



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization & Planned Unit Development

HEARING DATE: AUGUST 6, 2015

Date: July 30, 2015
Case No.: **2014.0954C**
Project Address: **1314 Fitzgerald Avenue & 1409 Egbert Avenue**
Zoning: PDR-1-B (Production, Distribution & Repair-Light Industrial Buffer) & PDR-2 (Core Production, Distribution, and Repair-Bayview) District
40-X Height and Bulk District
Block/Lot: 4912/001, 002 and 016
Project Sponsor: Alice Barkley, Duane Morris
1 Market Plaza, Spear Tower, Ste. 2200
San Francisco, CA 94105
Staff Contact: Richard Sucré – (415) 575-9108
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposed project would subdivide the existing three lots on the project site into four new lots, demolish six smaller-scale industrial buildings (collectively measuring approximately 27,170 square feet) and construct two new, larger-scale industrial buildings (each measuring 14,100 square feet; collectively measuring 28,200 square feet). The two new industrial buildings would be used for light manufacturing, and would be approximately 30-ft tall in height with a clear interior ceiling height of 25-ft 8-in. The two new industrial buildings would be subdivided into smaller commercial units, each measuring approximately 3,525 square feet. The project would retain an existing one-and-one-half-story industrial building (1324 Fitzgerald Street/1439 Egbert Avenue; measuring approximately 22,000 square feet) and the three, two-story, mixed-use buildings with ground floor retail (collectively measuring 2,425 square feet) and approximately five dwelling units (1401 Egbert Avenue/2814-2822 Jennings Street; 2824-2836 Jennings Street; 1300-1306 Fitzgerald Avenue) located along Jennings Street between Egbert and Fitzgerald Avenues. As part of the lot line subdivision, the project would provide for a rear yard for the adjacent mixed-use buildings, which front onto Jennings Street. The four new lots would be subdivided to align to the existing and proposed buildings on the project site.

SITE DESCRIPTION AND PRESENT USE

The proposed project is located on the east side of the block bounded by Fitzgerald Avenue, Jennings Street and Egbert Avenue, on Block 4912, Lots 001, 002 and 016. Collectively, the project site has approximately 300-ft of frontage along Egbert Avenue, 300-ft of frontage along Fitzgerald Avenue, and 200-ft of frontage along Jennings Street. The subject lots collectively measure 60,000 square feet. Currently, the project site is developed with ten (10) buildings, including:

- 1401 Egbert Avenue/2814-2822 Jennings Street (Block 4912, Lot 001) – a two-story mixed-use building located at the southeast corner of Egbert Avenue and Jennings Street with ground floor commercial use, and a second floor residential use (approximately 5,586 square feet);
- 1405 Egbert Avenue (Block 4912, Lot 001) – a one-story industrial building (approximately 18-ft tall) fronting onto Egbert Avenue (approximately 2,680 square feet);
- 2824-2836 Jennings Street (Block 4912, Lot 002) – a two-story mixed-use building with frontage onto Jennings Street with ground floor commercial use and a second floor residential use (approximately 3,920 square feet);
- 1300-1306 Fitzgerald Avenue (Block 4912, Lot 002) – a two-story mixed-use building (approximately 19- to 21-ft tall) at the northwest corner of Fitzgerald Avenue and Jennings Street with residential and commercial uses on the ground floor, and residential use on the second floor (approximately 2,806 square feet);
- 1314-1318 Fitzgerald Avenue (Block 4912, Lot 002) – a double-height one-story industrial building (approximately 18-ft tall) with frontage onto Fitzgerald Avenue (approximately 4,971 square feet) that reads contiguously with 1318-1320 Fitzgerald Avenue and 1322 Fitzgerald Avenue;
- 1324 Fitzgerald Avenue (Block 4912, Lot 016) – a double-height one-story industrial building (approximately 18-ft tall) with frontage onto Fitzgerald Avenue and Egbert Avenue (approximately 25,300 square feet);
- 1425-1427 Egbert Avenue (Block 4912, Lot 016) – a two-story barn-like industrial building (approximately 35-ft tall) with corrugated metal siding with frontage onto Egbert Avenue (approximately 5,530 square feet);
- 1419 Egbert Avenue (Block 4912, Lot 016) – a one-story industrial building with a gable roof (approximately 18-ft) with frontage onto Egbert Avenue (approximately 4,312 square feet);
- 1322 Fitzgerald Avenue (Block 4912, Lot 016) – a one-story industrial building (approximately 21-ft tall) with frontage onto both Fitzgerald Avenue and Egbert Avenue that reads contiguously with 1314-1318 Fitzgerald Avenue and 1318-1320 Fitzgerald Avenue (approximately 4,724 square feet);
- 1318-1320 Fitzgerald Avenue (Block 4912, Lot 016) – a one-story irregularly-shaped industrial building (approximately 18-ft tall) with frontage on Fitzgerald Avenue that reads contiguously with 1314-1318 Fitzgerald Avenue and 1322 Fitzgerald Avenue (approximately 4,953 square feet); and,
- Building 10 (Block 4912, Lot 016; no address) – a rectangular car port/shed with no walls and no street frontage constructed between Buildings 6, 8 and 9 (approximately 502 square feet).

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is industrial in character to the north, and residential in character to the south and east. Adjacent to the project site to the west is a larger-scale, two-story industrial property. Directly south of the project site across Fitzgerald Avenue are several two-story single-family residences. To the north of the project site are several one-to-two-story industrial properties with large-scale roll-up

doors and wide curb cuts. The project site is located across two zoning districts: PDR-2 to the north, and PDR-1-B to the south. Nearby zoning districts include: RM-1 (Residential, Mixed, Low Density), RH-1 (Residential, House, One-Family), M-1 (Light Industrial) and NC-3 (Moderate-Scale Neighborhood Commercial).

ENVIRONMENTAL REVIEW

On March 26, 2015, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 15302(b) Categorical Exemption under CEQA, as described in the determination contained in the Planning Department files for this Project.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	10 days	July 27, 2015	July 17, 2015	20 days
Posted Notice	10 days	July 27, 2015	July 17, 2015	20 days
Mailed Notice	10 days	July 27, 2015	July 15, 2015	22 days

PUBLIC COMMENT

As of July 30, 2015, the Department has received two inquiries about the project. These inquiries have not expressed either support or opposition to the project.

ISSUES AND OTHER CONSIDERATIONS

- Bayview Hunters Point Citizens Advisory Committee (CAC): Per Section 5.70 and 5.71 of the Administrative Code, the project was forwarded to the Bayview Hunters Point CAC. The Bayview Hunters Point CAC is scheduled to review the project at its regular meeting on August 5, 2015. At the public hearing on August 6, 2015, the Department shall provide an update to the Commission based upon the review of the Bayview Hunters Point CAC.
- General Plan: The Commerce and Industry Element of the General Plan contains objectives and policies that encourage the retention of existing commercial and industrial uses. The proposal would be consistent with the area's light industrial character by providing a new industrial building, which would create new jobs and support industrial activities within the surrounding area. This new use would be consistent with the immediate area's mixed character.
- Subdivision of Large Lots in PDR Districts: The Project currently includes three lots, which measure: 1) 75-ft by 100-ft (7,500 square feet); 2) 75-ft by 100-ft (7,500 square feet); and, 3) 200-ft by 225-ft (45,000 square feet). The existing buildings are constructed across these three lots, and do not align to the proposed lot pattern. The Project would reconfigure these three existing lots into four new lots, which would align with the configuration of the existing and proposed buildings. The four new lots would measure: 1) 47-ft by 200-ft (9,400 square feet); 2) 100-ft by 141-ft (14,100 square feet); 100-ft by 141-ft (14,100 square feet); and 112-ft by 200-ft (22,400 square feet). The Department supports the subdivision of these large lots given the merits of the Project.

- Planned Unit Development Modifications: As part of the Planned Unit Development (PUD) authorization, the Commission may grant modifications from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The project requests modifications from the off-street parking requirements. Department staff is generally in agreement with the proposed modifications given the overall project, its public improvement and reduced parking spaces.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Conditional Use Authorization and Planned Unit Development (PUD), pursuant to Planning Code Sections 121.9, 151, 303 and 304, to allow the subdivision of three large lots within a PDR Zoning District, to allow the demolition of six smaller-scale industrial buildings and new construction of two new, larger-scale industrial buildings (collectively measuring 28,200 square feet), and to allow modification to the requirements for off-street parking (Planning Code Section 151).

BASIS FOR RECOMMENDATION

- The Project establishes a new industrial use within a mixed area that borders residential and light industrial activity.
- The Project would construct a new industrial building, which would meet the needs of contemporary light industrial uses.
- The Project would not displace any of the existing retail tenant or residential units.
- The Project would be consistent with the light industrial character of the immediate neighborhood, would be in harmony with the uses and development patterns found within the immediate vicinity, and would assist in maintaining the area's diverse economic base.
- 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:

Parcel Map
Sanborn Map
Aerial Photographs
Zoning Map
Site Photos
Architectural Drawings
Project Sponsor Brief
Environmental Determination

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 | <input type="checkbox"/> Health Dept. Review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

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

RS

Planner's Initials

RS: G:\Documents\Conditional Use Authorization\2014.0954C 1300 Fitzgerald Ave\Executive Summary_1300 Fitzgerald Ave.doc



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 checked="" type="checkbox"/> Other (TIDF, Sec. 411) |

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Planning Commission Draft Motion

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San Francisco, CA 94105
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucresf.gov
Recommendation: **Approval with Conditions**

ADOPT FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION FOR A PLANNED UNIT DEVELOPMENT TO SUBDIVIDE LARGE LOTS IN A PDR DISTRICT, DEMOLISH SIX INDUSTRIAL BUILDINGS, AND CONSTRUCT TWO NEW INDUSTRIAL BUILDINGS (COLLECTIVELY MEASURING APPROXIMATELY 28,200 SQUARE FEET) PURSUANT TO SECTIONS 121.9, 151, 303 AND 304 OF THE PLANNING CODE WITH A MODIFICATION TO THE REQUIREMENTS FOR OFF-STREET PARKING (PLANNING CODE SECTION 151) WITHIN THE PDR-1-B (PRODUCTION, DISTRIBUTION AND REPAIR-LIGHT INDUSTRIAL BUFFER) AND PDR-2 (CORE PRODUCTION, DISTRIBUTION, AND REPAIR-BAYVIEW) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND TO ADOPT FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND PLANNING CODE SECTION 101.1.

PREAMBLE

On August 14, 2014, Alice Barkley of Duane Morris on behalf of 1357-1359 Masonic LLC (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Planned Unit Development and Conditional Use Authorization under Planning Code Sections 121.9, 151, 303 and 304 to allow the subdivision of large lots in a PDR District, demolish six industrial buildings and construct two new industrial buildings (collectively measuring 28,200 square feet) with a modification to the off-street parking requirements within the PDR-1-B (Production, Distribution and Repair-Light Industrial Buffer) and PDR-2 (Core Production, Distribution and Repair-Bayview) Zoning District and a 40-X Height and Bulk District.

On March 26, 2015, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 15302(b) Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

On August 6, 2015, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014.0954C.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2014.0954C at 1650 Mission Street, Fourth Floor, San Francisco, California.

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. 2014.0954C, 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 proposed project is located on the east side of the block bounded by Fitzgerald Avenue, Jennings Street and Egbert Avenue, on Block 4912, Lots 001, 002 and 016. Collectively, the project site has approximately 300-ft of frontage along Egbert Avenue, 300-ft of frontage along Fitzgerald Avenue, and 200-ft of frontage along Jennings Street. The subject lots collectively measure 60,000 square feet. Currently, the project site is developed with ten (10) buildings, including:
 - 1401 Egbert Avenue/2814-2822 Jennings Street (Block 4912, Lot 001) – a two-story mixed-use building located at the southeast corner of Egbert Avenue and Jennings Street with ground floor commercial use, and a second floor residential use (approximately 5,586 square feet);
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 - 1300-1306 Fitzgerald Avenue (Block 4912, Lot 002) – a two-story mixed-use building (approximately 19- to 21-ft tall) at the northwest corner of Fitzgerald Avenue and Jennings

- Street with residential and commercial uses on the ground floor, and residential use on the second floor (approximately 2,806 square feet);
- 1314-1318 Fitzgerald Avenue (Block 4912, Lot 002) – a double-height one-story industrial building (approximately 18-ft tall) with frontage onto Fitzgerald Avenue (approximately 4,971 square feet) that reads contiguously with 1318-1320 Fitzgerald Avenue and 1322 Fitzgerald Avenue;
 - 1324 Fitzgerald Avenue/1439 Egbert Avenue (Block 4912, Lot 016) – a double-height one-story industrial building (approximately 18-ft tall) with frontage onto Fitzgerald Avenue and Egbert Avenue (approximately 27,170 square feet);
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 - Building 10 (Block 4912, Lot 016; no address) – a rectangular car port/shed with no walls and no street frontage constructed between Buildings 6, 8 and 9 (approximately 502 square feet).
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is industrial in character to the north, and residential in character to the south and east. Adjacent to the project site to the west is a larger-scale, two-story industrial property. Directly south of the project site across Fitzgerald Avenue are several two-story single-family residences. To the north of the project site are several one-to-two-story industrial properties with large-scale roll-up doors and wide curb cuts. The project site is located across two zoning districts: PDR-2 to the north, and PDR-1-B to the south. Nearby zoning districts include: RM-1 (Residential, Mixed, Low Density), RH-1 (Residential, House, One-Family), M-1 (Light Industrial) and NC-3 (Moderate-Scale Neighborhood Commercial).
4. **Project Description.** The proposed project would subdivide the existing three lots on the project site into four new lots, demolish six smaller-scale industrial buildings (collectively measuring approximately 27,170 square feet) and construct two new, larger-scale industrial buildings (each measuring 14,100 square feet; collectively measuring 28,200 square feet). The two new industrial buildings would be used for light manufacturing, and would be approximately 30-ft tall in height with a clear interior ceiling height of 25-ft 8-in. The two new industrial buildings would be subdivided into smaller commercial units, each measuring approximately 3,525 square feet. The

project would retain an existing one-and-one-half-story industrial building (1324 Fitzgerald Street/1439 Egbert Avenue; measuring approximately 22,000 square feet) and the three, two-story, mixed-use buildings with ground floor retail (collectively measuring 2,425 square feet) and approximately five dwelling units (1401 Egbert Avenue/2814-2822 Jennings Street; 2824-2836 Jennings Street; 1300-1306 Fitzgerald Avenue) located along Jennings Street between Egbert and Fitzgerald Avenues. As part of the lot line subdivision, the project would provide for a rear yard for the adjacent mixed-use buildings, which front onto Jennings Street. The four new lots would be subdivided to align to the existing and proposed buildings on the project site.

5. **Public Comment.** The Department has received two inquiries about the project. These inquiries have not expressed either support or opposition to the project.
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. **Use.** Planning Code Section 210.3 outlines the permitted uses within PDR Districts.

The Project proposes new light industrial use, which is a permitted use in the PDR-1-B and PDR-2 Zoning Districts. The individual tenant spaces are approximately 3,535 square feet in size.

- B. **Subdivision of Large Lots in PDR Districts.** Planning Code Section 121.9 requires Conditional Use Authorization for proposals, which subdivide, resubdivide or perform a lot line adjustment to a parcel that is equal to or greater than 10,000 square feet into one or more smaller parcels.

On Block 4912, the project site currently includes: Lot 001, which measures 75-ft by 100-ft or 7,500 square feet; Lot 002, which measures 75-ft by 100-ft or 7,500 square feet; and, Lot 016, which measures 200-ft by 225-ft or 45,000 square feet. The Project would reconfigure the three existing lots into four new lots, which would align with the configuration of the existing and proposed buildings. The four new lots would measure: 47-ft by 200-ft (2814-2812 and 2824-2836 Jennings Streets); 100-ft by 141-ft (1314 Fitzgerald Avenue); 100-ft by 141-ft (1409 Egbert Avenue); and 112-ft by 200-ft (1324 Fitzgerald Avenue/1439 Egbert Avenue). Since the project would subdivide the existing large lot into smaller lots, the Project requires Conditional Use Authorization from the Planning Commission (See Below).

- C. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 3.0 to 1 for properties within the PDR-1-B and PDR-2 Zoning District and a 40-X Height and Bulk District. The project site is approximately 60,000 square feet; therefore, a maximum 18,000 square feet is permitted.

The Project would construct approximately 28,200 gsf of new square feet, thus resulting in a total non-residential square footage of 57,795 gsf on the project site. Therefore, the Project complies with Planning Code Section 124.

- D. **Street Trees/Streetscape Plan.** Planning Code Section 138.1 requires one new street tree for every 20 feet of street frontage for projects proposing new construction, as well as a streetscape plan, which includes elements from the Better Streets Plan. Therefore, the project is required to provide seven new street trees along Fitzgerald Avenue and seven new street trees along Egbert Avenue.

In front of the new construction, the Project would install seven new street trees along Egbert Avenue and seven new street trees along Fitzgerald Avenue. Therefore, the Project complies with Planning Code Section 138.1.

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

The subject lot is not located in close proximity to an Urban Bird Refuge. The proposed project meets the requirements of feature-related standards and does not include any unbroken glazed segments 24-sq ft and larger in size; therefore, the Project complies with Planning Code Section 139.

- F. **Ground Floor Standards.** Planning Code Section 145.5 requires a ground floor space with a minimum floor-to-floor height of 17-ft for new construction in Industrial Districts.

The Project proposes a ground floor ceiling height of 25-ft 8-in; therefore, the Project complies with Planning Code Section 145.5.

- G. **Off-Street Parking.** Planning Code Section 151 requires one off-street parking space for every 1,500 square feet of occupied floor area where the occupied floor area exceeds 7,500 square feet for manufacturing and industrial uses in the PDR-1-B and PDR-2 Zoning Districts. Therefore, the project is required to provide a total of 19 off-street parking spaces.

The Project provides one off-street parking space for each of the eight tenant spaces, thus resulting in a total of 8 off-street parking spaces. Therefore, the Project is seeking a modification of the off-street parking requirement as part of the Planned Unit Development.

- H. **Off-Street Freight Loading.** Planning Code Section 152 requires one freight loading parking space for new gross floor area between 10,001 and 60,000 square feet for retail stores, wholesaling and manufacturing in newly constructed structures and all other uses primarily engaged in the handling of goods. Therefore, the project is required to provide one off-street freight loading parking spaces.

The Project would provide one off-street freight loading parking spaces for each of the eight tenant spaces, thus resulting in a total of eight off-street freight loading parking spaces. Therefore, the Project complies with Planning Code Section 152.

- I. **Bicycle Parking.** Planning Code Section 155.2 requires one Class 1 bicycle parking spaces for every 12,000 square feet of occupied floor area for light manufacturing uses, and a minimum

of two Class 2 bicycle parking spaces. Therefore, the Project is required to provide 2 Class 1 bicycle parking spaces and 2 Class 2 bicycle parking spaces.

The Project would provide 8 Class 1 bicycle parking spaces and 8 Class 2 bicycle parking spaces. Therefore, the Project complies with Planning Code Section 155.2.

- J. **Demolition of Industrial Buildings.** Planning Code Section 202.7 requires the replacement of an industrial building with at least one square foot of industrial use for each square foot of industrial use being demolished, if the demolition represents greater than .4 FAR.

Since the demolition represents greater than .4 FAR, the Project proposes a one for one replacement of the industrial uses. Currently, the existing buildings contain a total of 27,120 square feet of industrial use. The Project would construct a total of 28,200 square feet of industrial use; thus, exceeding the requirement. Therefore, the Project complies with Planning Code Section 202.7.

- K. **Transit Impact Development Fees.** Planning Code Section 411 is applicable to new industrial development over 800 sq ft.

The Project includes 28,200 sq ft of new industrial use. However, the existing site contains approximately 27,120 sq ft of existing industrial use. Therefore, the Project will receive a prior use credit, as outlined in Planning Code Section 411.3(d), and will pay the appropriate development impact fees for new construction.

7. **Planning Code Section 121.9** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use Authorization to subdivide a large lot in a PDR Zoning District. On balance, the project does comply with said criteria in that:

- A. The proposed parcelization will support light industrial activities in the district.

The proposed parcelization is supportive of light industrial activities on the project site. The parcelization assists in aligning the parcels to the existing and proposed buildings.

- B. If the resulting parcelization will require demolition of a structure, the demolition of the structure complies with the replacement requirement per Section 230.

The Project complies with Planning Code Section 202.7 (formerly Planning Code Section 230). The Project includes a one square foot for one square foot replacement of industrial use. The Project removes a series of smaller-scale industrial buildings, in lieu of two, larger-scale industrial buildings, which are subdivided to accommodate up to eight, individual tenants.

- C. The uses proposed for the parcels, if any, comply with the cumulative use size limits detailed in the PDR Zoning Control Table.

The Project complies with the cumulative use size limits defined in Planning Code Section 210.3. The Project proposed light industrial uses, and does not include retail or office uses.

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

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

The project site is located in an area of the City that has maintained a mix of industrial, commercial and residential uses. As part of the adoption of the Bayview Hunters Point Area Plan in 2006, the project site was rezoned to PDR-1-B, which provides a buffer between light industrial and residential uses, and PDR-2, which is a district that allows and encourages light to moderate industrial uses. The PDR-1-B Zoning District allows for less intensive production, distribution and repair activities, that do not compromise the quality of life of nearby residents. The PDR-2 Zoning District encourages the introduction, intensification, and protection of a wide range of light and contemporary industrial activities. As part of their daily operations, PDR activities in these areas may emit noises, vibrations, odors, and other emissions, as permitted by law.

The Project is necessary and desirable for, and compatible with, the neighborhood. This Project would replace a series of dilapidated and unused PDR buildings with newer PDR structures, which are better suited to contemporary PDR use, as evidenced by the tall ground floor ceiling heights, garage entrances and contemporary construction. Therefore, the Project is not only desirable for the neighborhood, but also for the City as a whole and the Bay Area, because of the need for newer contemporary PDR space, which is appropriately scaled, in order to accommodate a wide range of potential tenants. Finally, the light industrial nature of the Project is compatible with the two PDR zoning districts, since an appropriate buffer is provided to the adjacent residential neighbor to the south, while also maintaining the area's strong industrial character.

