



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: AUGUST 4, 2016

Date: July 25, 2016
Case No.: **2015-009279CUA/VAR**
Project Address: **1433 Bush Street**
Zoning: RC-4 (Residential-Commercial, High Density)
Van Ness Special Use District
Block/Lot: 0670/024
Project Sponsor: Nick Cranmer, JS Sullivan Development
2044 Fillmore St, 3rd Floor
San Francisco, CA 94115
Staff Contact: Christopher May – (415) 575-9087
christopher.may@sfgov.org
Recommendation: **Approval with Conditions**

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The following executive summary reflects the project that was revised in response to the Planning Commission's comments at the initial hearing on June 9, 2016.

PROJECT DESCRIPTION

The project sponsor proposes to revise a previously-approved project (Case No. 2009.1074C, Planning Commission Motion No. 19159, approved May 22, 2014) to demolish the existing one-story commercial building containing an automotive rental use and construct a 117-foot tall, 11-story mixed-use building containing 47 dwelling units (9 studio units, 18 one-bedroom units, 18 two-bedroom units and 2 three-bedroom units). Eight (8) below-grade vehicular parking spaces would be provided and would be accessed via an existing curb cut on Fern Street. Two other existing curb cuts (one on Bush Street and one on Fern Street) would be removed. Forty-seven (47) Class 1 bicycle parking spaces would be provided in secure, weather protected areas in the below-grade garage level and on the ground floor level. Five (5) Class 2 bicycle parking spaces would be provided outside along the Bush Street and Fern Street sidewalks. Two ground floor commercial spaces totaling approximately 1,996 square feet would be provided – one on each street frontage. Usable open space for the dwelling units would be provided by means of two private roof decks for the 11th floor units measuring approximately 540 square feet and 382 square feet, as well as a 2,291 square-foot shared rooftop deck. In comparison to the previously-approved project, the amended project will provide an additional fifteen (15) dwelling units (including two additional affordable dwelling units), twenty-two (22) fewer off-street parking spaces, thirty-seven (37) additional bicycle parking spaces, and would remove two additional existing curb cuts.

SITE DESCRIPTION AND PRESENT USE

The project is located on the south side of Bush Street, Block 0670, Lot 024, between Van Ness Avenue and Polk Street. The subject property is a through lot with frontage on Bush and Fern Streets. The

property is located in the RC-4 (Residential-Commercial, High Density) Zoning District, the Van Ness Special Use District, the Van Ness Automotive Special Use District and the 130-V Height and Bulk District. The property is currently developed with a one-story-over-basement commercial building containing an automotive rental car use (d.b.a. City Rent-A-Car). The subject lot measures 55 feet wide by 120 feet deep with a lot area of 6,600 square feet.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the northern edge of the Downtown/Civic Center neighborhood. The immediate area is a mix of high-density apartment/condominium residential buildings with varied heights and uses. As the project is within the Van Ness Automotive Special Use District, automotive sales and service uses are also prevalent, particularly along Van Ness Avenue. The project is also located a half block from Polk Street, which is defined by a general development pattern of residential uses over commercial ground floors. Directly adjacent and west of the subject lot is a one-story automotive service building. Directly adjacent and east of the subject lot is a two-story mixed-use building with a restaurant on the ground floor and two residential units on the second floor.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	May 20, 2016	May 20, 2016	20 days
Posted Notice	20 days	May 20, 2016	May 20, 2016	20 days
Mailed Notice	20 days	May 20, 2016	May 20, 2016	20 days

BACKGROUND

On May 22, 2014, the Planning Commission approved a Conditional Use Authorization request (Case No. 2009.1074C, Planning Commission Motion No. 19159) to demolish the existing one-story commercial building containing an automotive rental use and construct a 115-foot tall, 10-story mixed-use building containing 32 dwelling units, 26 residential parking spaces and a 3,900 square-foot ground floor commercial space. Upon completion of the replacement building, City Rent-A-Car was to reestablish the automotive rental use on the commercial ground floor and would occupy 3 parking spaces within the building. Three existing curb cuts would have remained in order to provide access to the residential parking garage and to serve the automotive rental use. Plans for the previously-approved project have been attached as an Exhibit at the end of this Executive Summary.

On June 9, 2016, the Planning Commission heard a Conditional Use Authorization request to revise the previously-approved project and continued the case, directing the Project sponsor to redesign the project to address concerns primarily related to the size and quality of the ground floor retail spaces and the

dimensions and location of the interior courtyard. The current project modifies and replaces the previously-approved project.

PUBLIC COMMENT/COMMUNITY OUTREACH

In advance of the June 9, 2016 hearing, the Department had received public comment from representatives of the Lower Polk Neighbors organization and the Middle Polk Neighborhood Association, which both expressed concerns with the amount of active uses along the Fern Street commercial frontage and other urban design related issues. Staff also received one email inquiry from a member of the public who asked whether the amount of parking spaces would be sufficient for the number of dwelling units, and where the City Rent-A-Car might relocate. The Department has not received any additional public comment as of July 25, 2016, in advance of the Planning Commission hearing on August 4, 2016.

ISSUES AND OTHER CONSIDERATIONS

- Building Height in the RC Zoning District. The Project proposes a building height of 117 feet. Planning Code Section 253 states that Conditional Use Authorization is required to construct a structure greater than 50 feet in height in the RC Zoning District.
- Bulk. The Project proposes a building length of 120 feet and a diagonal dimension of 129 feet. Planning Code Section 270 states that in the V Bulk District, the maximum length of a building is 110 feet with a maximum diagonal dimension of 140 feet; therefore, a bulk exception is required.
- Rear Yard. The unique location of the lot, with its front and rear lot lines abutting two different streets, creates a situation where the literal application of the Planning Code would require that the project provide a 30-foot deep rear yard along the Fern Street frontage. As such, a modification to the rear yard requirements of the Planning Code is required in order to permit the construction of the proposed building, which would feature a 40-foot by 39-foot central courtyard as an alternative to the required rear yard. The Zoning Administrator will consider this modification request concurrent with the Planning Commission hearing for this Conditional Use authorization request (2015-009279CUA)
- Inclusionary Affordable Housing. Pursuant to Planning Code Section 415.3 and 415.6, the project will provide six dwelling units (2 studios, 2 one-bedrooms, and 2 two-bedrooms) of the 47 units provided as affordable units.
- Entertainment Commission. The subject property is located within 300 feet of Mayes Oyster House and the Regency Ballroom, both of which are considered active places of entertainment. As such, the Project Sponsor presented the project to the Entertainment Commission on June 7, 2016, hearing. In addition to the standard "Recommended Noise Attenuation Conditions for Chapter 116 Projects", the Entertainment Commission has provided additional site-specific recommendations and asks that the Planning Commission adopt them along with the standard conditions.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization pursuant to Planning Code Sections 253, 253.2, 271 and 303, to modify a previously-approved project (Case No. 2009.1074C, Planning Commission Motion No. 19159, approved May 22, 2014) to construct an 11-story building with 47 dwelling units above two ground floor retail spaces totaling 1,996 square feet within the RC-4 (Residential-Commercial, High Density) District, a 130-V Height and Bulk District and the Van Ness Special Use District.

BASIS FOR RECOMMENDATION

- The project represents an improvement over the previously-approved project in that it will provide an additional fifteen (15) dwelling units, two (2) additional affordable dwelling units, twenty-two (22) fewer off-street parking spaces, thirty-seven (37) additional bicycle parking spaces, and would remove two additional existing curb cuts.
- One curb cut on the Bush Street frontage and one of the two curb cuts on the Fern Street frontage would be removed, which will reduce potential pedestrian-vehicular conflicts along both streets.
- The project will introduce new residents who will support existing businesses in the nearby Polk Street Neighborhood Commercial District and the Van Ness Avenue corridor.
- Although the existing automotive rental use on the subject property will be eliminated, the project will provide approximately 1,996 square feet of ground floor commercial space for future retail use.
- The introduction of a retail space along the Fern Street frontage will help activate an otherwise lightly traveled alleyway.
- Other than those requirements for which a modification is being sought, the project meets all applicable requirements of the Planning Code and proposes land uses that are overall in greater conformity with the Planning Code.
- The project represents the sensitive redevelopment of an underutilized site and is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Site Photographs

Project Sponsor Submittal, including:

- Reduced Plans
- Inclusionary Affordable Housing Program: Affidavit for Compliance
- Planning Commission Motion No. 19159
- Previously-Approved Plans

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Block Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input type="checkbox"/> Public Correspondence | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Previously-Approved Plans | <input type="checkbox"/> Community Meeting Notice |
| | <input checked="" type="checkbox"/> Housing Documents |
| | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

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

_____ CM
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Transportation Sustainability Fee (Sec. 411A) |

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Planning Commission Draft Motion

HEARING DATE: AUGUST 4, 2016

Date: July 25, 2016
Case No.: **2015-009279CUAVAR**
Project Address: **1433 BUSH STREET**
Zoning: RC-4 (Residential-Commercial, High Density)
Van Ness Special Use District
130-V Height and Bulk District
Block/Lot: 0670/024
Project Sponsor: Nick Cranmer, JS Sullivan Development
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 253, 253.2, 271 AND 303 OF THE PLANNING CODE TO MODIFY A PREVIOUSLY-APPROVED PROJECT (CASE NO. 2009.1074C, PLANNING COMMISSION MOTION NO. 19159 APPROVED MAY 22, 2014) TO CONSTRUCT AN 11-STORY BUILDING WITH 47 DWELLING UNITS ABOVE TWO GROUND FLOOR RETAIL SPACES TOTALING 1,996 SQUARE FEET WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY) DISTRICT, A 130-V HEIGHT AND BULK DISTRICT AND THE VAN NESS SPECIAL USE DISTRICT.

PREAMBLE

On September 22, 2015, Nick Cranmer (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization, pursuant to Planning Code Sections 253, 253.2, 271 and 303, to modify a previously-approved project (Case No. 2009.1074C, Planning Commission Motion No. 19159, approved May 22, 2014) to construct an 11-story building with 47 dwelling units above two ground floor retail spaces totaling 1,996 square feet within the RC-4 (Residential-Commercial, High Density) District, a 130-V Height and Bulk District and the Van Ness Special Use District.

On June 9, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-009279CUA. The Commission continued their consideration of the Project until the July 14, 2016, Planning Commission hearing. The Commission further continued their consideration of the Project from the July 14, 2016, hearing to August 4, 2016.

On August 4, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-009279CUA.

On May 20, 2016, 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. On July 25, 2016, a revised Class 32 Categorical Exemption under CEQA was issued as a result of modifications made to the Project.

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. 2015-009279CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the south side of Bush Street, Block 0670, Lot 024, between Van Ness Avenue and Polk Street. The subject property is a through lot with frontage on Bush and Fern Streets. The property is located in the RC-4 (Residential-Commercial, High Density) Zoning District, the Van Ness Special Use District, the Van Ness Automotive Special Use District and the 130-V Height and Bulk District. The property is currently developed with a one-story-over-basement commercial building containing an automotive rental car use (d.b.a. City Rent-A-Car). The subject lot measures 55 feet wide by 120 feet deep with a lot area of 6,600 square feet.
3. **Surrounding Properties and Neighborhood.** The project site is located at the northern edge of the Downtown/Civic Center neighborhood. The immediate area is a mix of high-density apartment/condominium residential buildings with varied heights and uses. As the project is within the Van Ness Automotive Special Use District, automotive sales and service uses are also prevalent, particularly along Van Ness Avenue. The project is also located a half block from Polk Street, which is defined by a general development pattern of residential uses over commercial ground floors. Directly adjacent and west of the subject lot is a one-story automotive service

building. Directly adjacent and east of the subject lot is a two-story mixed-use building with a restaurant on the ground floor and two residential units on the second floor.

4. **Previously-Approved Project Description.** On May 22, 2014, the Planning Commission approved a Conditional Use Authorization request (Case No. 2009.1074C, Planning Commission Motion No. 19159) to demolish the existing one-story commercial building containing an automotive rental use and construct a 115-foot tall, 10-story mixed-use building containing 32 dwelling units, 26 residential parking spaces and a 3,900 square-foot ground floor commercial space. Upon completion of the replacement building, City Rent-A-Car was to reestablish the automotive rental use on the commercial ground floor and would occupy 3 parking spaces within the building. Three existing curb cuts would have remained in order to provide access to the residential parking garage and to serve the automotive rental use.
5. **Current Project Description.** The revised project proposes the demolition of the one-story commercial building containing an automotive rental use and the construction of a 117-foot tall, 11-story mixed-use building containing 47 dwelling units (9 studio units, 18 one-bedroom units, 18 two-bedroom units and 2 three-bedroom units), 8 below-grade vehicular parking spaces, 52 bicycle parking spaces and two ground floor commercial spaces totaling approximately 1,996 square feet. Usable open space for the dwelling units would be provided on two private decks and a shared rooftop deck.
6. **Public Comment.** Prior to the originally scheduled Planning Commission hearing on June 9, 2016, the Department had received public comment from representatives of the Lower Polk Neighbors organization and the Middle Polk Neighborhood Association, which both expressed concerns with the amount of active uses along the Fern Street commercial frontage and other urban design related issues. Staff also received one email inquiry from a member of the public who asked whether the amount of parking spaces would be sufficient for the number of dwelling units, and where the City Rent-A-Car might relocate. The Department has not received any additional public comment as of July 25, 2016, in advance of the Planning Commission hearing on August 4, 2016.
7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Building Height in the RC Zoning District.** Planning Code Section 253 states that Conditional Use Authorization is required to construct a structure greater than 50 feet in height in the RC Zoning District.

The Project proposes a building height of 117 feet within the RC-4 Zoning District and therefore requires Conditional Use Authorization. The additional required findings are listed below under Subsection 8.
 - B. **Building Height.** Per Planning Code Section 260, the maximum height limit for the subject property is 130 feet.

The Project proposes a building height of 117 feet and is therefore compliant with this requirement.

- C. **Bulk.** Planning Code Section 270 states that in the V Bulk District, the maximum length of a building is 110 feet with a maximum diagonal dimension of 140 feet.

The Project proposes a building length of 120 feet and a diagonal dimension of 132 feet. As the Project exceeds the maximum building length, a bulk exception is being sought. The additional required findings are listed below under Subsection 9.

- D. **Basic Floor Area Ratio.** Planning Code Section 243(c)(1) states that the basic floor area ratio limit shall be 7.0 to 1 in the 130-foot height district and, notwithstanding Section 124(b) of the Code, shall apply to dwellings, and includes floor space used for non-accessory off-street parking, driveways, and maneuvering areas. Section 125(b) of the Planning Code further states that for an interior lot which abuts along its rear lot line upon a street or alley, a floor area premium may be added by increasing the depth of the lot or portion along such street or alley, for purposes of floor area ratio computation, by one-half the width of such street or alley or 10 feet, whichever is the lesser.

The subject property is an interior lot which also abuts Fern Street along its rear lot line and therefore qualifies for a floor area ratio premium of 10 feet. As such, the maximum permitted basic floor area ratio would allow for a total of 50,050 square feet. The Project proposes a total of 50,050 square feet, and therefore complies with this requirement.

- E. **Rear Yard.** Planning Code Section 134 requires that the project provide a rear yard equal to 25 percent of the total lot depth at the lowest level containing a residential unit, and at each succeeding level or story of the building, but in no case less than 15 feet. Alternatively, the rear yard requirement in the Van Ness Special Use District may be modified or waived by the Zoning Administrator pursuant to the procedures which are applicable to variances, provided that the interior block open space formed by the rear yards of abutting properties will not be adversely affected, a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to residents, and the access of light and air to abutting properties will not be significantly impeded.

Literal enforcement of this Code requirement would result in a 30-foot deep rear yard along the Fern Street frontage. As an alternative, a rear yard modification is being sought for the project pursuant to Planning Code Sections 243(c)(6) and 307(g) to permit the provision of a central courtyard measuring approximately 1,557 square feet to serve as the required rear yard. The Zoning Administrator will consider a modification to the rear yard concurrent with the Planning Commission hearing for this Conditional Use Authorization request.

- F. **Usable Open Space.** Planning Code Section 135 requires that the project provide a minimum of 36 square feet of open space per dwelling unit. Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof. Alternatively, common useable open space, at a rate of 48 square feet per dwelling unit, may be provided to satisfy this

requirement. Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.

While the dwelling units fronting onto Bush Street would have private Juliette balconies, none of the proposed balconies would have a minimum horizontal dimension of six feet and therefore would not count toward the private open space requirement. The two 3-bedroom units on the 11th floor would have private decks approximately 540 square feet and 382 square feet in size. For the remaining 45 dwelling units, the Project proposes a common rooftop deck totaling approximately 2,293 square feet, for an amount equal to 51 square feet per dwelling unit. The proposed private decks and common rooftop deck satisfy the Planning Code requirements for usable open space.

- G. **Dwelling Unit Density.** Planning Code Section 243(c)(2) states that in the Van Ness Special Use District, residential density limits shall not apply.

The project proposes 47 dwelling units.

- H. **Dwelling Unit Exposure.** Planning Code Section 140 states that in each dwelling unit, the windows of at least one room of 120-square-foot minimum dimensions shall face directly onto a public street, public alley at least 20 feet in width, side yard at least 25 feet in width, a Code-complying rear yard, or an open area which is unobstructed and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

The project complies with the dwelling unit exposure requirement as every unit would face onto either Bush Street or Fern Street.

- I. **Off-Street Parking and Loading.** Section 151.1 of the Planning Code permits a maximum of one (1) off-street parking space for every two (2) dwelling units and up to one (1) off-street parking space for each 200 square feet of occupied floor area for retail uses are permitted in a Residential-Commercial Zoning District. Planning Code Section 152 does not require any off-street loading spaces for non-residential uses with a gross floor area less than 10,000 square feet.

The project proposes eight (8) off-street parking spaces, including one handicap-accessible space, in the below-grade garage level accessed from Fern Street. The amount of off-street parking proposed is less than the maximum 34 off-street parking spaces permitted by the Planning Code, and does not require or propose any off-street loading spaces for the non-residential uses. The project therefore complies with these requirements.

- J. **Non-Residential Bicycle Parking.** Planning Code Section 155.2 requires the provision of at least one (1) Class 2 bicycle parking space for every 750 square feet of occupied floor area, but no less than two, for restaurant uses.

The Project would provide five (5) Class 2 bicycle parking spaces, which complies with the Planning Code requirements.

- K. **Residential Bicycle Parking.** Planning Code Section 155.2 requires the provision of at least one (1) Class 1 bicycle parking space per dwelling unit and one (1) Class 2 bicycle parking space per 20 dwelling units for residential uses.

The Project would provide a total of forty-seven (47) Class 1 bicycle parking spaces - ten (10) within the below-grade garage level, with ramp access to street level along the Fern Street frontage, and thirty-seven (37) in a bicycle storage area on the ground floor. Five (5) Class 2 bicycle parking spaces would be provided which complies with the Planning Code requirements.

- L. **Street Frontage in Residential-Commercial Districts.** Section 145.1 of the Planning Code requires that, with the exception of space allowed for parking and loading access, building egress, and access to mechanical systems, space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. Building systems including mechanical, electrical, and plumbing features may be exempted from this requirement by the Zoning Administrator only in instances where those features are provided in such a fashion as to not negatively impact the quality of the ground floor space. Building lobbies are considered active uses, so long as they do not exceed 40 feet or 25 percent of building frontage, whichever is larger. The floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. No more than one-third of the width or 20 feet, whichever is less, of any given street frontage shall be devoted to parking ingress or egress. Ground floor non-residential uses in all RC districts shall have a minimum floor-to-floor height of 14 feet.

The proposed building would front onto both Bush Street and Fern Street and active uses are required along both frontages. The entire Bush Street frontage is occupied by a proposed retail use approximately 25 feet deep and the entrance to the residential lobby, both of which are considered active uses. The floor-to-floor ground floor heights for spaces fronting onto Bush Street range from approximately 16 feet to 18 feet.

On the Fern Street side, approximately 11 feet of frontage is dedicated to parking ingress/egress and 5 feet is occupied by the secondary building ingress/egress corridor, both of which are exempted from the provisions of Planning Code Section 145.1. The remaining 37 feet of the Fern Street frontage is occupied by a proposed retail use, which has a floor-to-floor height of approximately 21 feet and is approximately 25 feet deep. The proposed uses and ground floor layout along the two street frontages complies with the requirements of Planning Code Section 145.1.

- M. **Shadow.** Planning Code Section 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the

Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

Based upon a shadow analysis, the Project does not cast any net new shadow upon property under the jurisdiction of the Recreation and Parks Commission.

- N. **Entertainment Commission Outreach.** Planning Code Section 314 requires that the Planning Department and Planning Commission consider the compatibility of uses when approving residential uses adjacent to or near existing permitted Places of Entertainment and shall take all reasonably available means through the City's design review and approval processes to ensure that the design of such new residential development project takes into account the needs and interests of both the Places of Entertainment and the future residents of the new development.

The subject property is located within 300 feet of Mayes Oyster House and the Regency Ballroom, both of which are considered active places of entertainment. As such, the Project Sponsor presented the project to the Entertainment Commission on June 7, 2016, hearing. In addition to the standard "Recommended Noise Attenuation Conditions for Chapter 116 Projects", the Entertainment Commission has provided additional site-specific recommendations and asks that the Planning Commission adopt them along with the standard conditions, all of which are included as recommended conditions of approval in Exhibit A.

- O. **Transportation Sustainability Fee.** Planning Code Section 411A is applicable to any development project that results in the construction of more than twenty (20) new dwelling units.

The Project proposes the construction of forty-seven (47) new dwelling units and is therefore subject to the Transportation Sustainability Fee. These fees must be paid prior to the issuance of the first construction document.

- P. **Inclusionary Affordable Housing.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5 and 415.6, the current Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 12% of the proposed dwelling units as affordable. This requirement is subject to change under a proposed Charter amendment and pending legislation if the voters approve the Charter Amendment at the June 7, 2016 election. Recently adopted Ordinance No. 76-16 (File No. 160255) will become effective after the election is certified and includes grandfathering provisions for projects that were submitted to the Planning Department prior to January 12, 2016.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of

Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on July 7, 2016. The EE application was submitted on October 20, 2015. Pursuant to Planning Code Section 415.3 and 415.6, the current on-site requirement is 12%. Six units (2 studios, 2 one-bedroom and 2 two-bedroom) of the 47 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- Q. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

- R. **Child Care Fee.** Planning Code Section 414A requires payment of a child care impact fee for a project that results in one net new dwelling unit.

The Project proposes 47 new dwelling units and will be required to pay a fee of \$0.91 for each net new gross square foot of residential development.

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

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

The size of the proposed multi-use building is necessary and desirable as it will provide 47 dwelling units to the City's housing stock, which would amount to fifteen units more than the site was entitled for in 2014. The height and density of the building is compatible with the surrounding Downtown/Civic Center neighborhood, the RC-4 Zoning District and the Van Ness Special Use

District, as the project is reflective of the uses and density found in the immediate neighborhood. The proposed project would also replace the currently entitled ground floor automotive rental use with pedestrian-oriented commercial uses.

- 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 proposed size, shape and arrangement of the proposed building would not be detrimental to persons residing or working in the vicinity, as the building, in general, is consistent with the massing and height of other tall buildings found within the immediate vicinity, within the Van Ness Special Use District and the wider Downtown/Civic Center neighborhood. The proposed project represents the appropriate infill of a lot that is currently underdeveloped.

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

The project would provide eight (8) unbundled off-street parking spaces for the residential uses in an underground garage, representing 18 fewer spaces than is currently entitled. The Planning Code does not require parking or loading for the proposed 1,996 square feet of commercial uses. The project would eliminate two of the three existing curb cuts (one on Bush Street and one on Fern Street) currently providing access to the site, reducing the potential for pedestrian and vehicular conflicts. Parking access would be located on Fern Street so as to not impede the busier thoroughfare along Bush Street.

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

The project is not expected to cause any negative noise, glare, dust or odor impacts.

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

The project locates residential parking at the basement level, which allows for a generous residential lobby and commercial spaces fronting onto both Bush and Fern Streets. The central courtyard would be landscaped and would be fully visible from Bush Street through the residential lobby. The vehicular access for the basement parking level is accessed via Fern Street, which is a less travelled street, thus minimizing potential pedestrian and vehicular conflicts. The project proposes approximately 2,293 square feet of common open space on the rooftop deck. Two of the dwelling units would have approximately 540 square feet and 382 square feet of private open space by means of private roof decks. The project sponsor has completed the required Tree Planting and Protection Checklist and has identified that six street trees are required by the project. The

feasibility of planting the required number of street trees at the project will be determined by the Department of Public Works, Urban Forestry Division.

- 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. Where the project deviates from the standard provisions of the Planning Code, the project sponsor is requesting the necessary exceptions and variances as required by the Planning Code. The project 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 Residential Commercial District.

The proposed project is consistent with the stated purposes of RC-4 District and the Van Ness Special Use District in that it proposes high-density housing with ground floor commercial uses that are compatible with other uses nearby.

9. **Bulk Exception Findings.** Pursuant to Planning Code Section 270, the "V" Bulk District shall have a maximum length of 110 feet and a maximum diagonal dimension of 140 feet for the portion of a building greater than 50 feet in height.

The proposed project measures 120 feet in plan length with a diagonal dimension of 132 feet, therefore the project requires a bulk exception to exceed the maximum plan length by 10 feet pursuant to Planning Code Section 271, an approval that was granted to the currently entitled project.

Planning Code Section 271 establishes criteria to allow exceptions to the Bulk limit with Conditional Use Approval. On balance, the project does comply with said criteria in that:

- a. The appearance of the 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.
- i. Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;

The bulk of the building is interrupted along the east elevation by a central courtyard measuring approximately 1,557 square feet (40 feet by 39 feet), thus creating a break in the building mass and giving the appearance of two towers.

- ii. Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;

While the proposed building height is 117 feet on the Bush Street frontage, the façade height on the Fern Street frontage is five feet greater (122 feet) due to differences in street elevations. The Fern

Street façade and massing is further differentiated by a different window system, façade composition and its massing.

- iii. Differences in materials, colors or scales of the facades that produce separate major elements;

All facades are treated with exterior materials of various textures and colors to create a building scale and massing that is appropriate within the surrounding context. The ground floor is also differentiated by height, scale and materials.

- iv. 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

The central courtyard expressed along the east elevation creates the appearance of two towers, each of which would meet the bulk limits if measured as separate elements.

- v. 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.

This criterion is not applicable as only one tower is proposed.

- b. 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:

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

The building height and silhouette is harmonious with the surrounding topography on Bush Street and the Van Ness Avenue corridor.

- ii. 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 height, setbacks and placement of architectural detailing references the building heights and scale in the surrounding neighborhood.

- iii. Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and

The scale and selection of exterior materials reflect the residential uses in the immediate neighborhood. The scale of the ground floor is consistent with the pattern of tall commercial street frontages along Bush Street. The window proportions and use of Juliette balconies reflect the residential uses contained within the upper portion of the building.

- iv. Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

The pattern of continuous commercial ground floor uses is maintained along Bush Street and the removal of the one existing curb cut along the Bush Street frontage will enhance the pedestrian realm. The removal of one of the two curb cuts on Fern Street and the proposed retail space along that frontage will enhance pedestrian activity in the alleyway.

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

HOUSING

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2:

Focus housing growth and infrastructure necessary to support growth according to community plans. Complete planning underway in key opportunity areas.

Policy 1.10:

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

The project is located in a Residential-Commercial, High Density (RC-4) District, which has been identified as an area where existing and planned infrastructure can support residential growth. Future residents of the proposed building will be able to rely on public transit, walking and bicycling for the majority of their daily trips.

OBJECTIVE 4:

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

Policy 4.1:

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

The project will provide 18 two-bedroom units and 2 three-bedroom units which would be suitable for families with children.

OBJECTIVE 12:

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

Policy 12.1:

Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Policy 12.2:

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

Policy 12.3:

Ensure new housing is sustainably supported by the City's public infrastructure systems.

The subject site is already adequately served by the City's water, and sewer systems, electricity and gas utilities, MUNI public transit, and receives solid waste and recycling collection.

OBJECTIVE 13:

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.3:

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

The proposed residential building would provide forty-seven (47) weather-protected bicycle parking spaces for its residents to encourage bicycling, and is located within walking distance to several public transit lines, including the future Van Ness Avenue BRT line.

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:

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

The proposed project will provide 1,996 square feet of commercial space on the ground floor, which will contribute positively to the diversity of commercial uses and services found in the surrounding neighborhood.

OBJECTIVE 2:

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

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The Project will offer two ground floor spaces for new commercial activity and will enhance the diverse economic base of the City.

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

While the currently entitled project would allow the existing automotive rental use to remain, the project sponsor no longer seeks to continue this use and instead is proposing two separate commercial spaces that would enable the district to achieve optimal diversity in the types of goods and services available in the neighborhood.

Policy 6.2:

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

An independent entrepreneur is sponsoring the proposal. The proposed use is a neighborhood serving use. No Formula Retail use is being proposed.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2:

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1:

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

The project proposes to create high-density housing within walking distance of MUNI lines 1, 2, 3, 19, 38, 39R, 47, 49 and the California Street cable car line. In addition, the subject site is near the Van Ness Avenue transit corridor, which is proposed to be redesigned for a bus rapid transit (BRT) line in the near future. The project would provide only 0.17 off-street parking spaces per dwelling unit, for a total of 8 spaces, and will not provide any parking for the proposed commercial uses which will encourage transit usage amongst residents and patrons of the ground floor retail spaces.

OBJECTIVE 11:

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

Policy 11.3:

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

The project is located within a neighborhood rich with public transportation and, with only 0.17 off-street parking spaces per dwelling unit, occupants of the proposed building are expected to rely heavily on public transit, cycling or walking for the majority of their daily trips. Within a few blocks of the subject site, there is an abundance of local and regional transit lines, including MUNI bus lines, the California Street cable car line, MUNI Metro rail lines and BART.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

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

Policy 28.3:

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

The project will provide forty-seven (47) Class 1 bicycle parking spaces within secure, weather protected areas within the building as well as five (5) Class 2 bicycle parking spaces along the Bush and Fern Street frontages that will accommodate both employees and patrons of the building's commercial uses as well as guests of the residential units above.

OBJECTIVE 34:

RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

Policy 34.1:

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 34.3:

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

Policy 34.5:

Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

A maximum of twenty-four (24) off-street parking spaces are permitted (one for every two dwelling units), however the project proposes only eight off-street parking spaces. The proposed commercial uses do not require nor propose any off-street parking or loading. As such, the project is consistent with the objectives of the General Plan for parking reduction for new buildings in residential and commercial areas adjacent to transit centers.

