



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: DECEMBER 14, 2017

Date: December 7, 2017
Case No.: **2015-014058CUAENVPPATDMVAR**
Project Address: **2465 VAN NESS AVENUE**
Zoning: RC-3 (Residential-Commercial, Medium Density)
65-A Height and Bulk District
Area Plan: Van Ness Avenue Area Plan
Block/Lots: 0546/001 and 002
Project Sponsor: Jaqui Braver
DM Development
448 Linden Street
San Francisco, CA 94102
Staff Contact: Mary Woods – (415) 558-6315
mary.woods@sfgov.org
Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposed project is the demolition of the vacant, decommissioned gas station (formerly Chevron Service Station) and the construction of a 7-story, 65-foot-tall, mixed use development containing approximately 2,800 square feet of ground floor commercial/retail space, 41 dwelling units, 31 off-street vehicle parking spaces and 41 Class 1 bicycle parking spaces located in a basement-level garage. Of the 41 residential units, about 24% would be one-bedroom units, 59% would be two-bedroom units, and 17% would be three-bedroom units.

The proposal requires Conditional Use authorization to allow a new building exceeding 40 feet in height and with more than 50 feet street frontage in an RC District, and exceeding 50 feet in height in an RC District, to allow a bulk exception, and to allow off-street parking up to 0.75 car for each dwelling unit.

The proposed project is also requesting Variances from the Zoning Administrator related to rear yard (Section 134) and dwelling unit exposure (Section 140) requirements.

SITE DESCRIPTION AND PRESENT USE

The project is located on the southwest corner of Van Ness Avenue and Union Street, Block 0546, Lots 001 and 002. Van Ness Avenue is designated State Highway 101. The property is located in an RC-3 (Residential-Commercial, Medium Density) District, and a 65-A Height and Bulk District.

The project site is rectangular in shape and consists of two abutting lots, with approximately 165 feet of frontage on Van Ness Avenue, and approximately 100 feet of frontage on Union Street. The two lots contains approximately 16,545 square feet (approximately 0.4 acre). The larger corner lot (Lot 001 at approximately 137.50 feet wide by 100 feet deep) at 2465 Van Ness Avenue is occupied by a decommissioned gas station (formerly Chevron Service Station), which was constructed in 1971 and closed in 2009. It consists of a 15-foot-tall canopy and a vacant, one-story, 2,000-square-foot, commercial building for an auto body shop/cashier's office/retail sales. The smaller lot (Lot 002 at approximately 27.50 feet wide by 101 feet deep) at 2435 Van Ness Avenue is occupied by a paved, ground-level parking lot for approximately 18 vehicle parking spaces (formerly used by Zip Car).

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the southeast corner of the Marina neighborhood, across Van Ness Avenue from the Russian Hill neighborhood and just north of the Pacific Heights neighborhood. The project site is in an area of mixed commercial and residential uses. The subject block contains a mix of zoning districts, including the Union Street Neighborhood Commercial District immediately west of the project site, RM-2 (Residential, Mixed, Moderate Density) to the southwest, and RH-3 (Residential, House, Three-Family) for properties fronting on Franklin Street, west of the project site.

A one-story furniture/design building (Ruby Livingdesign) is immediately west of the project site at 1525 Union Street. Further west at 1555 Union Street is a two-story, 40-guest room motel, proposed to be replaced with a 4-story, 100-room tourist hotel (currently under Planning department review). South of the project site at 2415 Van Ness Avenue is a seven-story, 41-unit condominium building, and a Greek Orthodox Church at the corner of Van Ness Avenue and Green Street. The remaining block consists of flats and multi-unit apartment buildings ranging from two to four stories tall.

Van Ness Avenue is a major vehicular and pedestrian thoroughfare, the City's primary link to the North Bay via Lombard Street and the Golden Gate Bridge. Transit lines serving San Francisco and Marin County are nearby and are within walking distance of the site.

The Union Street Neighborhood Commercial District begins immediately west of the project site. To the northeast of the project site are Fisherman's Wharf and Pier 39. The Russian Hill and North Beach neighborhoods are to the east of the project site. The Pacific Heights neighborhood is to the southwest of the project site.

ENVIRONMENTAL REVIEW

On November 7, 2017, the project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this project (Case No. 2015-014058ENV).

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 22, 2017	November 22, 2017	22 days
Posted Notice	20 days	November 24, 2017	November 24, 2017	21 days
Mailed Notice	20 days	November 24, 2017	November 24, 2017	21 days

PUBLIC COMMENT/COMMUNITY OUTREACH

The project sponsor met with nearby residents and local neighborhood organizations on various occasions over the past two years with regard to issues raised in the design of the building, residential density, lack of on-site affordable housing units, and parking. The project sponsor met with PHRA (Pacific Heights Residents Association) in August 2015; GGVNA (Golden Gate Valley Neighborhood Association) in September 2015; CHNA (Cow Hollow Neighborhood Association), MCA (Marina Community Association) and USA (Union Street Association) in September 2016; VNCNC (Van Ness Corridor Neighborhood Council) in May 2017; SFHAC (San Francisco Housing Action Coalition) in September 2017, and RHNA (Russian Hill Neighborhood Association) in October 2017. The project sponsor also met with nearby residents and property owners of 1552 Green Street, 1525 Union Street and 2415 Van Ness Avenue, regarding issues related to light and air, parking, and traffic management.

As of the drafting of this motion, the Department has received 13 letters in full support of the project, including three from neighborhood organizations: Russian Hill Neighbors, San Francisco Housing Action Coalition, and Union Street Association. The Department has also received a petition (containing 14 signatures) in support of the maximum parking ratio of 0.75 car per dwelling unit. Neighbors and community organizations asserted that street parking on Van Ness Avenue, Union and Franklin Streets is scarce. Adding new residents and patrons of retail or commercial space to the area without providing the appropriate amount of off-street parking would severely strain an already limited supply of on-street parking. Neighbors have expressed a strong preference for a minimum of one car per dwelling unit. The VNCNC is generally supportive of the project, but has some concerns related to the lack of on-site affordable units, the amount of parking being proposed and potential problems with the single vehicular entry. The Department also received two letters inquiring about the proposed project.

The Department has received three letters in opposition to the project, including (i) a condominium owner at 2415 Van Ness Avenue, expressing concerns regarding the loss of a partial bay view and light and air issues; (ii) the owner of the furniture store at 1525 Union Street (Ruby Livingdesign), expressing concerns related to the location of the new driveway, the amount of off-street parking being provided in the proposed project, construction noise, traffic and parking impacts, soil and hydrologic stability issues, lack of on-site affordable housing units, and the design of the proposed building; and (iii) a condominium owner at 1552-R Green Street, expressing concerns related to the bulk exception, potential shadow on nearby school, and that the parking ratio should be one car per dwelling unit and not 0.75 car per dwelling unit.

ISSUES AND OTHER CONSIDERATIONS

The project sponsor is proposing to meet the inclusionary housing requirement by either paying the in lieu fee at 30% or pursue a Small Site Program (SSP) acquisition, subject to SSP program guidelines and site approval by the Mayor's Office of Housing and Community Development to purchase, rehabilitate and dedicate up to 12 off-site units, or a combination of the two options. If the project were to provide on-site affordable housing units, the applicable percentage would be 14.5% or equivalent to six units.

The project is seeking a bulk exception as it exceeds both the maximum permitted building length (110 feet) and diagonal dimension (125 feet) above 40 feet in height. Between 40 to 43.6 feet in height, the project proposes a building length of 165 feet and a diagonal dimension of 182 feet. Above 43.6 feet in height, the project proposes a building length of 165 feet and a diagonal dimension of 170 feet.

The project is seeking a maximum off-street parking up to 0.75 car for each dwelling unit. A ratio below 0.50:1 is permitted as of right while a ratio above 0.75:1 is not permitted in this RC-3 district.

As the project is greater than 40 feet in height, Department staff conducted a shadow fan study as part of a Preliminary Project Assessment (Case No. 2015-014058PPA) for the project pursuant to Planning Code Section 295. On December 31, 2015, staff concluded that the shadow fan found that the project would not cast shadows on any Recreation and Park Department properties, and a formal shadow study application was not required to further review shadow created by the project.

The proposed project is also requesting Variances from the Zoning Administrator related to rear yard and dwelling unit exposure requirements. The Project is required to provide a rear yard of approximately 25 feet deep or equivalent to 3,300 square feet of open space. While the proposed rear yard is 20 feet deep, the project proposes to provide usable open spaces totaling approximately 3,400 square feet (common open space at 2,800 square feet; private open space at 600 square feet). Dwelling units are required to face a public street or side yard at least 25 feet in width, a required rear yard, or an open area of 25 feet in width. 27 of the 41 units in the project meet this requirement. The remaining 14 units (facing the rear yard) do not meet the requirements.

URBAN DESIGN ADVISORY TEAM REVIEW

The proposed new construction was reviewed by the Department's Urban Design Advisory Team (UDAT). On balance, UDAT supports the project's massing, architecture, and street frontage treatments.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use authorization under Planning Code Sections 151.1, 253, 271 and 303 to allow a new building exceeding 40 feet in height and with more than 50 feet street frontage in an RC District, and exceeding 50 feet in height in an RC District, to allow a bulk exception, and to allow off-street parking up to 0.75 car for each dwelling unit.

The proposed project is also requesting Variances from the Zoning Administrator relating to rear yard (Section 134) and dwelling unit exposure (Section 140) requirements.

BASIS FOR RECOMMENDATION

The project is necessary and desirable in that:

- The project provides 41 new housing units at an underutilized site. The project will help to alleviate the City's housing shortage and create more affordable housing;
- The project would enhance the City's supply of affordable housing by paying the Affordable Housing Fee or participating in the Small Site Acquisition Program, or a combination of the two;
- The project would create new active ground floor uses on Van Ness Avenue and Union Street;
- The project is directly adjacent to the Van Ness corridor, and the Van Ness Avenue Area Plan encourages increasing housing development with the goal of establishing a mixed-use neighborhood. The proposed project is the type of development encouraged for the project site;
- The project is desirable for, and compatible with, the surrounding neighborhood.

RECOMMENDATION: Approval with Conditions

Attachments:

Draft Motion (includes Conditions of Approval - EXHIBIT A)

Parcel Map

Sanborn Map

Zoning Map

Site Photo

Aerial Photos

Zoning Administrator Letter of Determination on Gas Station Conversion

CEQA Certificate of Determination

Shadow Fan Analysis

Project Sponsor Submittal, including:

- Affidavit for Anti-Discriminatory Housing Policy
- Affidavit for Compliance with the Inclusionary Affordable Housing Program
- Affidavit for First Source Hiring Program
- Transportation Demand Management Plan
- Reduced Plans (EXHIBIT B)

Attachment Checklist

- | | |
|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion for Conditional Use Authorization (includes EXHIBIT A) | Drawings: <u>Existing Conditions</u> (EXHIBIT B) |
| <input checked="" type="checkbox"/> Parcel Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Sanborn Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Zoning Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Site Photo | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Aerial Photos | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning Administrator Letter on Gas Station Conversion | <input checked="" type="checkbox"/> Affidavit for Anti-Discriminatory Housing Policy |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Affidavit for Compliance with the Inclusionary Affordable Housing Program |
| <input checked="" type="checkbox"/> Shadow Fan Analysis | <input checked="" type="checkbox"/> Affidavit for First Source Hiring Program |
| | <input checked="" type="checkbox"/> Transportation Demand Management Plan |
| | <input type="checkbox"/> |
| | <input type="checkbox"/> |
| | <input type="checkbox"/> |

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

_____ MW _____
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Transportation Sustainability Fee (Sec. 411A)

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Planning Commission Draft Motion

HEARING DATE: DECEMBER 14, 2017

Date: December 7, 2017
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 DM Development
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 151.1, 253, 271 AND 303 TO DEMOLISH A VACANT GAS STATION (FORMERLY CHEVRON SERVICE STATION) AND CONSTRUCT A 7-STORY, 65-FOOT-TALL, MIXED USE DEVELOPMENT CONTAINING APPROXIMATELY 2,800 SQUARE FEET OF GROUND FLOOR COMMERCIAL/ RETAIL SPACE, 41 DWELLING UNITS, 31 OFF-STREET VEHICLE PARKING SPACES AND 41 CLASS 1 BICYCLE PARKING SPACES LOCATED IN A BASEMENT-LEVEL GARAGE. THE PROJECT IS SEEKING CU AUTHORIZATION FOR BUILDING HEIGHT OVER 50 FEET AND WITH MORE THAN 50 FEET OF STREET FRONTAGE IN AN RC DISTRICT, BULK EXCEPTION, AND OFF-STREET PARKING UP TO 0.75 CAR FOR EACH DWELLING UNIT. THE PROJECT IS ALSO REQUESTING VARIANCES FROM THE ZONING ADMINISTRATOR RELATING TO REAR YARD (SECTION 134) AND DWELLING UNIT EXPOSURE (SECTION 140) REQUIREMENTS WITHIN AN RC-3 (RESIDENTIAL-COMMERCIAL, MEDIUM DENSITY) DISTRICT, AND A 65-A HEIGHT AND BULK DISTRICT.

PREAMBLE

On October 5, 2016, DM Development (hereinafter “Project Sponsor”) filed an application (Case No. 2015-014058CUA) with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 151.1, 253, 271 and 303 to demolish a vacant gas station

(formerly Chevron Service Station) and construct a 7-story, 65-foot-tall, mixed use development containing approximately 2,800 square feet of ground floor commercial/retail space, 41 dwelling units, 31 off-street vehicle parking spaces and 41 Class 1 bicycle parking spaces located in a basement-level garage. The project is seeking CU authorization for building height over 50 feet and with more than 50 feet of street frontage in an RC district, bulk exception, and off-street parking up to 0.75 car for each dwelling unit. On August 21, 2017, the Project Sponsor filed an application (Case No. 2015-014058VAR) with the Department requesting Variances from the Zoning Administrator relating to rear yard (Section 134) and dwelling unit exposure (Section 140) requirements. On August 29, 2017, the Project Sponsor filed an application (Case No. 2015-014058TDM) with the Department relating to the Transportation Demand Management (TDM) Plan. The project site is located in an RC-3 (Residential-Commercial, Medium Density) District, and a 65-A Height and Bulk District.

On December 14, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-014058CUA.

On November 7, 2017, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project (Case No. 2015-014058ENV).

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. 2015-014058CUAENVPPATDMVAR, 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 site is located on the southwest corner of Van Ness Avenue and Union Street, Block 0546, Lots 001 and 002. Van Ness Avenue is designated State Highway 101. The property is located in an RC-3 (Residential-Commercial, Medium Density) District, and a 65-A Height and Bulk District.

The Project site is rectangular in shape and consists of two abutting lots, with approximately 165 feet of frontage on Van Ness Avenue, and approximately 100 feet of frontage on Union Street. The two lots contains approximately 16,545 square feet (approximately 0.4 acre). The larger corner lot (Lot 001 at approximately 137.50 feet wide by 100 feet deep) at 2465 Van Ness Avenue is occupied by a decommissioned gas station (formerly Chevron Service Station), which was constructed in 1971 and closed in 2009. It consists of a 15-foot-tall canopy and a vacant, one-story,

2,000-square-foot, commercial building for an auto body shop/cashier's office/retail sales. The smaller lot (Lot 002 at approximately 27.50 feet wide by 101 feet deep) at 2435 Van Ness Avenue is occupied by a paved, ground-level parking lot for approximately 18 vehicle parking spaces (formerly used by Zip Car).

- 3. Surrounding Properties and Neighborhood.** The Project site is located in the southeast corner of the Marina neighborhood, across Van Ness Avenue from the Russian Hill neighborhood and just north of the Pacific Heights neighborhood. The Project site is in an area of mixed commercial and residential uses. The subject block contains a mix of zoning districts, including the Union Street Neighborhood Commercial District immediately west of the Project site, RM-2 (Residential, Mixed, Moderate Density) to the southwest, and RH-3 (Residential, House, Three-Family) for properties fronting on Franklin Street, west of the Project site.

A one-story furniture/design building (Ruby Livingdesign) is immediately west of the Project site at 1525 Union Street. Further west at 1555 Union Street is a two-story, 40-guest room motel, proposed to be replaced with a 4-story, 100-room tourist hotel (currently under Planning department review). South of the Project site at 2415 Van Ness Avenue is a seven-story, 41-unit condominium building, and a Greek Orthodox Church at the corner of Van Ness Avenue and Green Street. The remaining block consists of flats and multi-unit apartment buildings ranging from two to four stories tall.

Van Ness Avenue is a major vehicular and pedestrian thoroughfare, the City's primary link to the North Bay via Lombard Street and the Golden Gate Bridge. Transit lines serving San Francisco and Marin County are nearby and are within walking distance of the site.

The Union Street Neighborhood Commercial District begins immediately west of the Project site. To the northeast of the Project site are Fisherman's Wharf and Pier 39. The Russian Hill and North Beach neighborhoods are to the east of the Project site. The Pacific Heights neighborhood is to the southwest of the Project site.

- 4. Project Description.** The proposed Project would demolish the vacant gas station (formerly Chevron Service Station) and construct a 7-story, 65-foot-tall, mixed use development containing approximately 2,800 square feet of ground floor commercial/retail space, 41 dwelling units, 31 off-street vehicle parking spaces and 41 Class 1 bicycle parking spaces located in a basement-level garage. Of the 41 residential units, about 24% would be one-bedroom units, 59% would be two-bedroom units, and 17% would be three-bedroom units.

The proposal requires Conditional Use authorization to allow a new building exceeding 40 feet in height and with more than 50 feet street frontage in an RC District, and exceeding 50 feet in height in an RC District, to allow a bulk exception, and to allow off-street parking up to 0.75 car for each dwelling unit.

The proposed Project is also requesting Variances from the Zoning Administrator related to rear yard (Section 134) and dwelling unit exposure (Section 140) requirements.

5. **Public Comment.** The Project Sponsor met with nearby residents and local neighborhood organizations on various occasions over the past two years with regard to issues raised in the design of the building, residential density, lack of on-site affordable housing units, and parking. The Project Sponsor met with PHRA (Pacific Heights Residents Association) in August 2015; GGVNA (Golden Gate Valley Neighborhood Association) in September 2015; CHNA (Cow Hollow Neighborhood Association), MCA (Marina Community Association) and USA (Union Street Association) in September 2016; VNCNC (Van Ness Corridor Neighborhood Council) in May 2017; SFHAC (San Francisco Housing Action Coalition) in September 2017, and RHNA (Russian Hill Neighborhood Association) in October 2017. The Project Sponsor also met with nearby residents and property owners of 1552 Green Street, 1525 Union Street and 2415 Van Ness Avenue, regarding issues related to light and air, parking, and traffic management.

As of the drafting of this motion, the Department has received 13 letters in full support of the Project, including three from neighborhood organizations: Russian Hill Neighbors, San Francisco Housing Action Coalition, and Union Street Association. The Department has also received a petition (containing 14 signatures) in support of the maximum parking ratio of 0.75 car per dwelling unit. Neighbors and community organizations asserted that street parking on Van Ness Avenue, Union and Franklin Streets is scarce. Adding new residents and patrons of retail or commercial space to the area without providing the appropriate amount of off-street parking would severely strain an already limited supply of on-street parking. Neighbors have expressed a strong preference for a minimum of one car per dwelling unit. The VNCNC is generally supportive of the Project, but has some concerns related to the lack of on-site affordable units, the amount of parking being proposed and potential problems with the single vehicular entry. The Department also received two letters inquiring about the proposed Project.

The Department has received three letters in opposition to the Project, including (i) a condominium owner at 2415 Van Ness Avenue, expressing concerns regarding the loss of a partial bay view and light and air issues; (ii) the owner of the furniture store at 1525 Union Street (Ruby Livingdesign), expressing concerns related to the location of the new driveway, the amount of off-street parking being provided in the proposed Project, construction noise, traffic and parking impacts, soil and hydrologic stability issues, lack of on-site affordable housing units, and the design of the proposed building; and (iii) a condominium owner at 1552-R Green Street, expressing concerns related to the bulk exception, potential shadow on nearby school, and that the parking ratio should be one car per dwelling unit and not 0.75 car per dwelling unit.

6. **Anti-Discriminatory Housing Policy.** The Project is subject to the requirements of the Anti-Discriminatory Housing Policy (Administrative Code Section 1.61) for projects creating ten (10) or more new residential units. The Project Sponsor is required to submit the supplemental information form as part of the required entitlement application. The Department is not to review the responses other than to confirm that all questions have been answered. Upon confirmation, the information is sent to the Human Rights Commission by email at: hrc.info@sfgov.org.

The Project Sponsor has submitted a complete Affidavit for Anti-Discriminatory Housing Policy, a copy of which is attached to the Draft Motion.

7. **First Source Hiring Program.** The Project is subject to the requirements of the First Source Hiring Program (Chapter 83 of the Administrative Code) for projects creating ten (10) or more new residential units. The Project Sponsor will comply with the requirements of this Program. Prior to the issuance of any Building Permit or a First Addendum to a Site Permit, the Project Sponsor will have an approved and signed First Source Hiring Memorandum of Understanding (MOU) from the First Source Hiring Administrator, which will be evidenced in writing. This MOU will include Exhibit A, Construction First Source Hiring Agreement, and Exhibit B, End-Use First Source Hiring Agreement. Before the Commission can act on the Project, the Project Sponsor must complete the “Affidavit for First Source Hiring Program”.

The Project Sponsor has submitted a complete Affidavit for First Source Hiring Program, a copy of which is attached to the Draft Motion.

8. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Conversion of Automotive Service Stations.** Planning Code Section 202.5 (formerly Section 228) exempts automotive service stations that front on Primary Transit Streets or Citywide Pedestrian Network Streets, as designated in the City’s General Plan, from the conversion requirements of a Conditional Use authorization.

The Project site, located at 2465 Van Ness Avenue, is designated as a Primary Transit Street under the City’s General Plan in the Transportation Element. The Zoning Administrator issued a letter of determination on April 26, 2013, allowing the site to be converted from an automotive service station to another use (At the time the letter was issued, a new use was not identified). A copy of the Zoning Administrator’s letter is attached to the Draft Motion.

- B. **Residential Density.** Planning Code Section 209.3 allows up to one unit per 400 square feet of lot area.

The Project proposes a maximum allowance of 41 dwelling units with a mix of one-, two- and three-bedroom units.

- C. **Building Height.** Planning Code Section 253 requires in an RC District a Conditional Use authorization for review of any new building or structure exceeding 40 feet in height on a lot with more than 50 feet of street frontage, and any building or structure exceeding 50 feet in height in an RC District, and Section 252 of the Planning Code limits the height of development at the site to 65 feet.

The proposed 65-foot tall building is situated on a corner with street frontages on two sides (Van Ness Avenue and Union Street) ranging from 100 feet to 165 feet wide, thereby requiring a Conditional Use authorization pursuant to Planning Code Section 253. The proposed massing steps down along the Union Street frontage by providing a setback at the upper levels as it transitions westward from Van Ness Avenue toward Franklin Street. A portion of the massing along the southern edge has been pulled back 15 feet in order to provide optimum light and air to the 7-story apartment building at 2415 Van

Ness Avenue. A setback is also provided at the upper levels along the Van Ness Avenue frontage so as to create visual interest and to be compatible with the scale and massing of the surrounding neighborhood. Findings under Section 253 are set forth below.

- D. **Bulk.** Planning Code Section 270 states that in the "A" Bulk District, the maximum length of a building is 110 feet with a maximum diagonal dimension of 125 feet above 40 feet in height. Deviations from the bulk limit may be permitted through the Conditional Use process pursuant to Section 271. Section 271(c) allows a bulk exception if certain criteria are met through the Conditional Use authorization process.

Between 40 to 43.6 feet in height, the Project proposes a building length of 165 feet and a diagonal dimension of 182 feet. Above 43.6 feet in height, the Project proposes a building length of 165 feet and a diagonal dimension of 170 feet. As the Project exceeds both the maximum permitted building length and diagonal dimension, a bulk exception is being sought through the Conditional Use authorization process. Findings under Section 271(c) are set forth below.

- E. **Basic Floor Area Ratio (FAR) and Floor Area Premium.** Planning Code Section 209.3 limits the basic FAR in the RC-3 District to 3.6:1 square feet of building area for every 1 square foot of lot area, or approximately 59,600 gross square feet (gsf) of building area for the subject Site. FAR does not apply to residential units.

The Project site contains approximately 16,545 square feet of lot area, which would allow approximately 59,600 gsf of non-residential uses. The Project is proposing approximately 22,500 gsf of non-residential uses.

- F. **Rear Yard.** Planning Code Section 134(a)(1) requires that in RC-3 Districts a 25% rear yard be provided. An approximately 25-foot deep rear yard from the rear lot line would need to be provided for the Project.

The Project does not meet the rear yard depth per Planning Code Section 134(a)(1); however, the Project is seeking a Variance to the rear yard requirements under Section 134(a)(1). The Project is required to provide a rear yard of approximately 25 feet deep or equivalent to 3,300 square feet of open space. While the proposed rear yard is 20 feet deep, the Project proposes to provide usable open spaces totaling approximately 3,400 square feet (common open space at 2,800 square feet; private open space at 600 square feet). The Zoning Administrator will consider the rear yard Variance request following the Commission's consideration of the Conditional Use application.

- G. **Open Space.** Planning Code Section 135 requires 80 square feet of common usable open space or 60 square feet of private usable open space per dwelling unit.

The Project will provide common usable open space for 31 units through a combination of roof decks, and a courtyard, totaling approximately 2,800 square feet, exceeding the Code requirement of 2,480 square feet. The Project will also provide private usable open space for 10 units in the form of balconies, totaling 600 square feet. The combined usable open space for the Project would be approximately 3,400 square feet.

- H. **Better Streets Plan.** Planning Code Section 138.1 establishes requirements for the improvement of the public right-of-way associated with development projects, such that the public right-of-way may be safe, accessible, convenient and attractive to pedestrian use and travel by all modes of transportation.

The Project's streetscape and pedestrian improvements include upgrades to Van Ness Avenue and Union Street, including 10 new street trees, new cobblestone pavers on adjacent sidewalks, and bike parking. Sidewalk improvements on Van Ness Avenue will meet the new Van Ness Bus Rapid Transit standards by MTA.

- I. **Street Trees.** Planning Code Section 138.1 requires the installation of street trees in the case of the construction of a new building. One 24-inch box tree is required for every 20 feet of property frontage along each street or alley, with any remaining fraction of ten feet or more of frontage requiring an additional tree. The species and locations of trees installed in the public right-of-way shall be subject to approval by the Department of Public Works (DPW). The requirements of Section 138.1 may be waived or modified by the Zoning Administrator, pursuant to Section 428, where DPW cannot grant approval due to practical difficulties.

The site contains 265 feet of street frontage along Van Ness Avenue and Union Street, requiring a total of 13 trees at the Project site. There are 3 existing trees at the site, which would remain. The Project will install 10 new trees, for a total of 13 trees provided at the site.

- J. **Standards for Bird-Safe Buildings.** Planning Code Section 139 establishes the Bird-Safe Standards for new building construction to reduce bird mortality from circumstances that are known to pose a high risk to birds and are considered to be "bird hazards." The two circumstances regulated by this Section are (1) location-related hazards, where the siting of a structure creates increased risk to birds, and (2) feature-related hazards, which may create increased risk to birds regardless of where the structure is located. Location-related hazards are created by structures that are located inside of, or within a clear flight path of less than 300 feet from an Urban Bird Refuge. The subject property is not within 300 feet from any Urban Bird Refuge. However, the Project will comply with provisions related to feature-related hazards, such as roof deck glass railings and balcony railings.

The Project meets the standards for bird-safe buildings.

- K. **Dwelling Unit Exposure.** Planning Code Section 140 requires that all dwelling-unit face a public street or side yard at least 25 feet in width, a required rear yard, or an open area of 25 feet in width.

27 of the 41 units in the Project meet this requirement. The remaining 14 units (facing the rear yard) do not meet the requirements. The Project is seeking a Variance to the exposure requirements under Section 140, which the Zoning Administrator will consider following the Commission's consideration of the Conditional Use application.

- L. **Street Frontages in Residential-Commercial (RC) Districts.** Planning Code Section 145.1 requires in RC Districts containing specific uses, including retail stores, that building lobbies do not exceed 40 feet of building frontage, that parking entrances are no more than 20 feet wide, that ground floors have a minimum 14-foot floor-to-floor height, active uses are provided within the first 25 feet of building depth on the ground floor, and that the ground floor non-residential street frontage be at least 60% transparent in order to allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind ground floor windows, shall be at least 75 percent open to perpendicular view.

The proposed Project is consistent with the relevant provisions under Section 145.1. The Project proposes to remove three existing curb cuts, totaling 90 feet, and to install a single 12-foot wide curb cut on Union Street for access to the parking garage. The ground floor retail floor-to-floor height is not less than 14 feet along Van Ness Avenue and Union Street. The residential entrance has a floor-to-floor height greater than 15 feet. Active uses, such as residential units, residential lobby, and retail, are provided along frontages at Van Ness Avenue and Union Street (totaling 95% on Van Ness Avenue and 80% on Union Street).

- M. **Off-Street Parking - Commercial.** Planning Code Section 151.1 permits one off-street parking space for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet for retail stores.

The proposed retail space, at approximately 2,800 square feet, would not require any off-street parking spaces.

- N. **Off-Street Parking - Residential.** Planning Code Section 151.1 states that Conditional Use authorization is required for up to 0.75 cars for each dwelling unit, subject to the criteria and procedures of Section 151.1(g); and not permitted above three cars for each four Dwelling Units. The Project is seeking Conditional Use authorization for 0.75 parking spaces for each dwelling unit.

The Project proposes a total of 31 residential parking spaces for 41 dwelling units. Findings under Section 151.1(g) are set forth below.

- O. **Off-Street Freight Loading - Commercial.** Planning Code Section 152 requires one off-street freight loading space for retail stores where the gross floor area of structure or use is over 10,000 square feet.

The proposed retail space, at approximately 2,800 square feet, would not require any off-street freight loading space. However, the Project is proposing one off-street van space in the parking garage for loading purposes.

- P. **Off-Street Freight Loading - Residential.** Planning Code Section 152 requires one off-street freight loading space for residential uses where the gross floor area of structure or use is over 100,000 square feet.

The proposed residential use, at approximately 72,000 square feet, would not require any off-street freight loading space. However, the Project is proposing one off-street van space in the parking garage for loading purposes.

- Q. **Handicapped Parking.** Planning Code Section 155(i) requires one handicapped parking space for each 25 off-street parking spaces provided..

The Project proposes a total of 31 off-street parking spaces. The required handicapped parking would be one space, which is proposed for the Project.

- R. **Bicycle Parking - Class 1.** Planning Section 155.2 requires one Class 1 space for every dwelling unit. For retail, one Class 1 space is required for every 7,500 gross square feet. All bicycle parking must meet the standards set forth under Section 155.1.

The Project would be required to provide 41 Class 1 bicycle parking spaces for the proposed 41 dwelling units and none are required for the retail space, at approximately 2,800 square feet. The existing site contains no bicycle parking spaces. The Project proposes 41 Class 1 bicycle parking spaces.

- S. **Bicycle Parking - Class 2.** Planning Code Section 155.2 requires one Class 2 space for every 20 dwelling unit and one Class 2 space for every 2,500 square feet for retail. All bicycle parking must meet the standards set forth under Section 155.1.

The Project would be required to provide two Class 2 bicycle parking spaces for the proposed 41 dwelling units, and two Class 2 bicycle parking spaces for the 2,800 square feet of retail space. The existing site contains no bicycle parking spaces. The Project proposes four Class 2 bicycle parking spaces.

- T. **Car-Share Parking Spaces.** Planning Code Section 166 does not require any car-share spaces for projects with less than 49 units.

The Project containing 41 dwelling units will not provide any car-share spaces.

- U. **Shadows on Parks.** Planning Code Section 295 requires any project proposing a structure exceeding a height of 40 feet to undergo a shadow analysis in order to determine if the project will result in the net addition of shadow to properties under the jurisdiction of the Recreation and Park Department.

The Department conducted a shadow fan analysis, under Case No. 2015-014058PPA, and determined that the Project would not cast new shadow on any properties under the jurisdiction of the Recreation

and Park Department, nor would it cast shadows on any other parks or open spaces. A copy of the shadow analysis is attached to the Draft Motion.

- V. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, the current percentage requirements apply to projects that consist of ten or more units. Pursuant to Planning Code Section 415.5, the Project must pay the Affordable Housing Fee ("Fee"). This Fee is made payable to the Department of Building Inspection ("DBI") for use by the Mayor's Office of Housing and Community Development ("MOHCD") for the purpose of increasing affordable housing citywide. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on December 16, 2015; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the Fee is at a rate equivalent to an off-site requirement of 30%. The Project may provide off-site affordable housing by acquiring an existing building to fulfill all or part of the requirements set forth in this Section 415.3 and in Section 415.7 with an equivalent amount of units as specified in this Section 415.3(b)(2).

The Project Sponsor has submitted an "Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415," to satisfy the requirements of the Inclusionary Affordable Housing Program through either a payment of the Fee, in an amount to be established by MOHCD, or alternatively, may elect to purchase and dedicate off-site affordable housing units per Section 415.3(b)(2). The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on December 16, 2015; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the Affordable Housing Fee is at a rate equivalent to an off-site requirement of 30%.

If the Project were to provide on-site affordable housing units, the applicable percentage would be 14.5% or equivalent to six units.

- W. **Child-Care and Transportation Sustainability Impact Fees.** Sections 411 and 414 authorize the imposition of certain development impact fees on new development projects to offset impacts on child-care services and the transit system. Land use categories for all impact fees are defined in Section 401.

The Project Sponsor will comply with the requirements of this section prior to the issuance of the first construction document.

- X. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project is required to finalize a TDM Plan prior to Planning Department approval of the first Building Permit or Site Permit. Projects with a

completed Environmental Evaluation Application prior to September 4, 2016, must only achieve 50% of the point target established in the TDM Program Standards.

The Project submitted a completed Environmental Evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 7.5 points. As currently proposed, the Project will achieve 15 points through the following TDM measures:

- *Unbundled Parking*
- *Parking Supply*
- *Car Sharing*
- *Bicycle Parking*

Y. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department pursuant to Article 6 of the Planning Code.

9. **Planning Code Section 151.1(g) Findings Relating to Parking.** Section 151.1(g) establishes criteria for the Planning commission to consider when reviewing applications for projects seeking a residential parking ratio greater than 0.5:1, but not greater than the maximum 0.75:1 ratio permitted through the Conditional Use authorization process. On balance, the Project does comply with said criteria in that:

(1) 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. In granting such Conditional Use or exception, the Planning Commission shall make the following affirmative findings according to the uses to which the proposed parking is accessory:

(A) Parking for All Uses.

(i) Vehicle movement on or around the project does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district.

A circulation memorandum was prepared by CHS Consulting Group for the Project in September 2017. It concluded that the Project with 31 parking spaces would not result in significant cumulative effects related to transit, pedestrian and bicycle safety and circulation. The existing site (formerly a Chevron Service Station) contains three 30-foot-wide curb cuts (two on Van Ness Avenue and one on Union Street). The proposed Project would reduce the number of curb cuts from three to one by removing 90 feet of curb cuts and installing a new 12-foot wide curb cut on Union Street, at the northwest corner of the Project site.

(ii) Accommodating excess accessory parking does not degrade the overall urban design quality of the project proposal;

The Project parking is located below-grade and thus, will not degrade the overall urban design quality of the Project.

(iii) All above-grade parking is architecturally screened and lined with active uses according to the standards of Section 145.1, and the project sponsor is not requesting any exceptions or variances requiring such treatments elsewhere in this Code;

The Project does not propose any above-grade parking.

(iv) Excess accessory parking does not diminish the quality and viability of existing or planned streetscape enhancements.

The Project reduces the number of curb cuts from three to one. The Project's streetscape and pedestrian improvements include upgrades to Van Ness Avenue and Union Street, including 10 new street trees, new cobblestone pavers on adjacent sidewalks, and bike parking, resulting in an improved pedestrian experience compared with the existing condition.

(B) Parking for Residential Uses.

(i) For projects with 50 dwelling units or more, all residential accessory parking in excess of 0.5 spaces per unit shall be stored and accessed by mechanical stackers or lifts, valet, or other space-efficient means that reduces space used for parking and maneuvering, and maximizes other uses.

Not applicable; the Project proposes a total of 41 dwelling units.

(C) Parking for Non-Residential Uses.

(i) Projects that provide more than 10 spaces for non-residential uses must dedicate 5 percent of these spaces, rounded down to the nearest whole number, to short-term, transient use by vehicles from certified car sharing organizations per Section 166, vanpool, rideshare, taxis, or other co-operative auto programs. These spaces shall not be used for long-term storage nor satisfy the requirement of Section 166, but rather to park them during trips to commercial uses. These spaces may be used by shuttle or delivery vehicles used to satisfy Subsection (B).

Not applicable; the proposed retail space, at approximately 2,800 square feet, would not require any off-street parking spaces.

(ii) Retail uses larger than 20,000 square feet including but not limited to grocery, hardware, furniture, consumer electronics, greenhouse or nursery, and appliance stores, which sell merchandise that is bulky or difficult to carry by hand or by public transit, shall offer, at minimal or no charge to its customers, door-to-door delivery service and/or shuttle service. This is encouraged, but not required, for retail uses less than 20,000 square feet.

Not applicable; the Project proposes approximately 2,800 square feet of retail use.

(iii) Parking shall be limited to short-term use only.

Not applicable.

(iv) Parking shall be available to the general public at times when such parking is not needed to serve the use or uses to which it is accessory.

The parking spaces on-site are designated for the Project's residential use.

10. **Planning Code Section 253 Findings Relating to Building Height Above 50 Feet and Street Frontage Greater Than 50 Feet Wide in Residential-Commercial Districts.** Section 253 establishes criteria for the Planning Commission to consider when reviewing applications for projects where the building height exceeds 50 feet and street frontage is greater than 50 feet where the building height exceeds 40 feet through the Conditional Use authorization process. On balance, the Project does comply with said criteria in that:

(a) Notwithstanding any other provision of this Code to the contrary, in any RH, RM, or RC District, established by the use district provisions of Article 2 of this Code, wherever a height limit of more than 40 feet in a RH District, or more than 50 feet in a RM or RC District, is prescribed by the height and bulk district in which the property is located, any building or structure exceeding 40 feet in height in a RH District, or 50 feet in height in a RM or RC District, shall be permitted only upon approval by the Planning Commission according to the procedures for conditional use approval in Section 303 of this Code; provided, however, that a building over 40 feet in height in a RM or RC District with more than 50 feet of street frontage on the front façade is subject to the conditional use requirement.

(b) **Commission Review of Proposals.**

(i) In reviewing any such proposal for a building or structure exceeding 40 feet in height in a RH District, 50 feet in height in a RM or RC District, or 40 feet in a RM or RC District where the street frontage of the building is more than 50 feet the Planning Commission shall consider the expressed purposes of this Code, of the RH, RM, or RC Districts, and of the height and bulk districts, set forth in Sections 101, 209.1, 209.2, 209.3, and 251 hereof, as well as the criteria stated in Section 303(c) of this Code and the objectives, policies and principles of the General Plan, and may permit a height of such building or structure up to but not exceeding the height limit prescribed by the height and bulk district in which the property is located.

The proposed Project will be 65 feet in height with street frontages ranging from 100 feet in length on Union Street to 165 feet in length on Van Ness Avenue. The Project complies with the 65-foot height limit. The intent of the 65-foot height limit is to increase residential density in order to increase housing supply and to provide for high-quality, visually interesting urban design, and activate the ground floor of the block on which the Project is located. The proposed 7-story building is comparable

to other mid-rise buildings in the neighborhood. Its street frontages reflect the dense and urban nature of the surrounding commercial area on Van Ness Avenue and Union Street. The proposed building would provide a substantial amount of open space in both private and common decks. By allowing a height of 65 feet, the Commission would enable the creation of 41 dwelling units, including 31 family-sized units. These features would not be feasible were the height of the building limited to 50 feet.

11. Planning Code Section 271(c) Findings Relating to Bulk Limit Exceptions in Districts Other Than C-3. Section 271(c) establishes standards and criteria for the Planning Commission to consider when reviewing applications for projects seeking bulk limit exceptions through the Conditional Use authorization process. On balance, the Project does comply with said standards and criteria in that:

(1) The appearance of bulk in the building, structure or development shall be reduced by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass:

(A) Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;

The Project site is in a 65-A Height and Bulk District; where below 40' (feet) no bulk limits exist; between 40' and 65' bulk controls apply. In the "A" bulk district, the principally permitted maximum building length is 110' and the maximum diagonal dimension is 125'. Between 40 to 43.6 feet in height, the Project proposes a building length of 165 feet and a diagonal dimension of 182 feet. Above 43.6 feet in height, the Project proposes a building length of 165 feet and a diagonal dimension of 170 feet. As the Project exceeds both the maximum permitted building length and diagonal dimension, a bulk exception is being sought through the Conditional Use authorization process. The proposed building scheme provides multiple setbacks to reduce bulk and volume, and is designed with a series of variations in the planes of the wall surfaces.

Along the Van Ness Avenue façade, a setback of 28' wide and 5' deep is provided at levels 6 and 7. This setback divides the upper portion of the building into two separate volumes as well as provides an articulated silhouette as viewed from the street. At the northwestern corner, there is an additional setback of 35' wide by 19' deep at level 6 and above. This reduces the apparent volume when viewed from the street as well as providing a reduction of the height of the building where it is adjacent to the lower height building along Union Street. These steps in the wall surface visually divide the building into a collection of smaller volumes, which is further reinforced by the design of the façade materials. Additionally, at the southwestern corner, a light well of approximately 49' deep by 15' wide at level 3 and above is created to provide more light and air circulation to adjacent buildings. The proposed light well and the rear yard open space would enhance the aesthetics of the existing mid-block open space.

(B) Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;

The proposed building massing is designed with multiple setbacks, creating distinct portions of the building at different heights. It has been designed to appear as a series of volumes, or distinct elements, by

creating periodic vertical reveals in the façade and by varying the height of these elements. The variation in height design responds to the adjacent building context. The tallest volumes (65') are located at the corner of Union Street and Van Ness Avenue with a lower volume (43'-6") stepping down towards the smaller Union Street developments. Along the Van Ness Avenue elevation, the building creates a contiguous street wall at the southeast portion of the building. An approximate 15' wide setback, starting on the 3rd floor, and greater than ½ the width of the building mass creates a break between the Project and the adjacent 2415 Van Ness Avenue building.

(C) Differences in materials, colors or scales of the facades that produce separate major elements;

In order to make the volumes appear more distinct, they are treated in two different contrasting, but complementary façade designs. The first is taken from the nearby residential buildings, characterized by light color/white concrete and plaster. The proposed façade is white concrete or stone façade with large infill windows as found in the traditional double hung windows of the nearby residential buildings. The second façade type is a bronze colored curtainwall designed to elegantly contrast the first façade. The combination of the two are intended to work together to create a unified building, which contains distinct parts.

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

Two massing alternatives that created similar amounts of housing and building volume were originally studied. The first alternative arranged the rear yard parallel with Union Street, while the second alternative showed the rear yard parallel to Van Ness Avenue. The second alternative, as proposed, is more beneficial than the first since it protects the rear yard from the street noise of Van Ness Avenue, creating a physical separation between the adjacent 1525 Union Street building, and allowing the western exposed façade to be articulated with windows and open space, rather than a blank party wall. This second alternative exceeds the principally permitted bulk limits, but is equal in volume to the first alternative, which does not exceed the bulk limits. The Project's proposed setbacks and façade modulation would enhance visual, light and air qualities of the existing environment.

