



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: SEPTEMBER 8, 2016
CONSENT

Date: September 1, 2016
Case No.: **2014-003111CUA**
Project Address: **388 BEALE STREET**
Zoning: RH-DTR (Rincon Hill Downtown Residential Mixed Use District)
85/200-R Height and Bulk District
Block/Lot: 3747/092
Project Sponsor: Jody Knight, Reuben, Junius, & Rose, LLP
1 Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Jonathan DiSalvo – (415) 575-9182
jonathan.disalvo@sfgov.org
Recommendation: **Approval with Conditions**

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Information:
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PROJECT DESCRIPTION

The Project Sponsor proposes to convert 40 automobile parking spaces and 10 motorcycle parking spaces from accessory residential parking use into a community commercial automobile parking garage use. As part of the Project, the Project Sponsor would add 40 Class 1 bicycle parking spaces on the ground floor level of the existing parking garage, and two Class 2 bicycle parking spaces on Beale Street. The Project Sponsor does not propose to add additional parking spaces or make changes to the parking structure or building, other than providing additional bicycle parking spaces.

SITE DESCRIPTION AND PRESENT USE

The Project is located on the southern side of Beale Street, at the intersection with the Harrison Street overpass, Block 3747, Lot 092. The property is developed with 226 dwelling units, commercial uses, and four levels of parking at grade and above. Currently, the subject property contains 233 parking spaces, including four car share spaces, as well as 16 motorcycle parking spaces and 30 bicycle parking spaces. The subject property has approximately 292 feet of frontage on Beale Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is in San Francisco's Rincon Hill area, four blocks south of Market Street. The Embarcadero and San Francisco Bay are three blocks east of the project site. The South of Market neighborhood is to the west and south of the project site. The surrounding properties are located within the RH-DTR (Rincon Hill Downtown Residential Mixed Use) and RC-4 (Residential Commercial, High

Density) Zoning Districts. The surrounding area contains several residential, commercial and mixed-use buildings, which range in height from three to 42 stories.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	August 19, 2016	August 19, 2016	20 days
Posted Notice	20 days	August 19, 2016	August 19, 2016	20 days
Mailed Notice	10 days	September 1, 2016	August 19, 2016	20 days

PUBLIC COMMENT/COMMUNITY OUTREACH

The Department has received no public comment to date.

ISSUES AND OTHER CONSIDERATIONS

- **Background:** On September 18, 1997, the Planning Commission approved the existing building per Planning Commission Motion No. 14452. Within the Conditions of Approval, the project was required to provide one independently-accessible, off-street parking space per residential unit, and one independently-accessible parking space per 1,000 square feet of commercial space. Therefore, this Conditional Use Authorization will modify the Conditions of Approval associated with Planning Commission Motion No. 14452.
- **General Plan:** The Commerce and Industry Element of the General Plan contains Guidelines that seek to retain existing commercial and industrial activity and to attract a new such activity to the City. The availability of existing, underutilized parking at the subject site for use as a temporary parking garage offers relief in parking demand, thereby contributing to the economic vitality of the area. The Project also makes use of existing facilities and would not displace any existing commercial activity. In addition, the Transportation Element of the General Plan encourages short-term parking at the periphery of downtown. The project will use existing, underutilized parking spaces to provide convenient short-term parking for non-residential uses in the vicinity.
- **Bicycle Parking:** The Project will add 40 bicycle parking spaces within the garage, and two bicycle parking spaces along Beale Street, thus adding to bicycle parking stock in the neighborhood.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow the establishment of a community commercial automobile parking garage use within the Rincon Hill Downtown Residential Mixed Use District, pursuant to Planning Code Sections 157.1, 303 and 827.37.

BASIS FOR RECOMMENDATION

- The project would provide for the use of existing, underutilized parking spaces to better meet short-term parking demands in the vicinity without adding additional parking spaces to the site or neighborhood.
- The project will increase the number of off-street parking spaces available for customers of other neighborhood businesses, improving the viability of the overall district.
- The project provides for the use of an existing facility.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Block Book Map

Sanborn Map

Zoning Map

Height & Bulk Map

Aerial Photographs

Site Photographs

Project Sponsor Submittal, including:

- Reduced Site Plan
- Project Sponsor Letter to Planning Commission
- Bicycle Parking Specifications

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"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| | <input type="checkbox"/> Community Meeting Notice |
| | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

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

JD

Planner's Initials

JD: I:\Cases\2014\2014-003111CUA – 388 Beale Street



SAN FRANCISCO PLANNING DEPARTMENT

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"/> Other |

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Planning Commission Draft Motion

HEARING DATE: SEPTEMBER 8, 2016

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 157.1, 303 & 827.37 TO ALLOW THE CONVERSION OF A PORTION OF THE ACCESSORY PARKING GARAGE TO A COMMUNITY COMMERCIAL AUTOMOBILE PARKING GARAGE USE WITHIN THE RH-DTR (RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE) DISTRICT AND A 85/200-R HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 24, 2014, Jody Knight (hereinafter “Project Sponsor”), on behalf of UDR (Property Owner), filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303 and 827.37 to allow a Community Commercial Automobile Parking Garage Use within the RH-DTR (Rincon Hill Downtown Residential Mixed Use) District and a 85/200-R Height and Bulk District.

On September 18th, 1997, the Commission approved Planning Commission Motion No. 14452 (Case No. 97.404C), which authorized a total of 230 off-street parking spaces in the four-story parking podium in the base of the residential towers at 388 Beale Street.

On September 8, 2016, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014-00111CUA.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

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. 2014-003111CUA, 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 southern side of Beale Street, at the intersection with the Harrison Street overpass, Block 3747, Lot 092. The property is developed with 226 dwelling units, commercial uses, and four levels of parking at grade and above. Currently, the subject property contains 233 parking spaces, including four car share spaces, as well as 16 motorcycle parking spaces and 30 bicycle parking spaces. The subject property has approximately 292 feet of frontage on Beale Street.
3. **Surrounding Properties and Neighborhood.** The subject property is in San Francisco's Rincon Hill area, four blocks south of Market Street. The Embarcadero and San Francisco Bay are three blocks east of the project site. The South of Market neighborhood is to the west and south of the project site. The surrounding properties are located within the RH-DTR (Rincon Hill Downtown Residential Mixed Use) and RC-4 (Residential Commercial, High Density) Zoning Districts. The surrounding area contains several residential, commercial and mixed-use buildings, which range in height from three to 42 stories.
4. **Project Description.** The Project Sponsor proposes to convert 40 automobile parking spaces and 10 motorcycle parking spaces from accessory residential parking use into a community commercial automobile parking garage use. As part of the Project, the Project Sponsor would add 40 Class 1 bicycle parking spaces on the ground floor level of the existing parking garage, and two Class 2 bicycle parking spaces on Beale Street. The Project Sponsor does not propose to add additional parking spaces or make changes to the parking structure or building, other than providing additional bicycle parking spaces.
5. **Public Comment.** The Department has received no public comment to date.

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. **Off-Street Parking.** Per Planning Code Section 827.50, off-street parking is not required for residential uses within the Rincon Hill Downtown Residential Mixed Use District; limits are set forth per Planning Code Section 151.1.

Per Planning Code Section 151.1, one off-street car parking space for each two dwelling units, and one parking space for each 500 gross square feet of floor area devoted to retail space is permitted as accessory. The existing building contains 226 dwelling units and approximately 2,856 gross square feet of retail/commercial space. The parking garage currently provides 233 off-street parking spaces; thus, 113 spaces are considered accessory to the existing residential use, and 6 spaces are considered accessory to the existing commercial/retail uses. The remaining approximately 114 spaces are considered non-accessory off-street parking spaces.

- B. **Parking and Loading Exceeding Accessory Amounts.** Per Section 204.5(c), off-street parking facilities which exceed the accessory amounts shall be classified as a separate use, and may be principally or conditionally permitted as indicated in the zoning control table for the district in which such facilities are located. The quantity of existing accessory parking includes only those facilities which do not exceed the amounts permitted by Table 151.1.

Since 114 parking spaces of the total existing 233 parking spaces exceed the quantity of accessory parking as defined in Table 151.1 in the Rincon Hill Downtown Residential Mixed Use District, 114 spaces are classified as a non-accessory use and are therefore subject to the zoning controls of the Rincon Hill Downtown Residential Mixed Use Zoning District as a separate use. Per Planning Code Section 827.37 in the Rincon Hill Downtown Residential Mixed Use Zoning District, the proposed use of 40 parking spaces as a Community Commercial Automobile Parking Garage Use requires Conditional Use Authorization.

- C. **Automobile Parking Garage Use.** Planning Code Section 827.37 states that a Conditional Use Authorization is required for an Automobile Parking Garage, Community Commercial in the Rincon Hill Downtown Residential Mixed Use Zoning District, as defined by Planning Code Section 890.10.

Per Planning Code Section 890.10, an Automobile Parking Garage, Community Commercial use is defined as, "A use which provides temporary parking accommodations in a garage, or combination garage and lot, for automobiles, vans, trucks, bicycles and/or motorcycles for operators, employees, clients and/or visitors of a permitted, or approved conditional, nonresidential use in the vicinity, without parking of recreational vehicles, mobile homes, boats or other vehicles or storage of vehicles, goods or equipment."

The proposal requires Conditional Use Authorization to establish a non-accessory Community Commercial Automobile Parking Garage Use in the Rincon Hill Downtown Residential Mixed Use Zoning District. Findings for the Conditional Use Authorization are provided below.

In addition, the proposed use will be subject to the limitations set forth in Planning Code Section 890.10. Per Section 890.10, a Community Commercial Automobile Parking Garage Use providing

temporary parking accommodations is limited to permitted, or approved, nonresidential uses in the vicinity.

- D. Reduction and Replacement of Off-Street Parking Spaces.** Per Planning Code Section 150(d) through (f), once any off-street parking or loading space has been provided which wholly or partially meets the requirements of this Code, such off-street parking or loading space shall not thereafter be reduced, eliminated or made unusable in any manner; however, off-street parking spaces may be reduced and replaced by bicycle parking spaces based on standards provided in Section 155.1(d) of the Planning Code. Once bicycle parking spaces replace an automobile parking space, such bicycle parking shall not be reduced or eliminated.

The existing building was approved per Planning Commission Motion No. 14452 on September 18, 1997. The Conditions of Approval set forth in Motion No. 14452 require the Project to provide one independently accessible parking space per residential unit, and one independently accessible parking space per 1,000 square feet of commercial space. As the Project proposes the conversion of 40 vehicle parking spaces, originally required as accessory parking per Motion No. 14452, the proposed Community Commercial Automobile Parking Garage Use would make these spaces unusable as accessory parking to the residential and commercial uses for which they were originally intended; thus, bicycle parking is required to replace those spaces deemed unusable. The Project provides 40 bicycle parking spaces within the ground level of the garage and two bicycle parking spaces on Beale Street. The provided bicycle parking spaces meet the design requirements per Section 155.1(d), and fulfill the parking requirement of Motion No. 14452.

- A. Bicycle Parking.** Planning Code Section 155.2(a)(4) requires bicycle parking only be provided if a change of occupancy or increase in intensity of use would increase the number of total required bicycle parking spaces (inclusive of Class 1 and 2 spaces in aggregate) by 15 percent.

