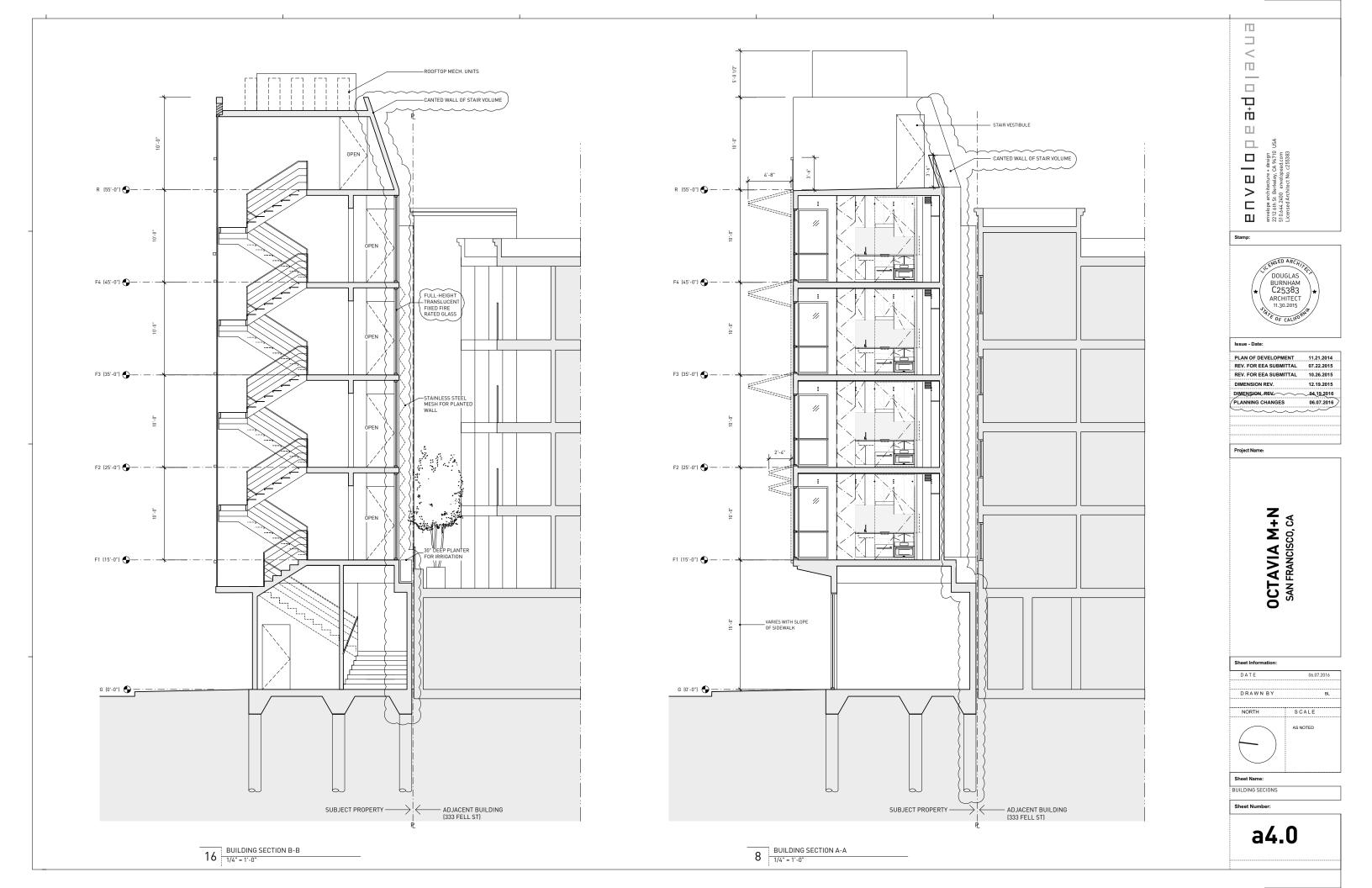


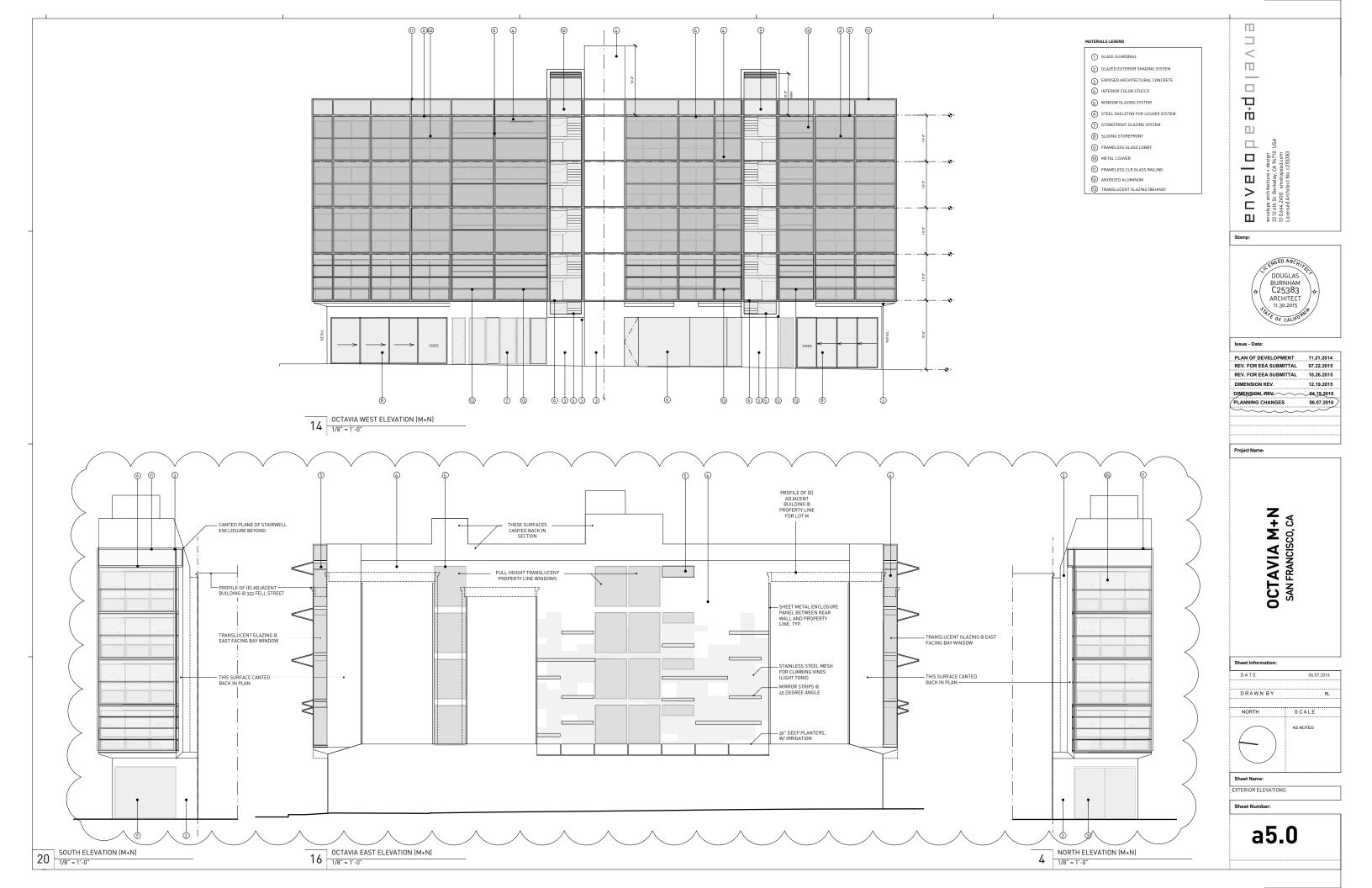






















CURRENT DESIGN



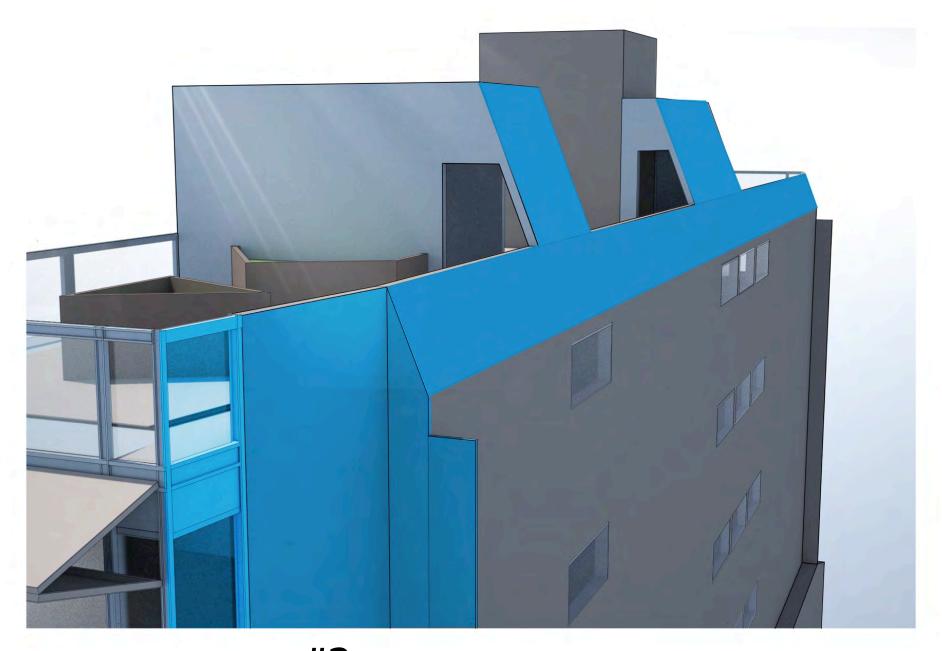