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

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

The Project would construct two new industrial buildings, each measuring 14,100 square feet (total 28,200 square feet). In total, the two buildings will be sub-divided into eight tenant spaces, which would each measure 3,525 square feet and contain one off-street freight loading parking space and one off-street parking space. The overall floor to ceiling height would measure 25-ft 8-inches. The Project appears to be appropriately scaled for a contemporary light industrial use, and is arranged in a manner to allow for a rear yard for the nearby residential properties along Jennings Street. The proposed parcelization of the existing site supports the PDR use, while also improving the character of the existing mixed-use buildings.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Project will have minimal impact on traffic. The project site is located in close proximity to the Third St. light rail station and 29-Baker Beach and 91-West Portal Station bus lines. In support of the City's transit-first policies, the project provides a reduced number of off-street parking spaces as well as the required number of Class 1 and Class 2 bicycle parking spaces. Each of the tenant spaces also accommodates an off-street freight loading space, thus adequate parking/loading is provided by the Project.

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

As noted by the Project Sponsor, all exterior lighting will be cast downward. Relative to the existing industrial buildings, there will be no increase in noise, glare, dust or odor. The new buildings will comply with the City's Noise Ordinance and Title 24 requirements to ensure that the nearby residents along Fitzgerald Avenue are not adversely impacted.

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

The Project will provide new street trees on Egbert and Fitzgerald Avenues, which currently do not possess any street trees. There is no exterior parking or loading as part of the Project. Therefore, the Project greatly improves the public realm.

- 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 proposed development complies with the goals of the Bayview Hunters Point Area Plan, which encourages light industrial uses. Further, the Project complies with the PDR-1-B and PDR-2 Zoning Districts, and complies with and promotes many of the Objectives and Policies of the General Plan (See Below).

- 9. **Planning Code Section 304** establishes procedures for Planned Unit Developments, which are intended for projects on sites of considerable size, including an area of not less than half-acre, developed as integrated units and designed to produce an environment of stable and desirable character, which will benefit the occupants, the neighborhood and the City as a whole. In the cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well-reasoned modification of certain provisions contained elsewhere in the Planning Code.

- A. **Criteria and Limitations.** Section 304(d) establishes criteria and limitations for the authorization of PUDs over and above those applicable to Conditional Uses in general

and contained in Section 303 and elsewhere in the Code. On balance, the Project complies with said criteria in that it:

- 1) Affirmatively promotes applicable objectives and policies of the General Plan;

The Project complies with the objectives and policies of the General Plan (See Below).

- 2) Provides off-street parking adequate for the occupancy proposes.

As discussed above, Planning Code Section 151 requires 19 off-street parking spaces for the Project. The Project Sponsor requests approval to provide no fewer than 8 parking spaces. Therefore, the Project would provide one off-street parking space for each of the eight tenant spaces. In support of the City's transit first policies and to maximize the area dedicated to the proposed PDR uses, the Project Sponsor is requesting a modification of the off-street parking requirements as part of the PUD.

- 3) Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;

The Project is not required to provide any on-site open space.

- 4) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;

No dwelling units are proposed.

- 5) In R Districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include commercial uses only according to the provisions of Section 230 of this Code;

The Project is not located in an R District.

- 6) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.

The Project is not requesting any exceptions to the height limits. The Project proposes new construction, which is approximately 30-ft tall, which complies with the 40-X Height and Bulk District.

- 7) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of this Code;

The Project is not located in an NC District.

- 8) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code; and

The Project is not located in an NC District.

- 9) In RTO and NCT Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation.

The Project is not located in a RTO or NC District.

- 10) Provide street trees as per the requirements of Section 138.1 of the Code.

The Project meets the requirements of Planning Code Section 138.1, and incorporates seven new street trees along Egbert Avenue and seven new street trees along Fitzgerald Avenue.

- 11) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

The Project is not subject to the requirements of Planning Code Section 132(g) and (h); however, the Project will incorporate new street trees, new sidewalk paving and new curb cuts.

- B. **Modifications.** The Project Sponsor requests the following modification from the requirements of the Planning Code. These modifications are listed below, along with a reference to the relevant discussion for each modification.

- 1) Planning Code Section 151 requires one off-street parking space for every 1,500 square feet of occupied floor area where the occupied floor area exceeds 7,500 square feet for manufacturing and industrial uses in the PDR-1-B and PDR-2 Zoning Districts. Therefore, the project is required to provide a total of 19 off-street parking spaces.

In support of the City's transit first policies and to maximize the area dedicated to the proposed PDR uses, the Project would provide a total of 8 off-street parking spaces. The Project Sponsor finds that the provided number of parking spaces will adequately serve the proposed uses. Further, the Project is located within close proximity to frequent bus and light rail lights. Therefore, the Commission supports the modification for reduced off-street parking.

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

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1:

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

Policy 1.1

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

Policy 1.3

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

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

The Project will provide substantial net benefits to the City by providing new contemporary PDR space. This Project would accommodate new light industrial uses and will provide new opportunity for employment. The project site is located in the PDR-1-B and PDR-2 Zoning Districts, and is located in an area that currently possesses industrial uses adjacent to residential uses. The Project is consistent with both zoning districts and will enhance the light industrial capabilities of the site. The Project will provide new PDR space and will attract, retain and expand an existing PDR use, which will result in new opportunities for employment of unskilled or semi-skilled workers.

AIR QUALITY ELEMENT

OBJECTIVE 3:

DECREASE THE AIR QUALITY IMPACTS OF DEVELOPMENT BY COORDINATION OF LAND USE AND TRANSPORTATION DECISIONS.

Policy 3.9:

Encourage and require planting of trees in conjunction with new development to enhance pedestrian environment and select species of trees that optimize achievement of air quality goals.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

Maintain and expand the planting of street trees and the infrastructure to support them.

The Project will plant new street trees along Egbert Avenue and Fitzgerald Avenue. Currently, these streets do not contain any street trees; therefore, the planting of new street trees will support the City's public realm and air quality goals.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

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

Policy 28.3:

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

The Project includes 8 Class 1 bicycle parking spaces and 8 Class 2 bicycle parking spaces in secure, convenient locations.

BAYVIEW HUNTERS POINT AREA PLAN

Objectives and Policies

OBJECTIVE 1:

STIMULATE BUSINESS, EMPLOYMENT, AND HOUSING GROWTH WITHIN THE EXISTING GENERAL LAND USE PATTERN BY RESOLVING CONFLICTS BETWEEN ADJACENT INDUSTRIAL AND RESIDENTIAL AREAS.

Policy 1.3:

Maintain buffer zones where housing and industry occur in close proximity to each other to better define the configuration of residential neighborhoods and areas reserved for industrial activity.

Policy 1.5:

Encourage a wider variety of light industrial uses throughout the Bayview by maintaining the newly established Production, Distribution and Repair zoning, by more efficient use of industrial space, and by more attractive building design.

OBJECTIVE 8:

STRENGTHEN THE ROLE OF BAYVIEW'S INDUSTRIAL SECTOR IN THE ECONOMY OF THE DISTRICT, THE CITY, AND THE REGION.

Policy 8.1:

Maintain industrial zones for production, distribution, and repair activities in the Northern Gateway, South Basin, Oakinba, and India Basin Industrial Park subdistricts.

The Project is consistent with the PDR-1-B and PDR-2 zoning districts, and appropriate maintains the buffer between the industrial and residential areas by providing for a compatible new light industrial use. The Project remains consistent with site's past history and continues the light industrial activities that were once present at the site. The Project replaces an older, dilapidated industrial building with a newer structure. The Project assists in strengthen the area's industrial sector by providing for contemporary space for light industrial uses, which meets the needs of today's tenants.

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

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

No neighborhood-serving retail uses exist on the site. The project will provide new industrial use, thus satisfying an existing demand of new industrial space within the City.

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

No housing exists on the site. The neighborhood contains a mix of residential and industrial uses that will be minimally impacted by the construction of a new industrial building.

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

No housing is created or removed as part of this project.

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

The Project will not impede Muni transit service in the area. The site contains sufficient off-street parking for the employees and visitors and will not overburden neighborhood streets or parking. The project site is within proximity to the 3rd Street, which is well-served by the T-Line (3rd Street) light rail, and 29-Baker Beach and 91 –West Portal Station bus lines.

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

The Project does not include commercial office development. Rather, the Project provides a new industrial use, which is compatible with the area's mixed character. The Project provides new opportunities for employment, thus contributing to the City's diverse economic base.

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

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

- G. That landmarks and historic buildings be preserved.

No landmarks or historic buildings are located on the project site.

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

The Project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

12. 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.

13. 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. 2014.0954C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 20, 2015, 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 August 6, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: August 6, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to subdivide large lots in PDR Districts, demolish six industrial buildings and construct two new industrial buildings (collectively measuring approximately 28,200 square feet) with modifications to the requirements for off-street parking, located at 1314 Fitzgerald Avenue and 1409 Egbert Avenue on Assessor's Block 4912 Lots 001, 002 and 016, pursuant to Planning Code Section(s) 121.9, 151, 303 and 304 within the PDR-1-B and PDR-2 Zoning Districts and a 40-X Height and Bulk District; in general conformance with plans, dated September 11, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2014.0954C and subject to conditions of approval reviewed and approved by the Commission on August 6, 2015 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 August 6, 2015 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

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

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

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

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

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

DESIGN

Final Materials. The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department

staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Garbage, Composting and Recycling Storage. Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.

Rooftop Mechanical Equipment. Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Noise. Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Street Trees. Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

Bicycle Parking. Pursuant to Planning Code Sections 155.2, the Project shall provide no fewer than 4 bicycle parking spaces (2 Class 1 spaces and 2 Class 1 or 2 spaces).

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

Parking Requirement. Pursuant to Planning Code Section 151, the Project shall provide a minimum of eight (8) independently accessible off-street parking spaces, as permitted by the Commission.

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

Off-Street Loading. Pursuant to Planning Code Section 152, the Project shall provide one (1) off-street loading spaces.

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

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

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

PROVISIONS

Transit Impact Development Fee. Pursuant to Planning Code Section 411, the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

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

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

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

Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

Noise Control. The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org

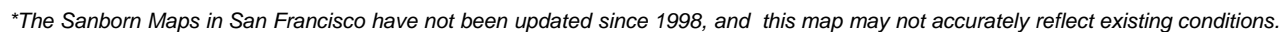
For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, www.sf-police.org

Parcel Map

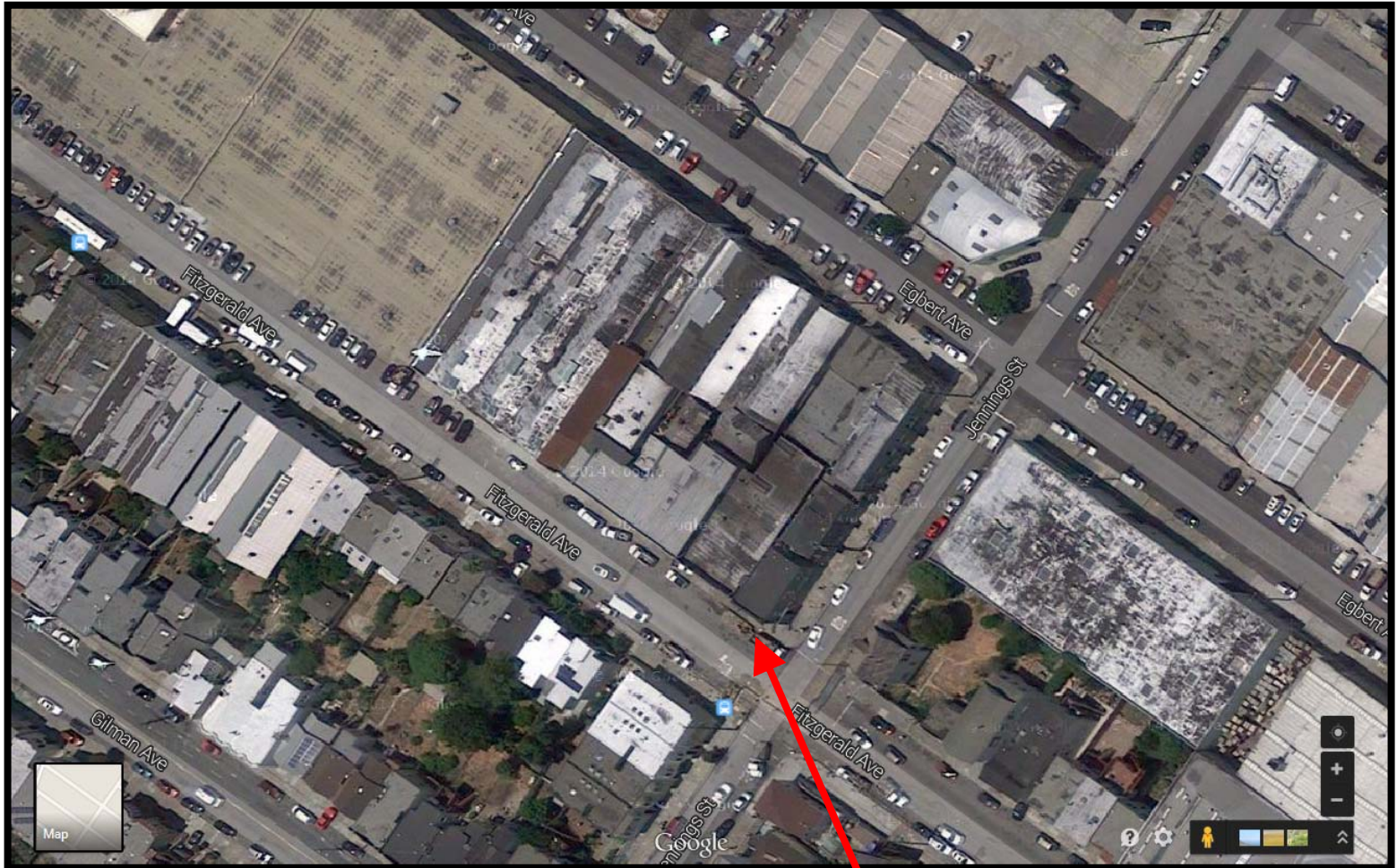


Conditional Use Authorization & PUD
Case Number 2014.0954C
1314 Fitzgerald Avenue & 1409 Egbert Avenue

PROJECT SITE



Aerial Photo

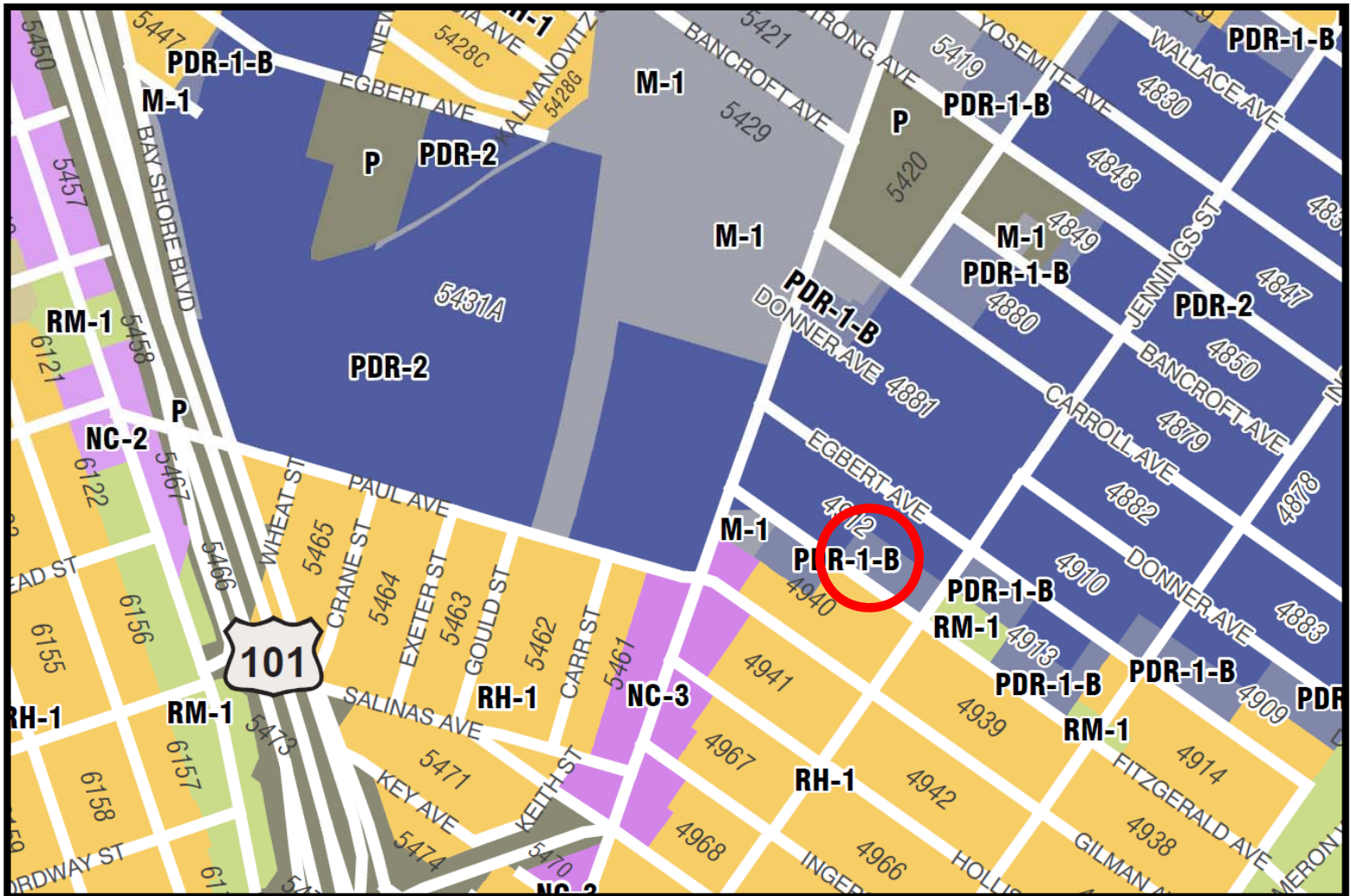


PROJECT SITE



Conditional Use Authorization & PUD
Case Number 2014.0954C
1314 Fitzgerald Avenue & 1409 Egbert Avenue

Zoning Map

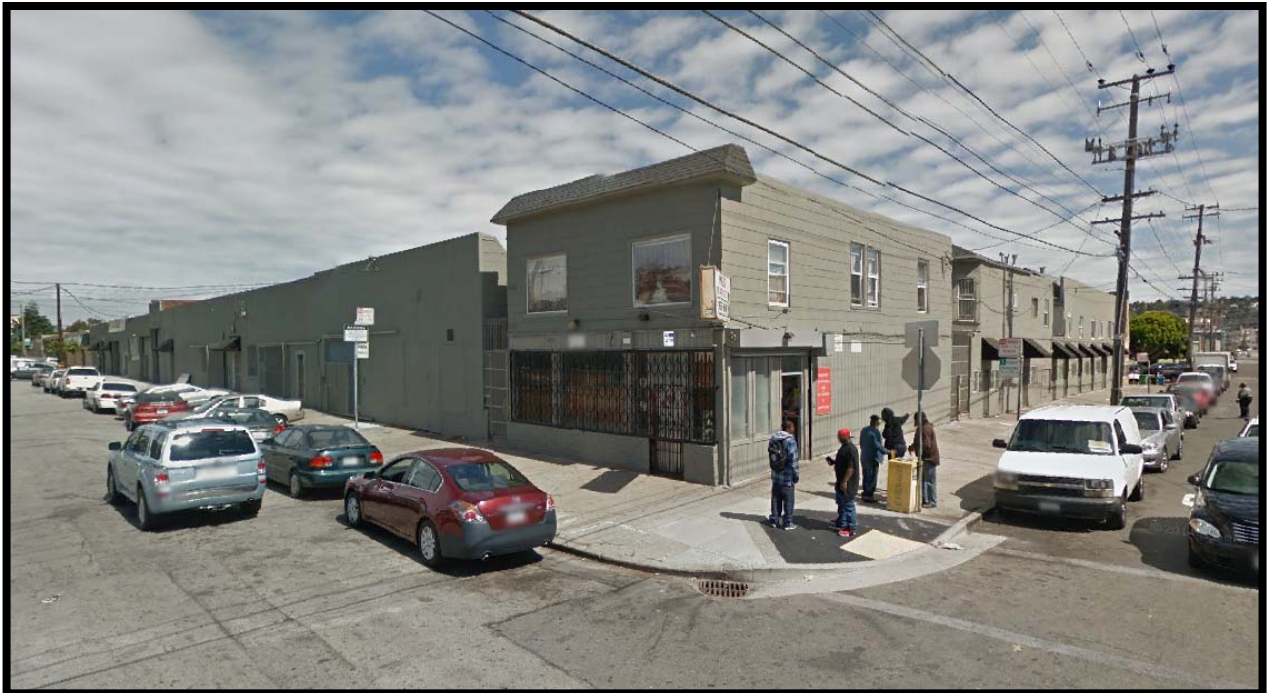


Conditional Use Authorization & PUD
Case Number 2014.0954C
1314 Fitzgerald Avenue & 1409 Egbert Avenue

