Memo to the Planning Commission

HEARING DATE: MAY 22, 2014

Continued from September 19, 2013 & December 19, 2013

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

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: 415.558.6377

Hearing 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

545 Palmer Lane

Menlo Park, CA 94025

Staff Contact: Glenn Cabreros – (415) 558-6169

glenn.cabreros@sfgov.org

Recommendation: Approval with Conditions

BACKGROUND

The subject project was originally heard by the Planning Commission on September 19, 2013. At the September 19 hearing, the Commission expressed concerns regarding the execution of the overall design of the project. In particular, the Commission's concerns were that the façade design/materials are not in keeping with the surrounding context and that the proposed courtyard did not provide adequate separation between units that face onto the courtyard. At the September 19 hearing, the case was continued to December 19, 2013. At the December 19 hearing, the case was continued indefinitely to provide the applicant to additional time to modify the project.

CURRENT PROPOSAL

As proposed on September 19, 2013:

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.

Memo to Planning Commission CASE NO. 2009.1074C Hearing Date: May 22, 2014 1433 Bush Street

As currently proposed for the May 22, 2014 hearing:

The project description remains the same except the residential parking spaces have been reduced by one space for a total of 25 spaces at the project. While the same number of units (26) is proposed, the unit mix has been revised to offer more two-bedroom units. The previous proposal included 14 two-bedroom units and 18 one-bedroom units. The revised project proposes 20 two-bedroom units and 12 onebedroom/junior one-bedroom units.

Revisions to the physical envelope of the project include the following:

- Enlarging the courtyard from 28 feet deep by 40 feet wide to a revised courtyard area measuring 40 feet deep by 40 feet wide.
- At the two uppermost floors (floors 9 and 10), a 3-foot side setback has been proposed from the east side property line to provide additional articulation (architectural detailing and windows) along the side elevations of the upper floors. Similarly, a partial 3-foot side setback is proposed from the west side property line at the two upper floors.
- The façade expression and exterior materials at the body of the building (floors 3-8) have been simplified to be more in keeping with the patterns found on existing buildings in the neighborhood. Larger buildings in the neighborhood have a tripartite façade expression, where the base, body (middle) and the top of the building are clearly defined. At floors 3-8, the previous façade design contained a variety of exterior materials and glazing proportions, which are considered to be disruptive to the established building patterns in the immediate vicinity.
- The base of the building has been revised to better ground the building at the street level (i.e. the building proportions at the upper floors are brought down to the ground floor); thus the overall design creates a more unified building façade that relates better to the public right-of-way.

PUBLIC OUTREACH

Since the initial hearing, 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. To date, the Department has received 14 letters in support of the project.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization 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.

BASIS FOR RECOMMENDATION

- The project would add 32 dwelling units to the City's housing stock.
- The project promotes the continued operation of an established, locally-owned automotive rental use. The business is not a Formula Retail use and would serve the immediate neighborhood.

Memo to Planning Commission Hearing Date: May 22, 2014 CASE NO. 2009.1074C 1433 Bush Street

- The project is consistent with the massing and height of the development patterns 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.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for and compatible with the surrounding neighborhood.

RECOMMENDATION: Approve with Conditions

Attachments:

Case Report (including Draft Motion and original proposed plans), September 19, 2013 hearing Residential Pipeline Form Revised plans, dated May 12, 2014

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PROJECT DIRECTORY

PROJECT DATA

VICINITY MAP

1		11
	ARCHITECT:	OWNER:
SAN CARLOS, CA 94070	JOMA STUDIO ARCHITECTS	CITY RENT - A - CAR 1433 BUSH STREET SAN FRANCISCO, CA 94109
	(650) 532-8200	(415) 359-1331
PRC	BAS	

CIVIL ENGINEER: SMP ENGINEERS 1534 CAROB LANE LOS ALTOS, CA 94024

	OARE MINDER.	2000 10740
	BLOCK:	670
(415) 359-1331	LOT#	24
,	ZONE:	RC-4 (Van Ness Special Use District)
	OCCUPANCY:	B, R2, S2
	LOT AREA:	6600 sf. (120' x 55')
(650) 532-8200	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
	٠.	32 UNITS
(650) 941-8055	RESIDENTIAL GROSS FLR. AREA: 40,420 S.F. (INC. RESIDENTIAL LOBBY & CORE AR	40,420 S.F. (IN
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MAX. ALLOWABLE BLDG. HEIGHT: PROPOSED MAIN BLDG. HEIGHT: OPEN SPACE REQUIREMENTS: PROVIDED:	NON-RESIDENTIAL GROSS FLOOR AREA SECOND FLOOR AREA: 6.576 MEZZANINE (OFFICE, STORAGE & COMMUNITY ROOM): 1,840 & ROUND FLOOR (NON RES.): 3,700 BASEMENT FLOOR AREA: 6.576 TOTAL NON-RES. FLR. AREA: 19,59
130' 115' 36 S.F./UNIT (MIN.)	AREA 6,576 S.F. 1,840 S.F. + 900 S.F (CORE AREA) 3,700 S.F. 6,576 S.F. 19,592 S.F.

1/UNIT (32 STALLS) OR 1/4 UNITS (8 STALLS, PENDING)
25 STALLS (RESIDENTIAL) + 12 STALLS (COMMERCIAL) = 37
15% OF TOTAL UNITS (33 UNITS x 15% = 5 UNITS OR IN LIEU FEE

PARKING:
REQUIRED:
TOTAL PARKING PROVIDED:
BMR REQUIREMENT:

PROJECT DESCRIPTION

AN URBAN INFILL PROJECT, THE EXISTING 120:55 SITE EXTENDS FROM BUSH TO FERN STREET BETWEEN VAN NESS & POLK, THE OWNER'S (CITY REINT-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 THE PROPERTY OF DEVELOPS.

. (INC. RESIDENTIAL LOBBY & CORE AREA)

- AND CONTINUE THEIR EXISTING BUSINESS.

 THE PROJECT INCORPORATES:

 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 SAO 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 COMMUTY ROOM)

 THERE IS A DEDICATED RESIDENTIAL LOBBY ON THE GROUND FLOOR
- THERE IS A DEDICATED RESIDENTIAL LOBBY ON THE GROUND FLOOR NICLUDING 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

SHEET INDEX

- TITLE SHEET- PROJECT DATA
 SITE TOPOGRAPHIC SURVEY
 SITE PLAN
 1 PRECEDENTS
 1 PRECEDENTS
 1 PRECEDENTS
 2 PRESENTATION PERSPECTIVE 2
 2 PRESENTATION PERSPECTIVE 2
 2 BULK STUDY VIEW FROM PRANKLIN STREET
 3 BULK STUDY VIEW FROM POLK STREET
 4 BULK STUDY VIEW FROM POLK STREET
 5 BULK STUDY VIEW FROM POLK STREET
 5 BULK STUDY VIEW FROM POLK STREET
 5 BULK STUDY VIEW FROM POLK STREET
 6 BULK STUDY VIEW FROM POLK STREET
 7 BULK STUDY VIEW FROM POLK STREE

SCALE: AS NOTED 05/12/2014

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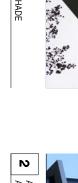
SAN CARLOS . CA 94070 ARCHITECTS

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1

METAL SUNSHADE













(5)







TEMPERED GLASS GUARD RAIL (Similar)

PRODIMA - SUSTAINABLE COMPOSITE WOOD SIDING



TRANSLUCENT
VENTILATING LOUVER

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COPPER CLAD VENEER





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(8)

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6

(5)

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6

(2)