URBAN DESIGN

Objectives and Policies

OBJECTIVE 3:

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:

Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

In order to respond to the surrounding context in terms of bulk and massing, the project proposes a central courtyard along the east elevation, thus creating a break in the building mass and giving the appearance of two towers. The exposed side elevations will be treated with finished stucco and will feature reveal joints to create visual interest until such time that the adjacent properties redevelop. The proposed building would meet the requirements of the 130-foot Height District within which it is located, and would represent an appropriate scale of development.

VAN NESS AVENUE AREA PLAN

Objectives and Policies

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.

Policy 7.3:

Generally maintain existing open space requirements for residential use. Allow common open space requirements to be met by a variety of recreation and open space features.

Policy 7.4:

Design mixed use developments to create a quiet residential environment with a variety of intimate, personal spaces well insulated from the intrusion of noises from street or commercial activities.

The proposed building provides a spacious, secure rooftop common outdoor space for building residents which will be set back from the building's façade in order to insulate it from street noise and commercial activity below.

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

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

The subject site is located adjacent to the Polk Street Neighborhood Commercial District, which is a vibrant and successful neighborhood retail and commercial area. The project will introduce new residents who will visit and shop at the existing neighborhood retail and commercial establishments, thereby enhancing their businesses. Although the existing automotive rental use on the subject property will be eliminated, the project will provide approximately 1,996 square feet of ground floor commercial space for future retail use.

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

The project would not displace any existing housing or negatively affect the existing neighborhood character. The project would improve the existing character of the neighborhood by redeveloping an underutilized lot with new residential and commercial uses that will add economic diversity to the neighborhood, including a mix of dwelling unit types on-site. The proposed ground floor retail spaces are consistent with the pedestrian-oriented uses in the immediate area.

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

There is currently no housing on the subject property, therefore no affordable housing is proposed to be removed for this project. Moreover, the project would enhance the City's supply of affordable housing by providing six (6) on-site affordable dwelling units, in compliance with the Inclusionary Affordable Housing Program requirements of Planning Code Section 415.

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

The project is well-served by public transit, particularly along the Van Ness Avenue, Pine Street, Bush Street and California Street corridors. With only 8 off-street parking spaces for the proposed 47 dwelling units, the project is not expected to generate much commuter traffic that would overburden local streets or impact neighborhood parking.

- 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 industry establishment. 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. This proposal will not impact the property's ability to withstand an earthquake.

- 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.

A shadow study was prepared and the project's shadow does not reach any parks or open spaces under the jurisdiction of the Department of Recreation and Parks. The project will have no negative impact on existing parks and open spaces.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2015-009279CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 4, 2016, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 4, 2016.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: August 4, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the construction of an 11-story building with 47 dwelling units above two ground floor retail spaces totaling 1,996 square feet located at 1433 Bush Street, Block 0670, Lot 024, pursuant to Planning Code Sections 253, 253.2, 271 and 303 within the RC-4 District and a 130-V Height and Bulk District; in general conformance with plans, dated August 4, 2016, and stamped "EXHIBIT B" included in the docket for Case No. 2015-009279CUA and subject to conditions of approval reviewed and approved by the Commission on August 4, 2016 under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on August 4, 2016 under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

Chapter 116 Residential Projects. The Project Sponsor shall comply with the “Recommended Noise Attenuation Conditions for Chapter 116 Residential Projects,” which were recommended by the Entertainment Commission on August 25, 2015. These conditions state:

1. **Community Outreach.** Project Sponsor shall include in its community outreach process any businesses located within 300 feet of the proposed project that operate between the hours of 9PM-5AM. Notice shall be made in person, written or electronic form.
2. **Sound Study.** Project sponsor shall conduct an acoustical sound study, which shall include sound readings taken when performances are taking place at the proximate Places of Entertainment, as well as when patrons arrive and leave these locations at closing time. Readings should be taken at locations that most accurately capture sound from the Place of Entertainment to best of their ability. Any recommendation(s) in the sound study regarding window glaze ratings and soundproofing materials including but not limited to walls, doors, roofing, etc. shall be given highest consideration by the project sponsor when designing and building the project.
3. **Design Considerations.**
 - a. During design phase, project sponsor shall consider the entrance and egress location and paths of travel at the Place(s) of Entertainment in designing the location of (a) any entrance/egress for the residential building and (b) any parking garage in the building.
 - b. In designing doors, windows, and other openings for the residential building, project sponsor should consider the POE’s operations and noise during all hours of the day and night.
4. **Construction Impacts.** Project sponsor shall communicate with adjacent or nearby Place(s) of Entertainment as to the construction schedule, daytime and nighttime, and consider how this schedule and any storage of construction materials may impact the POE operations.
5. **Communication.** Project Sponsor shall make a cell phone number available to Place(s) of Entertainment management during all phases of development through construction. In addition, a line of communication should be created to ongoing building management throughout the occupation phase and beyond.

In addition to these standard recommendations, at a hearing held on June 7, 2016, the Entertainment Commission made a motion to recommend that the Planning Commission adopt these site-specific conditions into the development approval for this project:

6. **Sound Study.**
 - a. Project sponsor agrees to do additional sound study to include 24-hour averages including a weekend night and a performance night at the Regency Ballroom.
 - b. Project sponsor agrees to include both dBC and dBA measurements in the new sound study.
 - c. Project sponsor agrees to send the updated sound study to the Entertainment Commission when complete.

7. **Design Considerations.** Project sponsor will use all resources necessary to insure that the project foundation remains at least 6 inches away from the foundation of the building housing Mayes at 1233 Polk Street. This may include requiring a “special inspection” from Dept of Building Inspection at the time the foundation is constructed.

DESIGN – COMPLIANCE AT PLAN STAGE

1. **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>

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

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org

PARKING AND TRAFFIC

1. **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. All 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
2. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 53 bicycle parking spaces (47 Class 1 spaces and 2 Class 2 spaces for the residential portion of the Project and 3 Class 2 spaces for the commercial portion of the Project).
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
3. **Parking Maximum.** The Project shall provide no more than eight (8) off-street parking spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **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

1. **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 415-575-9087, www.sf-planning.org
2. **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
3. **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 415-575-9087, www.sf-planning.org
4. **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 415-575-9087, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

1. **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
2. **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
3. **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

1. **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>
2. **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>
3. **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
4. **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
5. **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

6. **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

AFFORDABLE HOUSING

1. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is currently required to provide 12% of the proposed dwelling units as affordable to qualifying households, but is subject to change under a proposed Charter amendment and pending legislation if the voters approve the Charter Amendment at the June 7, 2016 election. The Project contains 47 units; therefore, 6 affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the 6 affordable units on-site. If the Project is subject to a different requirement if the Charter Amendment is approved and new legislative requirements take effect, the Project will comply with the applicable requirements at the time of compliance. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

2. **Unit Mix.** The Project contains 9 studio, 18 one-bedroom, 18 two-bedroom, and 2 three-bedroom units; therefore, the required affordable unit mix is 2 studio, 2 one-bedroom and 2 two-bedroom units, or the unit mix that may be required if the inclusionary housing requirements change as discussed above. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

3. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

4. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twelve percent (12%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

5. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

6. **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 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 MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD 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.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average of ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco " but these income levels are subject to change under a proposed Charter amendment and pending legislation if the voters approve the Charter Amendment at the June 7, 2016 election. If the Project is subject to a different income level requirement if the Charter Amendment is approved and new legislative requirements take effect, the Project will comply with the applicable requirements. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply

- and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
 - d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
 - e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements 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.
 - f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
 - g. If the Project Sponsor 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 Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
 - h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: 2015-009279ENV
 Project Title: 1433 Bush Street
 Zoning: RC-4 (Residential-Commercial Combined, High Density)
 130-V Height and Bulk District
 Van Ness and Automobile Special Use District
 Block/Lot: 0670/024
 Lot Size: 6,600 square feet
 Project Sponsor: Nicolas Cramner, JS Sullivan Development, (415) 501-0931
 Staff Contact: Don Lewis – (415) 575-9168, don.lewis@sfgov.org

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 Suite 400
 San Francisco,
 CA 94103-2479

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 415.558.6378

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 Information:
 415.558.6377

PROJECT DESCRIPTION:

The project site is located mid-block on the south side of Bush Street between Van Ness Avenue and Polk Street on the boundary of the Downtown/Civic Center and Nob Hill neighborhoods. The project site consists of a 30-foot-tall, one-story over basement, industrial building approximately 13,200 square feet in size with approximately 25 vehicular parking spaces located within the building. The existing building was constructed in 1915 and is currently occupied by a car rental company ("City Rent-A-Car"). The project sponsor proposes the demolition of the existing building and construction of a new 117-foot-tall (127-square-foot-tall with elevator penthouse), eleven-story over basement, mixed-use building approximately 59,400 square feet in size. The proposed building would include 47 residential units, 1,110 square feet of ground-floor retail use, and nine off-street parking spaces.

(Continued on next page)

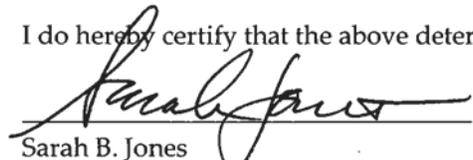
EXEMPT STATUS:

Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332)

(Continued on next page)

DETERMINATION:

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


 Sarah B. Jones
 Environmental Review Officer

May 20, 2016
 Date

cc: Nicolas Cramner, Project Sponsor
 Christopher May, Current Planner
 Supervisor Kim, District 6 (via Clerk of the Board)

Distribution List
 Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

Access to the underground parking garage would be from Fern Street. The proposed project would include 47 Class I bicycle spaces at the ground-floor level and four Class II bicycle spaces would be located on the Bush Street sidewalk in front of the project site. The proposed project would include an approximately 2,314-square-foot common roof deck. The existing 12-foot-wide curb cut on Bush Street and the two existing 12-foot-wide curb cuts on Fern Street would be removed and standard sidewalk and curb dimensions restored. The proposed project would provide a new 11-foot-wide curb cut on Fern Street for vehicle ingress and egress from the parking garage. The proposed project would install a 20-foot-long loading zone on Bush Street in front of the project site. Five street trees would be planted along the project site (three on Bush Street and two on Fern Street). During the approximately 20-month construction period, the proposed project would require up to five feet of excavation below the basement of the existing building for the proposed reinforced concrete mat foundation and elevator pits, resulting in approximately 440 cubic yards of soil disturbance. The proposed project would include one backup emergency generator.

Project Approvals

The proposed project would require the following approvals:

- **Conditional Use Authorization** (*Planning Commission*). The proposed project would require Conditional Use authorization for development of a building exceeding a height of 50 feet in a Residential District. The approval of the Conditional Use authorization would be 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.
- **Variance** (*Planning Department*). The proposed project would require a rear yard variance from the Zoning Administrator.
- **Building Permit** (*Department of Building Inspection*) (DBI). The proposed project would require approval from DBI for demolition of the existing building and construction of the proposed building.

Project Setting. The project site is located mid-block on the south side of Bush Street between Van Ness Avenue and Polk Street on the boundary of the Downtown/Civic Center and Nob Hill neighborhoods. The project site slopes downward to the east and has frontages on both Bush and Fern streets. Bush Street is a one-way, three-lane, eastbound major arterial with on-street parking on both sides. Fern Street is a one-way, one-lane eastbound alley with on-street parking on the south side of the street. Land uses near the project site include residential, commercial, hotel, office, and parking. Within 250 feet of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: 1AX/1BX, 2, 3, 19, 31AX/BX, 38, 38AX/BX, 38R, 47, 49, 61, 76X, and 90. There is a bicycle lane on Polk Street and there are bicycle routes on California and Sutter streets. The surrounding parcels east of the project site are zoned Polk Street Neighborhood Commercial District and within a 130-V height and bulk district while parcels to the west of the project site are zoned RC-4 and are primarily within a 65-A height and bulk district.

On the south side of Bush Street, from Polk Street to Van Ness Avenue, is a five-story mixed-use building with 25 dwelling units and ground-floor retail use ("Peoples Barber and Shop"), a two-story mixed-use building with two dwelling units over a ground-floor restaurant, the project site, a one-story industrial building ("Gage Automotive"), a two-story office building, a two-story commercial building with a ground-floor martial arts/fitness studio, a two-story office building, a two-story mixed-use building with one dwelling unit over a vacant ground-floor, and a five-story mixed-use building with 31 dwelling units over a vacant ground-floor, which is located at the southeast corner of Van Ness Avenue and Bush Street. On the north side of Bush Street, from Polk Street to Van Ness Avenue, is a five-story apartment building with 73 units ("Leland Apartment Building") and ground-floor retail uses, a one-story industrial building with commercial/office uses, a two-story industrial building with automotive repair uses, a four-story apartment building with 24 dwelling units and ground-floor retail, a five-story mixed-use building with 22 dwelling units and ground-floor retail, a three-story industrial building with a public parking garage on the ground-floor, and a three-story office building with ground-floor retail ("Peet's Coffee & Tea"), which is located at the northeast corner of Van Ness Avenue and Bush Street. At the southeast corner of Bush and Polk streets is a public parking garage that includes four stories of parking over ground-floor retail uses. Immediately adjacent to the east of the project site along Fern Street is a two-story residential hotel ("Mayes Residential Hotel") which includes 13 guestrooms and a ground-floor restaurant/bar ("Mayes Oyster House").

One block south of the project site is an approved development at 1238 Sutter Street (Case No. 2013.1238E) which involves the demolition of an existing building and construction of a nine-story mixed-use building with 37 dwelling units, 4,260 square feet of ground-floor commercial use, and zero off-street parking. Two blocks south of the project site is a proposed development at 1145 Polk Street (Case No. 2014-001674ENV) which entails the demolition of an existing building and construction of a six-story mixed-use building with 54 dwelling units, 5,900 square feet of ground-floor commercial use, and 23 off-street parking spaces.

There are a number of developments that are currently under construction within the vicinity of the project site. Two blocks north of the project site is the 1545 Pine Street development (Case No. 2006.0383E) which entails the construction of two buildings, a 12-story building and a six-story building, containing a total of 100 dwelling units, 84 parking spaces, and 10,000 square feet of ground-floor commercial use. Three blocks (approximately 660 feet) northwest of the project site is the 1634-1690 Pine Street development (Case No. 2011.1306E) which entails the construction of two 130-foot-tall residential towers with a total of 260 dwelling units, 4,900 square feet of ground-floor retail, and 262 off-street parking spaces. Approximately four blocks (approximately 675 feet) southwest of the project site is the site of the new 15-story CPMC Cathedral Hill Hospital (Case No. 2005.0555E) at 1101 Van Ness Avenue, and approximately five blocks (approximately 720 feet) south of the project site, is the site of the new 9-story CPMC Cathedral Hill Medical Office Building at 1100 Van Ness Avenue.

Background. In January 2011, the Planning Department issued a Categorical Exemption for a previously proposed project at 1433 Bush Street (Case No. 2009.1074E). The project proposal involved the demolition of the existing industrial building and construction of a new 112-foot-tall, 60,145-square-foot, ten-story over basement, mixed-use building with 26 residential units, 2,200 square feet of ground-floor retail use, and 29 parking spaces. Subsequent to the issuance of the 2011 Categorical Exemption, the project sponsor

revised their proposal to include six additional residential units, 1,000 square feet of additional retail space, and a reduction of three off-street parking spaces. The Department reviewed these project changes and determined that the analyses conducted and the conclusions reached in the 2011 Categorical Exemption remained valid and that no supplemental environmental review was required. The Planning Commission approved that project on May 22, 2014. The project sponsor filed an environmental evaluation application for the current project proposal on October 20, 2015, which is the subject of this certificate.

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 proposed project would be consistent with the *San Francisco General Plan* and with applicable zoning designations and policies. The project site is located within the Residential-Commercial Combined, High Density (RC-4) zoning district and the Van Ness and Automobile Special Use District (Van Ness SUD), where the proposed development and uses would be permitted. The RC-4 district allows a residential density of one unit per 200 square feet of lot area; however, there are no density limits in the Van Ness SUD. The proposed project would include 47 new residential units thus the density is consistent with the zoning designation. In the RC-4 district, 48 square feet of common open space per unit is required. The project would be required to provide 2,256 square feet of common open space for the proposed 47 units. The proposed project would meet its usable open space requirements by providing about 2,314 square feet of common open space in the form of a roof deck. In the RC-4 district, off-street parking is not required and up to one space is permitted for every two units proposed. Therefore, up to 24 parking spaces are permitted for the proposed 47 units. The project proposes nine parking spaces, which does not exceed the maximum number of parking spaces that are permitted. In the RC-4 district, up to 6,000 square feet of non-residential use is permitted. The proposed project includes 1,110 square feet of permitted retail use. The project would not be required to provide an off-street loading space since the residential use is less than 100,000 square feet and the commercial use is less than 10,000 square feet. The project site is located within a 130-V height and bulk district. The proposed 117-foot-tall building would comply with the 130-V height and bulk district. The proposed project would require Conditional Use authorization for development of a building exceeding a height of 50 feet in a Residential District. Therefore, the proposed project is consistent with the zoning, height and bulk district.

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

The approximately 0.15-acre (6,600 square feet) project site is located within a fully developed area of San Francisco. The surrounding uses near the project site include residential, hotel, office, commercial, and parking uses. The proposed project, therefore, would be properly characterized as in-fill development of less than five acres, completely surrounded by urban uses.

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

The project site is within a developed urban area and occupied by an existing building. There are no trees or landscaping at the project site. Thus, the project site has no value as habitat for rare, threatened, or endangered species.

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

Transportation. 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 State Office of Planning and Research's (OPR) recommendation in the *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*¹ (Proposed Transportation Impact Guidelines) to use the Vehicle Miles Traveled (VMT) metric instead of automobile delay to evaluate the transportation impacts of projects (Resolution 19579). Accordingly, this categorical exemption does not contain a separate discussion of automobile delay impacts. The topic of automobile delay, nonetheless, may be considered by decision-makers, independent of the environmental review process, as part of their decision to approve, modify, or disapprove the proposed project. Instead, a VMT and induced automobile travel impact analysis is provided within.

A project would have a significant effect on the environment if it would cause substantial additional VMT. OPR's Proposed Transportation Impact Guidelines recommend 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 a transportation analysis zone (TAZ) that exhibits low levels of VMT; Small Projects are projects that would generate fewer than 100 vehicle trips per day; and 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 of greater than or equal to 0.75, vehicle parking that is less than or equal to that required or allowed by the Planning Code without conditional use authorization, and are consistent with the applicable Sustainable Communities Strategy.

For residential development, the regional average daily VMT per capita is 17.2.² For retail development, the regional average daily work-related VMT per employee is 14.9. Refer to Table 1: Daily Vehicle Miles Traveled, which includes the TAZ in which the project site is located, 322.

¹ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

² Includes the VMT generated by the households in the development.

Table 1: Daily Vehicle Miles Traveled

<u>Land Use</u>	<u>Bay Area</u>		<u>TAZ 322</u>
	<u>Regional Average</u>	<u>Regional Average minus 15%</u>	
Households (Residential)	17.2	14.6	2.8
Employment (Retail)	14.9	12.6	7.3

As shown in Table 1, the proposed project's residential and retail uses would be located in a TAZ where existing VMT for residential and retail uses are more than 15 percent below regional averages.³ The existing average daily VMT per capita is 2.8 for TAZ 322, which is 84 percent below the existing regional average daily VMT per capita of 17.2. The existing average daily VMT per retail employee is 7.3 for TAZ 322, which is 58 percent below the existing regional average daily VMT per retail employee of 14.9. Future 2040 average daily VMT per capita is 2.5 for TAZ 322, which is 85 percent below the future 2040 regional average daily VMT per capita of 16.1. Future 2040 average daily VMT per retail employee is 7.4 for TAZ 322, which is 49 percent below the future 2040 regional average daily work-related VMT per retail employee of 14.6.

Given the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project's residential and retail uses would not result in substantial additional VMT, and the proposed project would not result in a significant impact related to VMT. Furthermore, the project site meets both the Small Project and Proximity to Transit Stations screening criteria, which also indicates that the proposed project's residential and retail uses would not cause substantial additional VMT.⁴

The proposed project is not a transportation project. However, the proposed project would include features that would alter the transportation network. The existing 12-foot-wide curb cut on Bush Street and the two existing 12-foot-wide curb cuts on Fern Street would be removed and filled with sidewalk and curb. One new 11-foot-wide curb cut would be provided on Fern Street for vehicle ingress and egress from the parking garage. In addition, the project sponsor is proposing to install a 20-foot-long loading zone on Bush Street in front of the project site. These features fit within the general types of projects identified by OPR in their Proposed Transportation Impact Guidelines that would not substantially induce automobile travel.⁵ Therefore, traffic impacts from the proposed sidewalk modifications would be less-than-significant.

Trip Generation. Localized trip generation of the proposed project was calculated using a trip-based analysis and information in the *2002 Transportation Impacts Analysis Guidelines for Environmental Review*

³ San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1433 Bush Street*, March 8, 2016. This document, and other cited documents, are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400 as part of Case File No. 2015-009279ENV.

⁴ *Ibid.*

⁵ *Ibid.*

(SF Guidelines) developed by the San Francisco Planning Department.⁶ The proposed project would generate an estimated 559 person trips (inbound and outbound) on a weekday daily basis, consisting of 111 person trips by auto (74 vehicle trips accounting for vehicle occupancy data for this Census Tract), 133 transit trips, 276 walk trips and 39 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 83 person trips, consisting of 14 person trips by auto (11 vehicle trips accounting for vehicle occupancy), 21 transit trips, 43 walk trips and 5 trips by other modes.

Transit. The project site is well served by public transportation. Within 250 feet of the project site, the San Francisco Municipal Railway (Muni) operates the following bus lines: 1AX/1BX, 2, 3, 19, 31AX/BX, 38, 38AX/BX, 38R, 47, 49, 61, 76X, and 90. The proposed project would be expected to generate 133 daily transit trips, including 21 transit trips during the p.m. peak hour.⁷ Given the wide availability of nearby transit, the addition of 21 p.m. peak-hour transit trips would be accommodated by existing capacity. Therefore, the proposed project would not result in unacceptable levels of transit service or cause an increase in transit delays or operating costs such that significant adverse impacts to transit service would result.

Bicycles. There are no bicycle routes or lanes on Bush Street but there is bicycle lane on Polk Street and there are bicycle routes on California and Sutter streets. Implementation of the proposed project would not alter the existing street grid or result in other physical changes that would affect nearby bicycle facilities. The proposed project would generate approximately 74 daily and 11 p.m. peak-hour vehicle trips. These vehicle trips would not substantially affect bicycle travel in the area. In addition, the location of the proposed curb cut and driveway on Fern Street would not substantially increase bicycle hazards.

Parking. Public Resources Code Section 21099(d), effective January 1, 2014, provides that, "aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment." Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.⁸

⁶ San Francisco Planning Department, *Transportation Calculations for 1433 Bush Street*, April 2016.

⁷ *Ibid.*

⁸ San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1433 Bush Street*, March 8, 2016.

Noise. The project sponsor conducted an environmental noise study demonstrating that the proposed project can be feasibly designed to limit exterior noise to 45 decibels in any habitable room as required per Title 24 standards.⁹ The noise consultant conducted noise measurements on the roof of the existing building on the project site and the 24-hour equivalent continuous noise level measured 69.9 decibels. To meet the 45 decibels interior noise level, the noise study provided the following recommendations: exterior windows should provide an Outside-Inside Transmission Class rating of at least 26 for all floors; and supplemental ventilation must be provided at all rooms for which acoustically-rated glazing assemblies are recommended. Based on the above, the noise study demonstrated that the proposed project can feasibly attain an acceptable interior noise level of 45 dBA in all dwelling units.

An approximate doubling of traffic volumes in the project area would be necessary to produce an increase in ambient noise levels noticeable to most people. The proposed project would not cause a doubling in traffic volumes with the addition of 47 new dwelling units and 1,110 square feet of retail use on the project site. The project's increase to the existing traffic volumes would not cause a noticeable increase in the ambient noise level in the project vicinity. The noise generated by the proposed residential and retail uses would be considered common and generally acceptable in an urban area, and would not be considered a significant impact.

Section 2909 of the Noise Ordinance establishes a noise limit from mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line: for noise generated by residential uses, the source must not cause a noise level more than 5 dBA in excess of ambient noise levels; and for noise generated by commercial uses, the limit is 8 dBA in excess of ambient noise levels. In addition, the Noise Ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night (from 10:00 p.m. until 7:00 a.m.) and 55 dBA during the day and evening hours (from 7:00 a.m. until 10:00 p.m.).

During project construction, all diesel and gasoline-powered engines would be equipped with noise-arresting mufflers. Delivery truck trips and construction equipment would generate noise that that may be considered an annoyance by occupants of nearby properties. Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the City Police Code). Section 2907 of the Police Code requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 A-weighted dBA at a distance of 100 feet from the source. Impact tools (such as jackhammers and impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Police Code prohibits construction work between 8:00 p.m. and 7:00 a.m. if the construction noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works. Construction noise impacts related to the project would be temporary and intermittent in nature. Considering the above, the proposed project would not result in a significant impact with respect to noise.

Air Quality. 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

⁹ Shen Milson Wilke, *Environmental Noise Report, 1433 Bush Street Residential Development, San Francisco, California*. February 2, 2016.

(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 (BAAQMD) in their 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 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, which involves the construction of 47 dwelling units and 1,110 square feet of retail use, would not exceed criteria air pollutant screening levels for operation or construction.¹⁰

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)(Article 38). 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 Air Pollutant Exposure Zone. The proposed project is not within an Air Pollutant Exposure Zone. The proposed project would require construction activities for the approximate 80-week construction phase. 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 subject to, and comply with, California regulations limiting idling to no more than five minutes,¹¹ which would further reduce nearby sensitive receptors' exposure to temporary and variable TAC emissions. Therefore, construction period TAC emissions would not result in a significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

The proposed project would include a backup emergency generator. Emergency generators are regulated by the BAAQMD through its New Source Review (Regulation 2, Rule 5) permitting process. The project applicant would be required to obtain applicable permits to operate an emergency generator from the BAAQMD. Although emergency generators are intended only to be used in periods of power outages, monthly testing of the generator would be required. The BAAQMD limits testing to no more than 50 hours per year. Additionally, as part of the permitting process, the BAAQMD limits the excess cancer risk

¹⁰ Bay Area Air Quality Management District, CEQA Air Quality Guidelines, Updated May 2011. Table 3-1. Criteria air pollutant screening sizes for an Apartment, Mid-Rise Building is 494 dwelling units for operational and 240 dwelling units for construction.

¹¹ California Code of Regulations, Title 13, Division 3, § 2485 (on-road) and § 2449(d)(2) (off-road)..

from any facility to no more than ten per one million population and requires any source that would result in an excess cancer risk greater than one per one million population to install Best Available Control Technology for Toxics (TBACT). Compliance with the BAAQMD permitting process would ensure that project-generated TAC emissions would not expose sensitive receptors to substantial air pollutant concentrations, and TAC emissions would be less than significant.

In addition, San Francisco Board of Supervisors approved amendments to the San Francisco Building and Health Codes, referred to as the Construction Dust Control Ordinance (Ordinance No. 176-08, effective August 29, 2008). The intent of the Construction Dust Control Ordinance is to reduce the quantity of fugitive dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and to avoid orders to stop work by the Department of Building Inspection (DBI). Project-related construction activities would result in construction dust, primarily from ground-disturbing activities. In compliance with the Construction Dust Control Ordinance, the project sponsor and contractor responsible for construction activities at the project site would be required to control construction dust on the site through a combination of watering disturbed areas, covering stockpiled materials, sweeping streets and sidewalks, and other measures. The regulations and procedures set forth in the Construction Dust Control Ordinance would ensure that construction dust impacts would not be significant.

In conclusion, the proposed project would not result in significant air quality impacts.

Water Quality. The proposed project would not generate wastewater or result in wastewater discharges that would have the potential to degrade water quality or contaminate a public water supply. Project-related wastewater and storm water would flow to San Francisco's combined sewer system and would be treated to standards contained in San Francisco's National Pollutant Discharge Elimination System Permit for the Southeast Water Pollution Control Plant prior to discharge. In 2013, the San Francisco Public Utilities Commission (SFPUC) adopted the Construction Site Runoff Ordinance (Public Works Code, Ordinance 260-13) which requires all construction sites, regardless of size to implement Best Management Practices (BMPs) to prevent construction site runoff discharges into the combined or separate sewer systems. Further, construction sites that disturb 5,000 square feet or more of ground surface, such as the proposed project, are required to apply for a Construction Site Runoff Control Permit from the SFPUC and submit an Erosion and Sediment Control Plan which includes BMPs to prevent stormwater runoff and soil erosion during 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 a dense urban area where all public services and utilities are available. The proposed project would be connected with the City's water, electric, and wastewater services. Prior to receiving a building permit, the project would be reviewed by the City to ensure compliance with City and State fire and building code regulations concerning building standards and fire protection. The

proposed project would not result in a substantial increase in intensity of use or demand for utilities or public services that would necessitate any expansion of public utilities or public service facilities.

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, there is no possibility of a significant cumulative effect on the environment due to the proposed project in combination with cumulative projects.

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 (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, there is no possibility that the proposed project would have a significant effect on a historic resource.

Historic Architectural Resources. The 1433 Bush Street building was surveyed as part of the *Van Ness Automobile Historic Resource Survey* in 2010 and was assigned a California Historical Resource Status Code of "6Z," which defines the project site as "ineligible for National Register, California Register, or Local Designation through survey evaluation."¹² The 1433 Bush Street building has been extensively altered and lacks integrity of design, workmanship, feeling, and materials. In 1984, the original storefront, bulkheads, pilasters, transoms, and both pedestrian and automobile entrances were replaced with an anodized aluminum storefront. The only remaining character-defining features of the primary façade are the sculpted parapet and the building's scale. As such, the project site is not considered a historic resource pursuant to CEQA, and therefore its demolition would not result in a significant impact.¹³

While the project site is not located within a known historic district, its immediate neighborhood contains a high concentration of buildings that were part of San Francisco's "Auto Row", which was located along Van Ness Avenue and extended onto the surrounding side streets. Van Ness Avenue developed into an "Auto Row" after the 1906 earthquake and eventually grew to encompass approximately 13 blocks. The

¹² Refer to <http://50.17.237.182/docs/DPRForms/0670024.pdf> for Department of Parks and Recreation 523 Forms for the 2010 survey of the project site, accessed February 25, 2016.

¹³ Historic Resource Evaluation Response Memorandum from Shelley Caltagirone, Preservation Planner, to Don Lewis, Planning Staff, July 7, 2010.