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

Not applicable; the Project is proposing only one building.

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

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

The proposed building is similar in volume, height and mass to the existing and planned urban pattern along this portion of Van Ness Avenue.

(B) Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;

The Project site is situated between buildings of various heights. The buildings along Van Ness Avenue are generally taller than the buildings along Union Street. The proposed building is designed to be harmonious with the different scales. The proposed building height is slightly lower than the building to the south at 2415 Van Ness Avenue. The Union Street massing steps down along Union Street façade to transition between the scale of Van Ness Avenue and the scale of Union Street.

(C) Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and

The Project's massing, material, color and scale are complementary to nearby buildings. The massing is divided into multiple elements with various heights, complementing the various widths and height of the nearby developments. The materials of the proposed Project draw inspiration from the area, by combining a light colored palette with highlights of intricate metal. The building site arrangement places the rear yard to the west with setbacks occurring at 43'-6" in height along the west and south to be respectful of the adjacent buildings.

(D) Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

The proposed Project would enhance the pedestrian environment by activating the Van Ness Avenue and Union Street corner with approximately 2,800 square feet of retail space, residential units, and a residential lobby. The retail complements the shopping character of Union Street. The residential lobby is designed with a grand entrance inspired in scale and materials by similar features found in nearby buildings. Residential units would also have ground floor frontage along Van Ness Avenue.

(3) While the above factors must be present to a considerable degree for any bulk limit to be exceeded, these factors must be present to a greater degree where both the maximum length and the maximum diagonal dimension are to be exceeded than where only one maximum dimension is to be exceeded.

The proposed Project has been designed in response to the surrounding context in a manner to compliment the adjacent building's scale and their open spaces. The facade along the Van Ness Avenue frontage has been articulated to provide a continuous street wall with the adjacent neighbor to the south at 2415 Van Ness Avenue. The light well at the proposed southwest corner of the building has been re-designed to respect and compliment the adjacent building's light well at 2415 Van Ness Avenue. This approach has been supported by the residents of 2415 Van Ness Avenue. However, in doing so, a Variance from the rear yard requirements is sought. Additionally, a setback at the northwest corner has been provided to step the building height appropriately towards the smaller scale developments to its west. These influences from the adjacent structures dictated the ultimate bulk, form and dimensions of the Project that exceeded Code prescriptions. Moving the bulk and high mass to the corner allows the Project to be more consistent with neighboring urban form and meet urban design principles supported by staff.

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

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

The Project site is currently a fenced, vacant lot. The Project is necessary and desirable because it will replace a decommissioned gas station (formerly Chevron Station) with a mixed-use development containing 41 residential units and retail space on the ground level along Van Ness Avenue and Union Street. Of the 41 residential units, about 24% would be one-bedroom units, 59% would be two-bedroom units, and 17% would be three-bedroom units. The Project would assist in alleviating the City's housing shortage for numerous families and smaller households. The Project adds both residential and ground-floor neighborhood-serving retail, both of which support policies in the Van Ness Area Plan. Additionally, the Project is compatible in use, scale and massing with the surrounding area and creates a coherent street wall along the Van Ness Avenue, which also is consistent with the Van Ness Avenue Area Plan.

The influx of residents would enliven this area of Van Ness Avenue, and strengthen the retail establishments in the neighborhood. The Project proposes to add approximately 2,800 square feet of commercial/retail amenities. It would also generate a substantial amount of pedestrian activity throughout the area.

The Project Sponsor will comply with the inclusionary housing requirement by either paying the in-lieu fee or pursuing a Small Site Acquisition (SSA) under Section 415 to purchase and dedicate up to 66 off-site units, or a combination of the two options.

The CU authorizations for construction over 50 feet in height and a bulk exception would allow the Project to maximize the dwelling unit density in an efficient building configuration, and, thereby increase the Project's contribution to the City's inclusionary affordable housing program. The added bulk in the east-west direction also provides the opportunity to create a large light well at the southwest corner of the building, which would provide for more light and air to the adjacent buildings to the south, and allow for gradual step-down to those buildings with less mass and scale to the west of the Project site along Union Street. By granting a Conditional Use authorizing a parking ratio of 0.75 spaces to each dwelling unit, the Project will reduce the impacts of residential parking in the neighborhood and allow families a parking stall for their daily activities, such as taking children to school and weekend activities. Residential parking is secured. The Project provides a safe and secure passageway to the residential elevator from the residential parking. Furthermore, a handicapped parking stall is located close to the elevator, free from potential vehicle movements. Vehicular access to parking and pedestrian access to the building are both located on Union Street.

- 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 size and shape of the site are adequate for accommodating a high-density residential development. The Project, at 65' tall, meets the 65-foot height limit and the massing of the Project is appropriate for the site and the neighborhood. The Project site is on a corner lot with a site area of approximately 16,545 square feet. The design of the Project is intended to complement the massing of the neighborhood. The Project is arranged with the rear yard along the west property line, which would provide a separation between the Project and the adjacent smaller scale buildings along Union Street; allow for more surface area articulation on the upper floors; and maintain the street wall along Van Ness Avenue in-lieu of a void space/rear yard. The added bulk in the east-west direction also provides the opportunity to create a large light well at the southwest corner of the building, providing for more light and air to the adjacent buildings on Van Ness Avenue, and allows for gradual step-down to those buildings with less mass and scale to the west on Union Street. The Project provides an approximately 15' wide by 49' deep light well (starting on the 3rd floor), which is adjacent to the neighboring building at 2415 Van Ness Avenue.

- 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 residential component of the Project is proposing 31 off-street parking spaces for 41 dwelling units, a ratio of 0.75:1. A ratio of 0.50:1 is permitted as of right. Any ratio above 0.50:1 but below 0.75:1 would require a CU authorization. The Project Sponsor believes that by providing on-site parking spaces, the Project would reduce the demand and competition for existing street parking spaces critical to the neighborhood's retail community and existing neighborhood residents. The Project, is therefore seeking a CU authorization for the off-street parking provision. No off-street parking is required for the approximately 2,800 square feet of commercial/retail space. While off-street freight loading space is not required, the Project is proposing one van space in the parking garage for loading purposes.

The Project will provide 41 Class 1 bicycle parking spaces for the proposed 41 dwelling units, and 4 Class 2 bicycle spaces located on the sidewalk, for a total of 45 bicycle parking spaces. The site is also well-served by public transit with transit stops located near the site. Van Ness Avenue is a transit rich corridor with transit lines serving San Francisco and Marin County. Local transit lines are also nearby and are within walking distance of the site.

Transit lines that are nearby and within walking distance of the site include the following: 19-Polk, 30X-Marina express, 41-Union, 45-Union/Stockton, 47-Van Ness, 49-Van Ness/Mission, 76X-Marin Headlands express, and 90-San Bruno Owl.

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

The Project, which is predominantly residential in nature, will not emit any noxious odors or other offensive emissions. During construction, the Project will adhere to the City's relevant noise, dust and emission control requirements. The building is designed with recessed windows; this increased depth will help shadow the glass from the sun and reduce glare.

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

The Project's streetscape and pedestrian improvements include upgrades to Van Ness Avenue and Union Street, including 10 new street trees, new cobblestone pavers on adjacent sidewalks, and bike parking. The Project will provide common usable open space through a combination of roof decks, and a courtyard, totaling approximately 2,800 square feet. The rooftop will include landscaping to create interest for those who may be able to see the rooftop and for those residents who will use the rooftop. The Project will also provide private usable open space in the form of balconies, totaling 600 square feet. The combined usable open space for the Project would be approximately 3,400 square feet. The Project's rear yard will be landscaped to provide privacy and a buffer between the Project and adjacent buildings.

Three existing curb cuts will be eliminated and replaced with a single curb cut on Union Street. One van space will be provided in the parking garage for loading purposes.

All proposed lighting and signage would comply with the requirements of the Planning Code.

- 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 Neighborhood Commercial District.

Not applicable; the proposed Project is in an RC District.

- 13. **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 1:

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

The Project Sponsor would comply with Section 415 by either paying the in-lieu fee alternative of 30% or pursuing a Small Site Acquisition (SSA) to purchase and dedicate up to 12 off-site units, or a combination

of the two options. If the SSA option is pursued, the affordable housing in-lieu fee would be reduced, if any obligation for in-lieu fee payment remains after the conclusion of the SSA process.

OBJECTIVE 4:

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

The Project provides a wide range of unit types. These units accommodate a variety of household sizes and types, from a single person household to a family with 2 or more children and/or older generations. The Project site is located in close proximity to numerous transit lines and two vibrant neighborhood commercial corridors on Union Street and Van Ness Avenue.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.3:

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

The Project is replacing a decommissioned gas station with a 7-story mixed use development containing 41 dwelling units and approximately 2,800 square feet of ground floor commercial/retail space. The active ground floor use would enhance pedestrian experience along the Van Ness Avenue and Union Street frontages, found in the immediate neighborhood. The density of the housing, massing and fenestration of the proposed building is compatible with neighborhood character.

OBJECTIVE 12:

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

OBJECTIVE 13:

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1:

Support "smart" regional growth that locates new housing close to jobs and transit.

Policy 13.2:

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

The Project would provide 41 Class 1 bicycle parking spaces for the proposed 41 dwelling units, and 4 Class 2 bicycle spaces located on the sidewalk, for a total of 45 bicycle parking spaces. The site is also well-served by public transit with transit stops located near the site. Van Ness Avenue is a transit rich corridor with transit lines serving San Francisco and Marin County. Local transit lines are also nearby and are within walking distance of the site.

Transit lines that are nearby and within walking distance of the site include the following: 19-Polk, 30X-Marina express, 41-Union, 45-Union/Stockton, 47-Van Ness, 49-Van Ness/Mission, 76X-Marin Headlands express, and 90-San Bruno Owl. The Van Ness Bus Rapid Transit line, currently under construction, will be available in the near future. The Project furthers "smart" regional growth by providing off-street parking for 31 cars for 41 dwelling units, 41 Class 1 bicycle parking spaces and 4 Class 2 bicycle parking spaces.

VAN NESS AVENUE AREA PLAN

Objectives and Policies

OBJECTIVE 1:

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING. CONTINUE EXISTING COMMERCIAL USES AND ADD A SIGNIFICANT INCREMENT OF NEW HOUSING.

Policy 1.4

Maximize the number of housing units.

Policy 1.5

Employ various techniques to provide more affordable housing.

The Project would maximize the dwelling unit density in an efficient building configuration, and, thereby increase the Project's contribution to the City's inclusionary affordable housing program. Compliance with the City's inclusionary housing requirement will be satisfied by the Project Sponsor's payment of the in-lieu fee alternative of 30% or pursuing a Small Site Acquisition (SSA) to purchase and dedicate up to 12 off-site units. If the SSA option is pursued, the affordable housing in-lieu fee would be reduced, if any obligation for payment remains.

OBJECTIVE 5

ENCOURAGE DEVELOPMENT WHICH REINFORCES TOPOGRAPHY AND URBAN PATTERN, AND DEFINES AND GIVES VARIETY TO THE AVENUE.

Policy 5.1

Establish height controls to emphasize topography and adequately frame the great width of the Avenue.

Policy 5.2

Encourage a regular street wall and harmonious building forms along the Avenue.

Policy 5.3

(Setbacks) Continue the street wall heights as defined by existing significant buildings and promote an adequate enclosure of the Avenue.

Policy 5.4

(Setbacks) Preserve existing view corridors.

Policy 5.5

(Rear Yards) Encourage full lot development resulting in a maximum number of dwelling units.

The size and shape of the site are adequate for accommodating a high-density residential development. The Project, at 65' tall, meets the 65-foot height limit and the massing of the Project is appropriate for the site and the neighborhood. The Project site is on a corner lot with a site area of approximately 16,545 square feet. The design of the Project is intended to complement the massing of the neighborhood. The Project is arranged with the rear yard along the west property line, which would provide a separation between the Project and the adjacent smaller scale buildings along Union Street; allow for more surface area articulation on the upper floors; and maintain the street wall along Van Ness Avenue in-lieu of a void space/rear yard. The added bulk in the east-west direction also provides the opportunity to create a large light well at the southwest corner of the building, providing for more light and air to the adjacent buildings on Van Ness Avenue, and allows for gradual step-down to those buildings with less mass and scale to the west on Union Street. The Project provides an approximate 15' wide by 50' deep setback (starting on the 3rd floor), which is adjacent to the neighboring building at 2415 Van Ness Avenue.

OBJECTIVE 6

ENCOURAGE DISTINGUISHED ARCHITECTURE WHOSE SCALE, COMPOSITION AND DETAILING ENHANCES THE OVERALL DESIGN STRUCTURE OF THE AVENUE AND RELATES TO HUMAN SCALE.

Policy 6.3

Incorporate setbacks and/or stepping down of building form on new developments — and major renovations when necessary — to increase sun exposure on sidewalks.

The added bulk in the east-west direction also provides the opportunity to create a large light well at the southwest corner of the building, which would provide for more light and air to the adjacent buildings to the south, and allow for gradual step-down to those buildings with less mass and scale to the west of the Project site along Union Street. The Project is compatible in use, scale and massing with nearby development along Van Ness Avenue and creates a coherent street wall along the Van Ness corridor. The design of the Project is intended to complement the massing of the neighborhood.

Policy 6.4

Differentiate bases of buildings and incorporate detail at ground level through variety in materials, color, texture and architectural projections. Provide windows with clear glass throughout the building.

The Project replaces the decommissioned gas station with a 7-story mixed use development containing 41 dwelling units and approximately 2,800 square feet of ground floor commercial/retail space. The active ground floor use would enhance pedestrian experience along the Van Ness Avenue and Union Street frontages, found in the immediate neighborhood. The density of the housing, massing and fenestration of the proposed building is compatible with neighborhood character.

OBJECTIVE 7

PROVIDE SAFE AND ATTRACTIVE ENVIRONMENTS WITHIN EACH MIXED USE DEVELOPMENT.

Policy 7.1

Ensure safety, security and privacy within new residential developments while encouraging efficient use of common open space areas.

The Project will provide common usable open space for 31 units through a combination of roof decks, and a courtyard, totaling approximately 2,800 square feet, exceeding the Code requirement of 2,480 square feet. The Project will also provide private usable open space for 10 units in the form of balconies, totaling 600 square feet. The combined usable open space for the Project would be approximately 3,400 square feet.

The building will be secured enough to ensure that the open spaces are used by occupants and their guests.

OBJECTIVE 8

CREATE AN ATTRACTIVE STREET AND SIDEWALK SPACE WHICH CONTRIBUTES TO THE TRANSFORMATION OF VAN NESS AVENUE INTO A RESIDENTIAL BOULEVARD.

Policy 8.1

Require sponsors of major renovation or new development projects to improve and maintain the sidewalk space abutting their properties according to the guidelines contained in this Plan.

Policy 8.2

Where there are no trees, plant trees within the sidewalk space and the median strip. Maintain existing healthy trees and replace unhealthy ones.

Policy 8.5

Maintain existing sidewalk widths.

The Project's streetscape and pedestrian improvements include upgrades to Van Ness Avenue and Union Street, including 10 new street trees, new cobblestone pavers on adjacent sidewalks, and bike parking. Sidewalk improvements on Van Ness Avenue will meet the new Van Ness Bus Rapid Transit standards by MTA.

OBJECTIVE 9

PROVIDE SAFE AND EFFICIENT MOVEMENT AMONG ALL USERS ON VAN NESS AVENUE.

Policy 9.5

Whenever feasible, provide access to parking from minor east-west streets. Prohibit new parking access from Van Ness Avenue. For development of lots with no direct access to an east-west street, allow on-site provision of required parking as set forth in Section 159(c) of the Planning Code.

Policy 9.7

Require residential parking at a ratio of one parking space per dwelling unit.

The Project Sponsor seeks approval for a Conditional Use authorization for a parking ratio of 0.75:1.

Policy 9.10

Improve the efficient and free flowing use of sidewalk space in new development.

The Project will eliminate three existing curb cuts (two on Van Ness Avenue and one on Union Street), totaling 90 feet, and install a single 12-foot wide curb cut on Union Street for access to the parking garage.

Policy 9.11

Orient building entrances to enhance pedestrian circulation.

The Van Ness Avenue Area Plan states that east-west minor streets be used as pathways for safe and attractive pedestrian travel. The Project's primary residential entrance is provided on Union Street in compliance with the Area Plan. It is recessed and greater than 15' tall. The Project's architectural style complements the older residential buildings in the neighborhood.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2:

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

The Project proposes an approximately 2,800 square-foot ground floor commercial/retail space along the Van Ness Avenue and Union Street frontages. The Project would contribute positively to the diversity of commercial uses and services in the surrounding neighborhoods.

14. **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 Project site is currently a vacant, decommissioned gas station. The Project would enhance the district by providing new commercial/retail uses, providing opportunities for local resident employment in and/or ownership of such businesses.

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

The existing housing in the surrounding neighborhood would not be affected. There are no existing dwelling units on the site. The Project proposes to add 41 new dwelling units to the City's housing stock. The Project reflects the mix of residential and retail uses in the area.

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

The Project site is currently a vacant, decommissioned gas station. The Project would enhance the City's supply of affordable housing by paying the Affordable Housing Fee or participating in the Small Site Acquisition Program, or a combination of the two.

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

A circulation memorandum was prepared by CHS Consulting Group for the Project in September 2017. It concluded that the Project with 31 parking spaces would not result in significant cumulative effects related to transit or neighborhood parking. The on-site parking spaces would reduce the burden on local streets and neighborhood parking. The existing site (formerly a Chevron Service Station) contains three 30-foot-wide curb cuts (two on Van Ness Avenue and one on Union Street). The proposed Project would reduce the number of curb cuts from three to one by removing 90 feet of curb cuts and installing a new 12-foot wide curb cut on Union Street for access to the parking garage.

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

The Project will not displace any service or industrial establishment and is not a commercial office development. The Project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this Project.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code.

- G. That landmarks and historic buildings be preserved.

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

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

The Project proposes a building up to 65 feet in height. A shadow fan study was prepared by the Department and determined that the Project will not affect sunlight access to any public parks or open space.

15. 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.
16. 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. 2015-014058CUAENVPPATDMVAR** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 27, 2017, and labeled "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. XXXXXXXXXXXX. 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 December 14, 2017.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 14, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to allow for a building height above 50 feet, street frontage greater than 50 feet where the height exceeds 40 feet, bulk exception, and off-street parking relating to the demolition of the vacant gas station (formerly Chevron Service Station) and construct a 7-story, 65-foot-tall, mixed use development containing 2,800 square feet of ground floor commercial/retail space, 41 dwelling units, 31 off-street vehicle parking spaces and 41 Class 1 bicycle parking spaces located in a basement-level garage, located at 2465 Van Ness Avenue, Block 0546, Lots 001 and 002, pursuant to Planning Code Sections 151.1, 253, 271 and 303 in an RC-3 (Residential-Commercial, Medium Density) District, and a 65-A Height and Bulk District; in general conformance with plans, dated November 27, 2017, and labeled "EXHIBIT B" included in the docket for Case No. 2015-014058CUA and subject to conditions of approval reviewed and approved by the Commission on December 14, 2017 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on December 14, 2017 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

DESIGN – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

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

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

8. **Rooftop Mechanical Equipment.** Pursuant to Planning Code Section 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

9. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

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

10. **Signage.** The Project shall comply with the provisions of Article 6 of the Planning Code related to any new signage.

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

11. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department

recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- b. On-site, in a driveway, underground;
- c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).

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

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

12. **Noise, Ambient.** Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

13. **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

14. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the Project is operational, the building permit application to implement the Project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans if applicable as determined by the project planner. Odor control ducting shall not be applied to the primary façade of the building.

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

PARKING AND TRAFFIC

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

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

16. **Bicycle Parking (Commercial).** Pursuant to Planning Code Section 155.2, the Project shall provide no fewer than two Class 2 bicycle parking spaces.

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

17. **Bicycle Parking (Residential).** The Project shall provide no fewer than 43 bicycle parking spaces (41 Class 1 spaces for the residential portion of the Project and 2 Class 2 spaces for the residential portion of the Project).

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

18. **Parking Maximum.** Pursuant to Planning Code Sections 151.1, the Project shall provide no more than 31 off-street parking spaces.

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

19. **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

20. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

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

21. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

22. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

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

23. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

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

24. **Affordable Units.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.

1. **Requirement.** Pursuant to Planning Code Section 415.5, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project or pursue a Small Site Program (SSP) acquisition, subject to SSP program guidelines and site approval by MOHCD, to purchase, rehabilitate and dedicate up to 12 off-site units, or a combination of the two options. The applicable percentage for this Project is 30 percent (30%). The Project Sponsor shall pay the applicable Affordable Housing Fee at the time such Fee is required to be paid.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

2. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and the terms of the City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the Mayor's Office of Housing and Community Development ("MOHCD") at 1 South

Van Ness Avenue or on the Planning Department or Mayor's Office of Housing and Community Development's websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.

As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale or rent.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

- a. The Project Sponsor must pay the Fee in full sum to the Development Fee Collection Unit at the DBI for use by MOHCD prior to the issuance of the first construction document.
- b. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- c. If Project applicant fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development Project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law.

MONITORING - AFTER ENTITLEMENT

25. **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

26. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

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

27. **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

28. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

29. **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>

30. **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

31. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

32. **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,

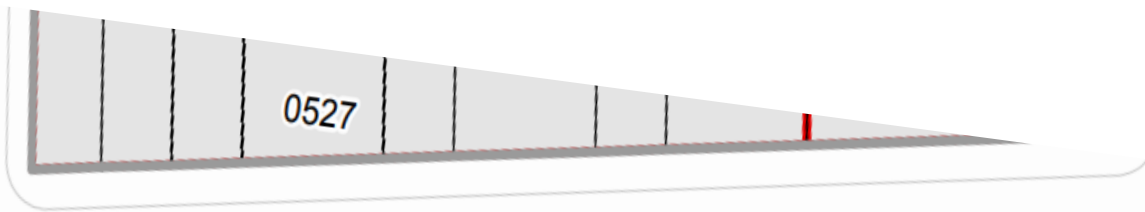
the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

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

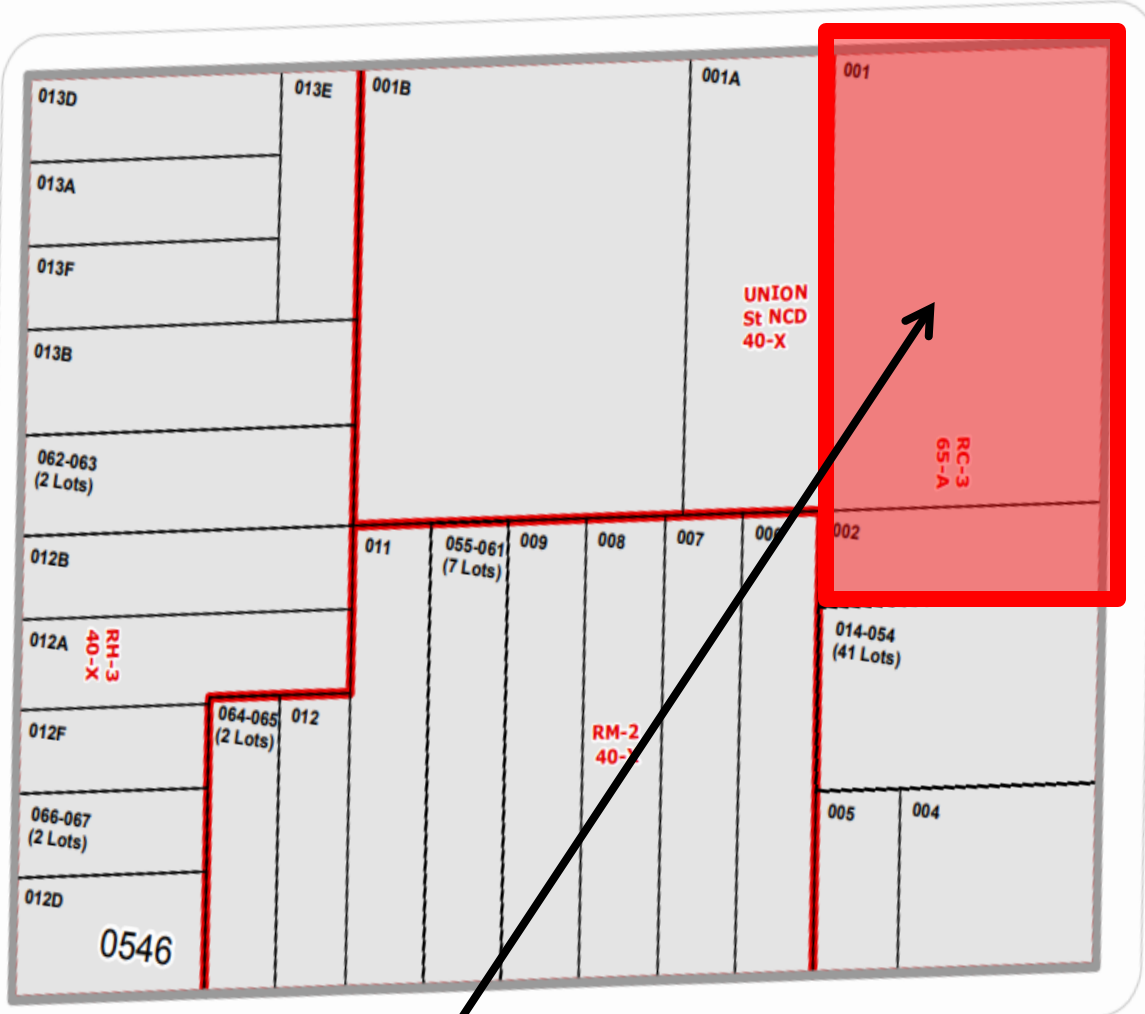
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parcel/Zoning Map



Union St

Van Ness Ave



Franklin St

Green St

SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2015-014058CUA
2465 Van Ness Avenue

Sanborn Map*

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

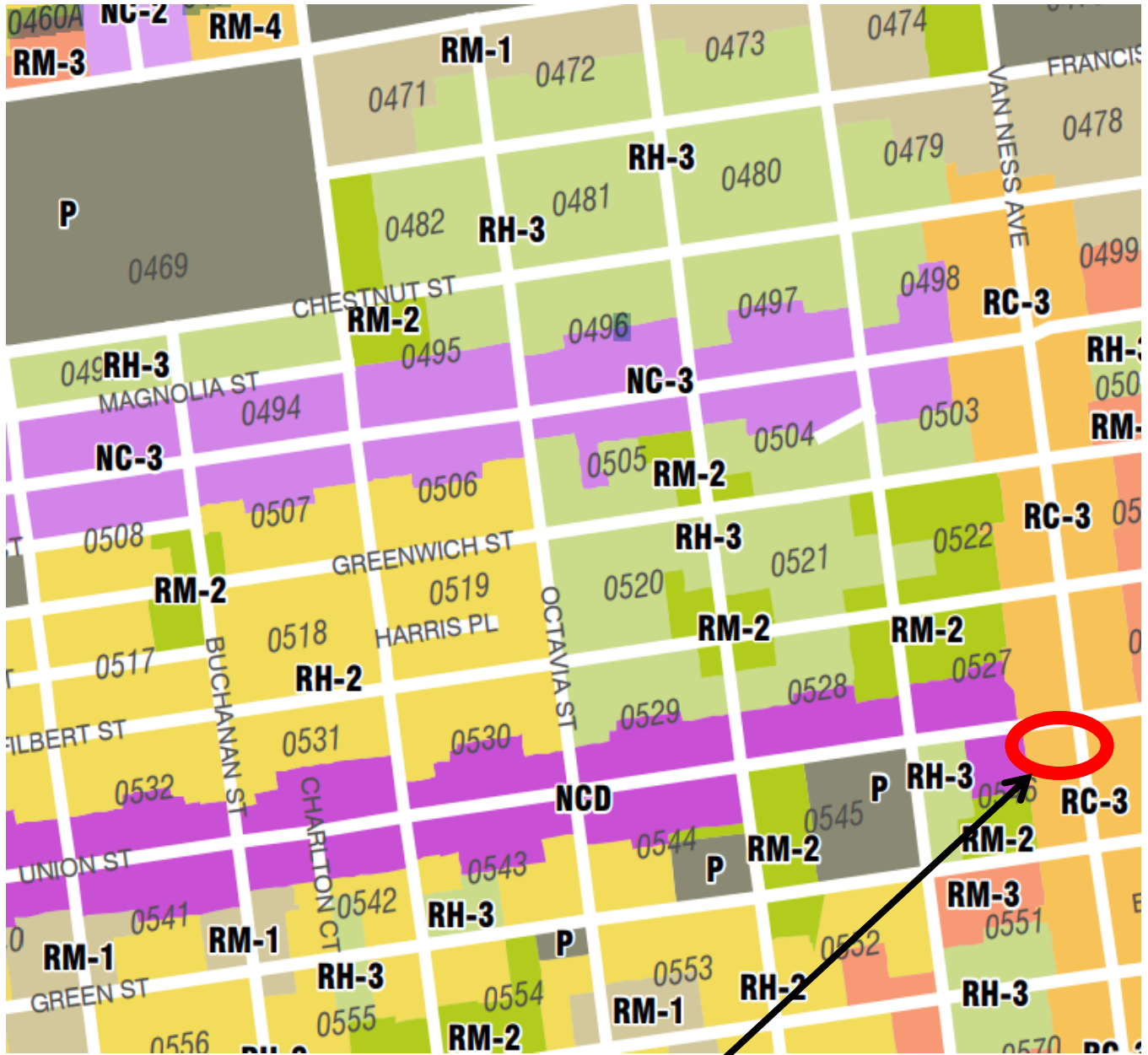


SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2015-014058CUA
2465 Van Ness Avenue



Zoning Map



PROJECT SITE



Conditional Use Hearing
Case Number 2015-014058CUA
2465 Van Ness Avenue

Site Photo Looking West Toward Union Street



SURFACE PARKING
on Lot 002

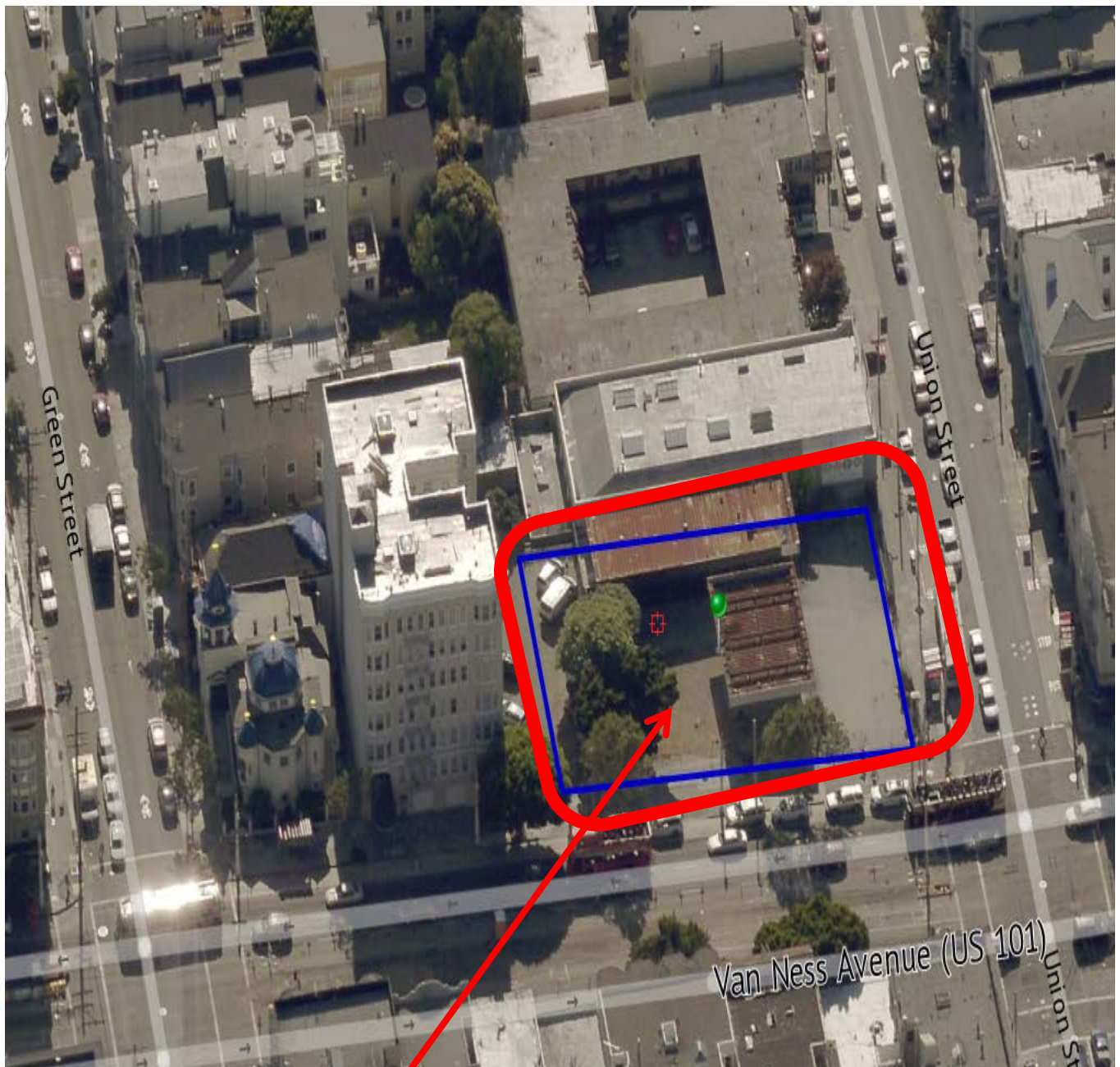
CHEVRON STATION
on Lot 001

SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2015-014058CUA
2465 Van Ness Avenue

Aerial Site Photo Looking West Toward Union Street

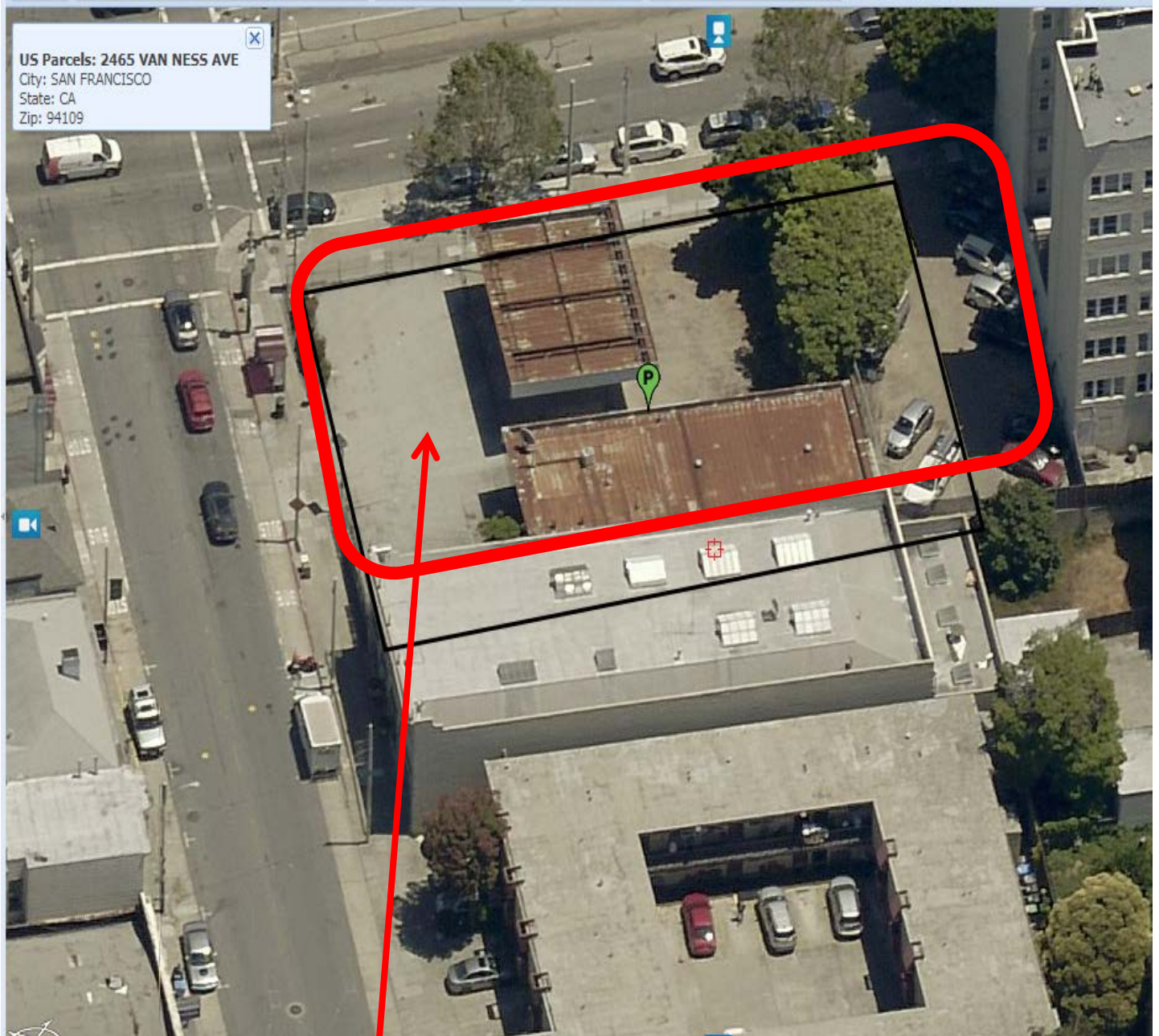


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2015-014058CUA
2465 Van Ness Avenue

Aerial Photo Looking East Toward Van Ness Avenue



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2015-014058CUA
2465 Van Ness Avenue



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

April 26, 2013

Mr. J. Gregg Miller, Jr.
Pillsbury Winthrop Shaw Pittman LLP
Four Embarcadero Center, 22nd Floor
San Francisco, CA 94111-5998

Site Address:	2465 Van Ness Avenue
Assessor's Block/Lot:	0546/001
Zoning District:	RC-3 (Residential-Commercial, Medium Density)
Staff Contact:	Mary Woods, (415) 558-6315 or mary.woods@sfgov.org

Dear Mr. Miller:

This letter is in response to your request for a Letter of Determination regarding the property at 2465 Van Ness Avenue. This parcel is located in the RC-3 District with a 40-X Height and Bulk District. The request is to confirm that the property is exempt from the conversion limitations of Section 228 of the Planning Code for a conversion from an automotive service station to another use. You further request the Planning department's approval of the removal of the rear service/garage structure and the canopy located on the property.

As stated in your letter, the property was used as an "automotive service station" (as defined in Section 228(b)(1)), located at the southwest corner of Van Ness Avenue and Union Street. Under the City's General Plan in the Transportation Element, Van Ness Avenue is designated as a Primary Transit Street. The owner discontinued operation of the service station on December 31, 2009 due to poor financial performance. The gasoline tanks were removed in November, 2010, pursuant to an authorization letter, dated November 5, 2010, from the Department of Public Health.

Based on the submitted materials, it is my determination that the limitations on service station conversions set forth in Section 228 of the Planning Code do not apply to the subject property due to the fact that the property is located on a primary transit street. The demolition of existing structures would require the submittal to the Department of Building Inspection of demolition permit applications, which would be reviewed by the Planning Department.

APPEAL: If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Mr. J. Gregg Miller, Jr.
Pillsbury Winthrop Shaw Pittman LLP

April 26, 2013
Letter of Determination
2465 Van Ness Avenue

Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Mary Woods
Property Owner
Neighborhood Groups
Supervisor Mark Farrell



RECEIVED

FEB 25 2013

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
RECEPTION DESK

Pillsbury Winthrop Shaw Pittman LLP
Four Embarcadero Center, 22nd Floor | San Francisco, CA 94111-5998 | tel 415.983.1000 | fax 415.983.1200
MAILING ADDRESS: P. O. Box 2824 | San Francisco, CA 94126-2824

J. Gregg Miller, Jr.
tel 415.983.1557
gregg.miller@pillsburylaw.com

February 25, 2013

Scott Sanchez, Zoning Administrator
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

ID #10994 (NW) D. LINDSAY
CK # 101570 \$601 -

Re: Request for Zoning Administrator Determination
Site Address: 2465 Van Ness Avenue, San Francisco, California
Assessor's Block/Lot: 0546/001
Zoning District: Residential - Commercial, Medium Density (RC-3)

Dear Mr. Sanchez:

This firm represents Pacific Coast Homes ("PCH"), which holds an option to purchase the property commonly known as 2465 Van Ness Street, San Francisco, California (the "Property"). The Property is currently owned by Chevron U.S.A. Inc., a Pennsylvania corporation ("CUSA"), and CUSA granted PCH an option to purchase the Property, which also allows PCH to obtain entitlements for the Property.

We submit this letter of determination request pursuant to Section 307 of the Planning Code ("Code"). Enclosed herewith is a check in the amount of \$601.00 as payment for the Planning Department's Zoning Administrator written letter of determination fee.

Requested Determinations.

We request that you determine that the Property is exempt from Section 228's limitations on converting the Property's use from an Automotive Service Station (as defined in Section 228(b)(1) of the Code) to another use pursuant to Section 228(c)(1) of the Code because the Property meets the requirements for this exemption due to the fact that the Property fronts on a Primary Transit Street and on two Citywide Pedestrian Network Streets, both as designated by the San Francisco General Plan (the "General Plan"). Properties that front on either a Primary Transit Street or a Citywide Pedestrian Network Street are exempt from the limitations on conversion from an Automotive Service Station pursuant to Section 228(c)(1) of the Code.



Scott Sanchez
February 25, 2013
Page 2

We also request that you approve the removal of the rear service/garage structure and the canopy located at the Property, which the owner wishes to remove at the request of nearby residents. The other improvements at the Property, including the canopy supports, the paving and landscaping, would remain.

I. Property Description and History.

The Property is located at the corner of Van Ness Avenue and Union Street in San Francisco and consists of an open lot containing various improvements related to its former use as an Automotive Service Station. An overview of the site is attached hereto as Exhibit A.

The Property was used as an Automotive Service Station until December 31, 2009 when the owner discontinued operation of the station due to the station's poor financial performance. The gasoline tanks previously located at the Property were removed under the supervision of the San Francisco Department of Public Health in November 2010, as described on Exhibit B attached hereto.

The Property is not currently in use for any purpose and is enclosed by chain link fencing. Nearby residents have requested that the owner remove the structures located at the Property in order to improve the attractiveness of the site and the neighborhood and to reduce the likelihood that the Property will attract vandals.

With your approval, the owner plans to remove the rear service/garage structure and the canopy located at the Property. The owner will apply for all additional building permits and approvals required to remove the rear service/garage structure and the canopy. PCH is working on plans for future development of the Property and will submit an application to the Planning Department for approval of the proposed development at the appropriate time.

II. Current Zoning.

The Property site is currently zoned as Residential - Commercial, Medium Density (RC-3), is located in a 65-A height and bulk district, and is not located in any special use district. Any future development of the Property would proceed in accordance with all applicable Code requirements, and PCH would seek any discretionary approvals required for the proposed future development.



Scott Sanchez
February 25, 2013
Page 3

III. Exemption from Approval Requirement.

This request for determination addresses the issue of whether the Property is exempt from limitations on changes in use from an Automotive Service Station under Section 228(c)(1) of the Code.

Section 228(c)(1) of the Code limits the ability of a property owner to change the use of an Automotive Service Station to a different use without obtaining certain approvals, unless the property at issue fronts on a Primary Transit Street or fronts on a Citywide Pedestrian Network Street.