PROPOSED CHANGE #1_PULL AWAY FROM PROPERTY LINE WINDOWS



PROPOSED CHANGE #2_ANGLE BACK PARAPET AND STAIR ENCLOSURE



CURRENT DESIGN

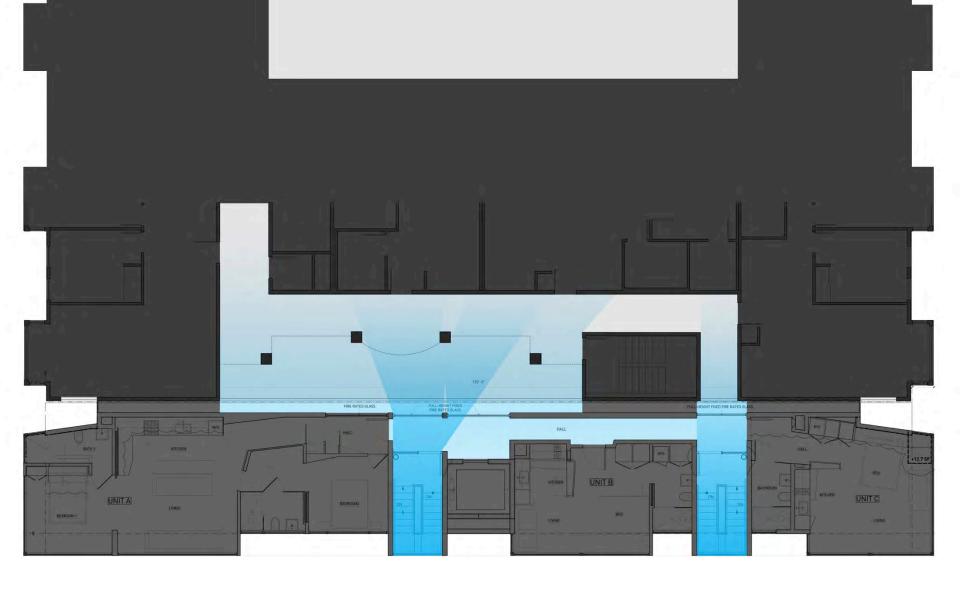


