Executive Summary Conditional Use

HEARING DATE: May 12, 2016

Date: May 5, 2016

Case No.: **2015-007396CUA**

Project Address: 1750 Taylor Street, Units 804 & 805

Zoning: RM-2 (Residential, Mixed, Moderate Density)

40-X Height and Bulk District

Block/Lot: 0128/021

Project Sponsor: Alice Barkley

One Market Plaza, Suite 2200 San Francisco, CA 94105

Staff Contact: Claudine Asbagh – (415) 575-9165

claudine.asbagh@sfgov.org

Recommendation: Approval with Conditions

PROJECT DESCRIPTION

The project sponsor seeks a Conditional Use Authorization, pursuant to Planning Code Section 303 and 317 to merge two dwelling units within a 72 unit building. The project would merge a 935 square foot, two-bedroom, two-bath unit (#804) with a 2,330 square foot, three-bedroom, two and a half-bath unit (#805). The Project would reconfigure and merge the two units and the common area hallway to create one four-bedroom unit that will be occupied by his family.

SITE DESCRIPTION AND PRESENT USE

The project is located on the east side of Taylor Street, between Green and Vallejo Streets, Block 0128, Lot 021. The irregular lot measures 35,612 square feet. The Project Site is occupied by a 27-story residential building containing 72 dwelling units owned by Royal Towers Apartment Corporation, the Co-op.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The property is located on the east side of Taylor Street within the Moderate Density Mixed Residential District (RM-2), and a 40-X height and bulk District. Uses in the immediate vicinity are primarily residential with structures that range from as little as two stories to residential towers. The site is immediately adjacent to Ina Coolrith Park.

ENVIRONMENTAL REVIEW

This Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

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

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: **415.558.6377** Executive Summary
Hearing Date: May 12, 2016

1750 Taylor Street, Units 804 & 805

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	April 23, 2016	April 22, 2016	21 days
Posted Notice	20 days	April 23, 2016	April 21, 2016	22 days
Mailed Notice	10 days	May 2, 2016	May 2, 2016	10 days

PUBLIC COMMENT

To date, the Department has not received any correspondence related to the project.

ISSUES AND OTHER CONSIDERATION

• <u>Conditional Use Authorization</u>: The project requires a Conditional Use Authorization to merge dwelling units. In addition to Conditional Use Authorization findings, the Commission must consider separate criteria outlined in Section 317(g)(2). The project complies with said criteria in that it is eliminating owner-occupied housing that has never been tenant occupied and is not considered affordable. The project would merge two existing two-bedroom units and create one four-bedroom dwelling that will be occupied by the project sponsor. The project does not involve any exterior changes to the building.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant Conditional Use Authorization to allow the merging of units pursuant to Planning Code Sections 303 and 317.

BASIS FOR RECOMMENDATION

- The project would merge two owner-occupied units that are not demonstrably affordable and would not take affordable or rent controlled units off the market.
- Reducing the number of units on the parcel would bring the existing building into greater conformity with the RM-2 density limits.
- The Project is desirable for, and compatible with the surrounding neighborhood as it would merge two existing units within an existing residential building located in a residential district.
- The Project meets all applicable requirements of the Planning Code.

RECOMMENDATION: Approval with Conditions

Attachments:

Block Book Map
Sanborn Map
Aerial Photographs
Zoning Map
Site Photograph
Reduced Floor Plans
Project Sponsor Submittal

Executive Summary

Hearing Date: May 12, 2016

Case No. 2015-007396CUA 1750 Taylor Street, Units 804 & 805

Attachment	Checklist
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	Executive Summary	\boxtimes	Project sponsor submittal
	Draft Motion		Drawings: Existing Conditions
	Environmental Determination		Check for legibility
	Zoning District Map		Drawings: Proposed Project
	Height & Bulk Map		Check for legibility
\boxtimes	Parcel Map		3-D Renderings (new construction or significant addition)
\boxtimes	Sanborn Map		Check for legibility
	Aerial Photo		Wireless Telecommunications Materials
	Context Photos		☐ Health Dept. review of RF levels
	Site Photos		☐ RF Report
			Community Meeting Notice
			Housing Documents
			☐ Inclusionary Affordable Housing Program: Affidavit for Compliance
			Residential Pipeline
	Exhibits above marked with an "X" a	re ind	cluded in this packet
			Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)	
☐ Affordable Housing (Sec. 415)	☐ First Source Hiring (Admin.

 $\hfill \Box$ Jobs Housing Linkage Program (Sec. 413) $\hfill \Box$ Child Care Requirement (Sec. 414)

□ Downtown Park Fee (Sec. 412) □ Other

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Code)

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Planning Information: **415.558.6377**

Planning Commission Draft Motion

HEARING DATE: MAY 12, 2016

Date: May 5, 2016

Case No.: 2015-007396CUA

Project Address: 1750 Taylor Street, Units 804 & 805
Zoning: RM-2 (Residential, Mixed, Moderate Density)

40-X Height and Bulk District

Block/Lot: 0128/021 Project Sponsor: Alice Barkley

> One Market Plaza, Suite 2200 San Francisco, CA 94105

Staff Contact: Claudine Asbagh – (415) 575-9165

claudine.asbagh@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 317 OF THE PLANNING CODE TO ALLOW A DWELLING UNIT MERGER. THE PROJECT WOULD MERGE A 935 SQUARE FOOT, TWO-BEDROOM, TWO-BATH DWELLING UNIT (#804) WITH A 2,330 SQUARE FOOT, TWO-BEDROOM, TWO AND A HALF-BATH DWELLING UNIT (#805) TO CREATE ONE 3,265 SQUARE FOOT, FOUR-BEDROOM DWELLING WITHIN THE RM-2 (RESIDENTIAL, MIXED, MODERATE DENSITY) ZONING DISTRICT AND THE 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On October 23, 2015 Alice Barkley (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Conditional Use Authorization under Planning Code Section(s) 303 and 317 to merge two dwelling units within the RM-2 (Residential, Mixed, Moderate Density) District and a 40-X Height and Bulk District.

On May 12, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-007396CUA.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2015-007396CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. Site Description and Present Use. The project is located on the east side of Taylor Street, between Green and Vallejo Streets, Block 0128, Lot 021. The irregular lot measures 35,612 square feet. The Project Site is occupied by a 27-story residential building containing 72 dwelling units owned by Royal Towers Apartment Corporation, the Co-op.
- 3. Surrounding Properties and Neighborhood. The property is located within the Moderate Density Mixed Residential District (RM-2), and a 40-X height and bulk District. Uses in the immediate vicinity are primarily residential with structures that range from as little as two stories to multi-story residential towers. The site is immediately adjacent to Ina Coolrith Park.
- 4. Project Description. The project sponsor seeks a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 317 to merge two dwelling units within a 72 unit building. The project would merge a 935 square foot, two-bedroom, two-bath unit (#804) with a 2,330 square foot, two-bedroom, two and a half-bath unit (#805). The Project would reconfigure and merge the two units and the common area hallway to create one four-bedroom unit.
- 5. Public Comment/Community Outreach. To date, the Department has not received any correspondence related 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. Rear Yard Requirement. Planning Code Section 134 requires, in RM-2 Districts, a rear yard measuring 45 percent of the total lot depth.

The project will merge two existing dwelling units within the building and does not propose any exterior changes to the building or rear yard configuration.

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B. Parking. Planning Code Section 151 requires one parking space for each dwelling unit.