OVERHEAD GARAGE DOORS

COLOR / MATERIAL BOARD

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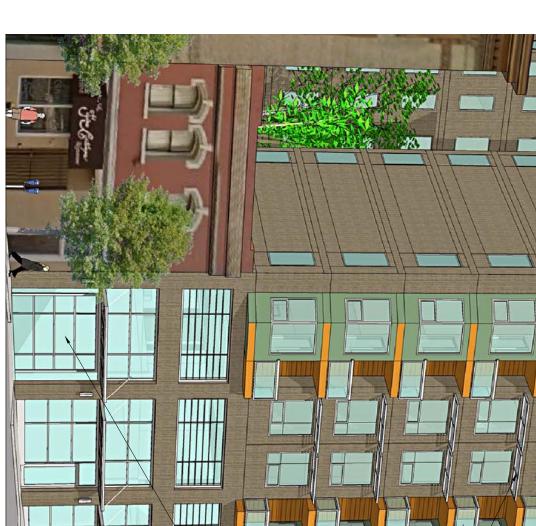
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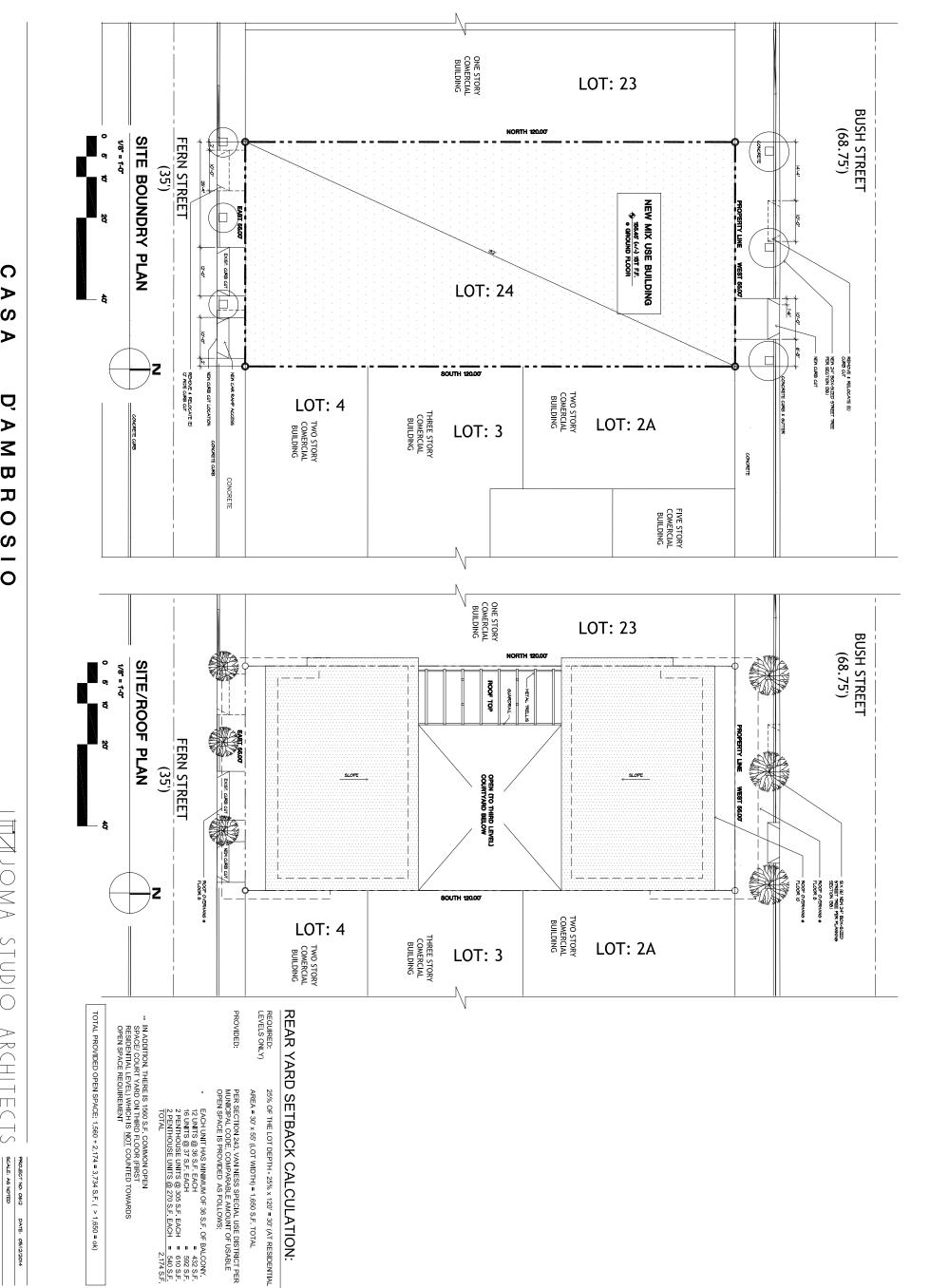


PROJECT NO: 0612
SCALE: AS NOTED DATE: 05/12/2014

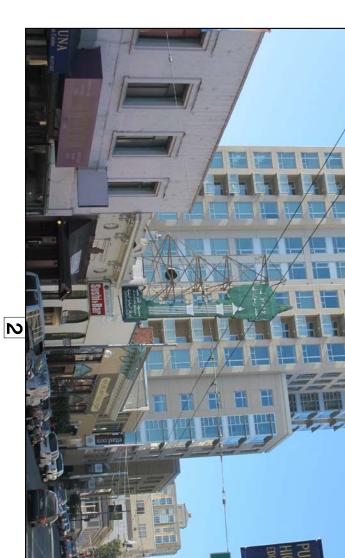
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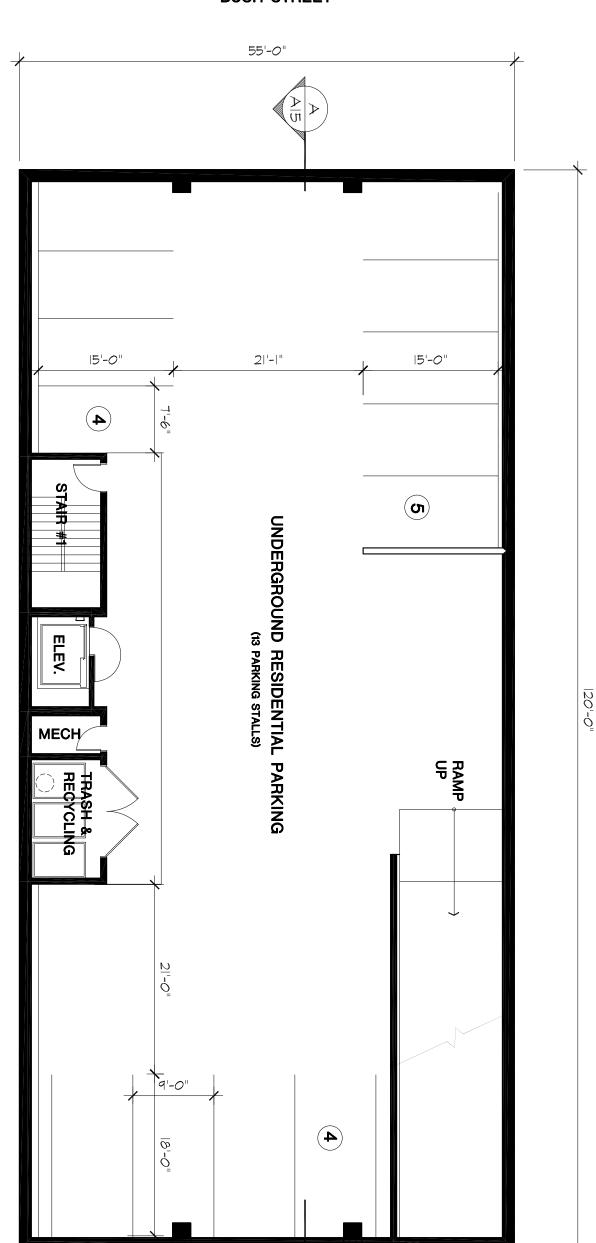


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1 200 INDUSTRIAL ROAD, SUITE JOMA STUD 150 • SAN CARLOS, CALIFORNIA 94070 ARCHIT

BUSH STREET



FERN STREET

1433 B U S H S STREET \triangleright S A Z Z \Box FRANCISCO J S C A

3/32"=1'-0"

UNDERGROUND PARKING (EXIST. BASEMENT LEVEL)

Z



55'-0"

17'-2"

COMMERCIAL PARKING AREA

MEZZANINE —

RAMP OUTLINE

29'-2"

27'-4"

RAMP UP

<u>n</u>

10'-0"

RAMP UP

14'-3"

MEZZANINE -ACCESS

두

STORAGE

RAMP DOWN

120'-0"

ELEVATOR 7

LOBBY

CORRIDOR

COMMERCIAL PARKING

FERN STREET

6'-4"

(14) CLASS 1 BICYCLE LOCKERS (DUAL STACKED)

9'-8"

ELEV.

MECH.