The Property fronts on Van Ness Avenue and on Union Street. Van Ness Avenue is a Primary Transit Street, as indicated on Map 9 as attached to the General Plan (attached hereto as Exhibit C). Further, Van Ness Avenue and Union Street are both Citywide Pedestrian Network Streets, as indicated on Map 11 as attached to the General Plan (attached hereto as Exhibit D).

Since the Property fronts on one Primary Transit Street and on two Citywide Pedestrian Network Streets, we ask that you determine that the Property is exempt from the conversion limitations of Section 228(c)(1) of the Code.

IV. Removal of Structures.

We respectfully request that the owner be allowed to remove the rear service/garage structure and the canopy located at the Property. Removal of the rear service/garage structure and the canopy will not change the Property's use, and the Property site will remain inactive for the immediate future while PCH works on plans for the site's development.

Removal of the rear service/garage structure and the canopy will also benefit the local community, as several residents have requested its removal due to its unsightliness.

The Property site will continue to include certain improvements, such as the posts that support the canopy, the extensive paving at the site and the landscaping, which includes planting areas enclosed by curbs.

The site is currently registered with the San Francisco Department of Building Inspection ("DBI") pursuant to San Francisco Building Code Section 103A.4.

V. Conclusion.

As noted above, the Property is exempt from the limitations imposed by the Code on converting the use of the Property from an Automotive Service Station under Section



Scott Sanchez
February 25, 2013
Page 4

228(c)(1) of the Code because the Property fronts on a Primary Transit Street and on two Citywide Pedestrian Network Streets. For the reasons stated above, we respectfully request that you determine that (i) the Property is exempt from conversion requirements and the owner is entitled to convert the current use of the Property and (ii) the owner is authorized to remove the rear service/garage structure and the canopy located at the Property, provided that the appropriate permits are obtained from DBI and any other applicable City agencies.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Gregg Miller, Jr." with a stylized flourish at the end.

J. Gregg Miller, Jr.

Encls.

cc: Supervisor Mark Farrell



Richard Loyd
Manager, Property

**Americas Products, Americas
Marketing Sales & Services**
145 S. State College, Suite 400
Brea, CA 92821
Tel 714 671 3200
Fax 714 671 3438
RLoyd@chevron.com

February 25, 2013

San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Service Station Locations:
2465 Van Ness Avenue and 1598 Bay Street
Letter of Authorization

Planning Department:

Chevron USA, owner of the above-referenced properties, has granted Pacific Coast Homes the rights to pursue the decommissioning and removal of improvements at the former service stations located at the above noted addresses and the entitlements necessary to redevelop the properties. Accordingly, Chevron USA hereby authorizes Pacific Coast Homes ("PCH") and its representatives, J. Gregg Miller, Esq. and Michael R. Wilson, Paralegal, and any other representatives that Chevron USA or PCH may designate from the law firm Pillsbury Winthrop Shaw Pittman, LLP, to sign, process, answer questions, appear at hearings, and otherwise act on our behalf in processing the Zoning Administrator and Service Station Conversion determinations herein applied for.

Chevron USA

Richard Loyd
Manager, Property

Exhibit A

Property Overview



Address **Union Street / Van Ness Avenue**

Address is approximate





To see all the details that are visible on the screen, use the "Print" link next to the map.

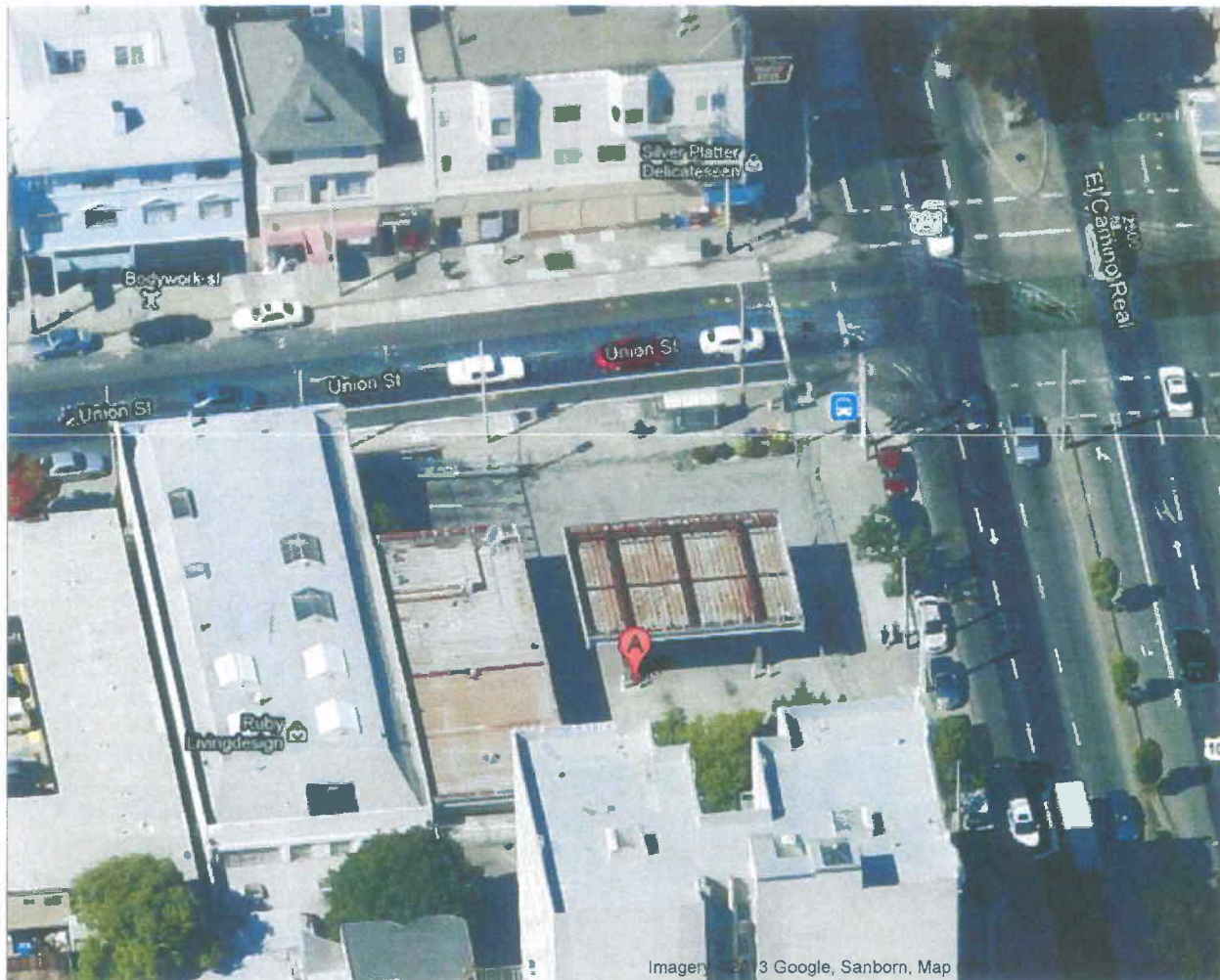


Exhibit B

Description of Gasoline Tank Removal



**Underground Storage Tank
Closure Approval**

Liddy McKensie
Gettler-Ryan, Inc.
6747 Sierra Court Ste J
Dublin, CA, 94568

Approval Date: November 5, 2010
Closure File No.: UTOO5185

Underground tank site:
CHEVRON/#090034
2465 Van Ness Av
San Francisco, CA

Gettler-Ryan, Inc. is hereby granted approval to remove 3 underground storage tank(s) as specified in the application. This approval is valid for ninety, 90, days from the date as noted above. Prior to commencement of work the Hazardous Materials Program of the Department of Public Health, and where necessary, the Department of Public Works must be notified. Appointments for inspections by the Department of Public Health must be scheduled a minimum of three working days in advance and are subject to the availability of inspectors. Routine appointments are conducted Tues.-Thurs.; 8AM-4PM. Please schedule appointments by calling (415) 252.3876 between the hours of 8:30-9:30 AM or 4-5:30 PM, Monday thru Friday.

Inspections in excess of three hours and/or inspections conducted outside of normal business hours (Mon. - Fri.; 8AM-5PM) will be charged accordingly and must be paid by the applicant upon receipt of invoice. Failure to complete the stated work within the ninety (90) days will result in the expiration of the approval and the forfeiture of the application fee. Applicant shall submit an additional application fee to reinstate the underground storage tank closure approval.

In granting this approval, the applicant agrees to abide by the underground storage tank regulations of the Department of Public Health. Any deviation from the regulations may result in the immediate revocation of the approval. In addition, the applicant may be subject to civil fines and penalties.

A handwritten signature in black ink that reads "Sue Cone".

Sue Cone, Program Manager
Hazardous Materials Unified Program Agency
Bureau of Environmental Health Management

#10-058103.1

SAN FRANCISCO



FIRE DEPARTMENT

Bureau of Fire Prevention

FIRE PERMIT

A permit is hereby granted for the following activity regulated by the fire code:

P222-UNDER-GROUND STATIONARY TANK, REMOVAL

PERMIT INFORMATION

Permit Address: 2465 VAN NESS AVE
Permit Holder: GETTLER-RYAN INC
Permit DBA: GETTLER-RYAN INC
Permit Number: 30601
Issue Date: 11/03/2010
Expiration Date: 02/02/2011

PERMIT CONDITIONS

PERMIT FOR THE REMOVAL OF THREE 10,000 GALLON UNDER GROUND FUEL TANKS. LEL AND O2 LEVELS MUST BE WITHIN LIMITS FOR CUTTING AND REMOVAL.

Authorized by:

Handwritten signature of Barbara A. Schultheis in cursive.

Barbara A. Schultheis, Fire Marshal

Approved by:

Handwritten signature of Kathleen Harold in cursive.

Kathleen Harold, Inspector

-
1. A permit issued without an expiration date requires an annual license from the Tax Collector Office of the City and County of San Francisco.
 2. This permit and annual Tax Collector's License (when required) or copies thereof shall be kept on the premises at all times.
 3. This permit is invalid upon expiration date, or change of permit holder, or failure to possess a current Tax Collector's License (when required).

Exhibit C

Map of Transit Preferential Streets and Location of Property Site

MAP APPROVED BY THE BOARD OF SUPERVISORS

The notation below in italics represents a recent amendment to the General Plan that has been approved by the Board of Supervisors after this map was originally adopted. The change will be added to the map during the next map update.

- Add a boundary area around the Hunters Point Shipyard area with a line that leads to a reference that states "See Hunters Point Redevelopment Plan and Hunters Point Shipyard Area Plan."
- Add a boundary area around Candlestick Point with a line that leads to a reference that states "See Candlestick Point SubArea Plan and Bayview Hunters Point Redevelopment Plan."



See
Hunters Point Shipyard
Redevelopment Plan
and Hunters Point
Shipyard Area Plan

See
Candlestick Point SubArea Plan and
Bayview Hunters Point Redevelopment Plan

TRANSIT PREFERENTIAL STREETS

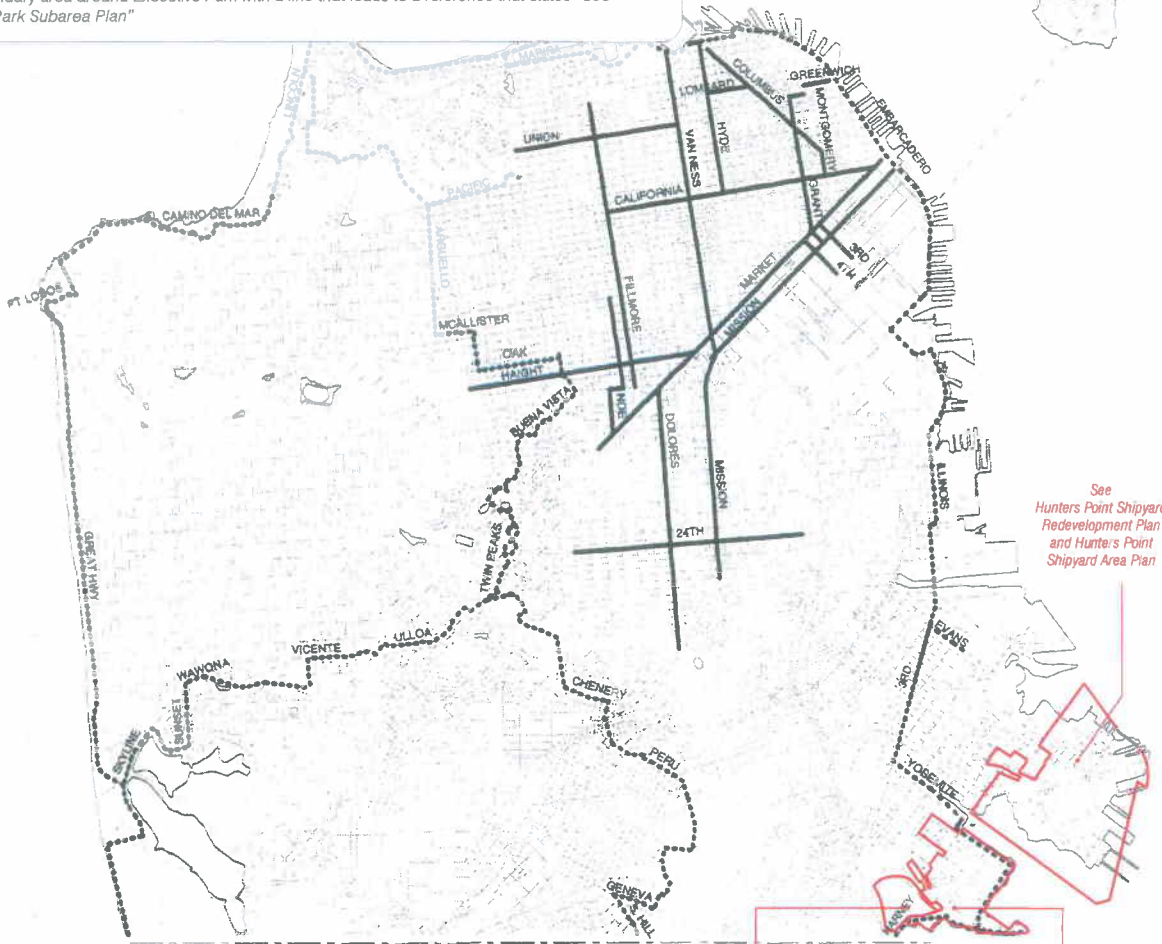
Map 9

Primary Transit Streets	
	Transit Oriented
	Transit Important
Others	
	Secondary Transit Street
	Transit Center

MAP APPROVED BY THE BOARD OF SUPERVISORS

The notation below in italics represents a recent amendment to the General Plan that has been approved by the Board of Supervisors after this map was originally adopted. The change will be added to the map during the next map update.

- Add a boundary area around the Hunters Point Shipyard area with a line that leads to a reference that states "See Hunters Point Redevelopment Plan and Hunters Point Shipyard Area Plan"
- Designate Folsom St between Embarcadero and Essex St and Second St in its entirety as part of the Citywide Pedestrian Network
- Revise map to show proposed SF Bay Trail running from Candlestick Point SRA through Hunters Point Shipyard, then to Third Street and north if this is only depicting Third Street MUNI Metro light rail
- Add a boundary area around Candlestick Point with a line that leads to a reference that states "See Candlestick Point SubArea Plan and Bayview Hunters Point Redevelopment Plan"
- Add a boundary area around Executive Park with a line that leads to a reference that states "See Executive Park Subarea Plan"



See
Hunters Point Shipyard
Redevelopment Plan
and Hunters Point
Shipyard Area Plan

See
Executive Park
SubArea Plan

See
Candlestick Point SubArea Plan and
Bayview Hunters Point Redevelopment Plan

CITYWIDE PEDESTRIAN NETWORK

Map 11

- Citywide Pedestrian Network Street
- Bay, Ridge and Coast Trail



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: 2015-014058ENV
 Project Title: 2465 Van Ness Avenue
 Zoning: RC-3 (Residential-Commercial, Medium Density) Use District
 65A Height and Bulk District
 Block/Lot: 0546/001 and 0546/002
 Lot Size: 16,539 square feet (combined lots)
 Project Sponsor: Jaqui Braver, DM Development – (415) 378-7566
 Staff Contact: Jennifer McKellar – (415) 575-8754
 Jennifer.McKellar@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
 Information:
415.558.6377

PROJECT DESCRIPTION:

The project site is located on the southwest corner of Van Ness Avenue and Union Street in the Marina neighborhood of San Francisco. The 16,539-square-foot, rectangular site consists of two adjacent lots and fronts Van Ness Avenue (165 feet) and Union Street (100 feet). The larger corner lot is occupied by a decommissioned gas station, which was constructed in 1971 and consists of a 15-foot-tall canopy and a vacant, one-story, 2,010-square-foot, commercial building. The second lot is occupied by a paved, ground-level parking lot with an approximate capacity of 18 vehicle parking spaces. The project proposes to demolish the remaining gas station structures and surface parking lot, merge the two lots, and construct a new seven-story, 65-foot-tall, approximately 92,600-square-foot, mixed-use building with 41 dwelling units and approximately 2,900 square feet of ground-floor commercial space.

(Continued on next page)


EXEMPT STATUS:

Categorical Exemption, Class 32 (California Environmental Quality Act [CEQA] Guidelines section 15332) and General Rule Exclusion (CEQA Guidelines section 15061(b)(3)). See pages 3-20.

(Continued on next page)

DETERMINATION:

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



 Lisa Gibson
 Environmental Review Officer

11/7/17

 Date

cc: Jaqui Braver, Project Sponsor
 Mary Cheung-Woods, Current Planner
 Michelle Langlie, Preservation Planner
 Supervisor Mark Farrell, District 2, (via Clerk of the Board)

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

PROJECT DESCRIPTION (continued):

The proposed project would include 10 one-bedroom units, 24 two-bedroom units and seven three-bedroom units. Pedestrians would access the residential units via a lobby off Union Street and from a separate entrance located at the southern end of the proposed project's frontage along Van Ness Avenue. The commercial unit would front Van Ness Avenue and Union Street. Approximately 2,800 square feet of common open space and 600 square feet of private open space would be provided to the residents on the second, sixth and roof levels.

The proposed project would include 31 off-street vehicle parking spaces and 41 class 1 bicycle parking spaces located in a basement-level garage.¹ The garage would be accessed via a new 12-foot-wide curb cut on Union Street; three existing 30-foot-wide curb cuts would be removed (one on Union Street and two on Van Ness Avenue). Four class 2 bicycle parking spaces would be provided near the corner of Van Ness Avenue and Union Street on the Van Ness Avenue sidewalk. The proposed project would also include 13 street trees (three existing and 10 new) distributed along the Van Ness Avenue and Union Street sidewalks. A sidewalk bulbout would be added at the intersection of Van Ness Avenue and Union Street.

The proposed building would be supported by either a deep foundation system involving drilled displacement piles or by a shallow foundation system on improved soils. The entire site would be excavated to a maximum depth of 14 feet below ground surface and remove approximately 8,750 cubic yards of soil. Construction of the proposed project is expected to last 16 months.

PROJECT SETTING:

The project vicinity is characterized by a mix of one- to six-story buildings containing residential, commercial and institutional uses. The majority of the buildings are multi-story with ground-floor commercial units and dwelling units on the upper floors. Neighborhood commercial uses include hotels, restaurants, convenience markets, clothing and furniture stores, parking garages and other retail sales and service uses. Institutional uses in the vicinity include Sherman Elementary School, one block west of the project site, and Holy Trinity Cathedral, one half-block south of the project site. There are numerous public open spaces in the project vicinity. The largest include Fort Mason and Moscone Recreation Center, located seven blocks north and nine blocks northwest, respectively. Closer parks include Allyn Park, Helen Willis Park and Alice Marble Tennis Courts, located within five blocks of the project site.

The project site is well served by local and regional public transit. Eight San Francisco Municipal Railway (Muni) bus routes operate within one quarter-mile of the project site.² These routes provide access to regional transit services, including the San Mateo County Transit District (SamTrans), Golden Gate Transit (GGT), Bay Area Rapid Transit (BART), Alameda Contra-Costa County Transit District (AC Transit) and Caltrain. The project site is also directly served by Golden Gate Transit; 12 Golden Gate bus routes serving the North Bay can be accessed at the Van Ness Avenue and Union Street intersection. In

¹ Section 155.1(a) of the planning code defines class 1 bicycle spaces as "spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, nonresidential occupants, and employees" and defines class 2 bicycle spaces as "spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use."

² These Muni routes include 19-Polk, 30X-Marina Express, 41-Union, 45-Union/Stockton, 47-Van Ness, 49-Van Ness/Mission, 76X-Marin Headlands Express and 90-San Bruno Owl.

addition, there is a private commuter shuttle stop located on the west side of Van Ness Avenue, opposite the adjacent lots to the south of the project site; this stop generates approximately 110 shuttle stops during the peak period.

Four City of San Francisco Fire Department fire stations are located within one mile of the project site. These include (in order of proximity) Fire Station No. 41 (1325 Leavenworth Street), Fire Station No. 38 (2150 California Street), Fire Station No. 2 (1340 Powell Street) and Fire Station No. 28 (1814 Stockton Street). The nearest hospital is California Pacific Medical Center, located 0.67 miles southwest of the project site at 2333 Buchanan Street.

Project Approvals

The proposed project would require the following approvals:

- **Conditional use authorizations.** Pursuant to the Planning Code sections cited below, the proposed project would require conditional use authorizations from the Planning Commission to: (1) provide 31 parking spaces for 41 dwelling units (section 151.1); (2) exceed building bulk limits (section 270); (3) exceed 50 feet in height in an RC district (section 253); and (4) exceed 40 feet in height in an RC district where the proposed building occupies more than 50 feet of street frontage on the front façade (section 253).
- **Variations.** Pursuant to the Planning Code sections cited below, the proposed project would require the zoning administrator to approve: (1) a variance from the rear yard requirement (section 134); and (2) a variance from the dwelling unit exposure requirement (section 140).
- **Demolition and building permits.** The proposed project would require approval of demolition and building permits from the Department of Building Inspection.

Approval Action: The approval of the conditional use authorization would constitute the *approval action* for the project. The approval action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

EXEMPT STATUS (continued):

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

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

The San Francisco General Plan describes the objectives and policies that guide the City's decision making as it pertains to, among other topics, environmental protection, air quality, transportation, housing, urban design and land use. In addition, permits to demolish, alter or construct buildings may not be issued unless the project conforms to the Planning Code, or an exception is granted pursuant to provisions in the Planning Code.

The project site is located in an RC-3 (Residential-Commercial, Medium Density) District and a 65-A Height and Bulk District. RC-3 districts are intended to recognize, protect, conserve, and enhance areas characterized by buildings that combine medium-density residential uses with neighborhood-serving commercial uses (usually at ground level or below) that meet the frequent needs of nearby residents without generating excessive vehicular traffic. RC-3 districts permit residential uses that meet a dwelling unit density of one unit per 400 square feet, or 41 units in this case.³ They also principally permit non-residential uses provided they are less than 6,000 square feet in size and have a floor area ratio (FAR) that does not exceed 3.6 to 1. The proposed project, at 41 dwelling units and 2,900 square feet of commercial space (with a FAR of 0.18 to 1), would, therefore, comply with the RC-3 zoning requirements.⁴

The 65-A height and bulk designation limits the height of buildings to 65 feet and restricts the bulk of those building segments that would exceed 40 feet in height to maximum dimensions of 110 feet (length) by 125 feet (diagonal). At 65 feet in height, with dimensions of 164 feet (length) by 170 feet (diagonal), the proposed project would comply with the 65-foot height limit, but exceed the bulk restriction. However, as noted above, the proposed project would seek a conditional use authorization to exceed this requirement. The proposed project would also seek a conditional use authorization to provide 31 off-street parking spaces and to exceed additional RC-district height restrictions described in section 253 of the planning code. In addition, the proposed project would seek variances to provide a rear yard of less than 25 percent of lot depth and to exempt the residential units from exposure requirements.

The project site is also located within the Van Ness Avenue Area Plan, which prohibits new parking access from Van Ness Avenue.⁵ In conformance with Van Ness Avenue Area Plan, Objective 9, policies 9.5 and 9.10, the proposed project would provide access to the parking garage via a 12-foot-wide curb cut located on Union Street at the northwest corner of the site.⁶

Therefore, for the reasons described above, the proposed project is consistent with the San Francisco General Plan and applicable zoning designations.

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

The project site consists of an approximately 0.4-acre (16,539-square-foot) corner lot occupied by a decommissioned gasoline station and parking lot. The site is located in the Marina neighborhood of San Francisco in an area characterized by a mix of one- to six-story buildings containing residential, commercial and institutional uses. The existing buildings are predominately mixed in use, consisting of ground floor commercial units and dwelling units on the upper floors. Commercial uses in the project vicinity include hotels, restaurants, convenience markets, clothing and furniture stores,

³ Dwelling unit density = 16,539-square-foot lot divided by 400 square feet per dwelling unit = 41 units

⁴ Floor area ratio (FAR) for the proposed commercial space = gross floor area of commercial use ÷ lot area = 2,900 square feet ÷ 16,539 square feet = 0.18

⁵ San Francisco Planning Department, *San Francisco General Plan: Van Ness Avenue Area Plan*, http://www.sf-planning.org/ftp/General_Plan/Van_Ness_Ave.htm, accessed November 1, 2017.

⁶ Van Ness Avenue Area Plan, Objective 9, Transportation and Circulation, seeks to provide safe and efficient movement among all users on Van Ness Avenue. Policy 9.5 of this objective requires that, whenever feasible, parking access should be provided from minor east-west streets; it also prohibits new parking access from Van Ness Avenue. Policy 9.10 of this objective requires that any Van Ness Avenue sidewalk space associated with new development should be designed to reduce clutter and pedestrian obstacles.

parking garages and other retail sales and service uses. Institutional uses include Sherman Elementary School, one block west of the project site, and Holy Trinity Cathedral, one half-block south of the project site. Therefore, the proposed development occurs within city limits on a site of less than five acres surrounded by urban uses.

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

The project site is occupied by a decommissioned gas station and parking lot. The majority of the site is devoid of any substantial vegetation with the exception of four small- to medium-sized trees located along the southern (three trees) and western (one tree) borders of the gas station lot. Therefore, the site does not support a habitat for endangered, rare or threatened species.

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

Transportation

As previously described, the proposed project would demolish a vacant gas station and active parking lot accommodating approximately 18 parking spaces and construct a new mixed-use building with 41 dwelling units, approximately 2,900 square feet of commercial space, 31 off-street vehicle parking spaces, 41 class 1 bicycle spaces and four class 2 bicycle spaces. In order to assess potential transportation-related impacts, the project sponsor retained a qualified consultant to prepare a *circulation memorandum* to: (1) evaluate the existing transportation system and traffic conditions in the project site vicinity; (2) estimate the travel demand associated with the proposed project; and (3) assess the potential for project-associated and cumulative transportation impacts.⁷ The results are summarized as follows.

Existing Transportation Conditions

The circulation memorandum evaluated an area bound by Gough, Greenwich, Larkin and Vallejo streets in San Francisco. The study area included Van Ness Avenue and Union Street, which provide direct access to the project site, as well as Franklin, Polk, Filbert and Green streets, which surround and provide indirect access to the site. The four intersections that could be affected by trips generated by the proposed project include Van Ness Avenue/Union Street; Van Ness Avenue/Green Street; Franklin Street/Union Street; and Franklin Street/Green Street. Traffic counts were collected at these intersections during the a.m. (7:00 a.m. to 9:00 a.m.) and p.m. (4:00 p.m. to 6:00 p.m.) peak hours.⁸ Estimated existing peak hour traffic volumes for streets directly serving the project site (i.e., Van Ness Avenue and Union and Franklin streets) are summarized in Table 2 below. The highest peak hour traffic volumes occur on Van Ness Avenue and Franklin Street.

⁷ CHS Consulting Group, *2465 Van Ness Avenue Circulation Memorandum*, September 13, 2017.

⁸ Refer to Appendix E: Existing Travel Volumes in the *2465 Van Ness Avenue Circulation Memorandum* for existing vehicle, bicycle and pedestrian count data.

Table 1. Project vicinity existing peak hour traffic volumes

Street/Avenue	Existing traffic volume (vehicle count)	
	Peak hour (a.m.)	Peak hour (p.m.)
Van Ness Avenue	2,310	2,510
Union Street	500	495
Franklin Street	1,330	1,700

The project vicinity currently exhibits moderate pedestrian volumes, with approximately 460 and 520 pedestrian crossings observed at the intersection of Van Ness Avenue and Union Street during the a.m. and p.m. peak hours, respectively. In addition, the project area shows no indication of sidewalk crowding or pedestrian hazards. During the field investigation, two cyclists were observed travelling through the Van Ness Avenue and Union Street intersection during the a.m. peak hour and eleven cyclists were observed during the p.m. peak hour. Van Ness Avenue and Union Street are not popular cycling routes due to heavy traffic on the former, two Muni bus routes on the latter, and the lack of designated bicycle lanes on both. Overall, the project vicinity shows no indication of hazards to cyclists.

The project site does not currently include any off-street loading space. The nearest on-street commercial loading zone is located on the south side of Union Street just west of the project site. This space is metered and time-restricted. There is also an existing 35-foot-wide, metered commercial loading zone across the street from the project site on the north side of Union Street. These spaces remained empty during the field observation. There are no passenger-loading areas in the immediate vicinity of the project site.

Four City of San Francisco Fire Department fire stations are located within one mile of the project site.⁹ Van Ness Avenue and Union Street currently provide emergency vehicle access to the project site from these fire stations. There is a fire hydrant located in front of 2465 Van Ness Avenue, along the south side of Union Street adjacent to the project site. This fire hydrant is available for fire department use. The nearest hospital, California Pacific Medical Center, is located about 0.67 miles southwest of the project site at 2333 Buchanan Street. Hospital access to and from the project site is also available via Van Ness Avenue and Union Street.

The project site is well served by local and regional public transit. Eight San Francisco Municipal Railway (Muni) bus routes operate within one quarter-mile of the project site.¹⁰ These routes provide access to regional transit services, including the San Mateo County Transit District (SamTrans), Golden Gate Transit (GGT), Bay Area Rapid Transit (BART), Alameda Contra-Costa County Transit District (AC Transit) and Caltrain. Golden Gate Transit also serves the project site directly; 12 Golden Gate bus routes serving the North Bay can be accessed at the Van Ness Avenue and Union Street intersection. In addition, there is a private commuter shuttle stop located on the west side of Van

⁹ Local fire stations (in order of proximity) include Fire Station No. 41 (1325 Leavenworth Street), Fire Station No. 38 (2150 California Street), Fire Station No. 2 (1340 Powell Street) and Fire Station No. 28 (1814 Stockton Street).

¹⁰ These Muni routes include 19-Polk, 30X-Marina Express, 41-Union, 45-Union/Stockton, 47-Van Ness, 49-Van Ness/Mission, 76X-Marin Headlands Express and 90-San Bruno Owl.

Ness Avenue, opposite the adjacent lots directly south of the project site. This stop generates approximately 110 shuttle stops during the peak hour.

Proposed Project Travel Demand

Travel demand refers to the new vehicle, transit, bicycle and pedestrian trips that would be generated by the proposed project. Trip generation for the proposed project was calculated based on the proposed number of dwelling units and gross square footage of the proposed commercial uses. Parking demand and delivery/service loading demand for the proposed uses was also calculated. The travel demand forecasts were calculated based on the methodology described in the San Francisco Planning Department's Transportation Impact Analysis Guidelines for Environmental Review.¹¹ Person trips and vehicle trips associated with the existing uses were not discounted (or netted out) for project trip generation purposes, thus the proposed project trip generation estimates presented herein represent a conservative (worst-case) estimate.¹² The proposed project's estimated daily a.m. and p.m. peak hour person trips, categorized by mode of transportation, are summarized in Table 3; daily vehicle trips are summarized in Table 4.¹³ In addition, the proposed project would generate approximately 11 daily truck trips, which would require up to one loading space during the average loading hour or peak loading hour.

Table 2. Estimated daily person trips (proposed project)

Transportation mode	Daily trips	Peak hour (a.m.) trips	Peak hour (p.m.) trips
Auto	628	32	81
Transit	281	23	42
Walk	175	6	21
Other (bicycle, taxi, etc.)	133	15	21
Total	1,218	76 (29 in/47 out)	165 (92 in/73 out)

Table 3. Estimated daily vehicle trips (proposed project)

Land use	Daily trips	Peak hour (a.m.) trips			Peak hour (p.m.) trips		
		Total	In	Out	Total	In	Out
Residential	132	20	7	13	22	15	7
Commercial	255	5	3	2	27	13	14
Total	387	25	10	15	50	28	22

¹¹ San Francisco Planning Department, Transportation Impact Analysis Guidelines for Environmental Review, October 2002, http://default.sfpplanning.org/publications_reports/Transportation_Impact_Analysis_Guidelines.pdf, accessed September 21, 2017.

¹² Subsequent to the preparation of the trip generation analysis, the proposed project was modified to include a unit mix of 10 one-bedroom units, 24 two-bedroom units, and 7 three-bedroom units. In addition, the total residential square footage was increased from 51,500 square feet to 56,200 square feet and the total commercial square footage was reduced from 4,652 square feet to 2,914 square feet. Overall, these changes would likely generate fewer trips than those calculated. Therefore, the proposed project trip generation estimates presented here represent conservative estimates.

¹³ Refer to Appendix F: Trip Generation Analysis in the circulation memorandum for detailed trip generation work sheets. Numbers presented in Tables 3 and 4 above may differ slightly from travel demand calculations in Appendix F due to rounding.

Proposed Project Impact Analysis

On March 3, 2016, in anticipation of the future certification of revised CEQA Guidelines pursuant to Senate Bill 743, the San Francisco Planning Commission adopted the State Office of Planning and Research's recommendation in the *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*¹⁴ to use the Vehicle Miles Traveled (VMT) metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of impacts on non-automobile modes of travel such as riding transit, walking, and bicycling). Accordingly, this categorical exemption does not contain a separate discussion of automobile delay (i.e., traffic) impacts. Instead, a VMT and induced automobile travel impact analysis is provided below. The significance criteria for impacts related to other modes of travel, emergency vehicle access and construction transportation remain unchanged and are also addressed below.

Vehicle Miles Traveled (VMT)

Many factors affect travel behavior. These factors include density, diversity of land uses, transportation network design, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses, located in areas with poor access to non-private vehicular modes of travel, generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower VMT ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the city, expressed geographically through transportation analysis zones (TAZs), have lower VMT ratios than other areas of the city. The Planning Department has prepared a geographic information system database (the Transportation Information Map) with current and projected 2040 per capita VMT figures for all TAZs in the city, in addition to regional daily average figures.¹⁵

A project would have a significant effect on the environment if it would cause substantial additional VMT. The Office of Planning and Research's *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA* recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. If a project meets one of the three screening criteria provided (map-based screening, small projects, and proximity to transit stations), then it is presumed that VMT impacts would be less than significant for the project and a detailed VMT analysis is not required. Map-based screening is used to determine if a project site is located within an area that exhibits low levels of VMT, defined as 15 percent or more below the regional average. Small projects are projects that would generate fewer than 100 vehicle trips per day. The proximity to transit stations criterion includes projects that are within a half-mile of an existing major transit stop, have a floor area ratio (FAR) greater than or equal to 0.75, vehicle

¹⁴ State Office of Planning and Research, *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*, http://www.opr.ca.gov/docs/Revised_VMT_CEQA_Guidelines_Proposal_January_20_2016.pdf, accessed September 25, 2017.

¹⁵ San Francisco Planning Department, *Transportation Information Map*, <http://sftransportationmap.org>, accessed September 26, 2017.

parking that is less than or equal to that required or allowed by the Planning Code without a conditional use authorization, and are consistent with the Sustainable Communities Strategy.

The project site is located within San Francisco Bay Area transportation analysis zone (TAZ) 366. As shown in Table 5, existing and future VMT values for the proposed residential use are 5.2 and 4.7, respectively.¹⁶ These values are more than 64 percent below the corresponding existing and future thresholds (the regional average less 15 percent). In addition, the existing and future VMT values for the proposed retail use are 6.8 and 6.4, respectively.¹⁷ These values are more than 46 percent below the corresponding existing and future thresholds (the regional average less 15 percent). Therefore, the proposed project meets the map-based screening criterion because the project site is located within an area that exhibits low levels of VMT for the proposed land uses. Therefore the proposed project would not require a detailed VMT analysis and would not result in any significant impacts related to VMT.

Table 5. Map-Based Screening of Daily Vehicle Miles Traveled Per Capita

Land Use	Bay Area					
	Existing VMT			Future (2040) VMT		
	Regional Average	Regional Average minus 15%	TAZ 366	Regional Average	Regional Average minus 15%	TAZ 366
Residential	17.2	14.6	5.2	16.1	13.7	4.7
Retail	14.8	12.6	6.8	14.6	12.4	6.4

Source: San Francisco Transportation Information Map, <http://sftransportationmap.org>, accessed September 14, 2017.

Induced Automobile Travel

A project that would substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network would have a significant effect on the environment. The Office of Planning and Research's proposed transportation impact guidelines includes a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types), then it is presumed that VMT impacts would be less than significant and a detailed VMT analysis would not be required. The proposed project would not increase physical roadway capacity or add new roadways to the network. Therefore, the proposed project would not substantially induce automobile travel and associated impacts would be less than significant.

Traffic Hazards

As shown in Table 4, the proposed project would generate about 387 daily vehicle trips, including 25 trips during the a.m. peak hour and 50 trips during the p.m. peak hour. These vehicle trips were allocated to the local roadway network according to trip distribution assumptions described in the San Francisco Transportation Impact Analysis Guidelines for Environmental Review.¹⁸ Since traffic volume increases associated with the a.m. peak hour would be substantially lower than those

¹⁶ San Francisco Planning Department, Eligibility Checklist: CEQA Section 21099—Modernization of Transportation Analysis, 2465 Van Ness Avenue, September 26, 2017.

¹⁷ Ibid.

¹⁸ Refer to Appendix F: Trip Generation Analysis in the circulation memorandum for vehicle trip allocations.

generated during the p.m. peak hour, only the latter are discussed here. During the p.m. peak hour, project-generated trips would increase existing traffic volumes (2,510 trips) along Van Ness Avenue by approximately 20 vehicle trips (or by less than 1 percent). On Union Street, the proposed project would increase existing traffic volumes (495 trips) by 10 trips (or by about 3 percent) during the p.m. peak hour. Project-related traffic volume increases on other streets in the project vicinity would be similarly low in comparison with existing traffic volumes. Therefore, the proposed project would not cause adverse impacts to traffic operations in the project vicinity.

The proposed project would add a two-way parking garage driveway at the northwest corner of the project site fronting Union Street. As stated above, existing p.m. peak traffic volumes on Union Street is 495 vehicles in addition to Muni transit vehicles (routes 41-Union and 45-Union/Stockton). As shown in Table 4, about 10 inbound and 15 outbound trips would occur during the a.m. peak period whereas about 28 inbound and 22 outbound vehicle trips would occur during the p.m. peak period. Vehicles entering the garage from the westbound lane would be required to stop and wait for a gap in traffic along Union Street prior to entering the driveway; vehicles exiting the garage would be required to yield to any vehicles, including Muni buses, traveling in the eastbound lane of Union Street. However, as described above, the project-generated vehicle trips do not contribute substantially to the existing traffic volumes along Union Street and therefore, the potential for extended queues and conflicts between existing and project-generated traffic would be low. Thus, project impacts related to potential traffic safety hazards would be less than significant.

Transit

The proposed project would generate approximately 23 and 42 transit trips in the a.m. and p.m. peak hours, respectively. These trips are not anticipated to cause substantial demand for any particular transit route. As a result, the trips would be dispersed among the eight Muni routes and 12 Golden Gate Transit routes located within one quarter-mile of the project site. Therefore, existing transit capacity would be able to accommodate the additional trips without incurring a substantial increase in delays, operating costs or other adverse impacts on transit service levels.

The proposed project would also introduce pedestrian entrances along Van Ness Avenue and Union Street and a parking garage driveway on Union Street. However, these proposed access points would not include any design features that would adversely impact the safety of the existing transit environment. Further, the proposed project would remove two 30-foot-wide curb cuts on Van Ness Avenue and one 30-foot-wide curb cut on Union Street; removal of these curb cuts, in particular the curb cut on Union Street, which divides the 41-Union and 45-Union/Stockton bus stop, would likely improve transit safety in the immediate project vicinity.

Therefore, the proposed project would not result in any significant transit-related impacts.

Pedestrian

Pedestrian trips generated by the proposed project would include walk trips to and from transit stops and commercial uses. As shown in Table 3, the proposed project would add 29 pedestrian trips to the surrounding streets during the a.m. peak period and 63 pedestrian trips during the p.m. peak

period.¹⁹ These new pedestrian trips would likely be concentrated on the Van Ness Avenue and Union Street sidewalks and crosswalks, but would also extend to other nearby intersections providing transit access (e.g., the Union Street/Polk Street intersection).

The existing sidewalks on Union Street and Van Ness Avenue, at 12 feet wide and 16 feet wide, respectively, currently meet or exceed the minimum requirements of the City's Better Streets Plan; the proposed project would maintain these widths. In addition, signalized crosswalks are present at the Van Ness Avenue and Union Street intersection and along all routes leading to other transit stops serving the project area. Since the project vicinity currently exhibits moderate pedestrian volumes and shows no indication of sidewalk crowding or pedestrian hazards, the project-generated pedestrian trips would not lead to the deterioration of existing sidewalk conditions or exacerbate any existing hazards. Furthermore, the proposed project would improve the existing streetscape by removing three 30-foot-wide curb cuts (two on Van Ness Avenue and one on Union Street) and adding 10 new street trees (five each on Van Ness Avenue and Union Street).

Therefore, the increase in pedestrian trips generated by the proposed project would not cause a significant adverse impact on existing pedestrian facilities and circulation in the project vicinity.

Bicycles

The proposed project would include 41 class 1 (one per residential unit) and four class 2 (two each per residential and commercial uses) bicycle parking spaces in compliance with section 155.2 of the San Francisco Planning Code. The class 1 spaces would be provided in a room located in the basement of the proposed building and accessed externally via the proposed garage driveway off Union Street or internally via the building's elevator. The class 2 spaces would be provided in the public right-of-way on the Union Street sidewalk adjacent to the project site. Project-generated bicycle trips are captured within the "Other" transportation mode category in Table 3, which also includes taxi trips and other modes. Therefore, the proposed project would be anticipated to add at most, but likely fewer than, 15 and 21 bicycle trips, during the a.m. and p.m. peak periods, respectively. These additional trips would not substantially alter existing bicycle facilities and circulation in the project vicinity. In addition, since Union Street exhibits relatively low traffic volumes, potential conflicts between vehicle traffic and bicyclists entering or exiting the class 1 bicycle parking facility via the building's driveway would be limited. Furthermore, vehicle access to the proposed new building is not located on a bicycle route and therefore, the proposed project would not create any new conflicts and collision risks. Thus, the proposed project would not result in any significant impacts related to bicycle facilities and circulation.

Loading

As described above, the proposed project would generate approximately 11 truck trips, which would require up to one space during the average loading hour or the peak loading hour. The proposed project would not provide any designated off-street loading space for freight or delivery activities; Planning Code section 152.1 does not require residential uses of less than 100,000 square feet or retail uses of less than 10,000 square feet to provide any off-street loading. There are two existing on-street

¹⁹ Peak a.m. pedestrian trips would include 23 transit-access trips plus 6 walk trips; peak p.m. pedestrian trips would include 42 transit-access trips plus 21 walk trips.

loading spaces near the project site, which according to observations made during the field study would be able to accommodate the project-generated loading demand. Therefore, the proposed project would not result in any significant impacts related to loading.