The requirements of Planning Code Section 155.2 are not applicable to the project, as the scope of the project does not meet the applicability requirements as detailed in Section 155.2(a)(1) through (6) of the Planning Code. The change of use from private parking garage to public parking garage falls within the same use category per Table 155.2, and does not increase the number of total required bicycle parking spaces by 15 percent.

Though the Project does not trigger bicycle parking requirements per Section 155.2 of the Planning Code, the Project provides two Class 2 and 40 Class 1 bicycle parking spaces, pursuant Planning Code Sections 150 and 155.1(d).

- E. Street Frontage in Mixed Use Districts.** Section 145.1 of the Planning Code requires that within Mixed Use Districts 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.

The building is a legal non-conforming structure that was approved prior to the controls of Section 145.1. The existing ground floor generally meets the requirements of Section 145.1. The existing ground floor meets the criteria for active uses as a combination of retail space, lobby space, and garage

entrances are provided for 25 feet of depth along the ground floor fronting on Beale Street. Parking is generally setback at least 25 feet on the ground floor and 15 feet on the floors above. There are no changes proposed to the existing frontage.

7. **Planning Code Section 157.1 (Non-Accessory Parking in Mixed-Use Districts).** In considering a Conditional Use application for a non-accessory parking garage in Mixed Use Districts, the Planning Commission shall affirmatively find that such facility meets all the criteria and standards of this Section, as well as any other requirement of this Code as applicable. The criteria and standards of this Section are as follows:

- A. Such facility shall meet all the design requirements for setbacks from facades and wrapping with active uses at all levels per the requirements of Section 145.1;

The building is a legal non-conforming structure that was approved prior to the controls of Section 145.1. The existing ground floor generally meets the requirements of Section 145.1. The existing ground floor meets the criteria for active uses as a combination of retail space, lobby space, and garage entrances are provided for 25 feet of depth along the ground floor fronting on Beale Street. Parking is generally setback at least 25 feet on the ground floor and 15 feet on the floors above. There are no changes proposed to the existing frontage.

- B. Such parking shall not be accessed from any protected Transit or Pedestrian Street described in Section 155(r);

The proposed Community Commercial Automobile Parking Garage Use is not located on a protected Transit or Pedestrian Street as described in Section 155(r).

- C. Such parking garage shall be located in a building where the ratio of gross square footage of parking uses to other uses that are permitted or Conditionally permitted in that district is not more than 1 to 1; and

The ratio of the cumulative total of parking uses to other uses in the subject building does not exceed 1 to 1.

- D. Such parking shall be available for use by the general public on equal terms and shall not be deeded or made available exclusively to tenants, residents, owners or users of any particular use or building except in cases that such parking meets the criteria of subsection (d) (Parking of Fleet Vehicles) or (e) (Pooled Residential Parking);

The Community Commercial Automobile Parking Garage Use is not proposed to serve specific residential or non-residential uses; rather, the proposal is to provide temporary parking for non-residential uses in the general vicinity and will be available for use by the general public on equal terms as to tenants, residents, owners, or users of the building.

- E. Such facility shall provide spaces for car sharing vehicles per the requirements of Section 166 and bicycle parking per the requirements of Sections 155.1 and 155.2;

The car sharing requirements of Section 166 apply only to projects proposing new development. As the project scope does not include new development, and is rather a change of use and addition of bicycle parking, the requirements of Section 166 do not apply; however, four car share spaces currently exist on the ground level of the subject parking garage and would meet the requirements of this Section.

The requirements of Planning Code Section 155.2 are not applicable to the project, as the scope of the project does not meet the applicability requirements as detailed in Section 155.2(a)(1) through (6) of the Planning Code. The change of use from private parking garage to public parking garage falls within the same use category per Table 155.2 and thus does not increase the number of total required bicycle parking spaces by 15 percent. Although the Project does not trigger bicycle parking requirements per Section 155.2 of the Planning Code, the Project provides two Class 2 and 40 Class 1 bicycle parking spaces, pursuant Planning Code Sections 150 and 155.1(d).

- F. Such facility, to the extent open to the public per subsection (4) above, shall meet the pricing requirements of Section 155(g) and shall generally limit the proposed parking to short-term occupancy rather than long-term occupancy.

The Project will be required to adhere to the requirements of 155(g), to maintain a rate or fee structure such that the rate charge for four hours of parking duration is no more than four times the rate charge for the first hour, and the rate charge for eight or more hours of parking duration is no less than 10 times the rate charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly, monthly or similar time-specific periods.

- G. Vehicle movement on or around the facility does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district.

The Project is located within an existing parking garage and will not impact the pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district.

- H. Such facility and its access does not diminish the quality and viability of existing or planned streetscape enhancements.

The Project is located within an existing garage and its access does not diminish the quality and viability of existing or planned streetscape enhancements.

- 8. **Planning Code Section 303** 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 Project is compatible with the surrounding neighborhood as the proposed Community Commercial Automobile Parking Garage Use will occupy a portion of the ground floor of the existing garage. The Project will not expand the existing building envelope and will not create any further physical impacts upon light, air or midblock open space. The use is desirable as it will provide a vital and needed service for the operators, employees, clients and visitors of non-residential uses in the neighborhood.

- 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 Project is not detrimental to the area since it does not involve any physical expansion to the existing building. The change of use from accessory residential parking spaces to a Community Commercial Automobile Parking Garage Use will not be detrimental to the health, safety, convenience or general welfare of the nearby residents or workers. The Project will not be injurious to existing properties or improvements or potential developments in the area. The existing building will remain intact.

- 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 proposed Community Commercial Automobile Parking Garage Use is intended to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips citywide. The off-street parking on the site is accessed from a small entrance on Beale Street, which is appropriate for the type and volume of the traffic.

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

The Project does not add any new parking spaces. No noxious or offensive emissions such as noise, glare, dust and odor are expected to be emitted during normal operations.

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

The Project does not propose any changes to existing landscaping, screening, open spaces, parking and loading areas, service areas, lighting, or signage. Any proposed signage will be subject to the review and approval of the Planning Department.

- 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 and 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 Downtown Residential District.

The Project is consistent with the stated purpose of Downtown Residential Districts in that the intended use will provide a compatible convenience service for the immediately surrounding downtown community.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

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 availability of existing parking at the subject site for use as a temporary parking garage offers relief in parking demand, thereby contributing to the economic vitality of the area.

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 makes use of existing facilities and would not displace any existing commercial activity.

TRANSPORTATION ELEMENT

Citywide Parking

Objectives and Policies

OBJECTIVE 7:

DEVELOP A PARKING STRATEGY THAT ENCOURAGES SHORT-TERM PARKING AT THE PERIPHERY OF DOWNTOWN AND LONG-TERM INTERCEPT PARKING AT THE

PERIPHERY OF THE URBANIZED BAY AREA TO MEET THE NEEDS OF LONG-DISTANCE COMMUTERS TRAVELING BY AUTOMOBILE TO SAN FRANCISCO OR NEARBY DESTINATIONS.

Policy 7.1

Reserve a majority of the off-street parking spaces at the periphery of downtown for short term parking.

Policy 7.3

Maintain a supply of parking commensurate with demand at outlying intercept parking facilities that have good connections to transit and ride-sharing opportunities.

The Project will be required to adhere to the requirements of 155(g), to maintain a rate or fee structure which will discourage long-term parking, and promote short-term parking.

OBJECTIVE 30:

ENSURE THAT THE PROVISION OF NEW OR ENLARGED PARKING FACILITIES DOES NOT ADVERSELY AFFECT THE LIVABILITY AND DESIRABILITY OF THE CITY AND ITS VARIOUS NEIGHBORHOODS.

Policy 30.3

Maximize the efficient use of land devoted to parking by consolidating adjacent surface lots and garages into a parking structure, possibly containing residential, commercial or other uses.

Policy 30.6:

Make existing and new accessory parking available to nearby residents and the general public for use as short-term or evening parking when not being utilized by the business or institution to which it is accessory.

The Project will use existing parking spaces to provide convenient parking for nearby residents and the general public, in addition to alleviating parking demand in order to maintain the high quality living environment of the City.

10. **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.

No neighborhood-serving retail use would be displaced by the Project. Allowing for the rental of parking spaces would likely increase patronage of nearby neighborhood-serving retail uses.

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

No physical expansion of the existing building is proposed; therefore, the Project will not adversely affect existing housing or neighborhood character.

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

No affordable housing will be removed for this Project.

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

This Project is not anticipated to adversely affect MUNI transit service or neighborhood parking. In addition, 40 bicycle parking spaces are proposed within the garage and two bicycle parking spaces are proposed along Beale Street.

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

This Project will not adversely affect any industrial or service sector jobs.

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

The Project will not impact the subject property's ability to withstand an earthquake and any future improvements shall meet the structural and seismic safety requirements of the City Building Code.

- G. That landmarks and historic buildings be preserved.

No landmarks or historic buildings will be adversely affected by the Project.

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

This Project will not affect any parks or open space because there would be no physical change to the existing building.

11. 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.
12. 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. 2014-003111CUA**, subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 8, 2016, 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 8, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: September 8, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Community Commercial Automobile Parking Garage use located at 388 Beale Street [Assessor's Block 3747, and Lot 092] pursuant to Planning Code Sections 157.1, 303, and 827.37 within the Rincon Hill Downtown Residential Mixed Use District and a 85/200-R Height and Bulk District; in general conformance with plans, dated August 5, 2016, and stamped "EXHIBIT B" included in the docket for Case No. 2014-003111CUA and subject to conditions of approval reviewed and approved by the Commission on September 8, 2016 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 8, 2016 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

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

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

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

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

PARKING AND TRAFFIC

6. **Bicycle Parking.** Pursuant to Planning Code Sections 150 and 155.1(d), the Project shall provide no fewer than 40 Class 1 or Class 2 bicycle parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

7. **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

8. **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

OPERATION

9. **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



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
Case No.	Permit No.	Plans Dated	
<input type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
	Class ___

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
<u>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u>	
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Parcel Information Map)</i>	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p style="text-align: right;"><i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> _____</p>
<input type="checkbox"/>	<p>10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i></p> <p style="margin-left: 40px;"> <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C </p> <p style="margin-left: 40px;">a. Per HRER dated: _____ <i>(attach HRER)</i></p> <p style="margin-left: 40px;">b. Other <i>(specify)</i>:</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p> 	
<p>Preservation Planner Signature:</p> 	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either <i>(check all that apply)</i>:</p> <p style="margin-left: 40px;"> <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review </p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>			
<input type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p>Planner Name:</p> <p>Project Approval Action:</p> <p style="font-size: small;">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p> </td> <td style="width: 50%; padding: 5px;"> <p>Signature:</p> <div style="border: 2px solid green; border-radius: 15px; padding: 10px; text-align: center; margin: 10px 0;"> <p style="font-size: 2em; font-weight: bold; color: green; margin: 0;">APPROVED</p> </div> </td> </tr> </table> <p style="font-size: small;">Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p style="font-size: small;">In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		<p>Planner Name:</p> <p>Project Approval Action:</p> <p style="font-size: small;">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	<p>Signature:</p> <div style="border: 2px solid green; border-radius: 15px; padding: 10px; text-align: center; margin: 10px 0;"> <p style="font-size: 2em; font-weight: bold; color: green; margin: 0;">APPROVED</p> </div>
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STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a “substantial modification” and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:

Parcel Map

BLOCK 3747



Printed: 27 August, 2016

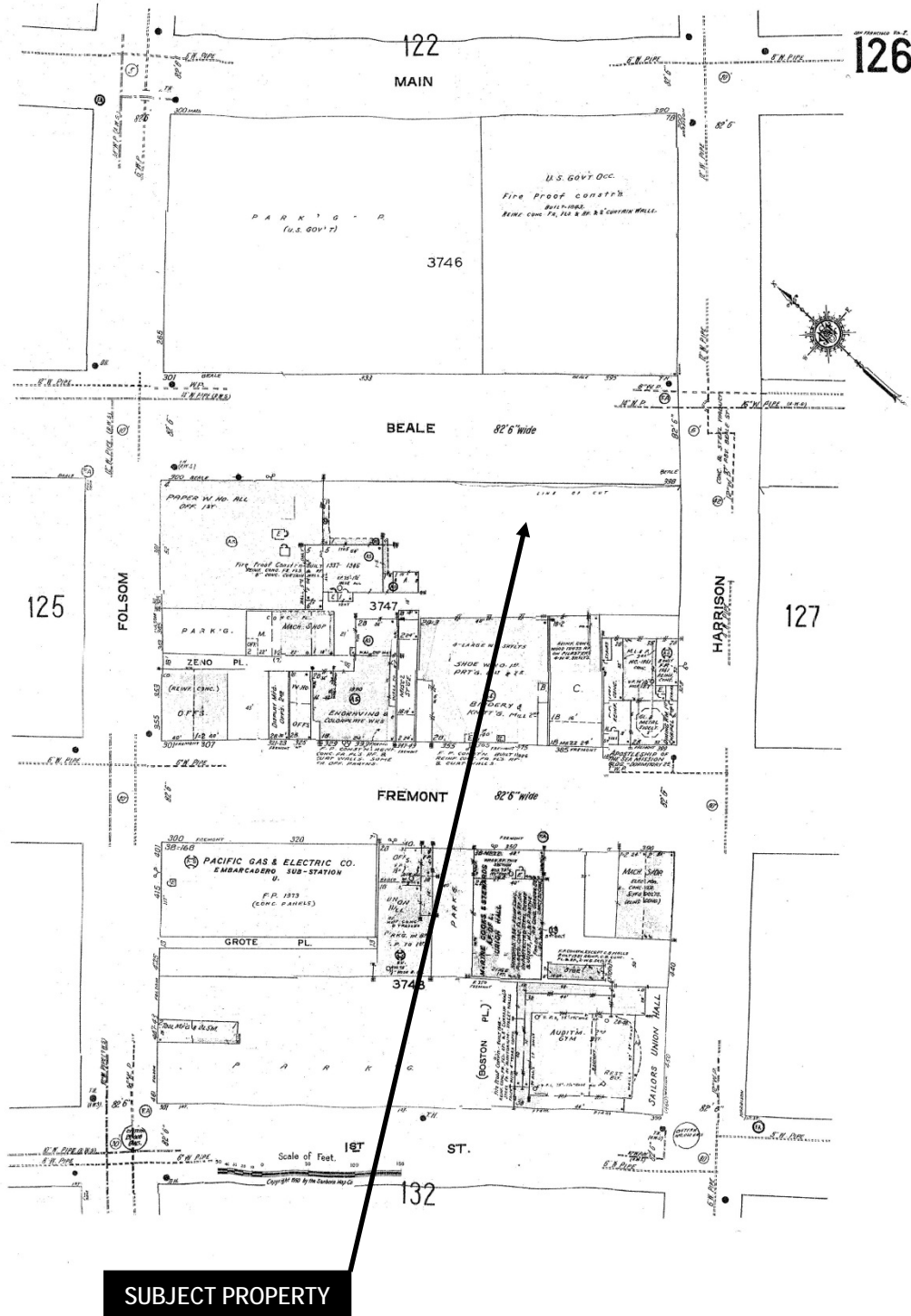


SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2014-003111CUA
 Community Commercial Parking Garage Use
 388 Beale Street

Sanborn Map*

THESE SANBORN MAPS ARE DATED TO THE MID 1990'S
USE ONLY FOR HISTORICAL CONTEXT

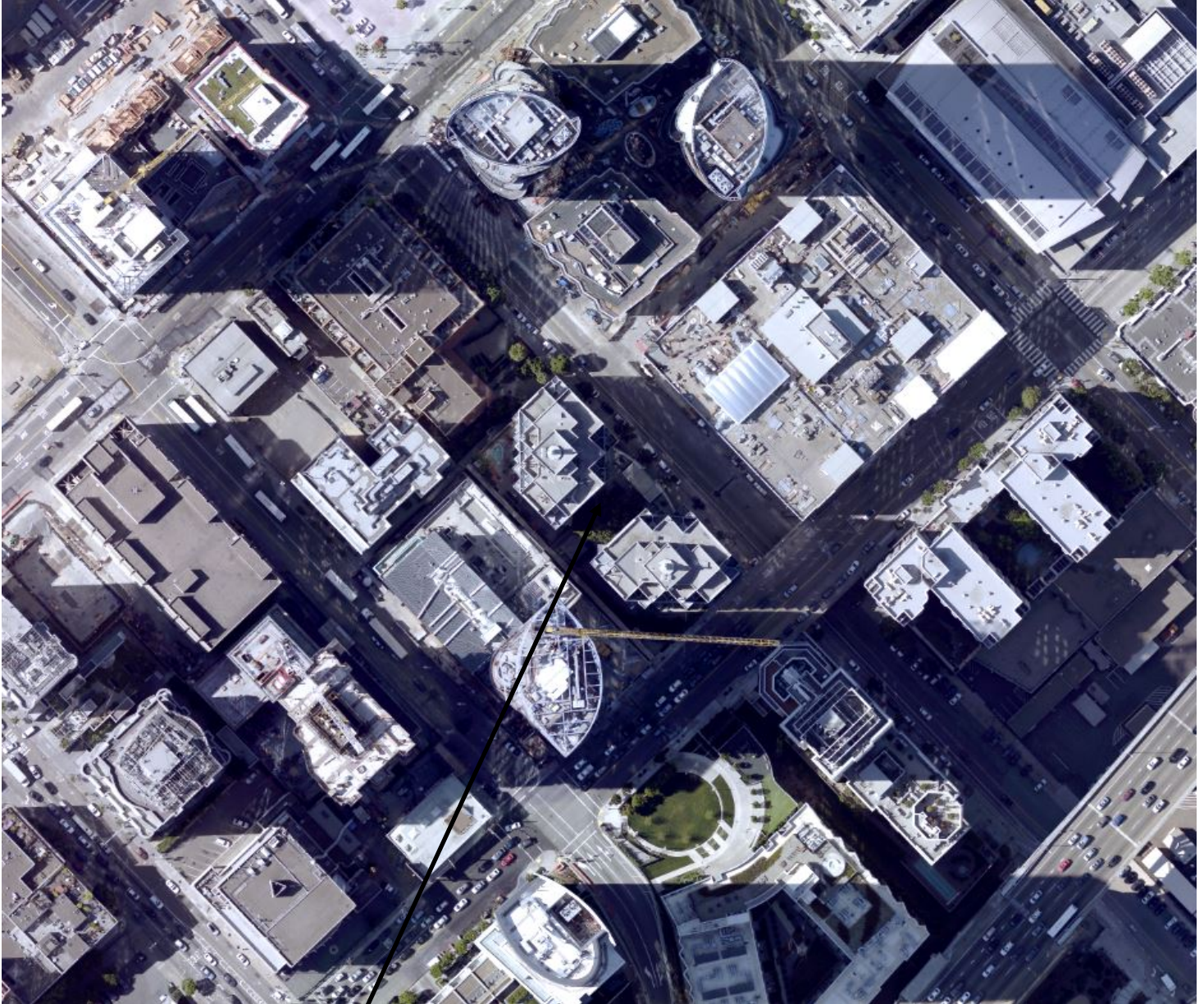


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Hearing
Case Number 2014-003111CUA
Community Commercial Parking Garage Use
388 Beale Street

Aerial Photo

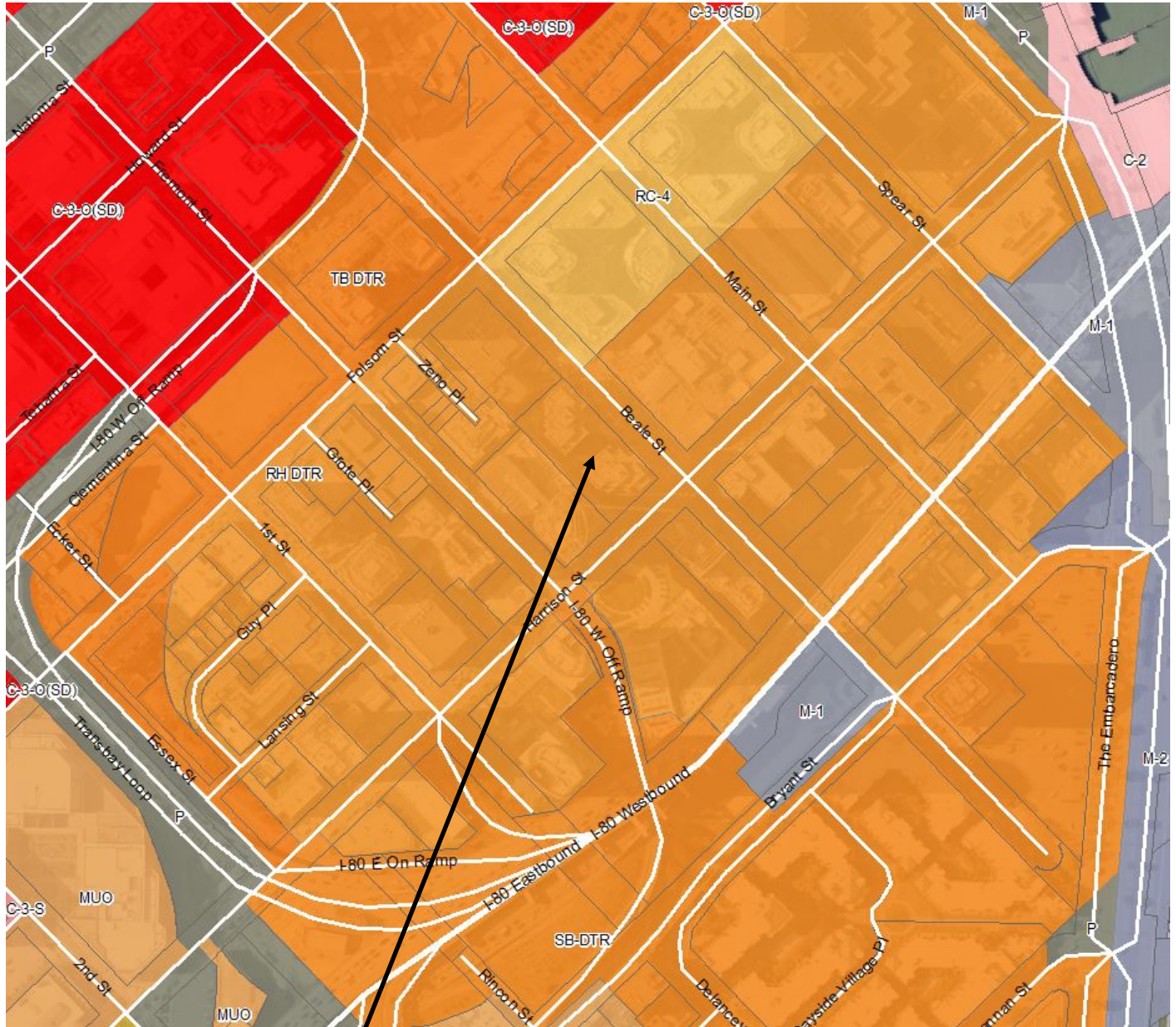


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2014-003111CUA
Community Commercial Parking Garage Use
388 Beale Street