TRASH CHUTE

STAIR #2

EXIT COI

RRIDOR RAMP

9'-0"

1433

BUSH

STREET

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FRANCISCO

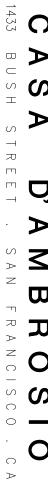
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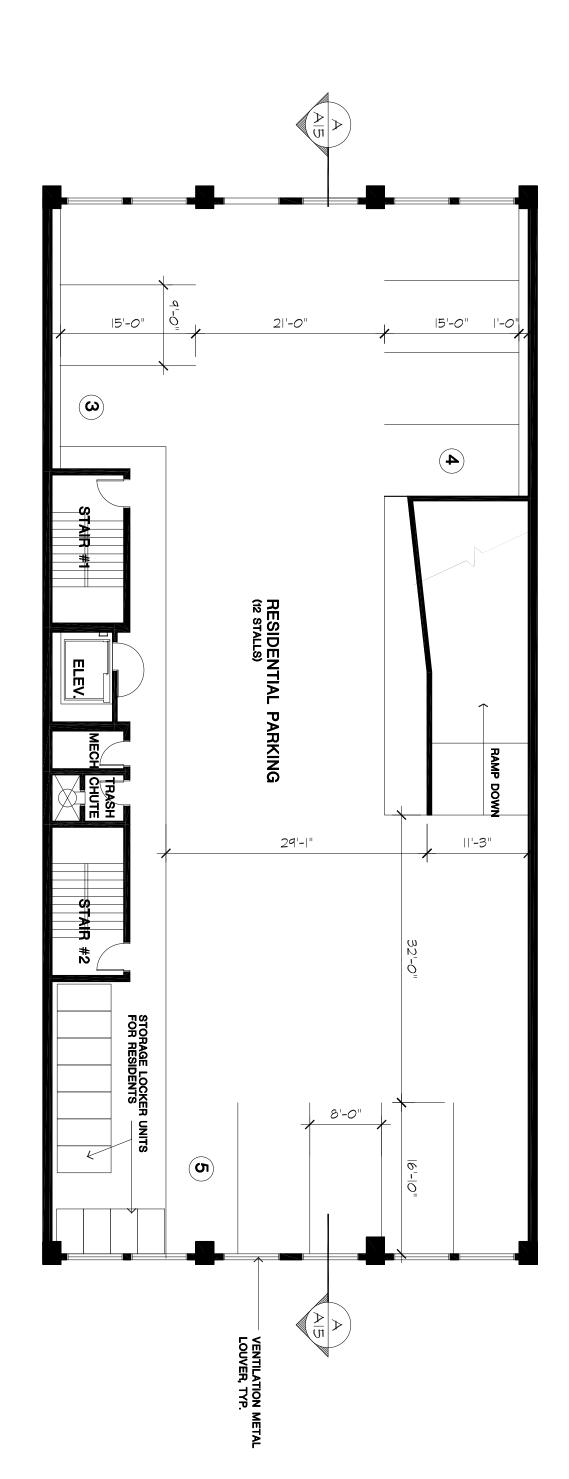
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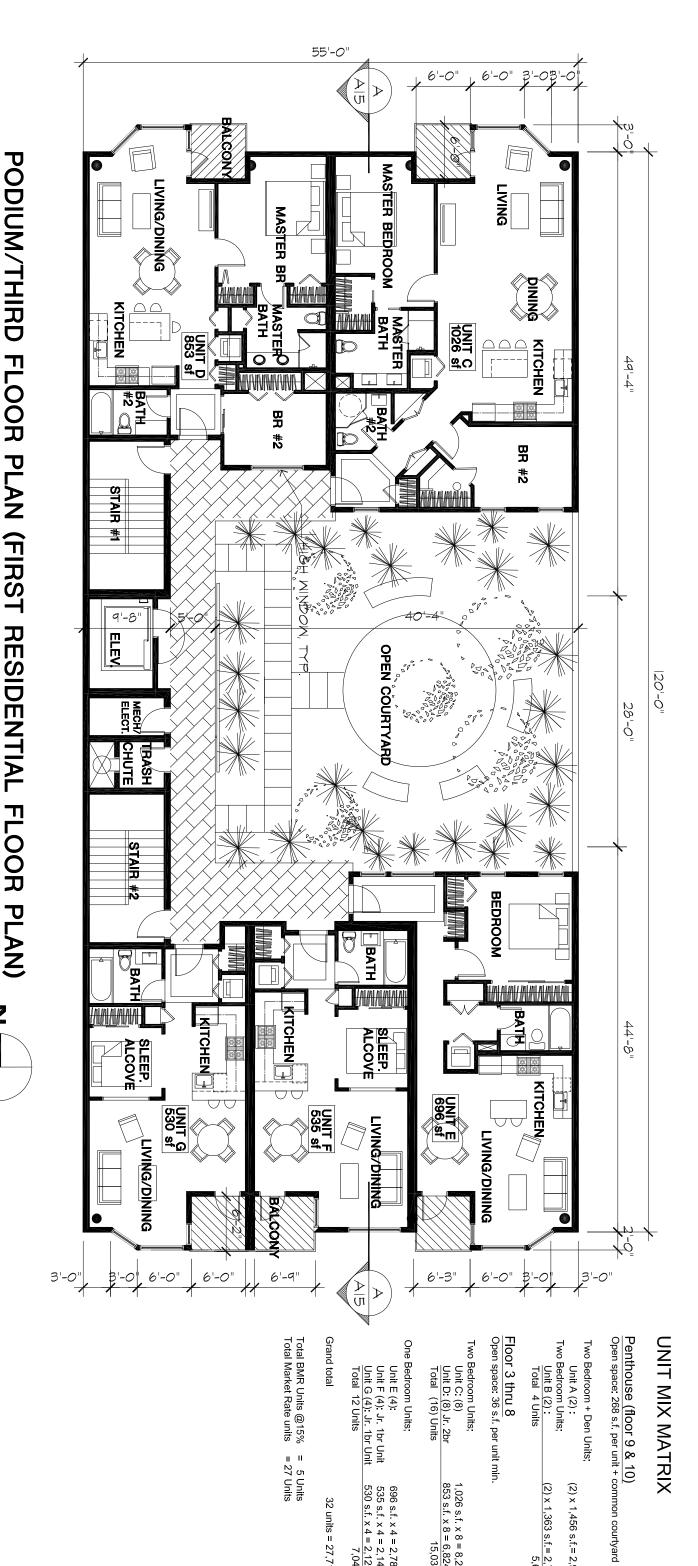


S \triangleright Z \Box J S SECOND FLOOR PARKING

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3/32"=1'-0"

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



696 s.f. x 4 = 2,784 s.f. 535 s.f. x 4 = 2,140 s.f. 530 s.f. x 4 = 2,120 s.f. 7,044 s.f.

32 units = 27,714 s.f.

1,026 s.f. x 8 = 8,208 s.f. 853 s.f. x 8 = 6,824 s.f. 15,032 s.f.

 $(2) \times 1,363 \text{ s.f.} = 2,726 \text{ s.f.}$ $(2) \times 1,456 \text{ s.f.} = 2,912 \text{ s.f.}$

5,638 s.f

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3/32"=1'-0"

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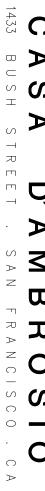
FORTH, FIFTH & SIXTH FLOOR PLAN