Emergency Vehicle Access

Emergency vehicles would access the project site from Van Ness Avenue or Union Street. As described above, the proposed project would not add substantially to the existing traffic volumes on Van Ness Avenue and Union Street. Therefore, the proposed project would not result in a significant impact on emergency vehicle access to either the project site or other sites in the vicinity.

Construction Traffic

Construction of the proposed project would last approximately 16 months and include activities related to demolition, excavation, foundation and building construction, and interior work. Most of the heavy truck trips would occur during the excavation phase (five to 15 trucks per day for 60 to 90 days) and the construction phase (20 to 30 truck trips per pour day for 7 to 10 days). Truck traffic to and from the site would be routed along major arterials and freight routes, as identified by SFMTA. Construction hours would occur between 7:00 a.m. and 5:00 p.m., within the limits set forth by the San Francisco Noise Ordinance, which is described further in the "Noise" section below. The number of daily workers would range between five and 90. Workers would be encouraged to use alternative modes of transportation, including public transit, carpooling, cycling, and walking to and from the project site. Workers choosing to drive personal vehicles to the site would park on the street or at nearby off-street parking facilities, as negotiated by the project sponsor.

The project sponsor would aim to minimize construction impacts on streets, lanes and sidewalks; however, construction activities may require temporary sidewalk and curbside parking lane closures along Union Street or Van Ness Avenue. In general, lane and sidewalk closures and/or diversions would be subject to review and approval by the City's Transportation Advisory Staff Committee, which consists of representatives from the fire department, police department, public works department and municipal transportation agency.

The construction contractor of the proposed project would also be required to comply with the City's Regulations for Working in San Francisco Streets (also known as the "Blue Book") and to coordinate with City agencies to determine feasible traffic management measures to reduce traffic congestion during construction of the project, as appropriate. According to the Blue Book, the proposed project is located on a major Muni route. Therefore, any construction activities affecting moving lanes on Van Ness Avenue and Union Street would be required to stop during peak periods (i.e., from 7 a.m. to 9 a.m. and 3 p.m. to 7 p.m., Monday through Friday). The contractor would also be required to coordinate construction activities with Muni's Street Operations and Special Events Office to reduce any potential impacts on transit operations.

Therefore, due to the above requirements and the temporary nature of the proposed construction work, the proposed project would not result in any significant impacts related to construction traffic.

Cumulative Transportation Impact Analysis

The project vicinity includes the following developments, which are currently at various stages of the planning process:

- **1555 Union Street (2014.1364)** Demolition of an existing two-story hotel and construction of a new four-story hotel with 100 guest rooms and two levels of below-grade parking.
- **2525 Van Ness Avenue (2016-002728PRJ):** Demolition of an existing two-story commercial building and construction of a new seven-story, 65-foot-tall mixed use building with 27 dwelling units and 27 off-street parking spaces accessible via a curb-cut along Van Ness Avenue.
- **1450 Union Street (2016-006589PRJ):** Addition of two units to an existing building.
- **1320 - 1380 Lombard Street (2015-001435PRJ):** Addition of 16 new studio units and two one-bedroom units within existing underutilized space at ground floor of a three-building complex.
- **2806 Van Ness Avenue (2015-000489PRJ):** Rear addition of a four-story structure to an existing three-story building.
- **1458 Broadway (2014-002834PRJ):** Change of use and vertical addition to convert a two-story building with ground-floor parking and a second-floor commercial office space into a six-story building with eight residential units and a ground-floor garage that would accommodate eight vehicle spaces and eight bicycle spaces.
- **1776 Vallejo Street (2016-001466PRJ):** Construction of a new single-family residence within the existing rear yard.

In addition, the following public development projects would either directly or indirectly affect transportation within the project vicinity: Van Ness Bus Rapid Transit Project, Polk Streetscape Project, Lombard Street Corridor Project, Muni Forward Project, Better Streets Plan, Bay Area Bike Share Project, and San Francisco Bicycle Plan. Collectively, these projects include features designed to improve traffic safety, increase transit efficiency, and encourage multi-modal transportation.

VMT

In the cumulative scenario, analysis of the proposed project's potential impact on VMT relies upon future, population-based projections of VMT (to 2040). As shown in Table 5 (above), future (2040) VMT values for the proposed residential and retail uses would be 4.7 and 6.4, respectively. Thus, future VMT values would be more than 66 percent and 48 percent, respectively, below the corresponding future (2040) thresholds (the regional average less 15 percent). Therefore, the project site is located within an area that would exhibit low levels of future (2040) VMT for the proposed land uses. As a result, the proposed project would not result in a substantial increase in future VMT, and therefore would not cause a significant cumulative impact related to VMT.

Induced Automobile Travel

As previously described, the proposed project would not increase physical roadway capacity or add new roadways to the network. Therefore, the proposed project would not substantially induce automobile travel in the cumulative scenario. As a result, the proposed project would not cause any significant cumulative impacts related to induced automobile travel.

Traffic Hazards

The cumulative projects listed above would result in changes in street lane geometry as well as increased traffic volumes in the project vicinity. Specifically, the Van Ness Bus Rapid Transit project would reduce lane capacity from three to two lanes on Van Ness Avenue and prohibit any left-turn movements from Van Ness Avenue, with the exception of Broadway and Lombard Street. Since no vehicles would be allowed to make a left-turn from Van Ness Avenue between Broadway and Lombard Street in the future, existing vehicles trips as well as project-generated vehicle trips would likely make a left-turn on Broadway instead; inbound trips to the project site would likely make a left-turn on Broadway, a right-turn on Franklin Street, and a right-turn on Union Street, instead of approaching the project site from the westbound lane of Union Street. Therefore, a diversion analysis²⁰ was conducted to assess the anticipated increase in traffic volumes along Broadway and Franklin Street due to diverted traffic.

The increase in traffic volumes at study intersections due to diverted trips (approximately 10 vehicle trips in the a.m. peak hour and 20 vehicle trips in the p.m. peak hour at the Franklin Street/Union Street intersection) would not be substantial enough to create potential safety hazards with other vehicles, transit, bicyclists, or pedestrians. Moreover, since the inbound trips to the project site would approach from the eastbound Union Street lane and make a right-turn into the project site, there would be fewer vehicles in the westbound Union Street lane having to wait for a gap in traffic to enter the garage. This would reduce or eliminate potential queues on westbound Union Street because there would be fewer vehicles having to wait for a gap in traffic to enter the parking garage. Therefore, potential traffic-related conflicts associated with the proposed project would be further reduced. Therefore, the proposed project would not result in any significant cumulative impacts related to traffic hazards.

Transit

As discussed above, the proposed project would contribute 23 a.m. peak hour transit trips and 42 p.m. peak hour transit trips to the transit network. In the cumulative (2040) scenario, Muni's northeast screenline²¹ is projected to reach approximately 72 percent capacity during the a.m. peak hour and 66 percent capacity during the p.m. peak hour; these values fall below the 85 percent capacity threshold standard. The 2040 capacity utilization is based on growth projections for the City and reasonably accounts for the nearby cumulative projects listed above. The Van Ness Bus Rapid

²⁰ Refer to Figure 9 and Appendix H of the circulation memorandum for further detail.

²¹ A screenline analysis assumes that there are identifiable corridors or directions of travel which are served by a grouping of transit lines. Therefore, an individual line would be combined with other transit lines in a corridor and corridors combined into a screenline in determining significance. Four screenlines have been established in San Francisco to analyze potential impacts of projects on SFMTA service: the northeast screenline, the northwest screenline, the southeast screenline, and the southwest screenline, with sub-corridors within each screenline. The Planning Department uses the 85 percent capacity utilization standard as the threshold of significance for identifying transit crowding impacts.

Transit (BRT) Project, which is currently under construction and projected to be completed in 2018, would improve bus service and include a number of street improvements along Van Ness Avenue. The BRT line would run past the project site and include a stop located adjacent to the project site at Union Street on Van Ness Avenue. The project-generated transit trips (23 and 42 transit trips during the a.m. and p.m. peak hours, respectively) would generally disperse onto multiple transit routes in the area and therefore, would not cause overcrowding or substantial delays to the operation of the BRT. As part of the Muni Forward project, Muni routes 19, 47, and 49 would undergo minor service changes; however, the proposed project would not generate a substantial demand for these routes or include a design feature that would adversely affect implementation of these service changes.

Therefore, the proposed project, in combination with the projects listed above, would not result in a significant cumulative impact related to transit.

Pedestrians and Bicycles

As previously discussed, project-generated pedestrian trips (21 during the a.m. peak period and 42 during the p.m. peak period) would be distributed among the nearby sidewalks. In addition, project-generated bicycle trips (at most, 15 bicycle trips during the a.m. peak period and 21 bicycle trips during the p.m. peak period) would be distributed among the nearby streets. However, the proposed project would include amenities and street improvements that would serve to reduce any potential adverse effects to circulation. These include the addition of four class 2 bicycle spaces on Van Ness Avenue, just south of Union Street, and 41 class 1 bicycle spaces in the parking garage of the new building. The proposed project would also introduce 10 new street trees (five each on Van Ness Avenue and Union Street) separated by cobblestone pavers on the adjacent sidewalks. In addition, three 30-foot-wide curb cuts (two on Van Ness Avenue and one on Union Street) would be removed and replaced by a new 12-foot curb cut on Union Street, at the northwest corner of the project site.

New developments, including the projects listed above, would also increase the number of pedestrians and bicyclists in the vicinity. However, they would also be required to include improvement measures that align with the City's transportation goals, which prioritize pedestrian, bicycle, and transit travel. These improvements would similarly serve to provide a safer, more efficient environment for pedestrians and bicyclists.

Therefore, the proposed project would not result in any significant cumulative impacts related to pedestrian and bicycle safety and circulation.

Loading

Loading impacts are localized and site-specific, and therefore, would not contribute to any loading impacts associated with other development projects near the project site. As previously discussed, while the proposed project does not provide any off-street loading facilities, the two existing on-street loading spaces on Union Street would adequately accommodate the anticipated project-generated demand. Therefore, the proposed project, in combination with the cumulative projects, would not result in any significant cumulative loading impacts.

Emergency Vehicle Access

In the cumulative scenario, emergency vehicles would continue to use local streets, including Van Ness Avenue and Union Street. Although traffic volumes would be expected to increase in the project vicinity under cumulative conditions, the proposed project would not contribute substantially to the increase in traffic volumes on Van Ness Avenue, Union Street or other nearby streets. Therefore, the proposed project would not result in a significant cumulative impact on emergency vehicle access to either the project site or other sites in the vicinity.

Construction Traffic

The project sponsor would be required to coordinate with the City's Transportation Advisory Staff Committee, which consists of representatives from the fire department, police department, public works department and municipal transportation agency, as well as adjacent developers to minimize potential impacts related to overlapping construction schedules. The project sponsor, in conjunction with the adjacent developer, would be required to propose a construction traffic management plan that would include measures to reduce potential construction traffic conflicts (e.g., staggered start and end times, coordinated material drop offs, collective worker parking and job site transit, etc.). The committee would review the plan proposal and require additional measures, as necessary, to ensure that construction traffic impacts would not be significant. Although the cumulative construction traffic generated by the proposed project and concurrent and successive projects could result in periodic and temporary traffic congestion on nearby streets, coordination with Transportation Advisory Staff Committee would ensure that traffic would not be substantially degraded for prolonged periods of time. Therefore, the proposed project's contribution to cumulative transportation impacts would be less than significant.

Noise

In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards.²² Nonetheless, the proposed project would be subject to the California Building Standards Code (Title 24), which establishes uniform noise insulation standards. The Title 24 acoustical requirement for residential structures is incorporated into section 1207 of the San Francisco Building Code and requires that these structures be designed to prevent the intrusion of exterior noise so that the noise level with windows closed, attributable to exterior sources, shall not exceed 45 A-weighted decibels (dBA),²³ in any habitable room.

Potential noise impacts associated with the construction and operation of the proposed project are discussed below.

²² California Courts, *California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478, <http://www.courts.ca.gov/opinions-slip.htm>, accessed September 25, 2017.

²³ A decibel (dB) is a unit of measurement describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals. The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0 dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

Construction Noise

Construction of the proposed project would last approximately 16 months and would not require the use of pile drivers or any other types of equipment associated with excessive noise or vibration; the proposed new building would be supported by either a shallow foundation system on improved soils or a deep foundation system using drilled displacement piles.

In addition, all construction activities for the proposed project would be subject to the San Francisco Noise Ordinance (article 29 of the San Francisco Police Code). The ordinance requires construction work to be conducted in the following manner: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 dBA at a distance of 100 feet from the source (the equipment generating the noise); (2) impact tools must have intake and exhaust mufflers that are approved by the Director of Public Works or the Director of the Department of Building Inspection to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the site property line by 5 dBA, the work must not be conducted between 8 p.m and 7 a.m. unless the Director of Public Works authorizes a special permit for conducting the work during that period. The Department of Building Inspection is responsible for enforcing the ordinance for private construction projects during normal business hours (8 a.m to 5 p.m.). The Police Department is responsible for enforcing the ordinance during all other hours.

Furthermore, as described previously under "Transportation," the project sponsor would be required to coordinate with the City's Transportation Advisory Staff Committee as well as adjacent developers to minimize potential impacts related to overlapping construction schedules. Although this coordination is primarily transportation-focused, it would also serve to minimize potential noise impacts related to overlapping construction schedules.

Nonetheless, during the approximate 16-month construction period for the proposed project, occupants of nearby properties could be disturbed by construction noise. Times may occur when noise could interfere with indoor activities in nearby residences and businesses near the project site. However, since the project sponsor (and sponsors of nearby development projects) would be required to comply with the noise ordinance and coordinate construction schedules with adjacent developments, construction noise associated with the proposed project would be temporary, intermittent, and restricted in occurrence and level. Therefore, the proposed project would not result in any significant project-specific or cumulative impacts related to construction noise.

Operational Noise

The proposed project would construct a mixed-use building with 41 residential units and 2,900 square feet of commercial space in a location where the existing Day-Night Average Sound Level (Ldn)²⁴ ranges from approximately 65 Ldn to more than 70 Ldn along Union Street and Van Ness Avenue.²⁵ Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including trucks, cars, buses, emergency vehicles, and land use activities, such as commercial businesses and periodic temporary construction-related noise from nearby development, or street maintenance. The traffic volume in the vicinity would need to double in order to produce a 3-decibel increase in ambient noise

²⁴ The Day-Night Average Sound Level (Ldn) is the A-weighted equivalent continuous sound exposure level for a 24-hour period with a 10 decibel (dB) adjustment added to the sound levels occurring during nighttime hours (10 PM to 7AM).

²⁵ San Francisco Planning Department, *EP_ArcMap: Traffic Noise Levels Layer*, accessed September 19, 2017.

levels, which would be barely perceptible to the human ear.²⁶ As discussed above, the proposed project would add approximately 387 daily vehicle trips to the local street network, with 25 and 50 of these trips occurring during the a.m. and p.m. peak hours, respectively. The San Francisco Municipal Transportation Agency estimates that the existing daily traffic volume at the intersection of Van Ness Avenue and Vallejo Street (the closest measured intersection) ranges from 13,627 to 16,961 vehicles per day.²⁷ In addition, as shown in Table 2, existing a.m. and p.m. peak hour traffic volumes on Van Ness Avenue, Union Street and Franklin Street exceed 2,300, 495, and 1300 vehicles, respectively. Therefore, vehicle trips generated by the proposed project would not double existing traffic volumes and thus, would not result in a perceptible increase in ambient noise levels near the project site.

Noises generated by residential and commercial uses are common and generally accepted in urban areas, including the vicinity of the project site. The proposed project would include approximately 2,800 square feet of common open space and 600 square feet of private open space for the residents of the 41 proposed dwelling units. The common open space would be located on the roof; the private open space would take the form of terraces at the second, sixth, and roof levels. Intermittent operational noise attributed to the use of these private open spaces, the use of the commercial spaces and use of mechanical equipment associated with the proposed building (e.g., elevators, heating, ventilation and air conditioning equipment) would be subject to sections 2909(b) and (d) of the abovementioned noise ordinance. Section 2909(b) regulates noise from mechanical equipment and devices on commercial property; mechanical equipment and devices operating on commercial property must not produce a noise level more than 8 dBA above the ambient noise level at the property boundary. Section 2909(d) states that no fixed noise source may cause the noise level measured inside any sleeping or living room in a dwelling unit on residential property to exceed 45 dBA between 10 p.m. and 7 a.m. or 55 dBA between 7 a.m. and 10 p.m. with windows open, except where building ventilation is achieved through mechanical systems that allow windows to remain closed. The proposed project would be subject to and required to comply with the ordinance.

For these reasons, any operational noise impacts associated with the proposed project would be less than significant.

Air Quality

Criteria Air Pollutants

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂) and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The Bay Area Air Quality Management District, in its *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine if projects would violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively

²⁶ United States Department of Transportation, Federal Highway Administration, Highway Traffic Noise: Analysis and Abatement Guidance, December 2011,

http://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf, accessed September 19, 2017.

²⁷ San Francisco Municipal Transportation Agency, SFMTA Traffic Count Data 1995-2015, <https://www.sfmta.com/about-sfmta/reports/sfmta-traffic-count-data-1995-2015>, accessed September 19, 2017.

considerable net increase in criteria air pollutants within the San Francisco Bay Area Air Basin. If a proposed project meets the screening criteria, then the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The proposed project, at 41 dwelling units, would not exceed the criteria air pollutant screening levels for operation (494 dwelling units) or construction (240 dwelling units) of a mid-rise apartment.²⁸ In addition, the proposed commercial unit, which would total 2,900 square feet, would not exceed the criteria air pollutant screening levels for operation (5,000 square feet or greater) or construction (277,000 square feet) of an applicable commercial use (e.g., restaurant, convenience market, retail store, etc.).²⁹ Further, the proposed project would require excavation of approximately 8,750 cubic yards of soil, which falls below the threshold (10,000 cubic yards) that would trigger extensive material transport and the generation of potentially significant levels of construction-related criteria air pollutants. Therefore, the proposed project would result in less-than-significant air quality impacts resulting from criteria air pollutant emissions.

Health Risks

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe, but short-term) adverse effects to human health, including carcinogenic effects. In response to growing concerns of TACs and their human health effects, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014). The purpose of article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the zone. Projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality. The proposed project is not within an Air Pollutant Exposure Zone. In addition, the proposed project would not introduce any new stationary emissions sources, such as a back-up diesel generator. Therefore, the proposed project would not result in a significant impact with respect to siting new sensitive receptors in areas with substantial levels of air pollution.

The proposed project would require construction activities over a period of 16 months. However, construction emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be required to comply with California regulations limiting idling to no more than five minutes,³⁰ which would further reduce nearby sensitive receptors' exposure to temporary and variable TAC emissions. Therefore, construction-related TAC emissions would not result in a significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

²⁸ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, Updated May 2011, Table 3-1, <http://www.baaqmd.gov/-/media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines%20May%202011.ashx?la=en>, accessed September 25, 2017.

²⁹ Ibid.

³⁰ California Code of Regulations, Title 13, Division 3, § 2485(c)(1) (on-road) and § 2449(d)(2) (off-road), <https://www.arb.ca.gov/regs/regs.htm>, accessed September 25, 2017.

The demolition of the gas station and proposed 8,750 cubic yards of excavation for the basement garage and site grading may cause wind-blown dust that could contribute particulate matter into the local atmosphere. The proposed project would be required to adhere to dust control requirements set forth in the Construction Dust Ordinance contained in San Francisco Health Code article 22B and San Francisco Building Code section 106.A.3.2.6, and therefore, construction of the project would not result in a significant impact related to the introduction of particulate matter into the local atmosphere.

For all of the above-cited reasons, the project would not result in a significant impact related to air quality.

Water Quality

The majority of the 16,539-square-foot project site is paved except for an approximately 3,400-square-foot dirt and gravel area located in the southeast quadrant of the gas station lot; the southern edge of this area contains three medium-sized trees. The proposed new building would cover the entire site, but would also provide approximately 3,400 square feet of common and private open space, which would include vegetation in the form of planters. In addition, the rear yard at the second level of the proposed building would include a planted area of approximately 1,650 square feet. Therefore, the proposed project would result in approximately the same amount of impervious surface coverage as the existing site. However, the proposed project would still include more than 5,000 square feet of impervious surface coverage. Therefore, in accordance with the Stormwater Management Ordinance, the proposed project would be required to comply with the San Francisco Stormwater Management Requirements and Design Guidelines, which would include submission of a Stormwater Control Plan to the San Francisco Public Utilities Commission for review and approval.

The proposed project would not include any uses that would generate wastewater or result in discharges that would have the potential to degrade water quality or contaminate the public water supply. In addition, project-related wastewater and stormwater would flow into the city's combined sewer system and would be treated to standards contained in the city's National Pollutant Discharge Elimination System Permit prior to discharge. Project construction activities would be required to comply with the Construction Site Runoff Ordinance, which would reduce the discharge of pollution to the local storm drain system. In accordance with this requirement, the project sponsor, or its construction contractor, would be required to prepare an Erosion and Sediment Control Plan that would be reviewed, approved, and enforced by the San Francisco Public Utilities Commission. The control plan would specify construction best management practices and erosion and sedimentation control measures to prevent sediment from entering the city's combined stormwater/sewer system during project construction. Therefore, the proposed project would not result in significant water quality impacts.

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

The project site is located in an urban area where all required utilities and public services are available. The proposed project, at 41 dwelling units and 2,900 square feet of commercial space, would not result in a substantial increase in intensity of use or demand for utilities or public services that would necessitate an expansion of public utilities or public service facilities.

CEQA State Guidelines Section 15061(b)(3) establishes the general rule that CEQA applies only to projects that have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. As discussed below, the proposed project would not result in a significant impact on the environment.

DISCUSSION OF ENVIRONMENTAL ISSUES:

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

Guidelines section 15300.2, subdivision (b), provides that a categorical exemption shall not be used where the cumulative impact of successive projects of the same type in the same place, over time, is significant. As discussed below under "Cumulative Impacts," there is no possibility of a significant cumulative effect on the environment due to the proposed project.

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

CEQA Guidelines section 15300.2, subdivision (e), provides that a categorical exemption shall not be used for a project located on a site that is included on any list compiled pursuant to section 65962.5 of the Government Code. Although the project site is one of the sites included on such a list, for the reasons discussed below under "Hazardous Materials," there is no possibility that the proposed project would have a significant effect on the environment related to this circumstance.

CEQA Guidelines section 15300.2, subdivision (f), provides that a categorical exemption shall not be used for a project that may cause a substantial adverse change in the significance of a historical resource. For the reasons discussed below under "Historic Architectural Resources," there is no possibility that the proposed project would have a significant effect on a historic resource.

Archeological Resources

The proposed project would include an underground parking garage, which would require excavation of approximately 8,750 cubic yards of soil to a depth of approximately 14 feet below ground surface. A Planning Department archeologist reviewed the proposed project and site history to evaluate the potential for encountering archeological resources and determined that it would be unlikely for any significant archeological resources to be encountered within the affected soils.³¹ Therefore, the project would not result in a significant impact related to archeological resources.

³¹ Vanderslice, Allison, Archeologist and Preservation Planner, San Francisco Planning Department, e-mail correspondence with Jennifer McKellar, Environmental Planner, San Francisco Planning Department, January 6, 2017.

Shadow

The proposed project would construct a new 65-foot-tall building. Since the new building exceeds 40 feet in height, a preliminary shadow fan was prepared. The shadow fan indicated that the proposed new building could potentially introduce new shadows on the open space areas of Sherman Elementary School, located one block west of the project site at 1651 Union Street. Therefore, the project sponsor had a qualified consultant prepare a detailed shadow analysis of the proposed project.³²

The shadow analysis determined that the proposed project would result in net new shadow on the school's eastern open space area. These shadows would occur for approximately 21 weeks, from April 12th to August 30th. The latest shadow would occur at 7:45 a.m. and maximum shadows (by area) would occur on May 17th and July 26th, at 7:07 a.m., and cover approximately 21.1 per cent of the overall open space. In total, the annual shadow increase as a percentage of annual available sunlight would amount to 0.08 percent.

Based on the 2015/2016 school calendar, Sherman Elementary school observes summer break from May 26th through August 15th. Future years are expected to follow the same approximate schedule. Therefore, only six of the 21 weeks of potential shadow impacts would occur when school is in session. However, the shadows would disappear prior to school starting at 7:50 a.m. In addition, any summer programming that would potentially use the eastern open space area during the remaining 15 weeks, would be unlikely to start prior to 7:45 a.m., and would therefore, be similarly unaffected.

The shadow analysis also evaluated the proposed project under a cumulative scenario. The cumulative analysis included the subject property and the proposed project at 1555 Union Street. The latter, located two lots west of the project site, would demolish an existing two-story hotel and construct a new approximately 44-foot-tall hotel.

Under the cumulative scenario, shadows would still occur for approximately 21 weeks, from April 12th to August 30th. However, the latest shadow would occur at 7:37 a.m. and the maximum shadows (by area) would occur on May 17th and July 26th, at 7:07 a.m., and cover a reduced area of 13.7 per cent of the overall open space. In total, under the cumulative scenario, the annual shadow increase as a percentage of annual available sunlight would also be reduced from 0.08 to 0.04 percent.

Therefore, the proposed project would not result in any significant impacts related to shadow, under existing or cumulative conditions.

Geology and Soils

The project sponsor had a qualified consultant prepare a geotechnical investigation report for the proposed project in order to assess potential geologic hazards and to inform project design decisions.³³ The scope of work included a subsurface investigation with test borings, laboratory testing of selected soil samples and preparation of a summary report with recommendations. Results from the soil borings and laboratory analyses reveal the following. The site is underlain by about 15 to 30 feet of undocumented fill consisting of loose to medium-dense sand and gravel with variable amounts of silt, clay, and debris. Sand

³² CADP, 2465 Van Ness Avenue Shadow Memo, May 23, 2017.

³³ Langan Treadwell Rollo, *Geotechnical Investigation: 2465 Van Ness Avenue, San Francisco, California*, March 18, 2016.

and interbedded sandy clay layers associated with the Colma formation are present beneath the fill layer. In general, the Colma formation sand is dense to very dense, with occasional thin medium dense layers, and contains variable amounts of clay and silt; the clay layer is stiff to hard. The Colma formation extends to the maximum depth explored (50 to 60 feet below ground surface). Groundwater was encountered between approximately 14.5 and 19 feet below ground surface, although this level is expected to vary due to seasonal fluctuations.

Based on the subsurface investigation and additional analyses detailed in the report, the geotechnical investigation confirms that the site can be developed as proposed and recommends that either a shallow foundation system with soil improvements or a deep foundation system consisting of drilled displacement piles be employed to support the new building. In addition, dewatering to at least 3 feet below the bottom of the proposed excavation will be required, since excavation will likely extend below the groundwater table. The report further advises that shoring and underpinning be employed to protect adjacent properties and that a monitoring program be implemented to monitor the effects of the construction on these properties.

The Seismic Hazards Mapping Act (seismic hazard act, located in Public Resources Code 2690 *et seq*), enacted in 1990, protects public safety from the effects of strong ground shaking, liquefaction, landslides, or other ground failures or hazards caused by earthquakes. The California Geological Survey designates the project site as within an area that may be prone to earthquake-induced ground failure during a major earthquake due to liquefaction hazard. Because of this, site design and construction must comply with the seismic hazard act, its implementing regulations, and the California Department of Conservation's guidelines for evaluating and mitigating seismic hazards. In addition to the seismic hazard act, adequate investigation and mitigation of failure-prone soils is also required by the mandatory provisions of the California Building Code (state building code, California Code of Regulations, Title 24). The San Francisco Building Code has adopted the state building code with certain local amendments. The regulations implementing the seismic hazard act include criteria for approval of projects within seismic hazard zones that require a project be approved only when the nature and severity of the seismic hazards at the site have been evaluated in a geotechnical report and appropriate mitigation measures³⁴ have been proposed and incorporated into the project, as applicable.

The proposed project is also required to conform to the local building code, which ensures the safety of all new construction in the City. In particular, Chapter 18 of state building code, Soils and Foundations, provides the parameters for geotechnical investigations and structural considerations in the selection, design and installation of foundation systems to support the loads from the structure above. Section 1803 sets forth the basis and scope of geotechnical investigations conducted. Section 1804 specifies considerations for excavation, grading and fill to protect adjacent structures and prevent destabilization of slopes due to erosion and/or drainage. In particular, section 1804.1, Excavation near foundations, requires that adjacent foundations be protected against a reduction in lateral support as a result of project excavation. This is typically accomplished by underpinning or protecting said adjacent foundations from detrimental lateral or vertical movement, or both. Section 1807 specifies requirements for foundation

³⁴ In the context of the seismic hazard act, "mitigation" refers to measures that reduce earthquake hazards, rather than the Mitigation Measures that were identified in the programmatic EIR, which are required by the California Environmental Quality Act (CEQA) to reduce or avoid environmental impacts of a proposed project.

walls, retaining walls, and embedded posts and poles to ensure stability against overturning, sliding, and excessive pressure, and water lift including seismic considerations. Sections 1808 (foundations), 1809 (shallow foundations), and 1810 (deep foundations) specify requirements for foundation systems such that the allowable bearing capacity of the soil is not exceeded and differential settlement is minimized based on the most unfavorable loads specified in Chapter 16, Structural, for the structure's seismic design category and soil classification at the project site. The Department of Building Inspection will review the project-specific geotechnical report during its review of the building permit for the proposed project and may require additional site specific soils report(s) through the building permit application process, as needed. The building department requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the building code, local implementing procedures, and state laws, regulations and guidelines would ensure that the proposed project would have no significant impacts related to soils, seismic or other geological hazards. Furthermore, all other developments currently proposed in the project vicinity would also be subject to the same requirements, and therefore, the proposed project would not cause a cumulative impact related to soils, seismic or other geologic hazards.

Hazardous Materials

Pursuant to section 65962.5 of the Government Code, the Secretary for Environmental Protection maintains a list of sites with potentially hazardous wastes, commonly referred to as the Cortese List. The Cortese list includes hazardous waste sites listed in the Department of Toxic Substances Control's EnviroStor database, hazardous facilities identified by the department as being subject to corrective action pursuant to Health and Safety Code section 25187.5, leaking underground storage tank sites listed in the State Water Resources Control Board's Geotracker database, a list of solid waste disposal sites maintained by the state board, and a list of sites with active cease and desist orders and cleanup and abatement orders.

The project site is listed on the Cortese List because the Geotracker database identifies it as a former leaking underground storage tank cleanup site. On August 22, 2002, and December 6, 2011, the San Francisco Department of Public Health Local Oversight Program issued two distinct *remedial action completion certifications* for the subject property. The 2002 certification applies to a gasoline-related groundwater investigation that was initiated in 1989 and the removal of a 1,000-gallon waste oil underground storage tank in 1998;³⁵ the 2011 certification applies to the 2010 removal of three gasoline underground storage tanks.³⁶ These regulatory closures confirm that, in each case, an investigation and corrective action was completed at the site in compliance with the Health and Safety Code³⁷ and that no further action related to petroleum releases at the site would be required.³⁸ Nevertheless, once a site is placed on the Cortese List, it is never removed. One of the reasons the Cortese List retains site listings is that remediation techniques may include capping the site (or containing the hazardous material) to

³⁵ San Francisco Department of Public Health, Environmental Health Section, Remedial Action Completion Certification, Underground Storage Tank (UST) Chevron Station #9-0034, 2465 Van Ness Avenue, LOP Case Number 10013, August 22, 2002.

³⁶ San Francisco Department of Public Health, Environmental Health Section, Remedial Action Completion Certification, Underground Storage Tank (UST) Chevron Station #9-0034, 2465 Van Ness Avenue, LOP Case Number 11951, December 6, 2011.

³⁷ The 2002 UST case closure cites compliance with Health and Safety Code sections 25299.37 and 25299.77; the 2011 UST case closure cites Health and Safety Code sections 25296.10 and 25299.3.

³⁸ San Francisco Department of Public Health, Environmental Health Section, Remedial Action Completion Certification, Underground Storage Tank (UST) Chevron Station #9-0034, 2465 Van Ness Avenue, LOP Case Number 11951, December 6, 2011.

prevent the hazardous material from posing a risk to humans or the environment. A subsequent project that includes excavation or would otherwise disturb that containment could expose the public and the environment to hazardous materials within the soil or groundwater that were previously contained. To determine whether the project could present a risk to humans or the environment as a result of hazardous materials within the soil or groundwater, it is important to understand both the history of the site as well as the regulations in place to protect public and worker health. Both are discussed below.

Site History: Underground Storage Tanks

The project sponsor retained PII Environmental, a qualified environmental consultant, to conduct a *phase I environmental site assessment* and a *phase II subsurface investigation* of the project site.^{39,40} The results of these studies are summarized as follows. The project site was intermittently vacant or used as an automobile parking lot until 1935 when it was developed as a Standard Oil brand gasoline service station. In 1971, Chevron Station #9-0034, the most recent gasoline service station at the property, was constructed on the site. In 1989, two dispenser pump islands were removed from the site and a gasoline-related groundwater investigation initiated. The San Francisco Department of Public Health was notified of a gasoline leak at the property in 1991 and required that 16 monitoring wells be installed and monitored. In 1992, the existing gasoline underground storage tanks were removed (the number of tanks and description are not provided in the record) from the site and replaced by three new 10,000-gallon gasoline tanks with new piping and product dispensers. A 1,000-gallon waste oil tank was removed from the property in 1998; the removal included off-site disposal of 126 cubic yards of affected soil and discharge of 124,300 gallons of groundwater to the sanitary sewer. The 16 monitoring wells were sampled until 2001 (sampling schedule details and results are not provided in the record) and decommissioned in 2002. Nine soil borings were advanced at the site in 2008; select soil samples from these borings were analyzed and determined to contain low to non-detectable concentrations of gasoline constituents. In 2010, the three 10,000-gallon gasoline underground tanks were removed. As noted above, the health department issued underground storage tank case closures in 2002 and 2011, the latter being designated a "soils only" case that did not require concurrence from the Regional Water Quality Control Board.

The phase I environmental site assessment concluded that the site's former use as a gasoline service station (with regulatory closure) constitutes both a *recognized environmental condition* and a *historical recognized environmental condition*. However, based on the results of the subsurface investigation (described below), the site assessment confirmed that residual petroleum hydrocarbon soil impacts associated with the former use are minor and are not expected to adversely affect any future residential uses at the site. The site assessment further concluded that there is no evidence that any of the nearby sites (within one half-mile of the subject property) with documented releases of hazardous substances and/or petroleum products are impacting the project site.

Site Soil Conditions

In January 2016, eight exploratory soil borings were advanced at the project site to approximately 16 to 20 feet below ground surface. Select soil samples taken from these borings were analyzed for the following

³⁹ PII Environmental, Phase I Environmental Site Assessment: 2465 Van Ness Avenue, San Francisco, California, February 1, 2016.

⁴⁰ PII Environmental, Phase II Subsurface Investigation Report: 2465 Van Ness Avenue, San Francisco, California, February 4, 2016.

contaminants: total lead; CAM 17 metals;⁴¹ total extractable petroleum hydrocarbons (TEPH); benzene, toluene, ethylbenzene, xylenes (BTEX); semi-volatile organic compounds (SVOCs); and total petroleum hydrocarbons as gasoline (TPHg). The analytical results of this subsurface investigation are summarized as follows. CAM 17 metals and total lead are present at background, naturally occurring concentrations. In addition, soluble total lead and chromium analytical results indicate that *soluble threshold limit concentrations* (STLC) are acceptable and that soils at the site do not qualify as California hazardous waste. TEPH-range petroleum hydrocarbons were detected in site soils at relatively minor concentrations that would not pose a worker safety or soil disposal issue. BTEX and SVOCs were generally not detected above laboratory reporting limits or reported at insignificant concentrations; as a result, BTEX/SVOC soil impacts are not suspected at the site. The analytical results also indicated that the soil that would remain at the extent of the proposed site excavation would likely meet residential criteria for TPHg and other constituents of concern, but stipulated that verification soil sampling following excavation would likely be required. The subsurface investigation report further recommended that all current and pertinent historical subsurface investigation results be used to assist in the preparation of a *site mitigation plan* for submission to the San Francisco Department of Public Health.

Applicable Regulations

Construction of the proposed project would involve demolition of the remaining gas station structures (i.e., canopy and commercial building) and adjacent parking lot as well as excavation and removal of approximately 8,750 cubic yards of soil. As noted above, the health department issued an underground storage tank case closure for the project site in 2002 and then again in 2011, following the 2010 removal of the site's most recent gasoline storage tanks. These closures confirm that contamination from the removed tanks would not pose a threat to public health or the environment. Compliance with existing state and local regulations, as described below, would ensure that the proposed project would not result in a significant hazard to the public or environment.

The proposed project is subject to article 22A of the San Francisco Health Code because it would involve more than 50 cubic yards of excavation on a former leaking underground storage tank cleanup site. Article 22A, also known as the Maher Ordinance, is administered and overseen by the health department. The ordinance requires remediation of soil and groundwater on sites with suspected contamination due to past or current uses. In compliance with the Maher Ordinance, the project sponsor submitted a Maher application,⁴² phase I environmental assessment,⁴³ phase II subsurface investigation,⁴⁴ geotechnical report⁴⁵ and additional documentation to the health department. The health department reviewed these documents and determined that the project sponsor would be required to submit a site mitigation plan, dust control plan and site-specific health and safety plan to ensure the protection of the public, onsite construction workers, future users of the site and nearby residents.⁴⁶ The project sponsor would be

⁴¹ CAM 17 refers to a list of heavy metals described in the California Administrative Manual or California Code of Regulations (CCR). These metals are also referred to as CCR Title 22 metals. CAM 17 includes 17 heavy metals: antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, selenium, silver, thallium, vanadium and zinc.

⁴² San Francisco Department of Public Health, Maher Ordinance Application: 2465 Van Ness Avenue, San Francisco, CA, August 18, 2016.

⁴³ PII Environmental, Phase I Environmental Site Assessment: 2465 Van Ness Avenue, San Francisco, California, February 1, 2016.

⁴⁴ PII Environmental, Phase II Subsurface Investigation Report: 2465 Van Ness Avenue, San Francisco, California, February 4, 2016.

⁴⁵ Langan Treadwell Rollo, Geotechnical Investigation: 2465 Van Ness Avenue, San Francisco, California, March 18, 2016.

⁴⁶ San Francisco Department of Public Health, Phase 2 Subsurface Investigation Report Approval, Residential and Commercial Development, 2465 Van Ness Avenue, San Francisco, CA 94123, EHB-SAM No./SMED 1469 (Formerly SMED 962), October 26, 2017.

required to comply with the health department's determination. Therefore, the proposed project would not result in a significant impact to the public or environment related to contaminated soil and/or groundwater.

The existing site structures were constructed prior to 1980, and therefore, may contain hazardous construction materials such as lead and asbestos. Pursuant to section 19827.5 of the California Health and Safety Code, the project sponsor must demonstrate compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants prior to issuance of a demolition or alteration permit. In addition, the proposed project would be subject to San Francisco Existing Building Code section 327 ("Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures") and section 328 ("Asbestos Information and Notice"), which would ensure that the proposed project would not result in significant impacts related to lead or asbestos.

As discussed under "Air Quality" above, the proposed project would also be required to adhere to dust control requirements set forth in the Construction Dust Ordinance contained in San Francisco Health Code article 22B and San Francisco Building Code section 106.A.3.2.6. Therefore, construction of the project would not result in a significant impact related to the introduction of particulate matter into the local atmosphere.

Thus, for the reasons discussed above, the proposed project would not result in a significant hazard to the public or the environment through the release of hazardous materials.

Historic Architectural Resources

Under CEQA section 21084.1, a property may be considered a historic resource if it is listed in, or determined to be eligible for listing in, the California Register of Historical Resources. The California register stipulates that a property may be considered a historic resource if a historically significant (1) event, (2) person, or (3) architectural style is associated with the property, or (4) if there is potential to gather historically significant information from the site.

The project site is occupied by a gas station that was constructed in 1971. Since the existing site structures were constructed more than 45 years ago, the property qualifies as age-eligible for consideration as a potential historic resource. To determine the historic resource status of the property, the project sponsor retained William Kostura, a qualified historic resources consultant, to prepare a historic resource evaluation.⁴⁷ The Planning Department reviewed the historic resources evaluation and provided a determination in a preservation team review form.⁴⁸ The evaluation found that the subject property is not eligible to be listed in the California register under any of the four criteria. Planning Department staff agrees with this determination for the following reasons: (1) no known historic events have occurred at the subject property; (2) none of the managers associated with the subject property have been identified as important to history and while Standard Oil itself is important to California history, it is more closely identified with its headquarters at 200 and 225 Bush Street; (3) the building is not architecturally distinct to the extent that it would qualify individually for listing in the California register; (4) no potential exists

⁴⁷ Kostura, William, Historical Evaluation of 2465 Van Ness Avenue, San Francisco, July 17, 2017.

⁴⁸ San Francisco Planning Department, Preservation Team Review Form, 2465 Van Ness Avenue, San Francisco, California, August 16, 2017.

to gather historically significant information from the site; and (5) the property is not located within the boundaries of any identified historic district.

Therefore, the proposed project would not result in a significant impact related to historic architectural resources.

Cumulative Impacts

As described above, under "Transportation," "Noise," "Shadow" and "Geology and Soils," the proposed project would not cause any significant cumulative impacts related to these environmental topics.

Public Notice and Comment. On January 5, 2017, the Planning Department mailed a "Notification of Project Receiving Environmental Review" to community organizations, tenants of the affected property and properties adjacent to the project site, and property owners within 300 feet of the project site. The department received comments from seven people in response to the notice. Responses related to the potential physical environmental effects of the proposed project are summarized and addressed below.

- 1. The proposed project would increase vehicle miles traveled (VMT) and adversely affect traffic, transit and pedestrian circulation and safety due to associated construction activities, excessive parking provisions (31 off-street vehicle spaces provided, but Planning Code requires none) that would increase vehicle trips and the location of the parking garage driveway entrance on Union Street instead of Van Ness Avenue.**

As discussed above under "Transportation," the proposed project would not result in any significant impacts (project-specific or cumulative) related to vehicle miles traveled (VMT), traffic, transit or pedestrian safety or circulation. Therefore, further environmental review of an alternate design that would locate the driveway entrance on Van Ness Avenue instead of Union Street is unwarranted. In addition, an interdepartmental review of the street design of the proposed project determined that the Union Street frontage would be the preferred location of the driveway due to the low volume of vehicles accessing the garage and design constraints imposed by the site topography.⁴⁹ Furthermore, as previously noted, the Van Ness Area Plan prohibits new curb cuts on Van Ness Avenue.

- 2. Excessive noise and vibration (project-specific and cumulative) would be caused by the construction activities associated with the proposed projects at 2465 Van Ness Avenue and 1555 Union Street.**

The proposed project would not result in a significant impact (project-specific or cumulative) related to noise or vibration for the reasons previously discussed under "Noise."

- 3. A deterioration in air quality would result from the potential release of: (1) *volatile organic compounds* and *chlorofluorocarbons* associated with the proposed project; and (2) construction-related dust and particulate matter associated with potentially overlapping construction schedules of the proposed projects at 2465 Van Ness Avenue and 1555 Union Street.**

⁴⁹ Street Design Advisory Team, San Francisco Planning Department, letter correspondence with Jennifer McKellar, Environmental Planner, San Francisco Planning Department, June 16, 2017.