The Project proposes to merge two dwelling units; no additional parking is required.

C. **Residential Density.** Planning Code Section 209.2 allows dwelling units as a principally permitted at a density of one unit per 600 square feet of lot area in the RM-2 Zoning District.

The project site measures 35,612.5 square feet which would permit up to 59 dwellings. The site currently has 72 dwelling units, and is over density. The project proposes to merge two dwelling units and would bring the property into greater conformity with the planning code.

D. **Residential Merger – Section 317:** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to remove three or more residential units. This Code Section establishes a checklist of criteria that delineate the relevant General Plan Policies and Objectives.

As the project requires Conditional Use Authorization per the requirements of the Section 317, the additional criteria specified under Section 317 have been incorporated as findings a part of this Motion. See Item 8, "Additional Findings pursuant to Section 317" below.

- 7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed use would not increase the size or intensity of the existing residential use, and there would be no exterior alterations to the building. The Project would merge two existing dwellings that are not demonstrably affordable and would bring the property into greater conformity with density limits of the planning code.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
 - i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project does not involve any alterations to the exterior of the subject building and will not affect the building envelope.

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 does not trigger additional parking and would not increase the amount of traffic because the project would merge two dwelling units.

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

The Project would merge two existing dwelling units and not create any additional noise, glare, dust or odor.

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

The Project does not require any additional landscaping, screening, or open space and does not propose any exterior changes.

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

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

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

The Building is located in an RM-2 zoning district, where residential uses are principally permitted. The project proposes to merge two existing uses that are principally permitted and conforms with the purposes of the Use District.

- 8. **Planning Code Section 317(g)(2)** establishes criteria for the Planning Commission to consider when reviewing applications requesting to merge residential units. On balance, the project does comply with said criteria in that:
 - A. That the unit would eliminate only owner occupied housing, and if so, for how long the unit proposed to be removed have been owner occupied;

The project proposes to merge units 804 and 805 within a residential co-op. Royal Towers Corporation is the owner of all the units within the building and manages the building through its Board of Directors. Residents within the building are considered shareholders, not owners of real estate.

The unit to be eliminated is and has been owner occupied since the building was constructed in 1964. The Project Sponsor has resided in both units since January, 2014, having had joint ownership of the

shares representing both units since January 31, 2014, and individual ownership since March 13, 2015.

B. That the removal of the unit and the merger with another is intended for owner occupancy;

The Project Applicant's family currently occupies both units and the merger would allow both units to function as one. The newly created four-bedroom unit will continue to be occupied by the same family.

C. That the removal of the unit will remove an affordable housing unit as defined in Section 401 of this Code or housing subject to the Residential Rent Stabilization and Arbitration Ordinance;

The Proposed Project will not eliminate any affordable housing units. Pursuant to the City's Periodic Adjustment to Numerical Criteria, a single family home valued at or above \$1,630,000 is considered to be unaffordable. An appraisal prepared by Miller and Perotti Real Estate Appraisal dated April 29, 2015 valued unit 804 at \$1,695,000 and unit 805 at \$3,500,000. Neither of the units proposed to be merged is subject to the Residential Rent Stabilization and Arbitration Ordinance.

D. If removal of the unit removes an affordable housing unit as defined in Section 401 of this Code or units subject to the Residential Rent Stabilization and Arbitration Ordinance, whether replacement housing will be provided which is equal or greater in size, number of bedrooms, affordability, and suitability to households with children to the units being removed;

As discussed above, neither units are subject to the City's Residential Rent Stabilization and Arbitration Ordinance.

E. How recently the unit being removed was occupied by a tenant or tenants;

Neither of the units proposed to be merged have been rental units and have been occupied by the shareholder of the units since the building was completed in 1964.

F. Whether the number of bedrooms provided in the merged unit will be equal to or greater than the number of bedrooms in the separate units;

The project would merge a 935 square foot, two-bedroom, two-bath unit (#804) with a 2,330 square foot, two-bedroom, two and a half-bath unit (#805). The Project Applicant proposes to reconfigure and merge the two units and the common area hallway to create one four-bedroom unit. The new unit will have four bedrooms which is equal to the sum of the bedrooms in the two Units 804 and 805.

G. Whether removal of the unit is necessary to correct design or functional deficiencies that cannot be corrected through interior alterations;

The reconfiguration and merger of the units is necessary to provide a practical and functional unit for Mr. Drake's family. Neither unit alone, as currently configured, can accommodate the Project Applicant's extended family.

H. The appraised value of the least expensive Residential Unit proposed for merger only when the merger does not involve an Unauthorized Unit.

As noted above in Section C, an appraisal prepared by Miller and Perotti Real Estate Appraisal dated April 29, 2015, valued unit 804 at \$1,695,000.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 2:

Retain existing housing units, and promote safety and maintenance standards, without jeopardizing affordability.

Policy 2.2:

Retain existing housing by controlling the merger of residential units, except where a merger clearly creates new family housing..

OBJECTIVE 4:

Foster a housing stock that meets the needs of all residents across lifecycles.

Policy 4.1:

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

The project would merge a large two-bedroom unit with a smaller two-bedroom unit that lacks any common living area. The newly created four-bedroom unit would provide common areas for the household and retain the same number of bedrooms. The proposed unit merger will create one four-bedroom unit that will provide sufficient space for a large and/or extended family.

- 10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
 - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The dwelling unit merger would not remove or cause the removal of neighborhood serving retail uses. Therefore, the policies of Section 101.1(b)(1) are not applicable to the Proposed Project.

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

The project would merge two existing units that are considered unaffordable and owner occupied. The current owner of the shares that represent the units would continue to occupy the units and therefore the cultural and economic diversity of the neighborhood will not be affected. The Proposed Project, therefore, is consistent with the policies of Section 101.1(b)(2).

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

Pursuant to the City's Periodic Adjustment to Numerical Criteria, a single-family home valued at or above \$1,630,000.00 is considered to be unaffordable. An appraisal dated April 29, 2015, prepared by Miller and Perotti Real Estate Appraisal, valued unit 804 at \$1,695,000 and unit 805 at \$3,500,000. The Proposed Project will not eliminate any units of affordable housing; therefore, the proposed merger is consistent with the policies of Section 101.1(b)(3).

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

The project would merge two existing units into one larger unit and is not expected to create additional traffic or parking demand as there is no building expansion of gross floor area or increase in number of units. The Proposed Project, therefore, is consistent with the policies of Section 101.1(b)(4).

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 would merge two existing residential units and does not propose new office space. Therefore, the policies of Section 101.1(b)(5) are not applicable to this Proposed Project.

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

The Proposed Project will not change the seismic and fire safety standards of the Building. Therefore, the Proposed Project is consistent with the policies of Section 101.1(b)(6).

G. That landmarks and historic buildings be preserved.

The Building is not a landmark building or an historic resource, and is not located in an historic district. Merger of the two units will not affect the exterior of the building and is consistent with the policies of Section 101.1(b)(7).

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

The project does not propose any exterior changes. Therefore, the merger will have no effect on the sunlight access of any parks or open space or impair the view from any public vistas. Accordingly, the Proposed Project is consistent with the policies of Section 101(b)(8).

- 11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2015-007396CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated December 12, 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 May 12, 2016.