PROPOSED CHANGE #2_ANGLE BACK PARAPET AND STAIR ENCLOSURE



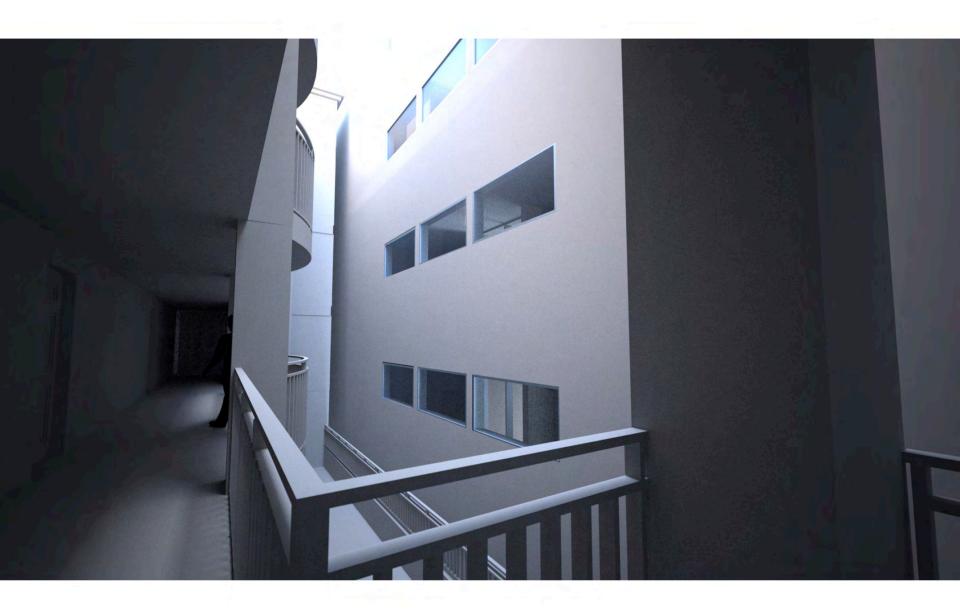


PROPOSED CHANGE #3_ENLARGE PROPERTY LINE WINDOWS (TO BRING IN WEST LIGHT)