Site Photo



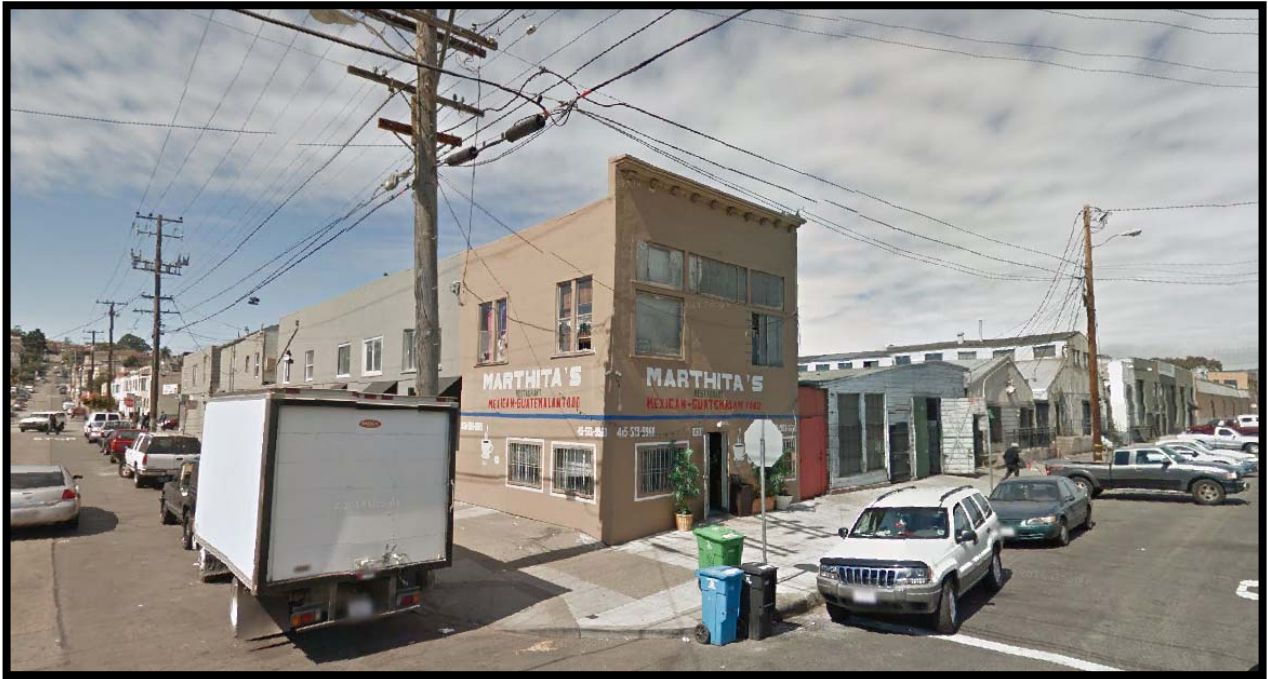
1300-1324 Fitzgerald Avenue



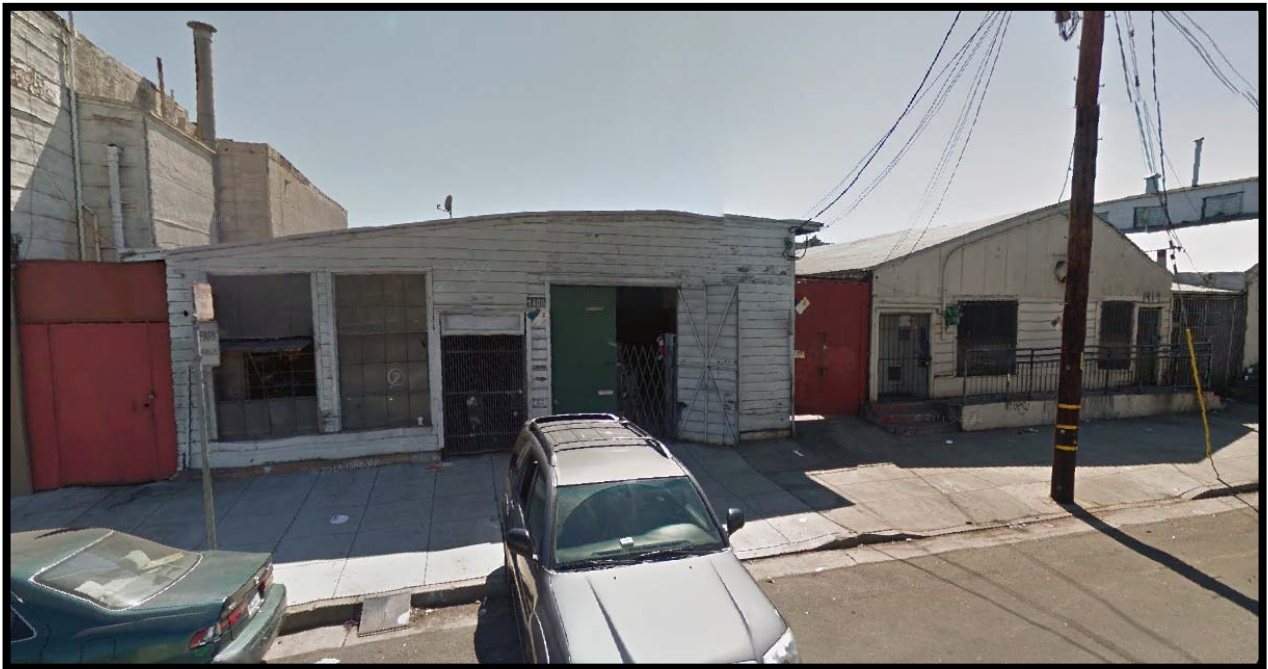
2814-2826 Jennings Street

Conditional Use Authorization & PUD
Case Number 2014.0954C
1314 Fitzgerald Avenue & 1409 Egbert Avenue

Site Photo



1401 Egbert Avenue



1405 Egbert Avenue (left) and 1419 Egbert Avenue (right)

Conditional Use Authorization & PUD
Case Number 2014.0954C
1314 Fitzgerald Avenue & 1409 Egbert Avenue

Site Photo



1425 Egbert Avenue

Conditional Use Authorization & PUD
Case Number 2014.0954C
1314 Fitzgerald Avenue & 1409 Egbert Avenue

NEW COMMERCIAL BUILDINGS

CONTAINING 8 COMMERCIAL CONDOMINIUM UNITS
1409 EGBERT AVENUE & 1314 FITZGERALD AVENUE
SAN FRANCISCO, CA 94124

(LOT SUB-DIVISION REQUIRED)

CONDITIONAL USE APPLICATION DRAWINGS
MAY 20, 2015

PROJECT SCOPE

DEMOLISH 6 EXISTING WAREHOUSE STRUCTURES ON SITE AND CONSTRUCT 2 NEW COMMERCIAL LIGHT INDUSTRIAL BUILDINGS, WITH EACH BUILDING CONTAINING 4 COMMERCIAL CONDOMINIUM UNITS OF APPROXIMATELY 3525 SQ. FT. EACH. PROJECT REQUIRES SUBDIVISION OF EXISTING LOT. EACH OF THE 2 PROPOSED BUILDINGS WILL EACH BE BUILT ON A SINGLE NEW LOT CREATED FOR THE PROJECT. THE LOT FRONTING ONTO EGBERT STREET WILL CONTAIN 1 OF THE STRUCTURES, AND THE LOT FRONTING ONTO FITZGERALD STREET WILL CONTAIN THE OTHER STRUCTURE.

ZONING INFO

APN: 4912/016, 4912/001, 4912/002
ZONING: UP TO THE DEPTH OF 100' FROM EGBERT STREET PDR-2
UP TO THE DEPTH OF 100' FROM FITZGERALD STREET DR-1-B

ALLOWABLE HEIGHT LIMIT: 40'-0"

BULK DISTRICT: X

PROPOSED USE: LIGHT MANUFACTURING

NO YARDS OR SETBACKS REQUIRED

REQUIRED PARKING: 1 PER 1,500 SQ. FT.
(OVER 10,000 SQ. FT)

AREA OF EACH BUILDING
(EACH LOT): 14,100 SQ. FT.

USEABLE AREA OF EACH BUILDING
(EACH LOT): 10,698 SQ. FT.

TOTAL REQUIRED PARKING : 18 SPACES

TOTAL PROVIDED PARKING: 8 SPACES

TOTAL REQUIRED BICYCLE PARKING:

2 CLASS 1 SPACE PER LOT

2 CLASS 2 SPACE PER LOT

TOTAL PROVIDED BICYCLE PARKING:

8 CLASS 1 SPACES, 1 SPACE PER UNIT

8 CLASS 2 SPACES, 1 SPACE PER UNIT

DRAWINGS

- A0 TITLE SHEET / SITE PLAN
A0.1 PHOTO MONTAGE
A0.2 PHOTO MONTAGE
A1 EXISTING BUILDING / DEMOLITION PLAN
A2 PROPOSED FLOOR PLAN
A3 PROPOSED ROOF PLAN
A4 EXISTING AND PROPOSED STREET ELEVATIONS
A5 PROPOSED EXTERIOR ELEVATIONS/BUILDING SECTIONS
A6 GREEN BUILDING REQUIREMENTS
A7 SITE SURVEY

PROJECT INFO

TOTAL SPACE OF PDR UNIT: 3525 SQ. FT.
APPROX. USEABLE 3170 SQ. FT.

PROPOSED AREA OF NEW CONSTRUCTION: 28,200 SQ. FT.
EXISTING AREA OF BUILDINGS TO REMAIN: 21,341 SQ. FT.

TOTAL BUILDING AREA = 49,541 SQ. FT.

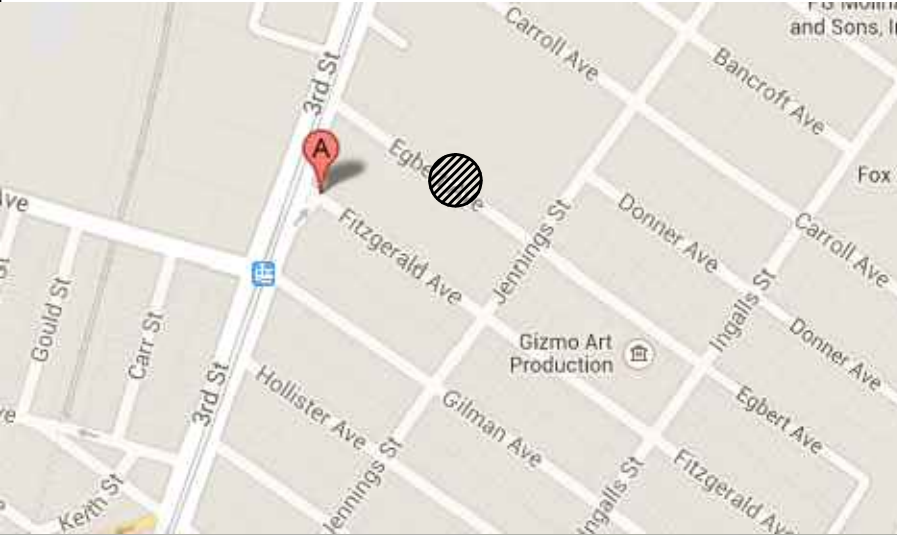
MAXIMUM BUILDING HEIGHT: 30'-0"

ALL STRUCTURES SHALL HAVE AN AUTOMATIC
FIRE-SPRINKLER SYSTEM

OCCUPANCY CLASSIFICATION: F-1, F-2, S-1, AND S-2

PROPOSED FIRE SEPARATION BETWEEN ALL UNITS: 1 HOUR
MINIMUM

SITE MAP



1 PROPOSED SITE PLAN

1/16" = 1'-0"

ABBREVIATIONS

AB ANCHOR BOLT	C/C CAB	CENTER TO CENTER	DEPT DIA	DEPARTMENT DIAMETER	ENGR EQ	ENGINEER EQUIPMENT	FR FRMG	FIRE RATED FRAMING	HORIZ HW	HORIZONTAL HOT WATER HEATER	MATL MAX	MATERIAL MECHANICAL	OC OD	ON CENTER OUTSIDE DIAMETER	PSF PSI	POUNDS PER SQUARE FOOT POUNDS PER SQUARE INCH	RFG RLG	ROOFING RAILING	SPD SPEC	SEE PLUMBING DRAWINGS SPECIFICATIONS	TO TO...	TOP OF S FOR STEEL, W FOR WALL
ADJ ADJACENT, ADJUSTABLE	CL CLG	CABINET CENTER LINE CEILING	DNF DIM	DIFFUSER DIMENSION	EQUIP EXIST	EQUIPMENT EXISTING	FT FTG	FOOT OR FEET FOOTING	ID IF	INSIDE DIAMETER INSIDE FACE	MECH MTL	MECHANICAL METAL	OH OPNG	OVERFLOW DRAIN OVER HEAD	PT PTD	POINT PAINTED	RVL RWL	RAIL RAIN WATER LEADER	SQA SQ	SCHEDULE SMOKE DETECTOR	TO... TUBE STEEL	TOP OF S FOR WALL
ALUM ALUMINUM	AP APPROX	ACCESS PANEL APPROXIMATE	DN DO	DOWN DOOR OPENING	EXP EXT	EXPANSION EXTERIOR	FUR FUR	FURRING FLOOR	INT INCL	INTERNATIONAL INCLUDE	MFR MIN	MANUFACTURE MINIMUM	OPNG OPP	OPENING OPPOSITE	QTY QTY	QUANTITY	RWL RVL	RAIN WATER LEADER	SSD STD	SEE STRUCTURAL DRAWINGS STANDARD	UTL UTL	UNLESS OTHERWISE NOTED UTILITY
ARCH ARCHITECTURAL	CLOS CLR	CLOSED CLEAR	DR DNG	DOOR DRAWING	FD FE	FLOOR DRAIN FIRE EXTINGUISHER	GALV GWB	GALVANIZED GYPSUM WALLBOARD	INCL INSUL	INCLUDE INSULATION	JT JT	JOINT	MTD MUL	MOUNTED MULLION	R RA	RISER RETURN AIR	SC SCD	SOLID CORE SMOKE DETECTOR	STL STOR	STEEL STORAGE	UTL UTL	UNLESS OTHERWISE NOTED UTILITY
BD BOARD	CO COL	CASED OPENING COLUMN	CONC CONSTR	CONCRETE CONSTRUCTION	CONC CONSTR	CONCRETE CONSTRUCTION	ENAM ENCL	ENAMEL ENCLOSURE	FIN FL	FINISH FLOOR	FIN FL	FINISH FLOOR	FIN FL	FINISH FLOOR	FIN FL	FINISH FLOOR	FIN FL	FINISH FLOOR	FIN FL	FINISH FLOOR	FIN FL	FINISH FLOOR
BETW BETWEEN	BLK BLK	BLOCKING	BLT BLT	BUILT	BSMT B/B	BASEMENT BACK TO BACK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK
BLK BLOCKING	BLT BLT	BUILT	BSMT B/B	BASEMENT BACK TO BACK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK
BLT BLOCKING	BLT BLT	BUILT	BSMT B/B	BASEMENT BACK TO BACK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK
BSMT B/B	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK
B/B BACK TO BACK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK	CTSK	COUNTERSUNK

No.	Issue Description	Date
1	PRELIMINARY DESIGN	9/9/13
4	PLANNING REVIEW	1/20/14
5	PROGRESS REVIEW	2/24/14
6	DBI PRE-APP	3/7/14
7	SITE PERMIT	8/20/14
8	C.U. APPLICATION	4/21/15

Drawn by: _____
Reviewed by: _____
Project No: _____

Project:
COMMERCIAL CONDOMINIUM BUILDINGS
1409 EGBERT AVENUE
SAN FRANCISCO, CA 94124



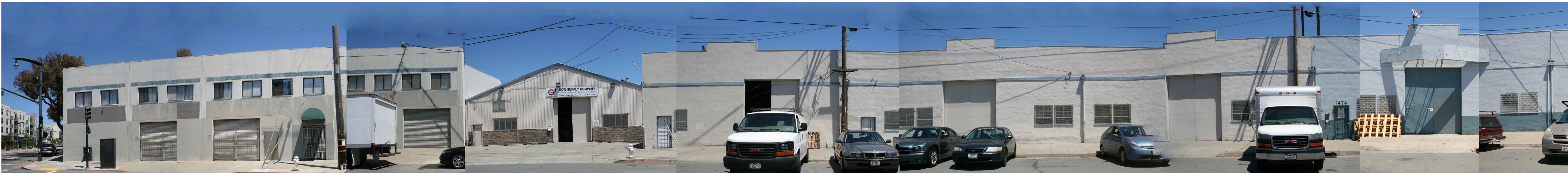
BRIAN KAUFMAN DESIGN
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SAN FRANCISCO, CA 94102
415.279.6795 (voice) 415.400.5171 (fax)
brian@briankaufmandesign.com

Sheet Title:
TITLE SHEET/SITE PLAN

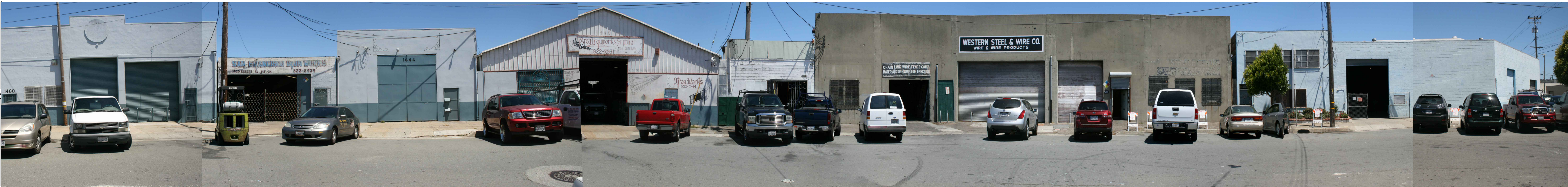
Original drawing is 24" x 36". Scale entities accordingly if reduced

Sheet Number:

A0



1 L EGBERT AVENUE LOOKING NORTH
LEFT HALF



1 R EGBERT AVENUE LOOKING NORTH
RIGHT HALF



2 EGBERT AVENUE



3 EXISTING PROPERTY FRONTAGE TOWARDS JENNINGS



4 EXISTING PROPERTY FRONTAGE TOWARDS THIRD STREET



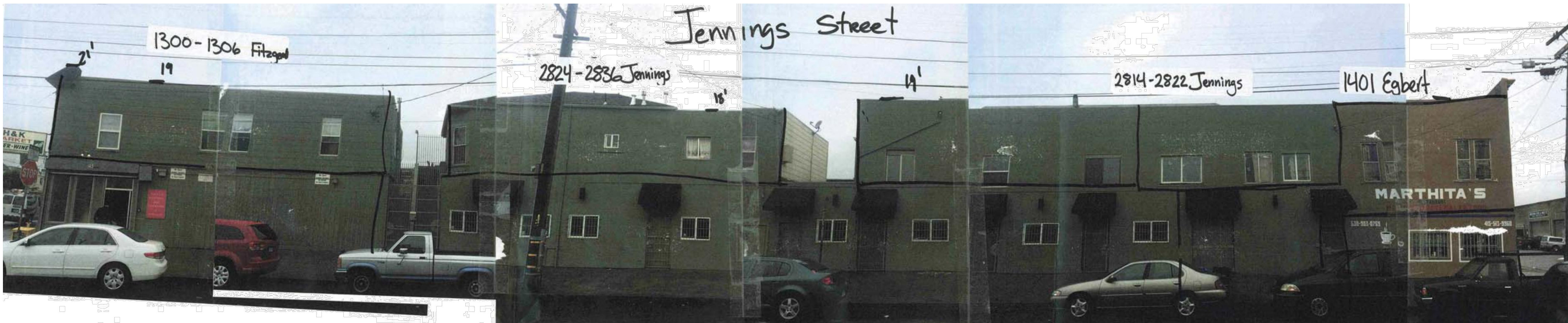
5 VIEW LOOKING AT EXISTING RESIDENTIAL BUILDINGS ON
EGBERT AVENUE ACROSS FROM PROPOSED WAREHOUSES



1L FITZGERALD AVENUE LOOKING SOUTH
LEFT HALF



1R FITZGERALD AVENUE LOOKING SOUTH
RIGHT HALF



2 EXISTING BUILDINGS ON JENNINGS STREET BETWEEN FITZGERALD & EGBERT (ON SUBJECT LOT)



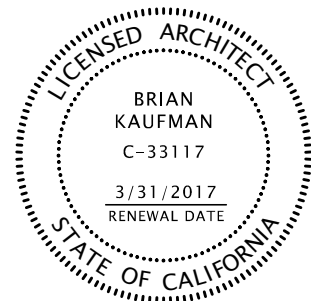
3 EXISTING BUILDINGS ON FITZGERALD STREET BETWEEN 3RD & JENNINGS (ON SUBJECT LOT)

Drawn by:
Project No:

Reviewed by:

No.	Issue Description	Date
1	PRELIMINARY DESIGN	9/9/13
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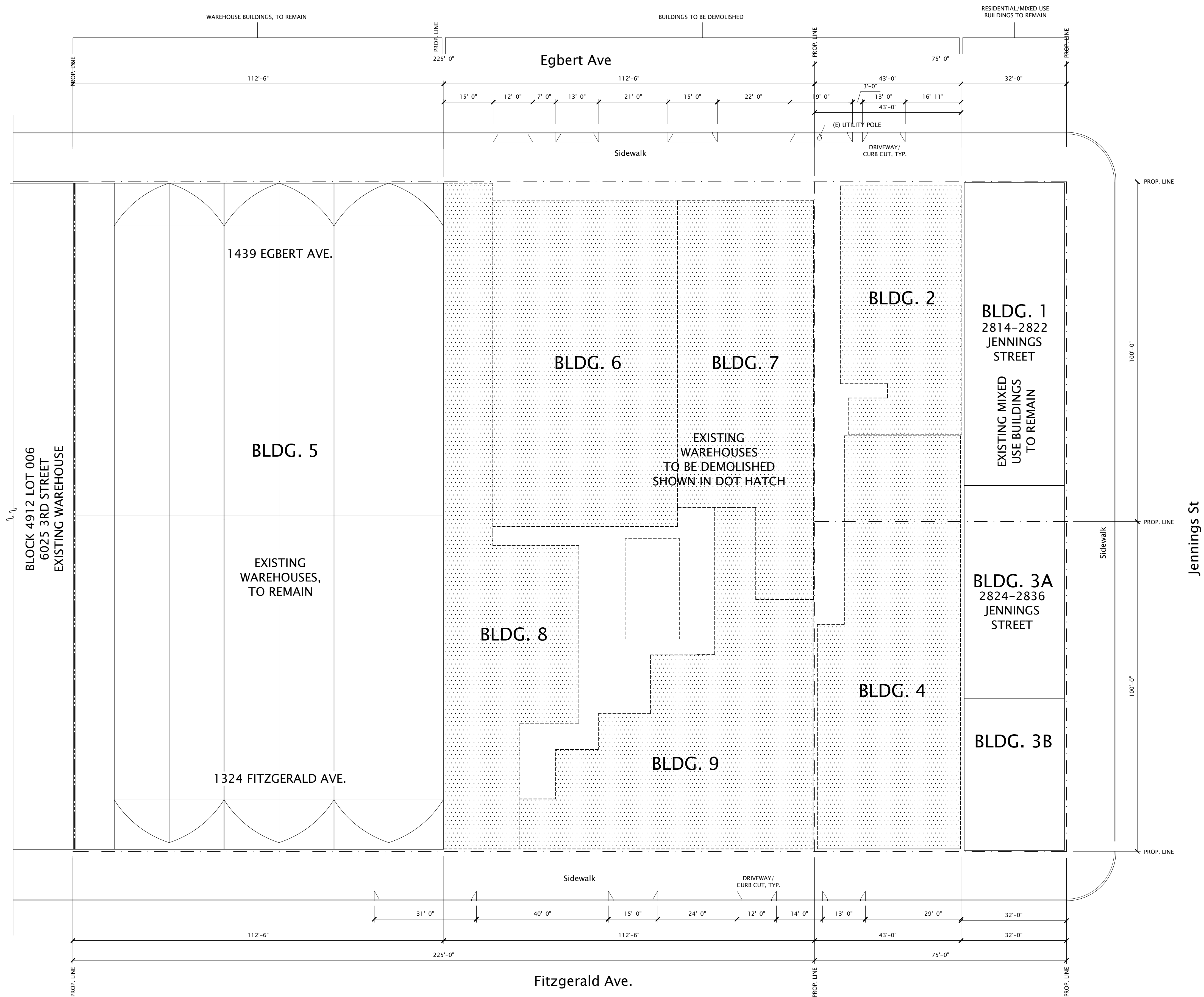
BRIAN KAUFMAN DESIGN
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Sheet Titles:
PHOTO MONTAGE