1433 Bush Street building is located at the eastern boundary of the Van Ness Auto Row area, in an area that displays considerable harmony among the buildings throughout the area, both in building type and in building style. However, the area has undergone significant change since the period of automobile-related development (1906-1970) and many buildings in the area have lost historic integrity. Nonetheless, the area retains a sufficient number and concentration of buildings related to the Van Ness Auto Row historic context to be potentially listed as a multi-property, non-contiguous historic district on the California Register based on its significance under Criterion 1 (Events) and Criterion 3 (Architecture).¹⁴ Such a district would be comprised of a collection of buildings dating from the early 20th century that represent a significant period of development in San Francisco's history related to automobile uses and the particular architectural styles and building types associated with that period of development. The project site would not be considered a contributor to this potential historic district since the 1433 Bush Street building has been extensively altered. Furthermore, the subject block displays a wide variety of building types, heights, materials, and styles, and because of this diversity, the proposed building would be compatible with off-site historic resources.

Immediately adjacent to the west of the project site is the 1441 Bush Street building ("Gage Automotive") which was constructed in 1914. According to the *Van Ness Automobile Historical Resources Survey*,¹⁵ this property appears individually eligible for the California Register. Immediately adjacent to the east of the project site is the 1407 Bush Street building which was constructed in 1909. According to the draft *Neighborhood Commercial Buildings Historic Resources Survey*, this property is not considered a historic resource.¹⁶ Immediately adjacent to the east of the project site along Fern Street is the 106 Fern Street building ("Mayes Residential House"). According to the draft *Neighborhood Commercial Buildings Historic Resources Survey* this property is considered a historic resource.¹⁷ A "substantial adverse change" on a historical resource is defined by CEQA Guidelines Section 15064.5 as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." While the proposed project would be constructed adjacent to buildings that are considered historic resources, project construction would involve conventional excavation and construction equipment and methods that would not be considered to exceed acceptable levels of vibration in an urban environment. Construction adjacent to historic resources is a common occurrence in San Francisco, and DBI's permit procedures adequately address this situation.

In light of the above, the proposed project would not materially impair the two adjacent resources and there would be no impacts to off-site historic resources. Therefore, the proposed project would not result in a significant historic resource impact.

¹⁴ Ibid.

¹⁵ Refer to <http://50.17.237.182/docs/DPRForms/0670023.pdf> for Department of Parks and Recreation 523 Forms for the 1441 Bush Street property, accessed February 25, 2016.

¹⁶ The draft survey is available online at: <http://sf-planning.org/index.aspx?page=3869#map>, accessed February 18, 2016.

¹⁷ The survey determined the property to be a contributor to a "cluster." Clusters contain several buildings that either relate to each other through architectural style, such as Mediterranean Revival, or property type, such as garages.

Hazards and Hazardous Materials. Article 22A of the Health Code, also known as the Maher Ordinance, is administered and overseen by the Department of Public Health (DPH). The Maher area includes properties throughout the City where there is potential to encounter hazardous materials, primarily industrial zoning districts, sites with industrial uses or underground storage tanks, sites with historic bay fill, and sites in close proximity to freeways or underground storage tanks. The over-arching goal of the Maher Ordinance is to protect public health and safety by requiring appropriate handling, treatment, disposal and when necessary, remediation of contaminated soils that are encountered in the building construction process. Projects that disturb 50 cubic yards or more of soil that are located on sites with potentially hazardous soil or groundwater are subject to this ordinance.

The proposed project is located within the Article 22A (Maher) area and would involve excavation up to approximately 5 feet below the basement of the existing building and approximately 440 cubic yards of soil disturbance. Therefore, the project is subject to the Maher Ordinance. In compliance with the Maher Ordinance, the project sponsor submitted a Maher Application and a Phase I ESA¹⁸ to DPH.¹⁹ According to the Phase I ESA, the project site contained residential structures from circa 1886 to 1906, which were destroyed by the 1906 Earthquake. The project site remained vacant until 1915, when the existing structure on the project site was constructed. Former businesses on the project site include the following: Lattimore Auto Repair from circa 1930 to 1971, Day and Night Transmission Service in 1977, Enzo's Continental Imports Auto Service in 1982, Wong's Audio Visual from 1985 to 1983, Laser City and Pacific Car Stereo from 1993 to circa 1999, American Taxi Cab from 2006 to 2013, and City Rent-a-Car from 2006 to the present. The Phase I ESA did not identify potential environmental concerns in association with the current or historical use of the project site. However, since the project site is located in the Maher area and the proposed project would require more than 50 cubic yards of soil disturbance, the proposed project is subject to the Maher Ordinance, which is administered and overseen by the DPH. Therefore, the proposed project would not result in a significant hazard to the public or the environment through the release of hazardous materials.

Shadow. The proposed project would construct an approximately 117-foot-tall building (127-foot-tall with elevator penthouse). Planning Code Section 295 restricts new shadow upon public spaces under the jurisdiction of the Recreation and Park Department (RPD) by any structure exceeding 40 feet. To determine whether this project would comply with Section 295, a shadow fan analysis was prepared by the Planning Department. This analysis determined that the proposed project would not cast a new shadow on RPD parks or other public parks.²⁰

The proposed project would shade portions of nearby streets and sidewalks and private property at times within the project vicinity. Shadows upon streets and sidewalks would not exceed levels commonly expected in urban areas and would be considered a less-than-significant effect under CEQA. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in

¹⁸ PII Environmental, *Phase I Environmental Site Assessment, 1433 Bush Street, San Francisco, CA*, January 4, 2016.

¹⁹ Russell Yim, SFDPH, email to Don Lewis, 1433 Bush Street, February 25, 2016.

²⁰ Don Lewis, *Shadow Fan for 1433 Bush Street*, February 17, 2016.

shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

Wind. Since the proposed project would construct an approximately 117-foot-tall building (127-foot-tall with elevator penthouse), a wind memorandum was conducted to determine the wind conditions expected to result from implementation of the proposed project.²¹ The local topography and nearby buildings strongly influence wind conditions at the project site. The topography shapes and directs the wind that approaches the project site while buildings redirect the wind near ground level and introduce turbulence and local accelerations. The topography of blocks upwind from the project site affects the wind around the neighborhood. The project site is located on a hill that slopes down along Bush Street from Van Ness Avenue to Polk Street. The increase in elevation upwind to the west of the project site give upwind buildings a more effective height as roofs of shorter buildings on the hill are closer in elevation to roofs of taller buildings located downslope. The wind flows are strongest above the roofs of buildings around the project site, and thus, would interact more with the higher stories of the project building and less at lower or pedestrian levels. Building heights immediately surrounding the project site range from approximately 20 to 100 feet. In the vicinity of the project site, there are two notable upwind buildings west of the project site that help divert and slow wind: the approximately 225-foot-tall, 25-story, Holiday Inn building located at the northeast corner of Pine Street and Van Ness Avenue; and the approximately 170-foot-tall, 11-story, San Francisco Towers building located at the southwest corner of Pine Street and Van Ness Avenue.

The Bush Street frontage would be exposed to the northwest winds that first pass over nearby upwind buildings. Given that the height of the building's main roof would be 117 feet and that upwind buildings provide wind shelter, the exposure of the relatively narrow Bush Street frontage would not result in substantial increases in ground level wind speed along Bush Street. The long axis of the proposed building would be exposed to the west winds primarily from the fourth through the eleventh floors. Due to the tall upwind buildings²² west of Van Ness Avenue, the force of these winds would degrade before reaching the project site. The exposed height of the proposed project has setback designs at different levels, which would help reduce and redirect winds that would otherwise be directed down the side of the building onto the sidewalk.

Due to the size, scale and design of the proposed building, in addition to the topography and surrounding buildings, it is not anticipated that the proposed project would substantially alter the wind flows, directions, and/or velocities in the vicinity, even on the Bush and Fern Street sidewalks adjacent to the proposed building. It is anticipated that the proposed building would likely result in an approximately two mile per hour change in ten percent exceeded wind speeds on nearby sidewalks and such changes are generally considered to be insubstantial. There would be no expected changes in wind

²¹ Environmental Science Associates, *Potential Planning Code Section 243(c)(15) Wind Effects Report, 1433 Bush Street Development, San Francisco, CA*, February 1, 2016. The wind consultant reviewed the results of two nearby wind tunnel tests.

²² Notably the approximately 225-foot-tall, 25-story, Holiday Inn building located at the northeast corner of Pine Street and Van Ness Avenue, and the approximately 170-foot-tall, 11-story, San Francisco Towers building located at the southwest corner of Pine Street and Van Ness Avenue.

speed on the Van Ness Avenue sidewalks, upwind of the project, or on the Polk Street sidewalks, immediately downwind of the project site. The existing high winds and wind hazards on Pine Street near Van Ness Avenue would not be altered by the proposed project. For these reasons, the proposed project would not alter wind in a manner that would substantially affect public areas, and there would be no project-level or cumulative significant wind impact.

Cumulative Impacts. There is no possibility of a significant cumulative effect on the environment due to the proposed project for the following reasons. The proposed project would demolish an existing structure that is not a historic resource, and the project is not a contributor to a historic district and therefore would not contribute to any cumulative historic district impacts. Therefore, the proposed project could not contribute to any significant cumulative effect on historic resources. The proposed project would not shade a public park and therefore could not make a cumulatively considerable contribution to a significant cumulative shadow impact. The wind memorandum that was prepared for the proposed project included a review of development in the project site's vicinity and concluded that the proposed project in combination with cumulative projects would not create an adverse effect on wind conditions. The project site meets the VMT screening criteria and would not contribute substantially to cumulative VMT. The proposed project would not contribute considerably to any cumulative transit impacts. The cumulative impacts of multiple nearby construction projects would not be cumulatively considerable, as construction would be of temporary duration, and the sponsor and/or construction contractors of the proposed projects would be required to coordinate with various City departments such as the San Francisco Municipal Transportation Agency and Public Works through the Transportation Advisory Staff Committee to develop coordinated plans that would address construction-related vehicle routing and pedestrian movements adjacent to the construction area for the duration of construction overlap. For air quality, the thresholds identified by BAAQMD are thresholds that determine whether a project contributes to cumulative regional air quality impacts. Since the proposed project meets the screening criteria, it would not contribute to a cumulative air quality impact. Similar to the proposed project, projects within the vicinity of the project site would be required to comply uniformly applicable development policies, such as the San Francisco Noise Ordinance, the Construction Site Runoff Ordinance, the Construction Dust Control Ordinance, the Maher Ordinance, Section 295, and with California regulations that limit idling to no more than five minutes. In light of the above, no significant cumulative impacts would occur as a result of the proposed project.

Public Notice and Comment. On January 22, 2016, the Planning Department mailed a "Notification of Project Receiving Environmental Review" to community organizations, tenants of properties adjacent to the project site, and those persons who own property within 300 feet of the project site. No comments were received.

Conclusion. The proposed project satisfies the criteria for exemption under the above-cited classification(s). In addition, none of the CEQA Guidelines Section 15300.2 exceptions to the use of a categorical exemption applies to the proposed project. For the above reasons, the proposed project is appropriately exempt from environmental review.



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

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

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

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

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

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

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

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

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

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

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

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

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

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

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

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either <i>(check all that apply)</i>:</p> <p style="padding-left: 40px;"><input type="checkbox"/> Step 2 – CEQA Impacts</p> <p style="padding-left: 40px;"><input type="checkbox"/> Step 5 – Advanced Historical Review</p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name:</p>	<p>Signature:</p>
	<p>Project Approval Action:</p> <p>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT
TO BE COMPLETED BY PROJECT PLANNER**

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

PROPERTY INFORMATION/PROJECT DESCRIPTION

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

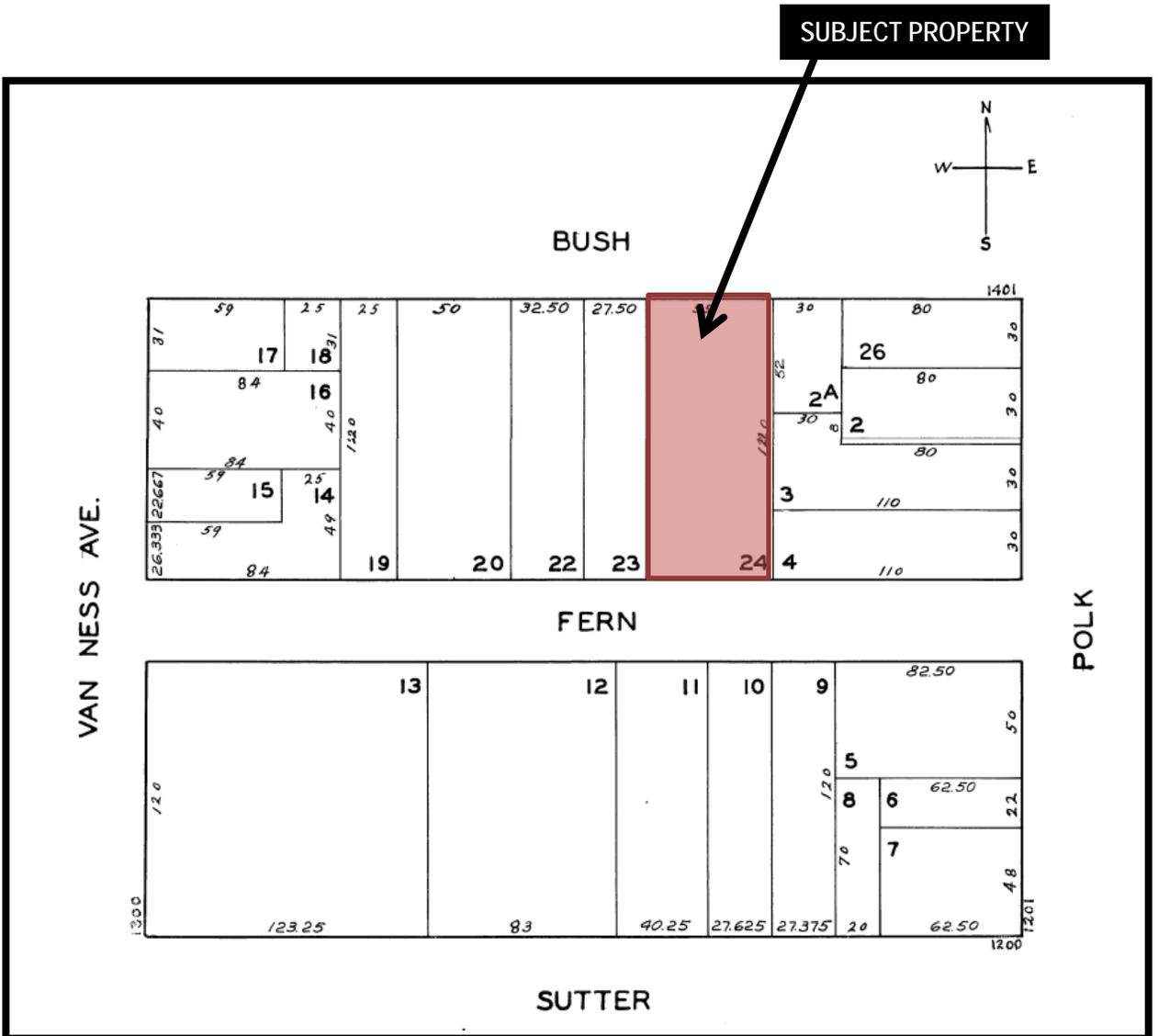
DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

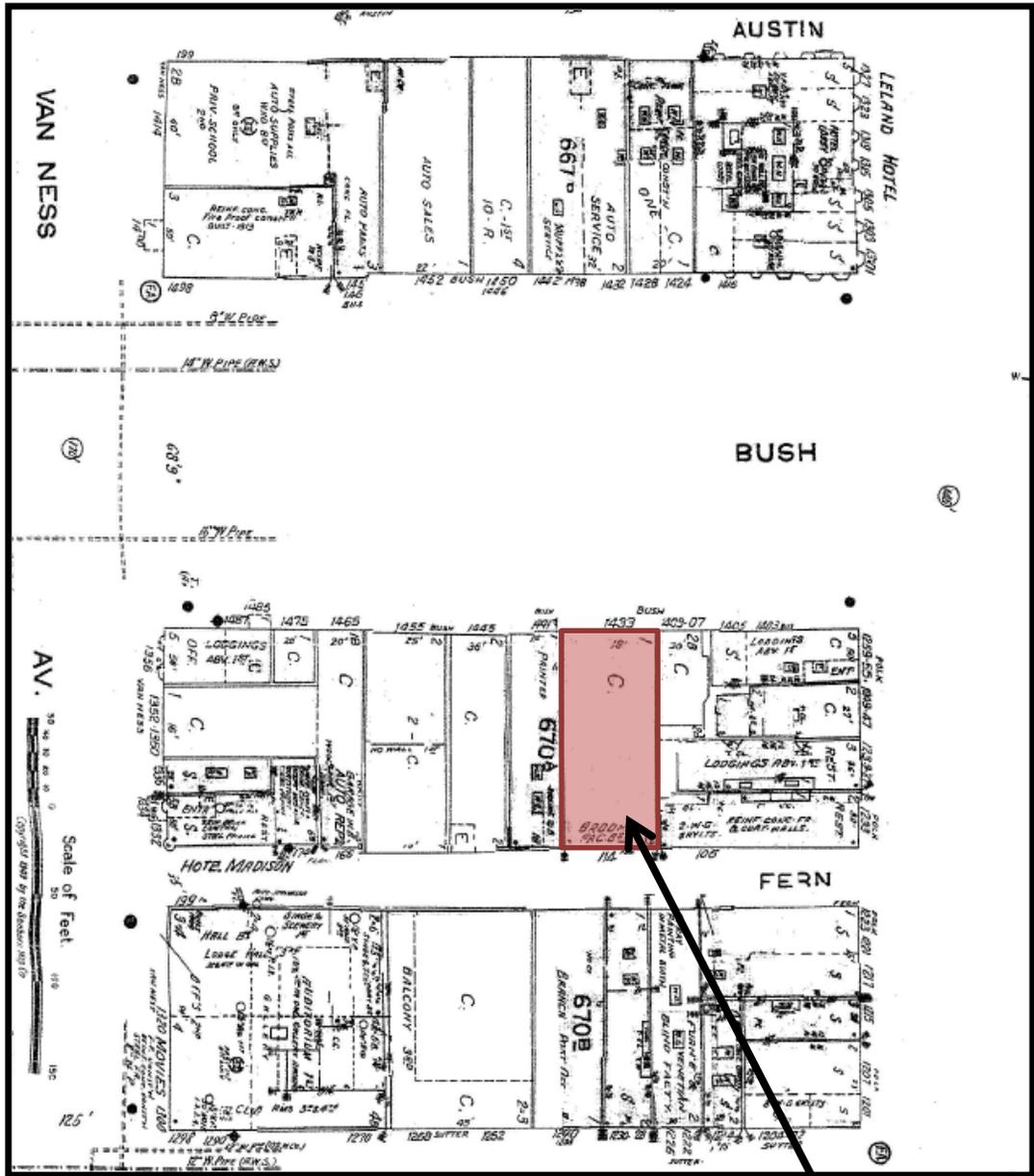
DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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

Block Book Map



Sanborn Map*



SUBJECT PROPERTY

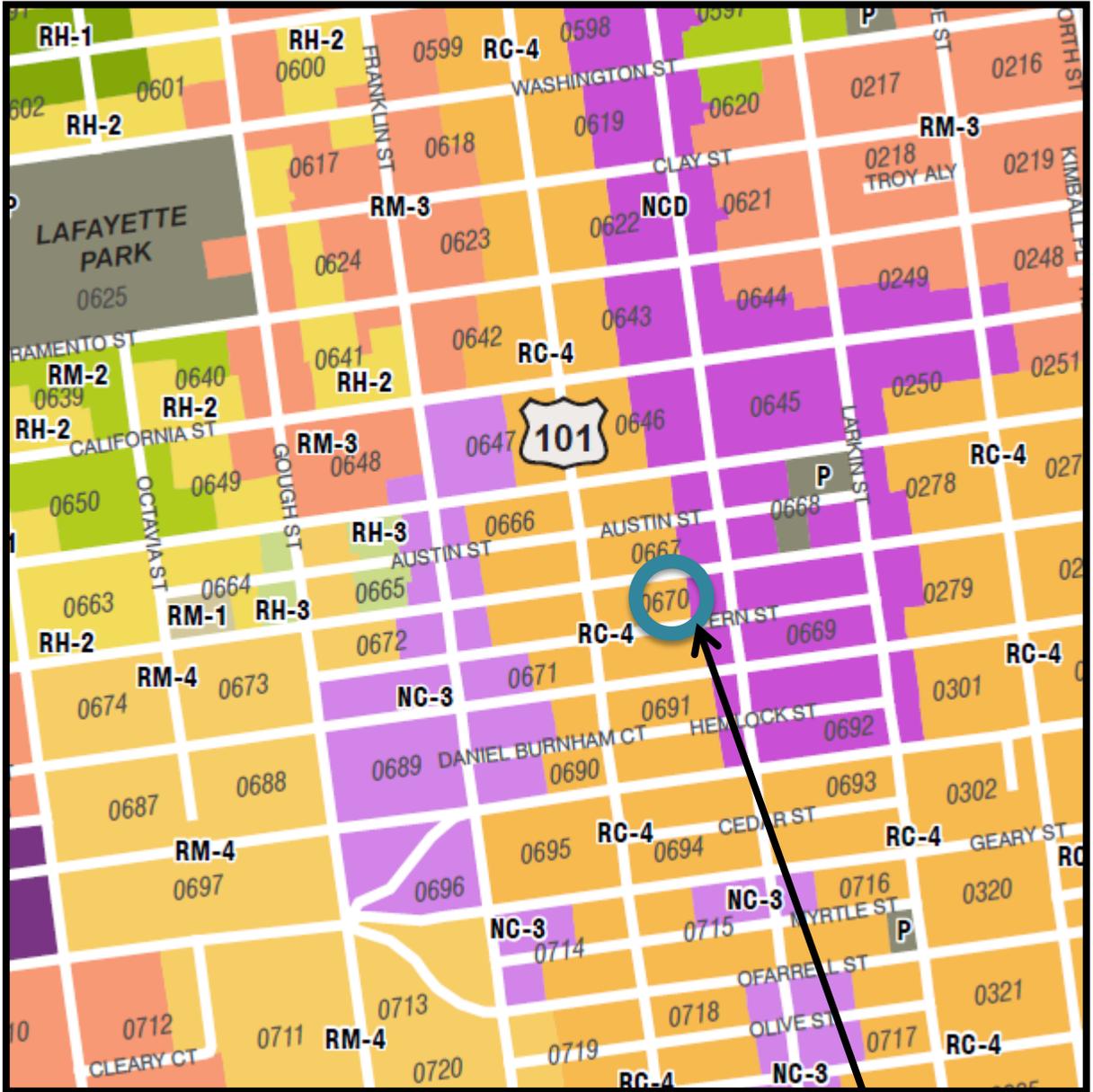
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

**SAN FRANCISCO
PLANNING DEPARTMENT**



Conditional Use Hearing
Case Number 2015-009279CUA
1433 Bush Street
Block 0670 Lot 024

Zoning Map



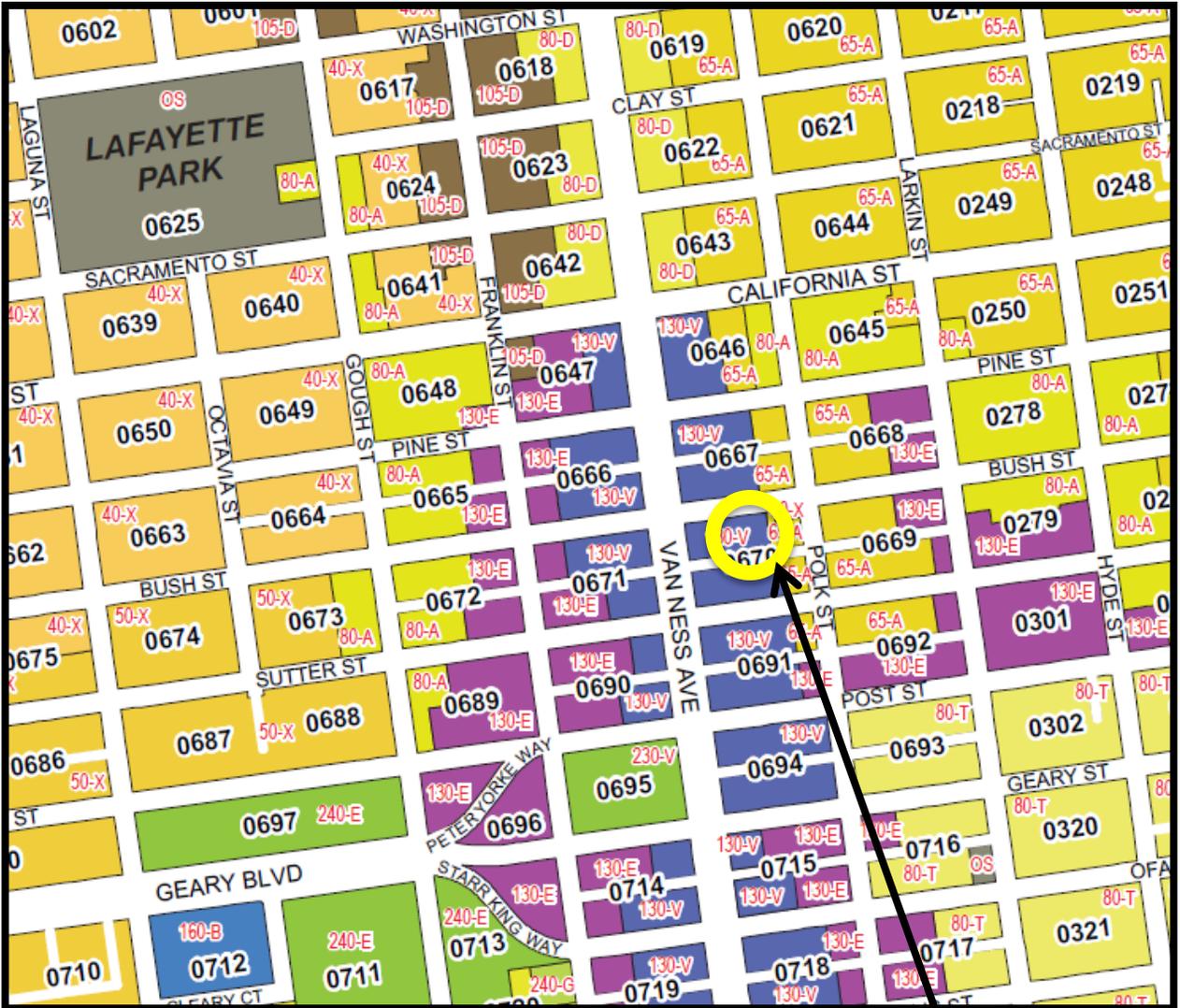
SUBJECT PROPERTY

SAN FRANCISCO
PLANNING DEPARTMENT



Conditional Use Hearing
Case Number 2015-009279CUA
1433 Bush Street
Block 0670 Lot 024

Height & Bulk Map



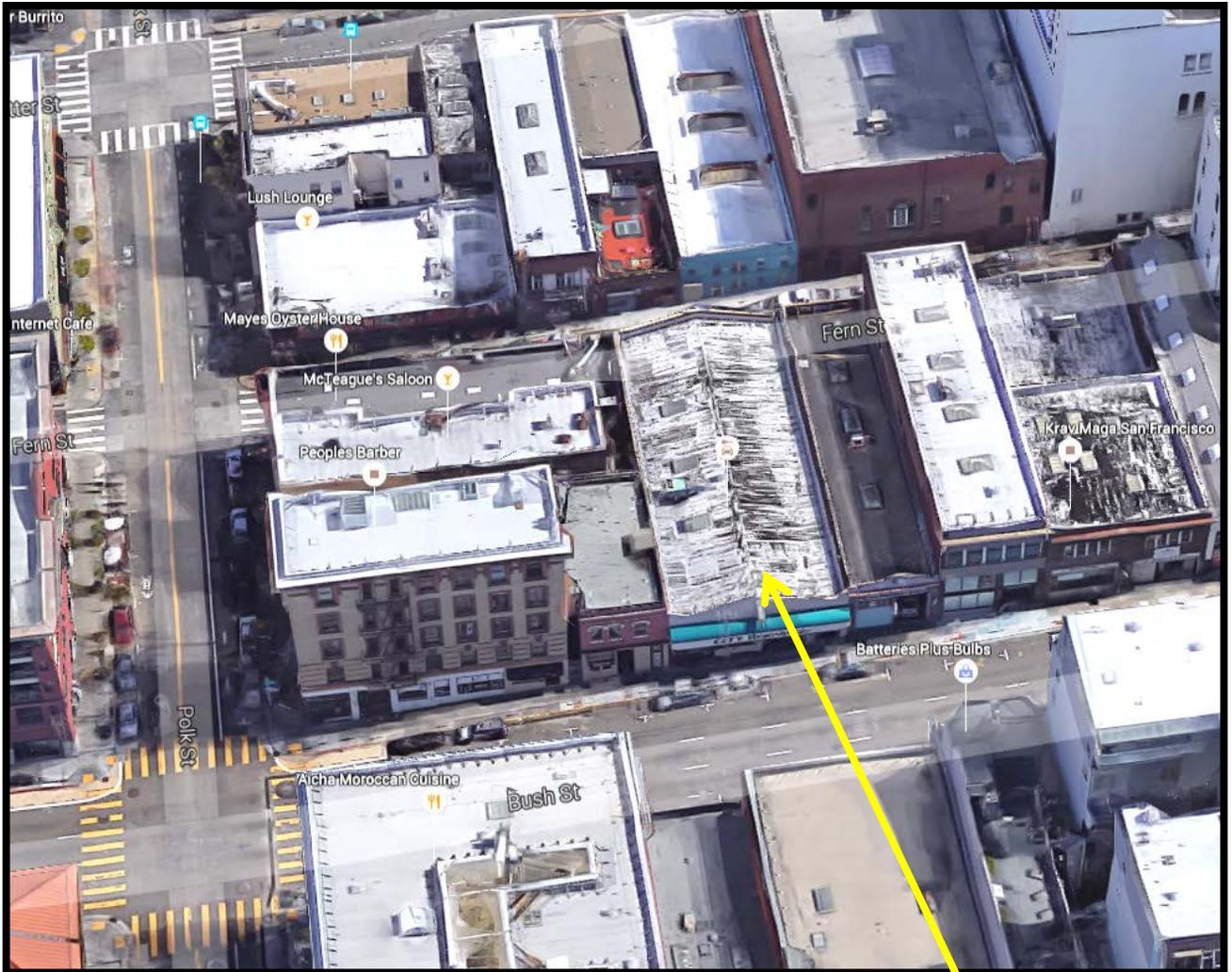
SUBJECT PROPERTY

SAN FRANCISCO
PLANNING DEPARTMENT



Conditional Use Hearing
Case Number 2015-009279CUA
1433 Bush Street
Block 0670 Lot 024

Aerial Photo



SUBJECT PROPERTY

SAN FRANCISCO
PLANNING DEPARTMENT



Conditional Use Hearing
Case Number 2015-009279CUA
1433 Bush Street
Block 0670 Lot 024