As previously discussed under "Air Quality" and "Hazardous Materials," the proposed project would be required to comply with construction dust control requirements set forth in San Francisco Health Code article 22B and San Francisco Building Code section 106.A.3.2.6 as well as site remediation requirements set forth in article 22A of the Health Code. In addition, the proposed project, at 41 dwelling units and 2,900 square feet of commercial space, would not exceed the criteria air pollutant screening levels for the operation (494 dwelling units) or construction (240 dwelling units) of a mid-rise apartment or the operation (5,000 square feet or greater) or construction (277,000 square feet) of an applicable commercial use (e.g., restaurant, convenience market, retail store, etc.).⁵⁰ Further, the proposed project would require excavation of approximately 8,750 cubic yards of soil, which falls below the threshold (10,000 cubic yards) that would trigger extensive material transport and the generation of potentially significant levels of construction-related criteria air pollutants.

The proposed project at 1555 Union Street, located two lots west of the project site, would also be subject to the aforementioned construction dust control requirements. In addition, at 100 proposed hotel units, it would fall well below the criteria air pollutant screening for the operation (489 rooms) or construction (554 rooms) of a hotel. Furthermore, its proposed excavation (6,745 cubic yards) would not trigger extensive material transport and the generation of potentially significant levels of construction-related criteria air pollutants.

For these reasons, the proposed project would not result in a significant impact (project-specific or cumulative) related to air quality.

4. The proposed excavation at 2465 Van Ness Avenue and 1555 Union Street could cause geologic hazards or alter drainage patterns, which could affect nearby properties.

The proposed project would not result in any significant impacts (project-specific or cumulative) related to geologic hazards or drainage, as previously discussed under "Geology and Soils."

5. The proposed project could result in the release of hazardous materials to the air, soil and groundwater from demolition of the former gas station site.

As previously discussed under "Hazardous Materials," the proposed project is subject to the Maher Ordinance and has enrolled in the Maher program. Under the program, the proposed project would be required to remediate any soil and/or groundwater contamination in accordance with article 22A of the Health Code. Therefore, the proposed project would not result in any significant impacts related to hazardous materials.

6. Greenhouse gas emissions would increase due to project-related construction activities and increased vehicle trips associated with the vehicles that would occupy the 31 off-street parking spaces.

⁵⁰ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, Updated May 2011, Table 3-1, <http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines%20May%202011.ashx?la=en>, accessed November 1, 2017.

The *City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions*⁵¹ presents a comprehensive assessment of policies, programs, and ordinances that represent San Francisco's Qualified Greenhouse Gas (GHG) Reduction Strategy. Projects that are consistent with San Francisco's Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist. The proposed project was evaluated against this checklist and determined to comply with San Francisco's Greenhouse Gas Reduction Strategy.⁵² Therefore, the proposed project would not result in any significant impacts related to greenhouse gas emissions.

7. Deterioration in water quality due to construction site runoff

The proposed project would not result in any significant impacts related to water quality due to construction site runoff, as previously discussed under "Water Quality."

8. Obstruction of scenic vistas from the east and south due to the height of the building

In accordance with CEQA section 21099, Modernization of Transportation Analysis for Transit Oriented Projects, aesthetics and parking shall not be considered in determining if a project has the potential to result in significant environmental effects, provided the project is located on an infill site within a transit priority area and qualifies as a residential, mixed-use or employment center project. The proposed project meets each of these criteria. Therefore, any effects that the project may have on aesthetics (i.e., a scenic vista) would not constitute an environmental impact under CEQA.

Conclusion. The proposed project satisfies the criteria for exemption under the above-cited classifications. In addition, none of the CEQA Guidelines section 15300.2 exceptions to the use of a categorical exemption applies to the proposed project. Moreover, CEQA Guidelines section 15061(b)(3) provides an exemption from environmental review where it can be seen with certainty that the proposed project would not have a significant effect on the environment. As noted above, there is no possibility that the proposed project would have significant environmental impacts. For this reason, the proposed project is appropriately exempt from environmental review under the General Rule Exclusion (CEQA Guidelines 15061(b)(3)). For all of the above reasons, the proposed project is appropriately exempt from environmental review.

⁵¹ San Francisco Planning Department, *City and County of San Francisco: Strategies to Address Greenhouse Gas Emissions*, November 2010, http://sfmea.sfplanning.org/GHG_Reduction_Strategy.pdf, accessed November 3, 2017.

⁵² San Francisco Planning Department, *Compliance Checklist Table for Greenhouse Gas Analysis: 2465 Van Ness Avenue*, San Francisco, California, November 3, 2017.



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Preservation Team Meeting Date:	8/3/2017	Date of Form Completion	8/3/2017
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PROJECT INFORMATION:		
Planner:	Address:	
Michelle Langlie	2465 Van Ness Avenue	
Block/Lot:	Cross Streets:	
0546/001	Union and Green Streets	
CEQA Category:	Art. 10/11:	BPA/Case No.:
B	n/a	2015-014058ENV

PURPOSE OF REVIEW:			PROJECT DESCRIPTION:	
<input checked="" type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input type="radio"/> Alteration	<input checked="" type="radio"/> Demo/New Construction

DATE OF PLANS UNDER REVIEW:	n/a
-----------------------------	-----

PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Submitted: Historic Resource Evaluation prepared by architectural historian William Kostura, dated July 2017.	
Proposed project: Demolition of gas station structures & surface parking lot, merging of Block 0546, Lots 001 & 002; construction of a new 7-story, 65-foot-tall, mixed-use bldg with 41 dwelling units, 4,650 sq ft of commercial space & 31 parking spaces in a garage.	

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

Complies with the Secretary's Standards/Art 10/Art 11	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
CEQA Material Impairment to the individual historic resource:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
CEQA Material Impairment to the historic district:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Defer to Residential Design Team:	<input checked="" type="radio"/> Yes	<input type="radio"/> No	

PRESERVATION TEAM COMMENTS

According to the Historic Resource Evaluation compiled by architectural historian William Kostura (dated July 2017) and information found in the Planning Department files, the subject property at 2465 Van Ness Street contains a former Chevron gas station built in 1970 (source: building permit), closed in 2009. The remaining structures include a flat-roofed steel-frame and steel-clad auto shop/cashier's office and a large steel canopy which once covered the station's gas pumps. Alterations made since the property's closing include the removal of the gas pumps and vertical signage, painting of the remaining structures, and boarding up of the office' building's large panels of sheet glass. Two block and lots exist at the subject property, the Chevron station and an adjacent vacant lot (formerly 2435 Van Ness). Several Standard Oil gas stations were found at the site beginning in 1931, and possibly as early as 1925, according to building permit records and San Francisco city directories. The station's name changed from Standard Oil to Chevron in 1977, and the property was sold in 2016 to the present owner.

The subject property was designed by architect/engineer Kenneth E. Tait of Holm-Tait of San Rafael and was constructed by N.F. Schoenstein of Oakland. Holm-Tait specialized in gas station design for many petroleum companies. For this property, they utilized a standardized and functional design typical of many gas stations built throughout the country during this time period. Numerous Chevron stations are still operating in the Bay Area; some have similar shop buildings and canopies while others have similar canopies but varied shop buildings.

No known historic events occurred at the subject property (Criterion 1). None of the managers have been identified as important to history (Criterion 2). James H. Crawford was listed in the city directory as the manager in 1971; George Currie was manager from 1978-1982. He also owned a Chevron at 19th Avenue and an auto shop on 12th Avenue. While the history of Standard Oil itself is an important part of California history, it is more closely identified with its headquarters at 200 & 225 Bush Street. The building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3. A common building type, hundreds of gas stations of this era are still found throughout the Bay Area. It does not contain any unique or defining architectural features occasionally added to gas stations.

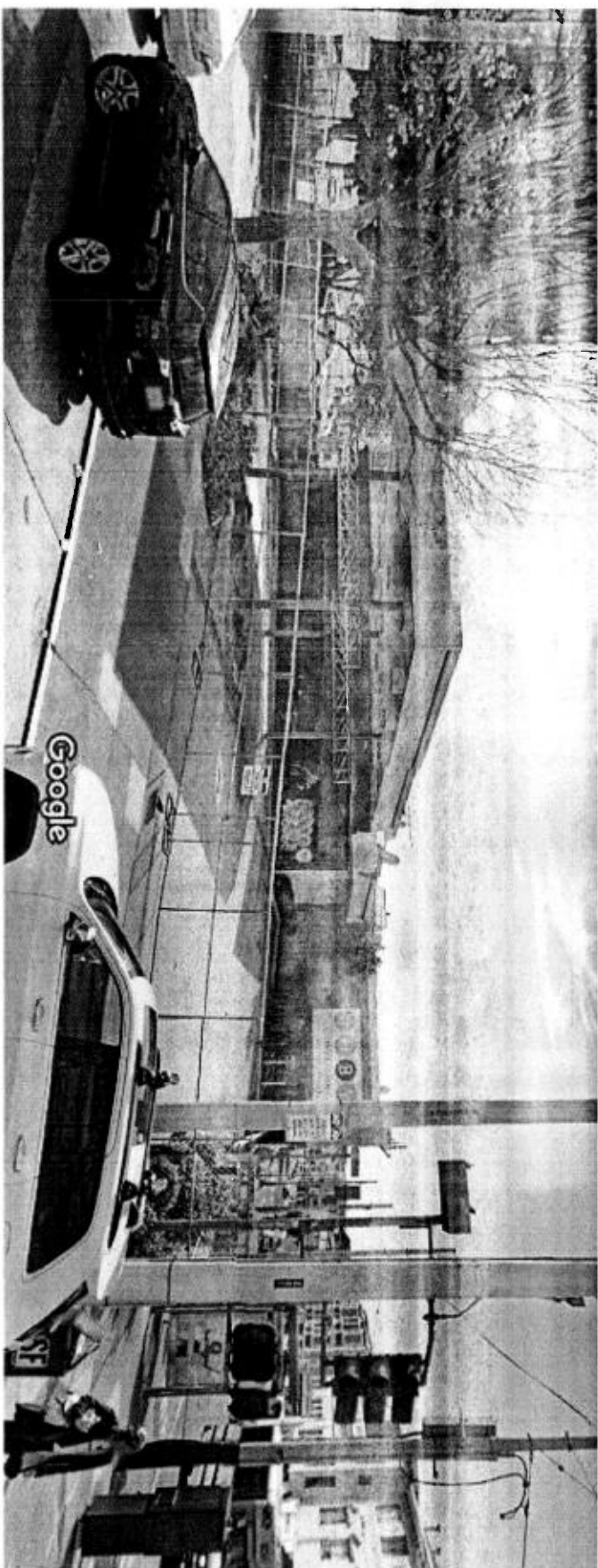
(continued)

Signature of a Senior Preservation Planner / Preservation Coordinator	Date
	8.16.2017

Located on the border of Cow Hollow/Marina Districts, the subject property is not located within the boundaries of any identified historic district. The buildings on surrounding blocks contain a mix of residential and commercial uses. Notable buildings are a Greek Orthodox Church at 1508 Green Street (1907), a reinforced concrete public garage at 1550 Union Street (1924) and a reinforced concrete commercial building at 1525 Union Street. Numerous flats and multi-unit apartment buildings are found in the area, including 2517 Van Ness, which predates the 1906 Earthquake. The surrounding buildings are of varying construction dates and styles, and do not represent a significant concentration of architecturally significant or aesthetically related buildings.

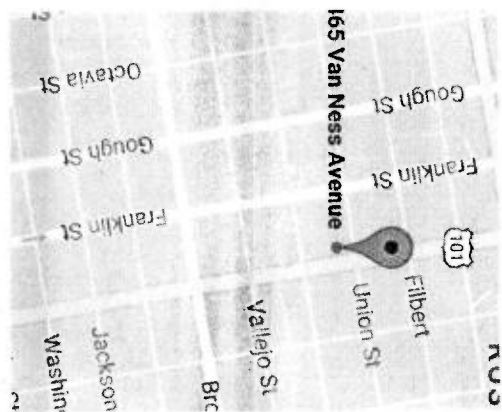
Therefore the subject proper is not eligible for listing in the California register under any criteria individually or as part of a historic district.

Google Maps Van Ness Ave



San Francisco, California
Street View - Mar 2017

Image capture: Mar 2017 © 2017 Google United States





Title: 2465 Van Ness Avenue
Comments: Case No. 2015-014058PPA
Shadow Fan Modeled at 65 Feet
Printed: 31 December, 2015



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SAN FRANCISCO
PLANNING
DEPARTMENT

Planning Department
1650 Mission Street
Suite 400
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94103-9425

T: 415.558.6378
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SUPPLEMENTAL INFORMATION PACKET FOR Anti-Discriminatory Housing Policy

Pursuant to Administrative Code Section 1.61, certain housing projects must complete and submit a completed Anti-Discriminatory Housing Policy form as part of any entitlement or building permit application that proposes an increase of ten (10) dwelling units or more.

Planning Department staff is available to advise you in the preparation of this application. Call (415)558-6377 for further information.

WHEN IS THE SUPPLEMENTAL INFORMATION FORM NECESSARY?

Administrative Code Section 1.61 requires the Planning Department to collect an application/form with information about an applicant's internal anti-discriminatory policies for projects proposing an increase of ten (10) dwelling units or more.

WHAT IF THE PROJECT SPONSOR OR PERMITTEE CHANGE PRIOR TO THE FIRST ISSUANCE OF CERTIFICATE OF OCCUPANCY?

If the permittee and/or sponsor should change, they shall notify the Planning Department and file a new supplemental information form with the updated information.

HOW IS THIS INFORMATION USED?

The Planning Department is not to review the responses other than to confirm that all questions have been answered. Upon confirmation, the information is routed to the Human Rights Commission.

For questions about the Human Rights Commission (HRC) and/or the Anti-Discriminatory Housing Policy, please call (415) 252-2500 or email hrc.info@sfgov.org.

All building permit applications and/or entitlements related to a project proposing 10 dwelling units or more will not be considered complete until all responses are provided.

WHAT PART OF THE POLICY IS BEING REVIEWED?

The Human Rights Commission will review the policy to verify whether it addresses discrimination based on sexual orientation and gender identity. The policy will be considered incomplete if it lacks such protections.

WILL THE ANSWERS TO THE QUESTIONS EFFECT THE REVIEW OF MY PROJECT?

The Planning Department's and Planning Commission's processing of and recommendations or determinations regarding an application shall be unaffected by the applicant's answers to the questions.

INSTRUCTIONS:

The attached supplemental information form is to be submitted as part of the required entitlement application and/or Building Permit Application. This application does not require an additional fee.

Answer all questions fully and type or print in ink. Attach additional pages if necessary.

Please see the primary entitlement application or Building Permit Application instructions for a list of necessary materials required.

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SAN FRANCISCO
PLANNING
DEPARTMENT

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: DM 2465 Van Ness LLC	
PROPERTY OWNER'S ADDRESS: 448 Linden Street San Francisco, CA 94102	TELEPHONE: (415) 692-5065 EMAIL: jaqui.braver@dm-dev.com

APPLICANT'S NAME: DM 2465 Van Ness LLC		Same as Above <input checked="" type="checkbox"/>
APPLICANT'S ADDRESS:	TELEPHONE: ()	EMAIL:

CONTACT FOR PROJECT INFORMATION: Jaqui Braver, VP of Development, DM Development		Same as Above <input checked="" type="checkbox"/>
ADDRESS:	TELEPHONE: ()	EMAIL:

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): Berg Davis Public Affairs and DM Development		Same as Above <input type="checkbox"/>
ADDRESS: 448 Linden Street San Francisco, CA 94102	BD 150 Post Street San Francisco, CA 94108	TELEPHONE: (415) 692-5063 EMAIL:

2. Location and Project Description

STREET ADDRESS OF PROJECT: 2465 Van Ness Avenue		ZIP CODE: 94109
CROSS STREETS: Union Street		
ASSESSORS BLOCK/LOT: 0546 / 001 & 002	ZONING DISTRICT: RC-3 High Density Residential	HEIGHT/BULK DISTRICT: 65'

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input checked="" type="checkbox"/> New Construction	Zero	41	41
<input type="checkbox"/> Demolition			
<input type="checkbox"/> Alteration			
<input type="checkbox"/> Other: _____			

Compliance with the Anti-Discriminatory Housing Policy

1. Does the applicant or sponsor, including the applicant or sponsor's parent company, subsidiary, or any other business or entity with an ownership share of at least 30% of the applicant's company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in States or jurisdictions outside of California? YES NO

1a. If yes, in which States? _____

1b. If yes, does the applicant or sponsor, as defined above, have policies in individual States that prohibit discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the State or States where the applicant or sponsor has an ownership or financial interest? YES NO

1c. If yes, does the applicant or sponsor, as defined above, have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property? YES NO

If the answer to 1b and/or 1c is yes, please provide a copy of that policy or policies as part of the supplemental information packet to the Planning Department.

Human Rights Commission contact information
hrc.info@sfgov.org or (415)252-2500

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: Other information or applications may be required.

Signature: _____


Date: 10/10/17

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

DM Development
Owner / Authorized Agent (circle one)

PLANNING DEPARTMENT USE ONLY

PLANNING DEPARTMENT VERIFICATION:

- Anti-Discriminatory Housing Policy Form is **Complete**
- Anti-Discriminatory Housing Policy Form is **Incomplete**

Notification of Incomplete Information made:

To: _____ Date: _____

BUILDING PERMIT NUMBER(S):	DATE FILED:
2013.07.11.1558 (Demo permit)	7/11/13
2016.12.28.5989 (New construction)	12/28/16
RECORD NUMBER:	DATE FILED:
2015-014058CUAENVVAR	12/16/15
VERIFIED BY PLANNER:	
Signature: <u>Mary Woods</u>	Date: <u>12/1/17</u>
Printed Name: <u>Mary Woods</u>	Phone: <u>415-558-6315</u>
ROUTED TO HRC:	DATE:
<input checked="" type="checkbox"/> Emailed to: <u>hrc.info@sfgov.org</u>	<u>12/1/17</u>

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM



Date: October 25, 2017
To: Applicants subject to Planning Code Section 415 and 419: *Inclusionary Affordable Housing Program*
From: San Francisco Planning Department
Re: **Compliance with the Inclusionary Affordable Housing Program**

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

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

The provisions of the Inclusionary Housing Program have recently been revised by the Board of Supervisors, effective on August 26, 2017 (Ord. No. 158-17 and File NO. 161351). Please be aware that the inclusionary requirements may differ for projects depending on when a complete Environmental Evaluation Application (EEA) was deemed complete by the Department ("EEA Accepted date"). Please also note that there are different requirements for smaller projects (10-24 units) and larger projects (25+ units). Please use the attached charts to determine the applicable requirement. Charts 1-3 include two sections. The first section is devoted to projects that are subject to Planning Code Section 415. The second section covers projects that are located in the Urban Mixed Use (UMU) Zoning District and certain projects within the Mission Neighborhood Commercial Transit District that are subject to Planning Code Section 419. Please use the applicable form and contact Planning staff with any questions.

For new projects with complete EEA's accepted on or after January 12, 2016, the Inclusionary Affordable Housing Program requires the provision of on-site and off-site affordable units at a mix of income levels. The number of units provided at each income level depends on the project tenure, date the EEA for the project is deemed complete, and the applicable schedule of on-site rate increases. Income levels are defined as a percentage of the Area Median Income (AMI), for low-income, moderate-income, and middle-income units, as shown in Chart 5. Projects with a complete EEA accepted prior to January 12, 2016 must provide the all of the inclusionary units at the low income AMI. **NOTE: Any project with a complete EEA accepted prior to January 12, 2016 must obtain a site or building permit by December 7, 2018, or will be subject to the Inclusionary Housing rates and requirements in effect at the time the project proceeds to pursue a permit.**

Summary of requirements. Please determine what requirement is applicable for your project based on the size of the project, the zoning of the property, and the date that a complete Environmental Evaluation Application (EEA) was submitted deemed complete by Planning Staff. Chart 1-A applies to all projects throughout San Francisco with EEA's accepted prior to January 12, 2016, whereas Chart 1-B specifically addresses UMU (Urban Mixed Use District) Zoning Districts. Charts 2-A and 2-B apply to rental projects and Charts 3-A and 3-B apply to ownership projects with a complete EEA accepted on or after January 12, 2016. Charts 4-A and 4-B apply to three geographic areas with higher inclusionary requirements: the North of Market Residential SUD, SOMA NCT, and Mission Area Plan.

Projects that received a first discretionary approval prior to January 12, 2016 are not subject to the revised Inclusionary requirement. The applicable requirements for these projects are those listed in the "EEA accepted before 1/1/13" column.

The Project contains: 41 residential	UNITS	The zoning of the property is: RC-3	Complete EEA was submitted on: December 16, 2015
-----------------------------------------	-------	----------------------------------------	-----------------------------------------------------

CHART 1-A: Inclusionary Requirements for all projects with Complete EEA accepted before 1/12/2016

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

* except buildings up to 130 feet in height located both within a special use district and within a height and bulk district that allows a maximum building height of 130 feet, which are subject to the requirements of 25+ unit projects at or below 120 feet.

CHART 1-B: Requirements for all projects in UMU Districts with Complete EEA accepted before 1/12/2016

Please note that certain projects in the SOMA Youth and Family SUD and Western SOMA SUD also rely upon UMU requirements.

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

AFFIDAVIT

COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419



San Francisco Planning

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

11/22/2017

Date

I, Project Sponsor, Jaqui Braver,
do hereby declare as follows:

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

2465 Van Ness Avenue

Address

0546/001 & 002

Block / Lot

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

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

2015-014058CUA

Planning Case Number

Building Permit Number

This project requires the following approval:

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

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

Mary Woods

Planner Name

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

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

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

- Yes _____
 - No
- (If yes, please indicate Affordable Housing Tier)

Is this project a HOME-SF Project?

- Yes
- No

Is this project a State Density Bonus Project?

- Yes _____
 - No
- (If yes, please indicate whether the project is an Analyzed or Individually Requested State Density Bonus Project)

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

- Payment of the Affordable Housing Fee prior to the first construction document issuance (Planning Code Section 415.5)
- On-site Affordable Housing Alternative (Planning Code Sections 415.6)
- Off-site Affordable Housing Alternative ** (Planning Code Sections 415.7)
Small Sites Affordable Housing Alternative
- Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Planning Code Section 415.5 - required for Individually Requested State Density Bonus Projects)
- Eastern Neighborhoods Alternate Affordable Housing Fee (Planning Code Section 417)
- Land Dedication (Planning Code Section 419)

** Project Sponsor will either (a) pay the Affordable Housing In-Lieu Fee only, or alternatively, (b) Project Sponsor may elect to purchase and dedicate off-site affordable housing units per Section 415.3(b)(2)(G)(Small Sites Acquisition Program) set forth in Prop C trailing legislation to meet a portion or all of the Inclusionary Housing requirement off-site and meet the remaining portion of the requirement (if any remains) with a reduced Affordable Housing 'In-Lieu Fee'.

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

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

E The Project Sponsor acknowledges that any change which results in the reduction of the number of on-site affordable units following the project approval shall require public notice for a hearing and approval by the Planning Commission.

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

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

G The Project Sponsor acknowledges that in the event that one or more rental units in the principal project become ownership units, the Project Sponsor shall notify the Planning Department of the conversion, and shall either reimburse the City the proportional amount of the Inclusionary Affordable Housing Fee equivalent to the then-current requirement for ownership units, or provide additional on-site or off-site affordable units equivalent to the then-current requirements for ownership units.

H For projects with EEA's accepted before January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project before December 7, 2018, the Project shall comply with the Inclusionary Affordable Housing Requirements applicable thereafter at the time the Sponsor proceeds with pursuing a permit.

I For projects with EEA's accepted on or after January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project within 30 months of the Project's approval, the Project shall comply with the Inclusionary Affordable Housing Requirements applicable thereafter at the time the Sponsor is issued a site or building permit.

J If a Project Sponsor elects to completely or partially satisfy their Inclusionary Housing requirement by paying the Affordable Housing Fee, the Sponsor must pay the fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document.

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

¹ California Civil Code Section 1954.50 and following.

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

Executed on this day in:

San Francisco, CA

Location

11/22/2017

Date

Sign Here



Signature

Jaqui Braver, Vice President of Development, DM Development

Name (Print), Title

415/692-5065

Contact Phone Number

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

UNIT MIX TABLES

Number of All Units in PRINCIPAL PROJECT:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
41	0	0	10	24	7

If you selected the On-site, Off-Site, or Combination Alternative, please fill out the applicable section below. The On-Site Affordable Housing Alternative is required for HOME-SF Projects pursuant to Planning Code Section 206.3. State Density Bonus Projects that have submitted an Environmental Evaluation Application prior to January 12, 2016 must select the On-Site Affordable Housing Alternative. State Density Bonus Projects that have submitted an Environmental Evaluation Application on or after to January 12, 2016 must select the Combination Affordable Housing Alternative to record the required fee on the density bonus pursuant to Planning Code Section 415.3. If the Project includes the demolition, conversion, or removal of any qualifying affordable units, please complete the Affordable Unit Replacement Section.

On-site Affordable Housing Alternative (Planning Code Section 415.6): % of the unit total.

Number of Affordable Units to be Located ON-SITE:

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

LOW-INCOME	Number of Affordable Units	% of Total Units	AMI Level
MODERATE-INCOME	Number of Affordable Units	% of Total Units	AMI Level
MIDDLE-INCOME	Number of Affordable Units	% of Total Units	AMI Level

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

Number of Affordable Units to be Located OFF-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
12	0	0	3	7	2

Area of Dwellings in Principal Project (in sq. feet): Approx. 56,200 sf	Off-Site Project Address: TBD as will be determined via Small Sites Program evaluation of proposed building compliance w/ program guidelines from SFMOH and the San Francisco Planning Department	
Area of Dwellings in Off-Site Project (in sq. feet): TBD		
Off-Site Block/Lot(s): TBD	Motion No. for Off-Site Project (if applicable):	Number of Market-Rate Units in the Off-site Project: TBD

AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level

UNIT MIX TABLES: CONTINUED

Combination of payment of a **fee, on-site affordable units, or off-site affordable units** with the following distribution:
Indicate what percent of each option will be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.

1. On-Site % of affordable housing requirement.

If the project is a State Density Bonus Project, please enter "100%" for the on-site requirement field and complete the Density Bonus section below.

Number of Affordable Units to be Located ON-SITE:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

2. Off-Site % of affordable housing requirement.

Number of Affordable Units to be Located OFF-SITE:					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
TBD	0	0	TBD	TBD	TBD
Area of Dwellings in Principal Project (in sq. feet):	Off-Site Project Address:				
TBD	Project Sponsor may elect to pursue Small Sites Program as defined in Section 415.3(b)(2)(G) of the Planning Code set forth per Prop C Trailing Legislation.				
Area of Dwellings in Off-Site Project (in sq. feet):					
TBD					
Off-Site Block/Lot(s):	Motion No. for Off-Site Project (if applicable):			Number of Market-Rate Units in the Off-site Project:	
TBD				TBD	

Income Levels for On-Site or Off-Site Units in Combination Projects:			
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level

3. Fee ** % of affordable housing requirement. ****Reduced from 100% if offsite Small Sites project acquisition is pursued.**

Is this Project a State Density Bonus Project? Yes No

If yes, please indicate the bonus percentage, up to 35% _____, and the number of bonus units and the bonus amount of residential gross floor area, if applicable _____

I acknowledge that Planning Code Section 415.4 requires that the Inclusionary Fee be charged on the bonus units or the bonus residential floor area.

Affordable Unit Replacement: Existing Number of Affordable Units to be Demolished, Converted, or Removed for the Project					
TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

This project will replace the affordable units to be demolished, converted, or removed using the following method:

- On-site Affordable Housing Alternative
- Payment of the Affordable Housing Fee prior to the first construction document issuance
- Off-site Affordable Housing Alternative (Planning Code Sections 415.7)
- Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Planning Code Section 415.5)

Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT

DM Development

Company Name

Jaqui Braver

Name (Print) of Contact Person

448 Linden Street

Address

San Francisco, CA 94102

City, State, Zip

415/692-5065

Phone / Fax

jaqui.braver@dm-dev.com

Email

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

Sign Here

Signature:



Name (Print), Title:

Jaqui Braver, Vice President of Development

Contact Information and Declaration of Sponsor of OFF-SITE PROJECT (If Different)

Company Name

Name (Print) of Contact Person

Address

City, State, Zip

Phone / Fax

Email

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

Sign Here

Signature:

Name (Print), Title:



**SAN FRANCISCO
PLANNING
DEPARTMENT**

AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

Administrative Code

Chapter 83

1650 Mission Street, Suite 400 • San Francisco CA 94103-2479 • 415.558.6378 • <http://www.sfplanning.org>

Section 1: Project Information

PROJECT ADDRESS 2465 Van Ness Street, San Francisco, CA		BLOCK/LOT(S) 0546/001 & 002	
BUILDING PERMIT APPLICATION NO. N/A	CASE NO. (IF APPLICABLE) 2015-014058CUA	MOTION NO. (IF APPLICABLE)	
PROJECT SPONSOR DM 2465 Van Ness LLC	MAIN CONTACT Navid Sarrafzadeh	PHONE 650-678-5127	
ADDRESS 448 Linden Street			
CITY, STATE, ZIP San Francisco, CA 94102		EMAIL Navid@DM-Dev.com	
ESTIMATED RESIDENTIAL UNITS 41	ESTIMATED SQ FT COMMERCIAL SPACE 2,914	ESTIMATED HEIGHT/FLOORS 65'7 floors	ESTIMATED CONSTRUCTION COST \$24MM
ANTICIPATED START DATE April 2018			

Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
<input type="checkbox"/>	Project is wholly Residential
<input type="checkbox"/>	Project is wholly Commercial
<input checked="" type="checkbox"/>	Project is Mixed Use
<input checked="" type="checkbox"/>	A: The project consists of ten (10) or more residential units;
<input type="checkbox"/>	B: The project consists of 25,000 square feet or more gross commercial floor area.
<input type="checkbox"/>	C: Neither 1A nor 1B apply.
NOTES:	
<ul style="list-style-type: none"> If you checked C, this project is <u>NOT</u> subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department. If you checked A or B, your project <u>IS</u> subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83. For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or (415) 701-4848. For more information about the First Source Hiring Program visit www.workforcedevelopmentsf.org If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection. 	

Continued...

Section 3: First Source Hiring Program – Workforce Projection

Per Section 83.11 of Administrative Code Chapter 83, it is the developer's responsibility to complete the following information to the best of their knowledge.

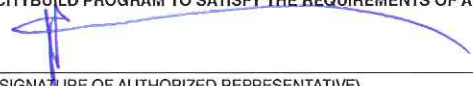
Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

Check the anticipated trade(s) and provide accompanying information (Select all that apply):

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS		
Abatement Laborer				Laborer	\$60/HR	3	15		
Boilermaker				Operating Engineer	\$80/HR		4		
Bricklayer				Painter	\$50/HR		10		
Carpenter	\$80/HR	2	15	Pile Driver	\$80/HR		2		
Cement Mason	\$65/HR	1	12	Plasterer	\$80/HR		6		
Drywall/Latherer	\$80/HR	2	15	Plumber and Pipefitter	\$100/HR		8		
Electrician	\$100/HR		8	Roofer/Water proofer	\$75/HR	2	10		
Elevator Constructor	\$150/HR		4	Sheet Metal Worker	\$105/HR		5		
Floor Coverer	\$80/HR		8	Sprinkler Fitter	\$95/HR		8		
Glazier	\$77/HR	1	10	Taper	\$70/HR		8		
Heat & Frost Insulator			5	Tile Layer/ Finisher	\$85/HR		6		
Ironworker	\$75/HR	2	10	Other:					
			TOTAL:	87				TOTAL:	82

- | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| | YES | NO |
| 1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will hiring and retention goals for apprentices be established? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. What is the estimated number of local residents to be hired? | <u>16</u> | |

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Navid Sarrafzadeh, Director of Construction DM Development	navid@dm-dev.com	415-692-5065
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.		
 (SIGNATURE OF AUTHORIZED REPRESENTATIVE)		6/10/17 (DATE)

FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG

Cc: Office of Economic and Workforce Development, CityBuild
 Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415-701-4848
 Website: www.workforcedevelopmentsf.org Email: CityBuild@sfgov.org



TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN APPLICATION

Property Owner's Information

Name: 2465 Van Ness LLC
Address: 448 Linden Street SF CA 94102
Email Address: jaqui.braver@dm-dev.com
Telephone: (415) 692-5065

Applicant Information (if applicable)

Name: Jaqui Braver Same as above
Company/Organization: DM Development
Address: Same as above
Email Address: Same as above
Telephone: Same as above

Please Select Billing Contact: Owner Applicant Other (see below for details)
Name: Jaqui Braver Email: Same as above Phone: Same as above

Please Select Primary Project/TDM Contact: Owner Applicant Billing Other (see below for details)
Name: Migi Lee Email: mglee@chsconsulting.net Phone: 415-579-9066

Property Information

Project Address: 2465 Van Ness Avenue Block/Lot(s): 0546/001 & 002

Project Description:

Please provide a narrative project description that summarizes the project and its purpose. See Attachment
Demolition of an existing fuel canopy and retail structure at the site of a decommissioned gas station at the corner of Van Ness Avenue and Union Street. New construction of a 7-story, 41-unit residential and 2,900 square foot retail building.

LAND USE TABLES

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

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

Land Use Category A (Retail)	
Gross Floor Area (GFA)	2,914
Occupied Floor Area (OFA)	2,914
Number of Accessory Parking Spaces	0
Target Points	0

Land Use Category B (Office)	
Gross Floor Area (GFA)	0
Occupied Floor Area (OFA)	0
Number of Accessory Parking Spaces	0
Target Points	0

Land Use Category C (Residential)	
Gross Floor Area (GFA)	71,133
Occupied Floor Area (OFA)	73,918
Number of Accessory Parking Spaces	31
Target Points	15

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

TDM PLAN WORKSHEET

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

- = applicable to land use category.
- = applicable to land use category, see fact sheets for further details regarding project size and/or location.
- = applicable to land use category only if project includes some parking.
- = not applicable to land use category.
- = project sponsor can select these measures for land use category D, but will not receive points.

NOTE: Please tally the points on the next page.

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

Category	Measure	Points	Land Use Category			
			A Retail	B Office	C Residential	D Other
HOV-3	Vanpool Program: Option A; or	1	Ⓜ	Ⓜ	⊘	⓪
	Vanpool Program: Option B; or	2	Ⓜ	Ⓜ	⊘	⓪
	Vanpool Program: Option C; or	3	Ⓜ	Ⓜ	⊘	⓪
	Vanpool Program: Option D; or	4	Ⓜ	Ⓜ	⊘	⓪
	Vanpool Program: Option E; or	5	Ⓜ	Ⓜ	⊘	⓪
	Vanpool Program: Option F; or	6	Ⓜ	Ⓜ	⊘	⓪
	Vanpool Program: Option G	7	Ⓜ	Ⓜ	⊘	⓪
INFO-1	Multimodal Wayfinding Signage	1	Ⓜ	Ⓜ	Ⓜ	Ⓜ
INFO-2	Real Time Transportation Information Displays	1	Ⓜ	Ⓜ	Ⓜ	Ⓜ
INFO-3	Tailored Transportation Marketing Services: Option A; or	1	Ⓜ	Ⓜ	Ⓜ	⓪
	Tailored Transportation Marketing Services: Option B; or	2	Ⓜ	Ⓜ	Ⓜ	⓪
	Tailored Transportation Marketing Services: Option C; or	3	Ⓜ	Ⓜ	Ⓜ	⓪
	Tailored Transportation Marketing Services: Option D	4	Ⓜ	Ⓜ	Ⓜ	⓪
LU-1	Healthy Food Retail in Underserved Area	2	Ⓜ	⊘	⊘	⊘
LU-2	On-site Affordable Housing: Option A; or	1	⊘	⊘	Ⓜ	⊘
	On-site Affordable Housing: Option B; or	2	⊘	⊘	Ⓜ	⊘
	On-site Affordable Housing: Option C; or	3	⊘	⊘	Ⓜ	⊘
	On-site Affordable Housing: Option D	4	⊘	⊘	Ⓜ	⊘
PKG-1	Unbundle Parking: Location A; or	1	ⓂⓅ	ⓂⓅ	ⓂⓅ	⓪
	Unbundle Parking: Location B; or	2	ⓂⓅ	ⓂⓅ	ⓂⓅ	⓪
	Unbundle Parking: Location C; or	3	ⓂⓅ	ⓂⓅ	ⓂⓅ	⓪
	Unbundle Parking: Location D; or	4	ⓂⓅ	ⓂⓅ	ⓂⓅ	⓪
	Unbundle Parking: Location E	5	ⓂⓅ	ⓂⓅ	ⓂⓅ	⓪
PKG-2	Parking Pricing	2	Ⓟ	Ⓟ	⊘	⓪
PKG-3	Parking Cash Out: Non-residential Tenants	2	Ⓟ	Ⓟ	⊘	⓪
PKG-4	Parking Supply: Option A; or	1	Ⓟ	Ⓟ	Ⓟ	Ⓟ
	Parking Supply: Option B; or	2	Ⓟ	Ⓟ	Ⓟ	Ⓟ
	Parking Supply: Option C; or	3	Ⓟ	Ⓟ	Ⓟ	Ⓟ
	Parking Supply: Option D; or	4	Ⓟ	Ⓟ	Ⓟ	⓪
	Parking Supply: Option E; or	5	Ⓟ	Ⓟ	Ⓟ	⓪
	Parking Supply: Option F; or	6	Ⓟ	Ⓟ	Ⓟ	⓪
	Parking Supply: Option G; or	7	Ⓟ	Ⓟ	Ⓟ	⓪
	Parking Supply: Option H; or	8	Ⓟ	Ⓟ	Ⓟ	⓪
	Parking Supply: Option I; or	9	Ⓟ	Ⓟ	Ⓟ	⓪
	Parking Supply: Option J; or	10	Ⓟ	Ⓟ	Ⓟ	⓪
	Parking Supply: Option K	11	Ⓜ	Ⓜ	Ⓜ	⓪

- Ⓜ = applicable to land use category.
- ⓂⓅ = applicable to land use category, see fact sheets for further details regarding project size and/or location.
- Ⓟ = applicable to land use category only if project includes some parking.
- ⊘ = not applicable to land use category.
- ⓪ = project sponsor can select these measures for land use category D, but will not receive points.

	Land Use Category Totals			
	A Retail	B Office	C Residential	D Other
Point Subtotal from Page 1:			8	
Point Subtotal from Page 2:			7	
Totals:			15	

APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) The TDM Program Standards included multiple options to meet the target, and of those options, the owner has selected the TDM measures included in the TDM Plan application.
- d) Other information or applications may be required.