Zoning Map

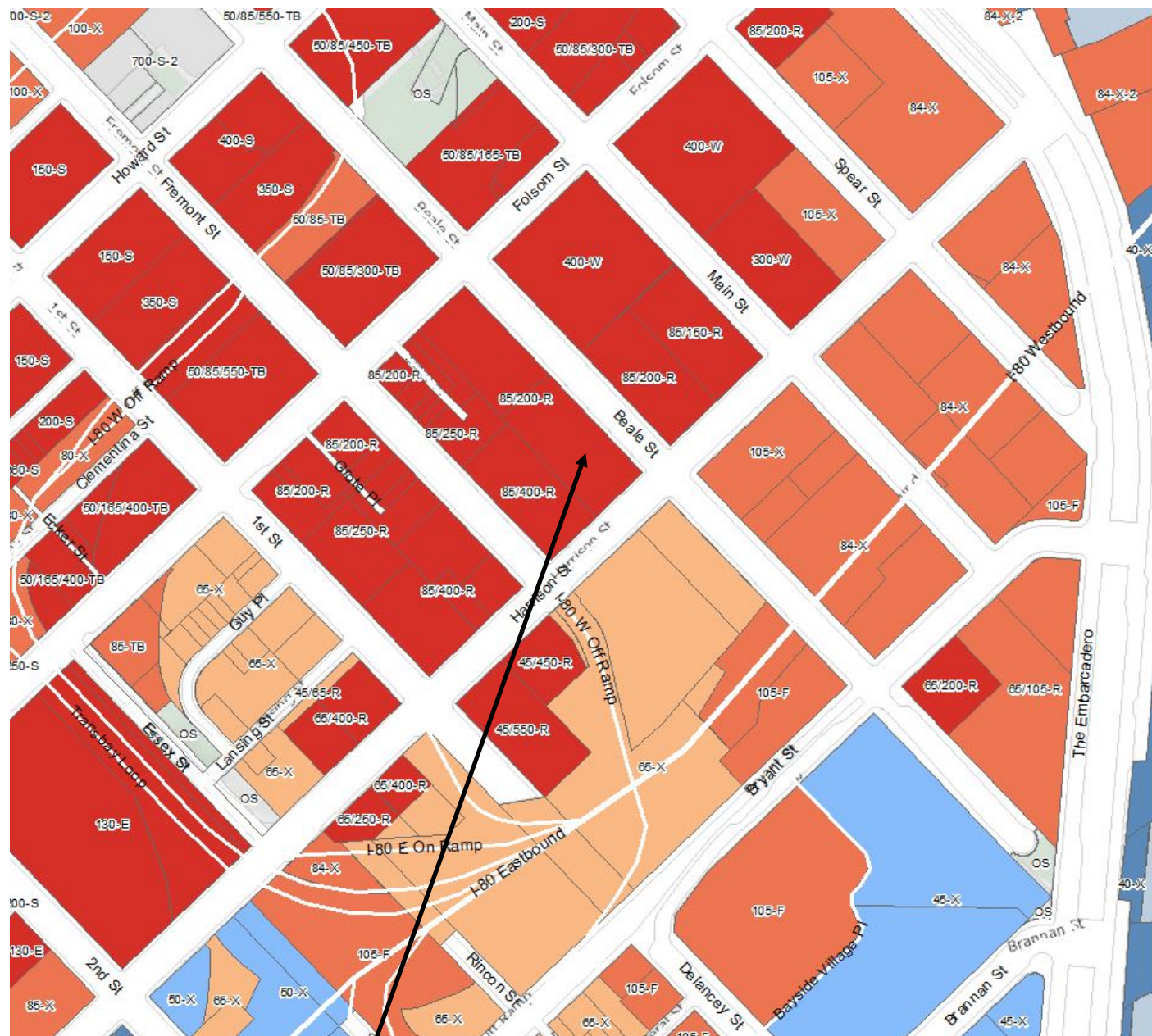


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2014-003111CUA
Community Commercial Parking Garage Use
388 Beale Street

Height and Bulk Map

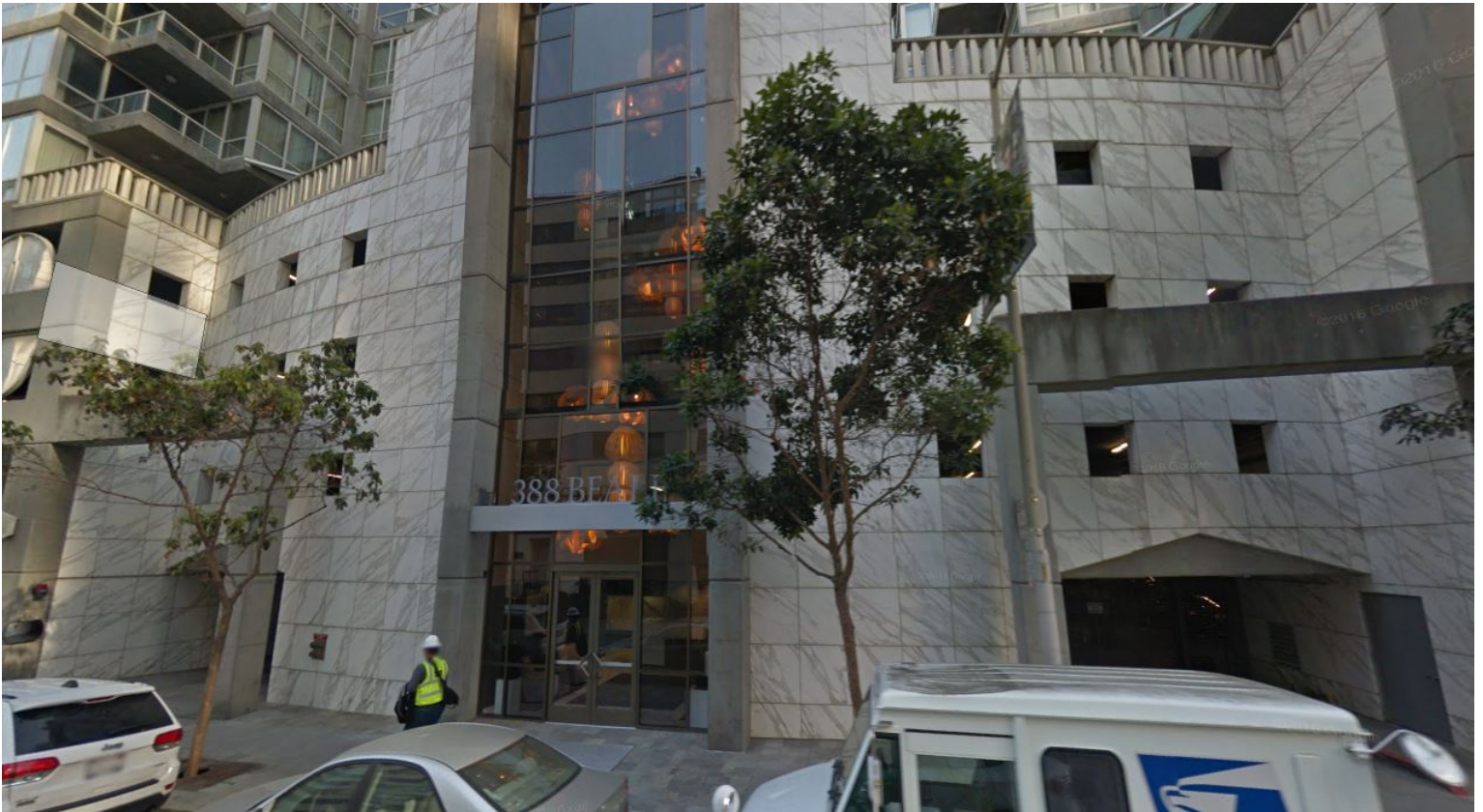


SUBJECT PROPERTY



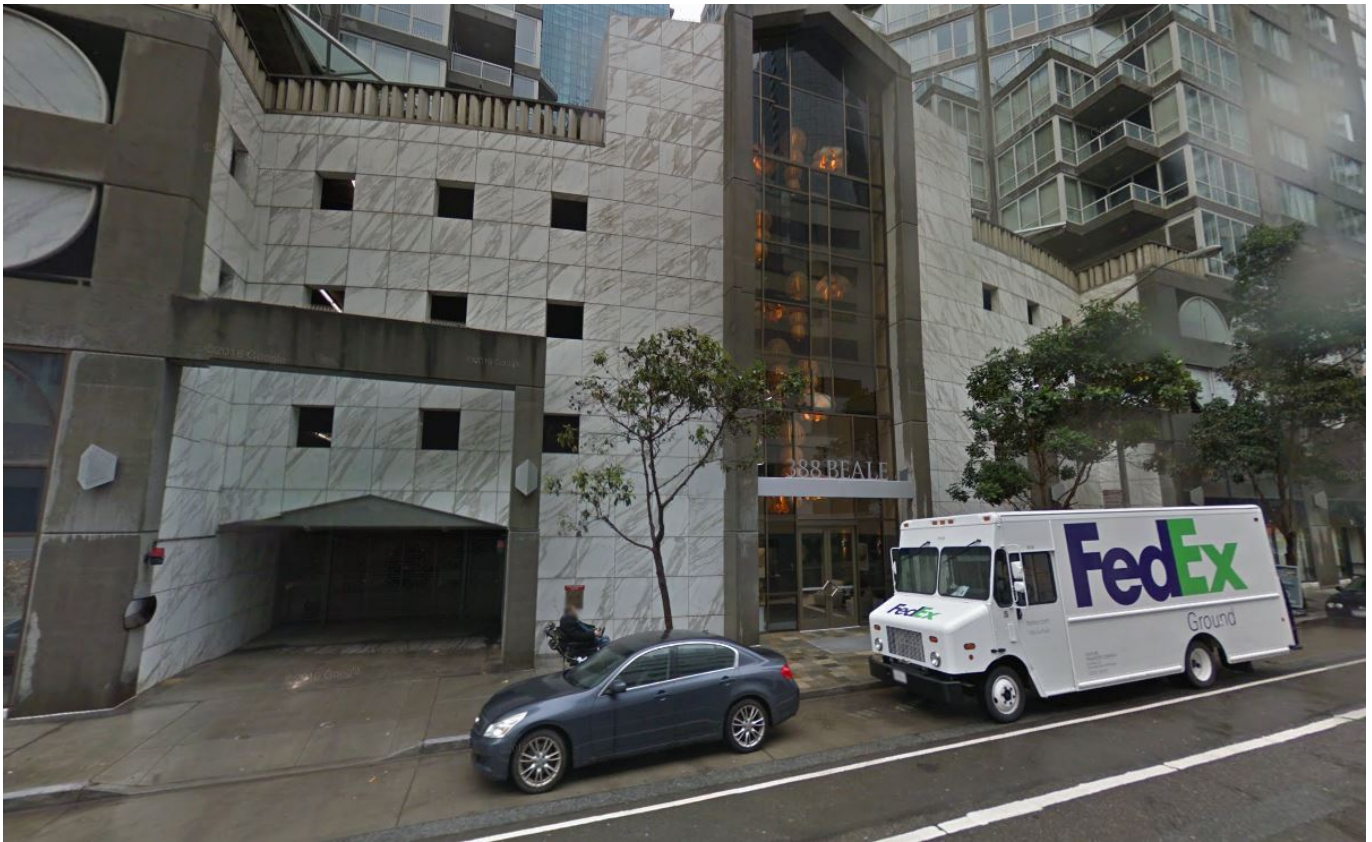
Conditional Use Hearing
Case Number 2014-003111CUA
 Community Commercial Parking Garage Use
 388 Beale Street