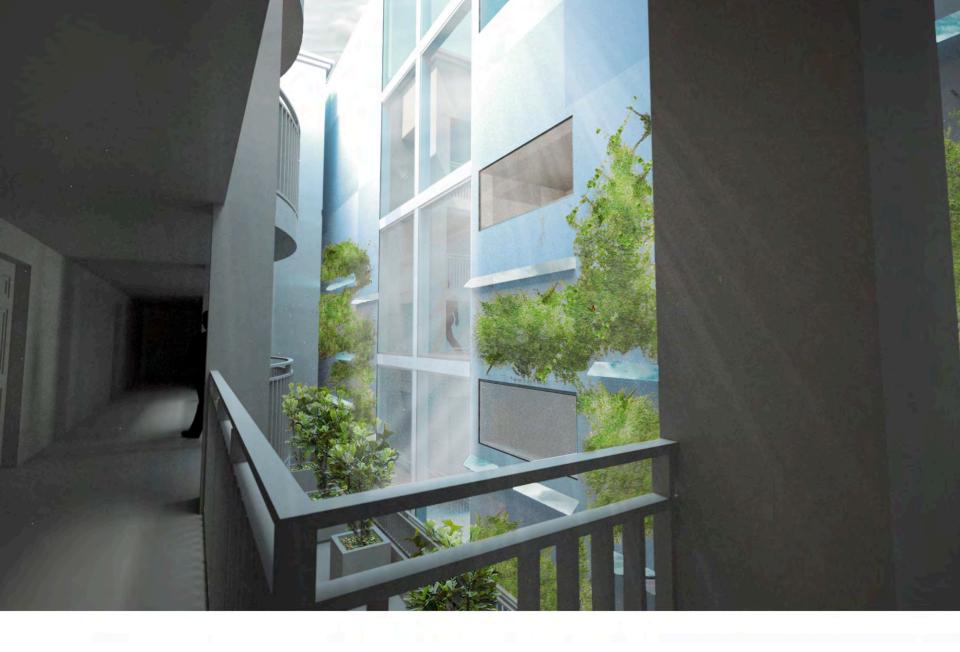
PROPOSED CHANGE #4_APPLY MURAL ON THE PROPERTY LINE WALL



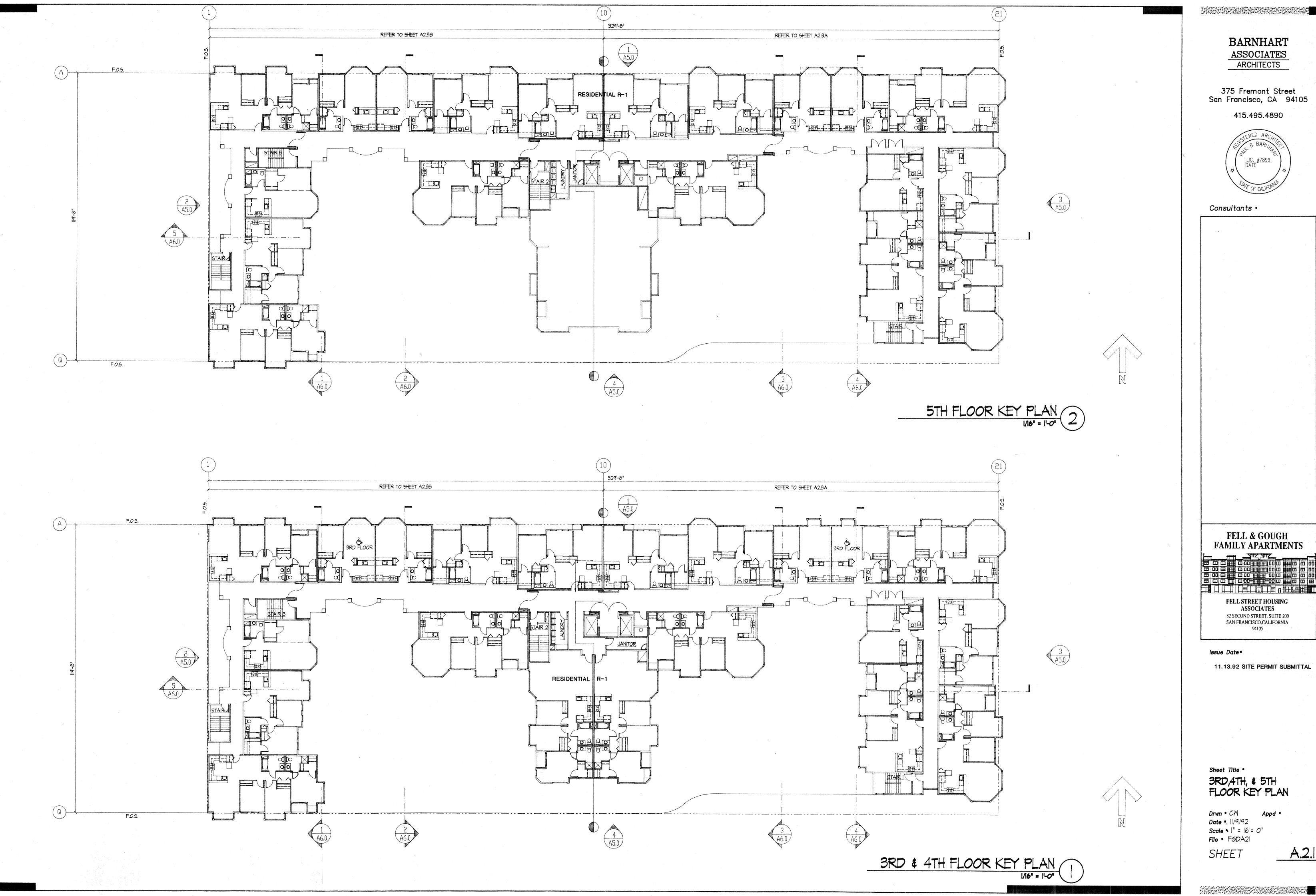
CURRENT DESIGN



PROPOSED CHANGE #5+6_GREEN WALL AND TREES IN PLANTERS



PROPOSED CHANGE #7_SKY REFLECTING MIRRORS



BARNHART ASSOCIATES ARCHITECTS

375 Fremont Street San Francisco, CA 94105 415.495.4890



Consultants •

FELL & GOUGH FAMILY APARTMENTS

> FELL STREET HOUSING ASSOCIATES 82 SECOND STREET, SUITE 200 SAN FRANCISCO, CALIFORNIA

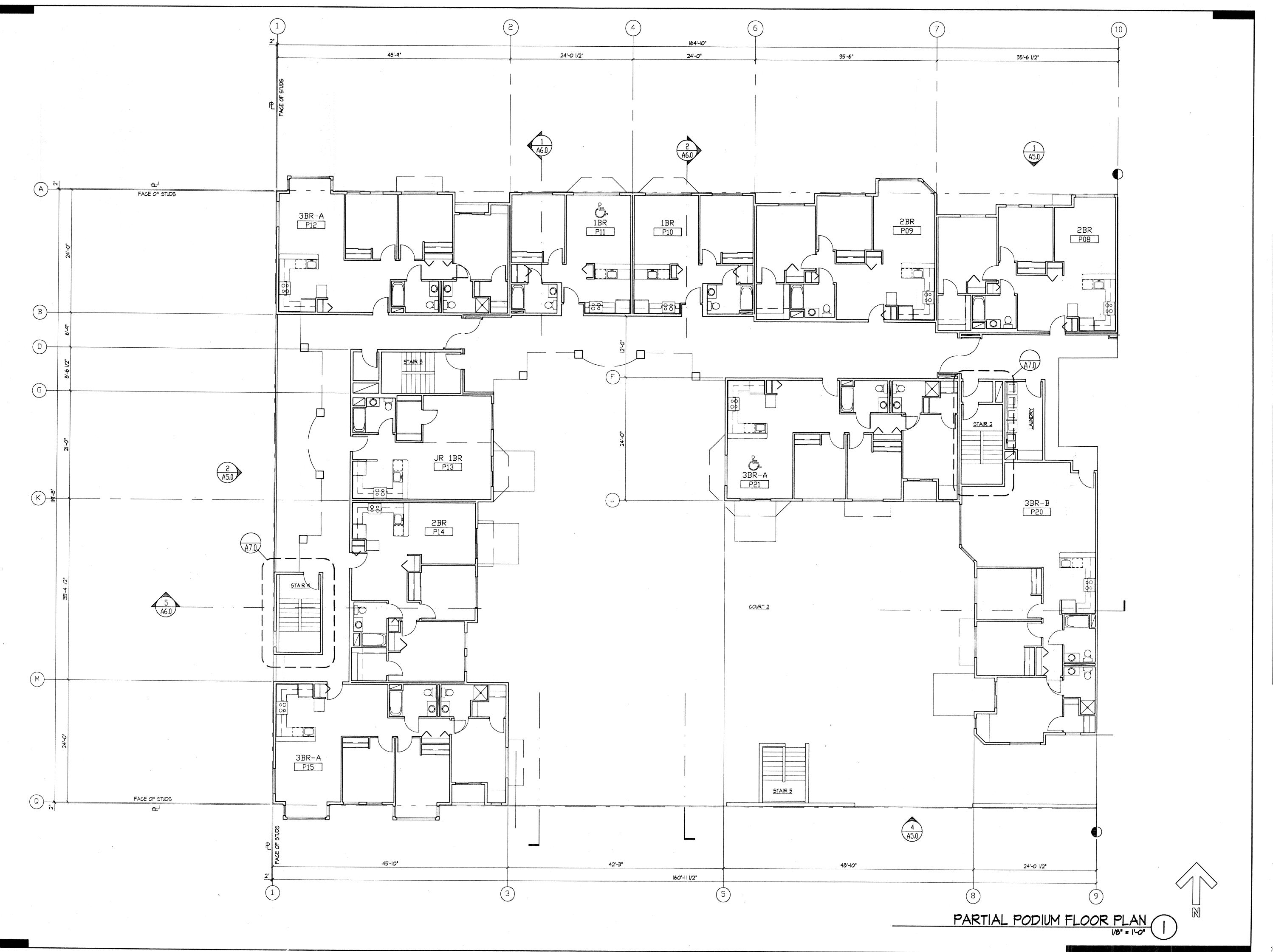