Signature

Applicant

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

(415) 692-5065

Phone

Jaqui Braver

Name (Printed)

jaqui.braver@dm-dev.com

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



TDM Tool Results

December 1, 2017, 1:44 pm



LOCATION:

Address: 2465 Van Ness Avenue

TAZ: 366

APN: 0546/001

PROJECT CHARACTERISTICS:

Category C:

Dwelling Units and Beds in Group Housing: 41

Percentage of Dwelling Units Two Bedrooms or Larger: 76

Percentage On-site Affordable Housing: 0

Percentage On-site Very Affordable Housing: 0

Accessory Parking Spaces: 31

Total Points: 15

Target Points: 15

COMMENTS:



2465 Van Ness Avenue

CONDITIONAL USE APPLICATION - REVISED

RECEIVED

DEC - 1 2017

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
NEIGHBORHOOD PLANNING

EXHIBIT B

Revised: November 27th, 2017

Original: October 5th, 2016

DM DEVELOPMENT | HANDEL ARCHITECTS

Table of Contents

DM DEVELOPMENT
 448 Linden Street
 San Francisco, CA 94102
 T 415 692 5060
 F 415 692 5069

HANDEL ARCHITECTS
 735 Market St, 2nd Fl.
 San Francisco, CA 94103
 T 415 495 5588
 F 415 495 3828

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- 5 Project Summary

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- 8 Van Ness Perspective

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- 11 Plot Map
- 12 Survey
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OVERVIEW

Lot Numbers: 0546: Lot 01 & Lot 02
Zoning: RC-3
Lot Area: 16,545 SF
Bulk: 65A
Height: 65'-0" from Project Datum
Number of Stories: 1 Story of Parking
 1 Story of Retail
 6 Stories of Residential
Gross Area: 94,362 SF
Unit Count: 41 Residential Units
Parking: 31 Spaces
Bike Count: 45 Bike Spaces
Open Space: 2,800 SF Common
 10 Private Terraces

SUSTAINABLE OVERVIEW

- Complies with Green Point Rating Requirements
 - Building Designed to exceed Title 24 Section 6 Energy Compliance requirements.
 - Performance Coating on Exterior Glass
 - Water Efficient Fixtures
 - Rain Water Reclamation for Irrigation
 - Energy Star Rated Appliances

DATA

DATA Zoning Information

REQUIRED/ ALLOWED

Address	2465 Van Ness Avenue, San Francisco, CA 94109 0546 / Lot 01 & Lot 02
Block/Lot	Lot 01: 13,750 SF, 100' X 137'-6" Lot 02: 2,795 SF, 101'-7 4/5" X 27'-6" Total Combined Area: 16,545 SF

	EXISTING	PROPOSED	REQUIRED/ALLOWED	CU/ VARIANCE
Zoning			RC-3 (High Density Residential-Commercial)	
Height per Sections: 252 & 253	~15' Decommissioned Gas Station and Gas Pump Canopy	65'-0"	65'-0"; Per Section 253, for RC districts a CU is required if the height limit exceeds 50' or 40' if the frontage exceeds 50'.	Yes, CU Required
Bulk per Sections: 270	N/A	From 40'-0" to 43'-6" in height: 165'-0" Length & 182'-3" Diagonal Above 43'-6" in height: 165'-0" Length & 170'-0" Diagonal	65-A, 110' Length & 125' Diagonal, Bulk Controls Apply above 40'-0" from Project Datum	Yes, CU Required
Residential Density per Section 209.3	No Residential	41 Units	1 Unit/ 400 SF of Lot Area: 16,545 SF/ 400= 41.3625. 41 Units Allowed	No
Bicycle Parking per Section 155.2	None Provided	41 Class 1 bicycle parking for Residential 2 Class 2 bicycle parking for Residential 2 Class 2 bicycle parking for Retail	Class 1: 1:1 bicycle parking up to 100 dwelling units; 1 Class 1 bicycle parking per 7,500 sf of retail. 41 Required for Residential. Class 2: Minimum 2 spaces, 1 per 20 dwelling units and 1 per 2,500 square feet of retail. 2 Required for Residential; 2 Required for Retail.	No
Car-share per Section 166	None Provided	0 Spaces	For 0-49 or more units, 0 car-share parking spaces. Required: 0 Spaces	No
Exposure per Section 140	Not Applicable	27 units out of 41 meet requirements of Section 140. 14 Units on the Rearyard do not meet the requirements.	All residential units to meet the exposure requirements of Section 140 or seek Variance.	Yes, Variance Required.
Floor Area Ratio per Sections: 209.3	Existing 0.16 to 1	Retail Proposed: 0.17 to 1 Residential Proposed: 5.5 to 1	No limit to floor area ratio for Residential in RC-3 districts.	No
Freight Loading per Section 152	0 Loading Spaces	1 Van Space	For residential new construction, 0 spaces for 01 - 100,000 sf. For retail, none required for 0 - 10,000 sf.	No
Inclusionary Housing per Section 415	Not Applicable	Complies: In Lieu Fee and/or Small Site Acquisition	33% In-Lieu Fee	No
Parking per Section 151.1 & 155(i)	None Provided	31 Parking Spaces (30 Spaces & 1 Space for Persons with Disabilities)	1 Space per 2 Units, or 3 Spaces per 4 Units with CU; (.75 parking space per 1 dwelling units), 41 units x .75 = 30.75 parking spaces. Total Parking Permitted = 31 permitted with CU. For each 25 off-street parking spaces provided, one such space shall be designed and designated for persons with disabilities: 1 space for persons with disabilities.	Yes, CU Required
Rear Yards per Section 134	None Provided	20'-0" at first level of residential; Level 2 fronting Union Street.	25% of lot depth at lowest story with a dwelling unit and above. Frontage taken from VN at first residential unit: 100'-0" x 25% = 25'-0"	Yes, Variance Required
Streetscape Improvements per Section 138.1	Not Applicable	Sidewalk bulb to match Bus Rapid Transit street improvement plan.	Proposed projects shall include streetscape & pedestrian improvements on all publically accessible right-of-way fronting the property. 3 existing trees, 3 trees to remain, 10 new trees will be installed, total of 13 trees will be provided at site.	No
Standards for Bird Safety per Section 139	Not Applicable	Complies: All glass panels less than 24 sf, not within 300'-0' of bird refuge area.	New Construction must meet Location-Related Standards & Feature-Related Standards	No
Street Frontage per Section 145.1a, 145.1c4C	None Provided	Complies: 12'-0" garage entrance curb cut to be created, 3 existing curb cuts totalling 90'-0" to be removed.	Preserve, enhance, and promote attractive, clearly defined street frontages that are pedestrian-oriented, fine grained and which are appropriate. 14'-0" Floor to Floor at Non-Residential measured from Project Datum.	No
Useable Open Space per Section 135	None Provided	2,800 SF Shared Common Open Space, 10 private balconies >60SF/ each = >600SF.	60 SF if private, or a ratio of 1.33 SF (80 SF) of common usable open space may be substituted for private open space. 10 Private Balconies @ 60 SF; 31 Common @ 80 SF; Required: 2,480 SF	No

DATA Project Summary

LEVEL	HEIGHT ABOVE 0'-0"PROJECT DATUM	UNIT DISTRIBUTION				BUILDABLE AREA, SF ¹					
		1BD	2BR	3BR	TOTAL	RESIDENTIAL UNITS, NET	COMMON (ELEV. LOBBY, CORRIDOR, STAIRS, ETC.)	RESIDENTIAL SUBTOTAL	PARKING, MECHANICAL, UTILITY, OTHER	RETAIL	GROSS AREA ¹
ROOF / 8	65'-0"				0	588	643	1,231	443		1,674
LEVEL 7	53'-8"		2	3	5	9,828	1,563	11,391			11,391
LEVEL 6	43'-5"		2	3	5	9,447	1,944	11,391			11,391
LEVEL 5	33'-2"	4	5		9	10,019	2,192	12,211			12,211
LEVEL 4	23'-7"	4	5		9	10,022	2,189	12,211			12,211
LEVEL 3	14'-0"	2	5		7	8,332	3,887	12,219			12,219
LEVEL 2	4'-0"		5	1	6	8,552	827	9,379			9,379
LEVEL 1	- 5'-0"				0		2,757	2,757	1,162	2,914	6,833
LEVEL B1	- 15'-0"				0		285	285	14,817		15,102
TOTAL		10	24	7	41	56,200	16,287	71,844	16,422	2,914	94,362

NOTES:

- 1. EXTERIOR BALCONIES, TERRACES, AND ROOF DECKS ARE EXCLUDED
- 2. SF PLANNING CODE SECTION 102 FLOOR AREA RATIO DEFINITION
- 3. UNEVEN GRADE FROM VN TO UNION AND UNION TO VN

RENDERINGS

RENDERING Corner of Van Ness & Union



RENDERING Union Street Perspective

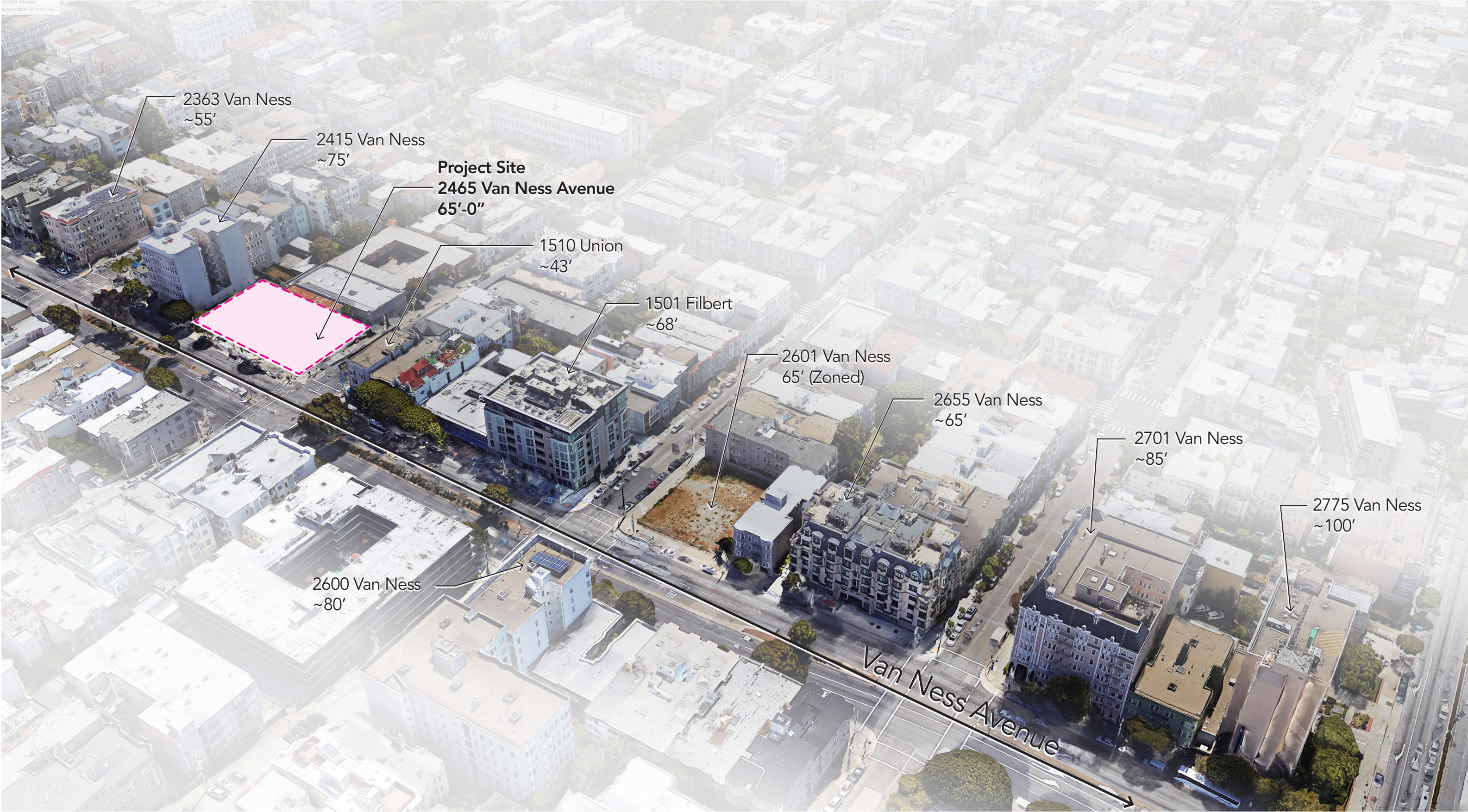


UNION RETAIL
ENTRANCE
UNION RESIDENTIAL
ENTRANCE

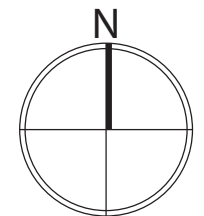
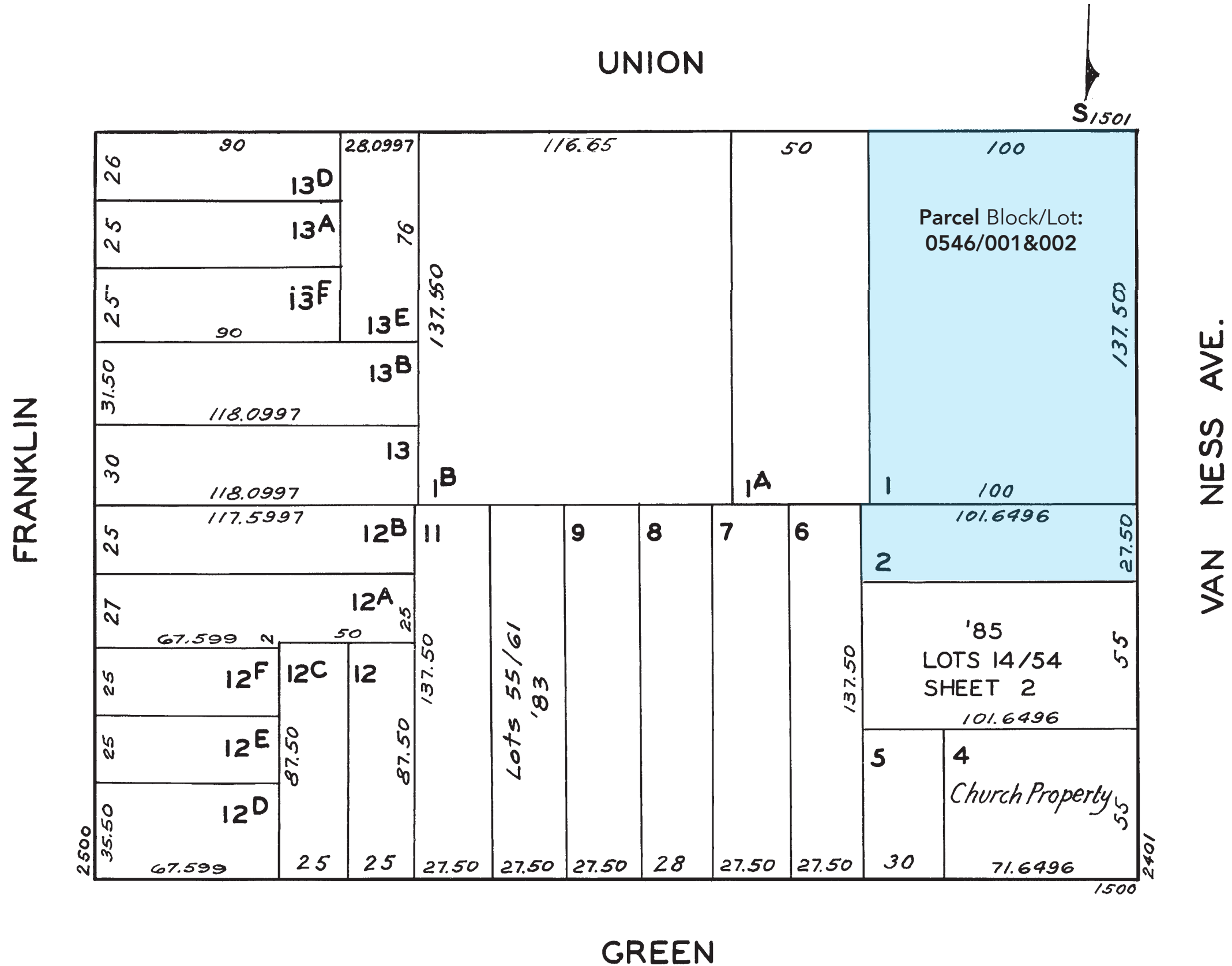
PROJECT SITE

EXISTING CONDITIONS

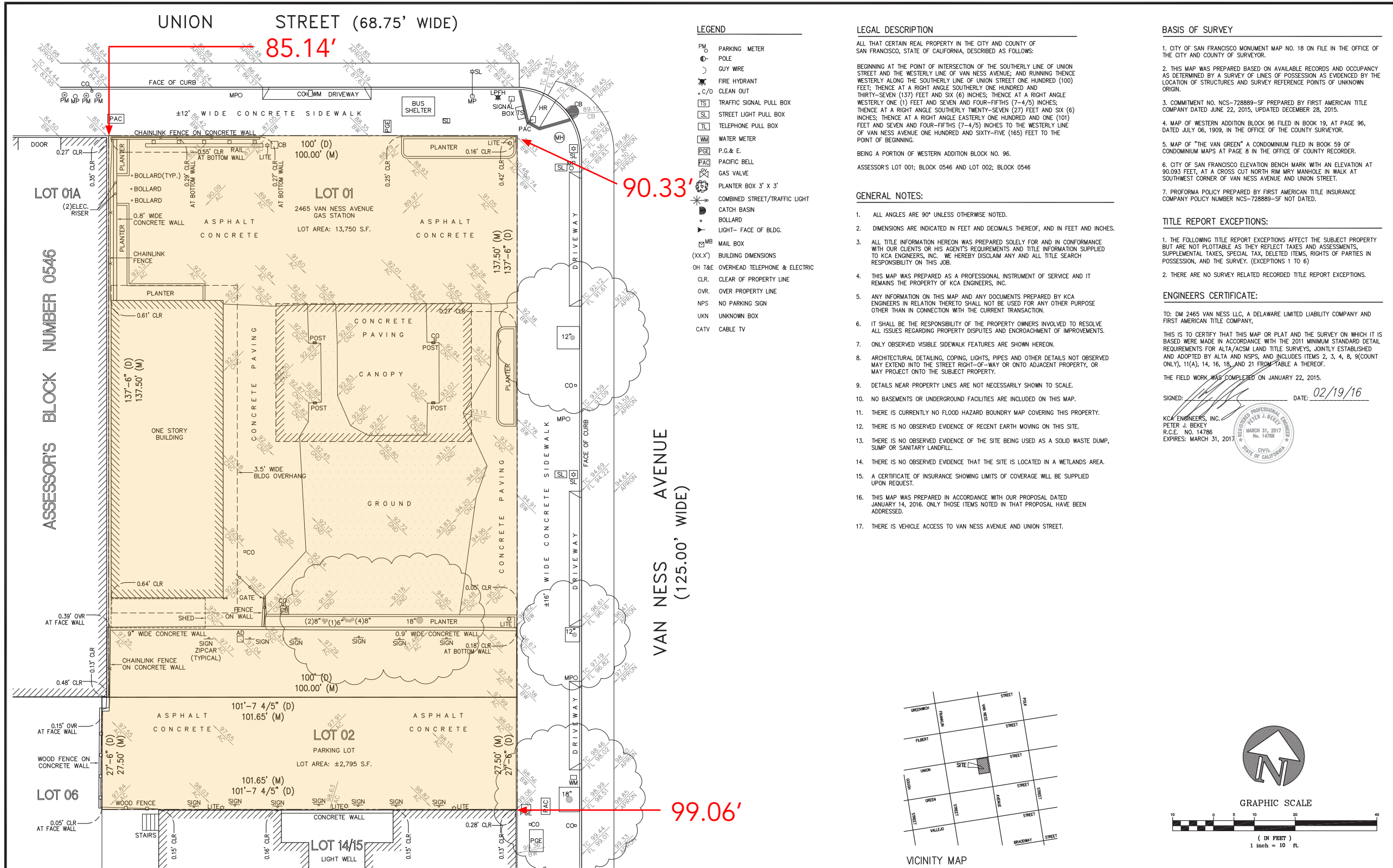
SITE CONTEXT Aerial



PLOT MAP



SURVEY Existing



KCA ENGINEERS, INC.
CONSULTING ENGINEERS • SURVEYORS • PLANNERS
318 BRANNAN ST. • SAN FRANCISCO, CA 94107 • (415) 546-7111 • FAX: (415) 546-9472

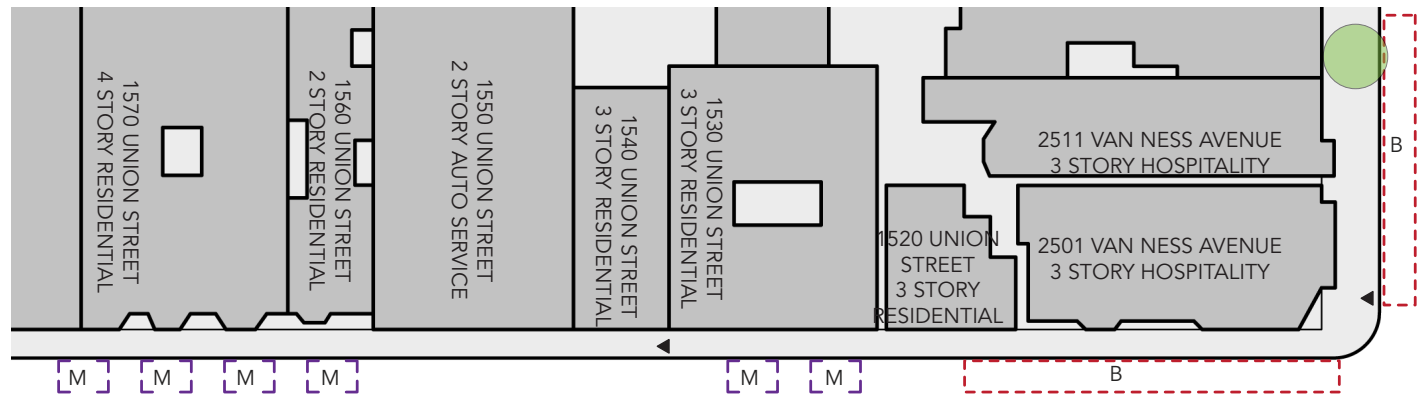


APPROVED:	PROJECT NO.	DES. KB	DRW. YL	02.19.16	FINAL
		CKD.	REV. PJB	02.08.16	FINAL
APPROVED:		DATE	07/14/15	01.25.16	UPDATE
		JOB NO.	07.16.15		PRELIMINARY
			6097A		
		NO.	DATE	DESCRIPTION	

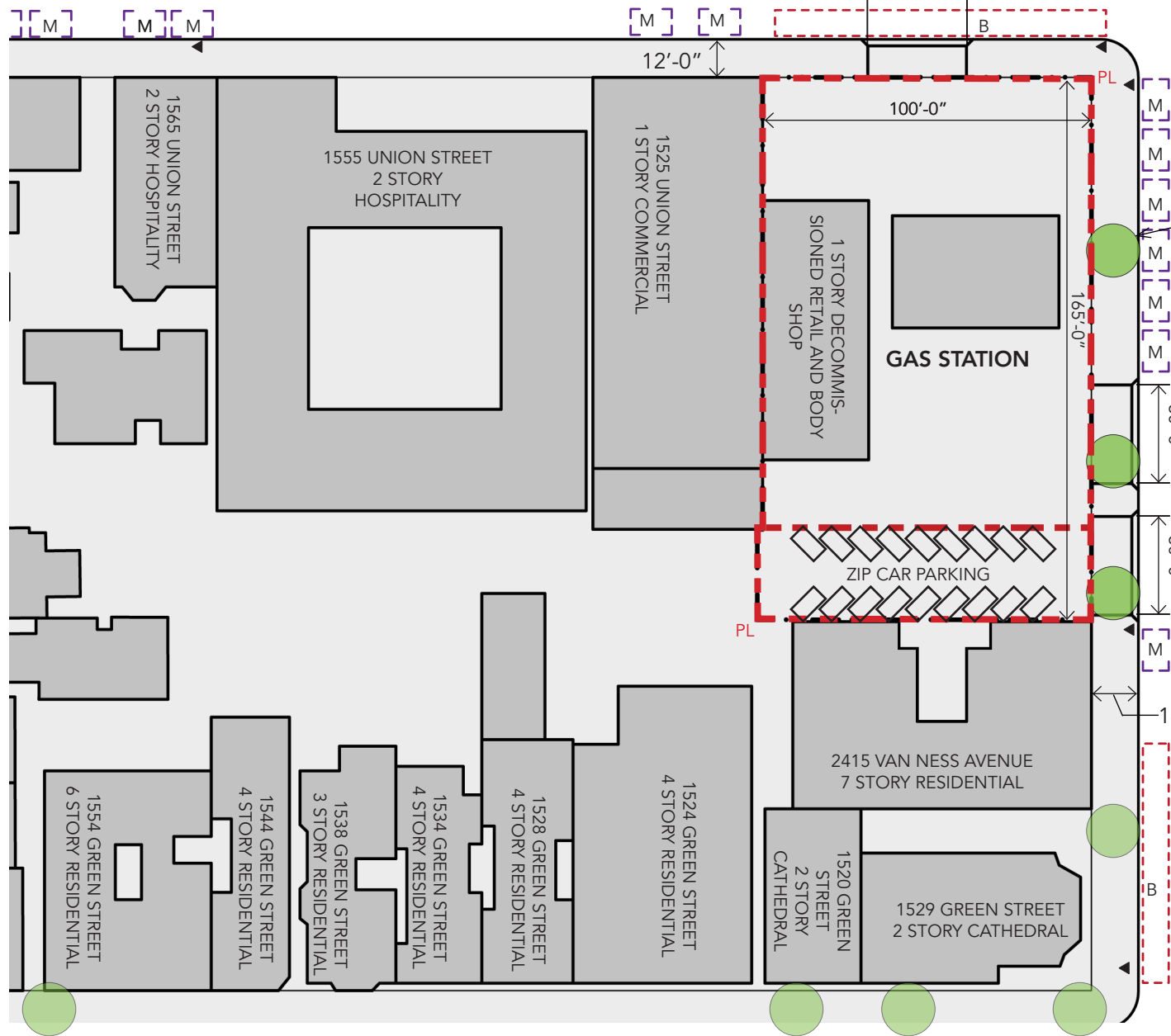
ALTA/ACSM LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY OF
2465 VAN NESS AVENUE
ASSESSOR'S BLOCK 0546 ~ LOT 001 AND 002
SAN FRANCISCO CALIFORNIA

SCALE:
HORIZ. 1" = 10'
VERT. _____
1 of 1

SITE PLAN Existing

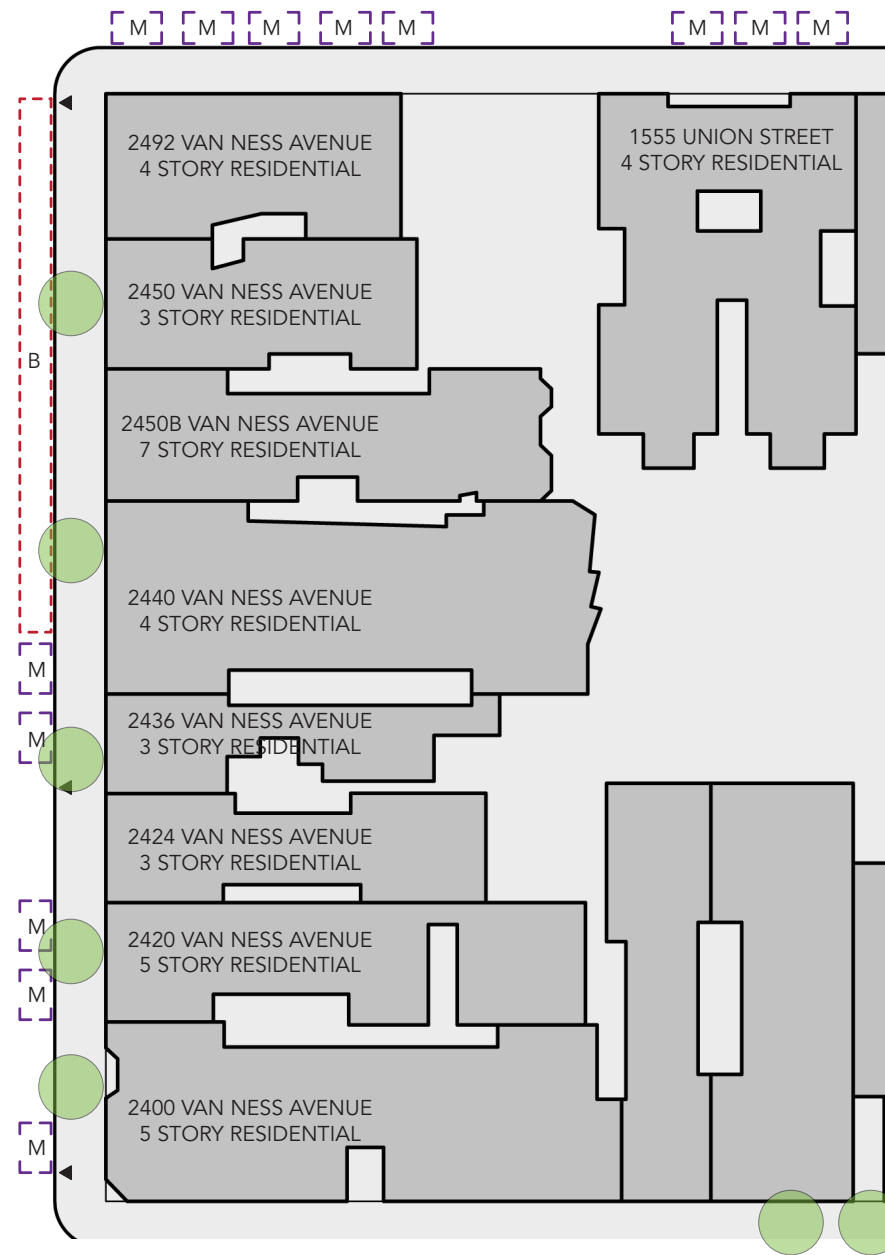


UNION STREET



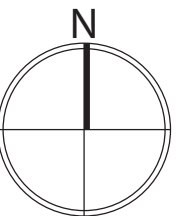
Existing Trees

VAN NESS AVENUE



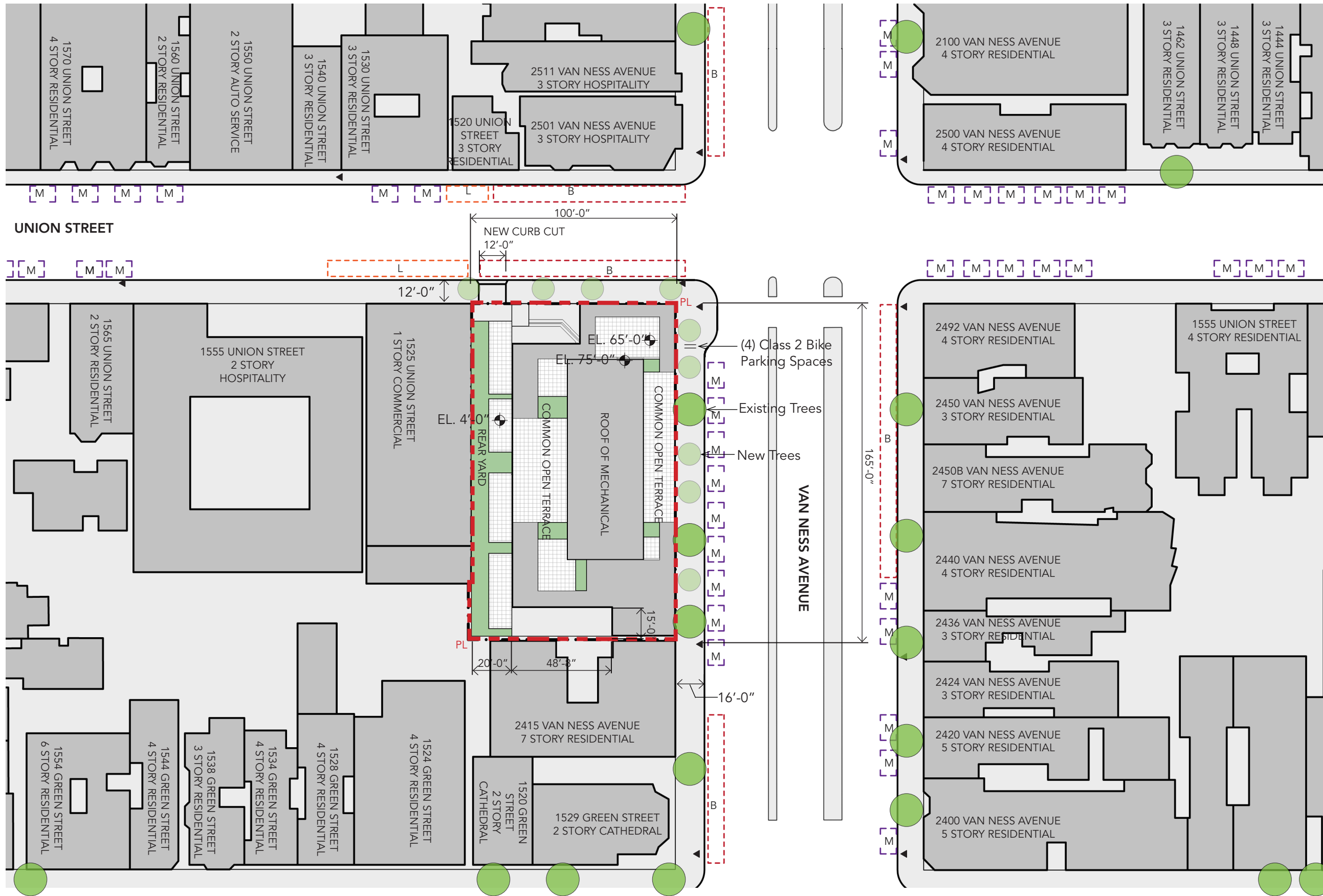
LEGEND

- ZIP CAR PARKING
- BUS STOP
- LOADING ZONE
- METERED PARKING
- PGE VAULT
- TREE
- STREET LAMP



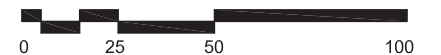
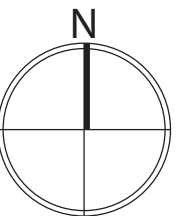
PROPOSED DESIGN