Jonas P. Ionin Commission Secretary
AYES:
NAYS:
ABSENT:
ADOPTED:

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to merge a 935 square foot, two-bedroom, two-bath dwelling unit (#804) with a 2,330 square foot, two-bedroom, two and a half-bath dwelling unit (#805) located at 1750 Taylor Street, Lot 021 in Accessor's block 0128 pursuant to Planning Code Section(s) 303, AND 317 within the RM-2 (residential, mixed, moderate density) zoning district and 40-X height and bulk district; in general conformance with plans, dated **December 12**, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2015-007396CUA and subject to conditions of approval reviewed and approved by the Commission on May 12, 2016 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **May 12, 2016** under Motion No **XXXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

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MONITORING - AFTER ENTITLEMENT

- 6. **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
- 7. **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

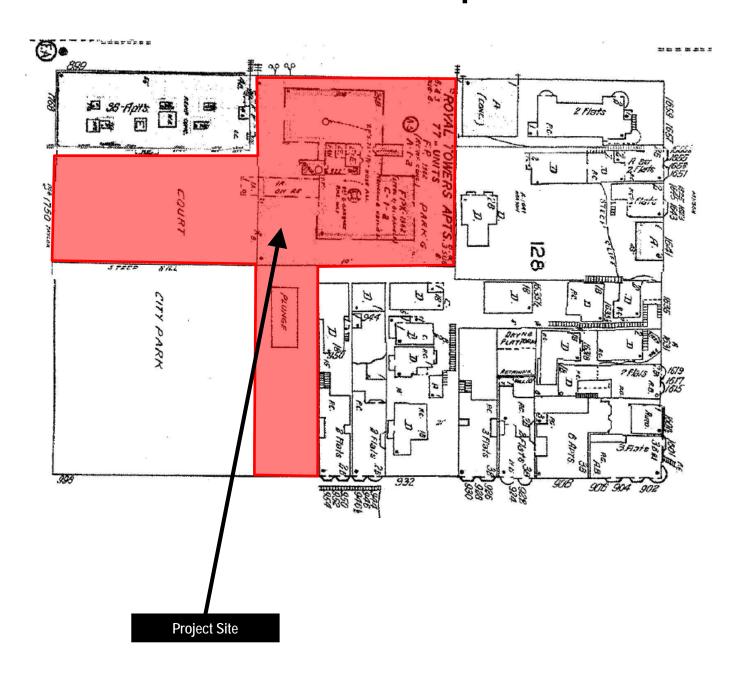
8. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the 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