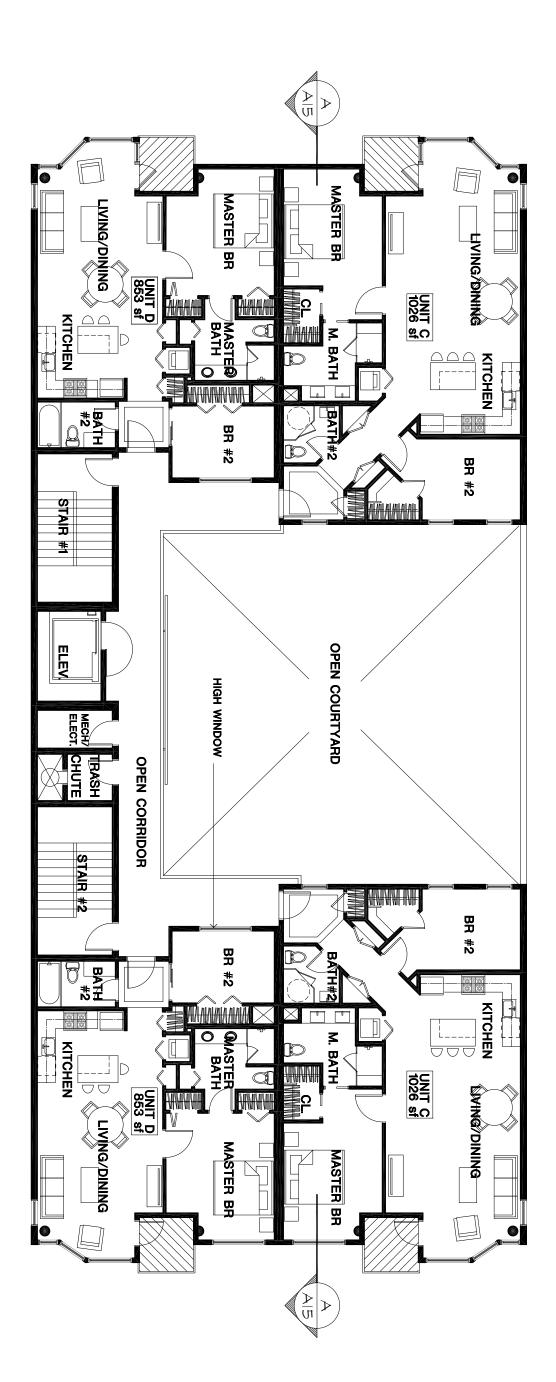
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3/32"=1'-0"

200 INDUSTRIAL ROAD, SUITE 150 - SAN CARLOS, CALIFORNIA 94070

ARCHITECTS





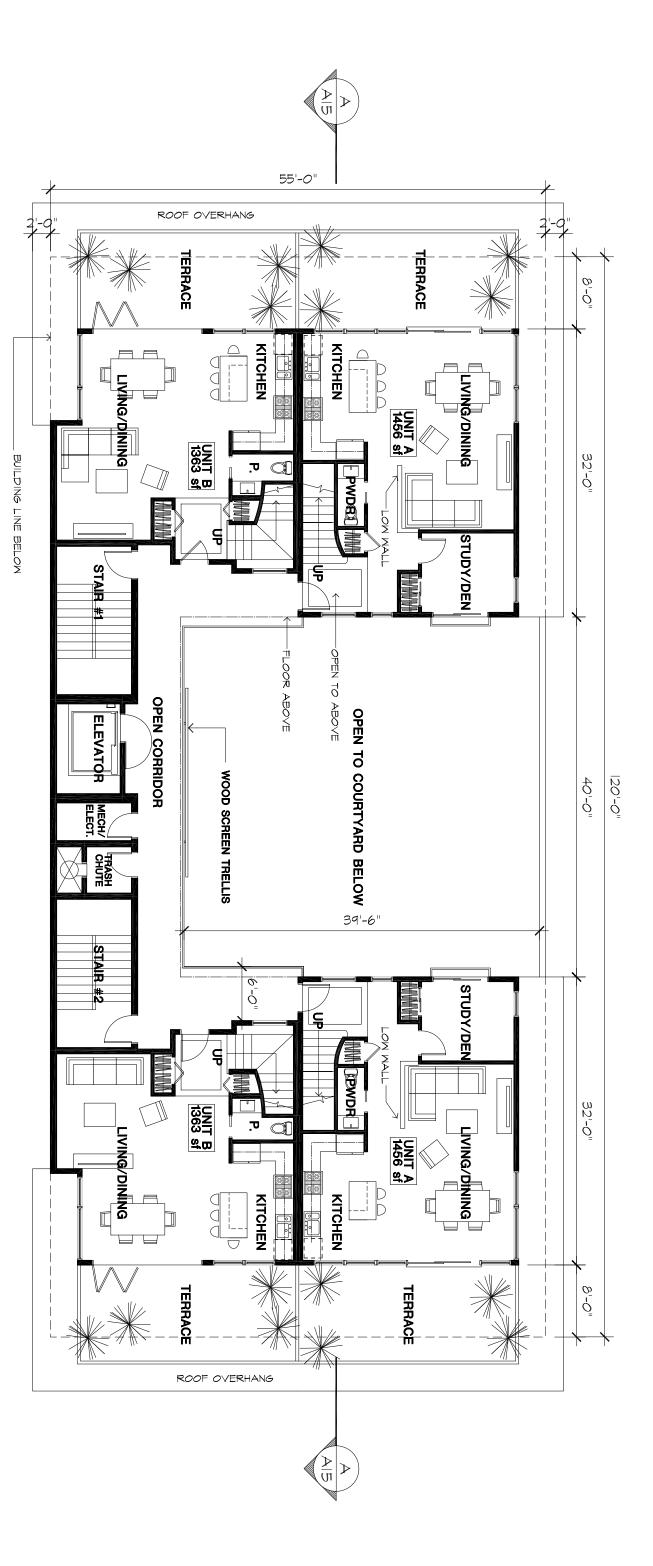
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3/32"=1'-0"

7th & 8th FLOOR PLAN

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200 INDUSTRIAL ROAD, SUITE 150 - SAN CARLOS, CALIFORNIA 94070 ARCHITECTS DATE: MAY 12, 2014



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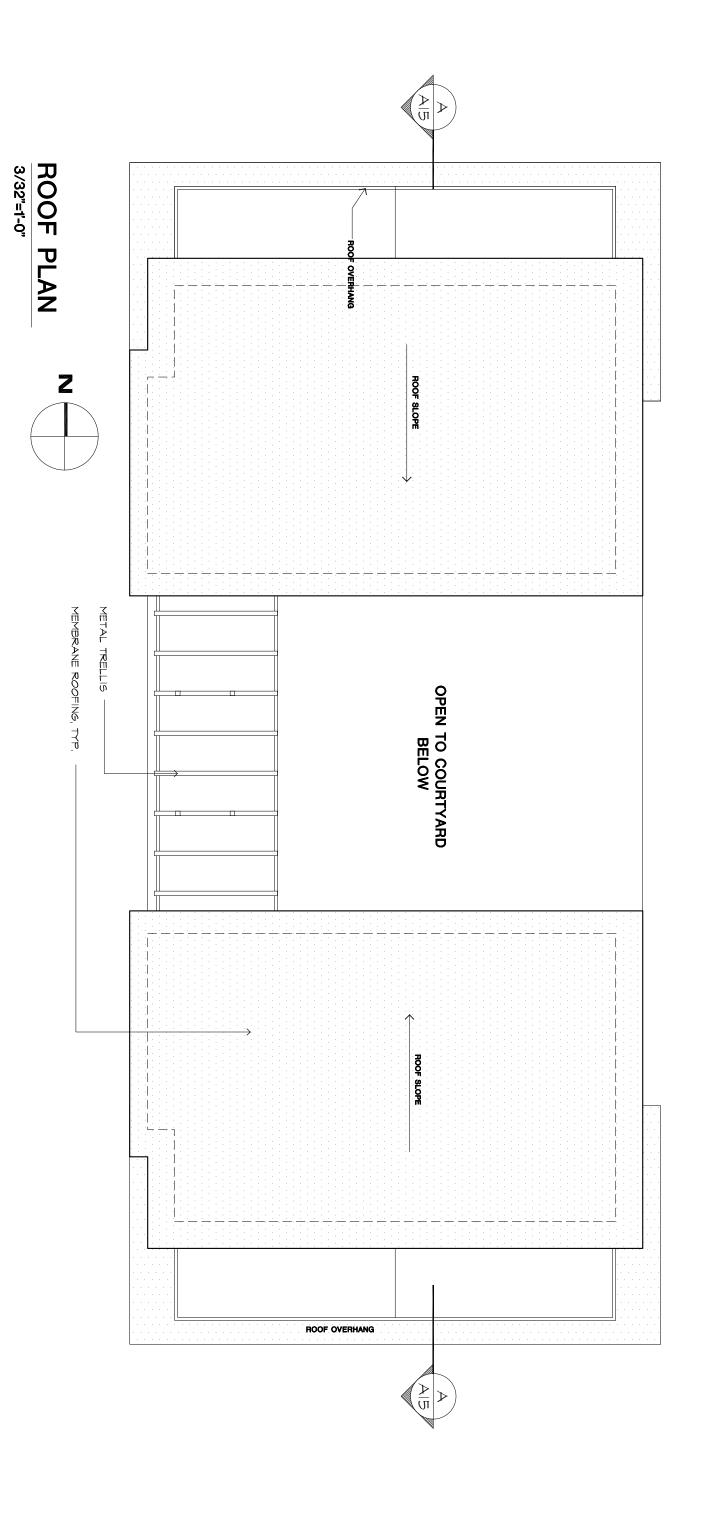
PENTHOUSE FIRST