SITE PLAN Proposed



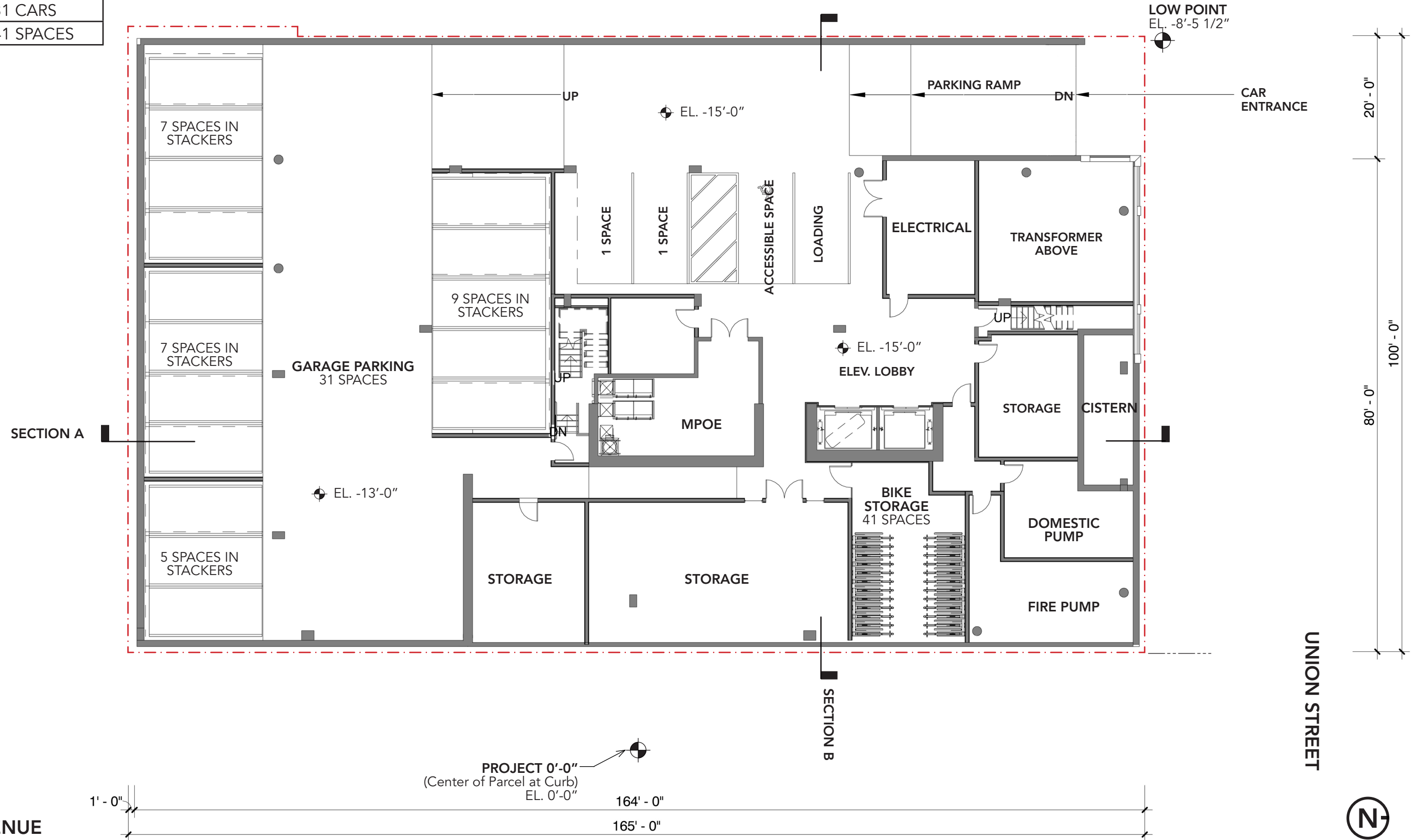
LEGEND

- B BUS STOP
- L LOADING ZONE
- M METERED PARKING
- HC HANDICAP
- V PGE VAULT
- TREE
- ▲ STREET LAMP



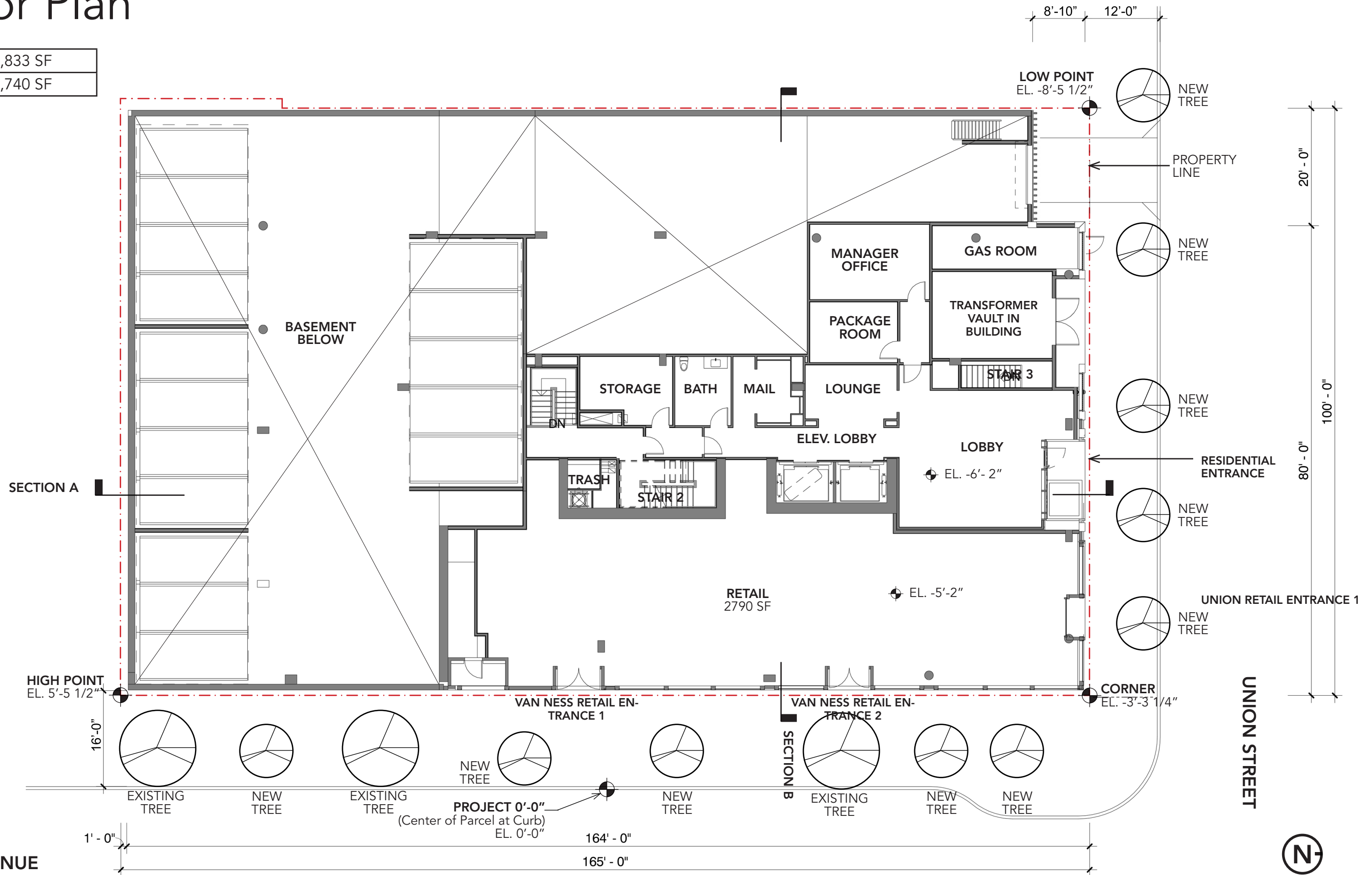
B1 Floor Plan

FLOOR AREA	15,102 SF
PARKING COUNT	31 CARS
BIKE PARKING	41 SPACES



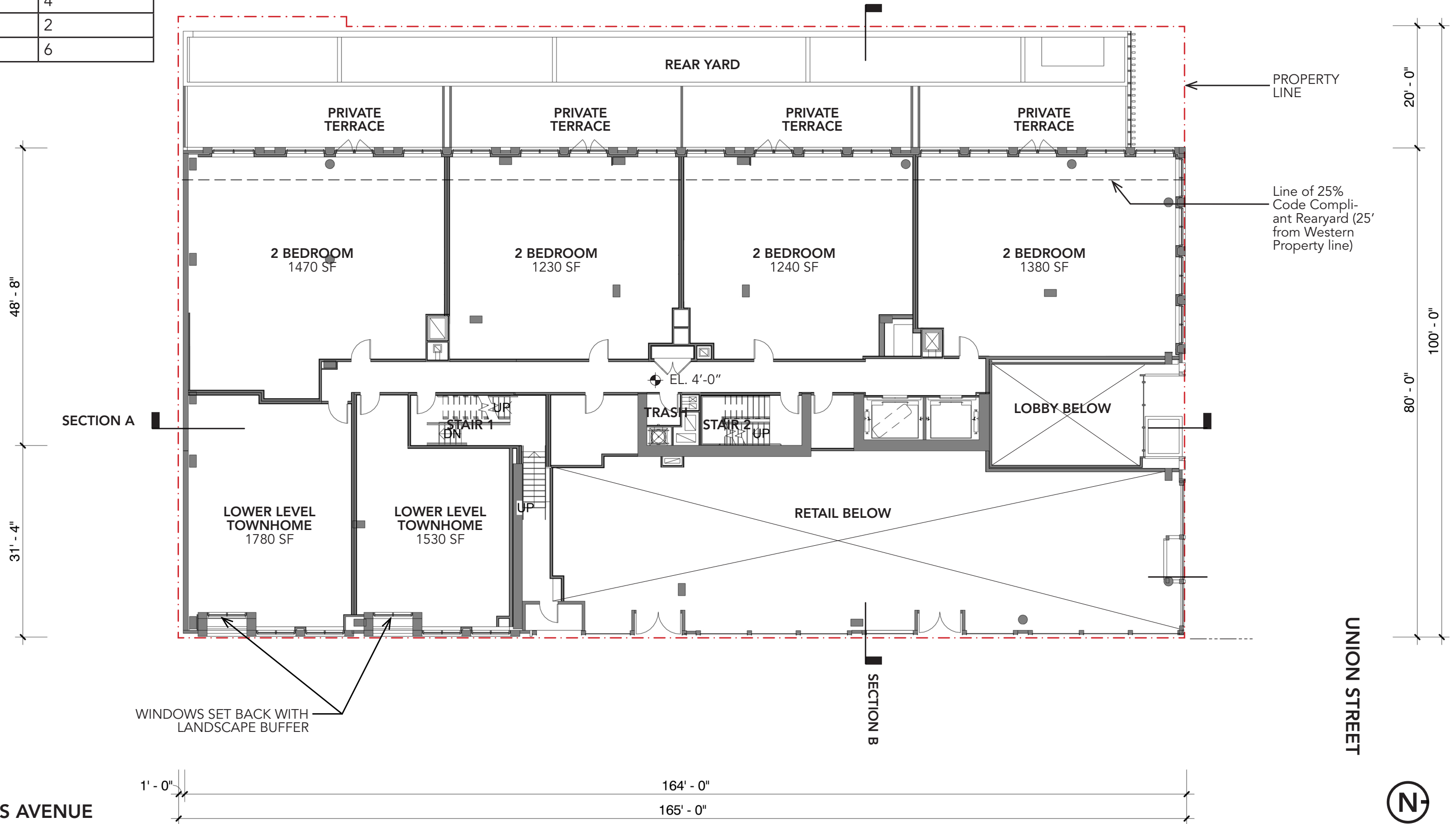
L1 Floor Plan

FLOOR AREA	6,833 SF
RETAIL	2,740 SF



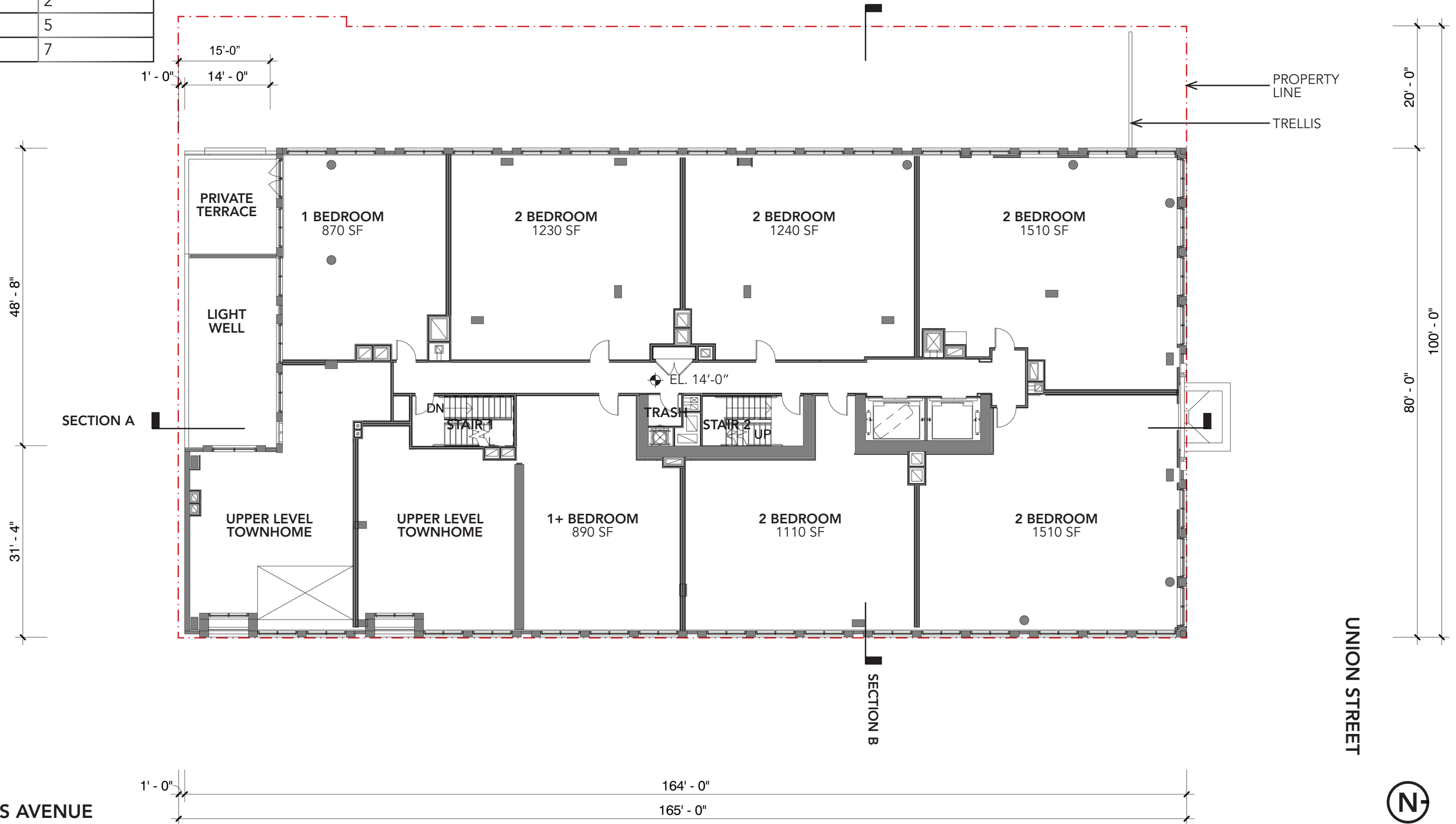
L2 Floor Plan

FLOOR AREA	9,379 SF
2 BEDROOM	4
TOWNHOME	2
TOTAL	6



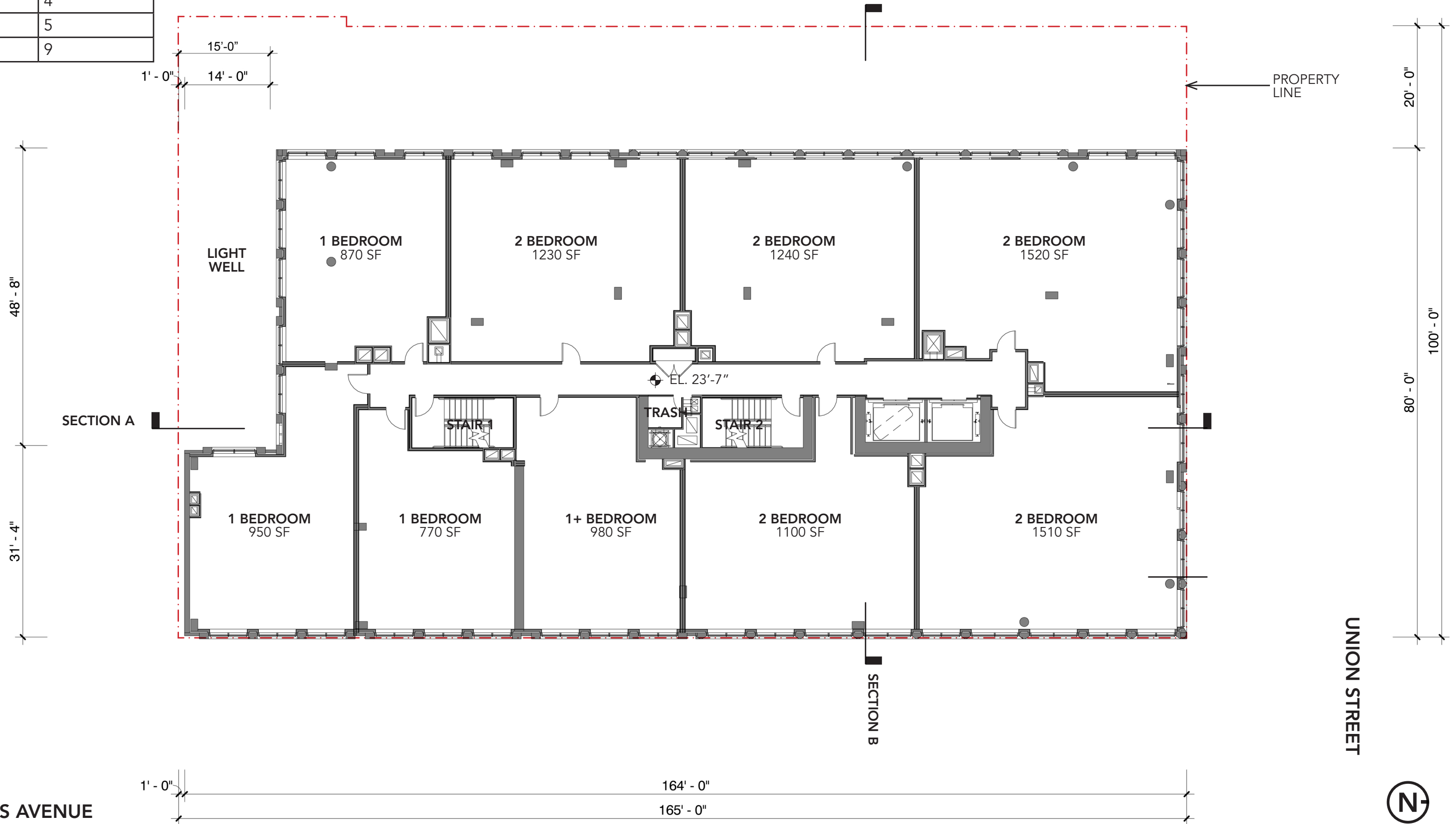
L3 Floor Plan

FLOOR AREA	12,219 SF
1 BEDROOM	2
2 BEDROOM	5
TOTAL	7



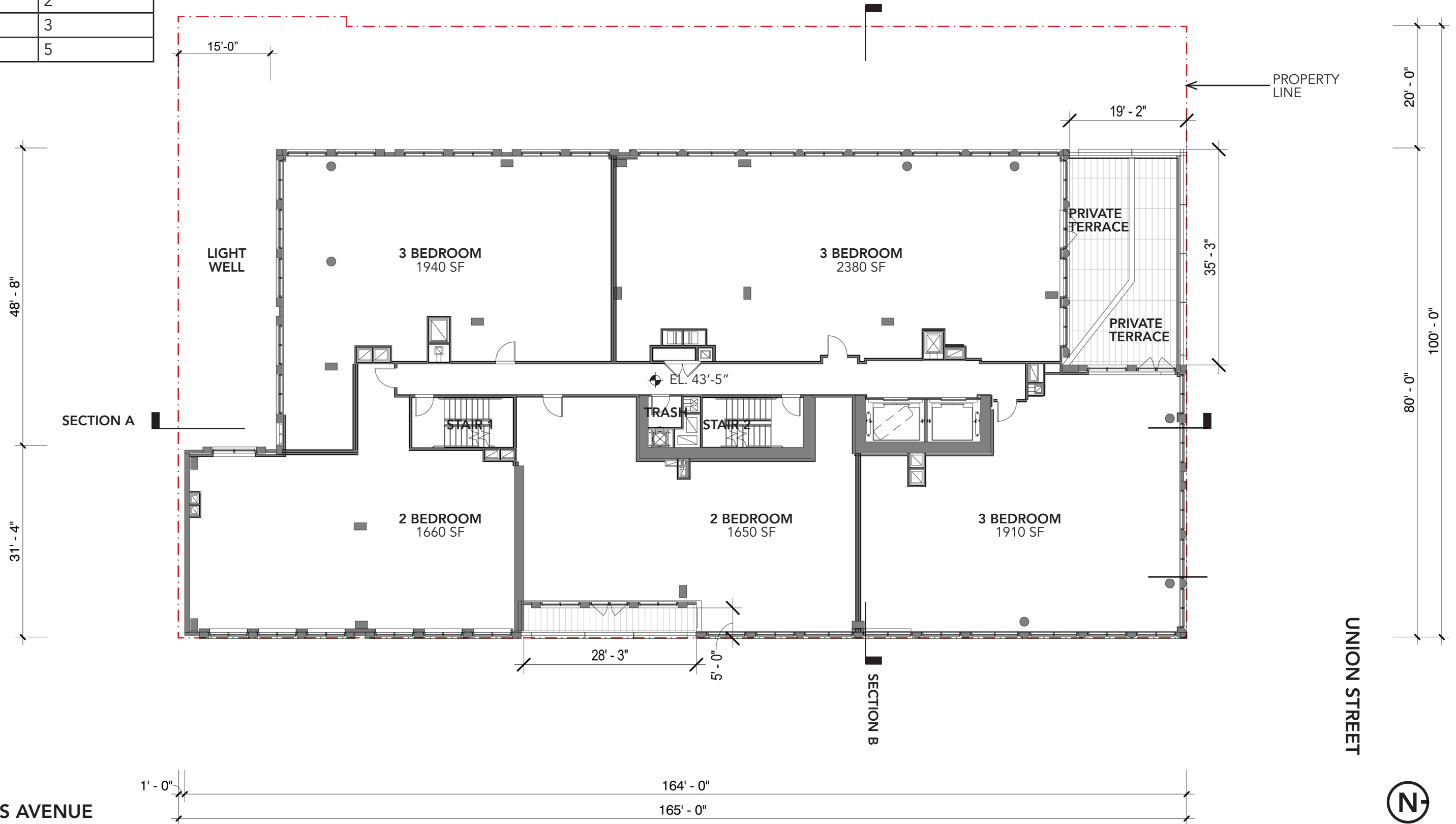
L4 & 5 Floor Plan

FLOOR AREA	12,211 SF
1 BEDROOM	4
2 BEDROOM	5
TOTAL	9



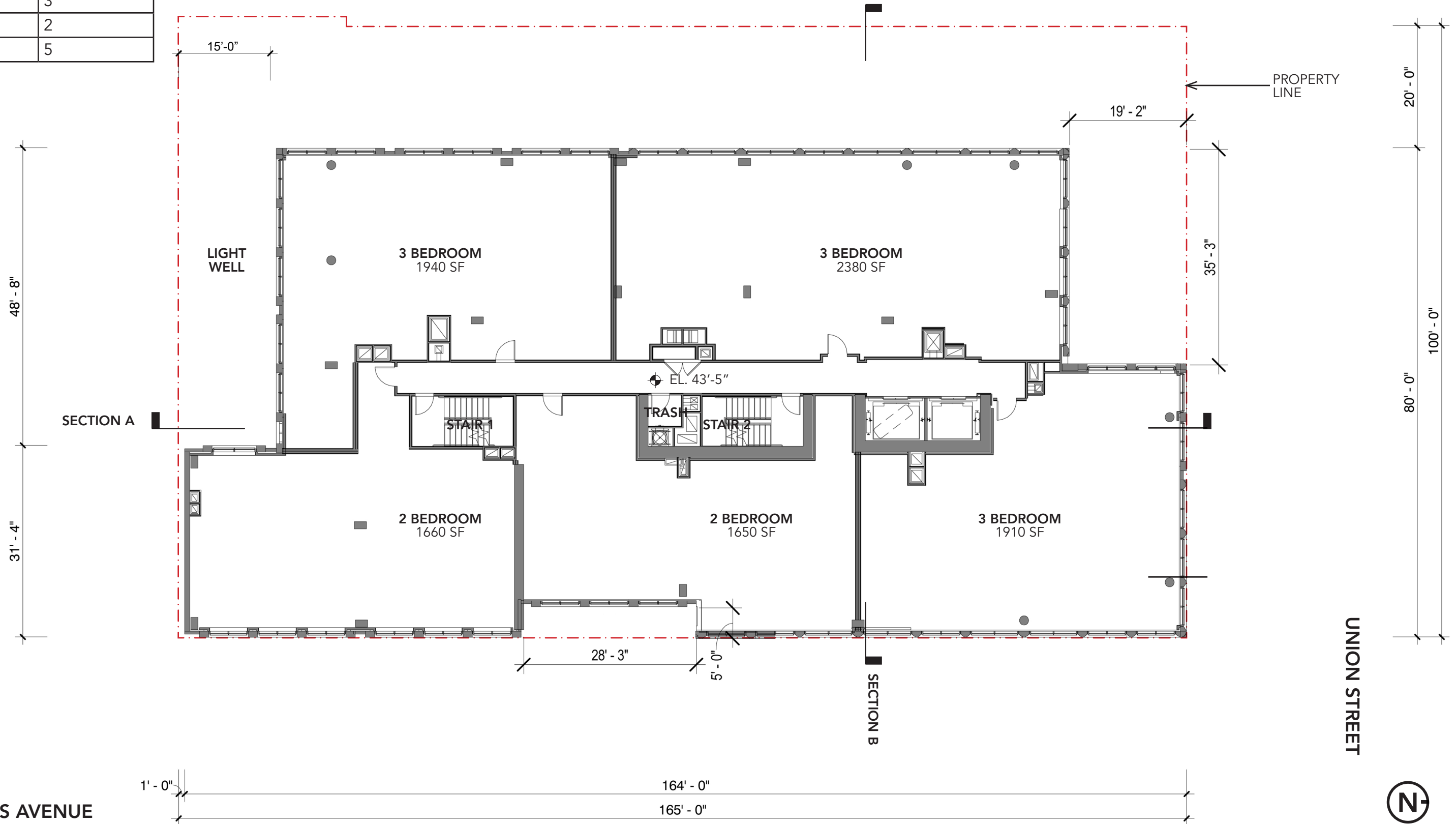
L6 Floor Plan

FLOOR AREA	11,391 SF
2 BEDROOM	2
4 BEDROOM	3
TOTAL	5



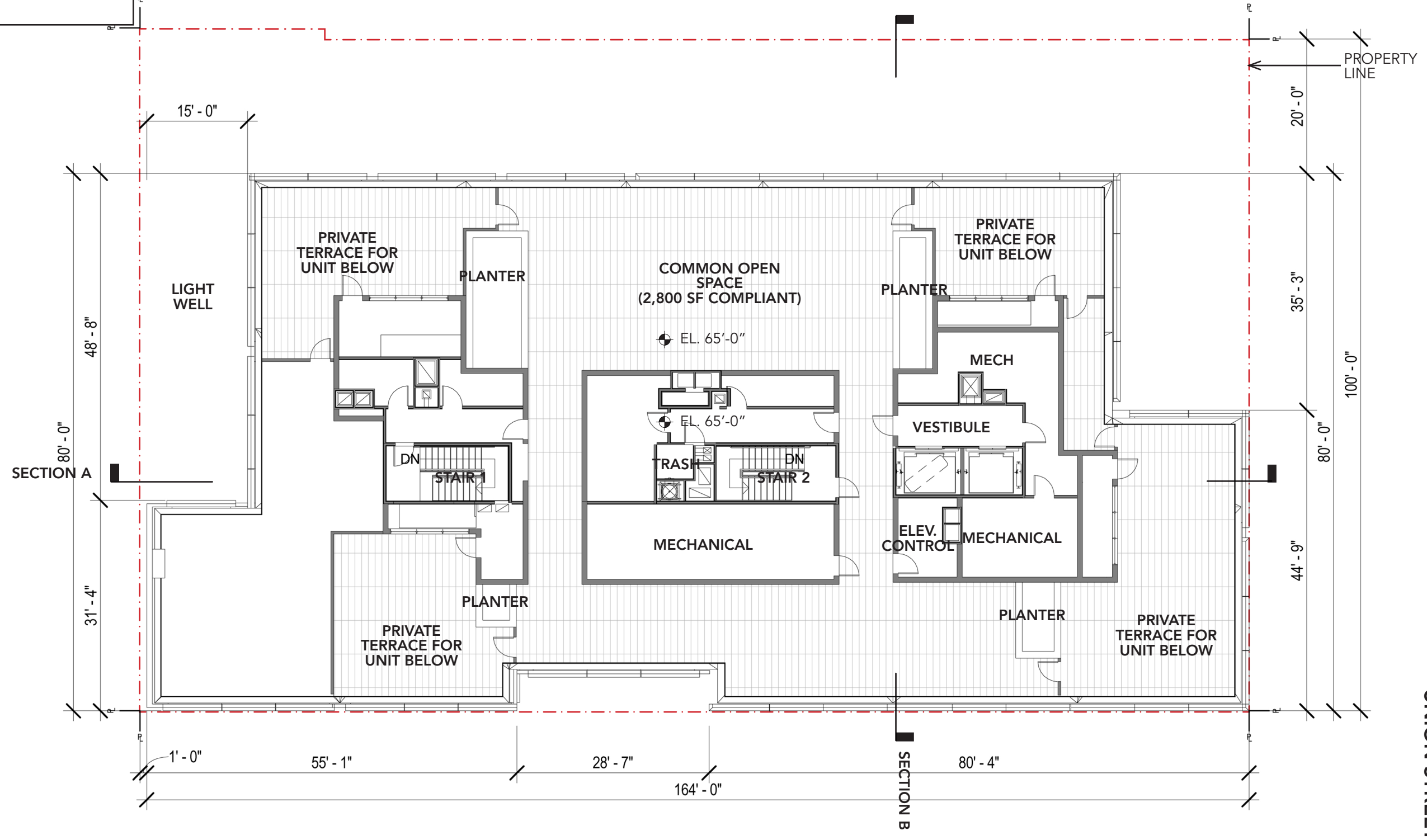
L7 Floor Plan

FLOOR AREA	11,391 SF
3 BEDROOM	3
2 BEDROOM	2
TOTAL	5



L8 Roof Floor Plan

GROSS ROOF AREA	11,550 SF
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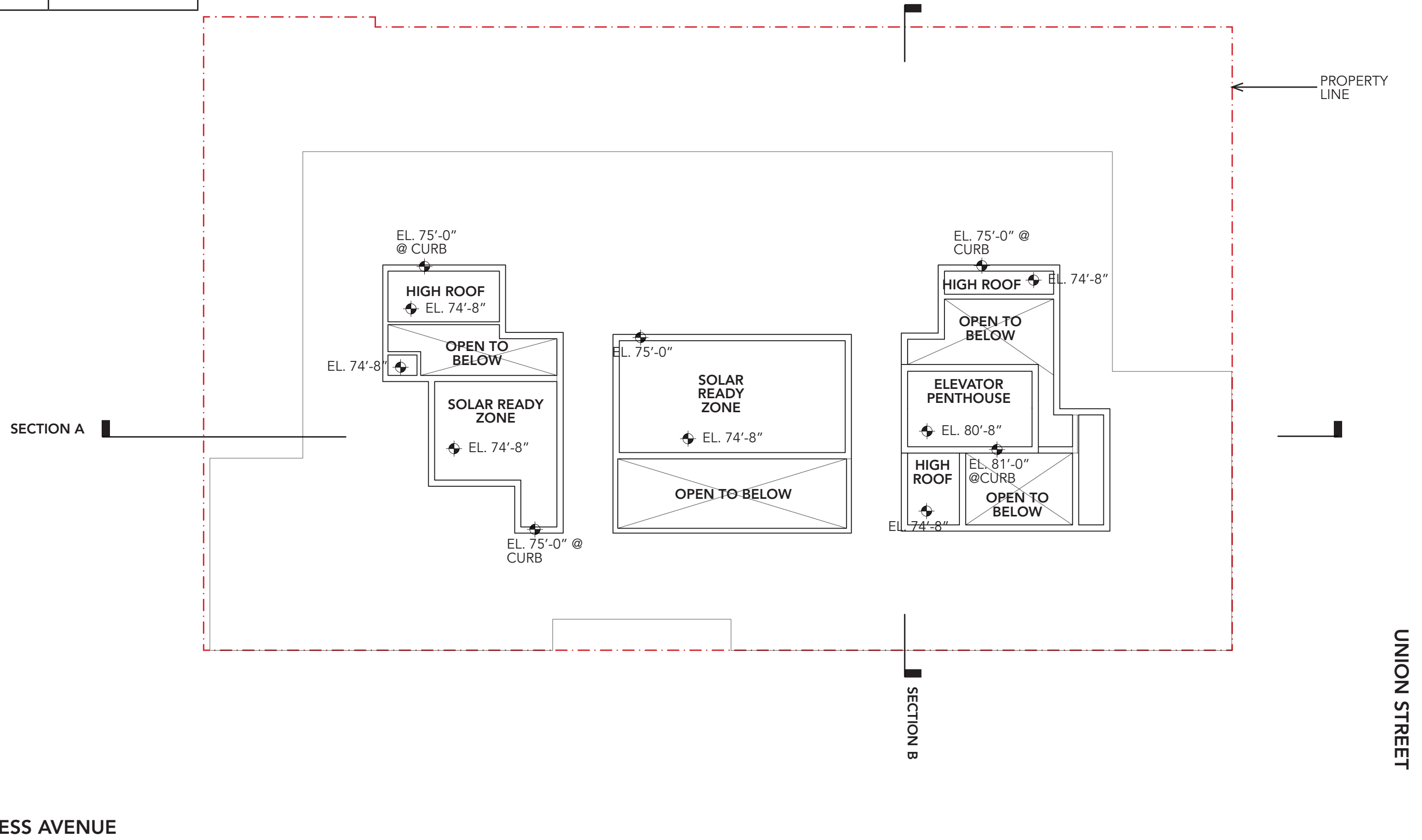
VAN NESS AVENUE

UNION STREET



L9 Mechanical Penthouse Floor Plan

GROSS ROOF AREA	11,550 SF
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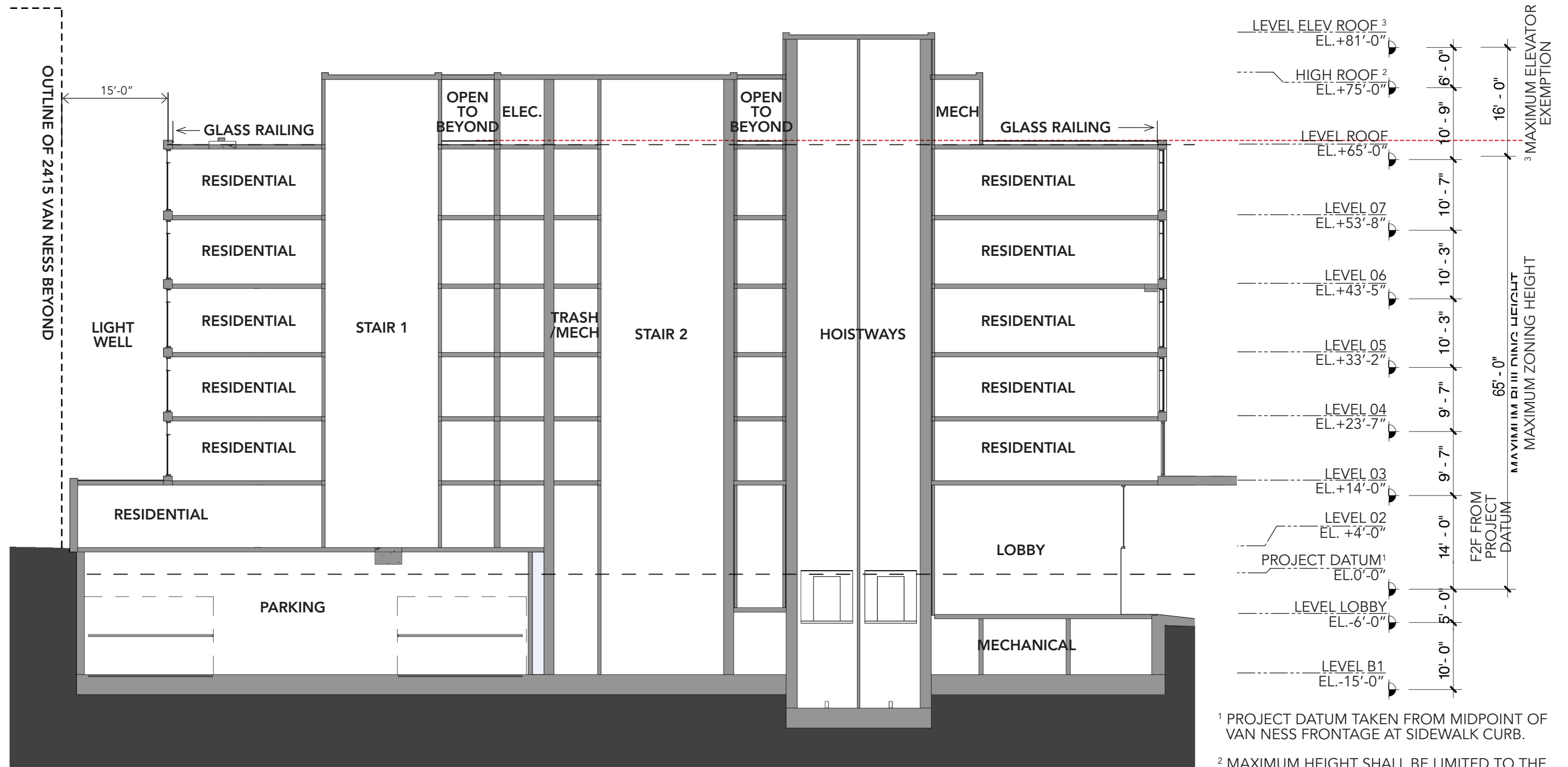


VAN NESS AVENUE

UNION STREET



SECTION A - Longitudinal Looking West

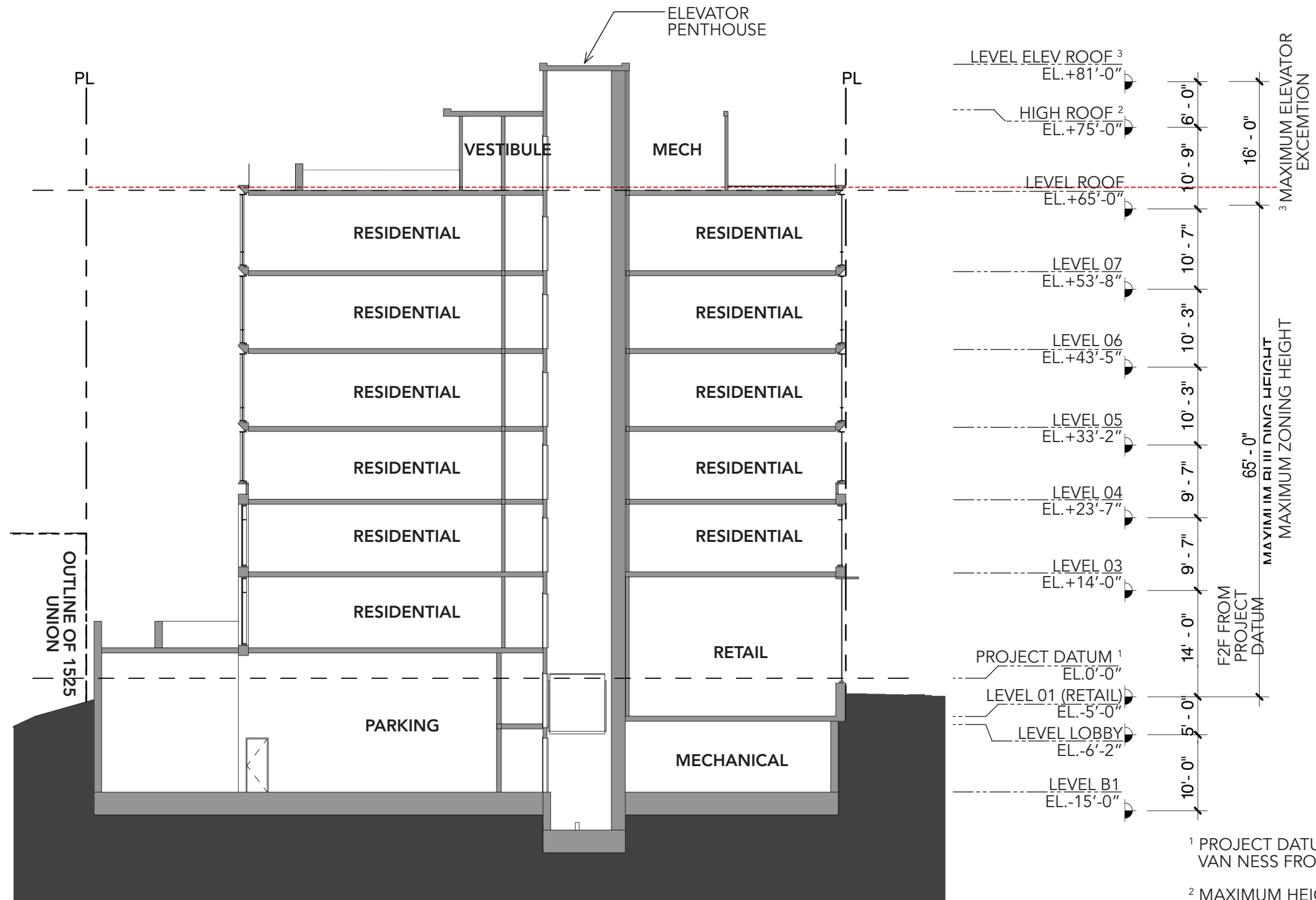


¹ PROJECT DATUM TAKEN FROM MIDPOINT OF VAN NESS FRONTAGE AT SIDEWALK CURB.

² MAXIMUM HEIGHT SHALL BE LIMITED TO THE TOP 10 FEET OF SUCH FEATURES WHERE THE HEIGHT LIMIT IS 65 FEET OR LESS. (SF PLANNING CODE SEC 260b1B)

³ FOR ELEVATOR PENTHOUSES, THE EXEMPTION SHALL BE LIMITED TO THE TOP 16 FEET AND LIMITED TO THE FOOTPRINT OF THE ELEVATOR SHAFT. (SF PLANNING CODE SEC 260b1B)

SECTION B - Transverse Looking North

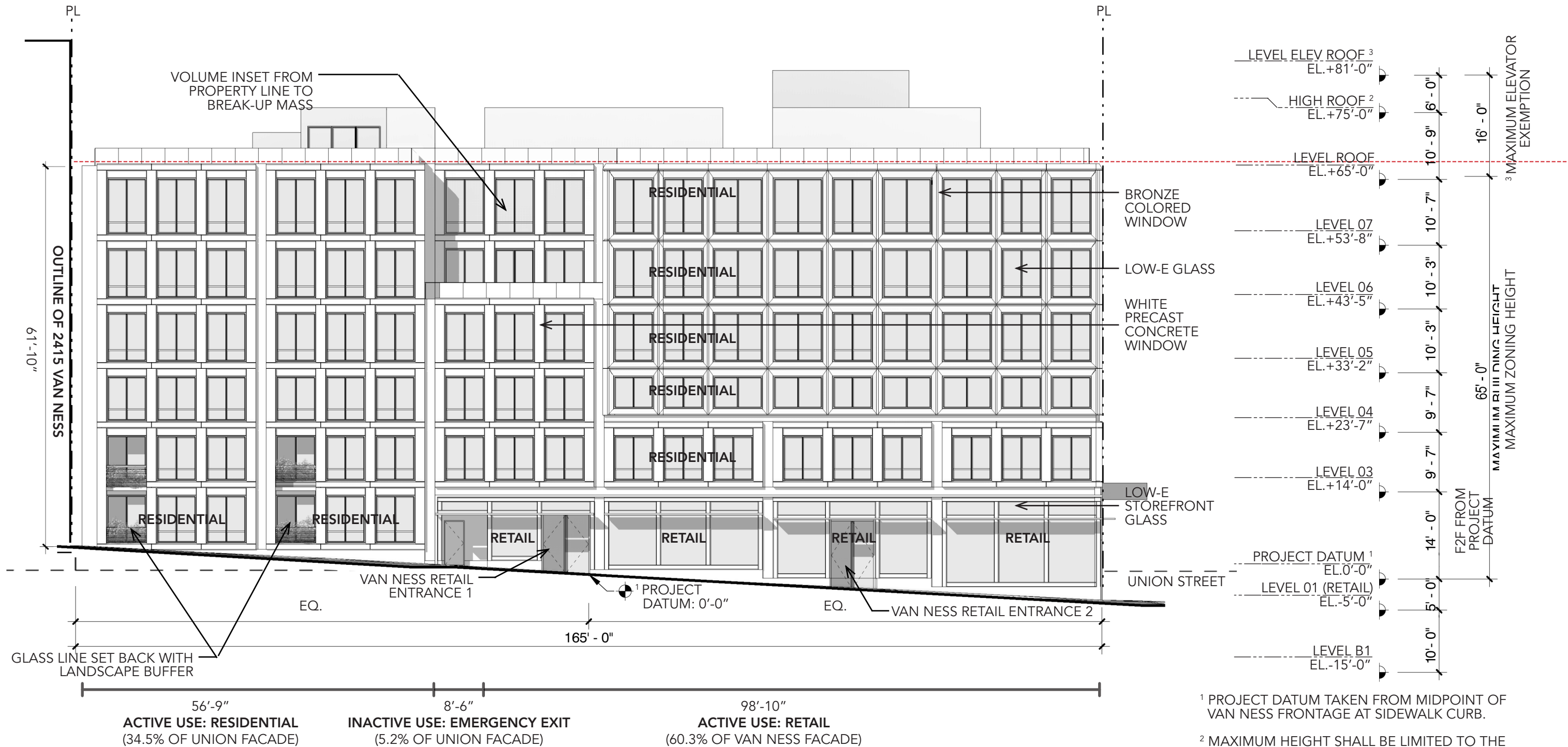


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Building Elevation: Van Ness Avenue

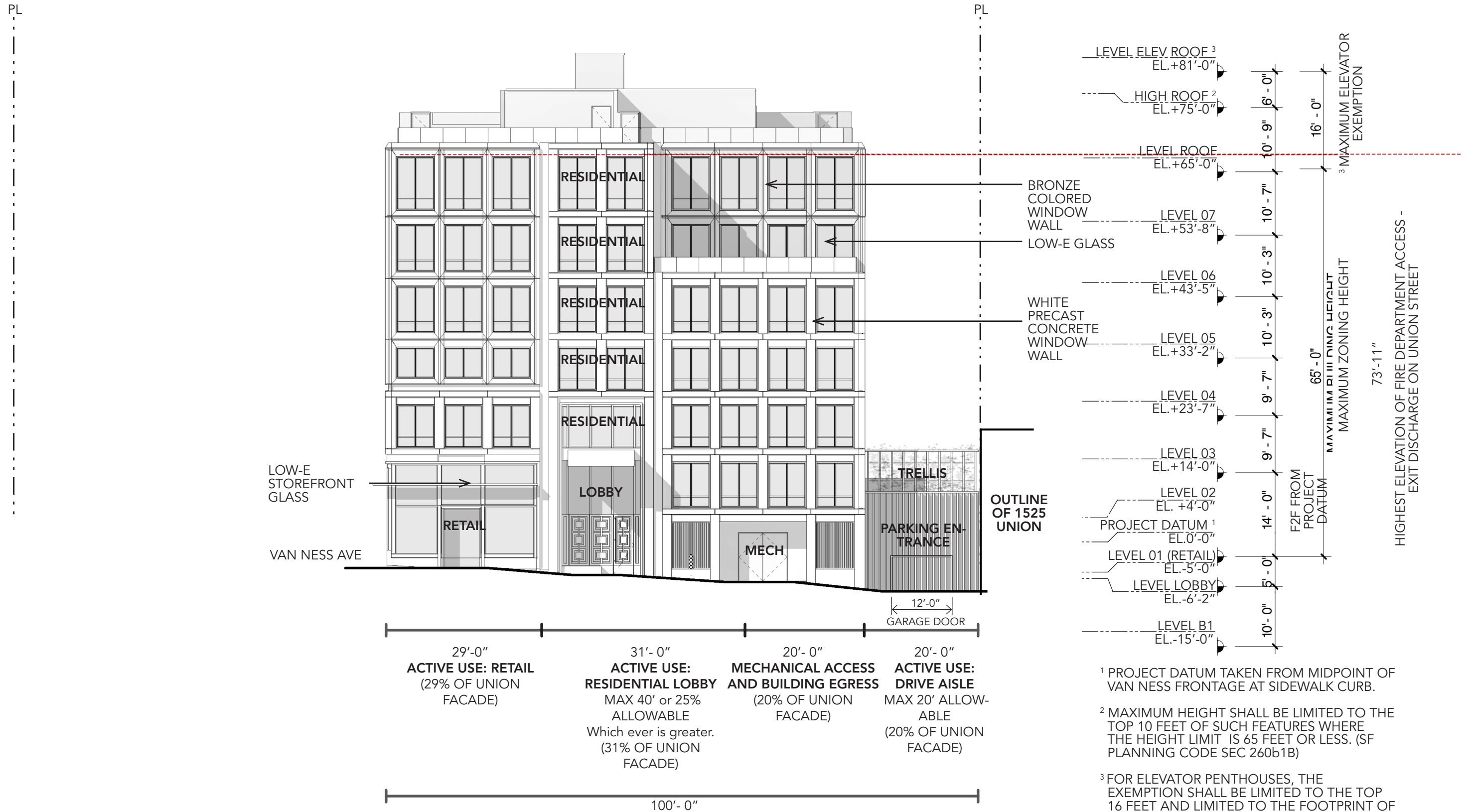


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³ FOR ELEVATOR PENTHOUSES, THE EXEMPTION SHALL BE LIMITED TO THE TOP 16 FEET AND LIMITED TO THE FOOTPRINT OF THE ELEVATOR SHAFT. (SF PLANNING CODE SEC 260b1B)

Building Elevation: Union Street



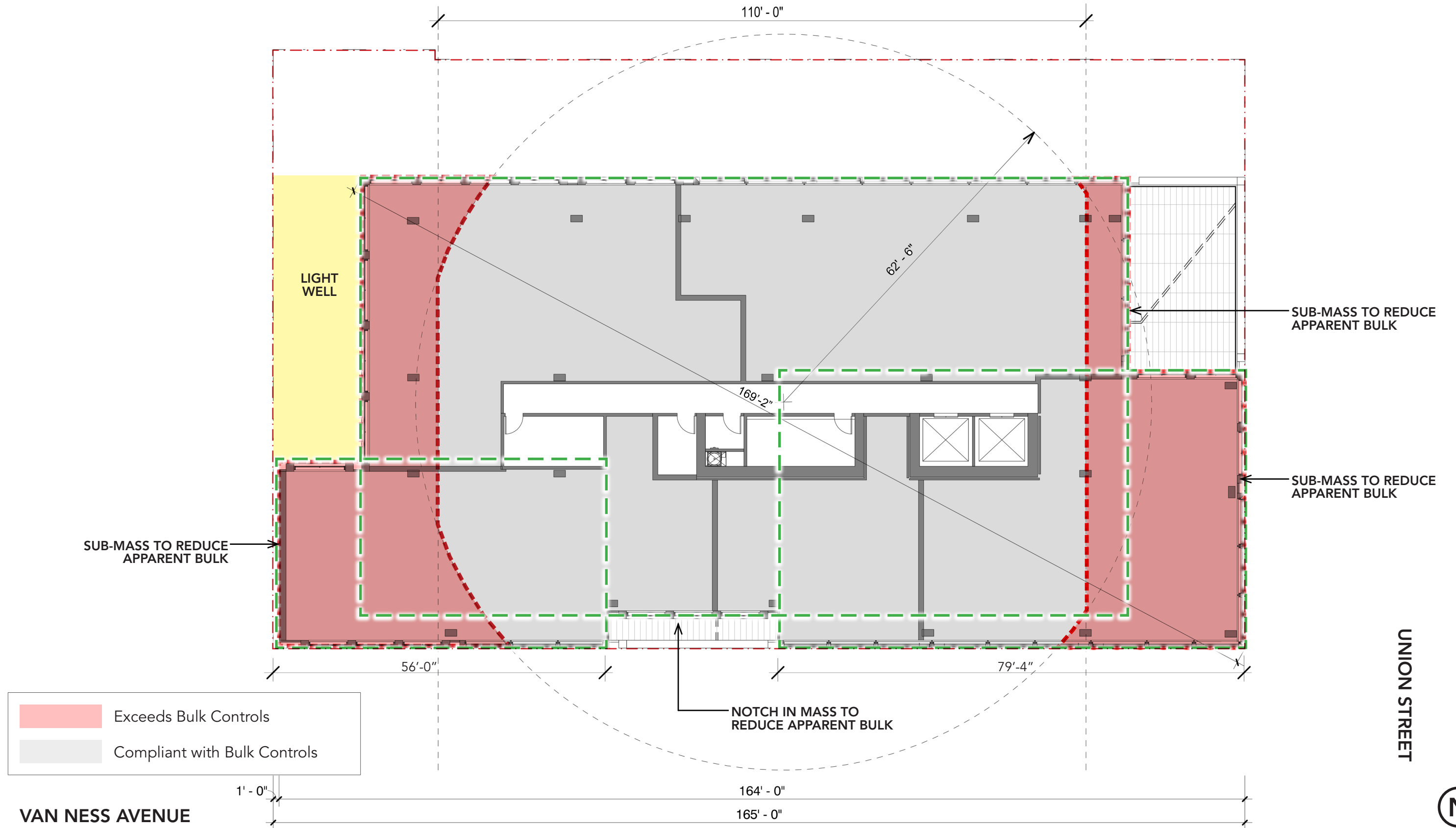
1 PROJECT DATUM TAKEN FROM MIDPOINT OF VAN NESS FRONTAGE AT SIDEWALK CURB.