Parcel Map



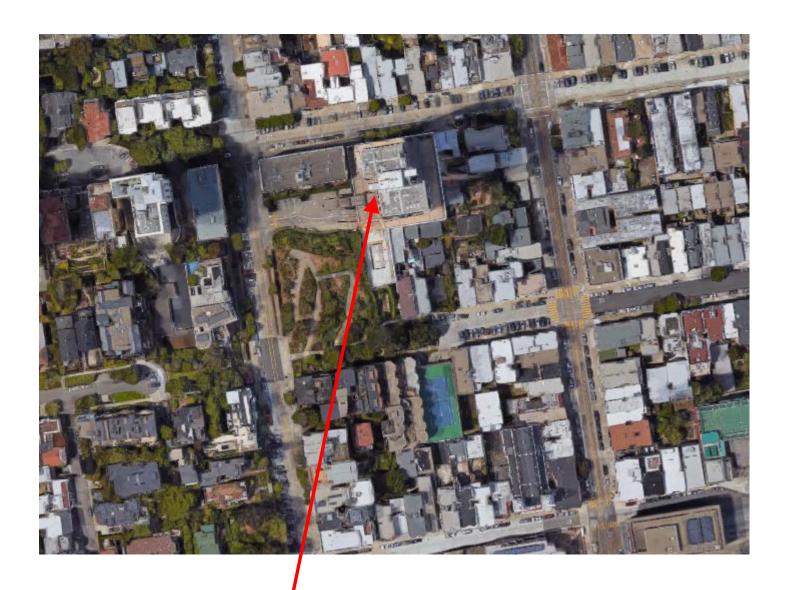
Sanborn Map*





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

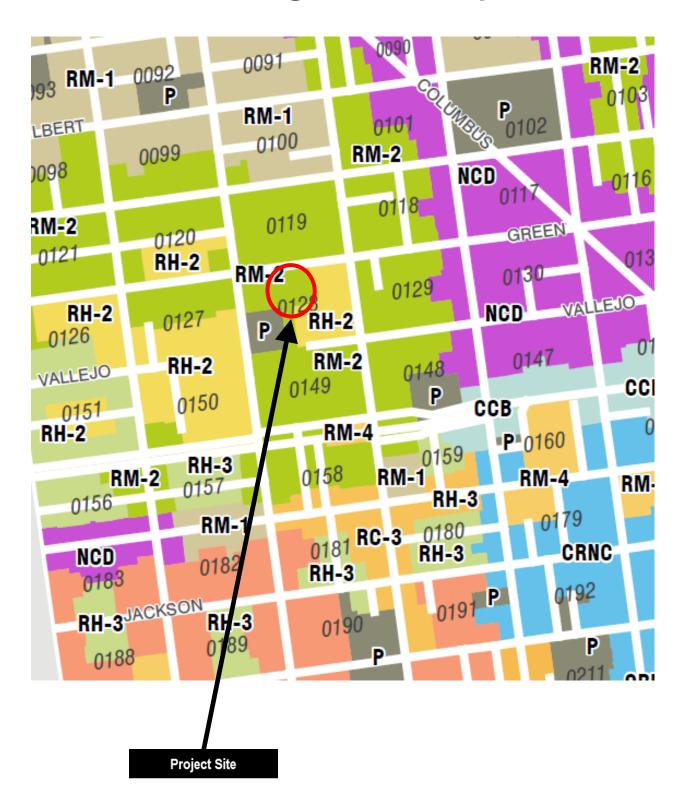
Aerial Photo

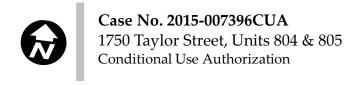


Project Site

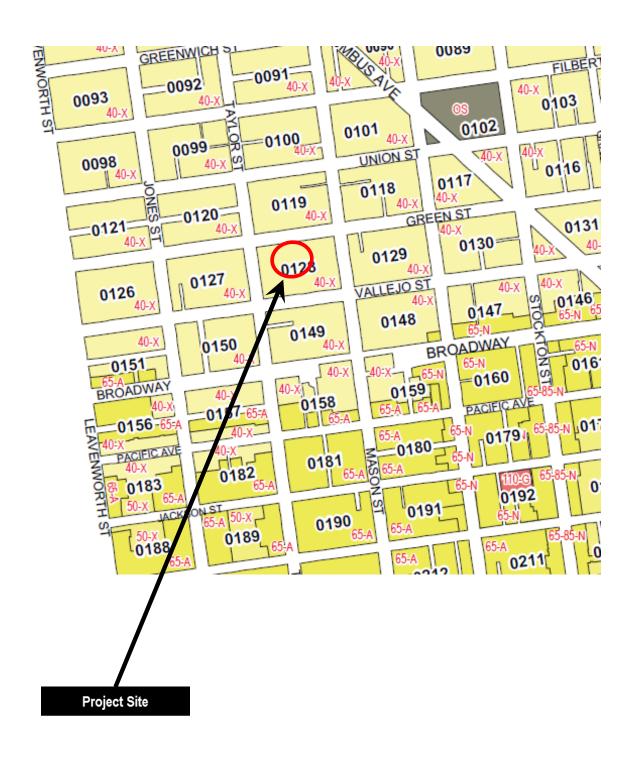


Zoning District Map





Height and Bulk Map



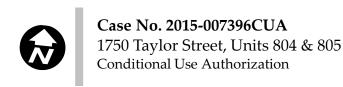


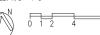
Photo of Site

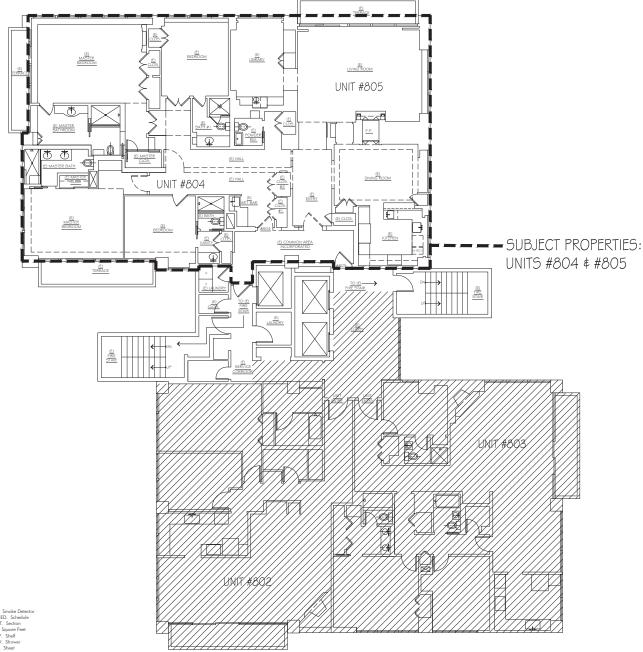


PLOT PLAN/ SCOPE OF WORK

8TH FLOOR PLAN OF THE ROYAL TOWERS

SCALE: 1/8"=1'-0"





DRAWING INDEX

A0.0 TITLE SHEET: PLOT PLAN/SCOPE OF WORK, GENERAL NOTES &

A0.1 PROPERTY SITE PLAN

A1.0 EXISTING/ DEMOLITION FLOOR PLAN

A2.0 NEW FLOOR PLAN & DOOR SCHEDULE

A2.1 NEW FLOOR PLAN WITH PATH OF TRAVEL

**BUILDING ENGINEER'S REPORT PROVIDED SEPARATLY FOR APPROVAL

BUILDING INFORMATION

PROJECT DESCRIPTION

TO MERGE UNITS #804 & #805. REMOVE (E) DOOR & WALL DIVIDING UNITS. INTERIOR RENOVATION FOR NEW HALL, ENTRY FOYER, BUTLER PANTRY & CLOSETS. MATCH (E) FINISHES.

PROJECT DATA

BLOCK: 0128C LOT: 027 & 028 ZONING: RM-2 HEIGHT LIMIT: 400 - X QUADRANT: NORTHEAST PLANNING DISTRICT: 3 ALLOWED USE: CONDOMINIUM (MULTI FAMILY DWELLING)

STORIES: UNIT - 1; BUILDING - 24 CONST. TYPE: TYPE I, REINFORCED CONCRETE

BUILDING AREA

INTERIOR COMMON FLOOR AREA 138 SQ. FT.

#804 INTERIOR FLOOR AREA (GROSS)

#805 INTERIOR FLOOR AREA (GROSS) 2204 SQ. FT.

TOTAL INTERIOR GROSS FLOOR AREA

* NO CHANGE TO SUBJECT PROPERTY SQUARE FOOTAGE. **BUILDING IS EXEMPT FROM ADA DUE TO IT BEING BUILT BEFORE

773 SQ. FT.

3115 SQ. FT.

MARCH 13, 1991 (CHAPTER 11A). ROYAL TOWERS BUILT IN 1964

ABBREVIATIONS

JT. Joint KIT. Kitchen

GENERAL NOTES

1. ALL DIMENSIONS AND EXISTING CONDITIONS SHALL BE CHECKED AND VERIFIED BY THE CONTRACTOR BEFORE PROCEEDING WITH WORK

2. DO NOT SCALE THESE DRAWINGS.

3. IF THESE DRAWINGS ARE NOT 24" X 36", THEY HAVE BEEN REDUCED OR ENLARGED.

4. ALL DIMENSIONS ARE TO FACE OF FINISH, UNLESS OTHERWISE NOTED.

5. (1") INDICATES ACTUAL SIZE. (1X) INDICATES NOMINAL SIZE.

6. NO ALTERATION TO (E) STRUCTURE.

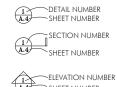
7. COORDINATE ALL MECHANICAL, PLUMBING, AND ELECTRICAL DEVICES WITH ARCHITECTURAL DRAWINGS AND VERIFY LOCATION WITH ARCHITECT AND OWNER PRIOR TO INSTALLATION.

8. ALL INSULATION SHALL COMPLY WITH UBC SECTION 804 FOR FLAME SPREAD. ALL ENERGY REQUIRED INSULATION SHALL MEET TITLE 24 REQUIREMENTS. THE TITLE 24 REQUIREMENTS DESCRIBED IN THE REPORT ARE A PART OF THE CONTRACT DOCUMENTS.

9. ALL PIPING, VENTS AND FLUES THAT PENETRATE THE MECHANICAL CHASE ARE TO BE APPROVED BY THE ARCHITECT. VERIFY LOCATION WITH ARCHITECT AND OWNER PRIOR TO

10. ALL CONSTRUCTION SHALL CONFORM TO THE 2013 CALIFORNIA BUILDING CODE (CBC), THE 2013 CALIFORNIA MECHANICAL CODE (CMC), THE 2013 CALIFORNIA PLUMBING CODE (CPC), THE 2013 CALIFORNIA ELECTRICAL CODE (CEC).