Original drawing is 24" x 36". Scale entities accordingly if reduced

Sheet Number:

A0.2



1 EXISTING SITE PLAN, SHOWING SCOPE OF DEMOITION WORK
1/16" = 1'-0"

Project:

COMMERCIAL CONDOMINIUM BUILDINGS
1409 EGBERT AVENUE
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Sheet Titles:

EXISTING SITE PLAN

Original drawing is 24" x 36". Scale entities accordingly if reduced

Sheet Number:

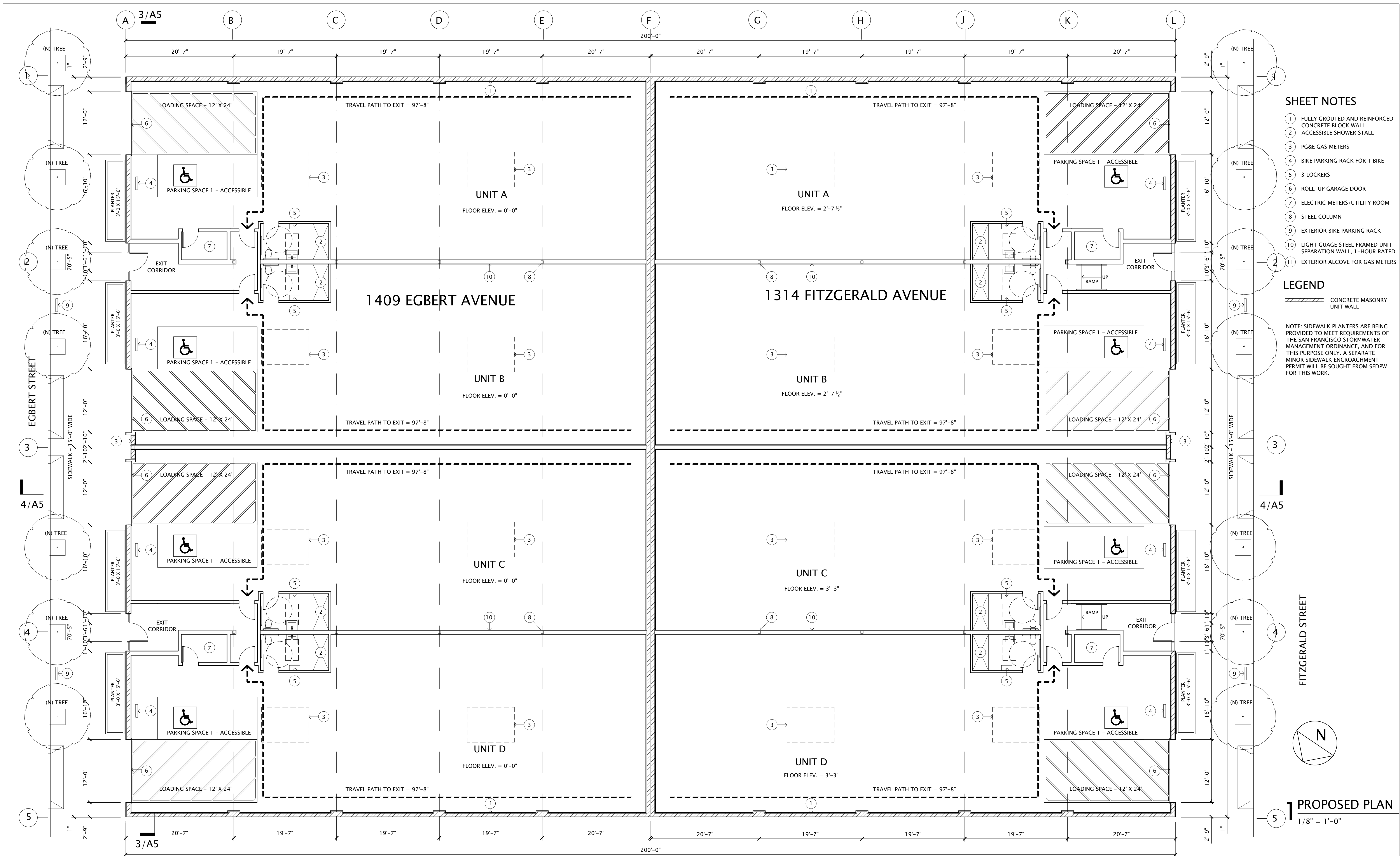
A1

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Reviewed by:

Project No:

No.	Issue Description	Date
1	PRELIMINARY DESIGN	9/9/13
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SHEET NOTES

- 1 FULLY GROUTED AND REINFORCED CONCRETE BLOCK WALL
- 2 ACCESSIBLE SHOWER STALL
- 3 PG&E GAS METERS
- 4 BIKE PARKING RACK FOR 1 BIKE
- 5 3 LOCKERS
- 6 ROLL-UP GARAGE DOOR
- 7 ELECTRIC METERS/UTILITY ROOM
- 8 STEEL COLUMN
- 9 EXTERIOR BIKE PARKING RACK
- 10 LIGHT GAUGE STEEL FRAMED UNIT SEPARATION WALL, 1-HOUR RATED
- 11 EXTERIOR ALCOVE FOR GAS METERS

LEGEND

CONCRETE MASONRY UNIT WALL

NOTE: SIDEWALK PLANTERS ARE BEING PROVIDED TO MEET REQUIREMENTS OF THE SAN FRANCISCO STORMWATER MANAGEMENT ORDINANCE, AND FOR THIS PURPOSE ONLY. A SEPARATE MINOR SIDEWALK ENCROACHMENT PERMIT WILL BE SOUGHT FROM SFPDW FOR THIS WORK.

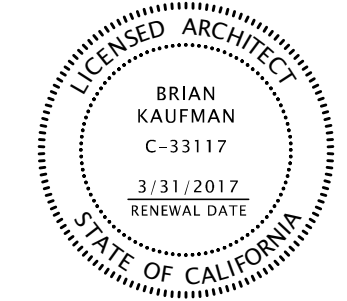
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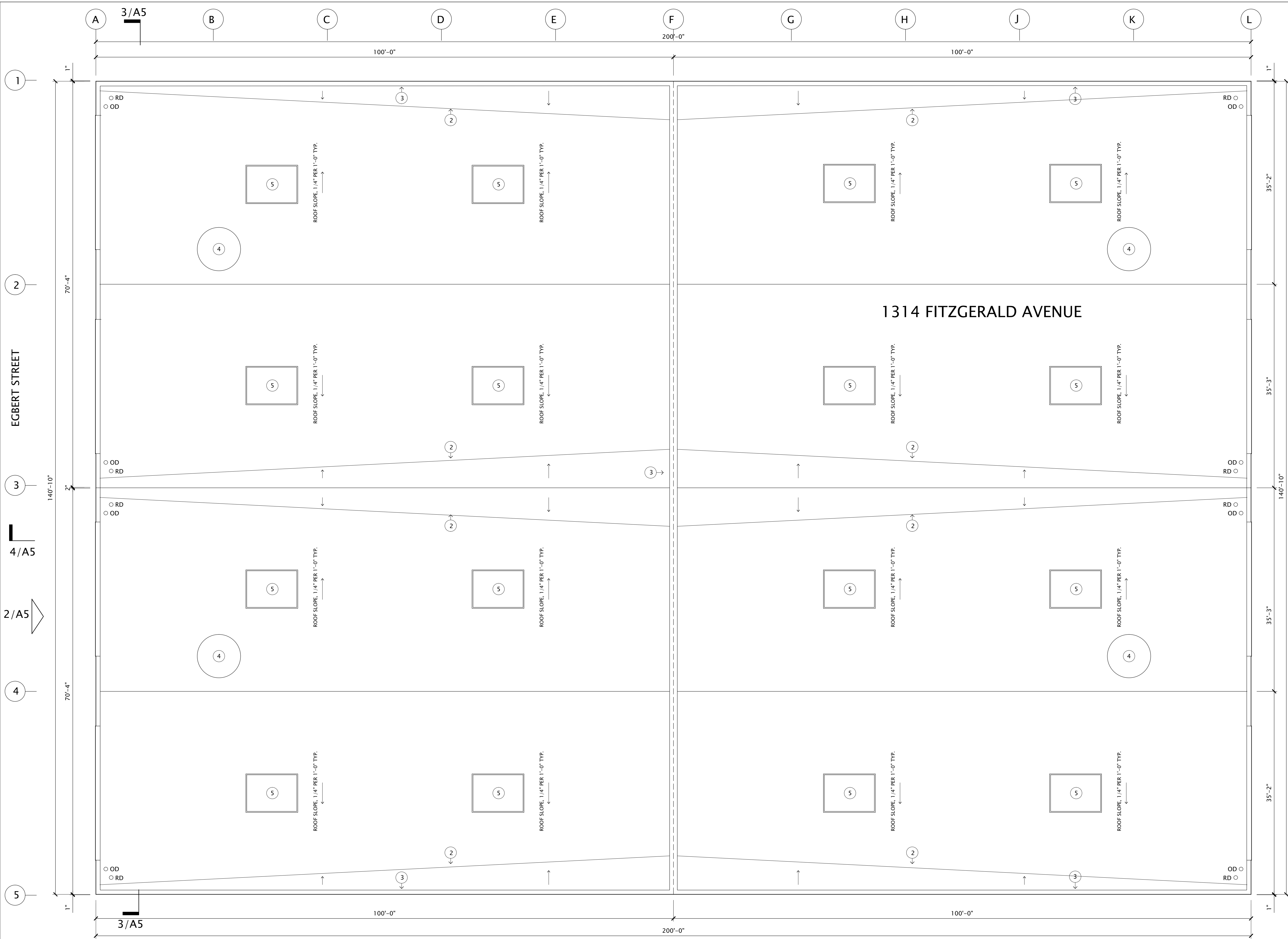
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PROJECT PLAN

Original drawing is 24" x 36". Scale entities accordingly if reduced

Sheet Number:

A2



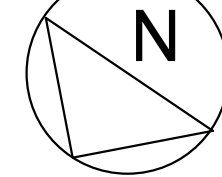
SHEET NOTES

- 1 -
- 2 ROOF CRICKET
- 3 FULLY GROUTED AND REINFORCED CONCRETE BLOCK PARAPET WALL, TO BE 30" MIN. ABOVE FINISHED ROOF
- 4 STORMWATER COLLECTION CISTERN. SEE CISTERN NOTE BELOW
- 5 VELUX FIXED CURB MOUNT (FCM) ACRYLIC SKYLIGHT 6'-8" X 9'-0"
- 6 -
- 7 -
- 8 -
- 9 -
- 10 -

CISTERN NOTES

EACH OF THE FOUR CISTERNS SHALL CARRY UP TO 3600 LBS OF WATER IN AN 850 OR 900 GALLON TANK. THE WEIGHT OF THE TANK ITSELF IS AN ADDITIONAL 300 LBS.

FITZGERALD STREET



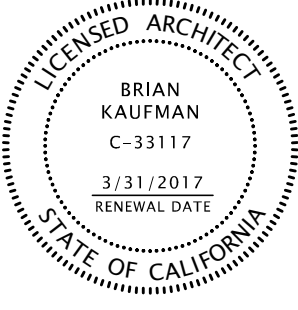
ROOF PLAN

1/8" = 1'-0"

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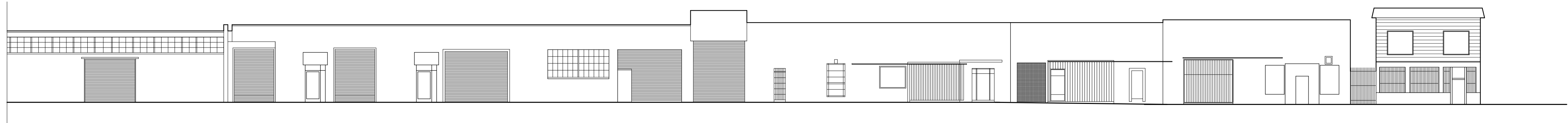
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Sheet Titles:
ROOF PLAN

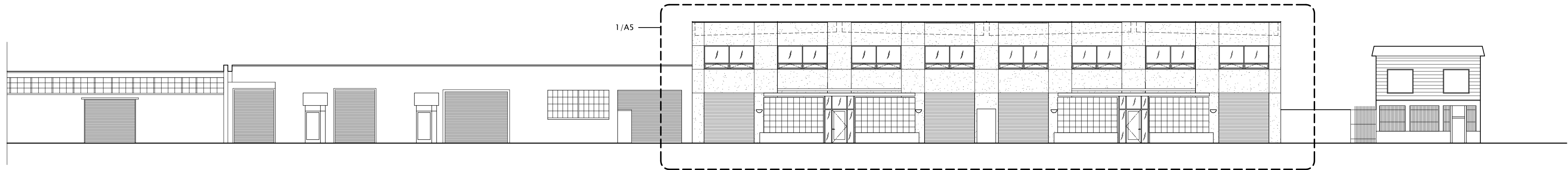
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Sheet Number:

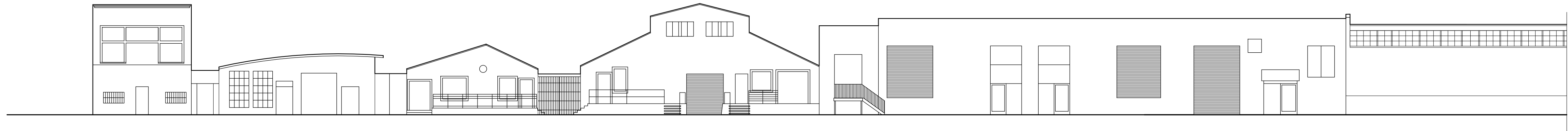
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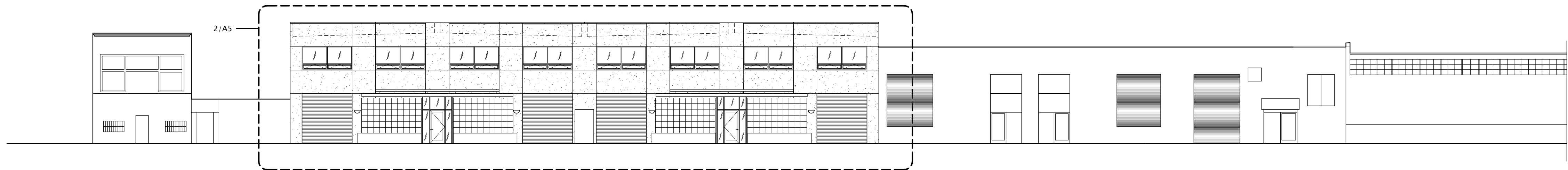
1 EXISTING EXTERIOR ELEVATIONS AT FITZGERALD STREET
1/16" = 1'-0"



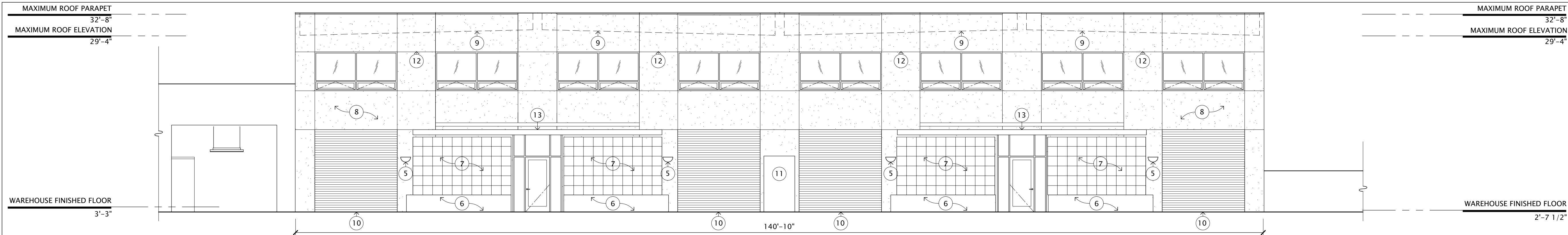
2 PROPOSED EXTERIOR ELEVATIONS AT FITZGERALD STREET
1/16" = 1'-0"



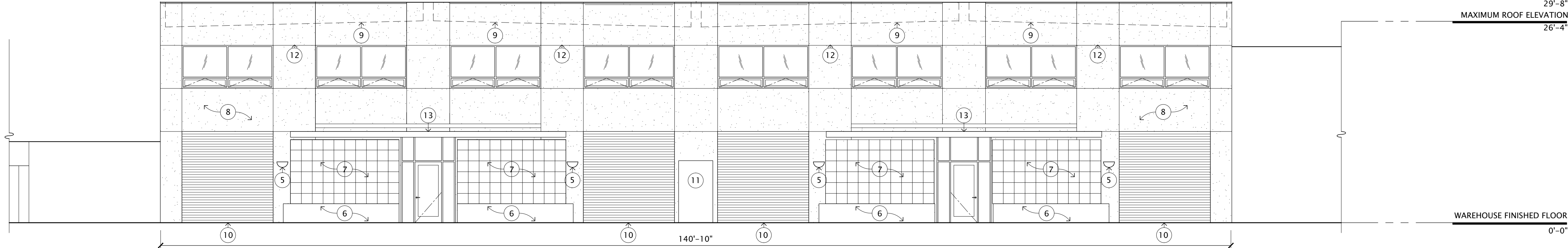
3 EXISTING EXTERIOR ELEVATIONS AT EGBERT STREET
1/16" = 1'-0"



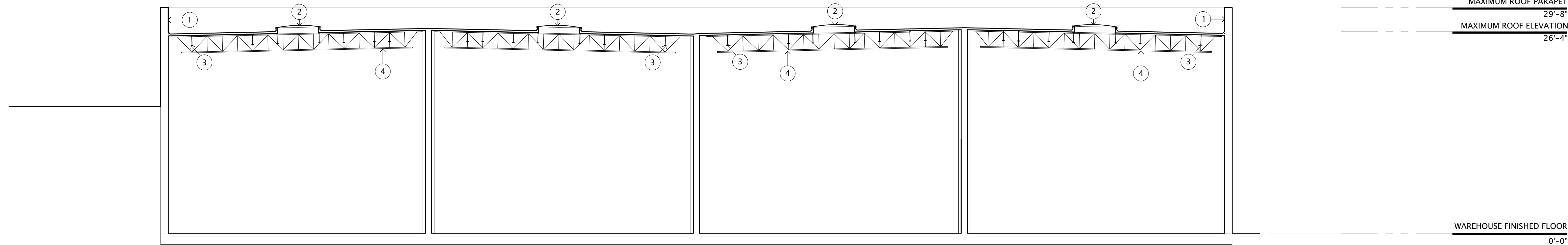
4 PROPOSED EXTERIOR ELEVATIONS AT EGBERT STREET
1/16" = 1'-0"



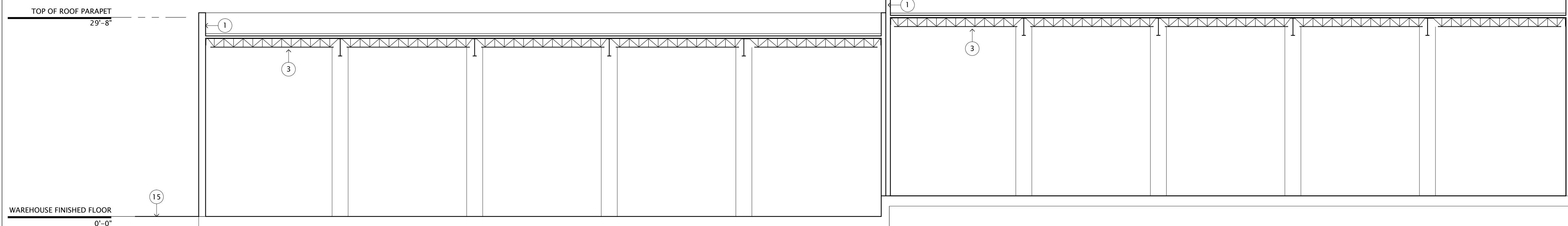
1 FITZGERALD STREET ELEVATION
1/8" = 1'-0"



2 EGBERT STREET ELEVATION
1/8" = 1'-0"



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



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

SHEET NOTES

- 1 CONCRETE MASONRY UNIT PARAPET WALL
- 2 SKYLIGHT
- 3 OPEN WEB STEEL ROOF PURLIN
- 4 OPEN WEB STEEL ROOF TRUSS
- 5 WALL SCONCE LIGHT FIXTURE
- 6 LANDSCAPE PLANTER BOX
- 7 METAL TRELLIS FOR VINES
- 8 STUCCO FINISH
- 9 OUTLINE OF ROOF BEYOND
- 10 ROLL-UP GARAGE DOOR
- 11 GAS METER CABINET, TO BE SCREENED
- 12 STUCCO CONTROL JOINT
- 13 METAL CANOPY
- 14 SIDEWALK - FITZGERALD STREET
- 15 SIDEWALK - EGBERT STREET

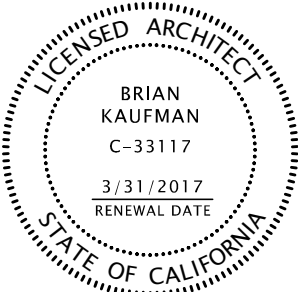
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Reviewed by:

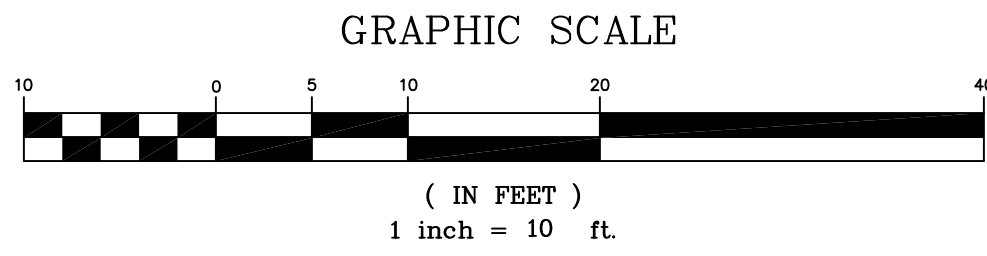
Project No:

Project:
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Sheet Titles:
**EXT. ELEVATIONS
BUILDING SECTIONS**
Original drawing is 24" x 36". Scale entities accordingly if reduced
Sheet Number:
A5



336 CLAREMONT BLVD, STE 2
SAN FRANCISCO, CA 94127
(415) 242-5400
www.westoversurveying.com



W/S
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SITE SURVEY				NO.	DATE	COMMENTS	JOB NO.
LOTS 1, 2 & 16 OF ASSESSOR'S BLOCK 4912 SAN FRANCISCO, CALIFORNIA				10/17/2012	10/17/2012		13025
DRAWN BY: DJW				10/17/2012			
CHECKED BY: DJW				10/17/2012			
SCALE: 1"=10'							

~SHEET~


1

GENERAL NOTES:

1. ALL ANGLES ARE NINETY DEGREES UNLESS OTHERWISE NOTED
2. ALL DISTANCES ARE IN TENTHS AND HUNDREDTHS OF FEET.
3. ELEVATIONS ARE BASED UPON THE CITY AND COUNTY OF SAN FRANCISCO DATUM.