LEVEL (FLOOR 9)

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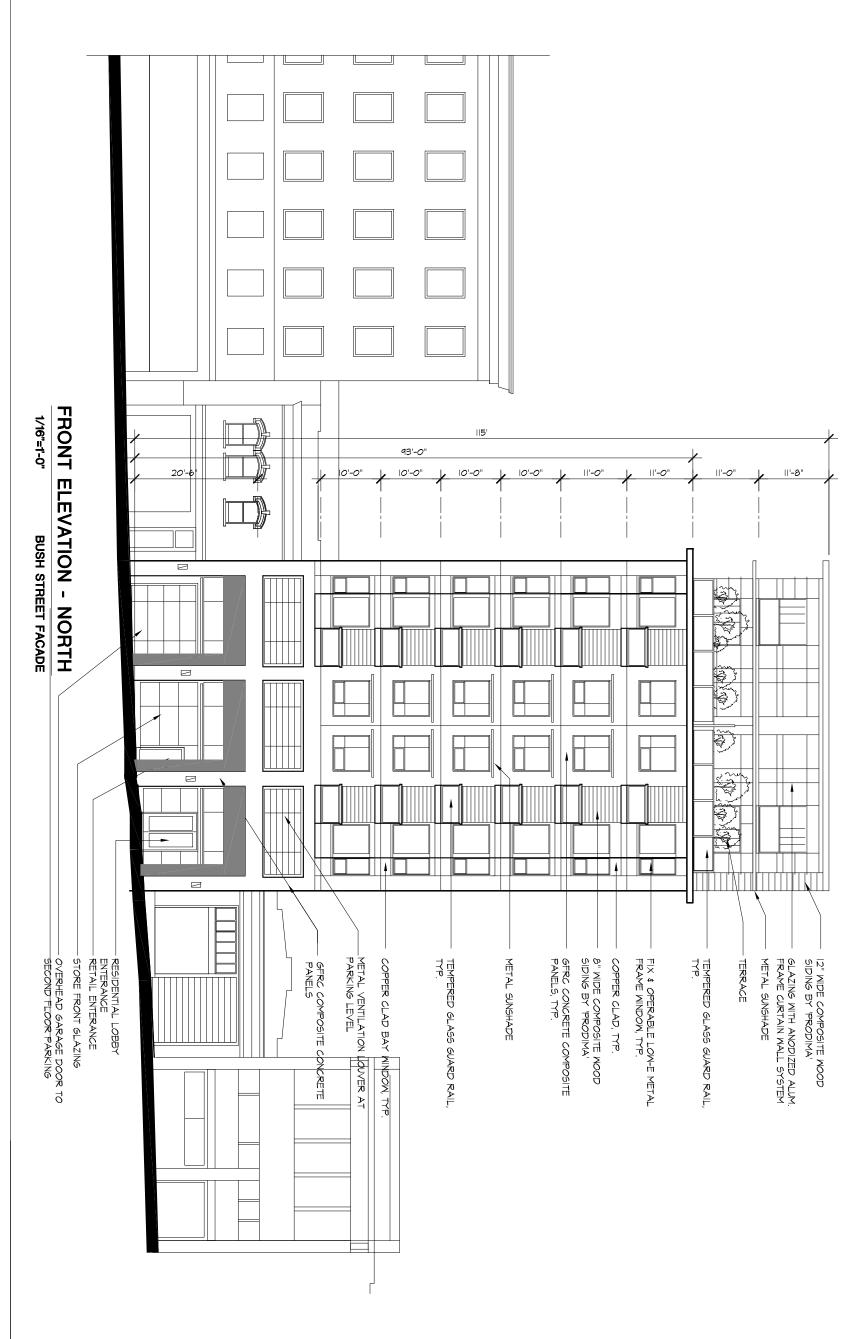
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200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070

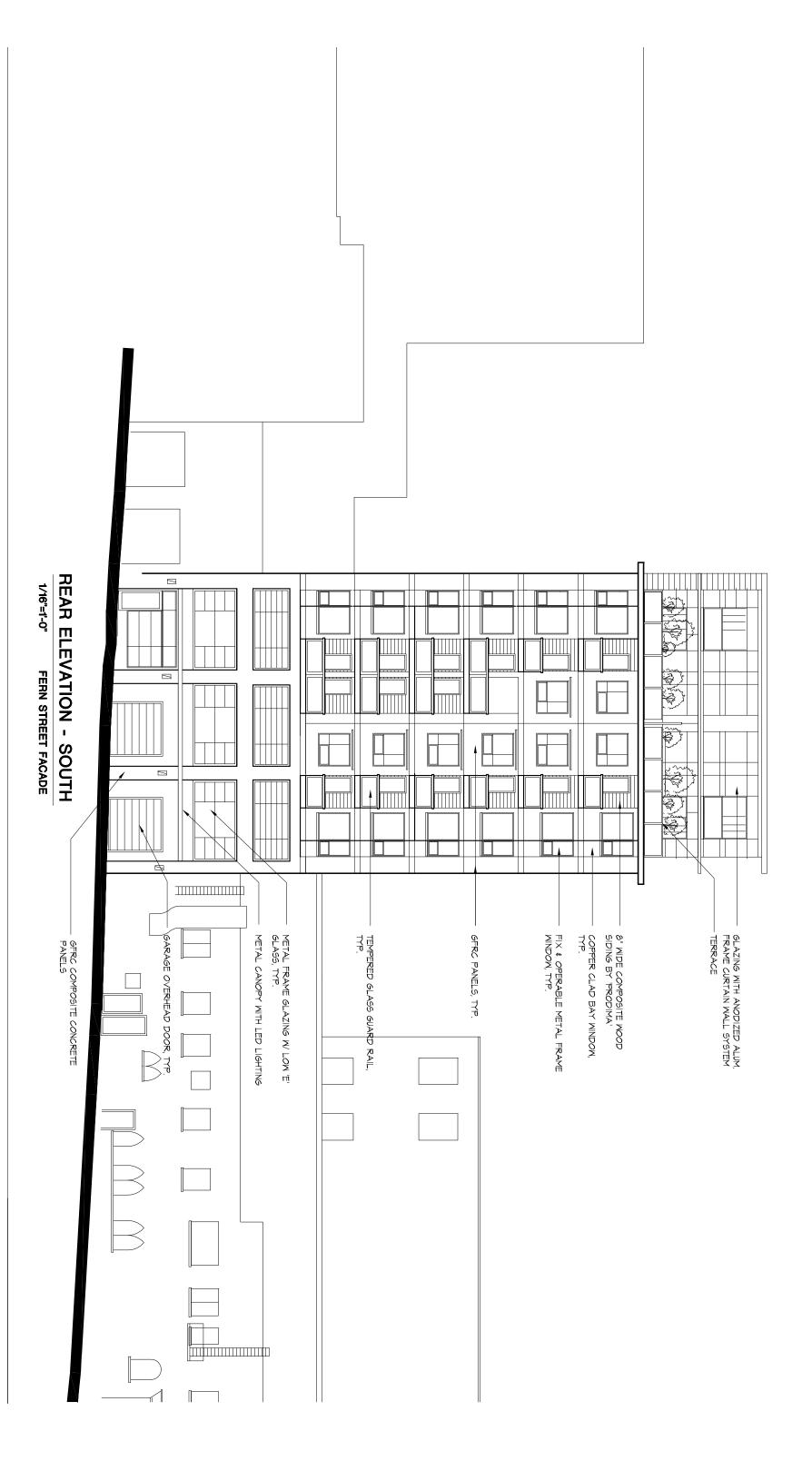
ARCHITECTS



CASA D'AMBROSIO

1433 BUSH STREET . SAN FRANCISCO . CA

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



CASA D'AMBROSIO

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BUSH

STREET

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200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070