SYMBOLS



SCHEDULE

SCHEDULE

-WINDOW MARK,

REFER TO WINDOW

SHEET NUMBER ∼INT. ELEV. NUMBER 2 1 INT. ELEV. NL WALL MARK

SHEET NUMBER -DOOR MARK,

REFER TO DOOR





******************** BATTING INSULATION RIGID INSULATION

WOOD BLOCKING

WOOD FRAMING

VICINITY MAP



TITLE SHEET: PLOT PLAN/ SCOPE OF WORK, GENERAL NOTES \$

INFORMATION

DRAKE

COPY RIGHT © 2015 HUANG IBOSHI ARCHITECTURE ALL RIGHTS RESERVE

REVISIONS

ISSUED FOR

PI ANNING

ISSUED FOR SITE PERMIT

09/25/15

750 TAYLOR STREE' SAN FRANCISCO,

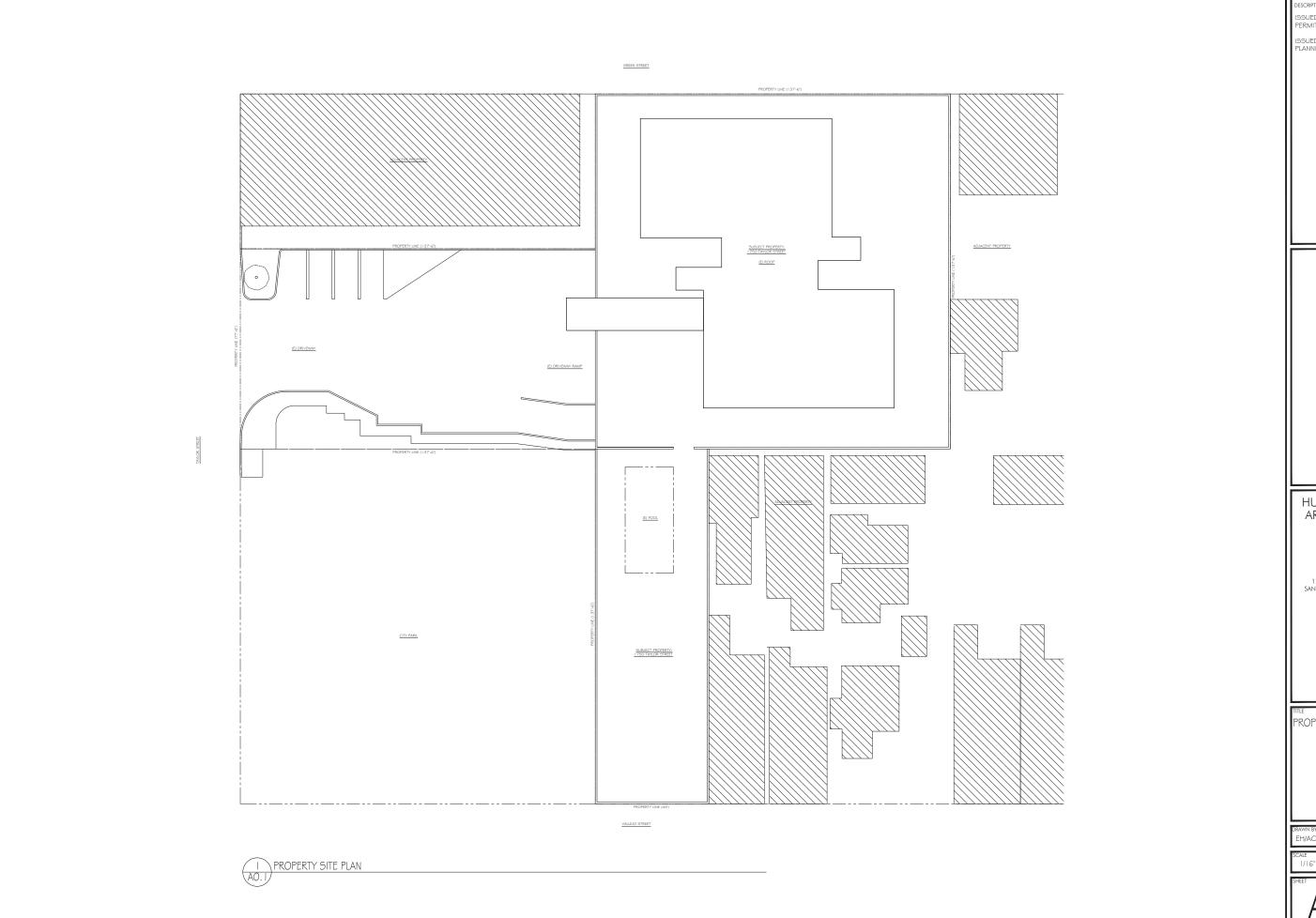
RESIDENCE

HUANG IBOSHI **ARCHITECTURE**









revisions DESCRIPTION ISSUED FOR SITE 05/13/15 PERMIT ISSUED FOR PLANNING 09/25/15 ADDRESS: 1750 TAYLOR STREET #804 & #805, SAN FRANCISCO, CA DRAKE RESIDENCE HUANG IBOSHI ARCHITECTURE 1736 STOCKTON STREET SAN FRANCISCO, CA 94133 [415] 217-7055 PROPERTY SITE PLAN JOB NO. DRAKE