Site Photo



Conditional Use Hearing
Case Number 2014-003111CUA
Community Commercial Parking Garage Use
388 Beale Street

Site Photo



Conditional Use Hearing
Case Number 2014-003111CUA
Community Commercial Parking Garage Use
388 Beale Street

Site Photo



Conditional Use Hearing
Case Number 2014-003111CUA
Community Commercial Parking Garage Use
388 Beale Street

Site Photo



Conditional Use Hearing
Case Number 2014-003111CUA
Community Commercial Parking Garage Use
388 Beale Street

REUBEN, JUNIUS & ROSE, LLP

August 18, 2016

Sent By Email

President Rodney Fong and Commissioners
San Francisco Planning Commission
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 388 Beale Street Non-Accessory Parking Approval
Planning Case No.: 2014-003111CUA
Hearing Date: September 8, 2016
Our File: 7601.05

Dear President Fong and Commissioners:

This office represents UDR (the “**Property Owner**”), which seeks approval for non-accessory use of a portion of the existing parking garage at 388 Beale Street, between Folsom and Harrison Streets in the Rincon Hill Area (the “**Property**”).

388 Beale is an existing mixed-use building built in 1998 that has residential, retail and four levels of parking at grade level and above. The Property contains 233 parking spaces, including four car share spaces, as well as 16 motorcycle parking spaces and 30 bike parking spaces in a garage that is entirely screened from the right of way on Beale Street. A separate entrance and exit on Beale, both twelve feet wide, provide ingress and egress. Having a parking entrance on Beale minimizes interference with street-front active uses and the movement of pedestrians, cyclists, public transit and cars, as these uses are heavier on surrounding streets.

A. Project Overview

In order to make a more efficient use of the existing parking in the building and meet the request of area residents for additional parking, the Project proposes to rent out 40 unused automobile parking spaces and 10 motorcycle parking spaces as non-accessory parking (the “**Project**”). The Project will not make changes to the parking structure or building and will not add additional parking spaces.

The Project will benefit the Property and its residents by adding forty Class 1 bike parking spaces, bike repair equipment and a bike part vending machine in the garage, and two Class 2 bike parking spaces on Beale Street. The 30 bike parking spaces currently in the building are

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

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

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One Bush Street, Suite 600, San Francisco, CA 94104
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www.reubenlaw.com

provided by bike racks on the second, third and fourth levels that do not meet current bike rack requirements. In contrast, the Project will provide modern, convenient bike parking and repair equipment.

Parking Concepts, Inc. (the “**Parking Operator**”) has a permit to operate the facility with the San Francisco Police Department and has received the required Certificate of Authority (COA) from the City Tax Collectors Office. We now seek approval for the small portion of the parking garage to be rented for non-accessory use.

B. Project Benefits

The benefits of the Project include the following:

1. **Better utilizes parking on a streetfront appropriate for the use.** The parking is accessed from a small entrance and exit on Beale Street, a street that is not a major transit or bicycle corridor. Although very minimal traffic will be associated with the Project, the traffic that is produced will be directed towards a street better suited for it than many surrounding streets, making this an ideal location to meet parking demand.
2. **Uses existing parking for future developments in the area.** As the Rincon Hill area develops, it is expected that there will be additional demand for parking. The Project makes use of existing parking rather than proposing the construction of new parking.
3. **Adds bicycle parking to the Property.** The Project will benefit residents of the Property by adding a significant number of conveniently located bike parking spaces, as well as bike repair equipment. This will encourage residents to rely more on bicycle transportation and less on car transportation, thereby reducing car trips associated with the accessory use of the parking garage.
4. **Increases tax revenue for the City.** The Project will result in additional tax revenue to the City by making beneficial use of existing parking spaces.

C. Conclusion

The Project will allow increased demand for parking to be met as the Rincon Hill area develops, without the construction of additional parking spaces, and on a street better suited for parking

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REUBEN, JUNIUS & ROSE, LLP

President Rodney Fong and Commissioners
San Francisco Planning Commission
August 18 2016
Page 3

than many other streets in the area. It will also benefit the residents of the Property by adding modern, convenient bike parking.

We look forward to presenting this Project to you on September 8, 2016. Please let me know if you have any questions in advance of the hearing date.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Jody Knight

REUBEN, JUNIUS & ROSE, LLP

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tel: 510-257-5589

www.reubenlaw.com

BIKE PARKING GARAGE PLAN

388 BEALE STREET
SAN FRANCISCO,CA

FOR
REUBEN, JUNIUS & ROSE LLP
1 BUSH ST.
SAN FRANCISCO, CA 94104

ARCHITECT:
ARCHITECTURAL DIMENSIONS
300 FRANK H. OGAWA PLAZA, SUITE 375
OAKLAND, CALIFORNIA 94612
TEL: (510) 463-8300, FAX: (510) 463-8395

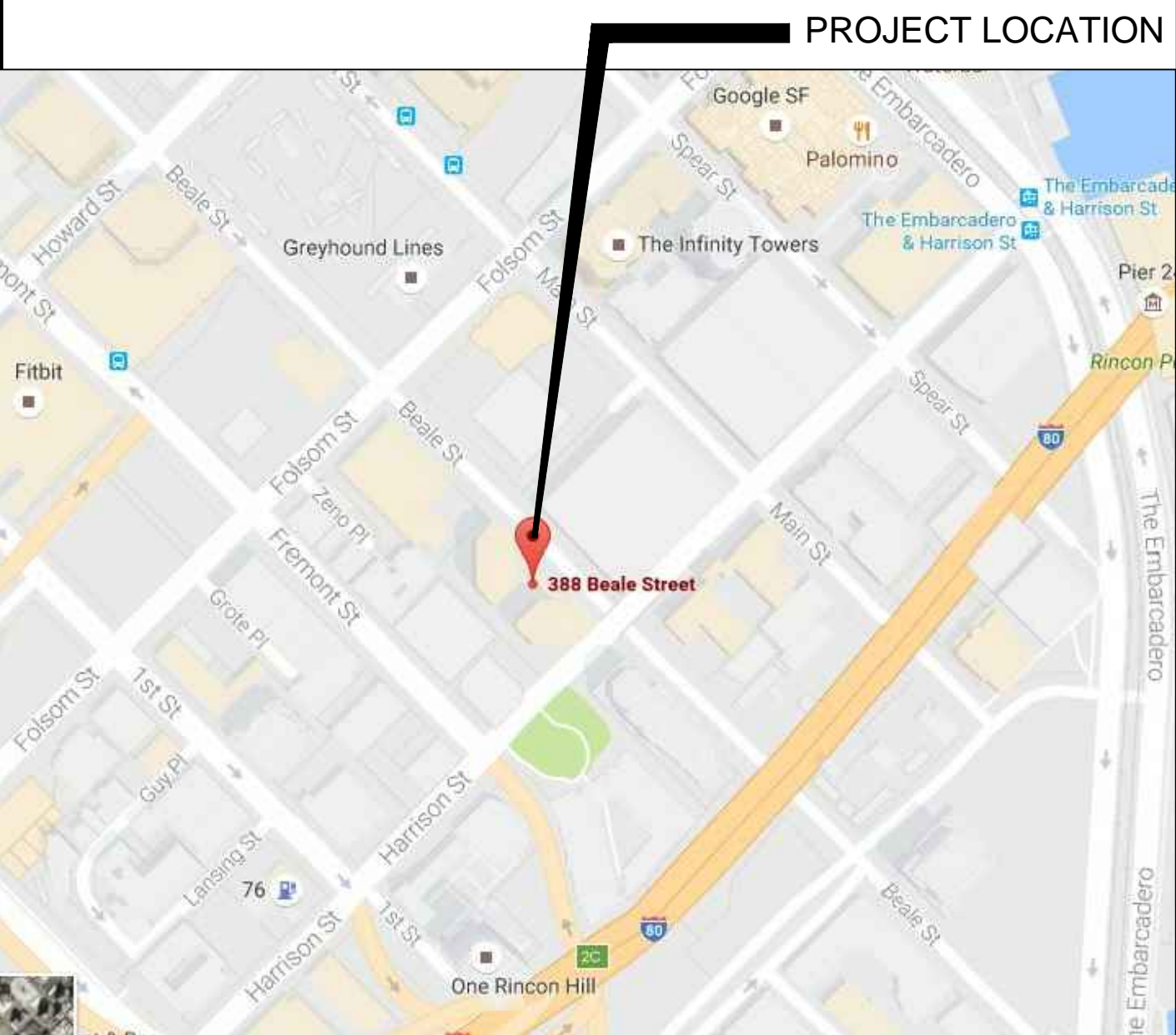
PROJECT DESCRIPTION

THIS PROJECT PROPOSES ADDING BIKE PARKING SPACES TO AN EXISTING GARAGE TO MEET THE REQUIREMENT OF THE CURRENT ZONING CODES.