SURVEYOR'S STATEMENT

This map was prepared by me or under my direction and is based upon a field survey at the request of Dolmen Property Group in May 2013.

BY:  _____

DANIEL J. WESTOVER, L.S. 7779
LICENSE EXPIRES: 12/31/2013

DATE: 5/28/13





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July 29, 2015

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

Re: Re: 1300 Fitzgerald Avenue, San Francisco
Conditional Use Application (Case No. 2014.0954C)

Dear Commissioner Fong:

Our office represents 1357-1359 Masonic LLC, the project applicant ("Applicant"), who submitted a Conditional Use Application ("CU Application") to the Planning Department ("Department") on August 5, 2014. On August 6, 2015, the Planning Commission ("Commission") will hold a Conditional Use and Planned Unit Development hearing in connection with the CU Application. The Department issued a Certificate of Determination for a Class 2 categorical exemption on March 26, 2015, a copy of which is attached to the Department's case report before this Commission ("Case Report").

Applicant proposes to (i) demolish six one-story buildings located on Block 4912, Lots 001, 002, and 016 (collectively, "Site"), (ii) subdivide the three existing lots into four new lots ("Lot A", "Lot B", "Lot C", and "Lot D"), and (iii) construct one one-story building on Lot C and one one-story building on Lot D (collectively, "Project"). The Project will require Conditional Use authorization by the Commission for a Planned Unit Development for a site larger than one-half acre and a deviation from the off-street parking requirement.

The Project will also require approval from the Department of Public Works for a lot line adjustment, lot merger, and subdivision map. The Planning Department, Department of Building Inspection, will also need to approve the site, grading, demolition, and building permits. For the reasons discussed below, the CU Application meets the criteria of Section 303(C) and Section 305(D) of the Planning Code. Therefore, the Commission should approve the CU Application.

DUANE MORRIS LLP

SPEAR TOWER, ONE MARKET PLAZA, SUITE 2200
SAN FRANCISCO, CA 94105-1127

PHONE: +1 415 957 3000 FAX: +1 415 957 3001

PROJECT SITE

The Site, consisting of three lots located on Block 4912 (Lots 001, 002, and 016), is located in the Bay View District of San Francisco. The Site is in a 40-X height and bulk district and is in two zoning districts: PDR-1B and PDR-2. The Site is 200 feet by 300 feet, totaling 60,000 sq. ft., and is bounded by Fitzgerald Avenue, Jennings Street, and Egbert Avenue. There are currently 11 buildings located on the Site: two buildings on Lot 1, three buildings on Lot 2, and six buildings on Lot 16. Lot 001 and that portion of Lot 16 with frontage on Egbert Avenue to a depth of 200' are located in a PDR-1B zoning district. Lot 2 and the remainder of Lot 16 with frontage on Fitzgerald Street are located in a PDR-2 zoning district. Except for the lot directly across from the Site, which is zoned RH-1, the Site is surrounded by PDR uses. See the relevant portion of Sheet ZN10 of the Zoning Map attached hereto as **Exhibit 1**.

Many of the existing improvements were constructed without the benefit of a building permit. As you can see on Sheet A.1 (Existing Site Plan) of the Plans attached to the Department's Case Report, Buildings 2, 4, 6, 7, 8, and 9 were poorly planned and haphazardly constructed. Buildings 3A and 4 straddle Lots 1 and 2. The three buildings with frontage on Jennings Street have residential units, offices (which are lawful non-conforming uses), and retail uses (which are principally permitted). The Jennings Street buildings with residential units are lawful non-complying structures because they do not meet the rear yard and usable open space requirements of the Planning Code. The following is a brief description of each existing building by Lot. Please refer to Sheet A.1 (Existing Site Plan) and Sheet A0.1 (photographs of the Site and Project vicinity) attached to the Department's Case Report for the locations of the buildings on the Site.

Lot 001

The 7,500 sq. ft. Lot 001 is located in a PDR-2 Zoning District and a 40-X Height and Bulk District, with 75 feet of frontage on Egbert Avenue and 100 feet of frontage on Jennings Street. This lot is improved with two buildings.

Building 1 is an approximately 5,586 sq. ft. mixed-use building fronting on Egbert Avenue and Jennings Street¹. It has both residential and commercial uses on the ground floor and residential on the second floor.

Building 2 is an approximately 2,680 sq. ft., 18-foot-tall, L-shaped, one-story building behind Building 1, with frontage on Egbert Avenue². Building 2 is occupied by a PDR tenant.

¹ The street addresses of Building 1 are 1401 Egbert Avenue and 2814-2822 Jennings Street.

² The street address of Building 2 is 1405 Egbert Avenue.

Lot 002

The 7,500 sq. ft. Lot 002 is located in a PDR-I-B Zoning District and a 40-X Height and Bulk District, with 75 feet of frontage on Fitzgerald Avenue and 100 feet of frontage on Jennings Street. This lot is improved with three buildings.

Building 3A is an approximately 3,920 sq. ft., 18-foot-tall, two-story mixed-use building fronting on Jennings Street³ and has both residential and commercial uses. This building straddles the property line between Lots 001 and 002.

Building 3B is an approximately 2,806 sq. ft., 19- to 21-foot tall, two-story mixed use building that fronts on both Fitzgerald Avenue and Jennings Street⁴, with both residential and commercial uses on the ground floor and residential on the second floor.

Building 4 is an approximately 4,971 sq. ft., 18 foot tall, one-story building that straddles the common property line between Lots 001 and 002.⁵ This building has frontage on Fitzgerald Avenue and is occupied by PDR tenants.

Buildings 3A and 4, currently straddle the common property line between Lots 001 and 002. Applicant proposes to demolish Building 4 and to essentially combine Lots 001 and 002, which will eliminate these lot line violations.

Lot 016

The 45,000 sq. ft. Lot 016 (225' by 200') has street frontage on both Fitzgerald and Egbert Avenues and has a split zoning of PDR I B and PDR 2. The line dividing the zoning districts for this lot is 100 feet from the Egbert Avenue property line. This lot is developed with five one-story industrial structures.

Building 5 has frontage on Egbert and Fitzgerald Avenues.⁶ This 25,300 sq. ft., one-story building is 18 feet tall on Fitzgerald Avenue and 21 feet tall on Egbert Avenue and is occupied by PDR tenants.

Building 6 is an approximately 5,530 sq. ft. rectangular, corrugated metal, barn-like building with a maximum height of 35 feet.⁷ This building has frontage on Egbert Avenue and is occupied by PDR tenants.

³ The street addresses of Building 3A are 2824-2836 Jennings Street.

⁴ The street addresses of Building 3B are 1300-1306 Jennings Street.

⁵ The street address of Building 4 is 1314 Fitzgerald Avenue.

⁶ The street address of Building 5 is 1324 Fitzgerald Avenue. The addresses are 1314-1318 Fitzgerald Avenue and 1439 Egbert Avenue.

⁷ The street addresses of Building 6 are 1425-1427 Egbert Avenue.

Building 7 is an approximately 4,312 sq. ft. rectangular building with a height of 18 feet at the ridge of the gable roof.⁸ This building has frontage on Egbert Avenue and is occupied by a PDR tenant.

Building 8 is an approximately 4,724 sq. ft. 21-foot-tall building with frontage on Fitzgerald and Egbert Avenues.⁹ It is occupied by a PDR tenant.

Building 9 is an approximately 4,953 sq. ft. 18-foot-tall irregularly shaped building with frontage on Fitzgerald Avenue and is occupied by PDR tenants.¹⁰

Building 10 is an approximately 502 sq. ft. rectangular car-port like structure with a roof but no walls, constructed between Buildings 6, 8, and 9. This structure is used by PDR tenants and is the location where hazardous materials were previously disposed years ago.

PROPOSED PROJECT

The Applicant proposes to redevelop the Site as follows:

1. Demolish all of the buildings on Lot 016, except for Building 5.
2. Demolish the PDR buildings 2 and 4 on Lots 001 and 002 to create new rear yards for the existing residential properties located on Lots 001 and 002.
3. Merge all three lots into one lot and re-subdivide the newly-created lot into four lots. Please refer to Sheet A0 (Proposed Site Plan) of the Plans attached to the Department's Case Report for the new lots and buildings. The newly created lots will be improved with existing buildings or new buildings as follows:

Lot A: The new 47-foot-wide-by-200-foot-deep lot with frontage on Jennings Street will contain Buildings 1, 3A, and 3B, which are the existing mixed-use (residential/office/retail) buildings and will have a new 15-foot at-grade rear yard for the residential units.

Lot B: The new 112-foot-wide-by-200-foot-deep lot with frontages on Fitzgerald and Egbert Avenues will contain the existing Building 5 for PDR use.

Lot C: A new building for PDR I B uses will be constructed on the newly created, vacant 141-foot-wide-by-100-foot-deep lot with frontage on Egbert Avenue.

⁸ The street address of Building 7 is 1419 Egbert Avenue.

⁹ The street address of Building 8 is 1322 Fitzgerald Avenue.

¹⁰ The street addresses of Building 9 are 1318-1320 Fitzgerald Avenue.

Lot D: A new building for PDR 2 uses will be constructed on the newly created, vacant 141-foot-wide-by-100-foot-deep lot with frontage on Fitzgerald Avenue.

THE PROJECT MEETS THE CRITERIA OF SECTION 304(D) FOR A PLANNED UNIT DEVELOPMENT

1. The 60,000 sq. ft. Site is more than an acre in size, exceeding the pre-requisite of 1/2 acre for a planned unit development set forth in §304(b).
2. The Project meets the criteria of §304(d) and merits modification of some of the quantitative Planning Code provisions. For the reasons discussed below, the Project affirmatively promotes the applicable objectives and policies.
 - A. The Project will provide 8 of the 18 required off-street parking spaces, all of which will be handicapped accessible. One off-street parking space will be located in each of the new PDR units in the Fitzgerald Street building. This number of off-street parking spaces is adequate to serve the Project's needs, in that the Muni light rail T-line stop is one block away on Third Street and Muni Line No. 29 (Sunset) runs eastbound on Fitzgerald Street. Therefore, modification of the off-street parking requirement will promote the City's Transit First Policy and should be granted.
 - B. Usable open space is not required for PDR uses and residential use is not permitted. However, the Project will provide 3,000 sq. ft. of at-grade rear yard as usable open space for residents in the dwelling units, which currently do not have any usable open space. This open space will provide a separation between the PDR uses and the lawful non-conforming residential/office uses fronting on Jennings Street.
 - C. The Project's new building is 29'8" high and 32'8" to the top of the parapet, which is substantially below the maximum allowable 40' height limit.
 - D. The Project FAR is 1 to 1, which is substantially less than the 3 to 1 permitted by the Planning Code.
 - E. The Project will achieve a visually attractive design that is compatible with the scale of the residential uses across Fitzgerald Avenue and the industrial buildings surrounding the Site.
 - F. The Project will integrate 8 loading facilities within the buildings on the Site.

- G. The Project will provide the required number of street trees on Egbert and Fitzgerald Avenues and on Jennings Street.

THE PROJECT MEETS THE CRITERIA OF §303(c):

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

The 28,200 gross square feet (gsf) of new PDR space will replace the five buildings on Lot 16, containing a total of 27,170 gsf of industrial space, and will meet the requirements of today's PDR users. The five buildings must be demolished to facilitate remediation of contaminated soil at the Site. The proposed modern PDR buildings will not result in an increase in intensity or size of the existing PDR uses at the Site. Remediation of the contaminated soil at the Site is both necessary and desirable for the neighborhood.

2. *The proposed uses or features will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential developments in the vicinity.*

- A. The nature of the Site, including its size and shape, and the proposed size, shape and arrangement of structures.

The current buildings with a total of 27,170 gsf of industrial space will be replaced with two 14,100 gsf buildings; each will be divided into four units of 3,170 gsf each. The shape of the new building is compatible with the other buildings on Lot 16 and the industrial buildings of the surrounding blocks, whereas the existing buildings are not compatible. The newly created rear yard adjacent to the mixed-use building will provide useable open space for the residents, and a buffer and transition from the lawful non-conforming residential use to the PDR uses.

- B. 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 Site is adjacent to the Muni Line No. 29 (Sunset) and one block from the Muni T-line light rail on Third Street. There is no MUNI service on Jennings Street, Egbert Avenue, or Fitzgerald Avenue. The Project will not alter the accessibility to the Site. The pedestrian and vehicular traffic pattern will be the same.

All PDR units on Egbert and Fitzgerald Avenues across from the residential buildings, which are mostly single family homes, will have one off-street parking space, all of which will be handicapped accessible. This will provide sufficient off-street parking for the Project, especially given the City's Transit First Policy.

Additionally, each PDR unit will have one secured Class 1 bicycle parking space and one secured Class 2 bicycle parking space, which will be located on the sidewalks in four corrals. Each new PDR unit will contain one ADA-accessible shower stall, and the Applicant will require the lessees of the PDR units to provide lockers for their employees.

Each of the PDR units will have an off-street freight loading space; therefore adequate off-street loading spaces will be provided.

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

All exterior lighting will be down lighting. Inasmuch as the new buildings will replace existing industrial buildings, there will be no increase in noise, glare, dust, or odor. The new buildings will be designed to meet the City's Noise Ordinance to ensure that the residential units across the street will not be affected. However, in an industrial area, ambient noise from trucks is unavoidable. Since the Project buildings will comply with the Noise Ordinance and Title 24, the Project would not result in any increases in ambient noise levels.

Construction of the Project would temporarily increase noise and vibration levels in the vicinity. Construction noise and vibration would fluctuate depending on the construction phase, equipment type, duration of use, and distance between the source and the listener. Furthermore, construction noise and vibration would be intermittent and limited to the construction period of the Project. No pile driving will be necessary for the construction of the Project. Noise from construction activities is regulated by the San Francisco Noise Ordinance (Noise Ordinance).

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

Street trees will be planted where none exist today. Planter boxes will be placed between the pedestrian entrances to the PDR units. All parking and loading areas will be inside the buildings, and signs will comply with the requirements of Article 6 of the Planning Code.

3. ***That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.***

For the sake of brevity, please refer to the Department's draft motion for analysis of the Project's consistency with the applicable objectives and policies of the City's General Plan. See also the CU Application attached hereto as **Exhibit 2**.

THE PROJECT MEETS THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1(b)

The Project is consistent with the Priority Policies of Planning Code Section 101/1(b) in that:

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

The existing neighborhood-serving retail uses fronting on Jennings Street will be preserved. No existing neighborhood-serving retail will be eliminated by construction of the two modern PDR buildings. The new PDR buildings will enhance and provide future opportunities for resident employment and ownership of PDR businesses. Therefore, the Project is consistent with the policies of Planning Code Section 101(b)(1).

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

The PDR 1 B and PDR 2 zoning of the Site do not allow construction of new residential units. The lawful non-conforming residential use fronting on Jennings Street will be preserved. Preservation of the existing residential units and 1:1 replacement of the demolished PDR buildings with modern and functionally up-to-date new PDR buildings will preserve the cultural and economic diversity of this neighborhood. Therefore, the Project is consistent with the policies of Planning Code Section 101(b)(2).

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

The residential units on the Site will be preserved and will remain as rent-control units. However, these units will be enhanced with an at-grade rear yard as usable open space for the residents and persons working in the offices. Therefore, the Project is consistent with the policies of Planning Code Section 101(b)(3).

4. ***That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.***

The replacement PDR buildings will have no impact on commuter traffic. Muni's Metro T Line and Caltrains' Paul Avenue Station are one block from the Site. Muni Line No. 29 (Sunset) is one block away and provides a transfer to Muni Lines 8 and 8X. There are no MUNI lines on Jennings Street, Egbert Avenue, and Fitzgerald Avenue. With a net increase of 528 sq. ft. of PDR space, the Project's impact on transportation is virtually identical to the existing uses on the Site and will not overburden our streets.

There is no on-site parking in the current buildings. Each of the new PDR units on Fitzgerald and Egbert Avenues will include one off-street parking space, all of which will be handicapped accessible, and one off-street loading space to ensure that off-street parking demand will decrease and will not overburden the on-street neighborhood parking available to the nearby residents. Therefore, the Project is consistent with the policies of Planning Code Section 101(b)(4).

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

The soil under the PDR buildings proposed to be demolished is contaminated. Demolition of these building will allow the Applicant to remediate the contaminated soil pursuant to the approved Site Mitigation Plan approved by the SF Department of Public Health and to replace the existing dilapidated and functionally outdated PDR buildings with modern PDR space. Redevelopment of this Site will not result in a decrease of PDR space for industrial and service sector use. Therefore, the Project is consistent with the policies of Planning Code Section 101(b)(54).

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

The current buildings proposed to be demolished do not meet current seismic or fire safety standards. The Project will meet current seismic and fire safety standards. Therefore, the Project will promote with the policies of Planning Code Section 101(b)(6).

7. ***That landmarks and historic buildings be preserved.***

The Site is not located in a historic or conservation district. The Categorical Exemption issued for the Project determined that there are no historic resources at the Site. See the Categorical Exemption for the Project attached to the Case Report. There are no landmark or historic buildings nearby. Therefore, construction of the two new buildings will have no effect on any historic resources nor historic district, and, therefore, the Project is consistent with the policies of Planning Code Section 101(b)(7).

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

The closest public open space is the Bay View Park, which is south west from the Site. The undeveloped Candlestick Point State Recreation area is to the southeast of the Site. The new buildings will be approximately 30' high. With the intervening buildings, the Project will not cast any shadow on a park.

CONCLUSION

Based on the foregoing, the Project is necessary and desirable because it will replace six dilapidated, poorly planned and constructed buildings with two PDR buildings that are contextually appropriate. The demolition of the existing buildings is necessary so that contaminated soil can be removed from the environment. Creation of an at-grade rear yard will provide a transition and separation from the existing residential use to the PDR uses. The existing residential units will benefit from the inclusion of useable open space where none existed before. The new street trees will enhance the streetscape around the Site. The Project is consistent with the purpose and objectives of the Bay View Hunters Point Area Plan, an element of the City's General Plan. Therefore, it is respectfully submitted that this Commission should grant the Conditional Use authorization and approve the demolition and building permit applications of the Project.