Site Photo



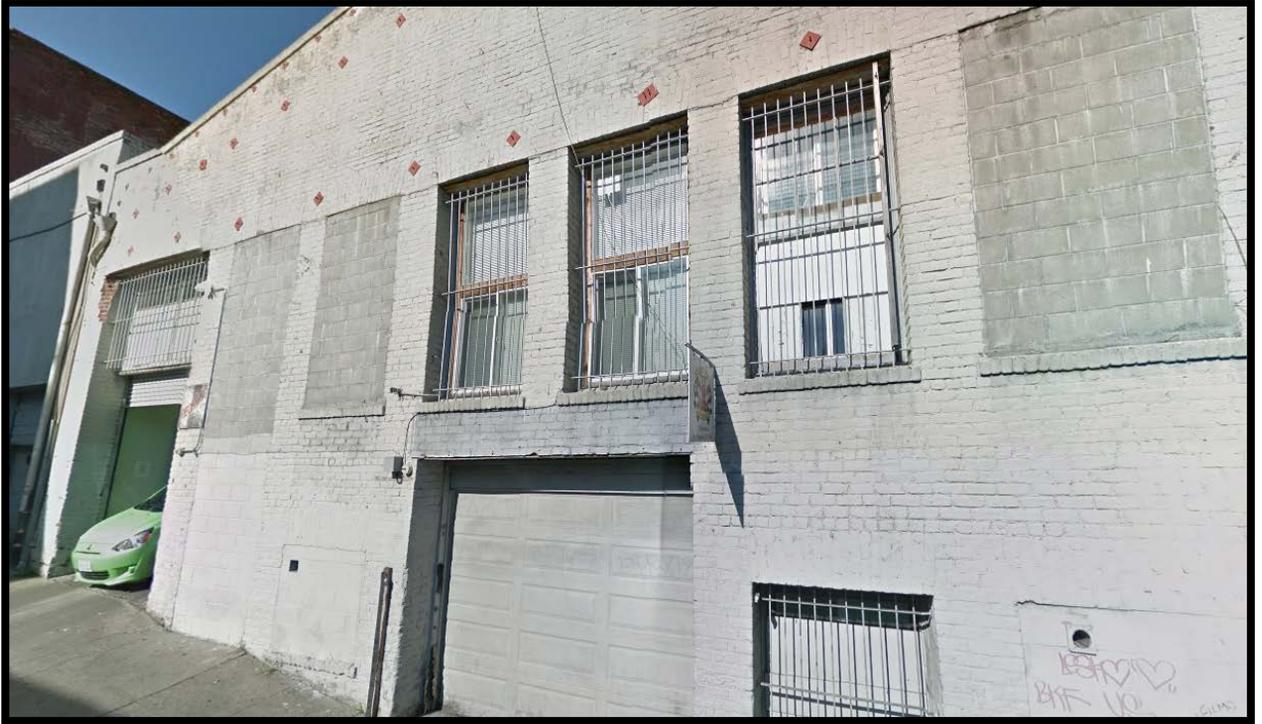
Bush Street frontage

SAN FRANCISCO
PLANNING DEPARTMENT



Conditional Use Hearing
Case Number 2015-009279CUA
1433 Bush Street
Block 0670 Lot 024

Site Photo



Fern Street frontage



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TITLE PAGE	
SITE PERMIT	
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Of	Sheets

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PROJECT SITE:	1433 BUSH STREET, SAN FRANCISCO. CA.
CROSS STREET:	POLK ST. AND VAN NESS AVE.
NEIGHBORHOOD:	DOWNTOWN/CIVIC CENTER
ASSESSOR'S PARCEL #:	BLOCK: 0670 / LOT: 024
LOT AREA:	6,600 SQ. FT. LOT AREA
ZONING:	RC-4: RESIDENTIAL, COMMERCIAL, HIGH-DENSITY VAN NESS SPECIAL USE DISTRICT
HEIGHT LIMIT:	130-V; PROPOSED HEIGHT 116'-10"
CONSTRUCTION TYPE:	TYPE-1 NON COMBUSTIBLE CONSTRUCTION: METAL FRAME (R-2) OVER TYPE-IA: CONCRETE PODIUM (S-2 & A2)
UNITS COUNT:	47 RESIDENTIAL UNITS + 2 COMMERCIAL UNITS
AFFORDABLE UNIT:	14.5% OF TOTAL RESIDENTIAL UNITS OF 47 = 7 BMR UNITS

PROJECT DATA	
SCOPE OF WORK:	NEW CONSTRUCTION OF A 11 STORY BUILDING CONTAINING 47 RESIDENTIAL UNITS OVER GROUND LEVEL BUSINESS OCCUPANCY.
	THE RESIDENTIAL CONDOMINIUM BUILDING IS A COVERED MULTI-FAMILY DWELLING WITH ONE ELEVATOR AND ALL ADAPTABLE UNITS.



NORTHEAST PERSPECTIVE OF PROPOSED SCHEME



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APPROVED PROJECT

3 AMENDED PROJECT

4

APPROVED PROJECT:

DWELLING UNITS:	32 UNITS
PARKING:	26 STALLS
HEIGHT:	115 FEET
FLOORS:	10 FLOORS
GROSS FLOOR AREA:	60,012 GSF

AMENDED PROJECT:

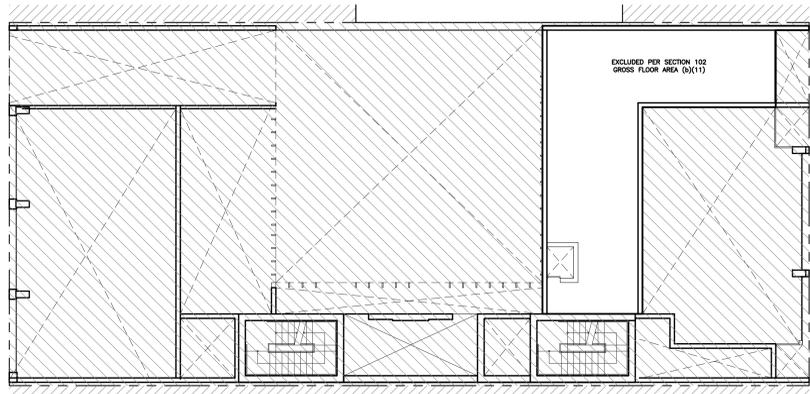
DWELLING UNITS:	47 UNITS
PARKING:	9 STALLS
HEIGHT:	116' - 10"
FLOORS:	11 FLOORS
GROSS FLOOR AREA:	58,801 GSF

APPROVED PROJECT

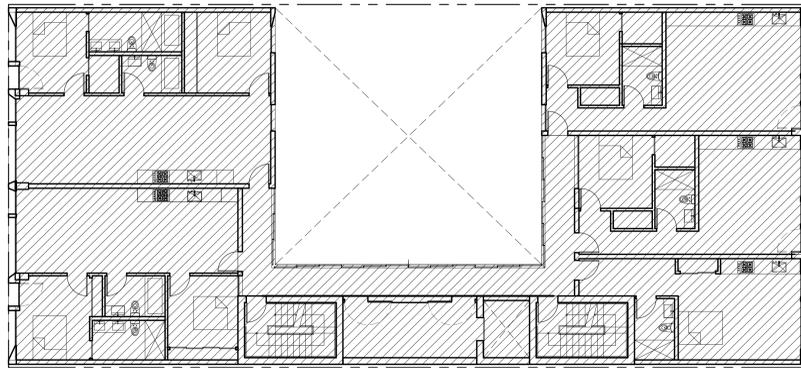
1 AMENDED PROJECT

2

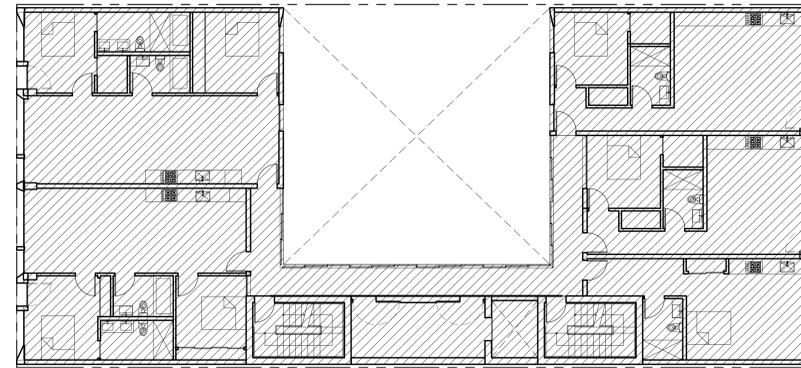
AO.2a
 Of Sheets



MECHANICAL MEZZANINE LEVEL
GROSS AREA: 900 SF
FAR GROSS: 0 SF



LEVEL 4
GROSS AREA: 4817 SF
FAR GROSS: 4817 SF

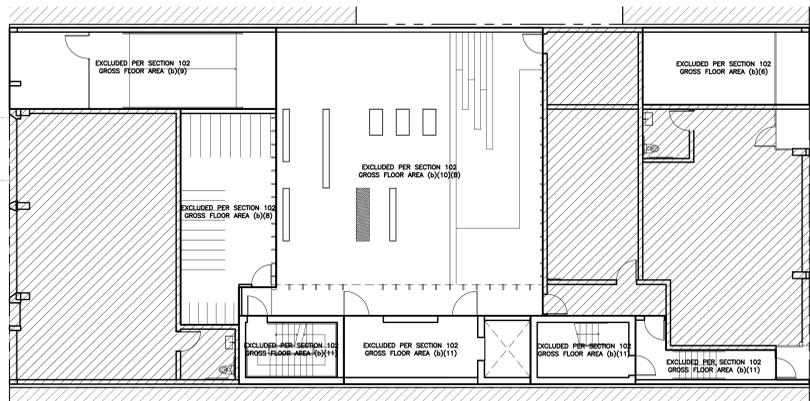


LEVEL 5
GROSS AREA: 4817 SF
FAR GROSS: 4817 SF

MECHANICAL MEZZANINE LEVEL

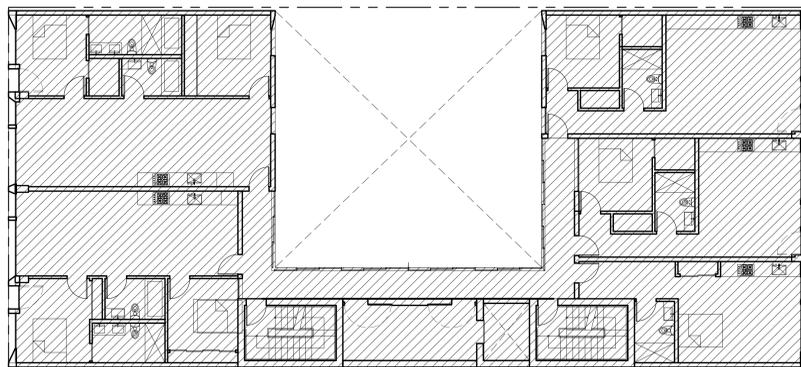
LEVEL 4

LEVEL 5



THE 150 FT. MINIMUM ELEVATOR LOBBY IS REQUIRED BY CBC 2013 FOR ALL HIGH RISE BUILDINGS

GROUND FLOOR
GROSS AREA: 4225 SF
FAR GROSS: 2726 SF



LEVEL 3
GROSS AREA: 4817 SF
FAR GROSS: 4817 SF

GROUND FLOOR

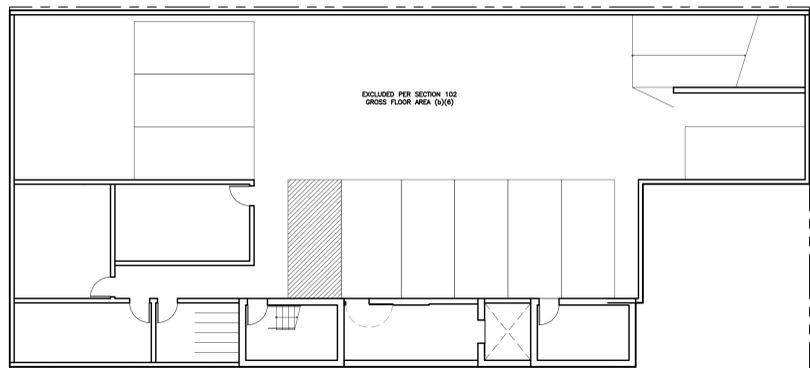
LEVEL 3

F.A.R. GENERAL INFORMATION

SITE AREA:	120'L x 55'W = 6,600 SF
ZONING DISTRICT:	RC-4
DENSITY:	1/200
F.A.R.:	7 : 1
APPLICATION TO RESIDENTIAL:	YES
F.A.R. PREMIUM	YES

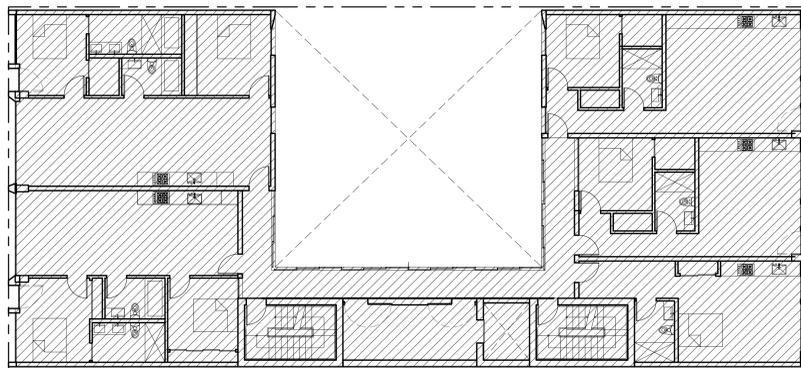
F.A.R. PERMITTED BY ZONING

MAXIMUM DENSITY:	
PERMITTED FLOOR AREA BY ZONING	46,200 GSF
F.A.R. PREMIUM/BONUS	3,850 GSF
TOTAL FLOOR AREA PERMITTED	50,050 GSF



BASEMENT
GROSS AREA: 5736 SF
FAR GROSS: 0 SF

BASEMENT LEVEL



LEVEL 2
GROSS AREA: 4817 SF
FAR GROSS: 4817 SF

LEVEL 2

SAN FRANCISCO PLANNING CODE 2013:
SEC. 102. - DEFINITION
-FLOOR AREA, GROSS

FLOOR	GROSS AREA (SQ. FT.)	F.A.R. GROSS (SQ. FT.)
ROOF	616	0
LEVEL 11	3,971	3,971
LEVEL 10	4,817	4,817
LEVEL 9	4,817	4,817
LEVEL 8	4,817	4,817
LEVEL 7	4,817	4,817
LEVEL 6	4,817	4,817
LEVEL 5	4,817	4,817
LEVEL 4	4,817	4,817
LEVEL 3	4,817	4,817
LEVEL 2	4,817	4,817
MECHANICAL MEZZANINE	900	0
GROUND	4,225	2,726
BASEMENT	5,736	0
TOTAL	58,801 GSF	50,050 SF

FAR CALCULATIONS

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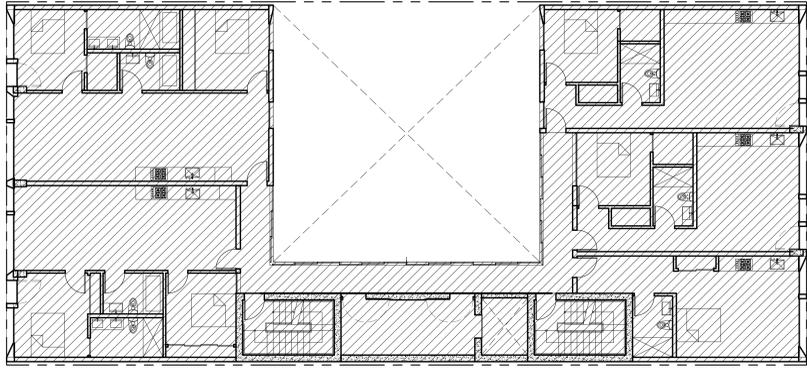
1433 BUSH ST.
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FAR DIAGRAMS
BASEMENT - FIFTH FLOOR

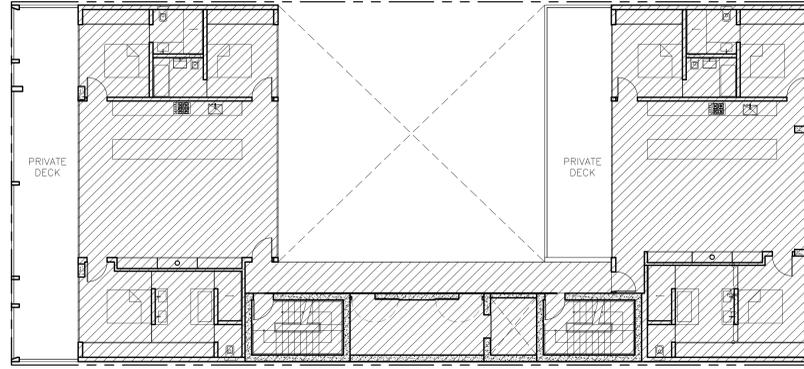
SITE PERMIT

Date	08.04.16
Scale	AS NOTED
Drawn	AT, SL
Job	BUSH
File	BUSH

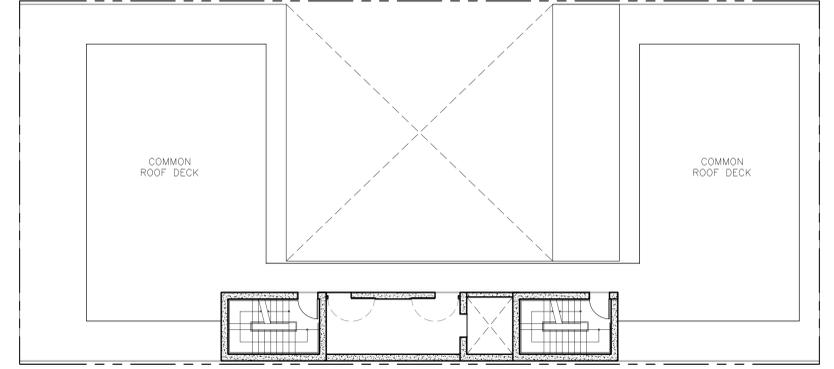
Sheet
A0.3a
Of
Sheets



LEVEL 8
GROSS AREA: 4817 SF
FAR GROSS: 4817 SF



LEVEL 11
GROSS AREA: 3971 SF
FAR GROSS: 3971 SF

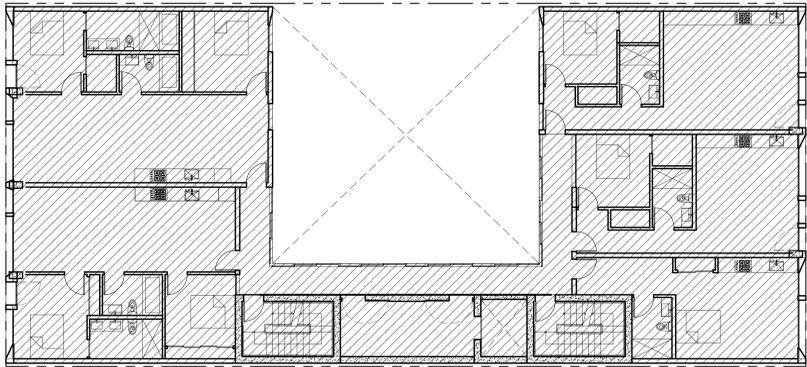


ROOF
GROSS AREA: 616 SF
FAR GROSS: 0 SF

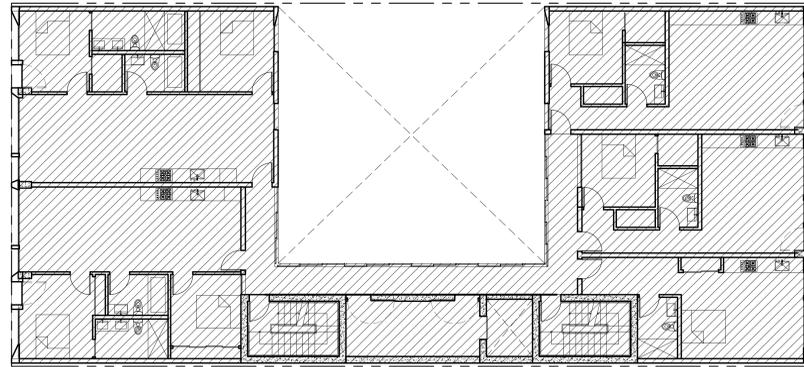
LEVEL 8

LEVEL 11

ROOF LEVEL



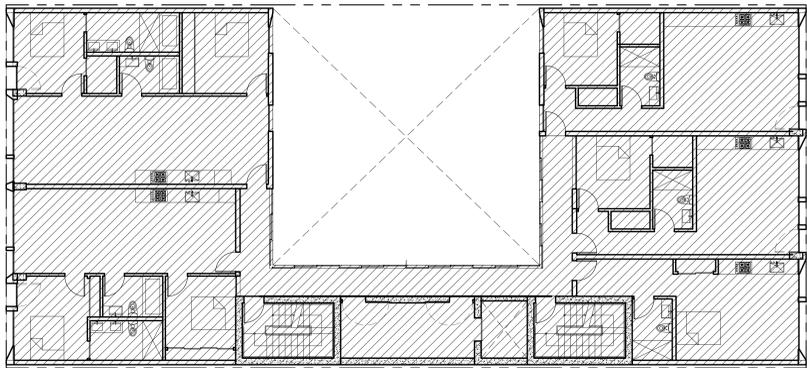
LEVEL 7
GROSS AREA: 4817 SF
FAR GROSS: 4817 SF



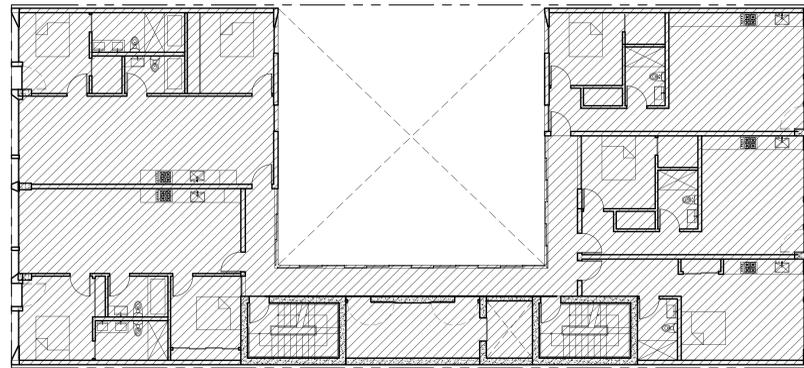
LEVEL 10
GROSS AREA: 4817 SF
FAR GROSS: 4817 SF

LEVEL 7

LEVEL 10



FLOOR 6
GROSS AREA: 4817 SF
FAR GROSS: 4817 SF



LEVEL 9
GROSS AREA: 4817 SF
FAR GROSS: 4817 SF

LEVEL 6

LEVEL 9

FAR CALCULATIONS

F.A.R. GENERAL INFORMATION

SITE AREA:	120'L x 55'W = 6,600 SF
ZONING DISTRICT:	RC-4
DENSITY:	1/200
F.A.R.:	7 : 1
APPLICATION TO RESIDENTIAL:	YES
F.A.R. PREMIUM	YES

F.A.R. PERMITTED BY ZONING

MAXIMUM DENSITY:	
PERMITTED FLOOR AREA BY ZONING	46,200 GSF
F.A.R. PREMIUM/BONUS	3,850 GSF
TOTAL FLOOR AREA PERMITTED	50,050 GSF

SAN FRANCISCO PLANNING CODE 2013:
SEC. 102. - DEFINITION
-FLOOR AREA, GROSS

FLOOR	GROSS AREA (SQ. FT.)	F.A.R. GROSS (SQ. FT.)
ROOF	616	0
LEVEL 11	3,971	3,971
LEVEL 10	4,817	4,817
LEVEL 9	4,817	4,817
LEVEL 8	4,817	4,817
LEVEL 7	4,817	4,817
LEVEL 6	4,817	4,817
LEVEL 5	4,817	4,817
LEVEL 4	4,817	4,817
LEVEL 3	4,817	4,817
LEVEL 2	4,817	4,817
MECHANICAL MEZZANINE	900	0
GROUND	4,225	2,726
BASEMENT	5,736	0
TOTAL	58,801 GSF	50,050 SF

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FAR DIAGRAMS: SIXTH FLOOR- ROOF

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File BUSH
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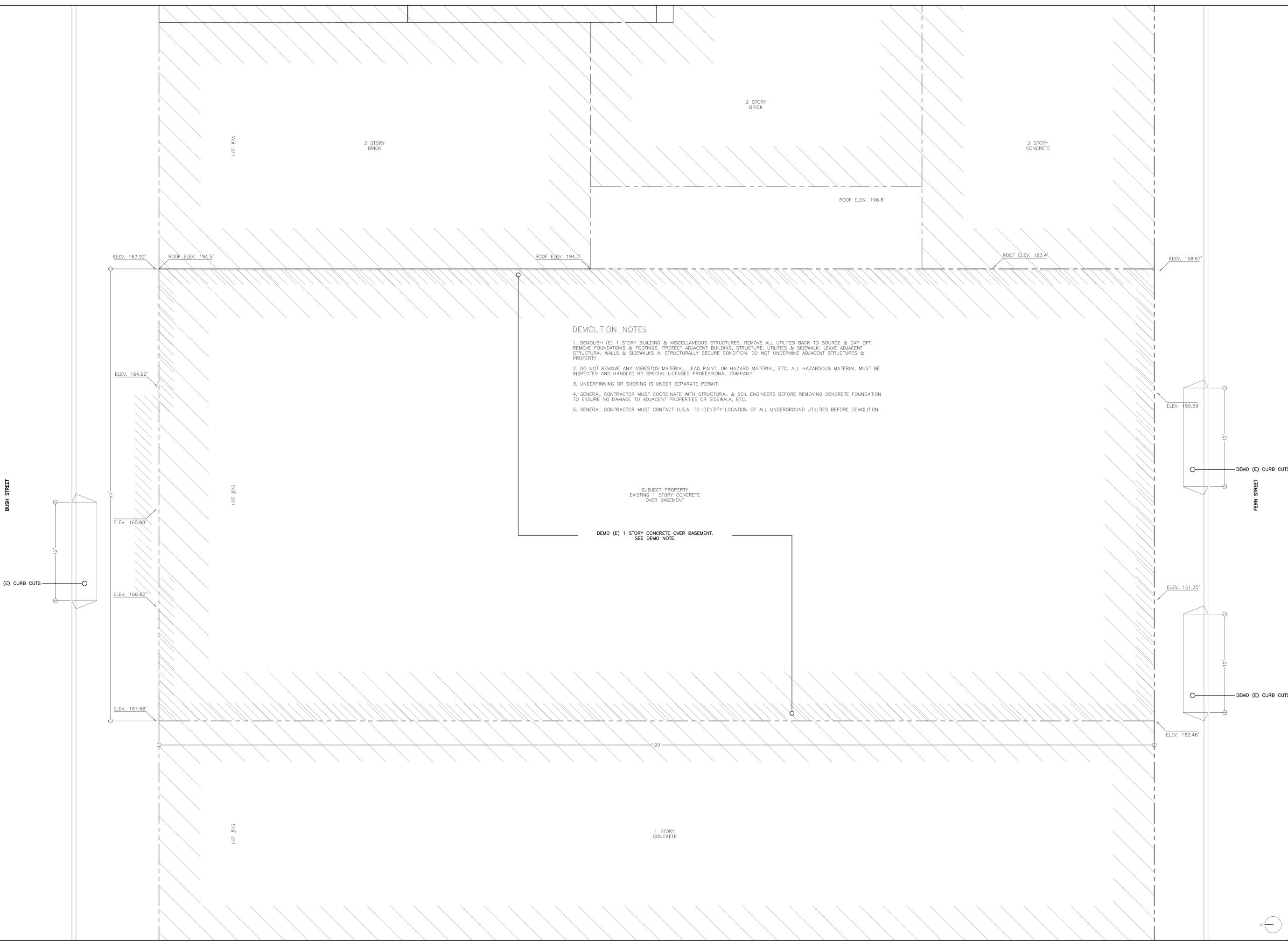
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DEMOLITION PLAN	
SITE PERMIT	
Date	08.04.16
Scale	AS NOTED
Drawn	AT, SL
Job	BUSH
File	BUSH
Sheet	A0.4
Of	1

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DEMOLITION NOTES

1. DEMOLISH (E) 1 STORY BUILDING & MISCELLANEOUS STRUCTURES. REMOVE ALL UTILITIES BACK TO SOURCE & CAP OFF. REMOVE FOUNDATIONS & FOOTINGS. PROTECT ADJACENT BUILDING, STRUCTURE, UTILITIES & SIDEWALK. LEAVE ADJACENT STRUCTURAL WALLS & SIDEWALKS IN STRUCTURALLY SECURE CONDITION. DO NOT UNDERMINE ADJACENT STRUCTURES & PROPERTY.
2. DO NOT REMOVE ANY ASBESTOS MATERIAL, LEAD PAINT, OR HAZARD MATERIAL, ETC. ALL HAZARDOUS MATERIAL MUST BE INSPECTED AND HANDLED BY SPECIAL LICENSED PROFESSIONAL COMPANY.
3. UNDERPINNING OR SHORING IS UNDER SEPARATE PERMIT.
4. GENERAL CONTRACTOR MUST COORDINATE WITH STRUCTURAL & SOIL ENGINEERS BEFORE REMOVING CONCRETE FOUNDATION TO ENSURE NO DAMAGE TO ADJACENT PROPERTIES OR SIDEWALK, ETC.
5. GENERAL CONTRACTOR MUST CONTACT U.S.A. TO IDENTIFY LOCATION OF ALL UNDERGROUND UTILITIES BEFORE DEMOLITION.

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BUSH STREET – NORTH ELEVATION

1

PROJECT SITE
 1433 BUSH ST.