DRAWING INDEX

DR-1.0	TITLE SHEET
DR-1.1	EXISTING GROUND LEVEL PARKING PLAN
DR-1.2	EXISTING SECOND LEVEL PARKING PLAN
DR-1.3	EXISTING THIRD LEVEL PARKING PLAN
DR-1.4	EXISTING FOURTH LEVEL PARKING PLAN
DR-2.1	PROPOSED GROUND LEVEL PARKING PLAN
DR-2.2	PROPOSED SECOND LEVEL PARKING PLAN
DR-2.3	PROPOSED THIRD LEVEL PARKING PLAN
DR-2.4	PROPOSED FOURTH LEVEL PARKING PLAN

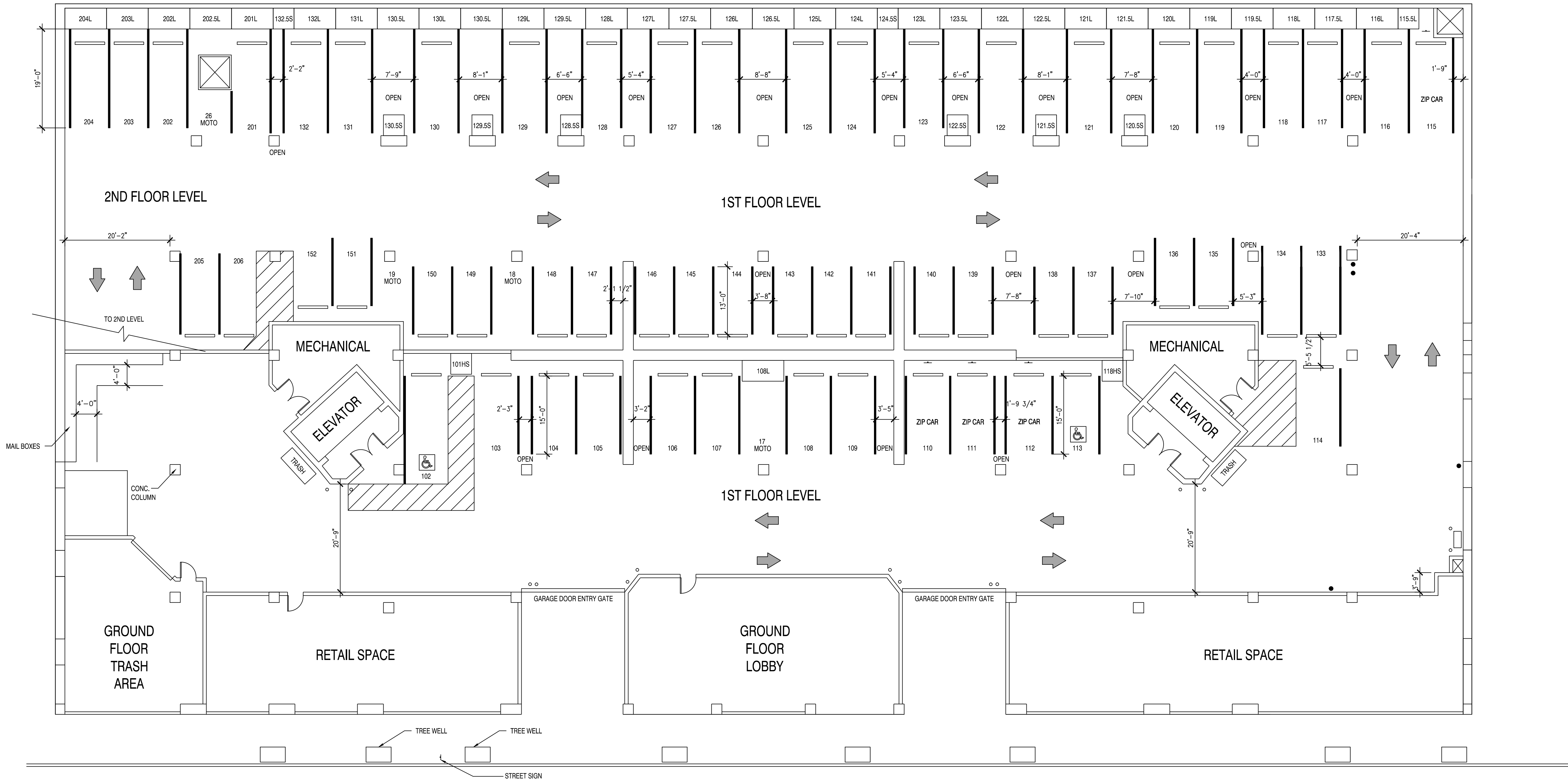
VICINITY MAP



SUBMITTED TO:

CITY OF SAN FRANCISCO PLANNING DEPT.

ARCHITECTURAL DIMENSIONS	300 Frank H. Ogawa Plaza, Suite 375 Oakland, CA 94612 TEL. 510.463.8300 • FAX. 510.463.8395	PROJECT INFO.		JOB NO. RJ005	DRAWING NO. DR-1.0
				DATE. 08/05/16	



(E) GROUND LEVEL PARKING PLAN

SCALE: 3/32" = 1'-0"



E) GROUND LVL. PARKING COUNT

PARKING STALLS	
VEHICULAR PARKING STALLS	51
CAR SHARE SPACES (ZIP CAR)	4
H.C. ACCESSIBLE STALLS	2
(E) TOTAL GROUND LVL. PARKING COUNT	57 SPACES

(E) MOTORCYCLE PARKING STALLS 4 SPACES

(E) BIKE SPACES 0 SPACES

(E) NON BICYCLE PERSONAL STORAGE LOCKERS

4'X8' STORAGE LOCKERS	32
4'X4' STORAGE LOCKERS	11

(E) GROUND LVL. TOTAL LOCKERS 43 LOCKERS

LEGEND

	8' x 4' x 8' NON BICYCLE PERSONAL STORAGE
	4' x 4' x 8' NON BICYCLE PERSONAL STORAGE

ARCHITECTURAL

DIMENSIONS

300 Frank H. Ogawa Plaza Oakland, CA 94612
TEL. 510.463.8300 • FAX. 510.463.8395

GARAGE PLAN
388 BEALE STREET
SAN FRANCISCO, CA
REUBEN, JUNIUS & ROSE LLP
1 BUSH ST.
SAN FRANCISCO, CA 94104

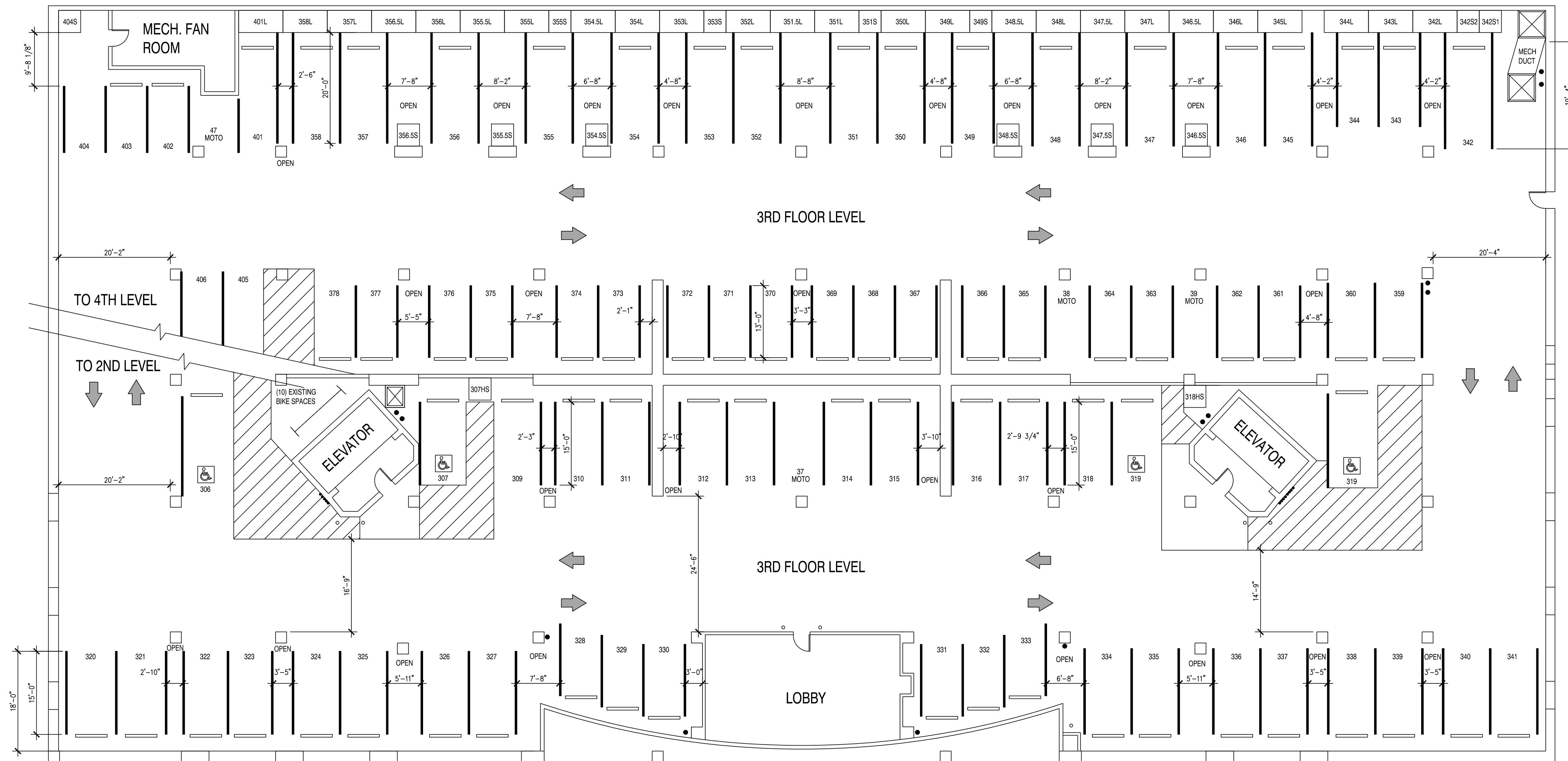
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(E) THIRD LEVEL PARKING PLAN

SCALE: 3/32" = 1'-0"



(E) PARKING STALLS

VEHICULAR PARKING STALLS	75
H.C. ACCESSIBLE STALLS	4

(E) THIRD LVL. TOTAL PARKING COUNT 79 SPACES

(E) MOTORCYCLE PARKING STALLS 4 SPACES

(E) BIKE SPACES
(SINGLE LONG RACK) 10 SPACES

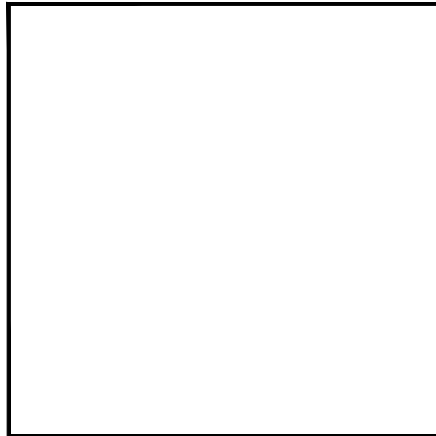
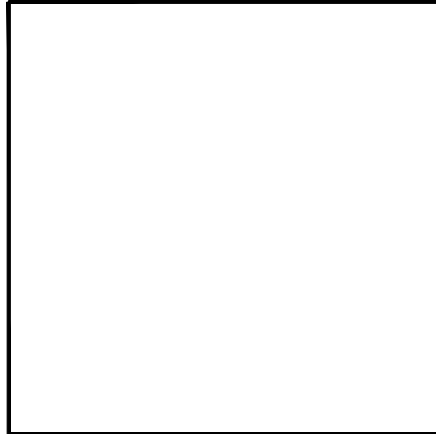
(E) NON BICYCLE PERSONAL STORAGE LOCKERS