Very truly yours,


Alice Suet Yee Barkley

Exhibits: 1 – Zoning Map
 2 – CU Application

cc: Commissioner Michael J. Antonini
 Commissioner Rich Hillis
 Commissioner Christine D. Johnson
 Commissioner Kathrin Moore
 Commissioner Dennis Richards
 Commissioner Cindy Wu
 John Rahaim, Director of Planning
 Scott Sanchez, Zoning Administrator
 Rich Sucre, Planner
 Seamus Naughton (via e-mail)
 Wesley Burke (via e-mail)

EXHIBIT 1
ZONING MAP

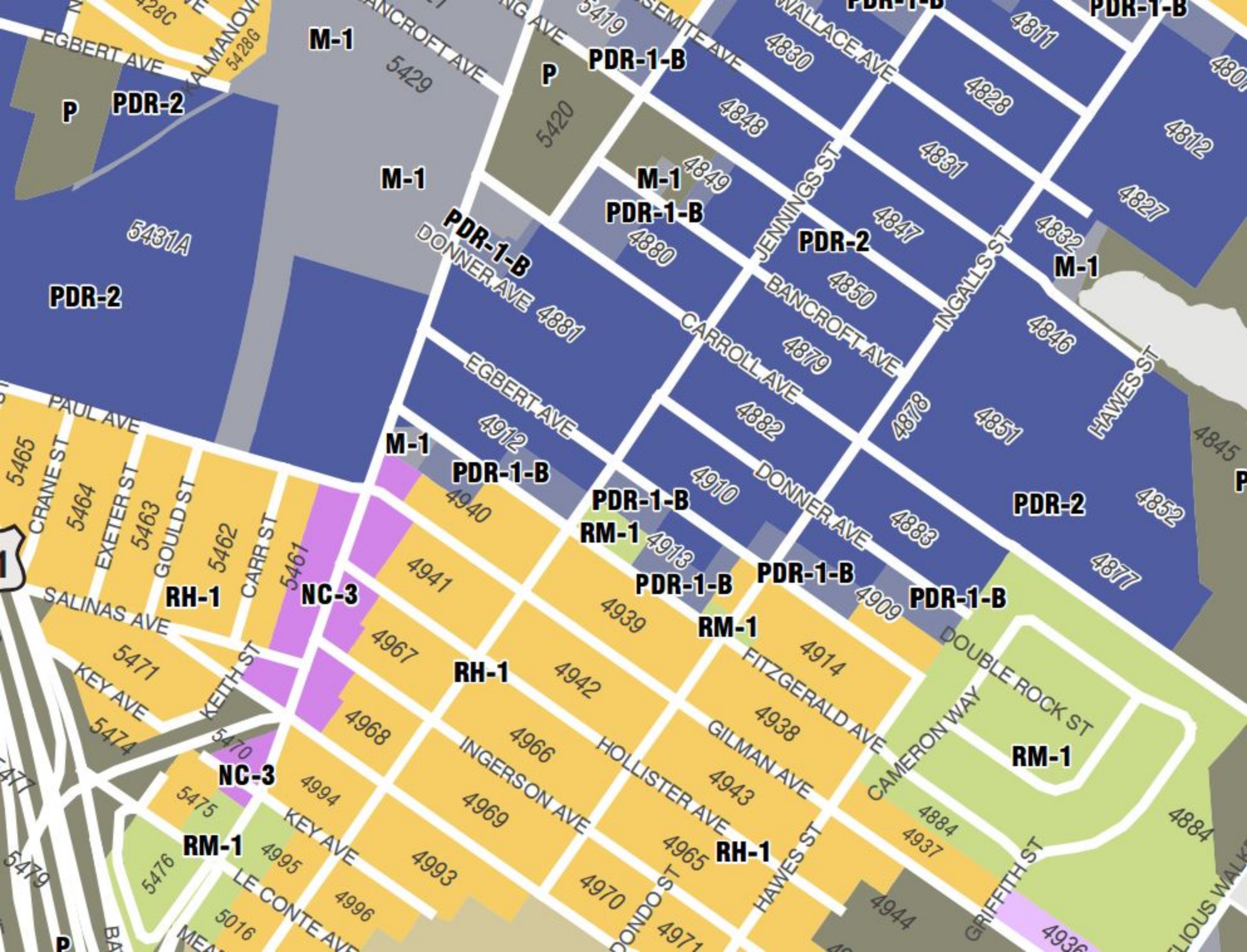


EXHIBIT 2

CU APPLICATION

APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: 1357-1359 Masonic LLC (1300 Fitzgerald Phase II)	
PROPERTY OWNER'S ADDRESS: c/o Dolmen Property Group, LLC 1452 Broadway Street San Francisco, CA 94109	TELEPHONE: (415) 255-9024
	EMAIL: wesley@dolmenpropertygroup.com

APPLICANT'S NAME: Wesley Burke		Same as Above <input type="checkbox"/>
APPLICANT'S ADDRESS: Dolmen Property Group, LLC 1452 Broadway Street San Francisco, CA 94109	TELEPHONE: (415) 255-9024	
	EMAIL: wesley@dolmenpropertygroup.com	

CONTACT FOR PROJECT INFORMATION: Alice Barkley		Same as Above <input type="checkbox"/>
ADDRESS: McKenna, Long & Aldridge LLP One Market Plaza, Spear Tower, 24th Floor San Francisco, CA 94105	TELEPHONE: (415) 356-4635	
	EMAIL: abarkley@mckennalong.com	

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): Wesley Burke		Same as Above <input type="checkbox"/>
ADDRESS: Dolmen Property Group, LLC 1452 Broadway Street San Francisco, CA 94109	TELEPHONE: (415) 255-9024	
	EMAIL: wesley@dolmenpropertygroup	

2. Location and Classification

STREET ADDRESS OF PROJECT: 1300 Fitzgerald Avenue, San Francisco, CA	ZIP CODE: 94124
CROSS STREETS: Jennings Street and Egbert Street	

ASSESSORS BLOCK/LOT: 4912 /01,02,016	LOT DIMENSIONS: 200' x 300'	LOT AREA (SQ FT): 60,000 sq. ft.	ZONING DISTRICT: PDR-1B and PDR-2	HEIGHT/BULK DISTRICT: 40-X
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3. Project Description

(Please check all that apply) <input type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alterations <input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify:	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE: PDR	
		PROPOSED USE: PDR	
		BUILDING APPLICATION PERMIT NO.: n/a	DATE FILED:

4. Project Summary Table

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

	EXISTING USES	EXISTING USES TO BE RETAINED	NET NEW CONSTRUCTION AND/OR ADDITION	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units	5	5	0	5
Hotel Rooms	0	0	0	0
Parking Spaces	0	0	8	8
Loading Spaces	0	0	8	8
Number of Buildings	11	4	2	6
Height of Building(s)	35'		30'	30'
Number of Stories	2	2	2	2
Bicycle Spaces	n/a	n/a	10	10
GROSS SQUARE FOOTAGE (GSF)				
Residential	n/a	n/a	n/a	n/a
Retail	n/a	n/a	n/a	n/a
Office	0	0	0	0
Industrial/PDR <i>Production, Distribution, & Repair</i>	52, 972	52,972	528	53,500
Parking	0	0	1,152	1,152
Other (Specify Use)	0	0	0	0
TOTAL GSF	52,972	52,972	528	53,500

Please describe any additional project features that are not included in this table:
 (Attach a separate sheet if more space is needed)

see Attachment

see Attachment

see Attachment

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

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

see Attachment

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

see Attachment

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

see Attachment

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

see Attachment

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

see Attachment

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

see Attachment

7. That landmarks and historic buildings be preserved; and

see Attachment

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

see Attachment

Estimated Construction Costs

TYPE OF APPLICATION: Conditional Use & Planned Unit Development	
OCCUPANCY CLASSIFICATION: F-1, F-2, S-1, and S-2	
BUILDING TYPE: Type V-B	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION: 28,200 sq. ft (528 sq. ft. net new)	BY PROPOSED USES: 28,200 sq. ft. (PDR)
ESTIMATED CONSTRUCTION COST: \$4,918,362	
ESTIMATE PREPARED BY: Seamus Naughten, Dolmen Property Group	
FEE ESTABLISHED: \$37,410.00	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: _____



Date: _____

8/5/2014

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

Wesley Burke

☒ Owner / Authorized Agent (circle one)

Application Submittal Checklist

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

APPLICATION MATERIALS	CHECKLIST
Application, with all blanks completed	<input checked="" type="checkbox"/>
300-foot radius map, if applicable	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Site Plan	<input checked="" type="checkbox"/>
Floor Plan	<input checked="" type="checkbox"/>
Elevations	<input checked="" type="checkbox"/>
Section 303 Requirements	<input checked="" type="checkbox"/>
Prop. M Findings	<input checked="" type="checkbox"/>
Historic photographs (if possible), and current photographs	<input checked="" type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Original Application signed by owner or agent	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/> n/a
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input type="checkbox"/> n/a

NOTES:

☐ Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)

☐ Typically would not apply. Nevertheless, in a specific case, staff may require the item.

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

After your case is assigned to a planner, you will be contacted and asked to provide an electronic version of this application including associated photos and drawings.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

**ATTACHMENT TO CONDITIONAL USE APPLICATION
FOR BLOCK 4912, LOTS 001, 002, and 016.**

PROJECT SITE

The project site consists of three lots (Block 4912, Lots 001, 002, and 016) totaling 60,000 sq. ft. (200 feet by 300 feet) that is bound by Fitzgerald Avenue, Jennings Street and Egbert Avenue in the Bay View District of San Francisco (“Project Site”). The Project Site is improved with 11 buildings (two buildings on Lot 1, three buildings on Lot 2 and six buildings on Lot 16), which will be described in more detail below. The Project Applicant proposes to redevelop the Project Site pursuant to a Planned Unit development and conditional use authorization.

Lot 001

The 7,500 sq. ft. Lot 001 is located in a PDR-2 Zoning District and a 40-X Height and Bulk District, with 75 feet of frontage on Egbert Avenue and 100 feet of frontage on Jennings Street. This lot is improved with two buildings.

Building 1 is an approximately 5,586 sq. ft. mixed-use building fronting on Egbert Avenue and Jennings Street;¹ it has both residential and commercial uses on the ground floor and residential on the second floor.

Building 2 is an approximately 2,680 sq. ft., 18-foot-tall, L-shaped, one-story building with frontage on Egbert Avenue,² behind Building 1. Building 2 is occupied by a PDR tenant.

Lot 002

The 7,500 sq. ft. Lot 002 is located in a PDR-1-B Zoning District and a 40-X Height and Bulk District, with 75 feet of frontage on Fitzgerald Avenue and 100 feet of frontage on Jennings Street. This lot is improved with three buildings.

Building 3A is an approximately 3,920 sq. ft., 18-foot-tall, two-story mixed-use building fronting on Jennings Street;³ it has both residential and commercial uses. This building straddles the property line between Lots 001 and 002.

Building 3B is an approximately 2,806 sq. ft., 19- to 21-foot-tall, two-story mixed-use building that fronts both Fitzgerald Avenue and Jennings Street;⁴ it has residential and commercial uses on the ground floor and residential on the second floor.

¹ The street addresses of Building 1 are 1401 Egbert Avenue and 2814-2822 Jennings Street.

² The street address of Building 2 is 1405 Egbert Avenue.

³ The street addresses of Building 3A are 2824-2836 Jennings Street.

⁴ The street addresses of Building 3B are 1300-1306 Jennings Street.

Building 4 is an approximately 4,971 sq. ft., 18-foot-tall, one-story building that straddles the common property line between Lots 001 and 002.⁵ This building has frontage on Fitzgerald Avenue and is occupied by PDR tenants.

Lot 016

The 45,000 sq. ft. Lot 016 (225' by 200') has street frontage on both Fitzgerald and Egbert Avenues and has a split zoning of PDR-1-B and PDR 2. The line dividing the zoning districts for this lot is 100 feet from the Egbert Avenue property line. This lot is developed with five one-story industrial structures.

Building 5 has frontages on Egbert and Fitzgerald avenues.⁶ This 25,300 sq. ft., one-story building is 18 feet tall on Fitzgerald Avenue and 21 feet tall on Egbert Avenue and is occupied by PDR tenants.

Building 6 is an approximately 5,530 sq. ft. rectangular, corrugated metal, barn-like building with a maximum height of 35 feet.⁷ This building has frontage on Egbert Avenue and is occupied by PDR tenants.

Building 7 is an approximately 4,312 sq. ft. rectangular building with a height of 18 feet at the ridge of the gable roof.⁸ This building has frontage on Egbert Avenue, and is occupied by a PDR tenant.

Building 8 is an approximately 4,724 sq. ft. 21-foot-tall building with frontage on Fitzgerald and Egbert Avenues.⁹ It is occupied by a PDR tenant.

Building 9 is an approximately 4,953 sq. ft. 18-foot-tall irregularly shaped building with frontage on Fitzgerald Avenue and is occupied by PDR tenants.¹⁰

Building 10 is an approximately 502 sq. ft. rectangular car-port like structure with a roof but no walls, constructed between Buildings 6, 8, and 9. This structure is used by PDR tenants and is where hazardous materials were previously disposed years ago.

An existing and proposed site plan of the Project Site are attached hereto and collectively referred to as **Exhibit 1**. Photographs of the Project Site and project vicinity are attached hereto as **Exhibit 2**.

⁵ The street address of Building 4 is 1314 Fitzgerald Avenue.

⁶ The street address of Building 5 is 1324 Fitzgerald Avenue. The addresses are 1314-1318 Fitzgerald Avenue and 1439 Egbert Avenue.

⁷ The street addresses of Building 6 are 1425-1427 Egbert Avenue.

⁸ The street address of Building 7 is 1419 Egbert Avenue.

⁹ The street address of Building 8 is 1322 Fitzgerald Avenue.

¹⁰ The street addresses of Building 9 are 1318-1320 Fitzgerald Avenue.

PROPOSED PROJECT

The project sponsor proposes to:

1. Demolish all of the buildings on Lot 016, except for Building 5.
2. Demolish the PDR buildings on Lots 001 and 002.
3. Merge all three lots into one lot and re-subdivide the newly created lot into four lots. The newly created lots will be improved with existing buildings or with new buildings as follows:

Lot A: The new 47-foot-wide-by-200-foot-deep lot with frontage on Jennings Street will contain Buildings 1, 3A, and 3B, which are the existing mixed-use (residential/office/retail) buildings and will have a 15-foot at-grade rear yard for the residential units.

Lot B: The new 112-foot-wide-by-200-foot-deep lot with frontages on Fitzgerald and Egbert Avenues will contain the existing Building 5 for PDR use.

Lot C: A new building for PDR-1-B uses will be constructed on the newly created vacant 141-foot-wide-by-100-foot-deep lot with frontage on Egbert Avenue.

Lot D: A new building for PDR-2 uses will be constructed on the newly created vacant 141-foot-wide-by-100-foot-deep lot with frontage on Fitzgerald Avenue.

APPLICABLE PLANNING CODE

Zoning:	Lot 001 is located in a PDR-2 District. Lot 002 is located in a PDR-1-B District. Lot 016 has a split zoning of PDR-1-B and PDR-2.
Height and Bulk	40-X
Bulk Limitations	In a X Bulk District, there are no bulk limitations.
Residential	Not permitted. The existing residential units are lawful non-conforming uses.
FAR	3.0 to 1 in PDR-1-B and PRD-2 Districts (See §124, Table 124).
Permitted Uses	See §§ 217-227 inclusive
Off-Street Parking,	For storage or warehouse space and space devoted to any use first permitted in an M-2 District, one space for every 2,000 sq. ft. of occupied floor area. Ten spaces are required for the Proposed Project. (See §151, Table 151)

Off-Street Freight Loading:	<p>In districts other than C-3 Districts, Eastern Neighborhoods Mixed-Use Districts or South of Market Mixed-Use Districts, one space is required for any of the following uses: retail stores, wholesaling, manufacturing or live/work units in newly constructed structures and all other uses primarily engaged in the handling of goods that are between 10,001 and 60,000 sq. ft. One space is required for the Proposed Project. (See §152; Table 152)</p> <p>The required freight loading space shall have a minimum width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance of 12 feet. (See §154(b)(1))</p>
Car Share Spaces	Zero spaces for 0 to 24 parking spaces provided for non-residential uses. None are required for the Proposed Project. (See §166(d)(1), Table 166)
Bicycle Parking	<p>For warehouse uses, one Class 1 space for every 40,000 sf. No Class 2 spaces are required. (See §155.2, Table 155.2)</p> <p>For light manufacturing and integrated PDR uses, one Class 1 space for every 12,000 sq. ft. of occupied floor area but no less than two Class 1 spaces for any use larger than 5,000 occupied sq. ft.; a minimum of two Class 2 spaces; four Class 2 spaces for any use larger than 50,000 gsf. No Class 2 space is required for the Proposed Project. (See §155.2, Table 155.2).</p> <p>A total of four Class 1 bicycle spaces are required for the Proposed Project.</p>

APPROVALS REQUIRED

The Proposed Project will require the following approvals:

Actions by the Planning Commission

- Granting of conditional use authorization for a Planned Unit Development to:
 - develop a site larger than one-half acre
 - deviate from the off-street parking requirement

Actions by Other City Departments

- Approval of lot line adjustment, lot merger, and subdivision map (*Department of Public Works*)
- Approval of Site Permits (*Planning Department, Department of Building Inspection*)
- Approval of grading, demolition, and building permits (*Planning Department and Department of Building Inspection*)

IMPACT FEES

The Proposed Project is required to pay the Transit Impact Development Fee. The fee is \$6.80 per sq. ft. of PDR uses. The fee is applicable to net new square footage of PDR uses being added to the Project Site. Credit will be given for the existing/prior PDR uses on the Project Site that will be demolished and replaced by new PDR uses (see §411.3).

THE PROJECT MEETS THE CRITERIA OF SECTION 304(D) FOR A PLANNED UNIT DEVELOPMENT

- A. The 60,000 sq. ft. Project Site is more than one-half acre in size, exceeding the prerequisite for a planned unit development set forth in §304(b).
- B. The Proposed Project meets the criteria of §304(d) and merits modification of some of the quantifiable Planning Code provisions. For the reasons discussed below relating to the City's General Plan objectives and policies, the Proposed Project affirmatively promotes the applicable objectives and policies:
 - (b) The Proposed Project will provide 4 of the 10 required off-street parking spaces. The 4 off-street parking spaces are sufficient in that Muni T line light rail runs on Third Street which is one block away, and Muni Line No. 29 Sunset line runs eastbound on Fitzgerald Street.
 - (c) Usable open space is not required for PDR uses. The Proposed Project will provide 3,000 sq ft. of usable open space in form of a rear yard for the lawful non-conforming residential units that currently do not have usable open space or a rear yard.
 - (d) The Proposed Project's new building at approximately 30' is below the height limit.
 - (e) The Project FAR is 1 to 1, which is substantially less than that 3 to 1 permitted by the Planning Code.
 - (f) The ground floor office and residential use existed prior to the adoption the PDR zoning districts and are lawful non-conforming uses. The retail services are principle permitted uses.
 - (g) The Proposed Project will provide the required number of street trees on Egbert and Fitzgerald Avenues and on Jennings Street.

THE PROJECT MEETS THE CRITERIA OF §303(c):

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

The 28,200 gross square feet (gsf) of new PDR space will replace 27,672 gsf (5

buildings) of dilapidated PDR space on Lot 16. These five buildings have to be demolished in order to remove contaminated soil which is both necessary and desirable for the neighborhood.

2. *The proposed uses or features will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential developments in the vicinity.*

A. The nature of the Project Site, including its size and shape, and the proposed size, shape and arrangement of structures:

The current inter-connected buildings totaling 27,672 gsf will be replaced with 2 14,100 gsf buildings; each will be divided into four units of 3,170 gsf each. The shape of the new building is compatible with the other buildings on Lot 16 and the surrounding blocks. The newly created rear yard for the mixed-use building will provide a transition from the lawful non-conforming residential use to the PDR uses.

B. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.

The Project Site is adjacent to the #29 MUNI line (Sunset) and one block from the MUNI light rail T Line on Third Street. The four PDR units on Fitzgerald Street across from the residential buildings will have one off-street parking and one secured Class 1 bicycle parking space for each of the units. The four PDR units on Egbert Street will have no off-street parking and one Class 1 bicycle parking space for every PDR unit. There will be sufficient off-street parking for the Project especially given the City's Transit First Policy. Each of the PDR units will have an off-street freight loading space. Therefore, adequate loading spaces will be provided.

The Proposed Project will not alter the traffic pattern around the site or access to the buildings proposed to remain.

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

All exterior lighting will be down lighting. Inasmuch as the new buildings will replace existing industrial buildings, there will be no increase in noise, glare dust or odor. The new buildings will be designed to meet the City's noise ordinance to ensure that the residential units across the street on Fitzgerald Street will not be affected. However, in an industrial area, ambient noise from trucks is unavoidable. Based on the nature and size of the Proposed Project and required compliance with the Noise Ordinance and Title 24, the Proposed Project would not result in any permanent increases in ambient noise levels.

Construction of the Proposed Project would temporarily increase noise and vibration levels in the vicinity. Construction noise and vibration would fluctuate depending on the construction phase, equipment type, duration of use, and distance between the source and the listener. Furthermore, construction noise and vibration would be intermittent and limited to the construction period of the Proposed Project. No pile driving will be necessary for the construction of the Proposed Project. Noise from construction activities is regulated by the San Francisco Noise Ordinance (Noise Ordinance).

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

Street trees will be planted. All parking and loading areas will be inside the buildings. Signs will comply with the requirements of Article 6 of the Planning Code.

3. *That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.*

Plans and Policies

The Proposed Project would be in conformity with the following General Plan objectives and policies:

- A. ***AIR QUALITY ELEMENT***

Objective 2 -- Reduce mobile sources of air pollution through implementation of the transportation element of the general plan.

Applicable objectives and policies are listed under the Transportation Element and the City's Transit First Policy. See discussion under the applicable sections below.

Objective 3 -- Decrease the air quality impacts of development by coordination of land use and transportation decisions.

Policy 3.9 Encourage and require planting of trees in conjunction with new development to enhance pedestrian environment and select species of trees that optimize achievement of air quality goals.

Street trees will be planted where none exist today in front of all the buildings (new and existing) on the Project Site.

Objective 5 -- Minimize particulate matter emissions from road and construction sites.

Policy 5.1 - Continue policies to minimize particulate matter emissions during road and building construction and demolition.

Policy 5.2 Encourage the use of building and other construction materials and

methods which generate minimum amounts of particulate matter during construction as well as demolition.

The Project Sponsor and contractor must and will comply with the City's Building Code provisions governing dust control, including watering of the site with non-potable water.

Objective 6 -- Link the positive effects of energy conservation and waste management to emission reductions.

B. **COMMERCE AND INDUSTRY ELEMENT**

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 Proposed Project will retain 25,300 sq. ft. of existing PDR space and the construction of 28,200 sq. ft. of modern PDR space to attract and enhance the City's industrial sector. The offices that are lawful non-conforming uses will be retained consistent with Policy 2.1.

Objective 3 -- Provide expanded employment opportunities for city residents, particularly the unemployed and economically disadvantaged.

Policy 3.1 Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

The renovated existing and new PDR space will attract, retain and expand existing PDR uses and continue to provide employment opportunities to unskilled and semi-skilled workers.

C. **COMMUNITY SAFETY ELEMENT**

Objective 1 -- Reduce structural and non-structural hazards to life safety and minimize property damage resulting from future disasters.

Policy 1.3 - Assure that new construction meets current structural and life safety standards.

The new PDR building will be constructed to meet all current Building Code seismic and fire safety standards.

Policy 1.6 - Consider site soils conditions when reviewing projects in areas subject to liquefaction or slope instability.

A Geotechnical Report will be submitted to the Department of Building Inspection for review and approval as part of the building permit process to ensure that the building's foundation will be designed appropriately because of the potential for liquefaction due to high ground water table. The foundation would be a mat slab as recommended by the

geotechnical engineer.

Policy 1.8 - -Direct City actions to reduce its contributions towards climate change, and mitigate future releases of greenhouse gases.

A greenhouse gas check list was submitted with the Environmental Review Application that shows the proposed buildings will not contribute to future releases of greenhouse gases.

Policy 1.11 - Continue to promote green storm-water management techniques.

The Proposed Project would comply with all City requirements related to stormwater management, including the San Francisco Green Building Requirements, the San Francisco Stormwater Management Ordinance, and the SFPUC's Stormwater Design Guideline to design the treatment measures. The Proposed Project would also comply with the San Francisco Green Building Requirements related to water use reduction by cutting potable water use by 20%. The project will utilize green stormwater management techniques at the project by installing bio-retention planters on-site which will both improve the quality of the stormwater runoff as well as reducing the volume and rate of runoff through the promotion of infiltration into the native soils.

D. **ENVIRONMENTAL PROTECTION ELEMENT**

Objective 1 -- achieve a proper balance among the conservation, utilization, and development of San Francisco's natural resources.

Policy 1.4 - Assure that all new development meets strict environmental quality standards and recognizes human needs.