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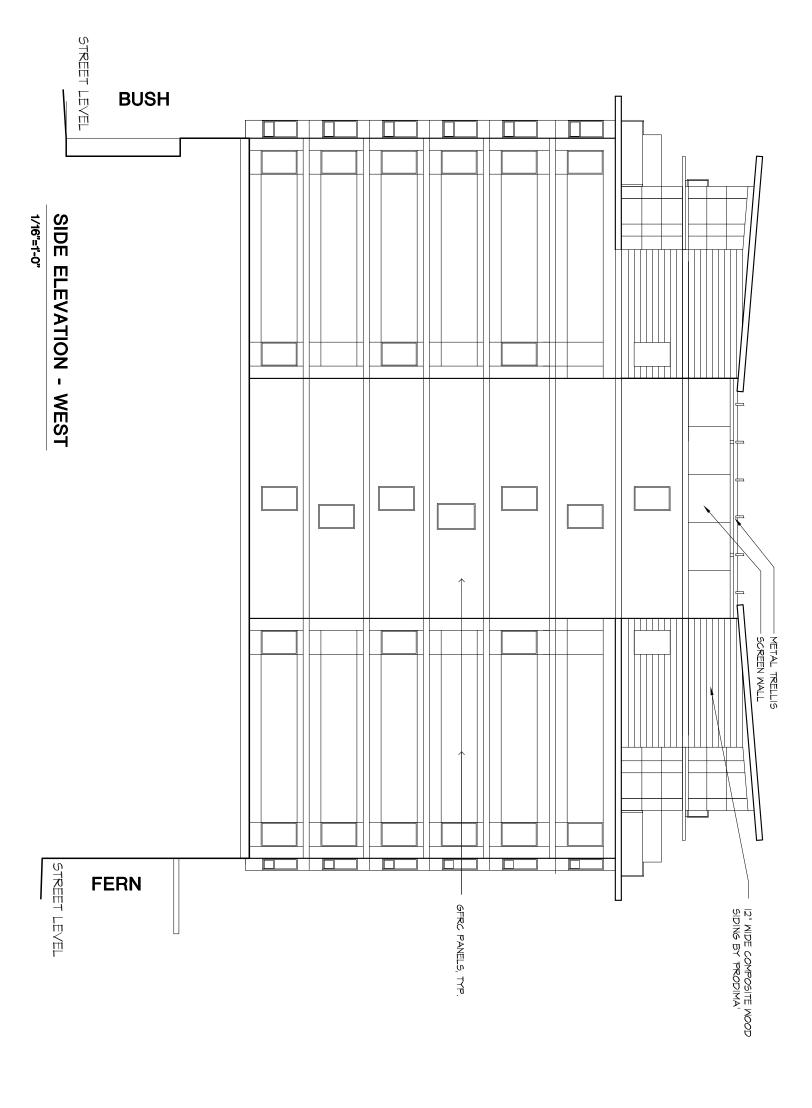
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200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070

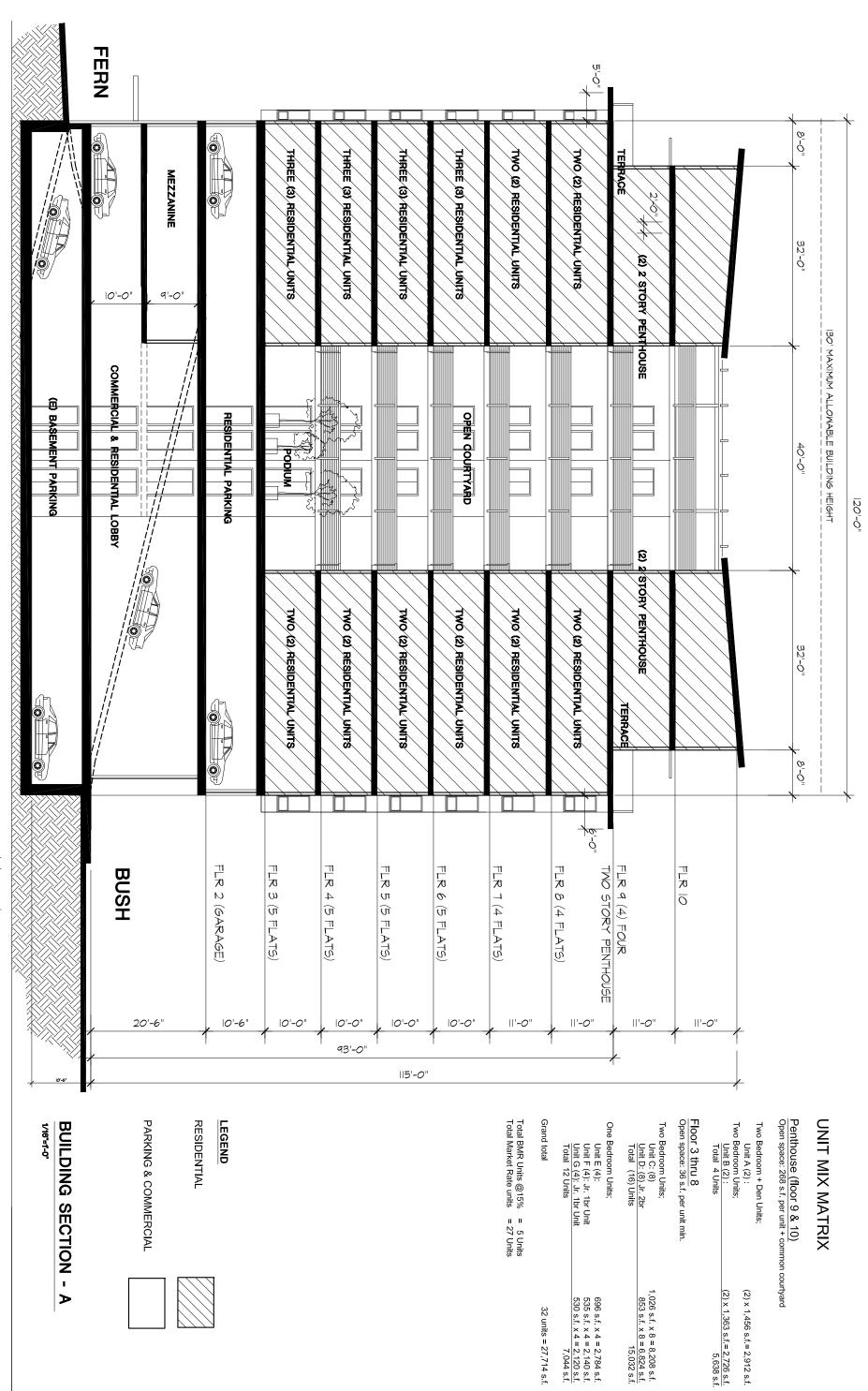


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DATE: MAY 12, 2014

200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070



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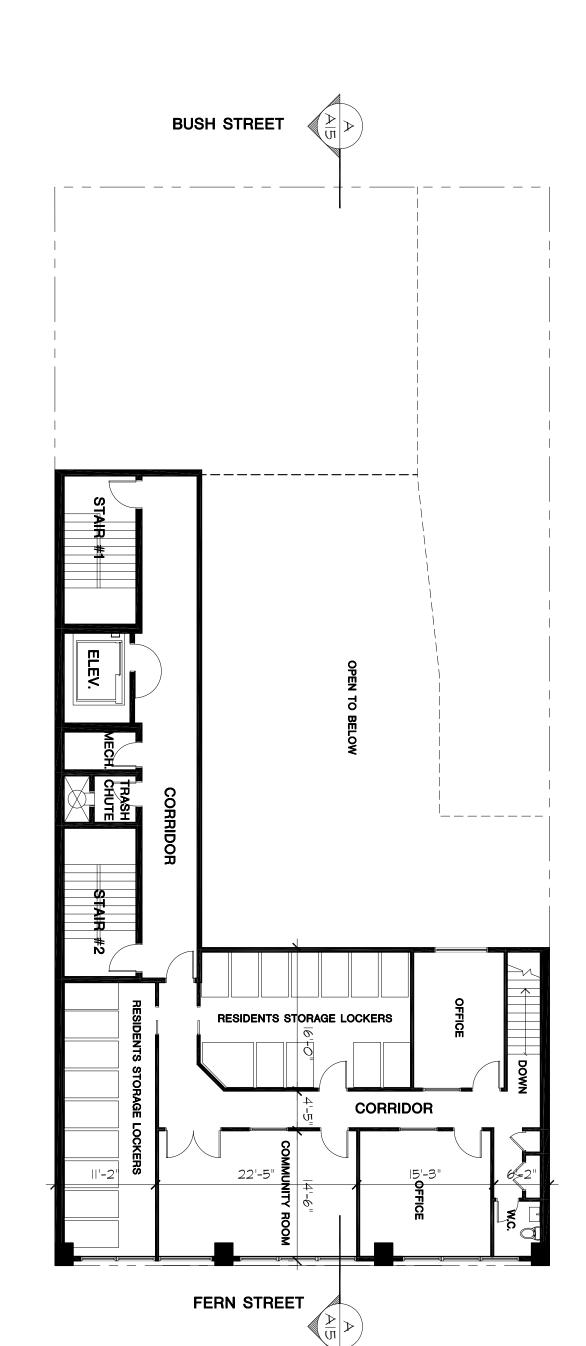
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> 200 INDUSTRIAL ROAD, SUITE 150 - SAN CARLOS, CALIFORNIA 94070 ARCHITECTS