BUSH STREET – SOUTH ELEVATION

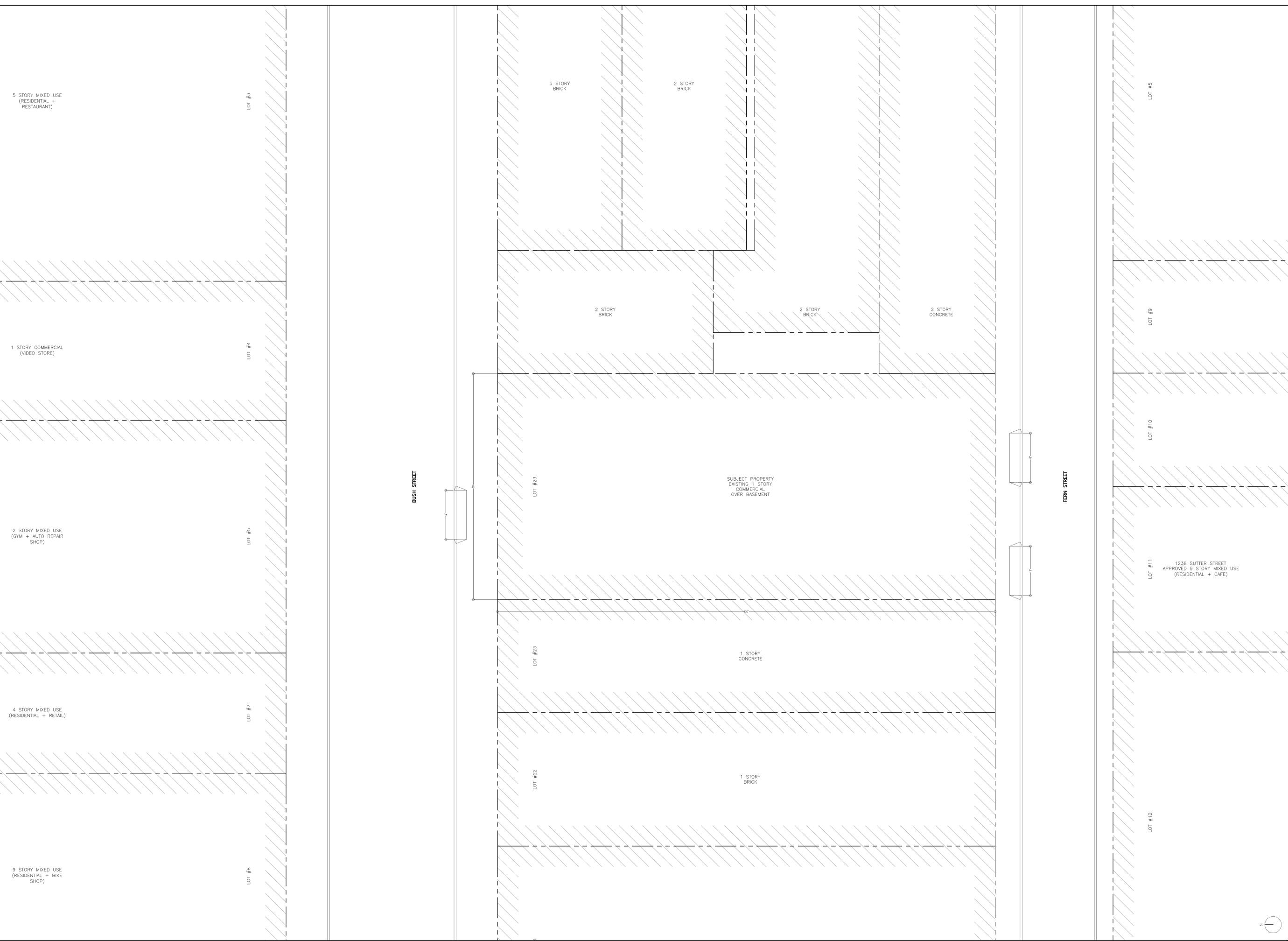
2

1433 BUSH ST.
 SAN FRANCISCO, CA

BUSH STREET
 EXISTING CONTEXT

SITE PERMIT	
Date	08.04.16
Scale	AS NOTED
Drawn	AT, SL
Job	BUSH
File	BUSH
Sheet	A0.5
Of	2

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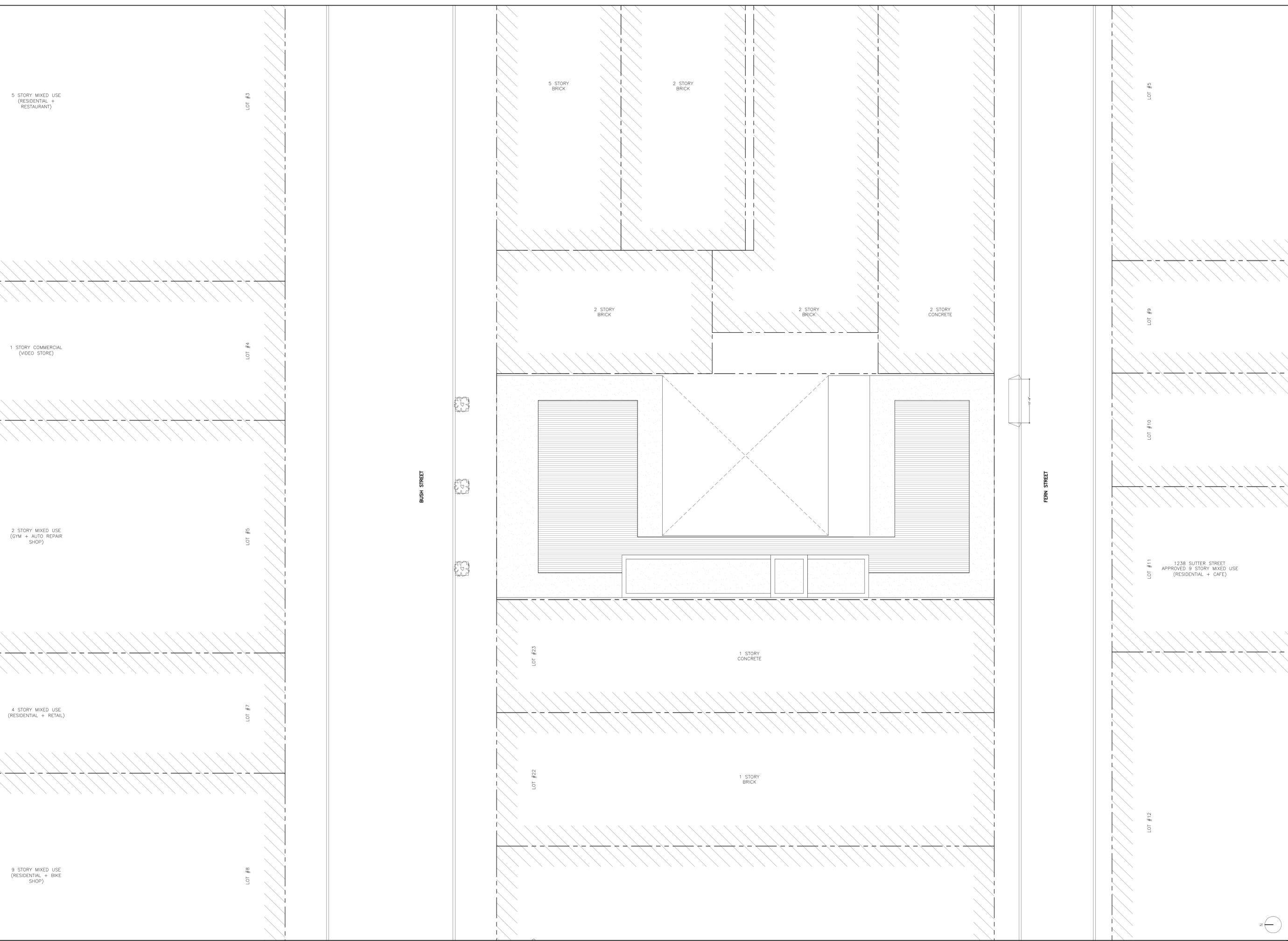


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EXISTING SITE PLAN
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Date 08.04.16
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Drawn AT, SL
Job BUSH
File BUSH
Sheet
A0.15
Of Sheets



5 STORY MIXED USE
(RESIDENTIAL + RESTAURANT)
LOT #3

1 STORY COMMERCIAL
(VIDEO STORE)
LOT #4

2 STORY MIXED USE
(GYM + AUTO REPAIR SHOP)
LOT #5

4 STORY MIXED USE
(RESIDENTIAL + RETAIL)
LOT #7

9 STORY MIXED USE
(RESIDENTIAL + BIKE SHOP)
LOT #8

5 STORY BRICK

2 STORY BRICK

2 STORY BRICK

2 STORY BRICK

2 STORY CONCRETE

1 STORY CONCRETE

1 STORY BRICK

LOT #5

LOT #9

LOT #10

LOT #11
1238 SUTTER STREET
APPROVED 9 STORY MIXED USE
(RESIDENTIAL + CAFE)

LOT #12

BUSH STREET

FERN STREET

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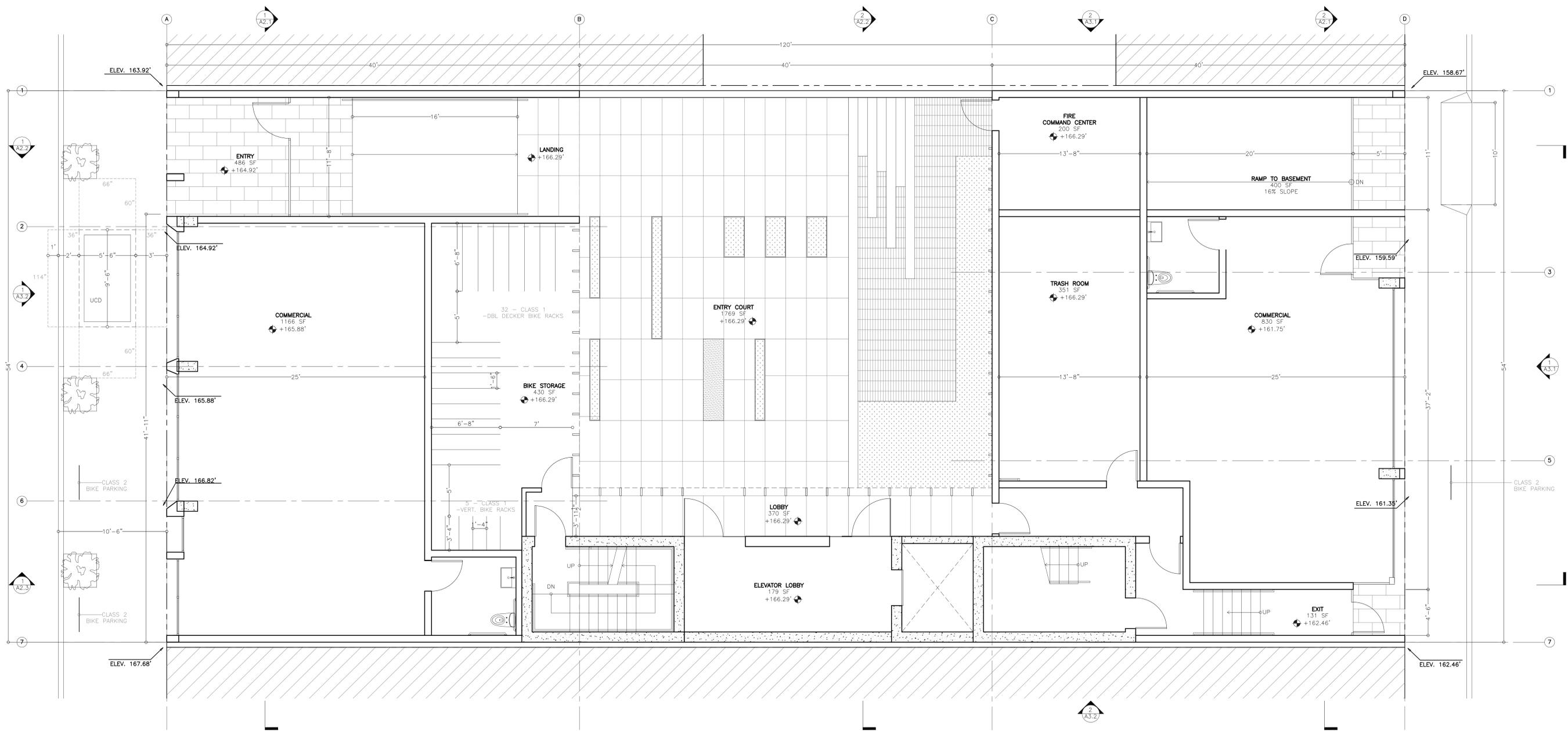
PROPOSED SITE PLAN
SITE PERMIT
Date 08.04.16
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AO.16
1
1/8" = 1'-0"

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FLOOR AREA	
TOTAL GROSS	4,225 SF

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PROPOSED GROUND FLOOR PLAN
SITE PERMIT
Date 08.04.16
Scale AS NOTED
Drawn AT, SL
Job BUSH
File BUSH
Sheet A1.1
Of 1

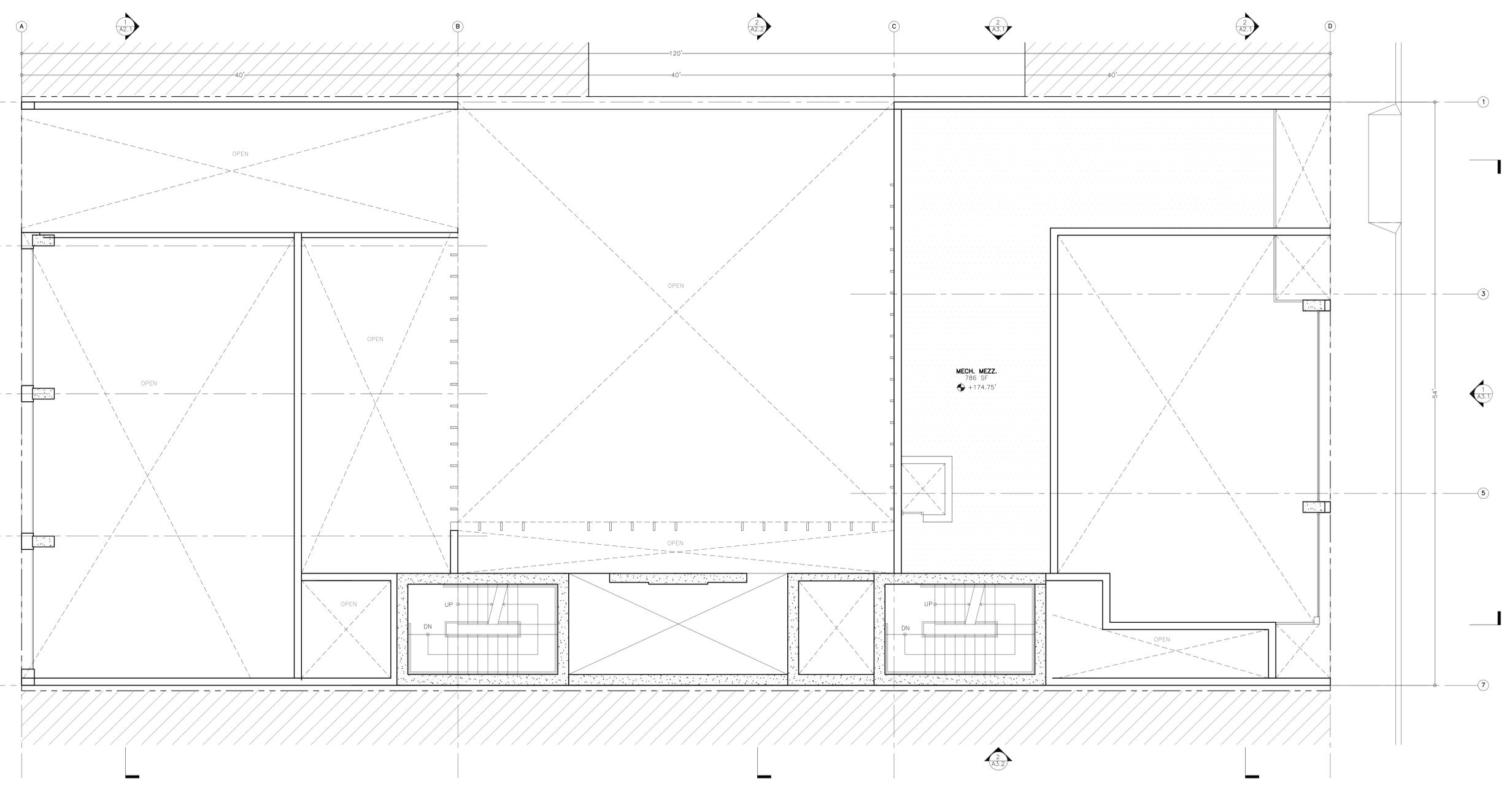
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1433 BUSH ST.
 SAN FRANCISCO, CA

PROPOSED
 MEZZANINE LEVEL
 FLOOR PLAN
 SITE PERMIT
 Date 08.04.16
 Scale AS NOTED
 Drawn AT, SL
 Job BUSH
 File BUSH
 Sheet
 A1.1a
 Of Sheets

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FLOOR AREA	
TOTAL GROSS	900 SF

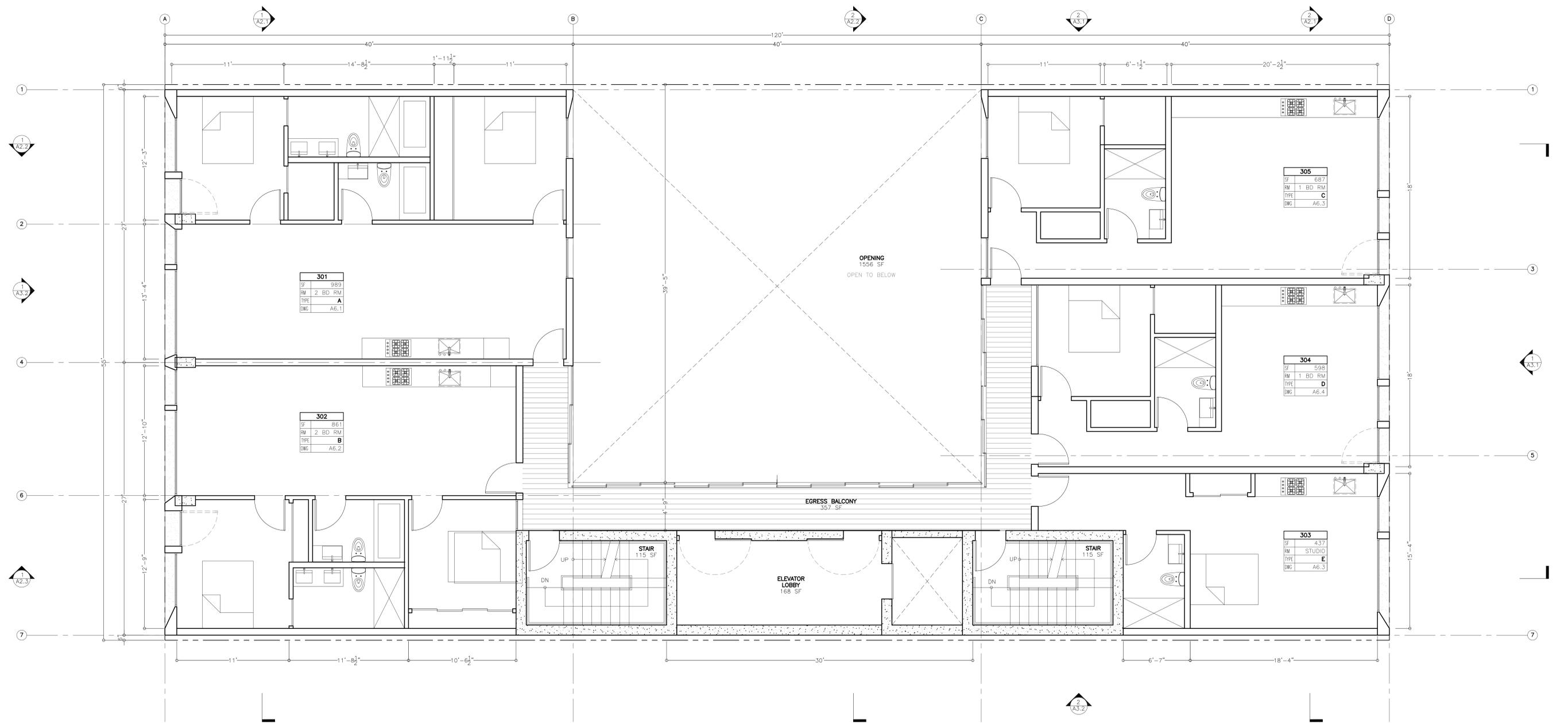
PROPOSED PLAN - GROUND LEVEL

1/4" = 1'-0"

1

NO.	DESCRIPTION	DATE

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RESIDENTIAL LEVEL 3

	UNIT COUNT
STUDIO	1
1 BED	2
2 BED	2
TOTAL	5

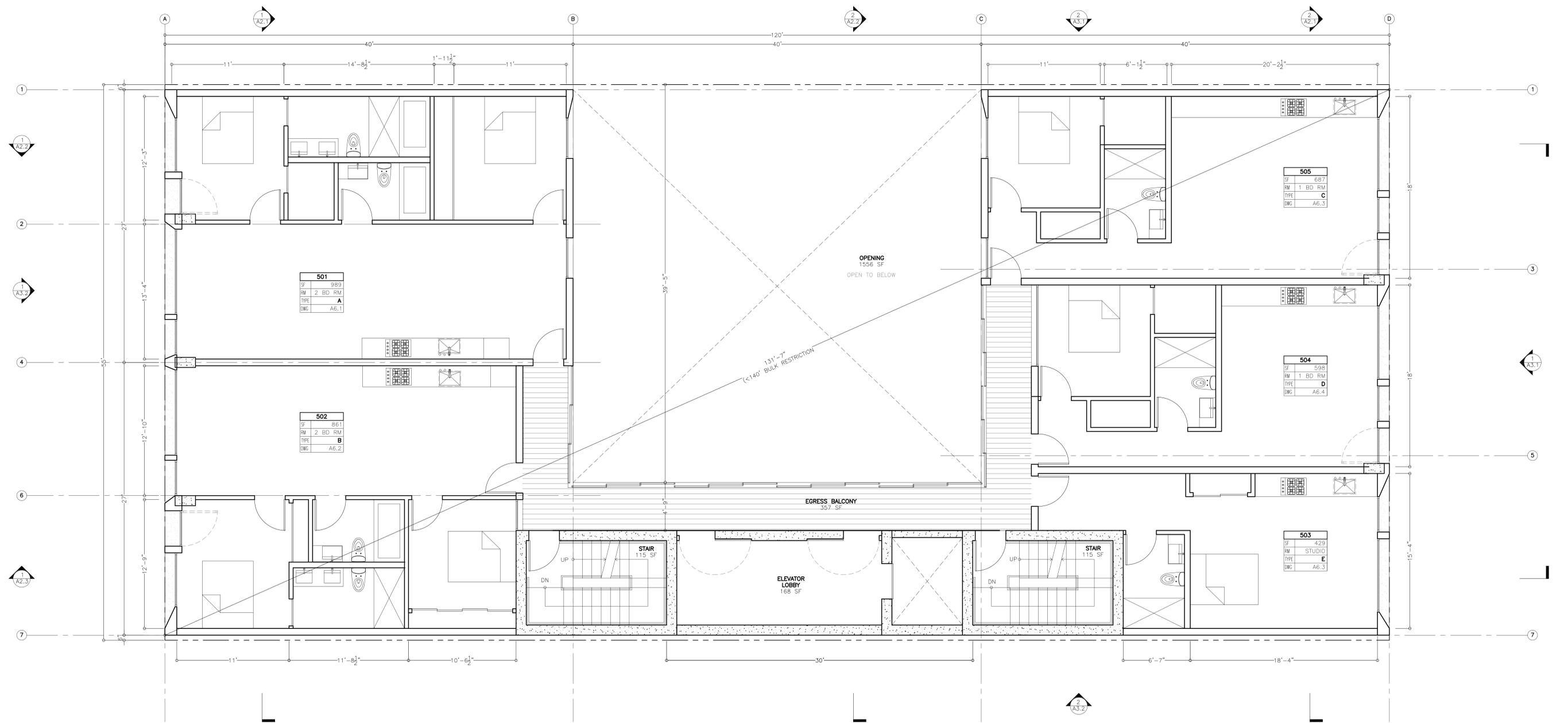
	FLOOR AREA
RESIDENTIAL NET	3,564 SF
TOTAL GROSS	4,817 SF

1433 BUSH ST.
 SAN FRANCISCO, CA

PROPOSED THIRD FLOOR PLAN
 SITE PERMIT
 Date 08.04.16
 Scale AS NOTED
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 Of 1
 1/4" = 1'-0"

NO.	DATE	DESCRIPTION

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RESIDENTIAL LEVEL 5

	UNIT COUNT
STUDIO	1
1 BED	2
2 BED	2
TOTAL	5

	FLOOR AREA
RESIDENTIAL NET	3,564 SF
TOTAL GROSS	4,817 SF

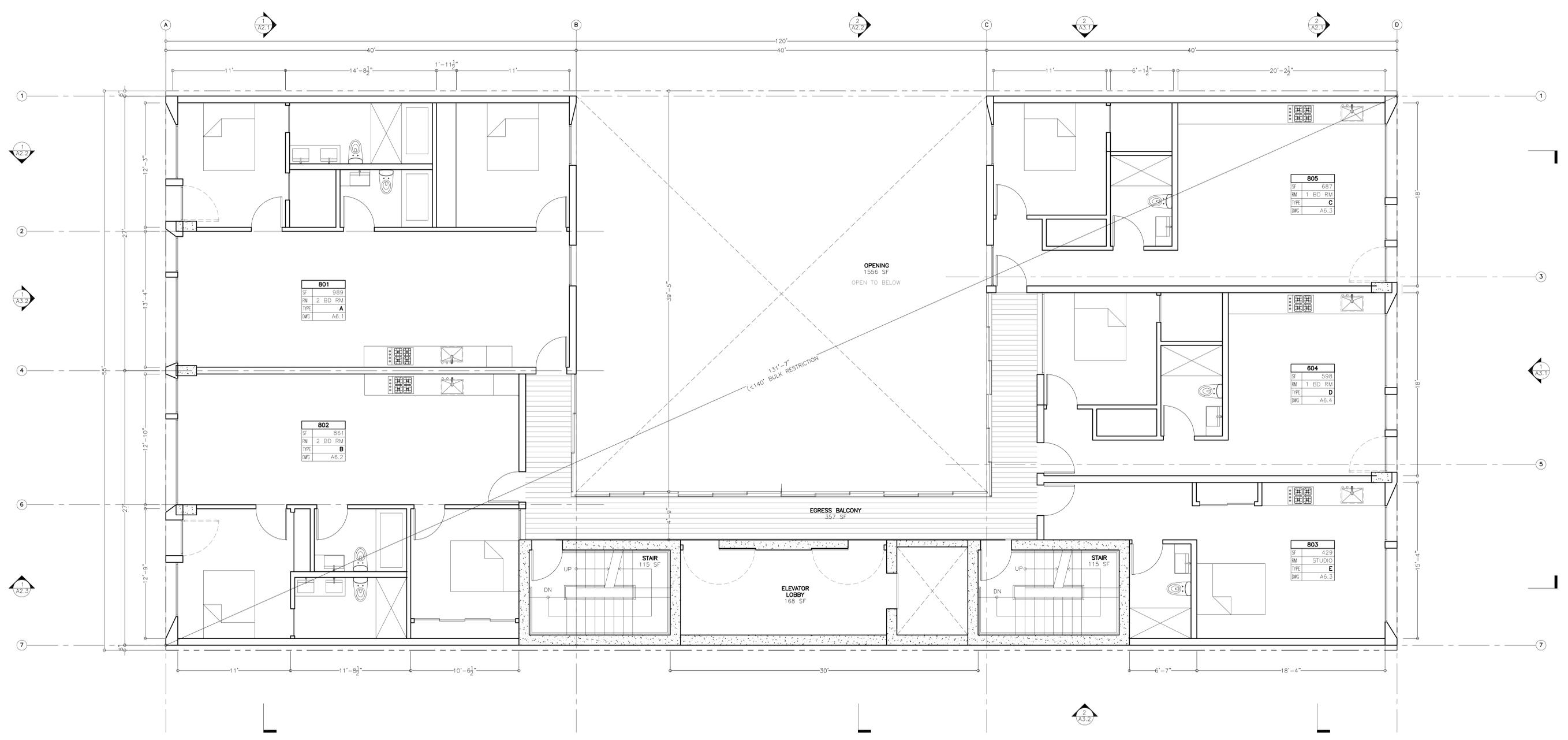
1433 BUSH ST.
 SAN FRANCISCO, CA

PROPOSED 5TH FLOOR PLAN
 SITE PERMIT
 Date 08.04.16
 Scale AS NOTED
 Drawn AT, SL
 Job BUSH
 File BUSH
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 Of 1
 1/4" = 1'-0"

NO.	DESCRIPTION	DATE

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1433 BUSH ST.
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RESIDENTIAL LEVEL 8

	UNIT COUNT
STUDIO	1
1 BED	2
2 BED	2
TOTAL	5

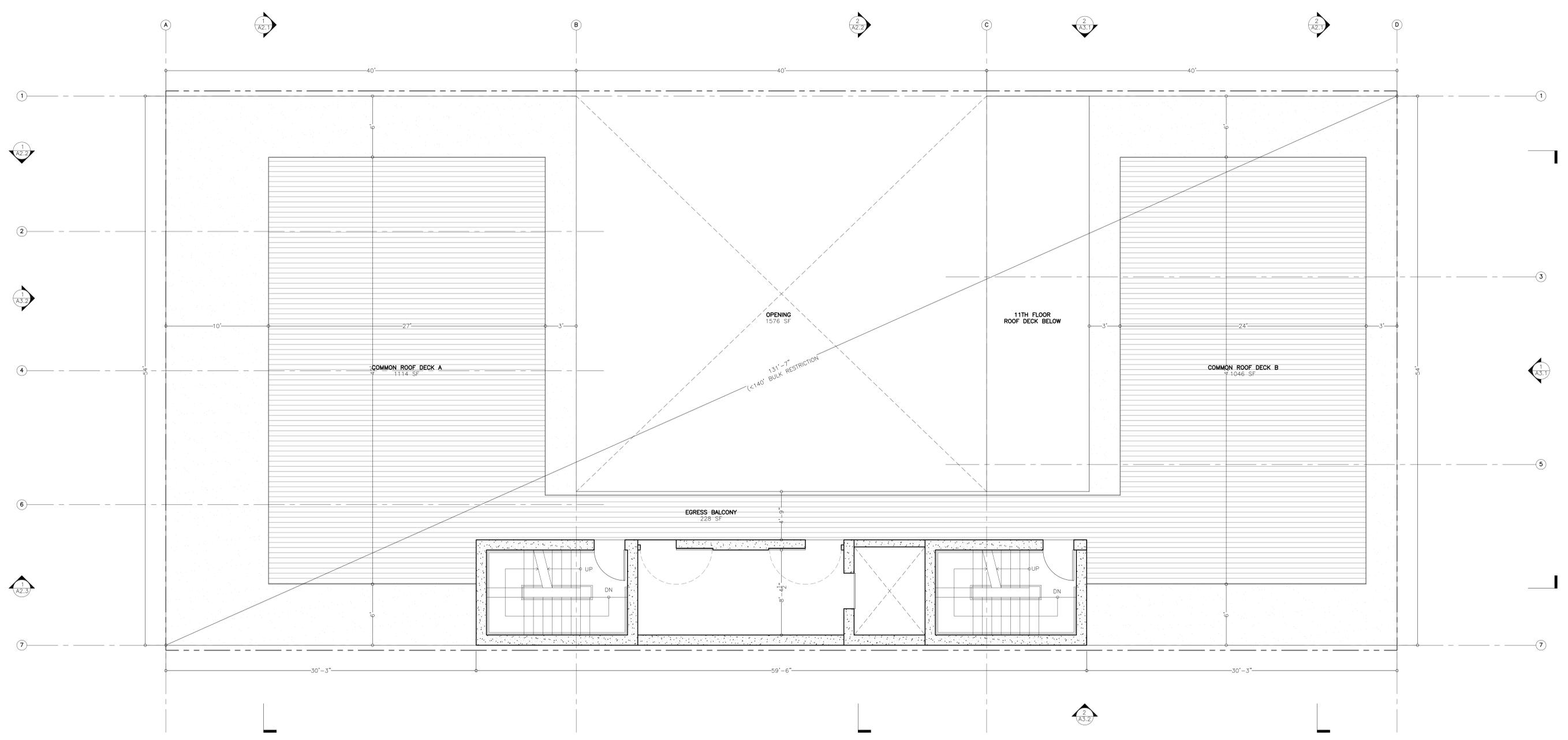
	FLOOR AREA
RESIDENTIAL NET	3,564 SF
TOTAL GROSS	4,817 SF

NO.	DESCRIPTION	DATE

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1433 BUSH ST.
 SAN FRANCISCO, CA

PROPOSED ROOF PLAN
 SITE PERMIT
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 File BUSH
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	FLOOR AREA
TOTAL GROSS	616 SF

REVISIONS		

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 SAN FRANCISCO, CA

PROPOSED RENDERINGS	
SITE PERMIT	
Date	08.04.16
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File	BUSH
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Of	A4.1
	Sheets

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EXTERIOR DAY VIEW — FROM POLK ST.