The Proposed Project will enable the Project Sponsor to remediate contaminated soil after removal of the existing buildings proposed to be demolished. The Proposed Project would comply with the San Francisco Green Building Requirements related to energy efficiency. The Project Sponsor will provide documentation demonstrating that the project achieves a 15% compliance margin over the 2008 Title 24 Part 6 Energy Standards. The Proposed Project would comply with the San Francisco Green Building Requirements related to the commissioning of building energy and water systems. Design and construction commissioning will be conducted to verify that energy- and water-using components meet the owner's or owner representative's project requirements. Since the proposed new building is nonresidential and larger than 25,000 square feet, enhanced commissioning of building energy systems meeting LEED prerequisite EAc3 will be completed.

Objective 4 -- Achieve a proper balance among the conservation, utilization, and development of San Francisco's natural resources.

Policy 4.1 - Support and comply with objectives, policies, and air quality standards of the Bay Area Air Quality Management District.

Prior to issuance of any demolition permit for the existing buildings, the Bay Area Air

Quality Management District must inform the Department of Building Inspection that all asbestos containing building materials have been removed and disposed of in accordance of applicable state laws and regulation.

E. **TRANSPORTATION ELEMENT**

Objective 11 -- Establish public transit as the primary mode of transportation in San Francisco and as a means through which to guide future development and improve regional mobility and air quality.

Policy 11.3 - Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

Objective 14 -- Develop and implement a plan for operational changes and land use policies that will maintain mobility and safety despite a rise in travel demand that could otherwise result in system capacity deficiencies.

Policy 14.7 - Encourage the use of transit and other alternatives modes of travel to the private automobile through the positioning of building entrances and the convenient location of support facilities that prioritizes access from these modes.

Policy 14.8 - Implement land use controls that will support a sustainable mode split, and encourage development that limits the intensification of automobile use.

The Proposed Project will provide Class 1 off-street secure bicycle parking spaces and fewer off-street parking spaces than required under the Planning Code in order to encourage use of public transit.

Objective 24 -- Improve the ambience of the pedestrian environment.

Policy 24.2 - Maintain and expand the planting of street trees and the infrastructure to support them.

Policy 24.4 - Preserve pedestrian-oriented building frontages.

New street trees will be planted to meet Planning Code Requirements, which will enhance pedestrian environment and the public realm.

Objective 28 -- Provide secure and convenient parking facilities for bicycles.

Policy 28.1 - Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 28.3 - Provide parking facilities which are safe, secure, and convenient.

One secured Class 1 bicycle parking space will be provided in each of the units in the two new PDR buildings. Additional such spaces can be accommodated. There will be one bathroom with a shower for every two units in the new buildings.

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 30.8 - Consider lowering the number of automobile parking spaces required in buildings where Class 1 bicycle parking is provided.

The Project Sponsor will seek a deviation from the off-street requirement of 10 spaces to 4 spaces in that Class 1 bicycle spaces will be provided where none is required by Code.

F. **URBAN DESIGN ELEMENT**

Objective 2 -- Conservation of resources which provide a sense of nature, continuity with the past, and freedom from overcrowding.

Policy 2.6 - Respect the character of older development nearby in the design of new buildings.

The building design is comprised of simple geometric shapes, similar to most other buildings in the area. Like most of the industrial buildings in the area the proposed industrial building will have similar ribbed metal roll-up doors. The windows on the building occur in repeating bays, similar to other industrial buildings in the area. The building design uses design elements similar to other buildings in the vicinity, and will incorporate plants/greenery as part of the building, which will provide a nice visual enhancement for the neighborhood.

Objective 4 -- Improvement of the neighborhood environment to increase personal safety, comfort, pride and opportunity.

Policy 4.12 - Install, promote and maintain landscaping in public and private areas.

Street trees will be planted on all the street frontages of the Project site where currently none exists.

G. **BAYVIEW HUNTERS POINT AREA PLAN**

Objective 1.-Stimulate business, employment, and housing growth within the existing general land use pattern by resolving conflicts between adjacent industrial and residential areas.

Policy 1.3 - Maintain buffer zones where housing and industry occur in close proximity to each other to better define the configuration of residential neighborhoods and areas reserved for industrial activity.

The PDR-2 activities will be buffered by the PDR-1-B activities which are directly across the street from the existing residential zone.

Policy 1.5 - Encourage a wider variety of light industrial uses throughout the Bayview by maintaining the newly established Production, Distribution and Repair zoning, by more efficient use of industrial space, and by more attractive building design.

The Proposed Project will retain 25,300 sq. ft. of existing PDR spaces and will replace

five dilapidated and outdated industrial buildings with two new buildings that are designed to meet the needs of today's PDR users.

The buildings have been designed to respect the industrial scale, pattern, and character of the other industrial in the area of the project. Most existing buildings in the area are of single geometric design and have varying rectangular shaped openings of windows and industrial roll-up doors. The exterior of the building will have a stucco finish, similar to most other buildings in the area, and will be of a lighter color. The roll-up garage doors will be made of ribbed metal, and will provide contrast to the flat surface of the stucco walls. Sidewalk planters are being utilized for the project to meet the requirements of the San Francisco Stormwater Control Plan.

Although the building is a large single story building, a separate tier of windows have been placed on the upper half of the building, helping to break down the mass and scale for the Fitzgerald Street warehouses that are located across the street from residential structures.

Both buildings are built to the lot line at the street, as this is the pattern of development for most buildings on the street.

Objective 18 -- Reduce the outflow of dollars from the community due to expenditures on energy through the improved energy management of transportation, housing, commerce and industry, and community facilities.

Policy 18.3 - Promote effective energy management practices in new and existing commercial and industrial facilities to increase energy efficiency and maintain the economic viability of businesses.

The Proposed Project will provide Class 1 off-street secure bicycle parking spaces and fewer off-street parking spaces than required under the Planning Code to encourage use of public transit. The new buildings will meet Title 24 requirements to ensure energy efficiency.



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: **2014.0954E**
Project Title: **1300 Fitzgerald Avenue (and 1401 Egbert Avenue)**
Zoning/Plan Area: PDR-2 (Production, Distribution, and Repair) and
PDR-1-B (PDR Light Industrial Buffer) Use Districts
40-X Height and Bulk District
Block/Lot: 4912/001,002,016
Lot Size: 59,972 square feet
Project Sponsor: Alice Barkley; McKenna, Long & Aldridge LLP
(415) 356-4635
Staff Contact: Erik Jaszewski – (415) 575-6813
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Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

The rectangular project site is on a block bounded by Egbert Avenue to the north, Jennings Street to the east, Fitzgerald Avenue to the south, and 3rd Street to the west in the Bayview neighborhood. The site is fully occupied by 11 structures between 18 and 35 feet in height. The proposed project would demolish seven of those buildings in the middle of the project site (Figure 1—Project Site). The buildings to be demolished include a 502-square-foot car port/shed, and six one- to two-story industrial structures comprising a combined area of approximately 27,170 square feet. Of the seven existing buildings to be demolished, the date of construction could only be determined for one of the buildings: 1425-1427 Egbert Avenue was constructed sometime between 1914 and 1933.

(Continued on next page)

EXEMPT STATUS:

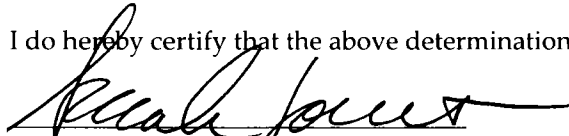
Categorical Exemption, Class 2 (State CEQA Guidelines Section 15302(b)).

REMARKS:

See next page.

DETERMINATION:

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


Sarah B. Jones
Environmental Review Officer

March 26, 2015
Date

cc: Alice Barkley, Project Sponsor
Rich Sucre, Preservation Planner
Supervisor Cohen, District 10 (via Clerk of the Board)

Distribution List
Historic Preservation Distribution List
Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

In place of the seven demolished buildings mid-site, the proposed project would construct two 14,100-square-foot warehouses (28,200 square feet in total); one would face Egbert Avenue, while the other would face Fitzgerald Avenue. The new two-story warehouses would reach up to 33 feet in height. The project would excavate approximately 2 feet below ground surface (bgs) to accommodate the proposed buildings' foundations. The warehouses would be subdivided to create eight individual PDR condominiums in total (four condominiums per frontage). Each condominium would contain an entry door, one car parking space, a secure bicycle rack, a sidewalk planter, and an on-site loading space with a 12-foot-wide driveway and curb cut. In total, eight car parking spaces and eight secure bicycle racks would be provided. Two sidewalk bicycle racks would also be installed along Fitzgerald and Egbert Avenues. Additionally, the project would construct a 15-foot wide linear landscaped area along the eastern construction site perimeter, thus expanding the rear yards available to the Jennings Street-adjacent residences by 3,000 square feet.

Figure 1—Project Site

Project Approvals

The proposed project would require the following approvals:

- **Conditional Use Authorization** (*Planning Commission*). The proposed project would require Conditional Use Authorization from the Planning Commission.
- **Building Permit** (*Department of Building Inspection*). The proposed project would require approval from DBI for a building permit.

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

REMARKS:

Historic Resources. The proposed project involves demolition of buildings constructed more than 45 years ago, including one constructed between 1914 and 1933 (1425-1427 Egbert Avenue). The existing structures are therefore considered Category B – potential historic resources by the Planning Department. As the proposed project would involve demolition of buildings over 45 years old, a consultant-prepared HRE Part I report was prepared¹ and reviewed by the Department in a subsequent Historic Resource Evaluation Response (HREER).² In evaluating whether the proposed project would be exempt from environmental review under the California Environmental Quality Act (CEQA), the Planning Department must first determine whether the subject buildings are historic resources as defined by CEQA. A property may be considered an historic resource if it meets any of the California Register of Historical Resources criteria related to (1) Events, (2) Persons, (3) Architecture, or (4) Information Potential that make it eligible for listing in the California Register of Historical Resources, or if it is considered a contributor to a potential historic district.

The demolition/construction site contains seven buildings primarily industrial in character. The buildings vary in appearance, generally consisting of corrugated metal, concrete walls or wood walls, and a combination of flat and gabled roofs. The property is not associated with any historic trends or events. None of the owners or occupants have been identified as important to history. The property is neither the work of a master architect or builder, nor does its architecture possess high artistic value. The site is located in mixed industrial and residential neighborhood with buildings constructed over a variety of periods. Therefore, the property is not eligible for listing in the California Register under Criterion 1 (Events).

The subject building does not appear to be associated with any significant individuals. Therefore, the property is not eligible for listing in the California Register under Criterion 2 (Persons).

¹ Left Coast Architectural History. 1425 Egbert Avenue. Historic Resource Evaluation. June 13, 2014. This report is available for review as part of Case No. 2013.0954E.

² Historic Resource Evaluation Response. Richard Sucre. March 4, 2015. A copy of this document is attached.

The building is not a significant example of a type or period. As industrial buildings, the subject properties are not architecturally significant nor do they possess high artistic value or embody the distinctive characteristics of a type, period, region, or method of construction. The industrial buildings do not embody any notable characteristics, which would distinguish them as historically significant. Therefore, the property is not eligible for listing in the California Register under Criterion 3 (Architecture).

The subject property is not likely significant under Criterion 4, since this significance criterion typically applies to rare construction types when the proposed project involves the built environment. The subject property is not contain examples of rare construction types and would therefore not be eligible for listing in the California Register under Criterion 4.

The subject property does not appear to be part of a potential historic district. Furthermore, there is no previously identified historic district in this area. Therefore, the subject property is not a contributor to an existing or potential historic district.

In light of the above, the property is not eligible for listing in the California Register either individually or as a contributor to an historic district. Planning Department staff has thus determined the property at 1300 Fitzgerald Avenue is not an historical resource as defined by CEQA. Therefore, the proposed demolition of seven existing structures on the property would not have a significant impact related to historic resources.

Hazardous Materials. Based upon mapping conducted by the U.S. Geological Survey (USGS) the project site may be underlain by serpentine rock.³ The proposed project would involve construction throughout the project site and excavation of approximately 2 feet bgs, potentially releasing serpentinite into the atmosphere. Serpentinite commonly contains naturally occurring chrysotile asbestos (NOA) or tremolite-actinolite, a fibrous mineral that can be hazardous to human health if airborne emissions are inhaled. In the absence of proper controls, NOA could become airborne during excavation and handling of excavated materials. On-site workers and the public could be exposed to airborne asbestos unless appropriate control measures are implemented. Although the California Air Resources Board (ARB) has not identified a safe exposure level for asbestos in residential areas, exposure to low levels of asbestos for short periods of time poses minimal risk.⁴ To address health concerns from exposure to NOA, ARB enacted an Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations in July 2001. The requirements established by the Asbestos ATCM are contained in California Code of Regulations (CCR) Title 17, Section 93105,⁵ and are enforced by the Bay Area Air Quality Management District (BAAQMD).

³ Planning Department, GIS Layer, "Areas Affected by Serpentine Rocks." Created February 25, 2010 from United States Geological Survey and San Francisco Department of Public Health data.

⁴ California Air Resources Board, Fact Sheet #1 Health Information on Asbestos, 2002. Available online at: <http://www.arb.ca.gov/toxics/Asbestos/1health.pdf>. Accessed April 15, 2013.

⁵ California Air Resources Board, Regulatory Advisory, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, July 29, 2002.

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

The proposed project would involve approximately 1,450 cubic yards of soil disturbance on a site that is in a Maher area. Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.

The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to the DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to the issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I has been prepared⁶ to assess the potential for site contamination. The Phase I ESA reviews and summarizes previous environmental documents prepared for other sites in close proximity to the project site, lists current and past operations, reviews environmental agency databases and records, reports site reconnaissance observations, and discusses potential contamination issues. The ESA found extensive evidence of use, storage, generation, and disposal of chemicals, hazardous materials, reportable substances and hazardous waste at the site. Identified Recognized Environmental Concerns (RECs) include two Underground Storage Tanks (USTs) that previously occupied the site, but were subsequently removed; the related Leaking Underground Storage Tank (LUST) cases were closed by the appropriate agencies. One UST did impact the soil and groundwater below the site, and analysis determined the

⁶ John Carver Consulting. *Phase I Environmental Site Assessment at 1318-1324 Fitzgerald Avenue/2814-2836 Jennings Street/1401-1425 Egbert Avenue San Francisco, CA*. July 9, 2011. This report is available for review as part of Case No. 2013.0954E.

presence of a Volatile Organic Compound (VOC). Furthermore, the observed VOC levels may be indicative of other sources not determined during the UST removal.

In addition to the above, the ESA identified additional RECs that include historical references of potentially hazardous land uses on the project site, as well as the site's proximity to a large number of businesses and addresses which reflect similar conditions to the subject property.

The project sponsor would be required to remediate potential soil and/or groundwater contamination in accordance with Article 22A of the Health Code. Thus, the proposed project would not result in a significant hazard to the public or the environment through the release of hazardous materials.

Hydrology. The existing lot is fully covered by impervious surfaces and the proposed proposed project would occupy the entire lot. As a result, the proposed project would not result in an increase in the amount of impervious surface area on the site, which in turn would increase the amount of runoff and drainage. In accordance with the Stormwater Management Ordinance (Ordinance No. 83-10), the proposed project would be subject to and would comply with the Stormwater Design Guidelines, incorporating Low Impact Design (LID) approaches and stormwater management systems into the project. Therefore, the proposed project would not adversely affect runoff and drainage.

For the above reasons, the proposed project would not result in any significant impacts related to hydrology and water quality

Exemption Class

State CEQA Guidelines Section 15302(b), or Class 2, provides an exemption from environmental review for replacement of existing commercial structures where the new structure will be located on the same site as the structure replaced and will have substantially the same size, purpose, and capacity as the replaced structure. The project involves demolition of existing commercial warehouse buildings comprising 27,672 square feet, and construction of two new commercial warehouses consisting of approximately 14,100 square feet each (28,200 square feet in total). Therefore, the project qualifies for exemption from further CEQA review under Class 2.

Summary

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Historic Resource Evaluation Response

Case No.: 2014.0954E
Project Address: 1300-1324 Fitzgerald Ave, 1401-1439 Egbert Ave and 2814-2836 Jennings Street
Zoning: PDR-1-B (Production, Distribution and Repair-Light Industrial Buffer) Zoning District
PDR-2 (Production, Distribution and Repair-Bayview) Zoning District
40-X Height and Bulk District
Block/Lot: 4912/001, 002 and 016
Date of Review: March 4, 2015 (Part 1)

Staff Contact: Richard Sucre (Preservation Planner)
(415) 575-9108
richard.sucre@sfgov.org

Erik Jaszewski (Environmental Planner)
(415) 575-6813
erik.jaszewski@sfgov.org

PART I: HISTORIC RESOURCE EVALUATION

BUILDING(S) AND PROPERTY DESCRIPTION

The project site consists of three lots (Block 4912, Lots 001, 002 and 016) bounded by Egbert Avenue, Jennings Street and Fitzgerald Avenue in San Francisco's Bayview neighborhood. The project site is developed with ten (10) buildings, including:

- 1401 Egbert Avenue/2814-2822 Jennings Street (Block 4912, Lot 001; identified as Building 1) – a two-story mixed-use building located at the southeast corner of Egbert Avenue and Jennings Street with ground floor commercial use, and a second floor residential use (approximately 5,586 square feet);
- 1405 Egbert Avenue (Block 4912, Lot 001; identified as Building 2) – a one-story industrial building (approximately 18-ft tall) fronting onto Egbert Avenue (approximately 2,680 square feet);
- 2824-2836 Jennings Street (Block 4912, Lot 002; identified as Building 3A) – a two-story mixed-use building with frontage onto Jennings Street with ground floor commercial use and a second floor residential use (approximately 3,920 square feet);
- 1300-1306 Fitzgerald Avenue (Block 4912, Lot 002; identified as Building 3B) – a two-story mixed-use building (approximately 19- to 21-ft tall) at the northwest corner of Fitzgerald Avenue and

Jennings Street with residential and commercial uses on the ground floor, and residential use on the second floor (approximately 2,806 square feet);

- 1314-1318 Fitzgerald Avenue (Block 4912, Lot 002; identified as Building 4) – a double-height one-story industrial building (approximately 18-ft tall) with frontage onto Fitzgerald Avenue (approximately 4,971 square feet) that reads contiguously with 1318-1320 Fitzgerald Avenue and 1322 Fitzgerald Avenue;
- 1324 Fitzgerald Avenue (Block 4912, Lot 016; identified as Building 5; constructed circa 1937) – a double-height one-story industrial building (approximately 18-ft tall) with frontage onto Fitzgerald Avenue and Egbert Avenue (approximately 25,300 square feet);
- 1425-1427 Egbert Avenue (Block 4912, Lot 016; identified as Building 6) – a two-story barn-like industrial building (approximately 35-ft tall) with corrugated metal siding with frontage onto Egbert Avenue (approximately 5,530 square feet; constructed between 1914 and 1933);
- 1419 Egbert Avenue (Block 4912, Lot 016; identified as Building 7) – a one-story industrial building with a gable roof (approximately 18-ft) with frontage onto Egbert Avenue (approximately 4,312 square feet);
- 1322 Fitzgerald Avenue (Block 4912, Lot 016; identified as Building 8) – a one-story industrial building (approximately 21-ft tall) with frontage onto both Fitzgerald Avenue and Egbert Avenue that reads contiguously with 1314-1318 Fitzgerald Avenue and 1318-1320 Fitzgerald Avenue (approximately 4,724 square feet);
- 1318-1320 Fitzgerald Avenue (Block 4912, Lot 016; identified as Building 9; constructed in 1944) – a one-story irregularly-shaped industrial building (approximately 18-ft tall) with frontage on Fitzgerald Avenue that reads contiguously with 1314-1318 Fitzgerald Avenue and 1322 Fitzgerald Avenue (approximately 4,953 square feet); and,
- Building 10 (Block 4912, Lot 016; no address) – a rectangular car port/shed with no walls and no street frontage constructed between Buildings 6, 8 and 9 (approximately 502 square feet).

Collectively, the project site has approximately 300-ft of frontage along Egbert Avenue, 300-ft of frontage along Fitzgerald Avenue, and 200-ft of frontage along Jennings Street. The property is located within the PDR-1-B (Production, Distribution and Repair-Light Industrial Buffer) and PDR-2 (Production, Distribution and Repair-Bayview) Zoning Districts and a 40-X Height and Bulk District.

PRE-EXISTING HISTORIC RATING / SURVEY

The subject properties are not currently listed in any local, state or national historical register. Therefore, the buildings are considered a “Category B” (Properties Requiring Further Consultation and Review) property for the purposes of the Planning Department’s California Environmental Quality Act (CEQA) review procedures due to its age (older than fifty years old).

NEIGHBORHOOD CONTEXT AND DESCRIPTION

The immediate area is industrial in character, and consists of one-to-two-story tall warehouses and industrial buildings. No other designated or eligible historic districts are located within the vicinity of the subject property.

CEQA HISTORICAL RESOURCE(S) EVALUATION

Step A: Significance

Under CEQA Section 21084.1, a property qualifies as a historic resource if it is "listed in, or determined to be eligible for listing in, the California Register of Historical Resources." Properties that are included in a local register are also presumed to be historical resource for the purpose of CEQA. The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources or not included in a local register of historical resources, shall not preclude a lead agency from determining whether the resource may qualify as a historical resource under CEQA. (Please note: The Department's determination is made based on the Department's historical files on the property and neighborhood and additional research provided by the project sponsor.)

Department staff finds that the subject properties at 1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue, and 2814-2836 Jennings Street are not eligible for inclusion in the California Register of Historical Resources (California Register).

Based upon its construction, the carport/shed structure (identified as Building 10) appears to be less than forty-five years old, and would not qualify for historical designation.

To assist in the evaluation of the subject building, the Project Sponsor has submitted:

- 1425 Egbert Avenue Historic Resource Evaluation, prepared by Left Coast Architectural History (dated June 13, 2014).

In addition, the Project Sponsor has provided all of the relevant building permit information available for the project site.

The Department concurs with the findings of the consultant report.

Based on the following criteria, the subject property is not eligible for listing in the California Register of Historical Resources:

Individual	Historic District/Context
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:	Property is eligible for inclusion in a California Register Historic District/Context under one or more of the following Criteria:
Criterion 1 - Event: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 1 - Event: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criterion 2 - Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 2 - Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criterion 3 - Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 3 - Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Period of Significance: n/a	Period of Significance: n/a
	<input type="checkbox"/> Contributor <input type="checkbox"/> Non-Contributor

Criterion 1: It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

Overall, 1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue and 2814-2836 Jennings Street appear to have been constructed between the 1930s and 1950, as evidenced by aerial photographs and Sanborn Fire Insurance Maps. Records available at the Department of Building Inspection (DBI) do not provide original construction dates or original building permits for any of the majority of the subject properties. Little information was uncovered on the majority of the subject properties. Much of the uncovered history is provided by historic maps, Sanborn Fire Insurance Maps, and aerial photography.