4'X8' STORAGE LOCKERS	25
4'X4' STORAGE LOCKERS	15

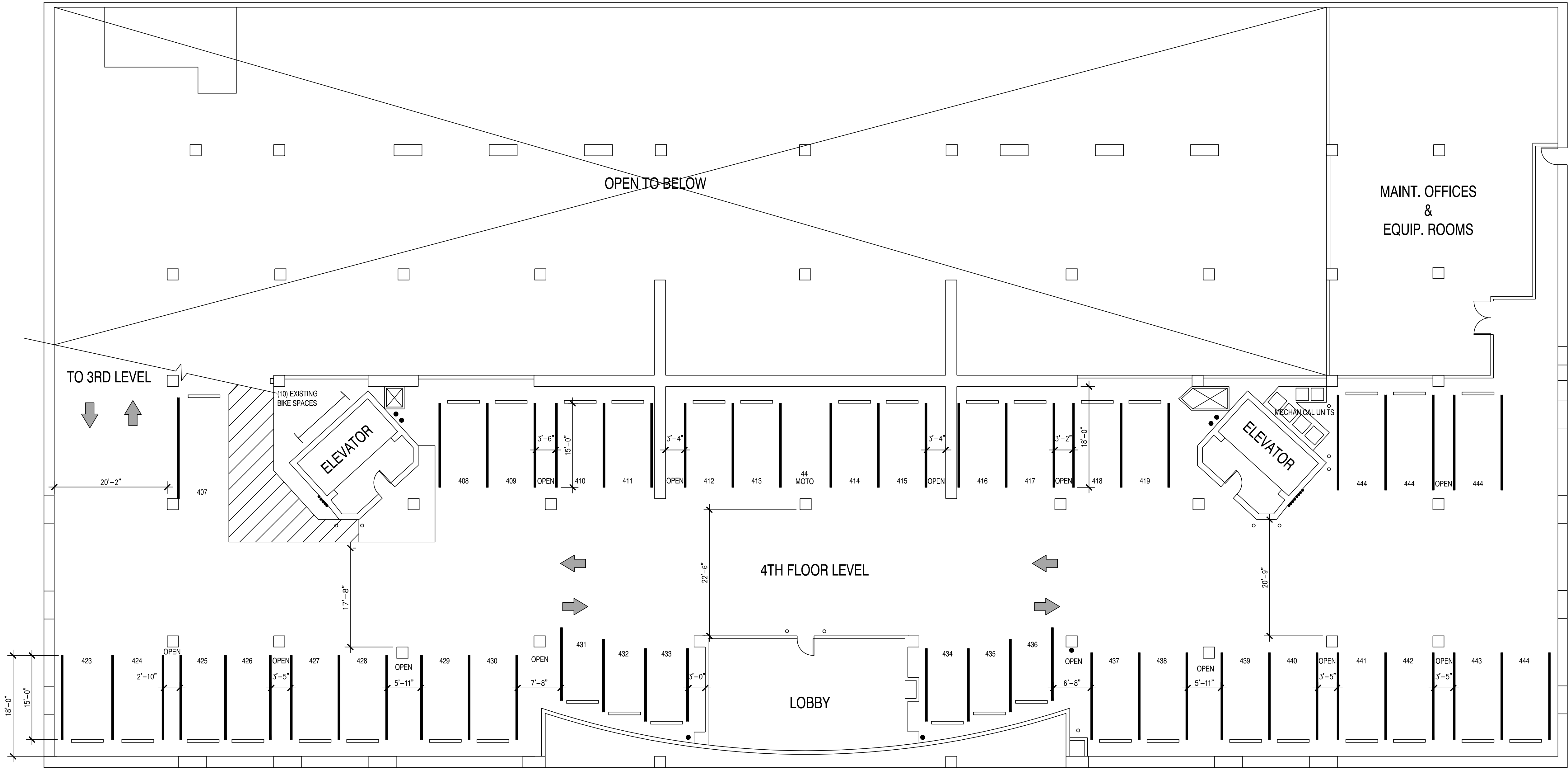
(E) THIRD LVL. TOTAL LOCKERS 40 LOCKERS

LEGEND

	8' x 4' x 8' NON BICYCLE PERSONAL STORAGE
	4' x 4' x 8' NON BICYCLE PERSONAL STORAGE
	(E) 10 SPACE BIKE RACK



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SHEET NUMBER DR-1.4		



(E) FOURTH LEVEL PARKING PLAN

SCALE: 3/32" = 1'-0"

NORTH

(E) PARKING STALLS

VEHICULAR PARKING STALLS 38
H.C. ACCESSIBLE STALLS 0

(E) FOURTH LVL. TOTAL PARKING COUNT 38 SPACES

(E) MOTORCYCLE PARKING STALLS 1 SPACE

(E) BIKE SPACES 10 SPACES
(SINGLE LONG RACK)

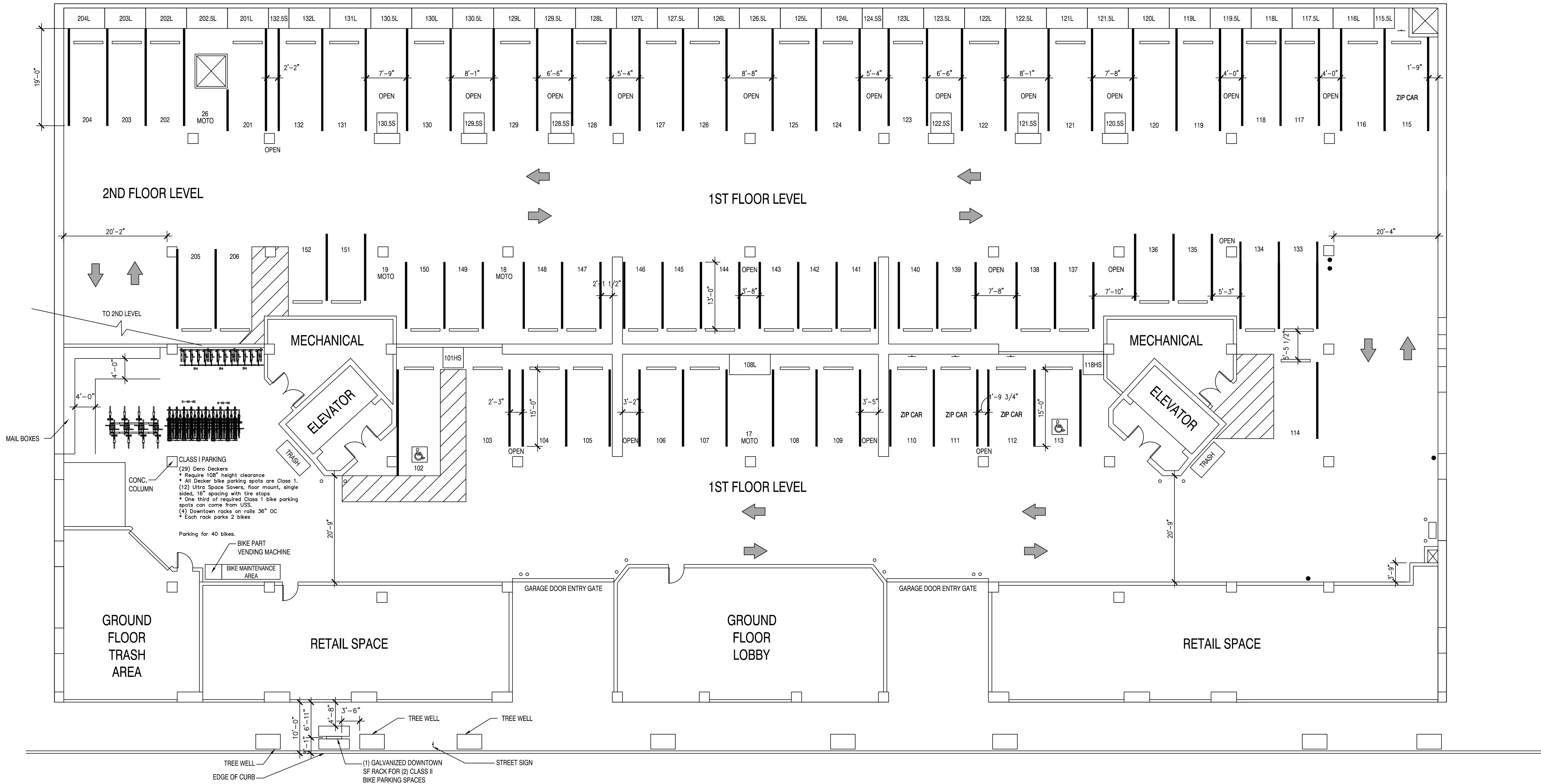
(E) NON BICYCLE PERSONAL STORAGE LOCKERS

4'X8' STORAGE LOCKERS 0
4'X4' STORAGE LOCKERS 0

(E) FOURTH LVL. TOTAL COUNT 0

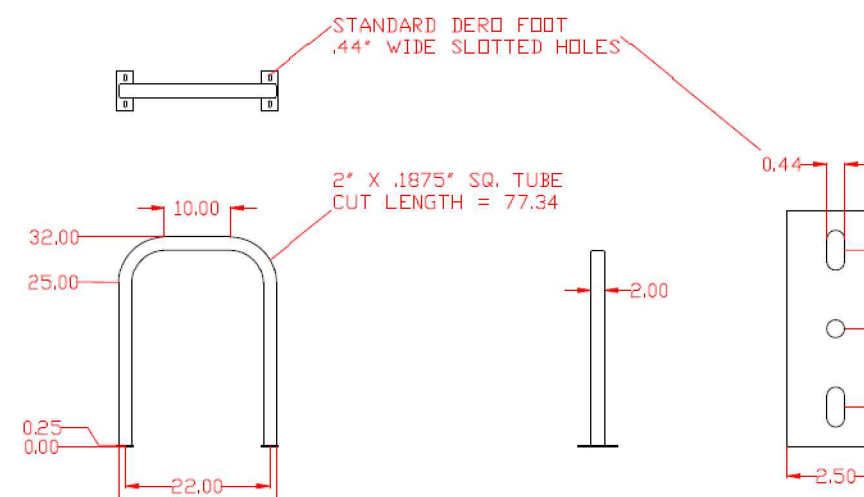
LEGEND

- 8' X 4' X 8' NON BICYCLE PERSONAL STORAGE
- 4' X 4' X 8' NON BICYCLE PERSONAL STORAGE
- (E) 10 SPACE BIKE RACK



PROPOSED GROUND LEVEL PARKING PLAN

SCALE: 3/32" = 1'-0"



1 CLASS 1 AND 2 BIKE RACK, SURFACE MOUNT
SCALE: NTS.
MANUFACTURER: Derovations Corp.
MODEL 1001516-B

(E) GROUND LVL. PARKING COUNT

PARKING STALLS	
VEHICULAR PARKING STALLS	51
CAR SHARE SPACES (ZIP CAR)	4
H.C. ACCESSIBLE STALLS	2
(E) TOTAL GROUND LVL. PARKING COUNT	57 SPACES