1 EXTERIOR DAY VIEW — ELEVATION PERSPECTIVE



2



SAN FRANCISCO
PLANNING
DEPARTMENT

AFFIDAVIT FOR Compliance with the Inclusionary Affordable Housing Program

Date: **January 11, 2013**

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

To: **Applicants subject to Planning Code Section 415: Inclusionary
Affordable Housing Program**

From: **San Francisco Planning Department**

Re: **Compliance with the Inclusionary Affordable Housing Program**

T: 415.558.6378

F: 415.558.6409

All projects that involve ten or more new dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Section 415 of the Planning Code. Every project subject to Section 415 must pay an Affordable Housing Fee that is equivalent to the applicable percentage of the number of units in the principal project, which is 20% of the total number of units proposed (or the applicable percentage if subject to different area plan controls or requirements).

A project may be eligible for an Alternative to the Affordable Housing Fee if the developer chooses to commit to sell the new on- or off-residential units rather than offer them as rental units. Second, the project may be eligible for an Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that 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 the necessary documentation to the Planning Department and the Mayor's Office of Housing. Additional material may be required to determine if a project is eligible to fulfill the Program's requirements through an alternative.

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.

¹ California Civil Code Section 1954.50 et.al.

Affidavit for Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415

07/25/16
Date

I, Nick Cranmer, do hereby declare as follows:

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

1433 Bush Street
Address

0670/024
Block / Lot

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

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

2015.009279CUA
Planning Case Number

Building Permit Number

This project requires the following approval:

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

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

Chris May
Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

- Yes (if yes, please indicate Tier) _____
- No

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

- This project is 100% affordable.

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

- Payment of the Affordable Housing Fee prior to the first site or building permit issuance (Planning Code Section 415.5).
- On-site or Off-site Affordable Housing Alternative (Planning Code Sections 415.6 and 416.7).

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 and the accompanying unit mix tables on page 4.

- 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.² 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 though 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 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.

f. The Project Sponsor must pay the Affordable Housing 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, with an option for the Project Sponsor to defer a portion of the payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

g. I am a duly authorized officer or owner of the subject property.

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

07/25/16
Date

Nicolas Cranmer
Signature

Nick Cranmer, Project Manager
Name (Print), Title

cc: Mayor’s Office of Housing
Planning Department Case Docket
Historic File, if applicable
Assessor’s Office, if applicable

415-501-0931
Contact Phone Number

2 California Civil Code Section 1954.50 and following.

Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:					
Total Number of Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
47	0	9	18	18	2

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below:

- On-site Affordable Housing Alternative (Charter Section 16.110 (g) and Planning Code Section 415.6): calculated at 12% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
6	0	2	2	2	0

- Off-site Affordable Housing Alternative (Planning Code Section 415.7): calculated at 20% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)			Number of Market-Rate Units in the Off-site Project	

- 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 would 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. Fee _____ % of affordable housing requirement.

2. On-Site _____ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

3. Off-Site _____ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)			Number of Market-Rate Units in the Off-site Project	

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)
Company Name JS Sullivan Development	Company Name
Print Name of Contact Person Nick Cranmer	Print Name of Contact Person
Address 2044 Fillmore Street, 3rd Floor	Address
City, State, Zip San Francisco, CA 94115	City, State, Zip
Phone, Fax 415-501-0931	Phone, Fax
Email n.cranmer@js-sullivan.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.	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.
	
Signature	Signature
Nick Cranmer, Project Manager	
Name (Print), Title	Name (Print), Title



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)
- Other

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 19159

Date: May 22, 2014
Case No.: 2009.1074CEKV
Project Address: 1433 BUSH STREET
Zoning: RC-4 (Residential-Commercial Combined, High Density) District
 130-V Height and Bulk District
 Van Ness Special Use District
 Van Ness Automotive Special Use District
Block/Lot: 0670/024
Project Sponsors: Don D'Ambrosio & City Rent-A-Car
 1433 Bush Street
 San Francisco, CA 94109
Project Architect: Antony Joma, Joma Studio Architects
 200 Industrial Road, Suite 150
 San Carlos, CA 94070
Staff Contact: Glenn Cabreros – (415) 558-6169
 glenn.cabreros@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 209.8, 253, 271 AND 303 TO ALLOW AN AUTOMOTIVE RENTAL USE, THE NEW CONSTRUCTION OF A BUILDING OVER 50 FEET IN HEIGHT AND AN EXCEPTION FROM THE BULK LIMITS IN THE RC-4 (RESIDENTIAL, COMMERCIAL COMBINED, HIGH DENSITY) ZONING DISTRICT, THE VAN NESS SPECIAL USE DISTRICT, THE VAN NESS AUTOMOTIVE SPECIAL USE DISTRICT AND THE 130-V HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 26, 2012, Don D'Ambrosio and City Rent-A-Car c/o Antony Joma (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 209.8, 253, 271 and 303 to allow an automotive rental use, the new construction of a building over 50 feet in height in an RC District and an exception from the bulk limits prescribed by the V Bulk District. The project proposes demolition of an existing one-story commercial building containing an automotive rental use and new construction of a 115-foot tall, 10-story mixed-use building containing 32 dwelling units, 26 residential parking spaces and a ground floor commercial space to contain an automotive rental use within the RC-4 (Residential, Commercial

Combined, High Density) Zoning District, the Van Ness Special Use District, the Van Ness Automotive Special Use District and the 130-V Height and Bulk District.

On July 7, 2010, per Case No. 2009.1074K, the Department prepared a shadow fan in accordance with Planning Code Section 295 and determined that the project would not cast shadow onto Recreation and Park properties.

On January 27, 2011, 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.

On June 28, 2013, the project filed a variance application, Case No. 2009.1074V, to request variances from the rear yard requirements and street frontage requirements of the Planning Code.

On September 19, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2009.1074C, and continued the Conditional Use hearing to allow for design revisions to the project.

On May 22, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2009.1074C.

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. 2009.1074C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the south side of Bush Street, Block 0570, Lot 024 between Van Ness Avenue and Polk Street. The subject property is a through lot with frontage on Bush and Fern Streets. The property is located in the RC-4 (Residential, Commercial Combined, High Density) Zoning District, the Van Ness Special Use District, the Van Ness Automotive Special Use District and the 130-V Height and Bulk District. The property is currently developed with a one-story-over-basement commercial building containing an automotive rental car use (d.b.a. City Rent-A-Car). The subject lot measures 55 feet wide by 120 feet deep with a lot area of 6,600 square feet.

3. **Surrounding Properties and Neighborhood.** The project site is located at the northern edge of the Downtown/Civic Center neighborhood. The immediate area is a mix of high-density apartment/condominium residential buildings and commercial buildings with varied heights and uses. As the project is within the Van Ness Automotive Special Use District, automotive sales and service uses are also prevalent, particularly along Van Ness Avenue. The project is also located a half block from Polk Street, which is defined by a general development pattern of residential uses over commercial ground floors. Directly adjacent and west of the subject lot is a one-story automotive service building. Directly adjacent and east of the subject lot is a two-story, mixed use building with a restaurant at the ground floor and two residential units on the second floor.
4. **Project Description.** The project proposes demolition of the one-story commercial building containing an automotive rental use and new construction of a 115-foot tall, 10-story mixed-use building containing 32 dwelling units, 26 residential parking spaces and a ground floor commercial space with approximately 3,900 square feet. Upon completion of the replacement building, City Rent-A-Car would like to re-establish the automotive rental use at the commercial ground floor. The automotive rental use would contain offices and 3 parking spaces for the automotive rental use. City Rent-A-Car has a fleet of approximately 140 cars that would be stored off-site.
5. **Public Comment.** Since the initial hearing on September 19, 2013, the applicant has conducted additional public outreach, including at least three meetings with the Lower Polk Neighborhood (LPN) association. LPN supports revisions to the project and the retention of the existing local business, City Rent-A-Car, at the project site. The applicant has also reached out to neighborhood businesses within 1000 feet of the project site. At the time of the May 22, 2014 hearing, the Department had received 14 letters in support of the project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Rear yard.** Planning Code Section 134 requires a 25 percent rear yard in the RC-4 Zoning District.

A rear yard variance is being requested for the project pursuant to Planning Code Section 243(c)(7) and 307(g). Literal enforcement of this Code requirement would result in a rear yard area along Fern Street.
 - B. **Open space.** Planning Code Section 135 states that in the RC-4 Zoning District 36 square feet of private open space per dwelling unit is required.

The project meets the open space requirement by proposing at least 36 square feet of private open space for each dwelling unit.

- C. **Exposure.** Planning Code Section 140 states that every dwelling unit shall face onto a Code-complying rear yard or onto a street at least 25 feet in width.

The project complies with the dwelling unit exposure requirement as every unit faces onto Bush Street or Fern Street.

- D. **Street frontage.** Planning Code Section 145.1 establishes street frontage requirements in the RC District, including limitations to the total width of parking entrances along a street frontage and requirements that parking be set back 25 feet at the ground floor and 15 feet at the second floor from any street frontage.

A street frontage variance is being requested as meeting the requirements for parking setbacks and parking entrances are challenging given that the subject lot is a through lot and that the project proposes to re-establish an automobile rental use at the ground floor.

- E. **Parking Reduction.** Per Planning Code Section 151, one parking space is required per dwelling unit. As 32 units and 26 parking spaces are proposed, the project is deficient by 6 parking spaces. Per Planning Code Section 161(j), the Zoning Administrator may reduce the off-street parking requirements in RC (Residential Commercial Combined) Districts pursuant to the procedures and criteria of Planning Code Section 307(i). On September 9, 2013, the Zoning Administrator reviewed the criteria set forth under Planning Code Section 307(g) and (i) and has authorized administrative approval given that the proposed project meets the criteria for the reduction of six off-street parking spaces as follows:

- i. The reduction in the parking requirement is justified by the reasonable anticipated auto usage by residents of and visitors to the Project.

The parking required for the project is triggered by the number of residential units proposed. As the immediate neighborhood, particularly along Polk Street and Van Ness Avenue, contains a varied mix of services and retail uses that are neighborhood serving, the residents of the project would not necessarily need a car to access such services and uses. In general, residential uses are not considered to be as intensive as commercial and institutional uses. The neighborhood is also well-served by public transit.

- ii. The reduction in the parking requirement will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity.

The reduction of the required parking spaces will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity since the area is well-served by public transit. Many existing residential and commercial buildings in the immediate neighborhood were constructed without parking, and their presence has created a lively, walkable neighborhood environment with a variety of uses that positively contribute to the general welfare of persons who live and work in the area.

- iii. The minimization of conflict of vehicular and pedestrian movements.

Pedestrian and vehicular movement conflicts will be minimized as the project proposes a reduced number of parking spaces for the residential use. While three curb cuts are proposed to include vehicular access for the residential parking and the automobile rental car use to be located at the ground floor of the project, two of the three curb cuts are located along Fern Street. Fern Street is less traveled by pedestrians compared to Bush Street.

- iv. The availability of transportation modes other than the automobile.

The project proposes 16 new bicycle parking spaces. The project is also well served by public transit, particularly along the Van Ness Avenue, Pine Street and Bush Street corridors. Nearby Muni lines include Line Nos. 1, 2, 3, 19, 31, 38, 47, 49 and 76X. The California Street cable car line is located approximately 2 blocks away. A Golden Gate Transit line runs along Van Ness Avenue.

- v. The pattern of land use and character of development in the vicinity.

The project is located in the RC-4 District, which is a district that is devoted almost exclusively to apartment buildings of high density, usually with smaller units, close to downtown with a mix of supportive commercial uses. Many of the residential buildings were originally constructed without parking. The project site is located at the northern edge of the Downtown/Civic Center neighborhood. The immediate area is a mix of high-density apartment/condominium residential buildings and commercial buildings with varied heights and uses. As the project is within the Van Ness Automotive Special Use District, automotive sales and service uses are also prevalent, particularly along Van Ness Avenue. The project is also located a half block from Polk Street, which is defined by a general development pattern of residential uses over a commercial ground floor. Directly adjacent and west of the subject lot is a one-story automotive service building. Directly adjacent and east of the subject lot is a two-story, two-unit mixed use building with a restaurant at the ground floor.

- vi. Such other criteria as the Zoning Administrator deems appropriate in the circumstances of the particular case.

The Zoning Administrator determined that no additional criteria are required for consideration in the circumstances of the particular case.

- F. **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, these requirements would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5 and 415.6, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 12% of the proposed dwelling units as affordable.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on May 21, 2014. The EE application was submitted on November 17, 2009. Pursuant to Planning Code Section 415.3 and 415.6, the on-site requirement is 12%. Four (4) units (2 one-bedroom, and 2 two-bedroom) of the 32 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- C. Dwelling Unit Density.** Planning Code Section 243(c)(2) states that in the Van Ness Special Use District, residential density limit shall not apply.

The project proposes 32 dwelling units.

- H. Building Height in the RC Zoning District.** Planning Code Section 253 states that Conditional Use Authorization is required to construct a structure greater than 50 feet in height in the RC Zoning District.

An application for Conditional Use Authorization has been submitted that requests the Planning Commission approve the project at a height of 115 feet.

- I. Height.** Per Planning Code Section 260, the maximum height limit for the subject lot is 130 feet.

The project proposes a building height of 115 feet.

- J. Bulk.** Planning Code Section 270 states that in the V Bulk District the maximum length of a building is 110 feet with a maximum diagonal dimension of 140 feet.

The project proposes a building length of 120 feet with a diagonal dimension of 132 feet. As the project exceeds the maximum building length, a bulk exception is being requested as part of the Conditional Use Authorization. See Bulk Exception Findings below.

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

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

The size of the proposed multi-use building is necessary and desirable as it will provide 32 dwelling units to the City's housing stock. The height and density of the building is compatible with the existing neighborhood, the RC-4 District and the Van Ness Special Use District, as the project is reflective of the uses and density found in the immediate neighborhood. The automotive rental use is desirable as it is located within the Van Ness Automotive Special Use District, and it would retain an independent San Francisco business at the same location.

- 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 proposed size, shape and arrangement of the proposed building would not be detrimental to persons residing or working in the vicinity, as the building, in general, is consistent with the massing and height of other tall buildings found within the immediate vicinity and within the Van Ness Special Use District. The proposed project is an appropriate infill project on a lot that is currently underdeveloped.

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

The project sponsor is seeking a parking reduction with regard to the proposed residential uses and associated parking. The project would retain an automotive rental use, which is appropriately located within the Van Ness Automotive Special Use District. Traffic patterns associated with the automotive rental use can be expected to be intermittent, as vehicular movement would be confined to the business hours of the use and consumer demand for car rentals. The project eliminates one existing curb cut along Bush Street.

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

Noxious or offensive emissions are not typically associated with residential uses. The automotive rental use would have similar effects to that of the proposed residential garage as the nature of automotive rental uses are intermittent by nature in terms of vehicle pick-ups and drop-offs.

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

The project locates residential parking at the basement level and at the second floor, which allows – on the ground floor – a residential lobby and a commercial space for the offices of the automotive rental use to front Bush Street. The vehicular access for the automobile rental use is accessed via Fern Street, which is a less travelled street, thus minimizing potential vehicular and pedestrian conflicts. The project sponsor has completed the required Tree Planting and Protection Checklist and has identified six street trees are required by the project. The feasibility of planting the required number of street trees at the project will be determined by the Department of Public Works, Urban Forestry Division.

- 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. Where the project deviates from the standard provisions of the Planning Code, the project sponsor is requesting the necessary exceptions and variances as required by the Planning Code. The project 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.

The proposed project is consistent with the stated purposes of the RC-4 District, the Van Ness Special Use District and the Van Ness Automotive Special Use District in that it proposes high-density housing with an automotive use at the ground floor that is compatible with other commercial uses in the vicinity. The retention of the automotive rental use at the subject property will provide a compatible convenience service for the immediately surrounding neighborhoods.

8. **Bulk Exception Findings.** Planning Code Section 271 establishes criteria to allow exceptions to the Bulk limit with Conditional Use Approval. On balance, the project does comply with said criteria in that:

- a. 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.
- i. Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;

Along the east elevation the bulk of the building is interrupted by a central courtyard 25 feet in depth, thus creating a break in the building mass and the appearance of two towers. At both the Bush and Fern Street facades, the upper two floors are set back 20 feet from each street frontage. The planes of the exterior facades are further varied by the use of bay windows, balconies and cornices/bris-soleils.

- ii. Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;

As the upper two floors are set back 20 feet from both street frontages, these setbacks create a stepped building volume to further break up the massing and also respond to shorter surrounding buildings. While the proposed building height is 115 feet, the façade height at both Fern and Bush Streets is approximately 93 feet.

- iii. Differences in materials, colors or scales of the facades that produce separate major elements;

All facades are treated with exterior materials of various textures and colors to create a building scale and massing that is appropriate to the surrounding context. The materials are also used to create tripartite building proportions at the Bush and Fern Street frontages. A window hierarchy is also used to differentiate the ground floor, middle portion and upper floors of the proposed building.

- iv. 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;

Due to the 20-foot setback at the two upper floors, the top 23 feet of the building height is within the Bulk Limits. Also the central courtyard expressed along the east elevation creates the appearance of two towers, each of which would meet the Bulk Limit if measured as separate elements.

- v. 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.

This criterion is not applicable as one tower is proposed.

- b. 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:

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

As shown in a photo simulation taken from Franklin and Bush Streets, the building height and silhouette is harmonious with the topography and the Van Ness Avenue corridor. The 20 foot setback at the two upper floors creates a building mass at the street that steps down from the taller development pattern along Van Ness Avenue to the finer scaled development along Polk Street and beyond.

- ii. 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 height, setbacks and placement of architectural detailing references the building heights and scale in the surrounding neighborhood.

- iii. Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and

The scale and selection of the exterior materials reflect the residential uses in the immediate neighborhood. The scale of the ground floor is consistent with the tall commercial street frontage along Bush Street. The window proportions and use of balconies reflect the residential uses contained within the building.

- iv. Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

The pattern of continuous commercial ground floor uses is maintained along Bush Street. The removal of one existing curb cut along the Bush Street frontage will also enhance the pedestrian realm. The vehicular access for the automobile rental use is located along Fern Street and will provide an active use to a less travelled street.

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

NEIGHBORHOOD COMMERCE

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:

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

The proposed project will retain an independent automobile rental use in the same location. The automobile rental use is compatible with the uses envisioned by the Van Ness Automotive Special Use District, and the use would contribute positively to the diversity of commercial uses and services found in the surrounding neighborhoods.

OBJECTIVE 2:

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

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The project will retain an existing commercial activity and will enhance the diverse economic base of the City.

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

The existing commercial tenant intends to re-establish the existing automotive rental use upon construction of the project, and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

Policy 6.2:

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

An independent entrepreneur is sponsoring the proposal. The proposed use is a neighborhood serving use. This is not a Formula Retail use.

VAN NESS AVENUE AREA PLAN – RESIDENTIAL LIVABILITY

OBJECTIVE 7: PROVIDE SAFE AND ATTRACTIVE ENVIRONMENTS WITHIN EACH MIXED USE DEVELOPMENT.

Policy 1: Ensure safety, security and privacy within new residential developments while encouraging efficient use of common open space areas.

- Policy 3: Generally maintain existing open space requirements for residential use. Allow common open space requirements to be met by a variety of recreation and open space features.
- Policy 4: Design mixed use developments to create a quiet residential environment with a variety of intimate, personal spaces well insulated from the intrusion of noise from street of commercial activities.

The proposed 115-foot tall building is in keeping with the surrounding building patterns and desired massing and scale in the RC-4 District, the 130 Height District and the Van Ness Special Use District. In addition, the building is also designed to complement the nearby smaller scaled development.

TRANSPORTATION ELEMENT

OBJECTIVE 34: RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICT TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

- Policy 34.1: Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.
- Policy 34.3: Permit minimal or reduced off-street parking for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

To minimize private auto use and to encourage the use of public transit, – particularly as the project is located in an area well-served by local and regional transit – the number of parking spaces provided at the project is limited to 26 spaces for the 32 units proposed.

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

The proposal preserves the existing automobile rental use.

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

The project does not propose demolition of existing housing.

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

No affordable housing is removed for this project.

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

Traffic associated with the building uses are expected to be intermittent. The project is well served by public transit, particularly along the Van Ness Avenue, Pine Street and Bush Street corridors. Nearby Muni lines include Line Nos. 1, 2, 3, 19, 31, 38, 47, 49 and 76X. The California Street cable car line is located approximately 2 blocks away. A Golden Gate Transit line runs along Van Ness Avenue.

- 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 industry establishment. 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. This proposal will not affect the property's ability to withstand an earthquake.

- 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.

A shadow study was prepared and the project's shadow does not reach any parks or open space under the jurisdiction of the Department of Recreation and Parks. The project will have no negative effect on existing parks and open spaces.

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

DECISION

That based upon the **Record**, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2009.1074C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 12, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 19159. 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 22, 2014.

Jonas P. Ionin
Acting Commission Secretary

AYES: Commissioners Antonini, Borden, Fong, Hillis, Moore, Sugaya and Wu

NAYS: (none)

ABSENT: (none)

ADOPTED: May 22, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow an automotive rental use, the new construction of a building over 50 feet in height and an exception from the bulk limits at 1433 Bush Street, Block 0670, Lot 024 pursuant to Planning Code Sections 209.8, 253, 271 and 303 within the RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District, the Van Ness Automotive Special Use District and a 130-V Height and Bulk District; in general conformance with plans, dated September 5, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2009.1074C and subject to conditions of approval reviewed and approved by the Commission on May 22, 2014 under Motion No. 19159. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on May 22, 2014 under Motion No. 19159.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19159 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 and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

DESIGN

2. **Windows.** Clear glazing shall be used on all facades. Mirrored, tinted or frosted/translucent glass shall not be permitted, with the exception of glazed areas used as screening or as a secondary accent material. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
3. **Ground Floor.** An attractive ground floor commercial space shall be maintained by providing visibility of the commercial interior through clear storefront windows. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
4. **Curb Cut Width.** The maximum width of each curb shall be 10 feet including curb returns. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
5. **Signs.** Signs and exterior lighting for the commercial use shall be reviewed and approved by the Planning Department before they are installed. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
6. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or

other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*

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 architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.*

PARKING AND TRAFFIC

8. **Bicycle Parking.** The Project shall provide no fewer than 14 Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

PROVISIONS

9. **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*

MONITORING - AFTER ENTITLEMENT

10. **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*
11. **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

12. **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*

AFFORDABLE HOUSING

13. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 12% of the proposed dwelling units as affordable to qualifying households. The Project contains 32 units; therefore, four (4) affordable units are required. The Project Sponsor will fulfill this requirement by providing the four (4) affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").
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.
14. **Unit Mix.** The Project contains 12 one-bedroom and 20 two-bedroom units; therefore, the required affordable unit mix is 2 one-bedroom and 2 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.
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.
15. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.
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.

16. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twelve percent (12%) of the each phase's total number of dwelling units as on-site affordable units.

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.

17. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.

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.

18. **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 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 MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD 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.

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 affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average of ninety (90) percent of Area

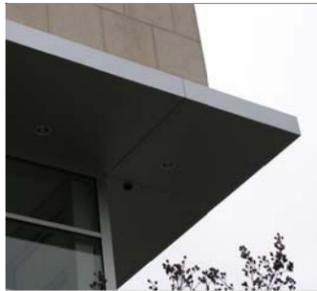
- Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
 - d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
 - e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements 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.
 - f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
 - g. If the Project Sponsor 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 Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
 - h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

C A S A D' A M B R O S I O



BUSH STREET VIEW

VICINITY MAP	PROJECT DIRECTORY	PROJECT DATA	PROJECT DESCRIPTION	SHEET INDEX
	<p>OWNER: CITY RENT - A - CAR (415) 359-1331 1433 BUSH STREET SAN FRANCISCO, CA 94109</p> <p>ARCHITECT: JOMA STUDIO ARCHITECTS (650) 532-8200 200 INDUSTRIAL RD, SUITE 150 SAN CARLOS, CA 94070</p> <p>CIVIL ENGINEER: SMP ENGINEERS (650) 941-8055 1534 CAROB LANE LOS ALTOS, CA 94024</p>	<p>CASE NUMBER: 2009.1074C BLOCK: 670 LOT#: 24 ZONE: RC-4 (Van Ness Special Use District) OCCUPANCY: B, R2, S2 LOT AREA: 6600 sf. (120' x 55') BASIC FLR AREA (NON-RES.): 46,200 sf. (7.0 TO 1 IN 130' HT. VAN NESS District) MAX. DWELLING UNIT DENSITY: 1/ 200 S.F. OF LOT AREA, 6,600 / 200 = 33 UNITS PROPOSED RESIDENTIAL UNITS: 32 UNITS RESIDENTIAL GROSS FLR. AREA: 40,420 S.F. (INC. RESIDENTIAL LOBBY & CORE AREA)</p> <p>NON-RESIDENTIAL GROSS FLOOR AREA SECOND FLOOR AREA: 6,576 S.F. MEZZANINE (OFFICE, STORAGE & COMMUNITY ROOM): 1,840 S.F. + 900 S.F (CORE AREA) GROUND FLOOR (NON RES.): 3,700 S.F. BASEMENT FLOOR AREA: 6,576 S.F. TOTAL NON-RES. FLR. AREA: 19,592 S.F.</p> <p>MAX. ALLOWABLE BLDG. HEIGHT: 130' PROPOSED MAIN BLDG. HEIGHT: 115' OPEN SPACE REQUIREMENTS: 36 S.F./UNIT PROVIDED: 36+ S.F./UNIT (MIN.)</p> <p>PARKING: REQUIRED: 1/UNIT (32 STALLS) OR 1/4 UNITS (8 STALLS, PENDING) TOTAL PARKING PROVIDED: 25 STALLS (RESIDENTIAL) + 12 STALLS (COMMERCIAL) = 37 BMR REQUIREMENT: 15% OF TOTAL UNITS (33 UNITS x 15% = 5 UNITS OR IN LIEU FEE</p>	<p>AN URBAN INFILL PROJECT, THE EXISTING 120'x55' SITE EXTENDS FROM BUSH TO FERN STREET BETWEEN VAN NESS & POLK. THE OWNER'S (CITY RENT-A-CAR) INTENT IS TO REMOVE THE EXISTING ONE STORY BUILDING AND DEVELOP A MULTI STORY MIX-USE & MARKET RATE, RESIDENTIAL HOUSING. THE EXISTING CAR RENTAL COMPANY SHALL MAINTAIN LOCATION WITHIN THE NEW GROUND FLOOR AND CONTINUE THEIR EXISTING BUSINESS. THE PROJECT INCORPORATES:</p> <ul style="list-style-type: none"> PROPOSED TEN STORY BUILDING WITH EXISTING BASEMENT. ZONED FOR 130' HIGH BUILDING. PROPOSED HEIGHT IS 115', 15 FEET LESS THAN MAXIMUM ALLOWABLE HEIGHT TOTAL OF 32 ONE & TWO BEDROOM UNITS WITH PRIVATE BALCONIES THE UNITS FLOOR AREA RANGE FROM 530 S.F. (JR. ONE BEDROOM) TO 1456 S.F. (TWO BEDROOM + DEN PENTHOUSE) TO REDUCE BUILDING MASS, THE TOP TWO FLOORS HAVE 10 FEET FRONT & REAR SETBACK AS WELL AS 3 FEET SETBACK ON EACH SIDE A NEW INTERIOR OPEN COURTYARD IS 40 FEET WIDE BY 40' LONG THE (E) BASEMENT LEVEL PARKING SHALL REMAIN AS RESIDENTIAL PARKING NEW MEZZANINE WILL SERVE BOTH RESIDENTIAL & COMMERCIAL USE (OFFICE SPACE, TENANT STORAGE LOCKERS AND COMMUNITY ROOM) THERE IS A DEDICATED RESIDENTIAL LOBBY ON THE GROUND FLOOR INCLUDING BIKE LOCKERS TOTAL PARKING INCLUDES; 25 RESIDENTIAL & 12 COMMERCIAL (TANDEM)= 37 TWO GATED RAMPS ON FERN ST. SHALL SERVE PARTIAL RESIDENTIAL PARKING AT BASEMENT AND COMMERCIAL PARKING AT GROUND FLOOR. SINGLE RAMP ON BUSH ST. SHALL SERVE RESIDENTIAL PARKING ON SECOND FLOOR RESIDENTIAL LOBBY WITH ACCESS FROM BUSH & FERN STREET 	<p>T TITLE SHEET- PROJECT DATA T1 SITE TOPOGRAPHIC SURVEY A1 SITE PLAN A1.1 PRECEDENTS PR1 PRESENTATION PERSPECTIVE PR2 PRESENTATION PERSPECTIVE 2 PR3 BULK STUDY - VIEW FROM FRANKLIN STREET PR4 BULK STUDY - VIEW FROM POLK STREET PR5 BULK STUDY - BUSH STREET FACADE CB COLOR / MATERIAL BOARD A2 BASEMENT PLAN A3 GROUND FLOOR PLAN A3.1 MEZZANINE FLOOR PLAN A4 2ND FLR PARKING PLAN A5 3RD FLOOR PLAN, UNIT MIX MATRIX A6 4TH THRU 6TH FLOOR PLAN A7 7TH & 8TH FLOOR PLAN A8 PENTHOUSE FIRST LEVEL (FLR 9) A9 PENTHOUSE SECOND LEVEL (FLR 10) A10 ROOF PLAN A11 FRONT ELEVATIONS A12 REAR ELEVATIONS A13 SIDE ELEVATIONS A14 SIDE ELEVATIONS A15 BUILDING SECTION A16 SUSTAINABILITY STRATEGIES</p>