Issue Date•

11.13.92 SITE PERMIT SUBMITTAL

Sheet Title • 3RD,4TH, & 5TH FLOOR KEY PLAN

Date • 11/9/92 Scale • |" = |6'= 0" File • FGDA2 SHEET

<u>A.2.1</u>



BARNHART ASSOCIATES ARCHITECTS

375 Fremont Street San Francisco, CA 94105 415.495.4890





Consultants •

FELL & GOUGH FAMILY APARTMENTS



FELL STREET HOUSING **ASSOCIATES** 82 SECOND STREET, SUITE 200 SAN FRANCISCO, CALIFORNIA

Issue Date∙

11.13.92 SITE PERMIT SUBMITTAL

Sheet Title • PARTIAL PODIUM FLOOR PLAN

Date • ||/6/92 Scale • |/8" = |'-0" File • FGDA23B

SHEET

A.2.3B

SAN FRANCISCO, CA RECORDER'S OFFICE
BRUCE Jamison: Recorder

DOC F432625

PROJECT ADDRESS: 333-375 Foll Street

BLOCK NO. 832

LOT NO. 66

RE: PERMITTED OPENINGS IN PROPERTY LINE WALLS

In the event that the ADJOINING PROPERTY located at BLOCK NO. 832 LOT NO. 26 is improved in such a manner that the proposed openings at the PROJECT ADDRESS no longer comply with Section 504(d) of the San Francisco Building Code, the proposed openings will be protected or closed with approved windows or wall construction.