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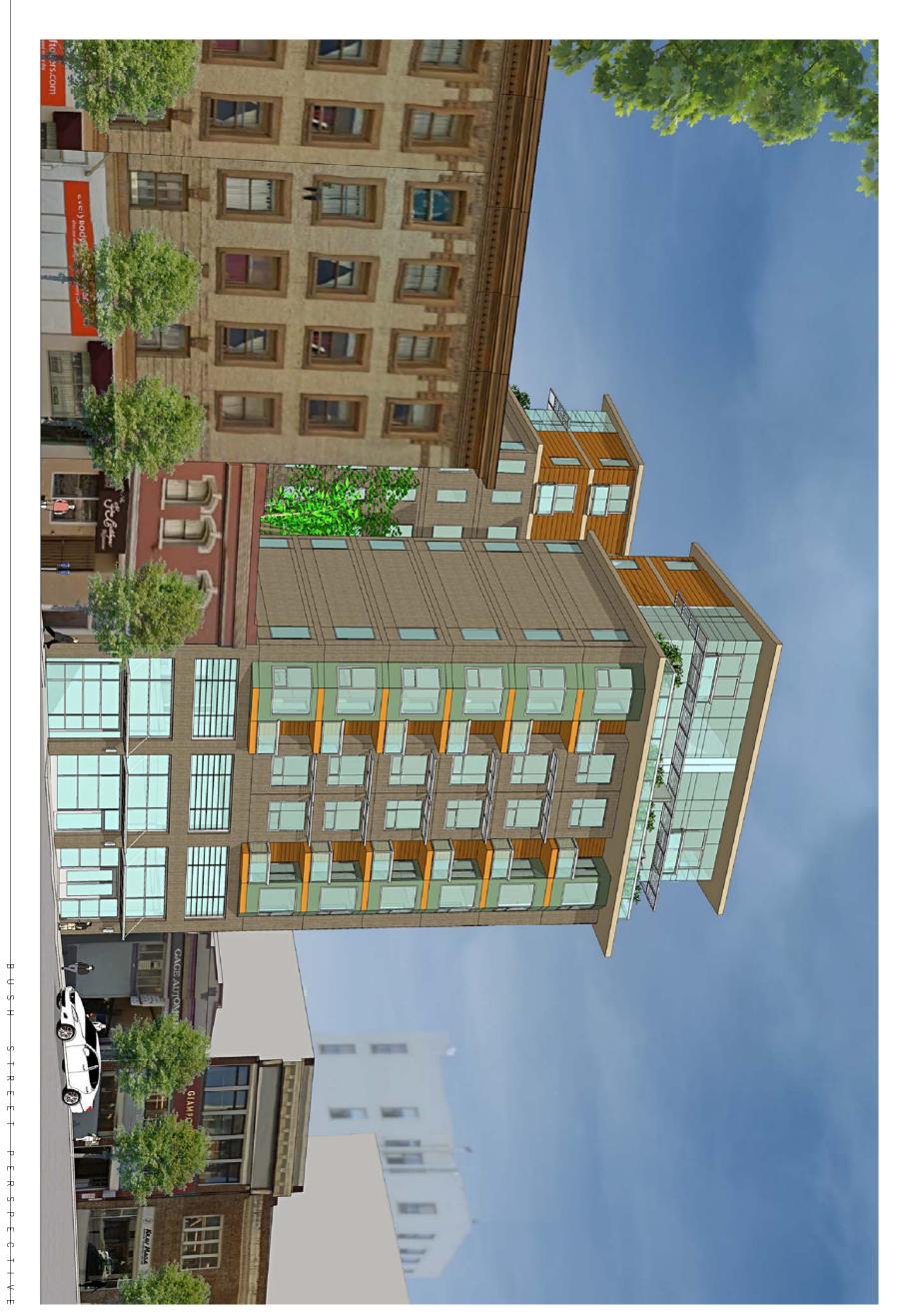
3/32"=1'-0"

MEZZANINE FLOOR PLAN

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

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



ASA D'AMBROSIO BUSH STREET . SAN FRANCISCO . CA

1433 **೧**

JOMA STUDIO ARCHITECTS
200 INDUSTRIAL ROAD, SUITE 150 . SAN CARLOS . CA 94070
PR 1

APRIL 30, 2014



BUSH STREET . SAN FRANCISCO . CA

1433 **೧**

APRIL 30, 2014



ASA D' BUSH STREET A M B R O S I O

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EW

OF THE COURT YARD

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

APRIL 30, 2014

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Executive Summary Conditional Use

HEARING DATE: SEPTEMBER 19, 2013

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

Reception: 415.558.6378

Fax:

415.558.6409 **Planning**

Information: 415.558.6377

Date: September 12, 2013 Case No.: 2009.1074<u>C</u>EKV **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 Address:

Project Sponsors: Don D'Ambrosio & City Rent-A-Car

1433 Bush Street

San Francisco, CA 94109

Project Architect: Antony Joma, Joma Studio Architects

545 Palmer Lane

Menlo Park, CA 94025

Staff Contact: Glenn Cabreros - (415) 558-6169

glenn.cabreros@sfgov.org

Approval with Conditions Recommendation:

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.

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 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.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the northern edge of the Downtown/Civic Center neighborhood. 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 onestory 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.

ENVIRONMENTAL REVIEW

On January 27, 2011 per Case No. 2009.1074E, the project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA.

HEARING NOTIFICATION

ТҮРЕ	REQUIRED REQUIRED PERIOD NOTICE DATE		ACTUAL NOTICE DATE	ACTUAL PERIOD	
Classified News Ad	20 days	August 31, 2013	August 30, 2013	21 days	
Posted Notice	20 days	August 31, 2013	August 21, 2013	22 days	
Mailed Notice	10 days	September 9, 2013	September 9, 2013	10 days	

The proposal requires a public notice for the related variance request, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

To date, The Department has received public comment on the project specifically from the Lower Polk Neighbors (LPN) neighborhood association. LPN requests that the public hearing for the project be continued to a future date to give the project sponsor an opportunity to provide LPN with additional information on the proposed project.

ISSUES AND OTHER CONSIDERATIONS

- 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.
- A rear yard variance is being requested for the project pursuant to Planning Code Section 243(c)(7) and 307(g). Planning Code Section 134 requires a 25 percent rear yard in the RC-4 Zoning District, and Literal enforcement of this Code requirement would result in a rear yard area along Fern Street.

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Executive Summary
Hearing Date: September 19, 2013

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 to reduce the amount of required parking by six parking spaces.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization 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.

BASIS FOR RECOMMENDATION

- The project would provide 32 dwelling units to the City's housing stock.
- The project promotes the continued operation of an established, locally-owned automotive rental use. The business is not a Formula Retail use and would serve the immediate neighborhood.
- The project is consistent with the massing and height of the development patterns 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.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for and compatible with the surrounding neighborhood.

RECOMMENDATION: Approval with Conditions

Attachments:

Parcel Map
Sanborn Map
Aerial and Context Photographs
Categorical Exemption Certificate
Shadow Study
Project Sponsor Submittal, including:

- Photo Renderings
- Reduced Plans

Executive Summary Hearing Date: September 19, 2013

Attachment Checklist

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



SAN FRANCISCO PLANNING DEPARTMENT

Subject	to: (Selec	ct only if a	oplicable)		

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

☐ Downtown Park Fee (Sec. 412) ☐ Other

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

Reception: 415.558.6378

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Planning Commission Draft Motion

HEARING DATE: SEPTEMBER 19, 2013

Date:September 12, 2013Case No.:2009.1074CEKVProject 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

545 Palmer Lane

Menlo Park, CA 94025

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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 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.