1 METAL SUNSHADE



2 ALUMINUM CURTAIN WALL SYSTEM AND TINTED GLAZING



3 METAL WINDOWS



4 TEMPERED GLASS GUARD RAIL (Similar)



5 PRODIMA - SUSTAINABLE COMPOSITE WOOD SIDING



6 ALUMINUM SUNSHADE - (Similar)



7 TRANSLUCENT VENTILATING LOUVER



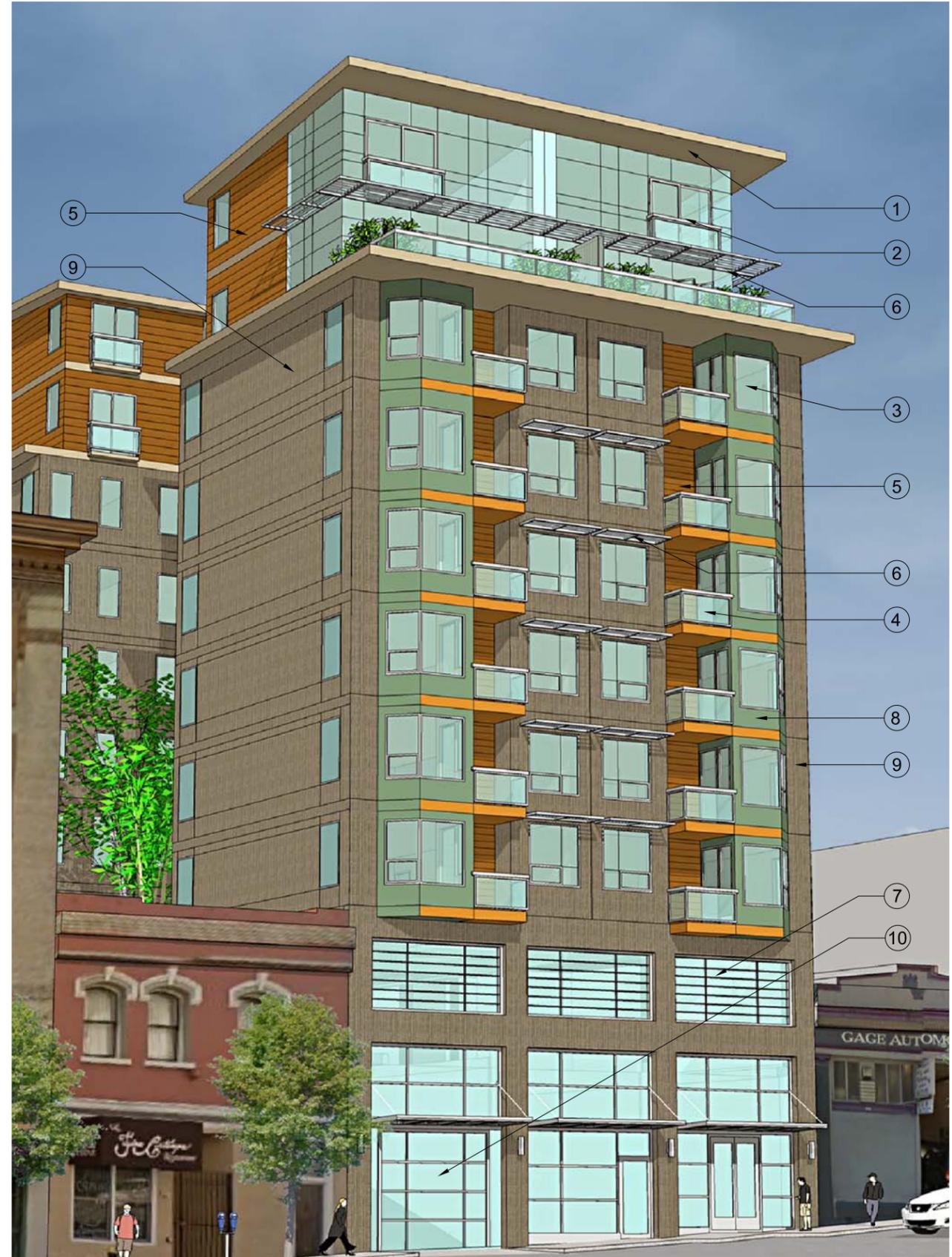
8 COPPER CLAD VENEER



9 SAND BLASTED GFRC PANEL



10 OVERHEAD GARAGE DOORS



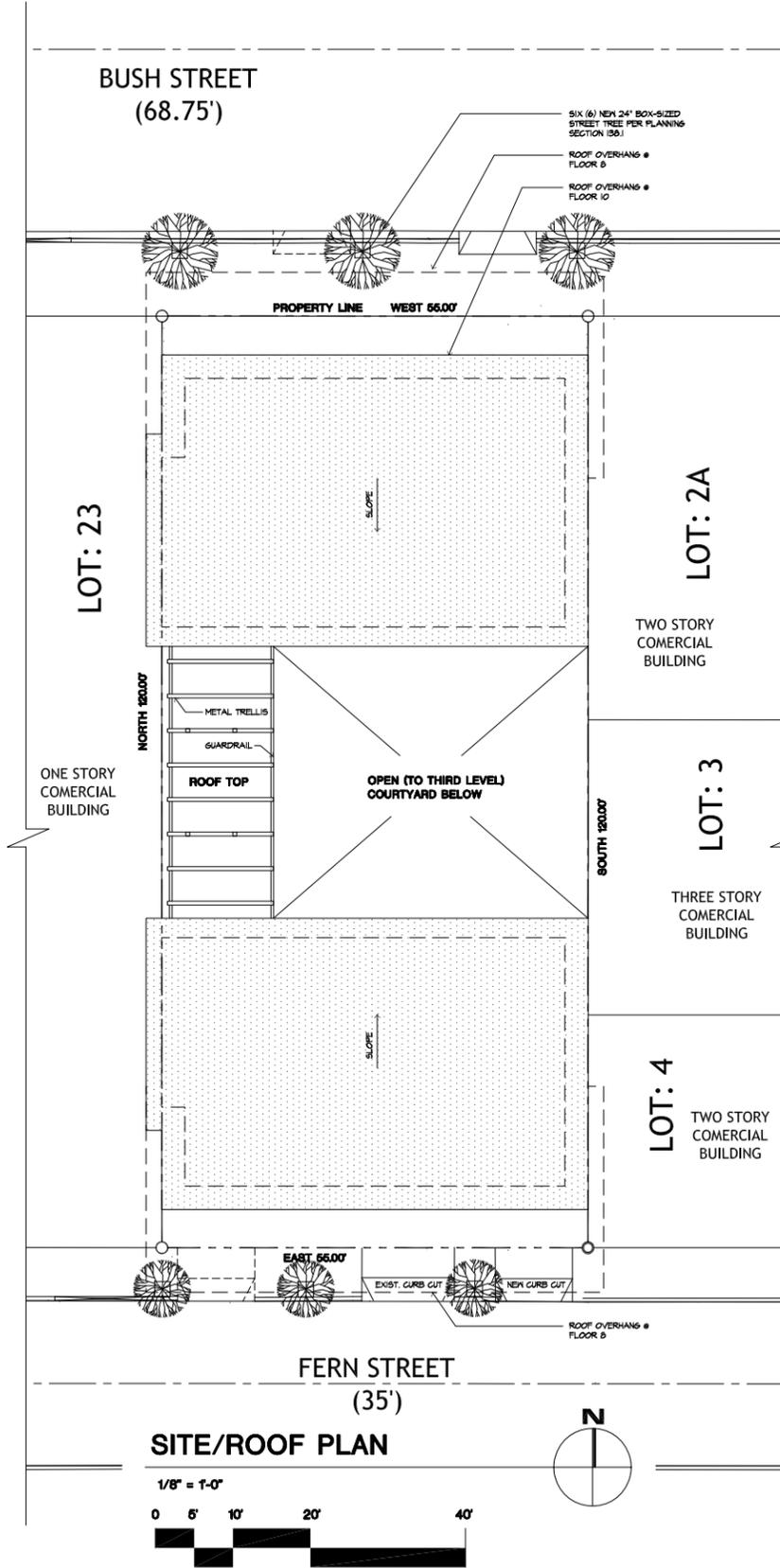
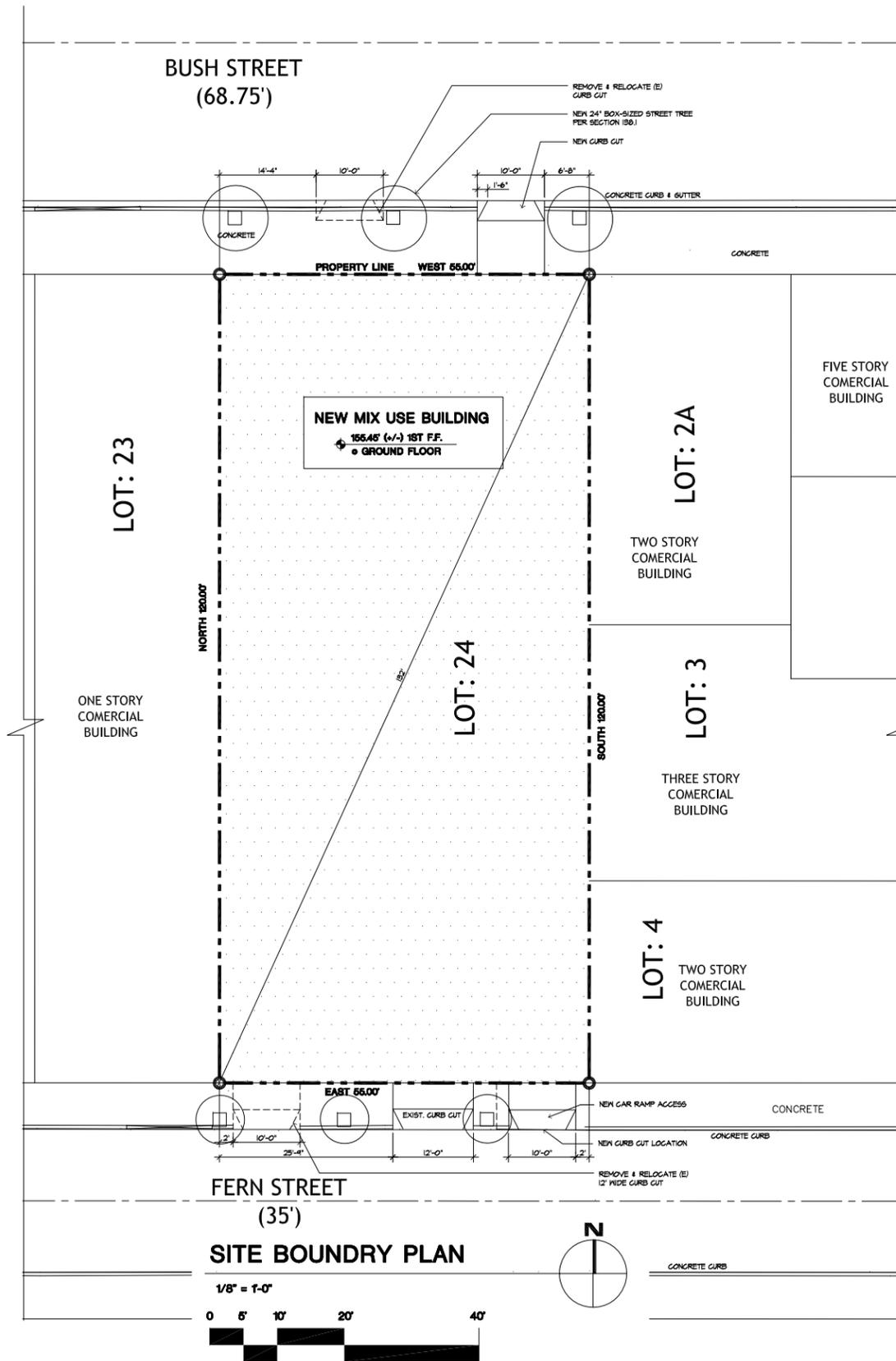
COLOR / MATERIAL BOARD
NTS

CASA D'AMBROSIO
1433 BUSH STREET . SAN FRANCISCO . CA 94109

JOMA STUDIO ARCHITECTS
200 INDUSTRIAL ROAD, SUITE 150 . SAN CARLOS . CA 94070

PROJECT NO: 0612 DATE: 05/12/2014
SCALE: AS NOTED

CB



REAR YARD SETBACK CALCULATION:

REQUIRED:	25% OF THE LOT DEPTH - 25% x 120' = 30' (AT RESIDENTIAL LEVELS ONLY)
	AREA = 30' x 55' (LOT WIDTH) = 1,650 S.F. TOTAL
PROVIDED:	PER SECTION 243. VAN NESS SPECIAL USE DISTRICT PER MUNICIPAL CODE, COMPARABLE AMOUNT OF USABLE OPEN SPACE IS PROVIDED AS FOLLOWS:
-	EACH UNIT HAS MINIMUM OF 36 S.F. OF BALCONY.
	12 UNITS @ 36 S.F. EACH = 432 S.F.
	16 UNITS @ 37 S.F. EACH = 592 S.F.
	2 PENTHOUSE UNITS @ 305 S.F. EACH = 610 S.F.
	2 PENTHOUSE UNITS @ 270 S.F. EACH = 540 S.F.
	TOTAL = 2,174 S.F.

-- IN ADDITION, THERE IS 1560 S.F. COMMON OPEN SPACE/ COURT YARD ON THIRD FLOOR (FIRST RESIDENTIAL LEVEL) WHICH IS NOT COUNTED TOWARDS OPEN SPACE REQUIREMENT

TOTAL PROVIDED OPEN SPACE: 1,560 + 2,174 = 3,734 S.F. (> 1,650 = ok)



1



2



3



4



5

PRECEDENTS WITHIN TWO BLOCKS OF 1433 BUSH STREET

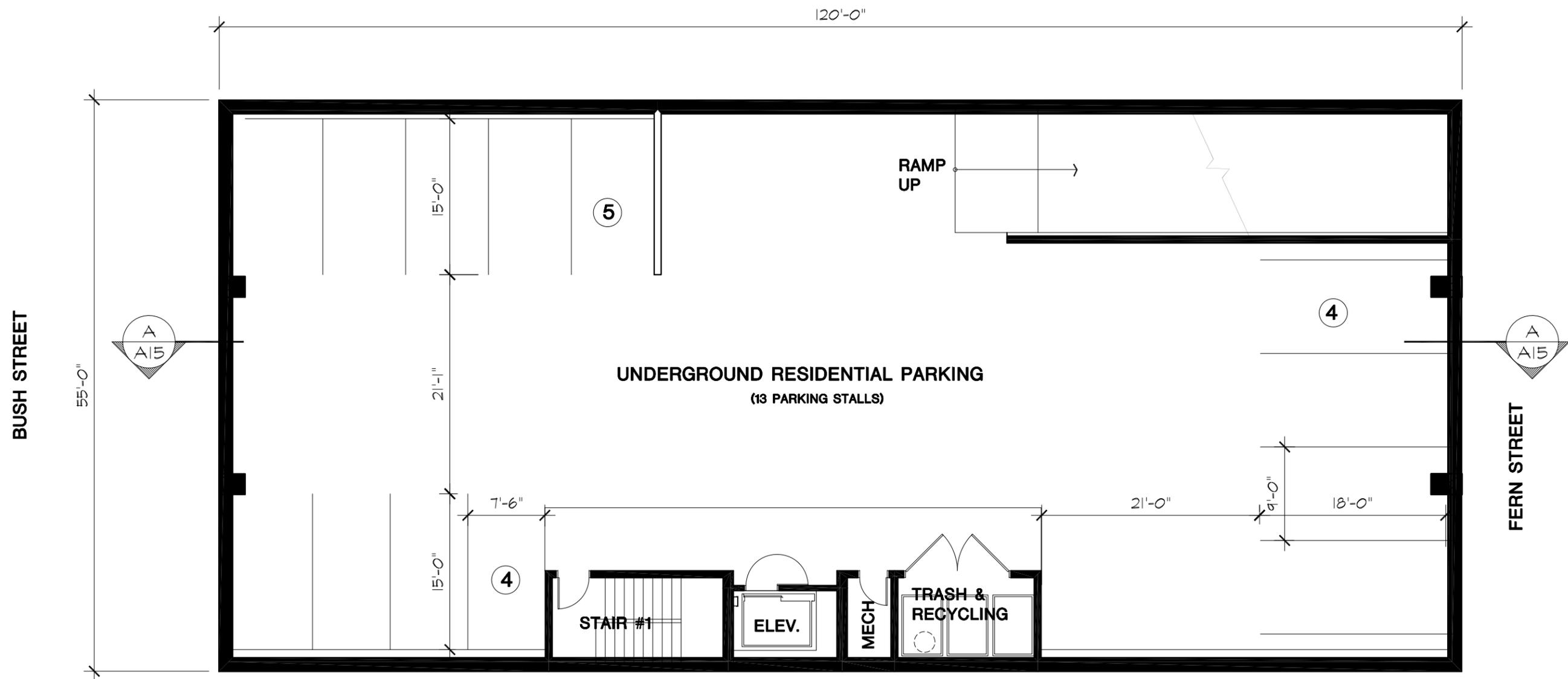
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1433 BUSH STREET . SAN FRANCISCO . CA



JOMA STUDIO ARCHITECTS
200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070

DATE: MAY 12, 2014

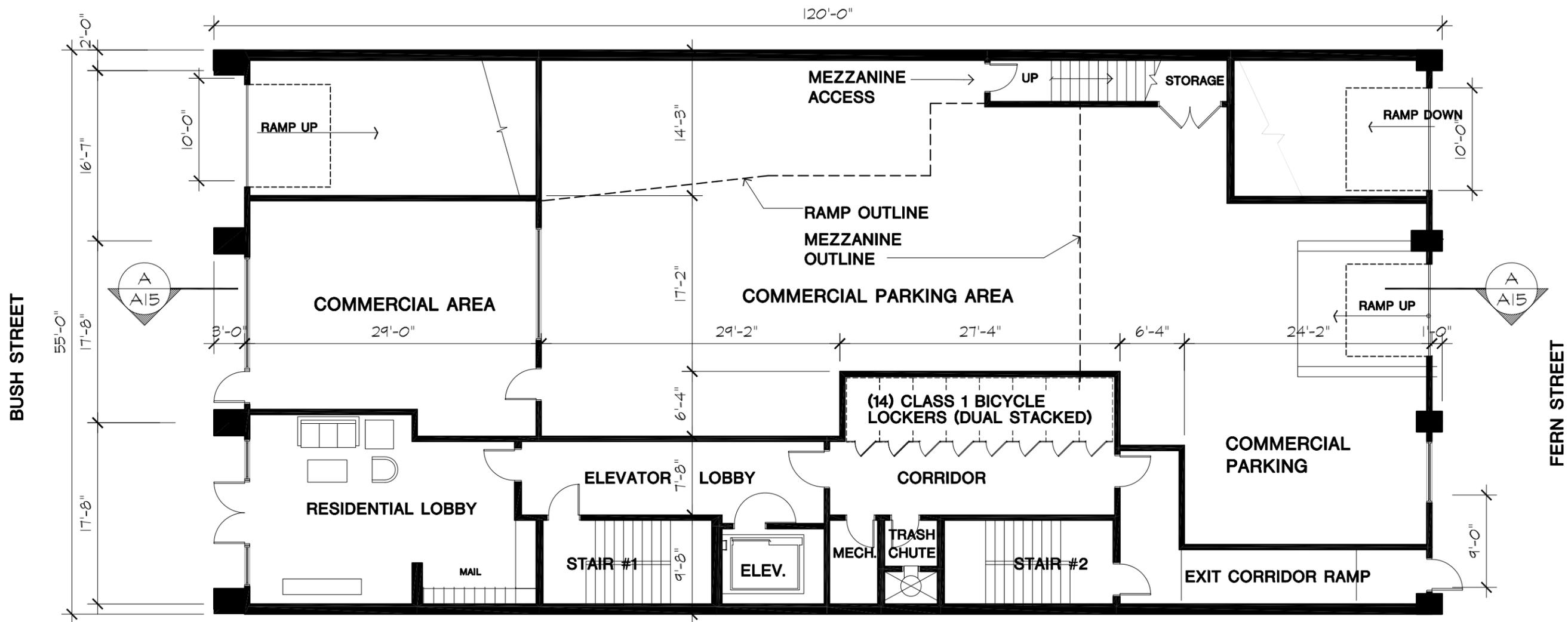
A1.1



UNDERGROUND PARKING (EXIST. BASEMENT LEVEL)

3/32"=1'-0"



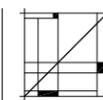


GROUND FLOOR PLAN

3/32"=1'-0"



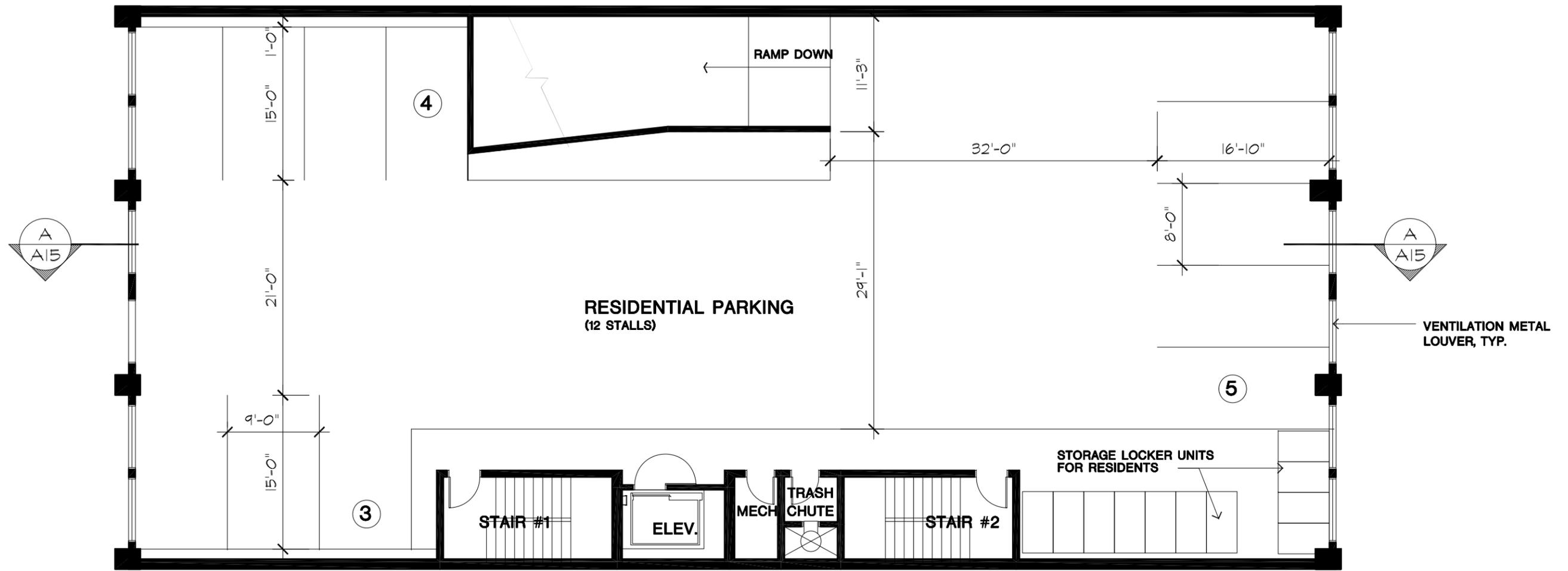
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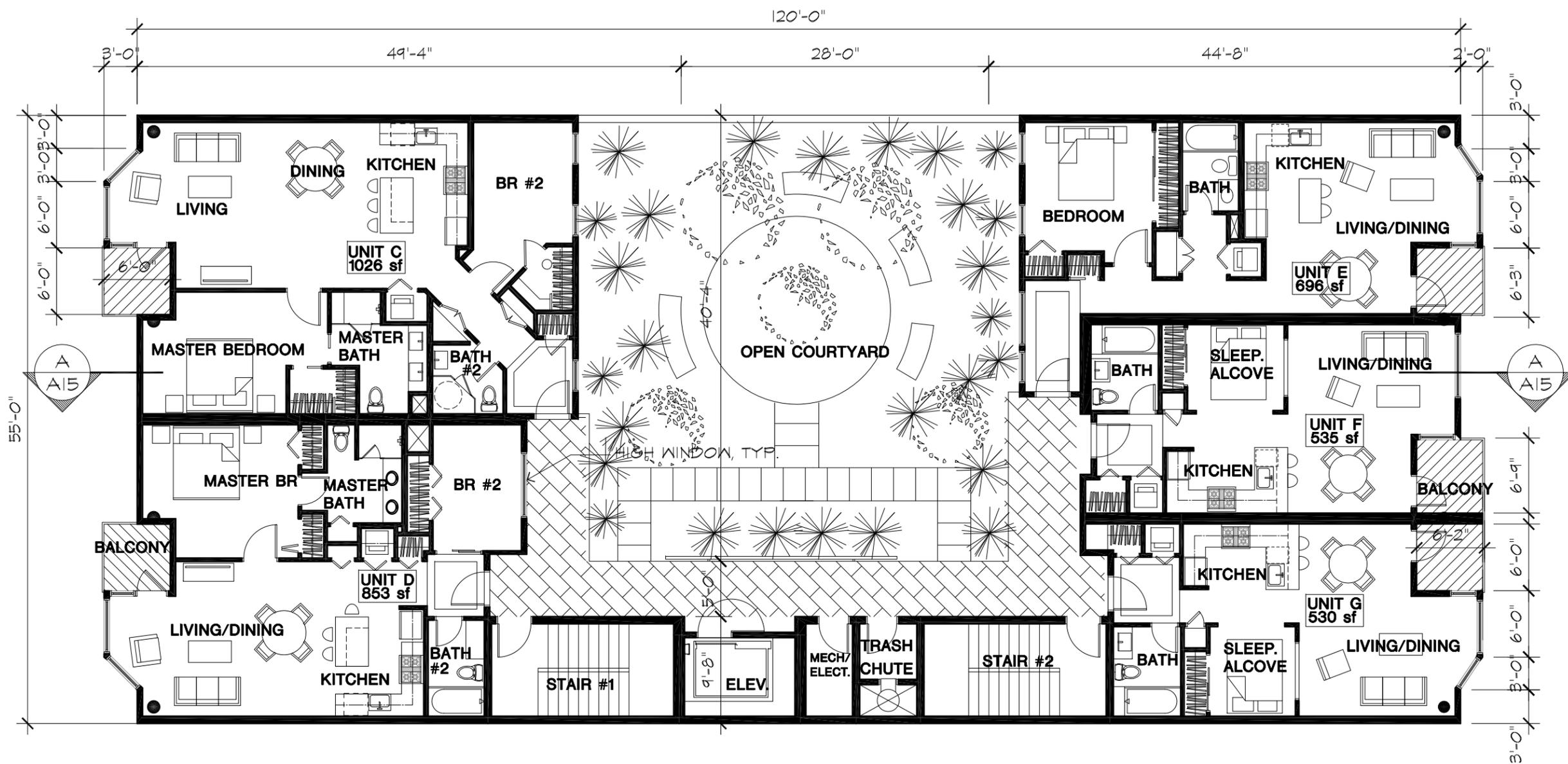
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A3



SECOND FLOOR PARKING
 3/32"=1'-0"





UNIT MIX MATRIX

Penthouse (floor 9 & 10)
Open space: 268 s.f. per unit + common courtyard

Two Bedroom + Den Units;
Unit A (2) : (2) x 1,456 s.f. = 2,912 s.f.

Two Bedroom Units;
Unit B (2) : (2) x 1,363 s.f. = 2,726 s.f.

Total 4 Units 5,638 s.f.

Floor 3 thru 8
Open space: 36 s.f. per unit min.

Two Bedroom Units;
Unit C: (8) 1,026 s.f. x 8 = 8,208 s.f.
Unit D: (8) Jr. 2br 853 s.f. x 8 = 6,824 s.f.

Total (16) Units 15,032 s.f.

One Bedroom Units;
Unit E (4): 696 s.f. x 4 = 2,784 s.f.
Unit F (4): Jr. 1br Unit 535 s.f. x 4 = 2,140 s.f.
Unit G (4): Jr. 1br Unit 530 s.f. x 4 = 2,120 s.f.

Total 12 Units 7,044 s.f.