COPY RIGHT © 2015 HUANG IBOSHI ARCHITECTURE ALL RIGHTS RESERVED

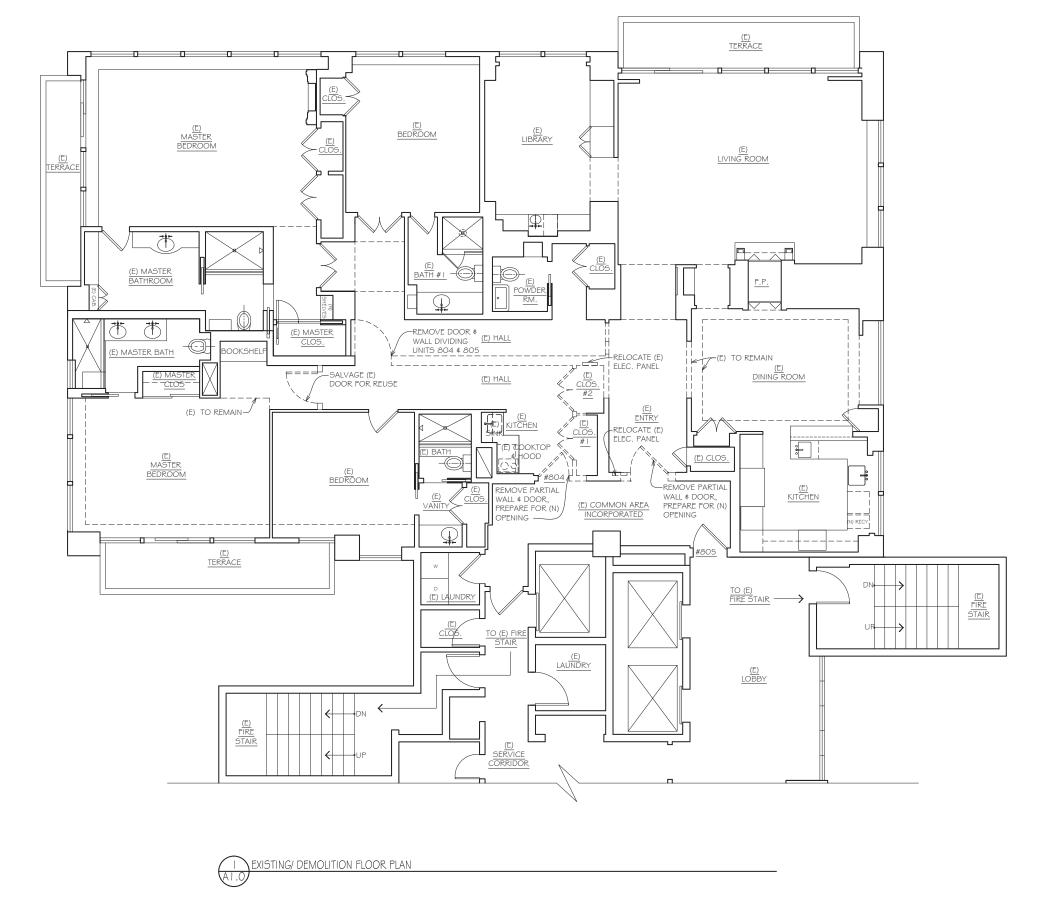
LEGEND

EXISTING TO BE DEMOLISHED

EXISTING TO REMAIN

DEMOLITION NOTES

- I. INTERIOR WALLS, DOORS, WINDOWS, \$ ELEMENTS INDICATED WITH DASHED LINES ARE TO BE DEMOLISHED.
- 2. ALL (E) COMMON PERIMETER WALLS, STRUCTURAL, AND MECHANICAL ELEMENTS OF CONDO UNIT TO REMAIN, U.O.N.
- 3. ALL PARTITION WALLS TO BE DEMOLISHED MUST BE VERIFIED AS NON-STRUCTURAL. ALL PRECAUTIONS MUST BE TAKEN TO PROPERLY SHORE UP THE PORTIONS REMOVED AND SUPPORT (E) STRUCTURAL MEMBERS TO REMAIN.
- 4. SCOPE OF FLOORING MATERIALS & EXTENT OF WALL AND CEILING FINISHES TO BE REMOVED ARE DEMARCATED BY LINES OR THRESHOLDS @ DOORWAYS.
- 5. SALVAGE ALL FIXTURES, DOORS, EQUIPMENT, ETC. THE OWNER SHALL DECIDE REUSE OR PROPER DISPOSAL BY THE CONTRACTOR. PROPERLY DISPOSE OF ALL NON-SALVAGABLE DEMOLISHED MATERIALS.
- 6. THE CONTRACTOR SHALL PROVIDE PROVISION FOR PROPER DISPOSAL OF ALL HAZARDOUS MATERIALS ENCOUNTERED DURING DEMOLITION.
- 7. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS DURING DEMOLITION TO MINIMIZE DAMAGE OF SURROUNDING MATERIALS.
- 8. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY AND PRIOR TO DEMOLITION OF ANY DISCREPANCIES BETWEEN THE DRAWINGS AND ACTUAL CONDITIONS.



ISSUED FOR PLANNING 09/25/15 DRAKE RESIDENCE 1750 TAYLOR STREET #804 SAN FRANCISCO, CA HUANG IBOSHI ARCHITECTURE 1736 STOCKTON STREET SAN FRANCISCO, CA 94133 [415] 217-7055 EXISTING/ DEMOLITION FLOOR PLAN DRAKE 09/25/15

COPY RIGHT © 2015 HUANG IBOSHI ARCHITECTURE ALL RIGHTS RESERVI

REVISIONS
DESCRIPTION
ISSUED FOR SITE

PERMIT

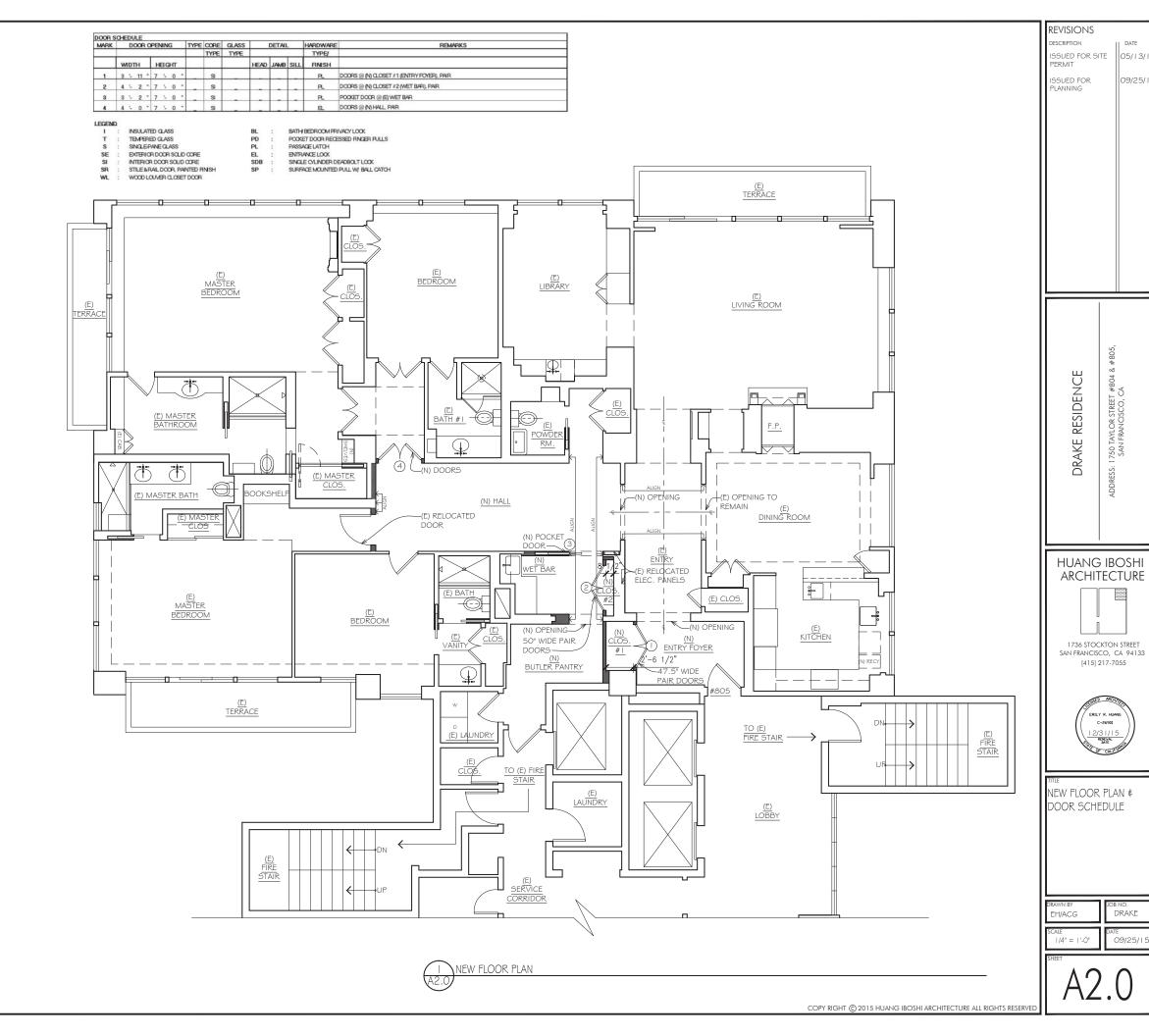
05/13/15

LEGEND

NEW WALLS, FIRE RATED EXISTING WALLS TO REMAIN

CONSTRUCTION NOTES

- I. ALL DIMENSIONS ARE TO FACE OF FINISH, UNLESS OTHERWISE NOTED.
- 2. ALL NEW CEILING, WALL, \$ FLOOR ASSEMBLIES TO BE I-HR. FIRE-RATED CONSTRUCTION, PER SFBC.
- 3. EXISTING MECHANICAL CHASES, GAS, WATER, \$ WASTE LINES COMMON TO THE BUILDING TO REMAIN
- 4. ALL NEW FLOOR AND CEILING ASSEMBLIES TO COMPLY WITH BUILDING SOUND INSULATION REQUIREMENTS.
- 5. NEW GWB TO BE SMOOTH FINISH (LEVEL 5).
- 6. PROVIDE WATER PROOF GWB AT WET LOCATIONS IN BATHROOMS \$ KITCHEN.
- 7. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD.
- 8. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY AND PRIOR TO WORK OF ANY DISCREPANCIES BETWEEN THE DRAWINGS AND ACTUAL CONDITIONS.



05/13/15

09/25/15

DRAKE

09/25/15

LEGEND

NEW WALLS

EXISTING WALLS TO REMAIN

■ ■ MAXIMUM PATH OF TRAVEL FROM UNIT TO FIRE STAIR

ROYAL TOWERS BUILDING GUIDELINES

I. PRIOR TO THE COMMENCEMENT OF ANY WORK, THE CONTRACTOR SHALL ARRANGE A PRE-WALKTHROUGH INSPECTION WITH THE BUILDING REPRESENTATIVE. ANY DAMAGE TO CORRIDORS, LOBBIES AND SERVICE ELEVATORS SHALL BE NOTED. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE ASSOCIATED WITH THEIR SCOPE OF WORK.