Notable elements of the buildings' histories include:

- The 1915 and 1919 Sanborn Fire Insurance Maps do not show any of the existing properties. The project site appears to have been formerly occupied by the Levy Tanning Company, which is noted on these maps as vacant, "old and dilapidated," and solely occupied by a caretakers shed. The annotations associated with the 1919 Sanborn Fire Insurance Map state that the site was occupied by "one large wooden building."
- In 1928, the project site was purchased by Charles Monson (a manager of a planning mill), Charles Lindsay (a bank secretary), and E.O. Rollins (a department manager for the Oakland Association of Credit Men). This group likely demolished the buildings formerly associated with the Levy Tanning Company.
- According to the 1933 City Directory, 1421 Egbert Avenue (identified as Building 6; later addressed as 1425-1427 Egbert Avenue) was occupied by a cooperage (barrel maker).
- According to the 1938 Aerial of San Francisco that is part of the David Rumsey Map Collection, the project site shows 1324 Fitzgerald Avenue (Building 5) and 1425-1427 Egbert Avenue (Building 6).
- The 1950 Sanborn Fire Insurance Maps shows many of the subject properties including: a portion of Building 1, Building 2, Building 4, Building 5, Building 6, a portion of Building 8, and Building 9. 1324 Fitzgerald Avenue appears to have been occupied by a fruit preserving company, Nelson Packing Co, while 1318-1320 Fitzgerald Avenue and 1419-1421 Egbert Avenue appear to have been occupied by a laundry/dry cleaner. 1401 Egbert Avenue is shown as a two-story restaurant. 1310 Fitzgerald Avenue is shown as a store.
- The 1995 Sanborn Fire Insurance Map shows the site as it exists today. 1320-1324 Fitzgerald Avenue is denoted as a manufacturing. 1318 Fitzgerald is denoted as laundry/dry cleaner. 1310 Fitzgerald Avenue is denoted as a commercial use. 1300 Fitzgerald Avenue is denoted as a one-story store. 1401 Egbert Avenue is still denoted as a two-story restaurant. 1419 Egbert Avenue is denoted as a night club. Finally, 1421 Egbert Avenue is denoted as a chemical warehouse.
- 1300 Fitzgerald Avenue was historically occupied by an office and store (circa 1952), a liquor store (circa 1960), and most recently contained restaurant use on the ground floor and a single-family dwelling on the second floor, as evidenced by permit records.
- 1318 Fitzgerald Avenue was originally constructed in 1944, expanded with a rear addition in 1945, and was occupied by a neighborhood market (circa 1944 to 1962), as evidenced by permit records.

- 2826 Jennings Street was historically used as a pastry shop (circa 1953), and most recently contained commercial use on the ground floor and a single-family dwelling on the second floor, as evidenced by permit records.
- 1405 Egbert Avenue (also identified as 1324 Fitzgerald Avenue) was historically occupied by an illegal nightclub (circa 1995 to 2013),
- 1401 Egbert Avenue/2814-2824 Jennings Street was likely constructed as a one-story wood-frame building. Assessor records show the date of construction as 1948. However, permit records state that the building was raised and a second story was added in 1947. In the late-1940s, a restaurant use appears to have occupied the ground floor. Currently, the building was most recently occupied by a restaurant use on the ground floor with residential units on the second floor.

1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue and 2814-2836 Jennings Street are examples of industrial and mixed-use buildings, which developed in the Bayview neighborhood. The Bayview neighborhood is located in the southeast corner of San Francisco, and is roughly defined by Bayshore Boulevard (to the west), Cesar Chavez Boulevard (to the north), and the San Francisco Bay (to the east). The Bayview neighborhood encompasses several smaller neighborhoods, including Silver Terrace, Hunters Point, India Basin, and Bret Harte, as well as industrial areas, including the Islais Creek Estuary (Oakinba and Northern Gateway) and South Basin. Prior to 1900, the Bayview neighborhood was a sparsely developed working class residential neighborhood with generous lots for small farms, as well as a burgeoning agricultural, manufacturing, and sports and recreation area, as noted by the construction of Bay View Park (horse racing track) in 1864, the California Dry Dock Company in 1866, the San Francisco Butchers' Reservation ("Butchertown") in 1868, and the Chinese shrimp camps circa 1870. Alongside the new residential development that emerged in the early 1900s, the meat packing and animal processing and shipbuilding industries flourished within the neighborhood in the 1910s. In the 1920s, 3rd Street was widened and repaved, and Bayshore Boulevard was constructed, in order to better connect the San Francisco to the Peninsula. As a result of this new street construction, residential development on either side of 3rd Street was spurred in the 1920s and 1930s, and Bayshore Boulevard developed as a commercial and light industrial transit corridor. As a result of the New Deal, new amenities were constructed within the neighborhood, including infrastructure improvements to Bayview Park on the top of Candlestick Hill in 1938, and the construction of Gilman Playground in 1939. In 1940, the Market Street Railway established a bus line along Innes Avenue to the Hunters Point Dry Dock, which coincided with the Navy's purchase of the Bethlehem Steel's Hunters Point Dry Docks. The Second World War was a significant event within the history of the neighborhood, due to the expansion of the Hunters Point Naval Shipyard and the significant increase in the African-American population. After the war, the neighborhood experienced several significant events, including the construction of Apparel City (1946-8), new public housing (1949), new speculative housing developments (such as Silver Terrace, Mt. St. Joseph, and Hunters Point Ridge), and construction of the Bay View Neighborhood Community Center (1954), Candlestick Park (1958) and the Wholesale Produce Market (1963). Today, the Bayview neighborhood retains much of its postwar character with a strong residential community and the remnants of a former vibrant industrial landscape.

1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue and 2814-2836 Jennings Street do not appear to have associations with any early significant development patterns or developers, nor are they an outstanding or rare example of a particular building type. Overall, the associated uses and occupants of

the subject properties do not appear to have had historical significance on the local, state or national levels. Based upon this history and the consultant report, 1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue and 2814-2836 Jennings Street are not eligible for inclusion in the California Register individually or as a contributor to a historic district under Criterion 1 (Events). To date, no information has become available to suggest that the subject building has contributed to significant events within local or regional history or the cultural heritage of California and the United States. To be eligible under this criterion, a building cannot merely be associated with historic events or trends but must have a specific association to be considered significant.

Criterion 2: It is associated with the lives of persons important in our local, regional or national past.

None of the prior owners or individuals who occupied the subject properties at 1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue and 2814-2836 Jennings Street appear to be important to local, regional or national history. No information has been uncovered to date that suggests that these individuals have been associated with an important part of local, state or national history.

Based on the consultant and Planning Department records, no persons of known historical significance appear to have been associated with the subject buildings; therefore, 1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue and 2814-2836 Jennings Street are not eligible for listing in California Register under Criterion 2 (Persons) either individually or as part of a historic district.

Criterion 3: It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.

Constructed between the 1930s and the 1950s, the subject buildings at 1405 Egbert Avenue, 1314-1318 Fitzgerald Avenue, 1318-1320 Fitzgerald Avenue, 1322 Fitzgerald Avenue, 1324 Fitzgerald Avenue, 1419 Egbert Avenue, and 1425-1427 Egbert Avenue appear to be typical one-to-two-story tall, industrial and utilitarian properties with no discernible architectural style and no outstanding architectural features. Common materials on the exterior include concrete, metal siding and wood.

Constructed between 1933 and the 1950s, the subject buildings at 1401 Egbert Avenue/2814-2822 Jennings Street, 2824-2836 Jennings Street, and 1300-1306 Jennings Street appear to be an altered mixed-use building with a ground floor commercial use and residential use on the second floor. These buildings do not possess any outstanding architectural features, and appear to have been altered over their lifetime.

Based on the information provided in consultant report and Planning Department records, 1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue and 2814-2836 Jennings Street are not eligible for listing in the California Register under Criterion 3 (Architecture) either individually or as part of a historic district. As industrial and mixed-use buildings, the subject properties are not architecturally significant nor do they possess high artistic value or embody the distinctive characteristics of a type, period, region, or method of construction. The majority of the subject properties are examples of industrial and/or utilitarian properties, and do not embody any notable characteristics, which distinguish the building as historically significant. No architect has been uncovered for any of the subject buildings.

Criterion 4: It yields, or may be likely to yield, information important in prehistory or history.

Based upon a review of information in the Departments records, the subject properties at 1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue and 2814-2836 Jennings Street are not significant under Criterion 4 (Information Potential), which is typically associated with archaeological resources. Furthermore, the subject buildings are not significant under this criterion, since this significance criterion typically applies to rare construction types when involving the built environment. The subject buildings are not an example of a rare construction type.

If the property involves major excavation, an evaluation of the project's impact upon potential archaeological resources will be required.

Step B: Integrity

To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register of Historical Resources criteria, but it also must have integrity. Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance." Historic integrity enables a property to illustrate significant aspects of its past. All seven qualities do not need to be present as long the overall sense of past time and place is evident.

Location: ☐ Retains ☐ Lacks
Association: ☐ Retains ☐ Lacks
Design: ☐ Retains ☐ Lacks
Workmanship: ☐ Retains ☐ Lacks

Setting: ☐ Retains ☐ Lacks
Feeling: ☐ Retains ☐ Lacks
Materials: ☐ Retains ☐ Lacks

Since the subject properties at 1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue and 2814-2836 Jennings Street were determined not to meet any of the aforementioned California Register significance criteria, an analysis of integrity was not conducted.

Step C: Character-Defining Features

If the subject property has been determined to have significance and retains integrity, please list the character-defining features of the building(s) and/or property. A property must retain the essential physical features that enable it to convey its historic identity in order to avoid significant adverse impacts to the resource. These essential features are those that define both why a property is significant and when it was significant, and without which a property can no longer be identified as being associated with its significance.

Since the subject properties at 1300-1324 Fitzgerald Avenue, 1401-1439 Egbert Avenue and 2814-2836 Jennings Street were determined not to meet any of the aforementioned California Register significance criteria, an analysis of the character-defining features was not conducted.

CEQA HISTORIC RESOURCE DETERMINATION

- ☐ Historical Resource Present
- ☐ Individually-eligible Resource
 - ☐ Contributor to an eligible Historic District
 - ☐ Non-Contributor to an eligible Historic District
- ☒ No Historical Resource Present

PART I: SENIOR PRESERVATION PLANNER REVIEW

Signature: *Tina Tam*
Tina Tam, Senior Preservation Planner

Date: 3-6-2015

cc: Virnaliza Byrd / Historic Resource Impact Review File
Beth Skrondal / Historic Resource Survey Team
I:\Cases\2014\2014.0954E

RS: G:\Documents\Environmental\2014.0954E 1300 Fitzgerald Ave\HRER_1300 Fitzgerald Ave_2015-03-04.doc

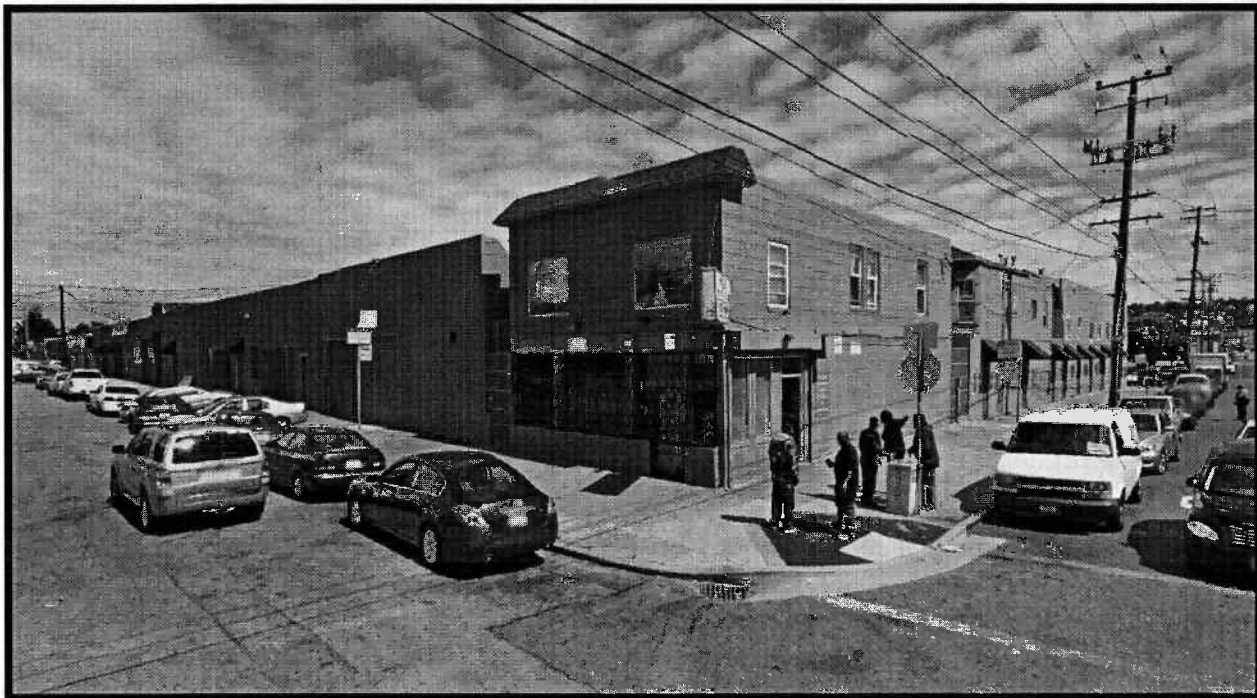
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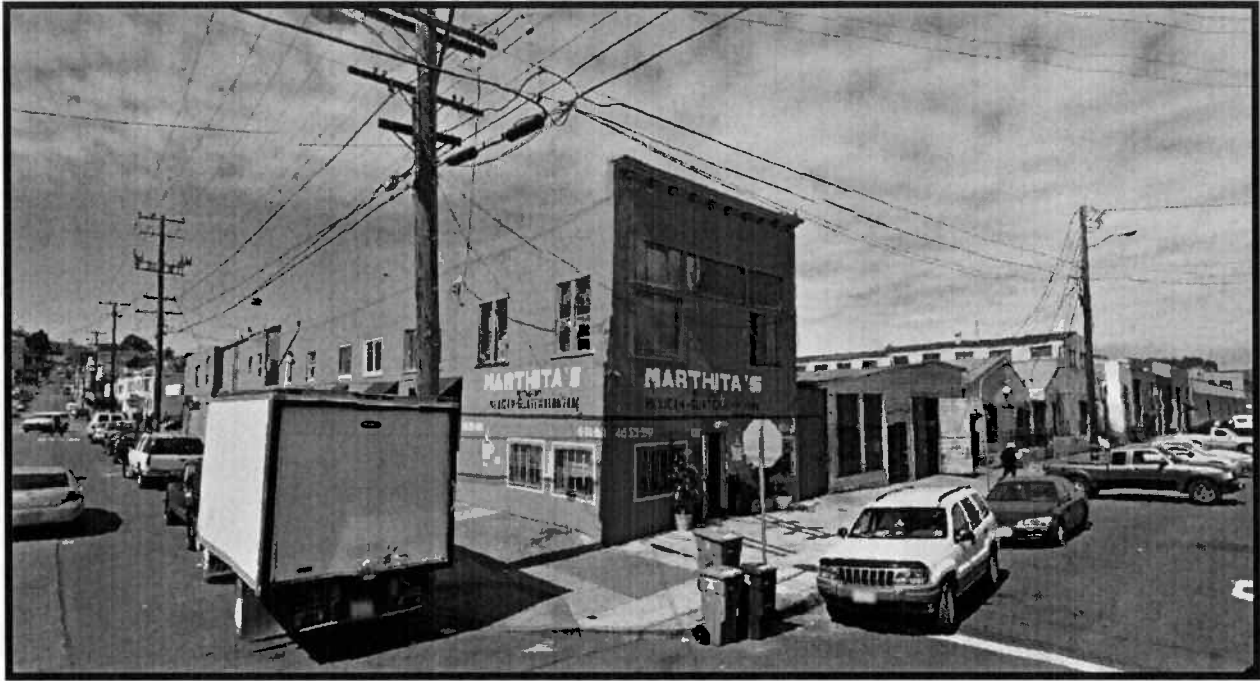
Aerial Photograph, Project Site
(Source: Google Maps, 2015; Accessed March 3, 2015)



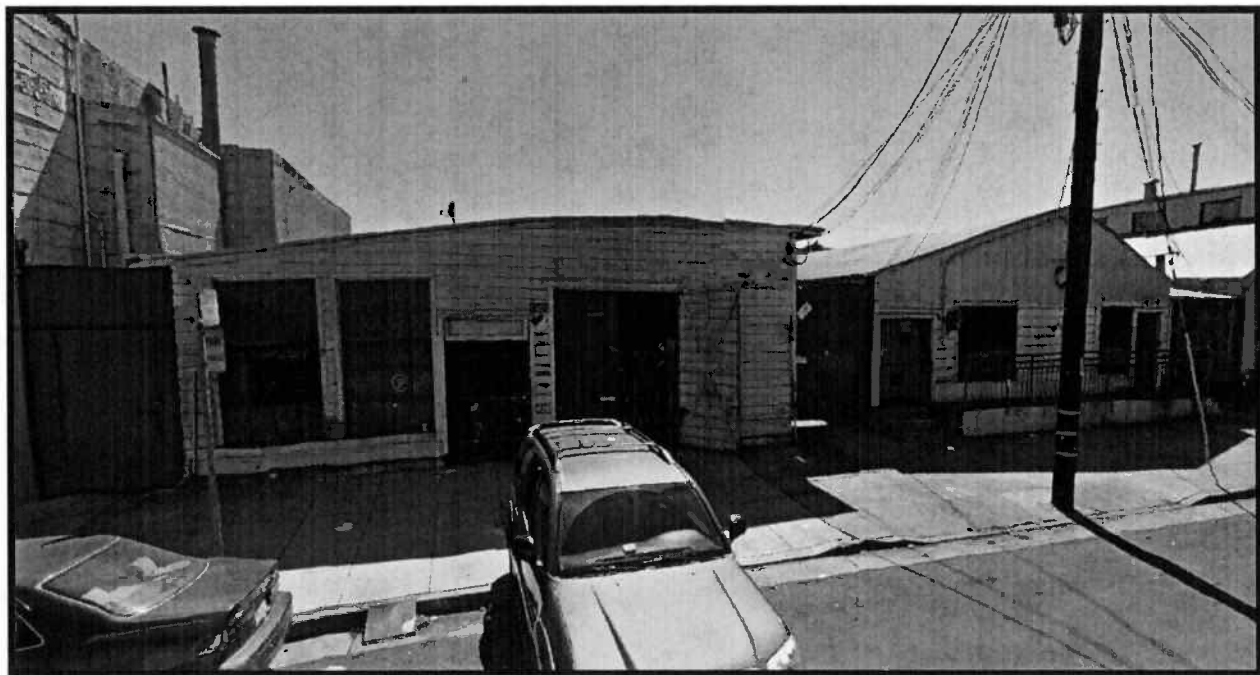
1300-1324 Fitzgerald Avenue
(Source: Google Maps, June 2014)



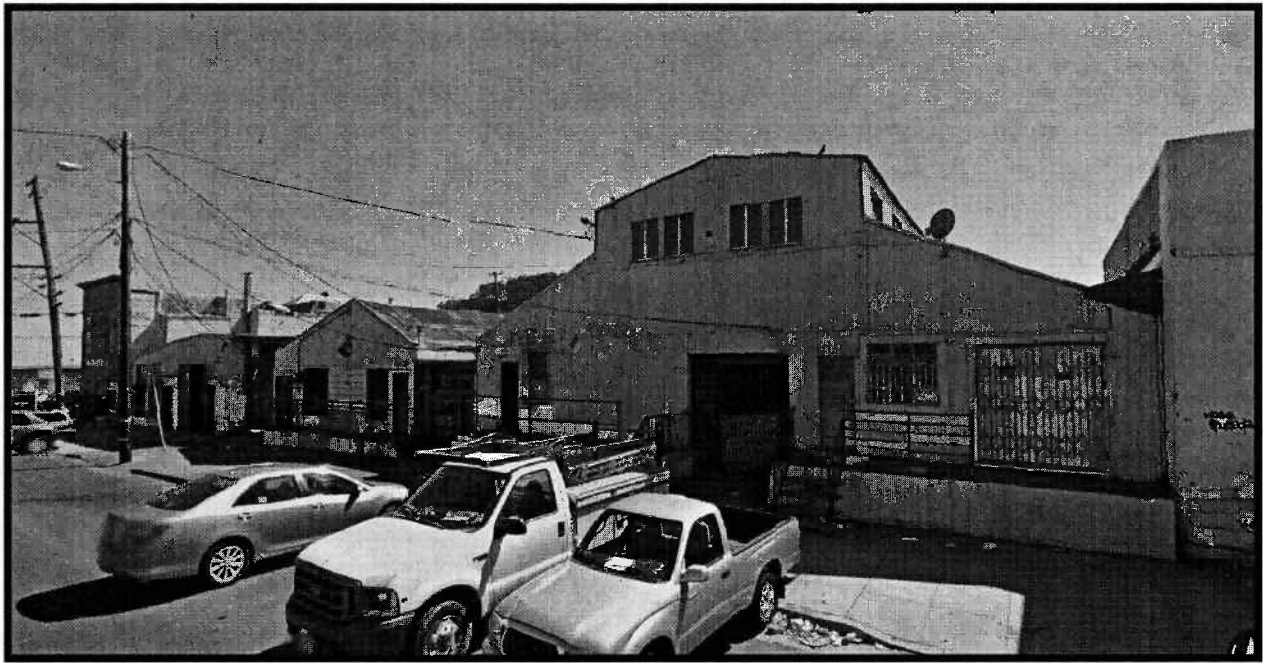
2814-2826 Jennings Street
(Google Maps, August 2014)



1401 Egbert Avenue
(Google Maps, August 2014)



1405 Egbert Avenue (left) and 1419 Egbert Avenue (right)
(Google Maps, August 2014)



1425 Egbert Avenue
(Google Maps, August 2014)