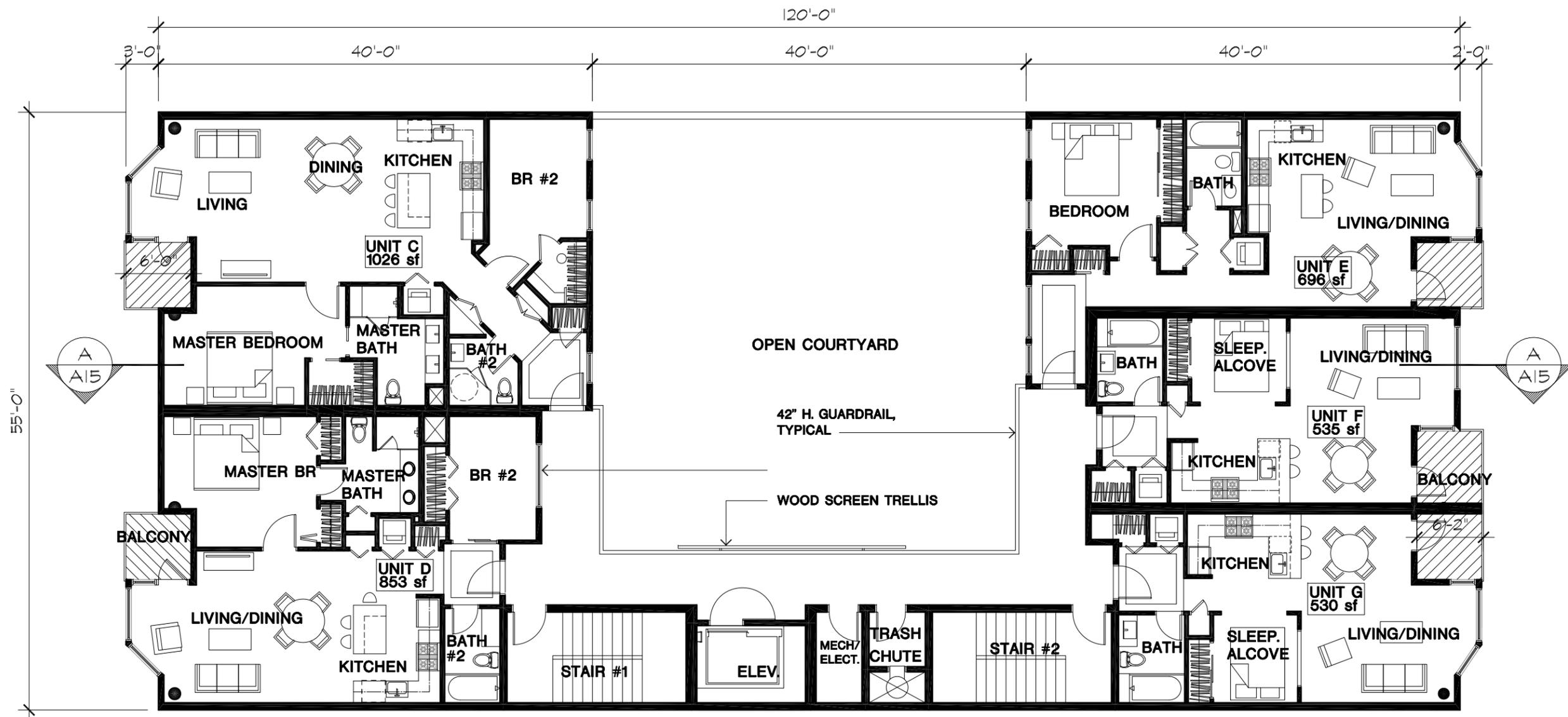
Grand total 32 units = 27,714 s.f.

Total BMR Units @15% = 5 Units
Total Market Rate units = 27 Units

PODIUM/THIRD FLOOR PLAN (FIRST RESIDENTIAL FLOOR PLAN)

3/32"=1'-0"

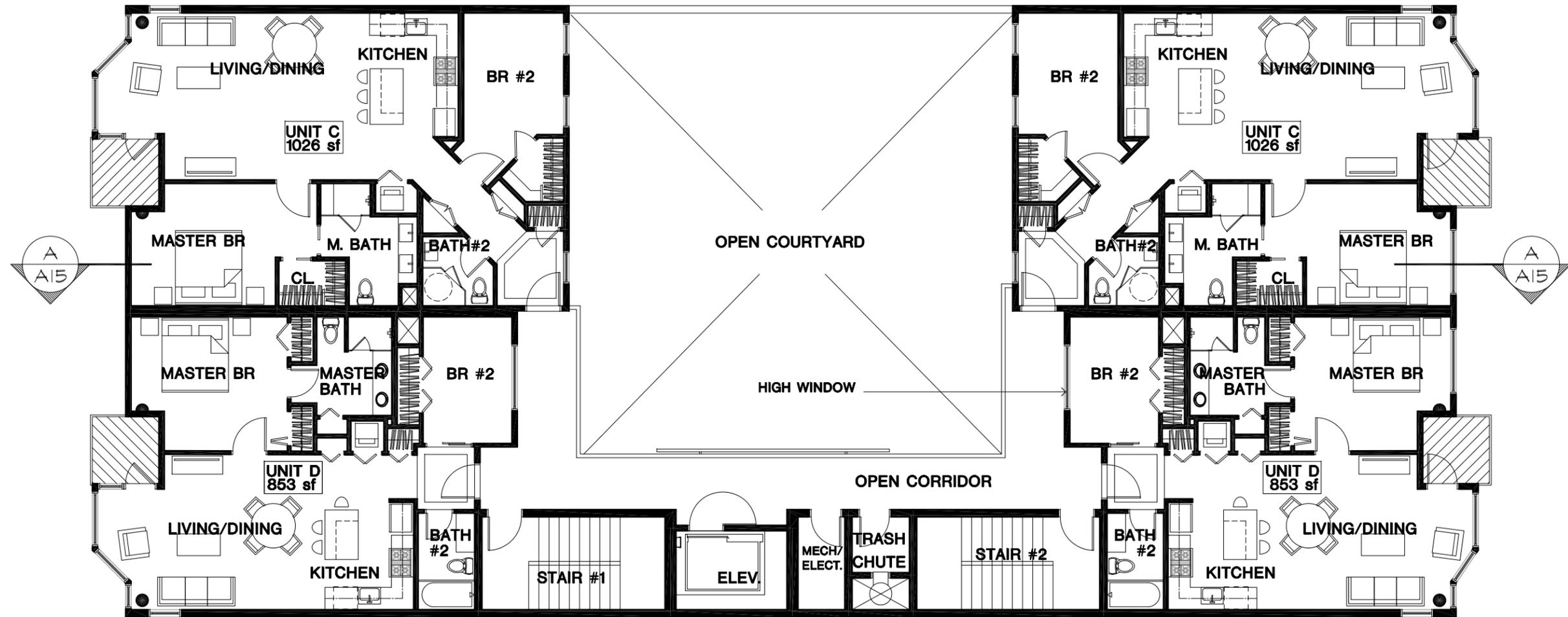




FORTH, FIFTH & SIXTH FLOOR PLAN

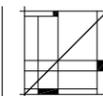
3/32"=1'-0"

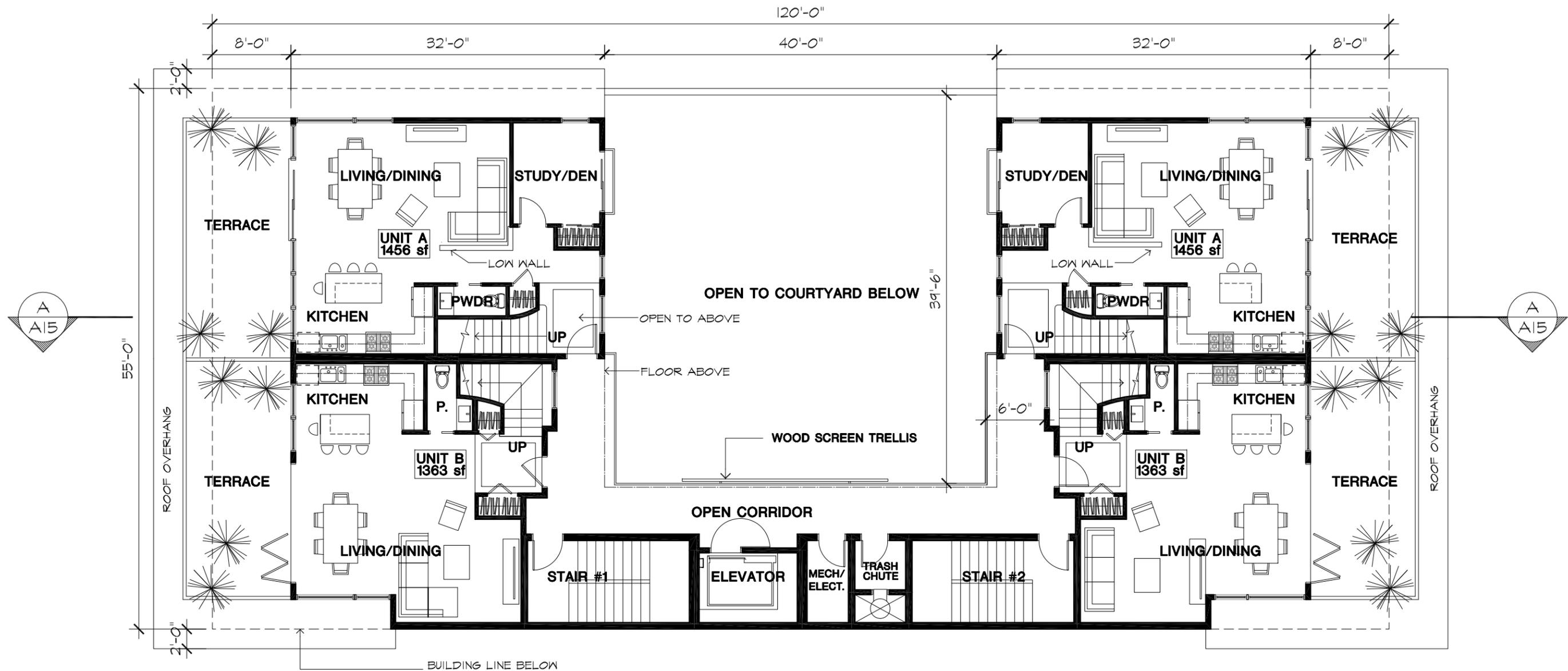




7th & 8th FLOOR PLAN

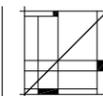
3/32"=1'-0"

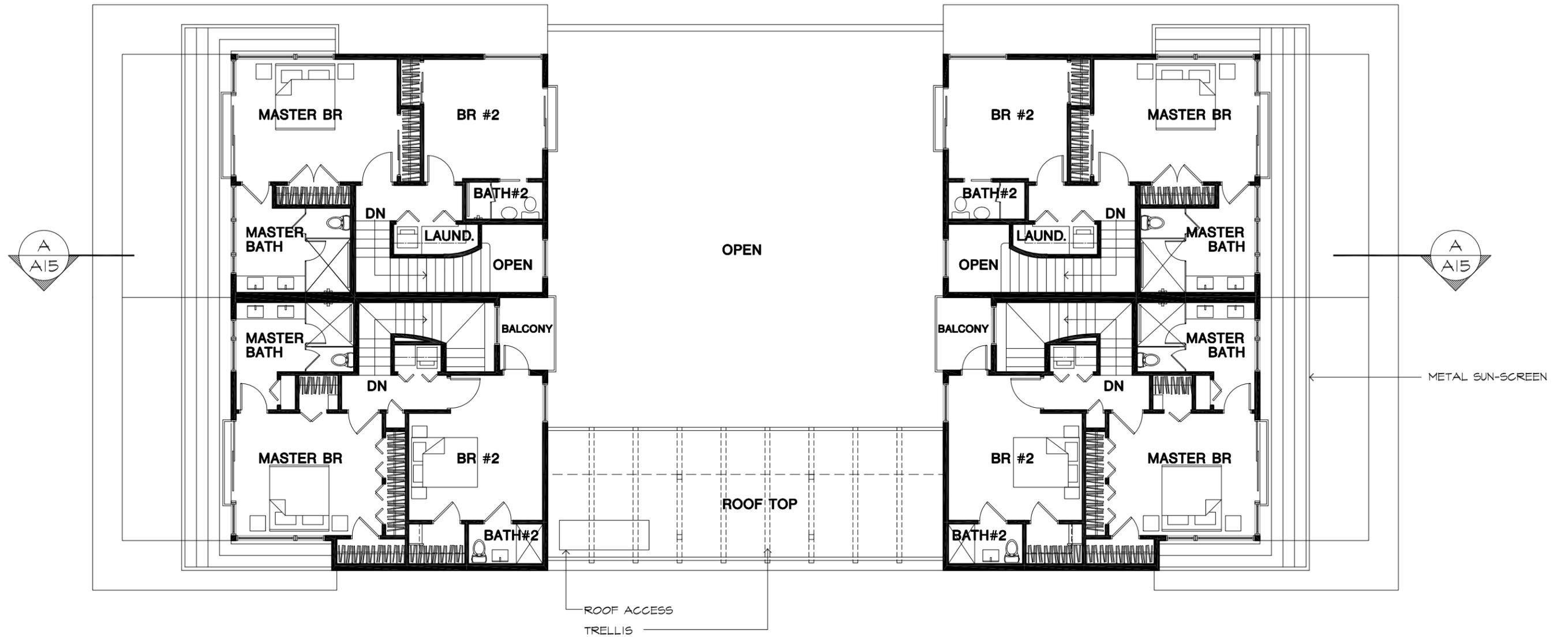




PENTHOUSE FIRST LEVEL (FLOOR 9)

3/32"=1'-0"

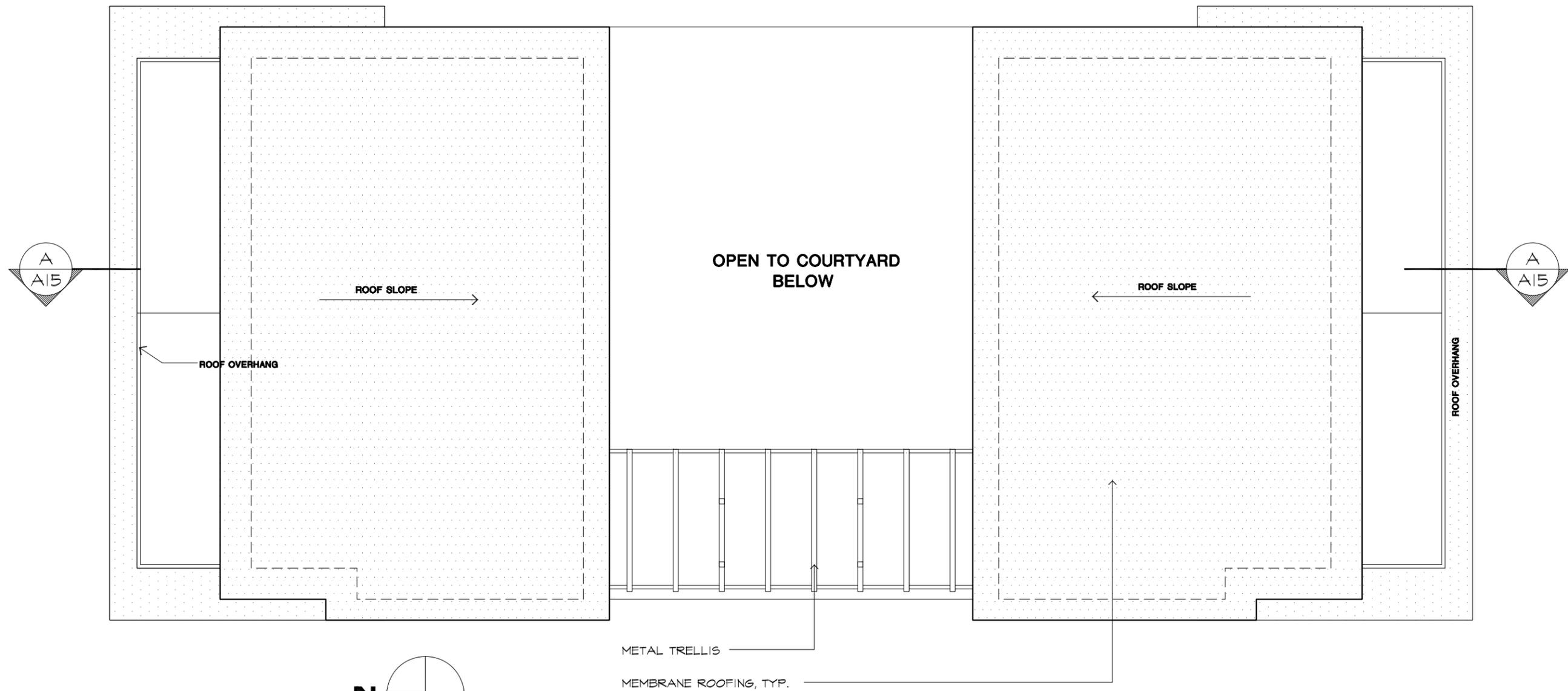




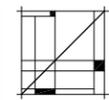
PENTHOUSE SECOND LEVEL (FLR 10)

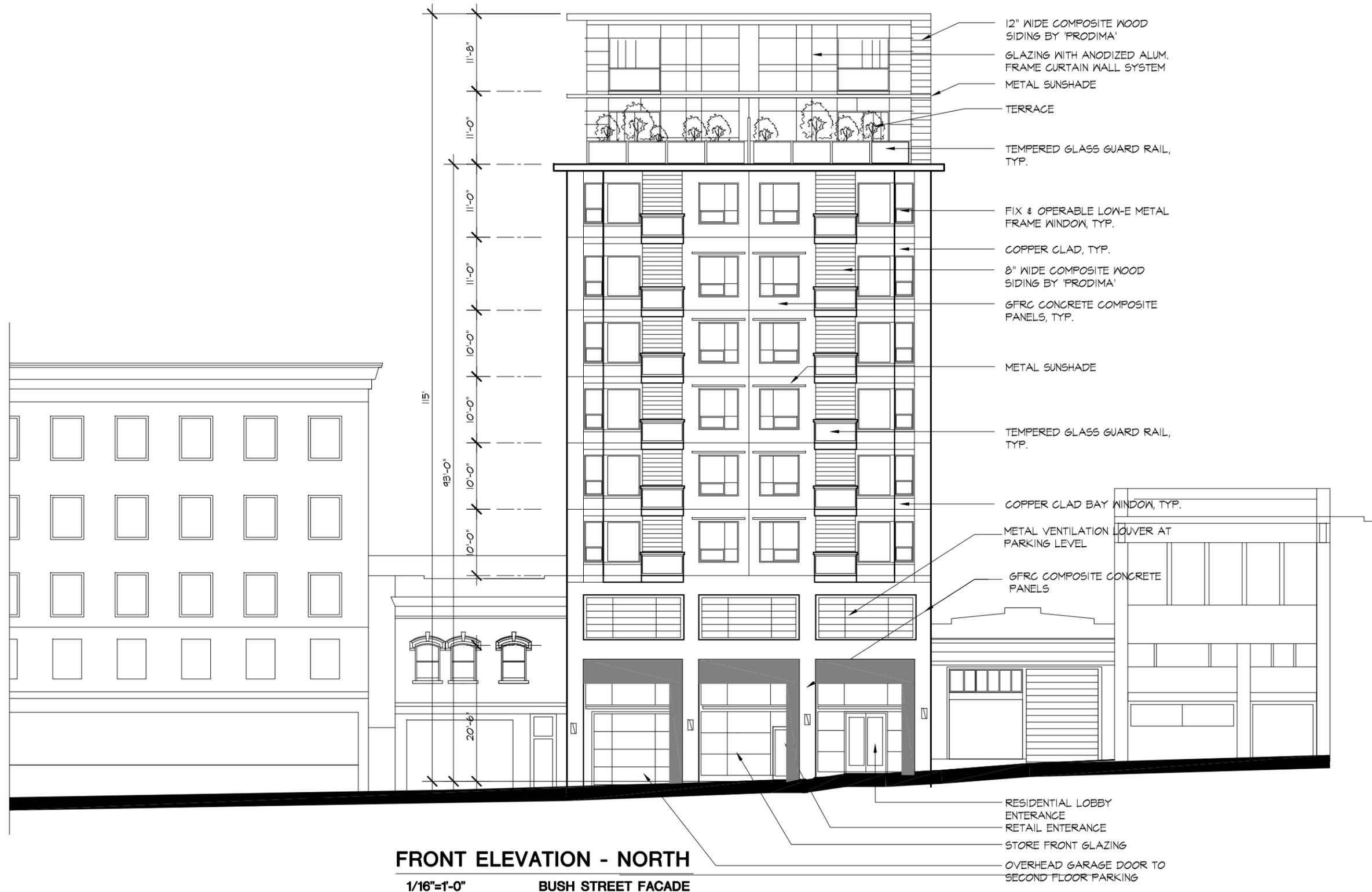
3/32"=1'-0"

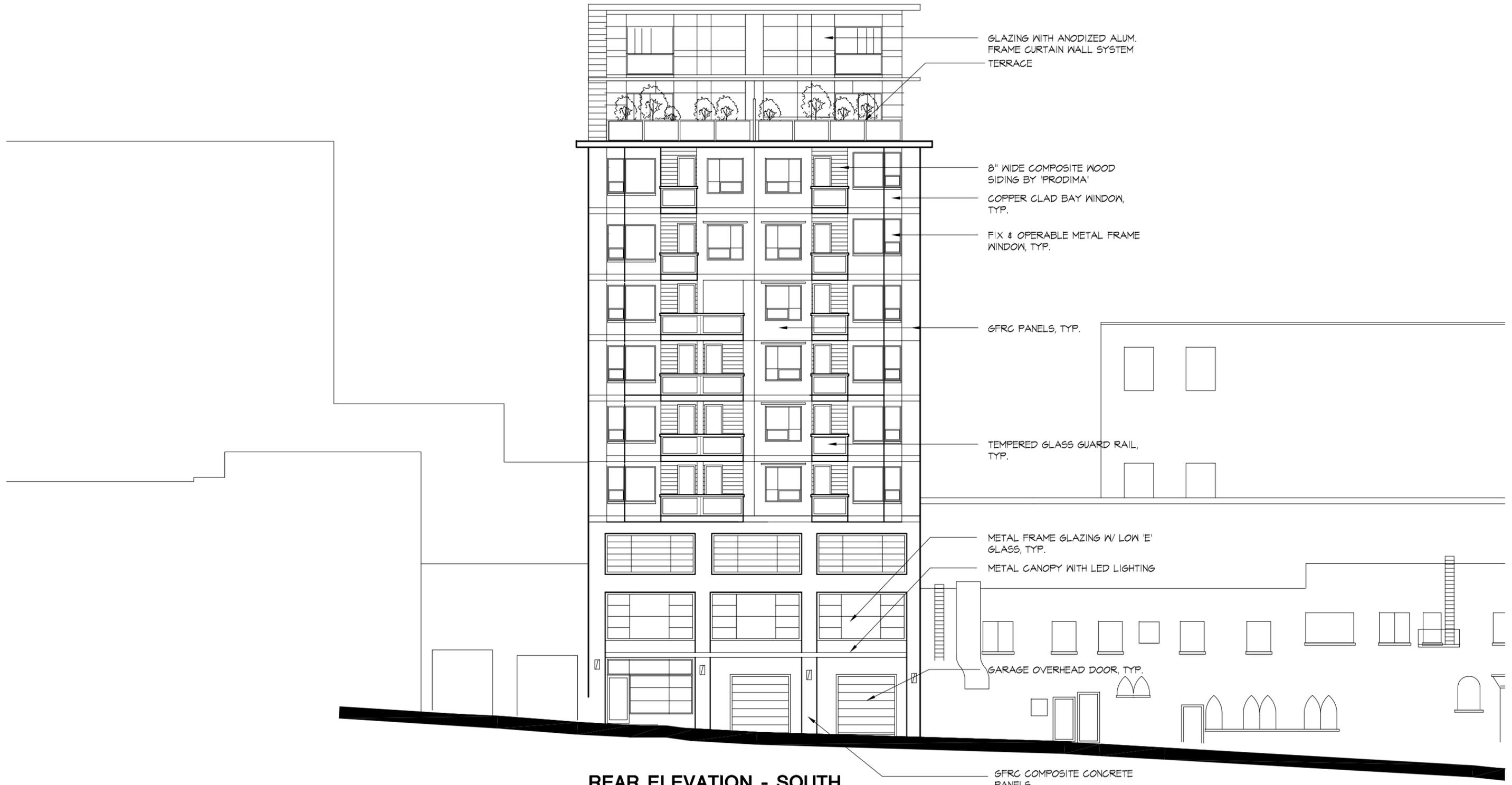




ROOF PLAN
3/32"=1'-0"

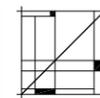


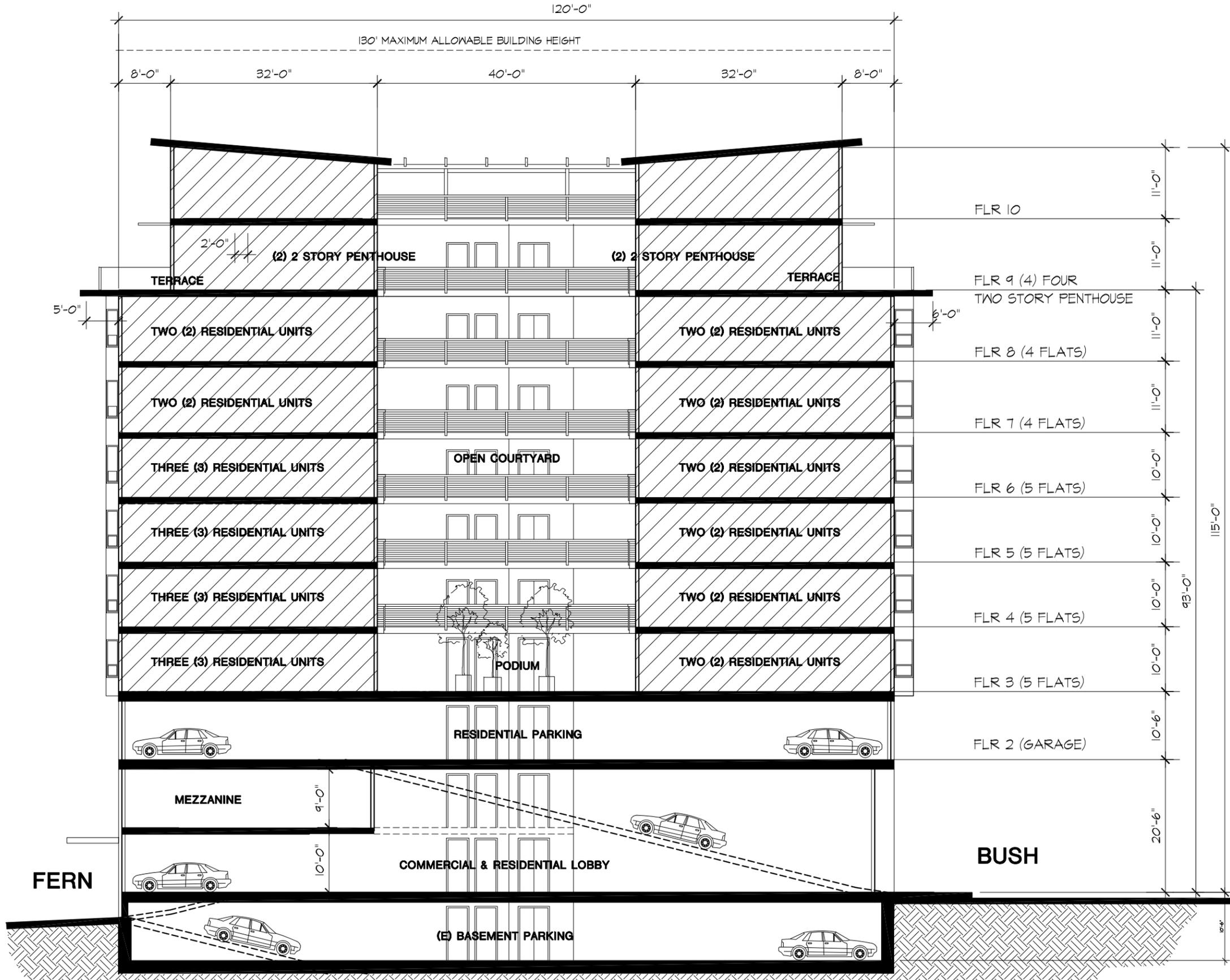




REAR ELEVATION - SOUTH
 1/16"=1'-0" FERN STREET FACADE







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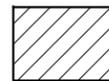
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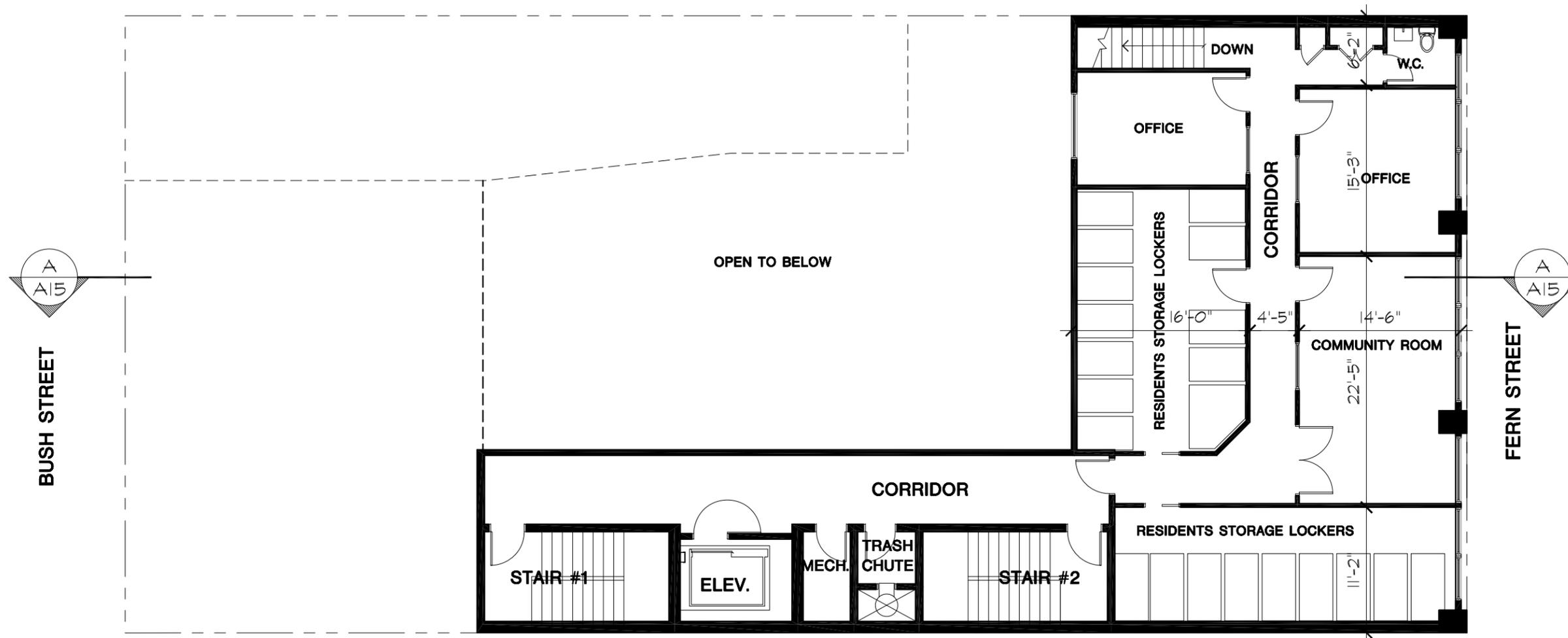
Total BMR Units @15% = 5 Units
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LEGEND

RESIDENTIAL 

PARKING & COMMERCIAL 

BUILDING SECTION - A
 1/16"=1'-0"



MEZZANINE FLOOR PLAN

3/32"=1'-0"

OFFICE AREA = 645 S.F.
 RESIDENTIAL USE = 1,225 S.F.
 CORE AREA = 900 S.F.





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BUSH STREET PERSPECTIVE

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PR 1



FERN STREET PERSPECTIVE

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V I E W O F T H E C O U R T Y A R D

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