2. ANY AND ALL PENETRATIONS TO FIRE WALLS SHALL MEET CURRENT CODES.

3. LOBBY OUTSIDE THE UNITS MAY BE REMODELED HOWEVER REQUIREMENTS FOR LIGHTING AND EGRESS MUST BE MAINTAINED.

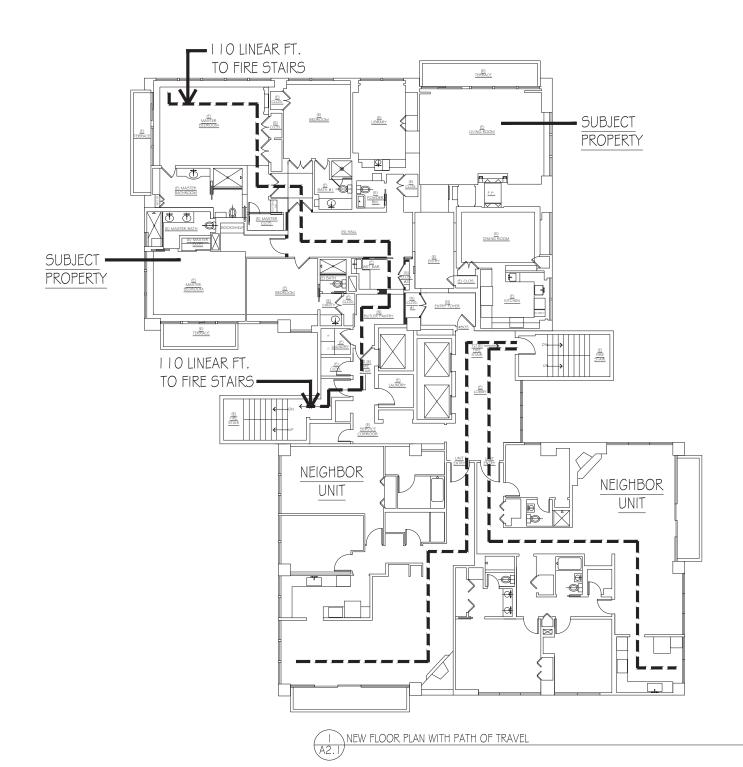
4. EXTERIOR GLAZING SHALL BE REPLACED AS FOLLOWS: LOW E- NO TINT AT SOUTH, EAST, \$ NORTH ELEVATIONS LOW E- GREY TINT AT WEST ELEVATION

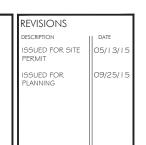
5. THE TENANT IS RESPONSIBLE FOR ALL WATERPROOFING ISSUES ASSOCIATED WITH THE WINDOW WALLS.

6. WATERPROOFING OF EXISTING BALCONY IS REQUIRED AS PART OF ANY APARTMENT RENOVATION. DECK TILE IS OWNER'S CHOICE.

7. WINDOW WASHING ACCESS SHALL REMAIN AT ALL EXISTING LOCATIONS.

8. ANY MODIFICATIONS TO THE FLOORING OR CEILING COMPONENTS SHALL INCORPORATE APPROVED ROYAL TOWERS DETAILS.





DRAKE RESIDENCE
ADDRESS: 1750 TAYLOR STREET #804 & #805,
SAN FRANCISCO, CA



NEW FLOOR PLAN WITH PATH OF TRAVEL

A2.1

NEW YORK
LONDON
SINGAPORE
PHILADELPHIA
CHICAGO
WASHINGTON, DC
SAN FRANCISCO
SILICON VALLEY
SAN DIEGO
SHANGHAI
BOSTON
HOUSTON
LOS ANGELES
HANOI
HO CHI MINH CITY



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MEXICO CITY
ALLIANCE WITH
MIRANDA & ESTAVILLO
SRI LANKA
ALLIANCE WITH
GOWERS INTERNATIONAL

May 2, 2016

VIA MESSENGER AND EMAIL

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

> Re: <u>Conditional Use Application - 1750 Taylor Street, Units 804/805, San</u> Francisco

Dear Commissioner Fong:

Our office represents Peter Drake ("Applicant") a shareholder of the Royal Towers Apartment Corporation (the "Co-Op"). The Applicant's shares represent the value of his residential units at 1750 Taylor Street. The Applicant proposes to merge the two units into one four-bedroom residential unit to meet the needs of his family ("Proposed Project"). ¹

On June 11, 2015, the Applicant submitted a unit merger application to the Planning Department. On June 23, 2015, the Applicant submitted a building permit application² to the Department of Building Inspection ("DBI") to merge Units 804 and 805, which application was routed to the Planning Department. On or about July 14, 2015, the Applicant was informed by the Planning Department that his unit merger application would be on hold until a conditional use application was submitted. After determining that a conditional use application was required due to the interim control ordinance adopted by the Board of Supervisors, the Applicant

The San Francisco Tax Assessor's office assigns parcel numbers to the units in a cooperative apartment so that they can adjust the property tax to reflect the increased value of the apartment. Unit 804 is Parcel 0128C/027 and Unit 805 is parcel 0128C/028.

Permit Application No. 2015-6239654

Commissioner Rodney Fong May 2, 2016 Page 2

submitted a conditional use application to merge the units and an amended unit merger application pursuant to the Department's request on October 14, 2015.

After the Board of Supervisors adopted Ordinance 16-33 amending Planning Code Section 317, the Applicant filed an Amended Application for Conditional Use Authorization on April 14, 2016 (the "Amended Application") to address the additional criteria in Section 317 that must be considered by this Commission when considering a unit merger application.

PROJECT SITE

The Project Site located at 1750 Taylor Street (being Block 0128/021), containing 37,937.5 sq. ft., is irregularly shaped and is improved with a 24-story residential building. The 24-story Building was constructed between 1961 and 1963 with a total of 76 residential units. Floors 2 through 9 originally had four units per floor, floors 10 through 23 had three units per floor, and the 24th floor penthouse level had two units. Seven units in total have been merged, reducing the number of units in the building from 76 to 69.³

PROPOSED PROJECT

The Proposed Project is the merger of the 773 sq. ft. one bedroom unit (Unit 804, parcel 0128C/027) with the 2,203 sq. ft. three bedroom unit (Unit 805, parcel 0128C/028) and the 138 sq. ft. common area hallway that contains a laundry room serving the two units. A copy of the Site Plan and existing and proposed floor plans are attached hereto as **Exhibit 1.**

THE PROJECT APPLICANT

The Project Applicant, Peter Drake, and his former business partner, Dennis Stradford, jointly purchased shares in the Co-Op that represent units 804 and 805. They had originally intended to purchase the shares individually (with shares representing unit 804 belonging to Mr. Stradford and shares representing unit 805 belonging to Mr. Drake). Their request to the Board to install a connecting door between the two units so they could more easily work together on a daily basis was denied unless the shares of both units were jointly owned by them. They agreed to and jointly owned the Co-Op shares for both units. When the business relationship ended, Mr. Drake purchased Mr. Stradford's interest in the jointly-owned shares.

Mr. Drake's family consists of his fiancé, Jared Moreno, and Mr. Drake's two collegeage children. Mr. Drake's 89-year-old mother frequently visits when the grandchildren are home from school. Mr. Moreno's mother does not have a home of her own, and splits her time living with her five children for months at a time throughout the year. The siblings of Mr. Drake and Mr. Moreno and their families visit frequently. The two units and the adjacent common area hallway accessing the laundry room for their units function as a single unit. The Project

³ The following units have been merged: 204/205, 404/405, 604/605, 704/705, 904/905, 1003/1002 and 2401/2402.