2 MAXIMUM HEIGHT SHALL BE LIMITED TO THE TOP 10 FEET OF SUCH FEATURES WHERE THE HEIGHT LIMIT IS 65 FEET OR LESS. (SF PLANNING CODE SEC 260b1B)

3 FOR ELEVATOR PENTHOUSES, THE EXEMPTION SHALL BE LIMITED TO THE TOP 16 FEET AND LIMITED TO THE FOOTPRINT OF THE ELEVATOR SHAFT. (SF PLANNING CODE SEC 260b1B)

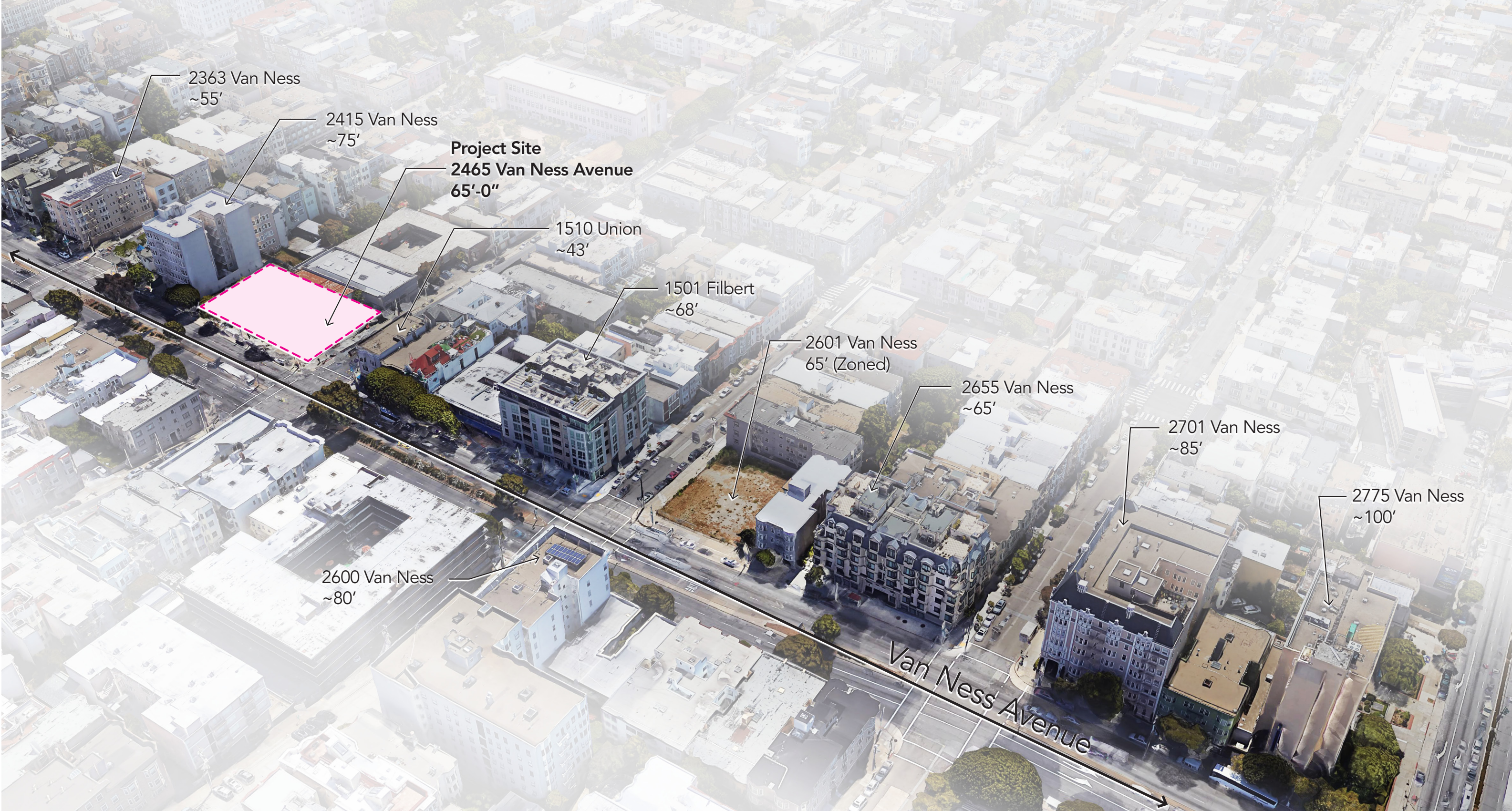
DIAGRAMS

Bulk Controls



SITE CONTEXT Aerial

CURRENT SCHEME



MASSING In Context

PROPOSED SCHEME



Stepping Down
Along Union Street

Vertical "Breaks" reduce
apparent mass.

The Proposed Massing Steps down along the Union Street Frontage. This massing helps transition the large Van Ness scale of buildings to the smaller Union Street scale of buildings.

MASSING In Context

PROPOSED SCHEME

2415 Van Ness Datum
~75' (From VN)

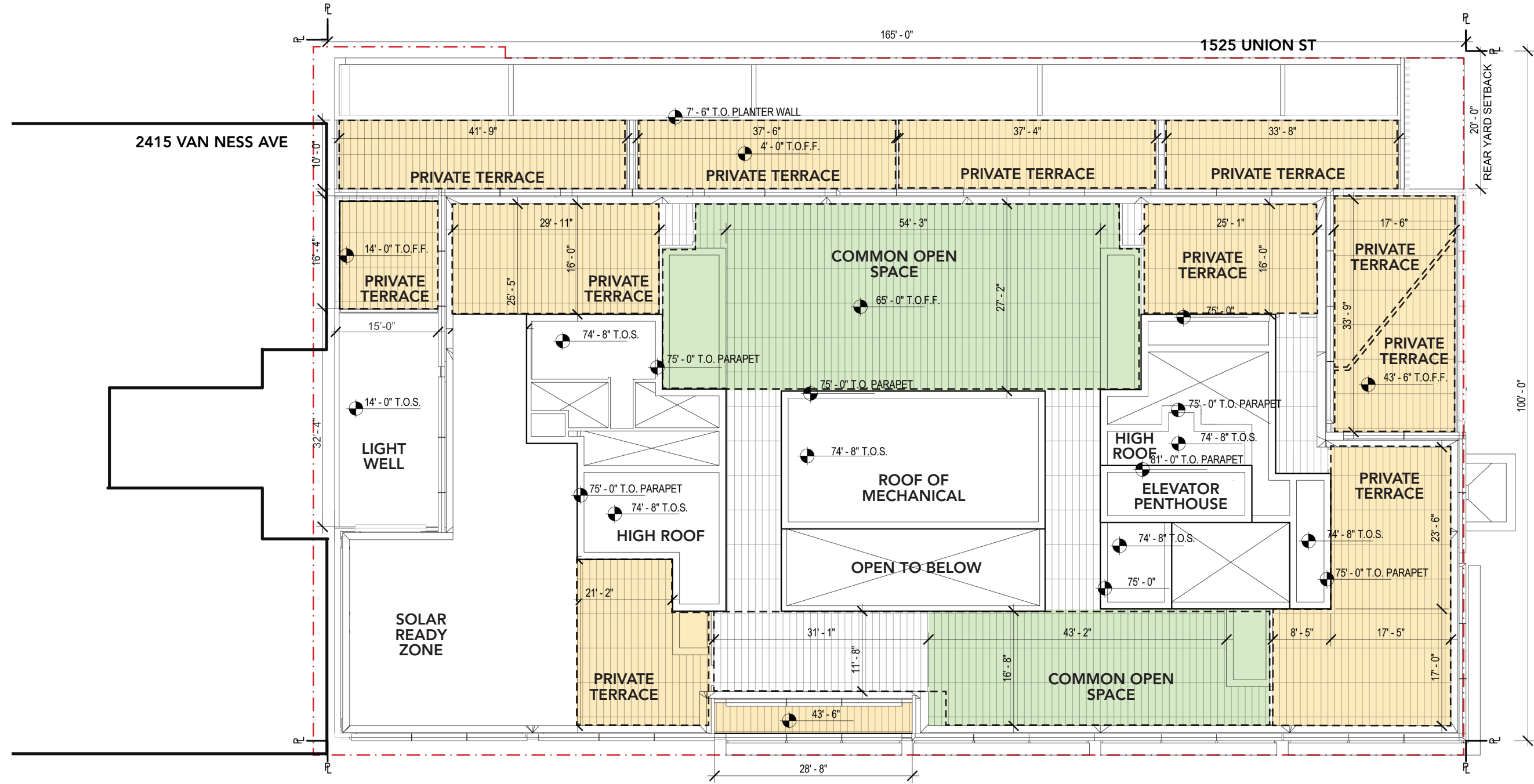
2465 Van Ness
~65' (From VN)

1510 Union Datum
~43' (From VN)



Vertical "Breaks" reduce apparent mass.

OPEN SPACE Diagram



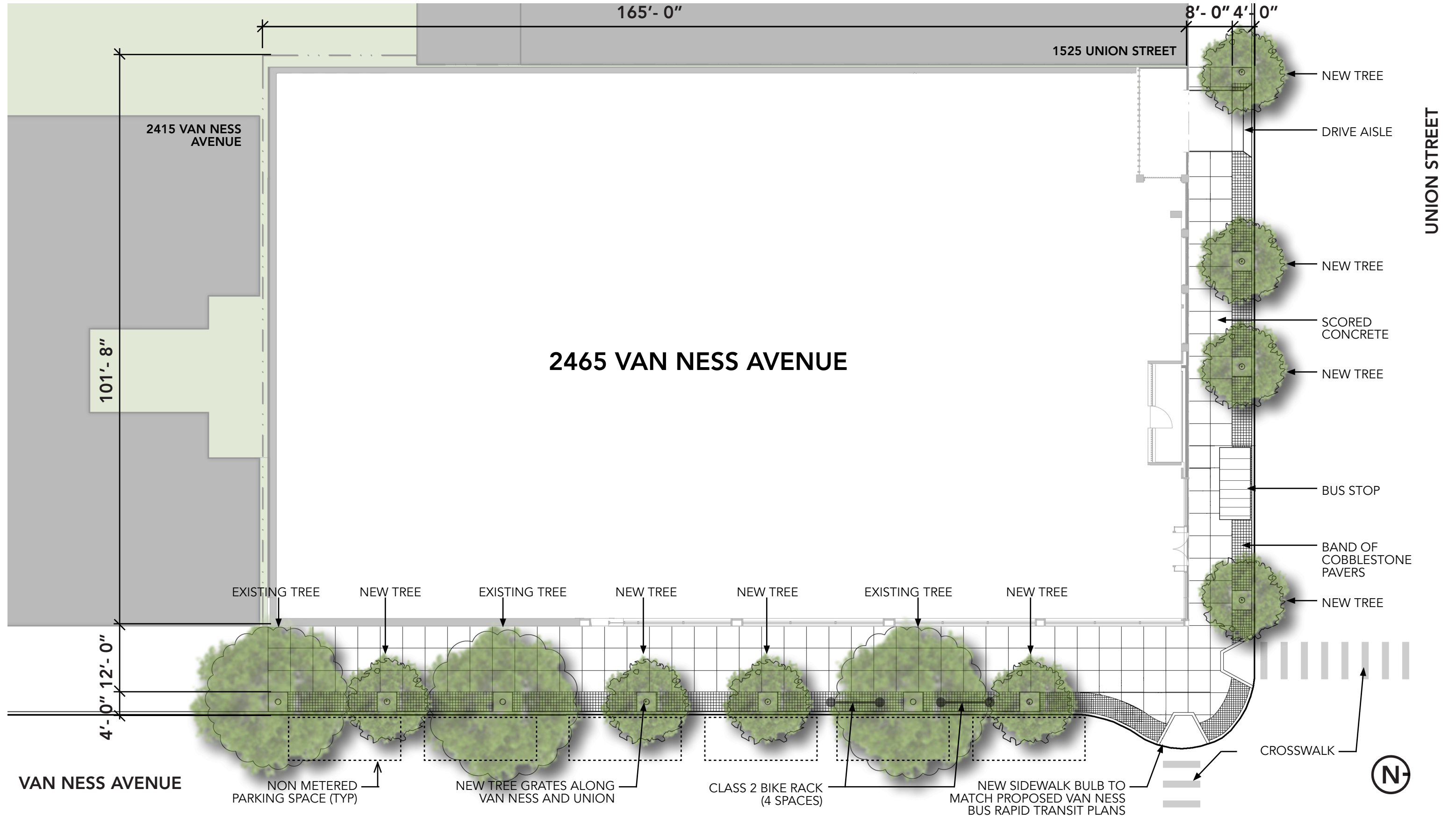
- COMPLIANT PRIVATE OPEN SPACE
- COMPLIANT COMMON OPEN SPACE

COMMON OPEN SPACE REQUIRED: **2480 SF**
 COMMON OPEN SPACE PROPOSED: **2500 SF**

VAN NESS AVENUE

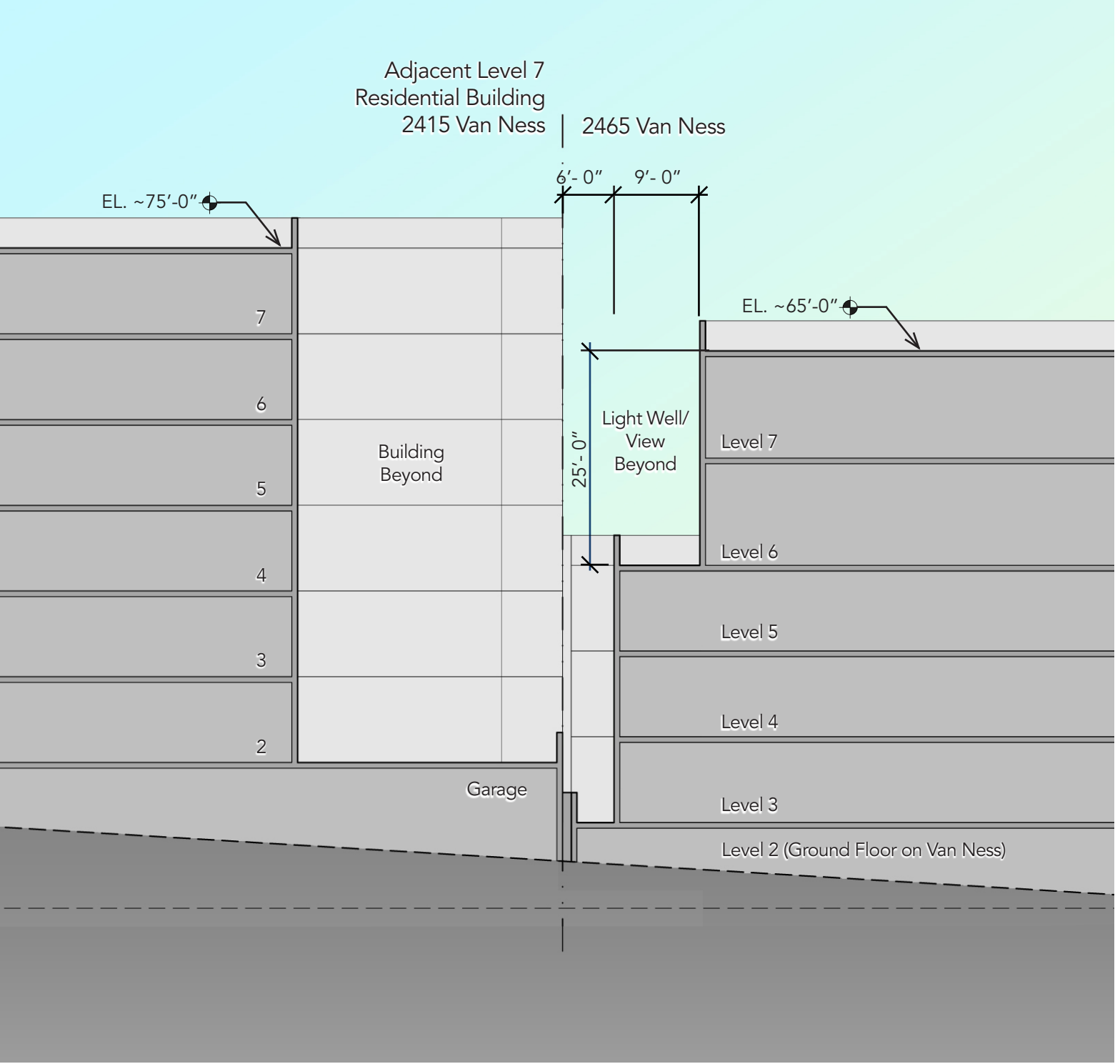


Street Improvement Landscape Plan

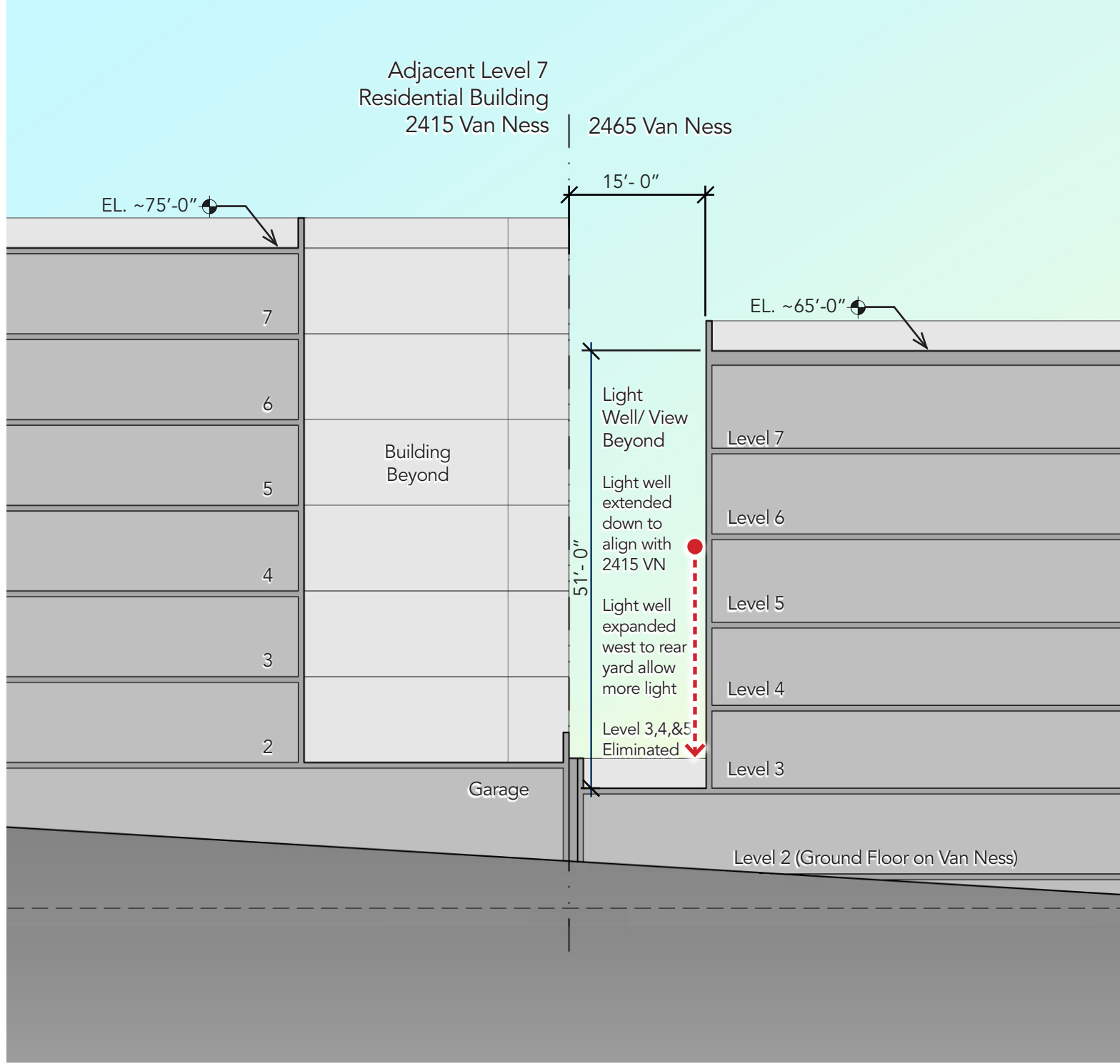


MASSING Revision for Light and Air Issues from 2415 VN Neighbors

PREVIOUS SCHEME

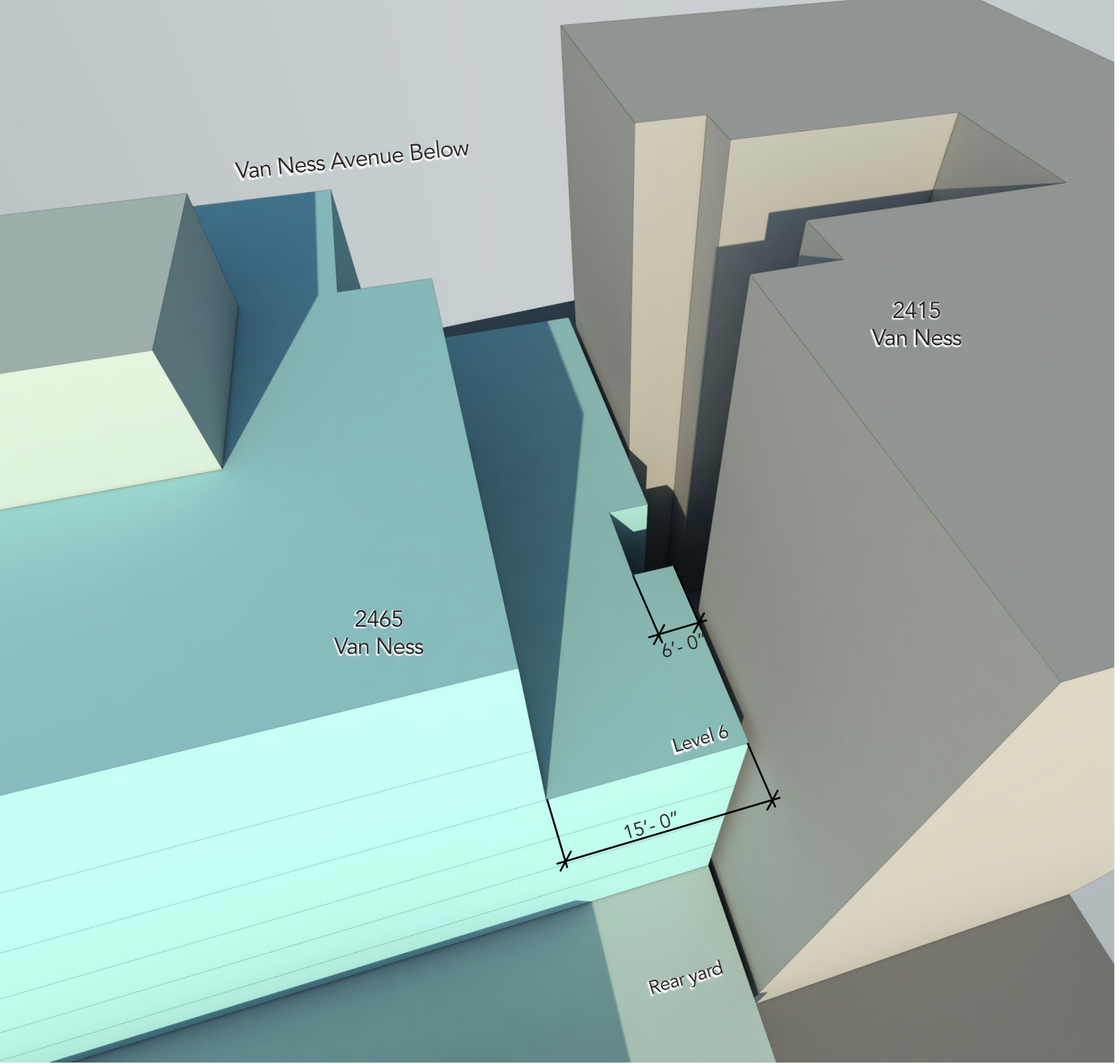


REVISED SCHEME

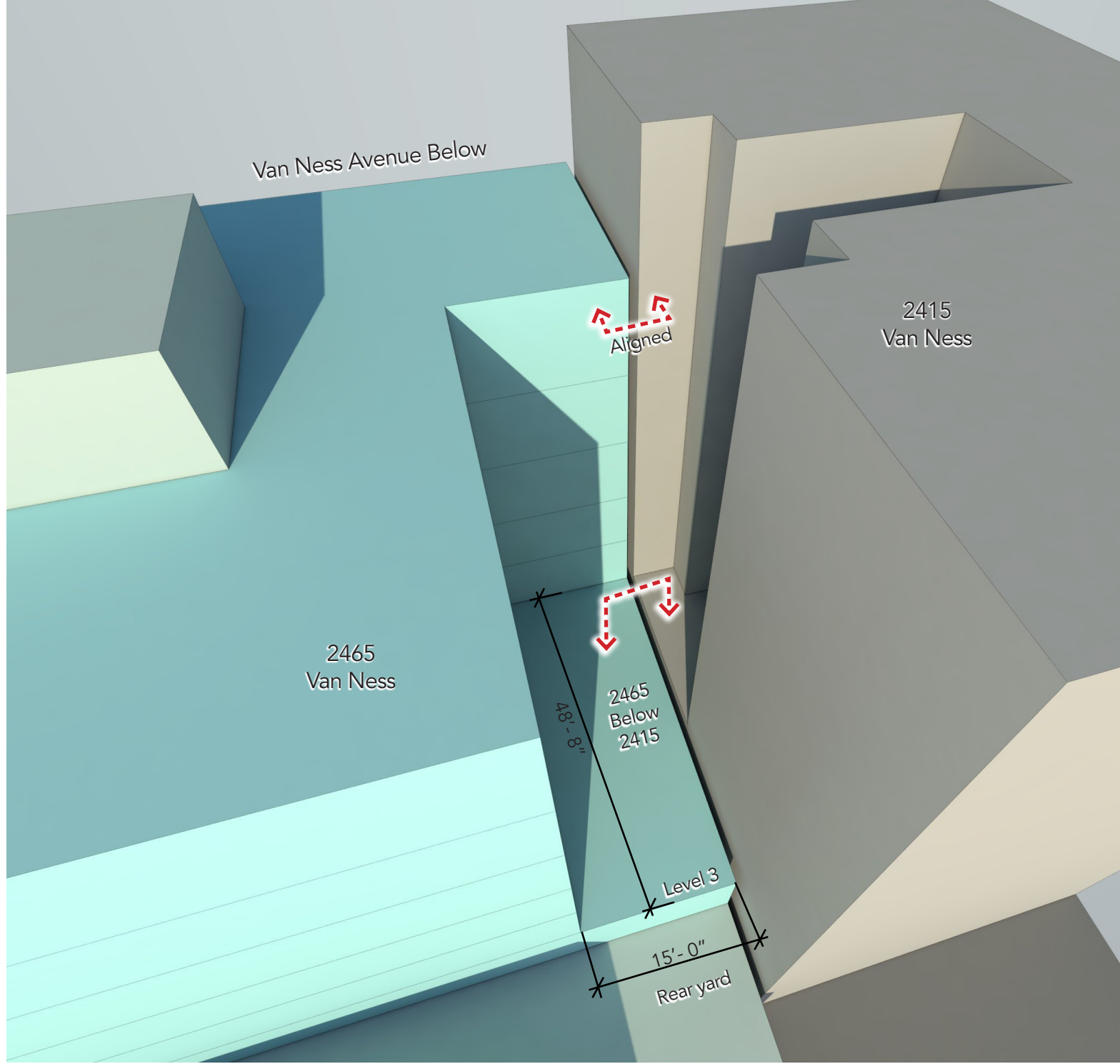


MASSING Revision for 2415 VN Neighbors

PREVIOUS SCHEME



REVISED SCHEME



MATERIALS



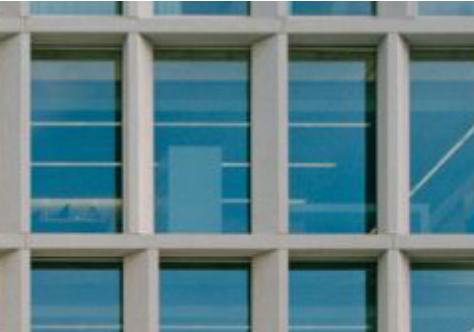
1. Storefront Windows



2. Bronze Colored Panel



3. Bronze Colored Mullion

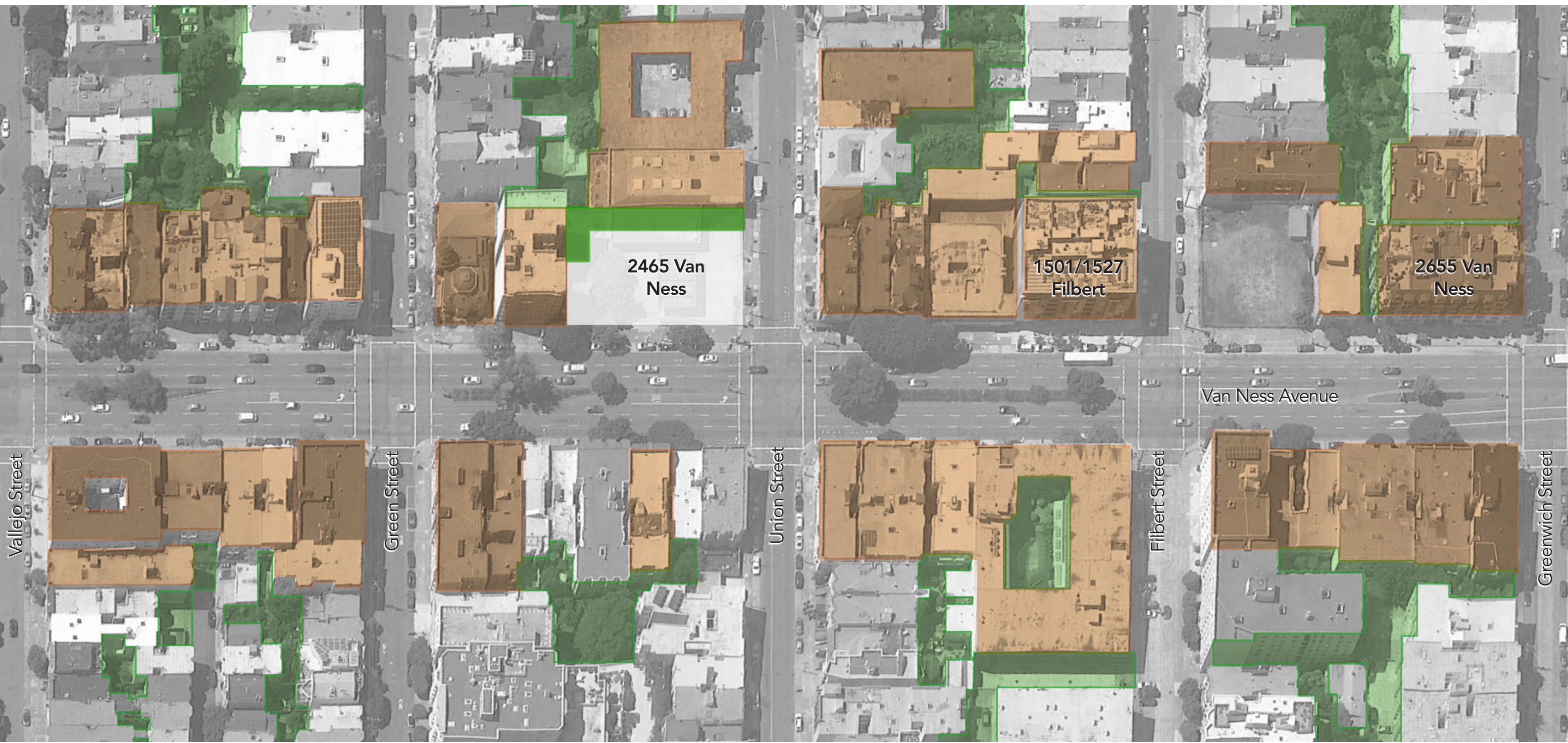


4. Precast Concrete



5. Low-E Glass

DIAGRAM Rear Yards and Mid-Block Open Space

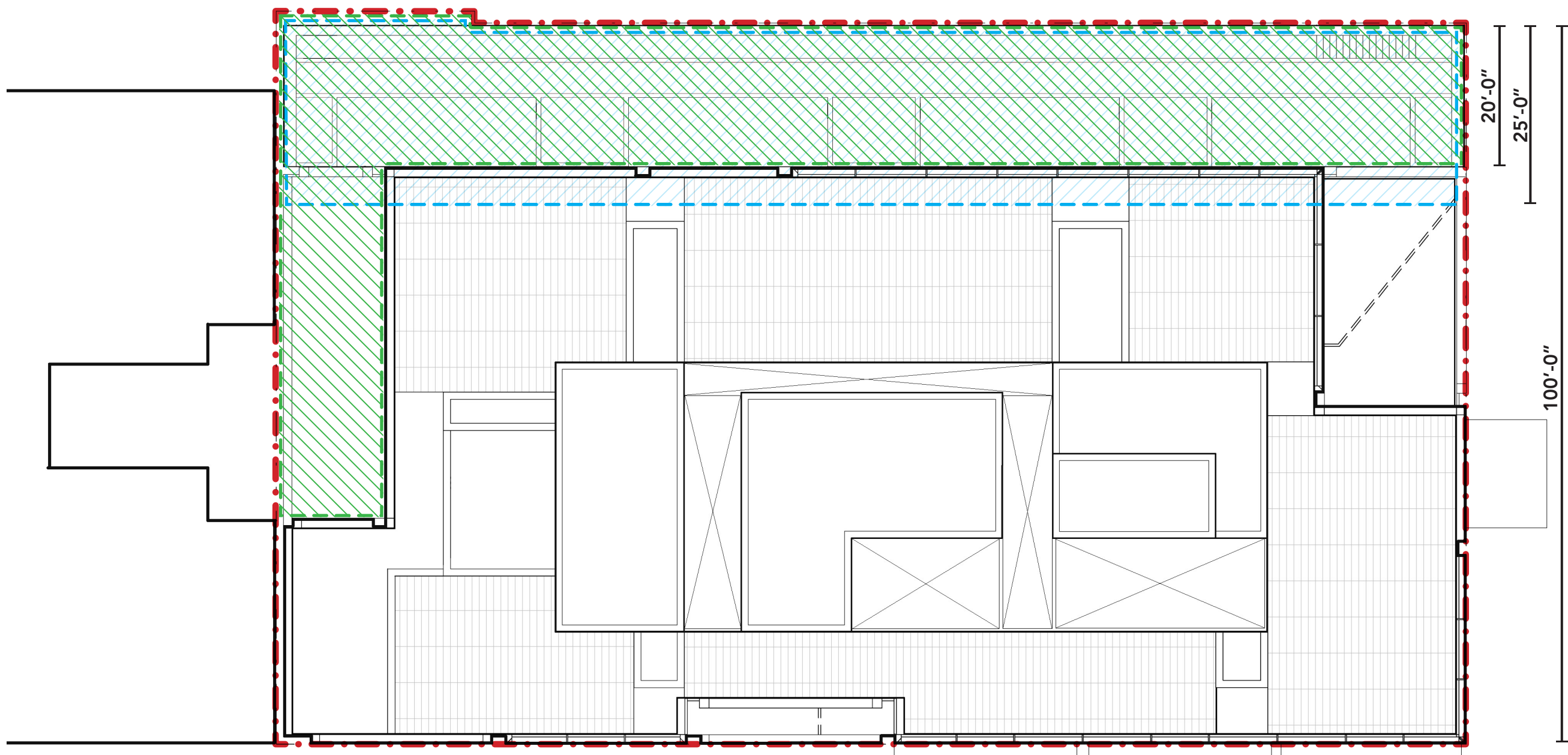


Building which Do Not have a compliant rear yard.



Open space - Not necessarily complies with Section 134

DIAGRAM Rearyard Zoning Compared with Proposed

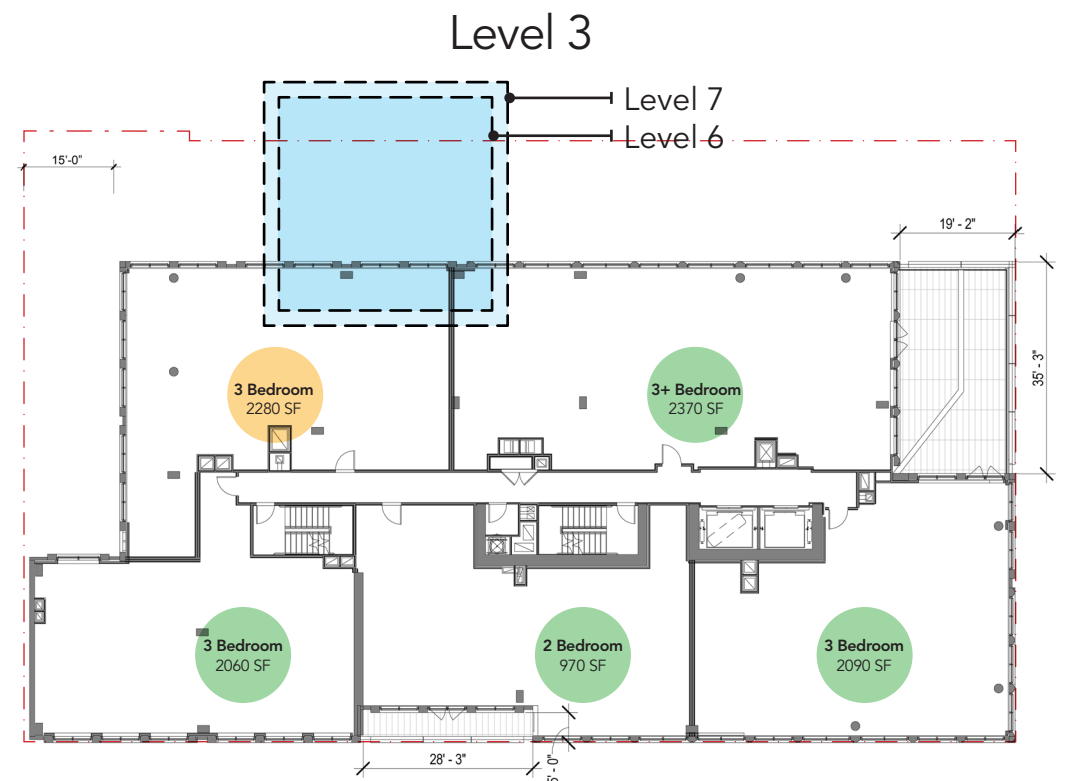
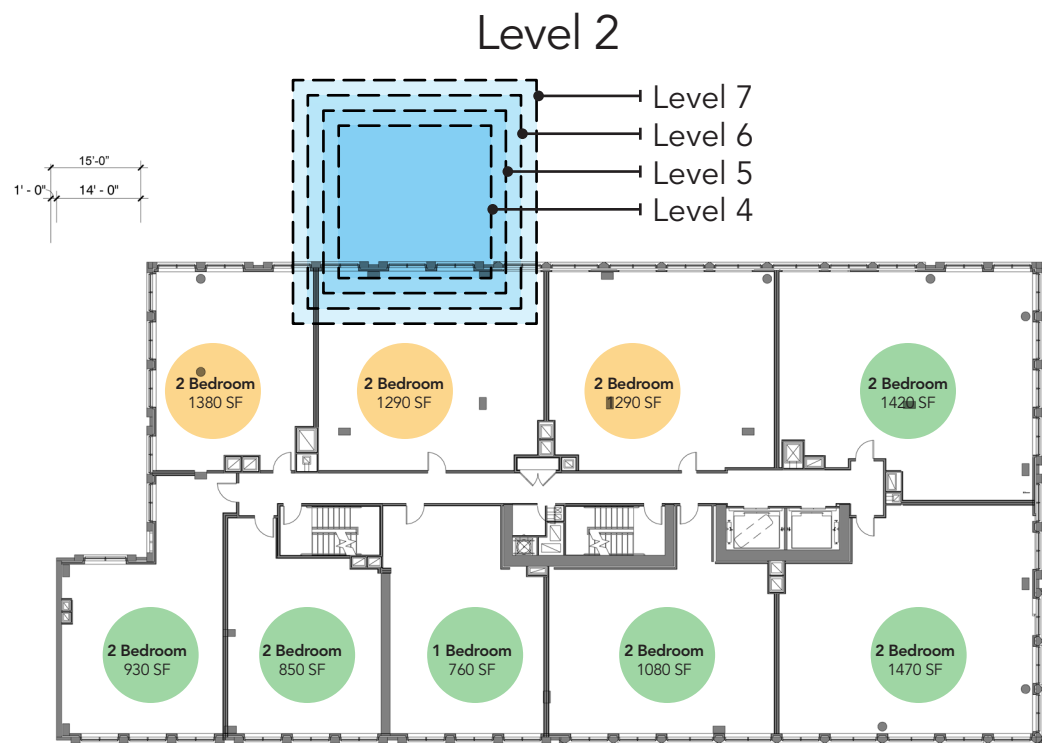
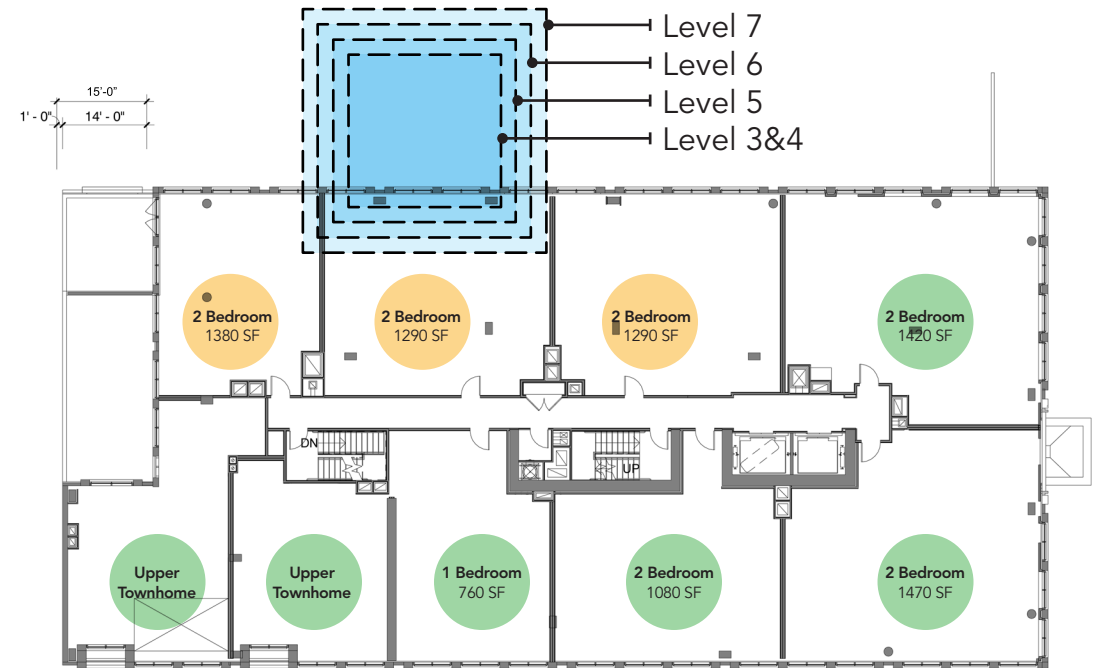
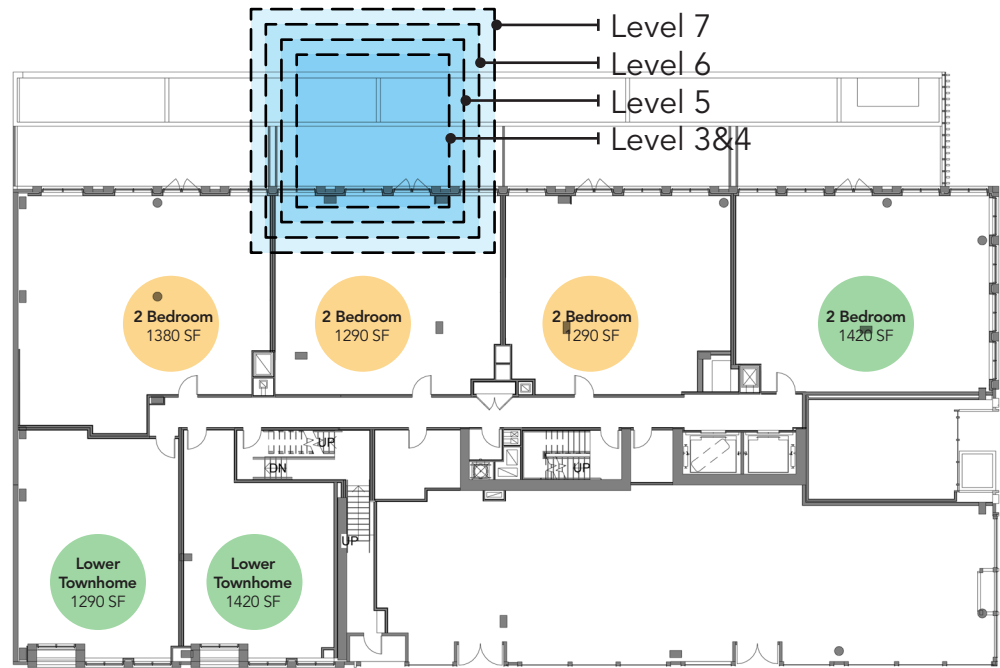


- Proposed Rearyard (at Level 2 & 3):** 20' Depth = 4,124 SF
- Zoning Require Rearyard (at Level 2) 25% Lot Depth:** 25' Depth = 4,170 SF

VAN NESS AVENUE



DIAGRAM Section 140



	Unit does meet Section 140 Requirement
	Unit does Not meet Section 140 requirement