Signed owner's Signature

I. Donald Terner President, BRIDGE Housing Corporation, General Partner, Fell Street
Typed-Owner's Name
Housing Associates

Subscribed and sworn to, this 22^M day of July ,1993.

Notary Public

JOANNA J. ON COMM. VINSSSS Noticy Public — Casifornia SAN FRANCISCO COUNTY My Cartini. Expires SSP 5.1996

Two notarized and recorded copies are to be returned to the Bureau of Building Inspection, Plans Approval Division ,RM 203, 450 McAllister Street, San Francisco, CA 94102

From: Alex Gofen
To: Grob, Carly (CPC)

Subject: Parcel N: violation of the code and residents" rights

Date: Wednesday, May 11, 2016 11:54:36 AM

Dear Ms. Grob,

As we have not heard yet from you on our previous letter of April 23, I am sending this follow up, and please reply to this follow up.

We are residents of 333 Fell St., Apartment 218, renting this property since 1994. We are extremely concerned about the plan to construct a new building at parcel N: the building which is supposed to be directly adjacent to the western side of the 333 Fell St Apartment building - **violating** the S.F. building regulations and **damaging the entire architectural outline** of the 333 Fell St Apartments - a relatively new construction, an important beautiful part of the entire Octavia Boulevard.

- 1) When the Octavia Boulevard project was conceived (and the residents of this area were surveyed), it was presumed that the west side of 333 Fell St. Apartments will look at the boulevard enjoying the beautiful view and fresh air (not the blind wall of the planned new construction!). The residents (including us) had approved the Octavia Boulevard project exactly because our building remained frontal looking at the boulevard. A plan of a new building blocking our facade violates the promise of the Octavia Boulevard project and the entire outline as it was designed then.
- 2) What is particularly grotesque, is that the City had spent money on a <u>report</u> about shadow effects of the new construction on ... greens of the boulevard, **but** never approached us, the residents of this house to figure out if we are affected by that construction!

An yes, the greatest damage of this new project is incurred to us personally, the residents of the apartment 218 - as well as to the residents of the **15 more** similarly situated apartments! In fact, if one thinks about a case of a gross damage incurred by an unwisely planned construction, this parcel N construction would exemplify such a damage, because...

- 3) The wall of the parcel N building would eliminate our western window! Mind you: it will not merely block our window, but **eliminate it**!
- 4) Worse: the wall of the parcel N building would deem obsolete the entire 4 store balconies/verandas of our building: the verandas enjoyed not only by residents of the said 16 apartments, but also by residents of all other apartments, some of them disabled, which reach this balcony with walkers to catch fresh air. And this well designed

beautiful balconies/verandas would turn into a **senseless dark closet looking into a blind wall and blocked by it**, while the residents would lose an access to fresh air, light, and matured trees already existing along the western side of the building.

5) Moreover, a dark well created in this way with an opening above would collect rain waters. Without sun, wind, and fresh air, this well will turn into a source of moisture and mold harmful for the health. The now existing ventilation outlets from the apartments going into the open space by the design, will go into that non-ventilated closed well.

And...

6) Yes, parcel N building would require **chopping the 5 matured trees** embellishing the Octavia boulevard and our 333 Fell St Apartment house.

These damage and infringement of the residents' rights (and of architectural outline of this block) are so outrageous that it is incomprehensible how consideration of this project could even go so far.

We demand to stop the parcel N building project, and to never ever consider any changes to parcel N - so more that there are much more wider and convenient parcels between Fell St, Hayes St, and Octavia (now occupied by Beer Garden and a few cafes).

Sincerely,

Alexander Gofen
Mila Lebedeva
Ilya Lebedev - residents of Apartment 218