Commissioner Rodney Fong May 2, 2016 Page 3

Applicant proposes to reconfigure and merge the two units and the common area hallway into a practical four bedroom residential unit to meet the needs of his family.

THE PROPOSED 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.

Merger of the two units would create a four-bedroom unit which is difficult to find in San Francisco since such units comprise only 6.6% of the City's housing inventory. The residential units in the immediately surrounding neighborhood range from single family homes to apartment buildings with 50 to 71 units. Reducing the Building from 69 units to 68 units will not be incompatible with or adversely affect the surrounding neighborhood. The addition of a four bedroom unit in the City's housing stock is necessary and desirable to house an extended family.

- 2. The proposed use or feature 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:
 - The Proposed Project will not alter the exterior envelope, scale and massing of the Building.
 - The Proposed Project will not affect or alter accessibility to or traffic patterns of the surrounding street for persons or vehicles to the building. Merger of the two units will not add to commute or volume of existing traffic, or impact the availability of on-street or off-street parking, or loading.
 - Construction noise would be limited to the interior of the Building and will temporarily increase noise within the Building during construction. The Co-Op imposes construction rules and regulations to ensure the quiet enjoyment of the other residents during construction. After construction is completed, the merged unit will not emit noxious or offensive noise, glare, dust, or odor.
 - The number of off-street parking spaces and loading and service areas will remain unchanged. Landscaping and open spaces of the existing building will not be altered. Exterior lighting and signage will not change.

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.

The Proposed Project will be in conformity with applicable provisions of the Planning Code and the following General Plan objectives and policies:

HOUSING ELEMENT

Objective 2 – Retain existing housing units, and promote safety and maintenance standards, without jeopardizing affordability.

POLICY 2.2

Retain existing housing by controlling the merger of residential units, except where a merger clearly creates new family housing.

Objective 4 – Foster a housing stock that meets the needs of all residents across lifecycles.

POLICY 4.1

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

The City of San Francisco lacks four-bedroom dwelling units that are suitable for large and/or extended families. The proposed unit merger will create one four bedroom unit that will provide sufficient space for an extended family.

THE PROPOSED PROJECT MEETS THE ADDITIONAL CRITERIA OF SECTION 317(g)(2)

The Proposed Project meets the additional criteria of Section 317(g)(2) required for conditional use application for residential unit merger in that:

- The unit to be eliminated is and has always been owner occupied. The Applicant has resided in both units since January, 2014, having jointly owned the shares representing both units since January 31, 2014, and individually owned the shares since March 13, 2015. [See Section 317(g)(2)(A)]
- The Applicant's family currently occupies both units and the merger would allow both units to function as one. The newly created four-bedroom unit will continue to be occupied by the same family. [See Section 317(g)(2)(B)]

- The Proposed Project will not eliminate any affordable housing units. Pursuant to the City's Periodic Adjustment to Numerical Criteria, a single family home valued at or above \$1,630,000 is considered to be unaffordable. The appraisal prepared by Miller and Perotti Real Estate Appraisal dated April 29, 2015 valued the one bedroom unit at \$1,695,000 and the three bedroom unit 805 at \$3,500,000. Neither of the units proposed to be merged is subject to the Residential Rent Stabilization and Arbitration Ordinance. [See Section 317(g)(2)(C)]
- As discussed above, neither units are subject to the City's Residential Rent Stabilization and Arbitration Ordinance. [See Section 317(g)(2)(D)]
- Neither of the units proposed to be merged have been rental units and have been occupied by the shareholder of the units since the building was completed in 1964. [See Section 317(g)(2)(E)]
- The number of bedrooms provided in the merged unit will be equal to or greater than the number of bedrooms in the separate units, as the merged unit will contain 4 bedrooms, which is equal to the sum of the bedrooms in the two Units (804 and 805). [See Section 317(g)(2)(F)]
- As fully discussed above, the reconfiguration and merger of the units as one is necessary to provide a practical functional unit for Mr. Drake's family especially when Mr. Drake and Mr. Moreno's elderly parents stayed with them. Neither unit alone, as currently configured can accommodate the Applicant's extended family. [See Section 317(g)(2)(G)]
- As noted above, in Section C, an appraisal prepared by Miller and Perotti Real Estate Appraisal dated April 29, 2015, valued the one bedroom unit 804 at \$1,695,000. [See Section 317(g)(2)(H)]

PROPOSED PLANNING CODE SECTION 101.1 FINDINGS

The Project is consistent with the Priority General Plan Policies of Section 101.1, as follows:

- The Building is located in an RM-2 zoning district, where retail uses are not permitted. The Building contains no retail uses. Therefore, the policies of Section 101.1(b)(1) are not applicable to the Proposed Project.
- Merger of the units will not affect the existing housing and neighborhood character, in that the building envelope, scale and massing will not be altered. The units proposed to be merged cannot be sold on the open market and cannot be rented without the consent of the Board of Directors of the Co-Op. As discussed

above, the Co-Op Board has never granted approval to rent or lease a unit in the building. Merger of the units will not affect the cultural or economic diversity of the neighborhood. The Proposed Project, therefore, is consistent with the policies of Section 101.1(b)(2).

- The units have appraised values of \$1,695,000 and \$3,500,000 respectively, which are above the 80th percentile of San Francisco home values (\$1,630,000.00), and which by definition are not affordable single-family units. The Proposed Project will not eliminate any affordable housing units. Therefore, the Proposed Project is consistent with the policies of Section 101.1(b)(3).
- A one-bedroom unit generates 7.5 daily person trips and a unit with two or more bedrooms generates 10 daily person trips per day. The proposed merger of the units will have no impact on transportation or parking because according to the Department's trip generation rate, the number of trips generated after the merger will decrease from 17.5 daily person trips to 10 daily person trips. In reality, the Proposed Unit Merger will not change the number of trips currently generated by the occupants of these units. The Proposed Project, therefore, is consistent with the policies of Section 101.1(b)(4).
- The Building is located in an RM-2 zoning district which does not allow industrial, service sector, or commercial uses. Therefore, the policies of Section 101.1(b)(5) are not applicable to this Proposed Project.
- The Project will not affect the seismic and fire safety standards of the Building. Therefore, the Proposed Project is consistent with the policies of Section 101.1(b)(6).
- The Building is not a landmark building or a historic resource, and is not located in a historic district. Merger of the two units will not affect the exterior of the building and is consistent with the policies of Section 101.1(b)(7).
- The height of the Building will not be increased. Therefore, the Proposed Project will have no effect on the sunlight access of any parks or open space or impair the view from any public vistas. Accordingly, the Proposed Project is consistent with the policies of Section 101(b)(8).

Commissioner Rodney Fong May 2, 2016 Page 7

Based on the foregoing, the Applicant respectfully submits that the Amended Application for Conditional Use Authorization for merger be granted. Please contact me if you have any questions.

Very truly yours,

lice Suet Yee Barkley

ASB/bah Attachment - Exhibit 1

cc: Commissioner Michael Antonini Commissioner Rich Hillis Commissioner Christine Johnson

Commissioner Christine Johnson Commissioner Kathrin Moore Commissioner Dennis Richards Commissioner Cindy Wu

John Rahaim, Planning Director

Claudine Asbagh Peter Drake