(E) MOTORCYCLE PARKING STALLS 4 SPACES

(E) BIKE SPACES 0 SPACES

PROPOSED BIKE SPACES	
TOTAL CLASS I SPACES	40
TOTAL CLASS II SPACES	2

TOTAL PROPOSED GROUND LVL. BIKE SPACES 42 SPACES

(E) NON BICYCLE PERSONAL STORAGE LOCKERS

4'X8' STORAGE LOCKERS	32
4'X4' STORAGE LOCKERS	11
(E) GROUND LVL. TOTAL LOCKERS	43 LOCKERS

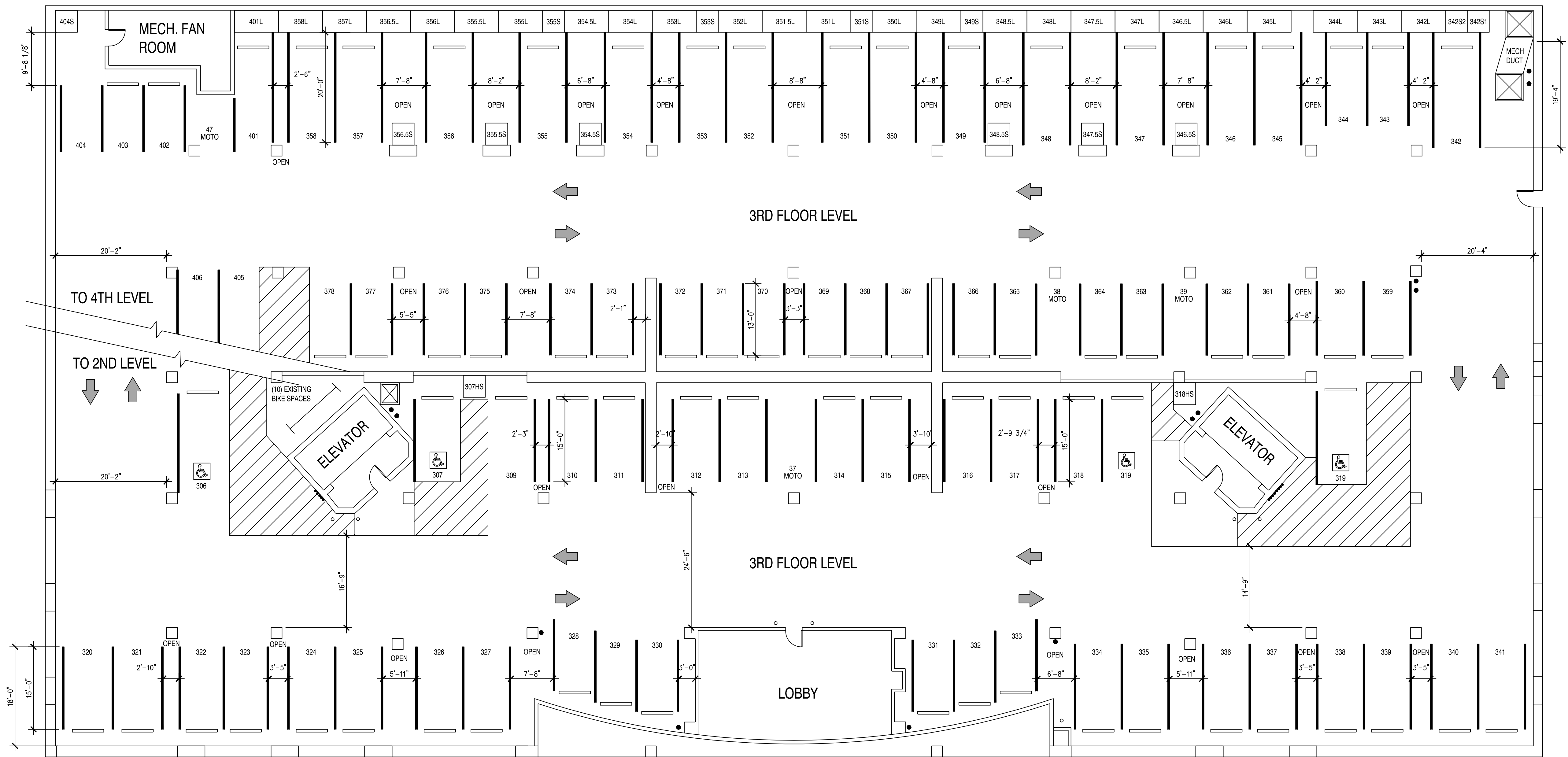
LEGEND

	8' x 4' x 8' NON BICYCLE PERSONAL STORAGE
	4' x 4' x 8' NON BICYCLE PERSONAL STORAGE

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PROPOSED THIRD LEVEL PARKING PLAN
SCALE: 3/32" = 1'-0" (NO CHANGE FROM EXISTING)



(E) PARKING STALLS

VEHICULAR PARKING STALLS 75
H.C. ACCESSIBLE STALLS 4

(E) THIRD LVL. TOTAL PARKING COUNT 79 SPACES

(E) MOTORCYCLE PARKING STALLS 4 SPACES

(E) BIKE SPACES
(SINGLE LONG RACK) 10 SPACES

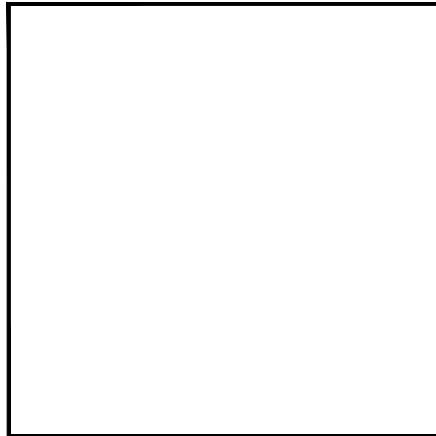
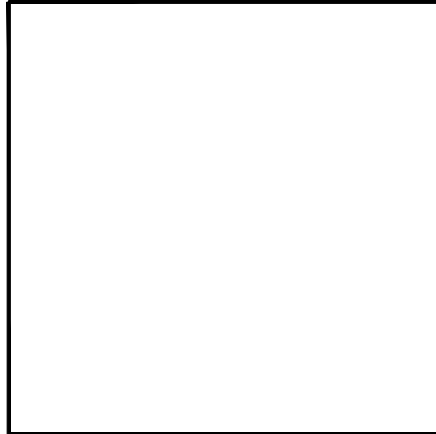
(E) NON BICYCLE PERSONAL STORAGE LOCKERS

4'X8' STORAGE LOCKERS 25
4'X4' STORAGE LOCKERS 15

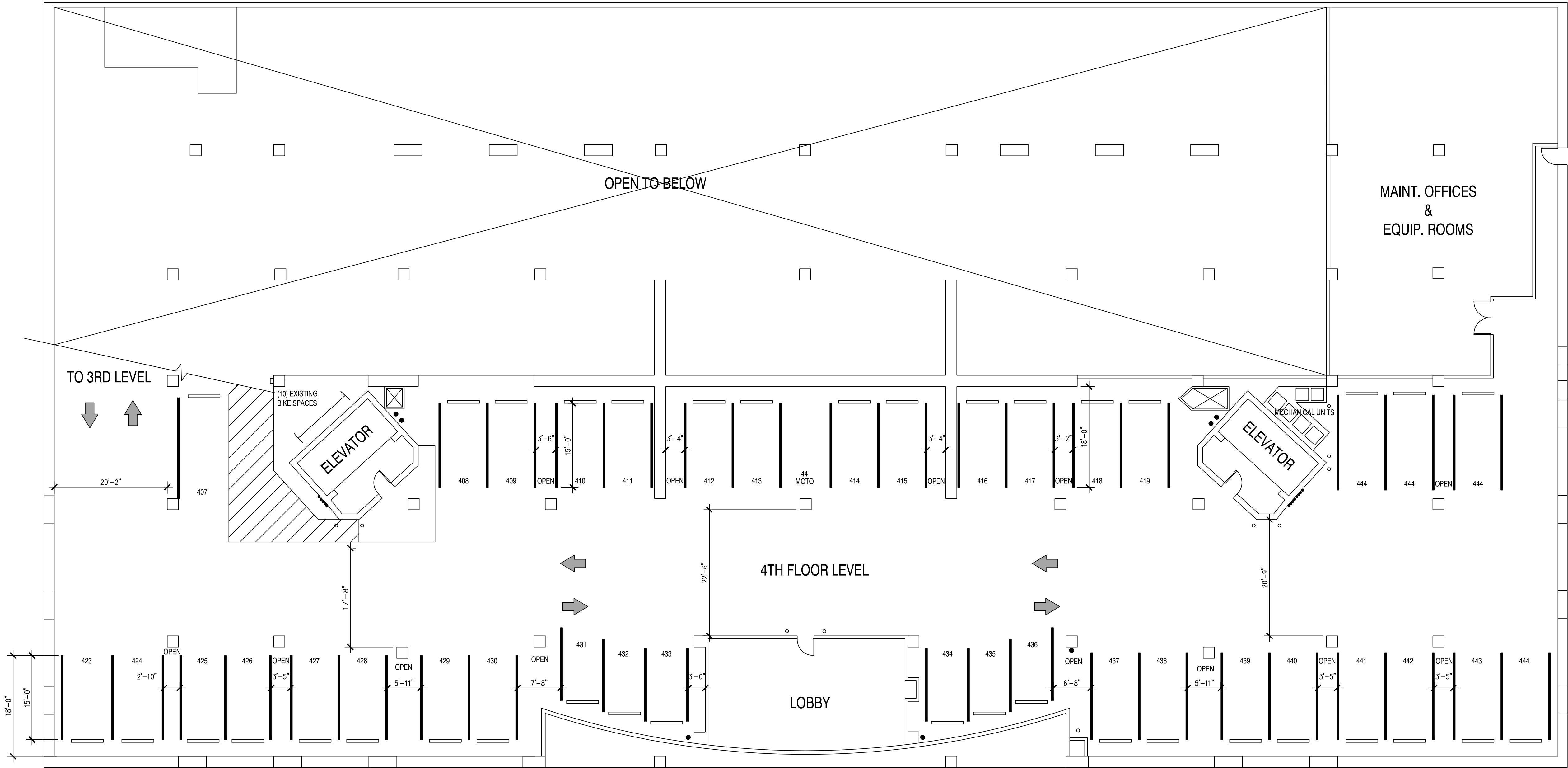
(E) THIRD LVL. TOTAL LOCKERS 40 LOCKERS

LEGEND

- 8' x 4' x 8' NON BICYCLE PERSONAL STORAGE
- 4' x 4' x 8' NON BICYCLE PERSONAL STORAGE
- (E) 10 SPACE BIKE RACK



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SHEET NUMBER DR-2.4		



(E) FOURTH LEVEL PARKING PLAN

SCALE: 3/32" = 1'-0"

NORTH

(E) PARKING STALLS		
VEHICULAR PARKING STALLS	38	LEGEND
H.C. ACCESSIBLE STALLS	0	
(E) FOURTH LVL. TOTAL PARKING COUNT	38 SPACES	8' X 4' X 8' NON BICYCLE PERSONAL STORAGE
(E) MOTORCYCLE PARKING STALLS	1 SPACE	
(E) BIKE SPACES (SINGLE LONG RACK)	10 SPACES	4' X 4' X 8' NON BICYCLE PERSONAL STORAGE
(E) NON BICYCLE PERSONAL STORAGE LOCKERS		(E) 10 SPACE BIKE RACK
4'X8' STORAGE LOCKERS	0	
4'X4' STORAGE LOCKERS	0	
(E) FOURTH LVL. TOTAL LOCKERS	0	