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.

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 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 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**. The Department has received public comment on the project specifically from the Lower Polk Neighbors (LPN) neighborhood association. LPN requests that the public hearing for the project be continued to a future date to give the project sponsor an opportunity to provide LPN with additional information on the proposed 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 Codecomplying 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.

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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 415¹ (formerly Code Section 315) sets forth the requirements and procedures for the Affordable Housing Program. On February 2, 2010, the Board of Supervisors adopted Interim Controls contained in Board of Supervisors' Resolution No. 36-10 (BOS File No.100047) entitled "Planning Code – Interim Controls

¹ On May 18, 2010 the Board of Supervisors finally passed Ordinance No. 108-10 (Board of Supervisors File No. 091275). Among other things Ordinance No. 08-10 created a new Article IV in the Planning Code and changed the numbering of most development impact and in lieu fees including the fee in the Affordable Housing Program. When Ordinance No. 108-10 became effective (on or about June 25, 2010), the Affordable Housing Program will become Planning Code Section 415 et seq. All references herein to Section 315 shall then mean Section 415.

Related to Affordable Housing Requirements" (the "Affordable Housing Ordinance"), the requirements of the Interim Controls apply to this Project. Under Planning Code Section 415.3 (formerly Code Section 315.3), these requirements would apply to projects that consist of five or more units, where the first application (Environmental Evaluation Application or Building Permit Application) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.7 (formerly Code Section 315.4), the Project must pay the Affordable Housing Fee ("fee"). This fee is made payable to the Treasurer for use by the Mayor's Office of Housing for the purpose of constructing the required housing at an alternate site providing .20 times the total number of units as affordable off-site units.

The Project Sponsor has submitted a Declaration of Intent to satisfy the requirements of the Affordable Housing Ordinance through payment of the in-lieu fee, in an amount to be established by the Mayor's Office of Housing. The project sponsor has not selected an alternative to payment of the fee. The Environmental Evaluation application was submitted on November 17, 2009.

G. **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 purposed 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.

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 WORKINIG 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 September 5, 2013, 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. ______. 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 September 19, 2013.

Jonas P. Ionin Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: September 19, 2013

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 ______under Motion No _______ under Motion 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 under Motion No

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. _____ 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, <u>www.sf-planning.org</u>
- 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, <u>www.sf-planning.org</u>

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. Requirement. Pursuant to Planning Code 415.7 (formerly Code Section 315.4), the Project Sponsor must pay an Affordable Housing fee at a rate equivalent to the applicable percentage of the number of units in the principle project to satisfy the Affordable Housing Requirement. The applicable percentage for this project is twenty percent (20%).
- 14. Other Conditions. The Project is subject to the requirements of the Affordable Housing Program under Section 415 et seq. of the Planning Code (formerly Code Section 315) including the Interim Controls contained in Board of Supervisors' Resolution No. 36-10 (BOS File No. 100047) entitled "Planning Code – Interim Controls Related to Affordable Housing Requirements" adopted on February 2, 2010 and the terms of the Residential Affordable Housing Monitoring and Procedures Manual (hereinafter "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 (formerly Code Section 315) (collectively the "Affordable Housing Ordinance"). Terms used in these Conditions of Approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the Mayor's Office of Housing at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing's websites, including on the internet at:

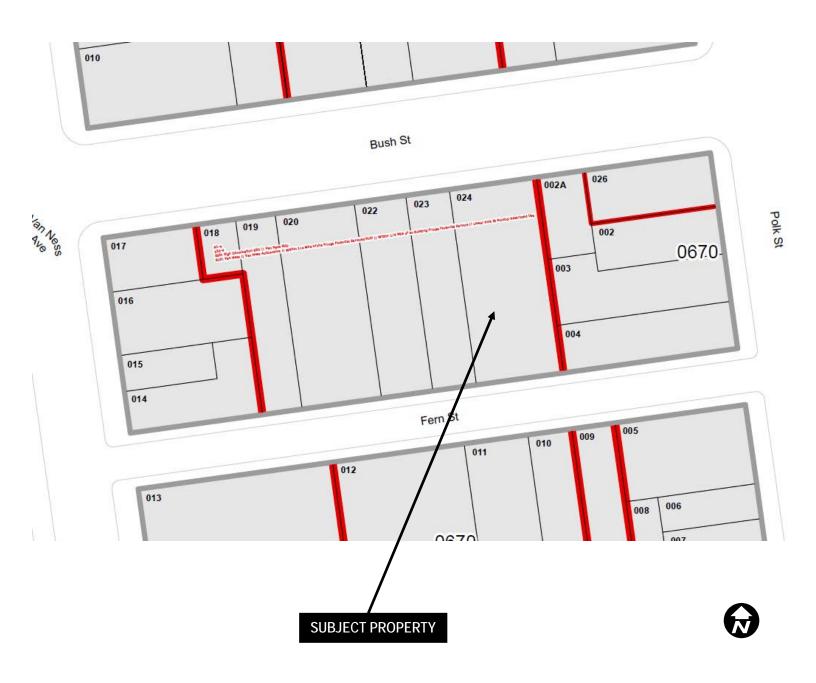
http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451.

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

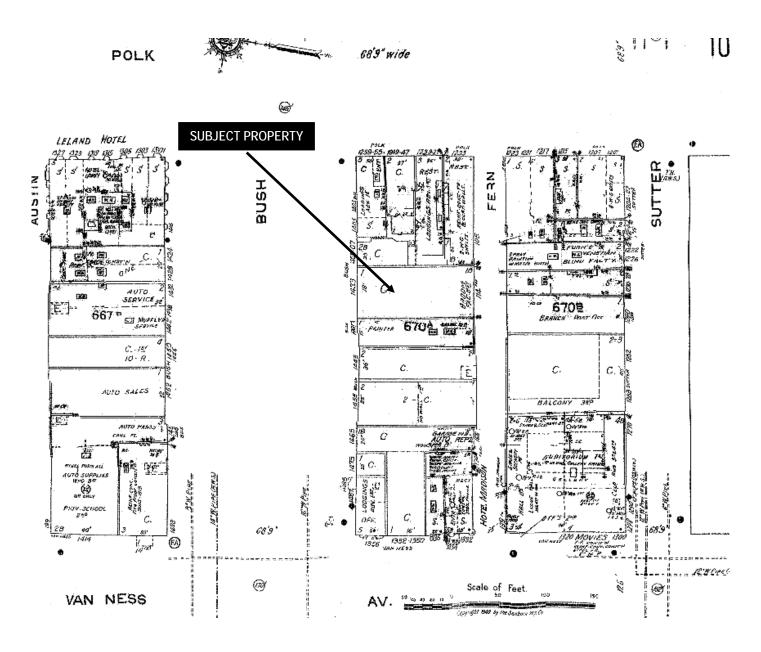
a. The project sponsor must pay the fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by MOH prior to the issuance of the first construction document, with an option for the project sponsor to defer payment to prior to issuance of the first certificate 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.
- b. Prior to the issuance of the first site or building permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to the Mayor's Office of Housing or its successor.
- c. If project applicant fails to comply with the Affordable Housing requirement, the Director of Building Inspection 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 applicant's failure to comply with the requirements of Planning Code Sections 415 et seq. (formerly Code Section 315) shall constitute cause for the City to record a lien against the development project.
- 15. **Future Applicable Controls:** If the Interim Controls contained in Board of Supervisors Resolution No. 36-10 (BOS File No. 100047) entitled "Planning Code Interim Controls Related to Affordable Housing Requirements" or permanent controls in substantially similar form to those contained in BOS File No. 100046 entitled "Planning Code Amending Inclusionary Housing Ordinance" proposing amendments to Planning Code Section 415 et seq. (formerly Code Section 315) (collectively "applicable future controls") are approved by the Board of Supervisors prior to issuance of the first certificate of occupancy for the Project, the Project shall be subject to the applicable future controls and not the current provisions of Planning Code Section 415 et seq. (formerly Code Section 315).

Parcel Map



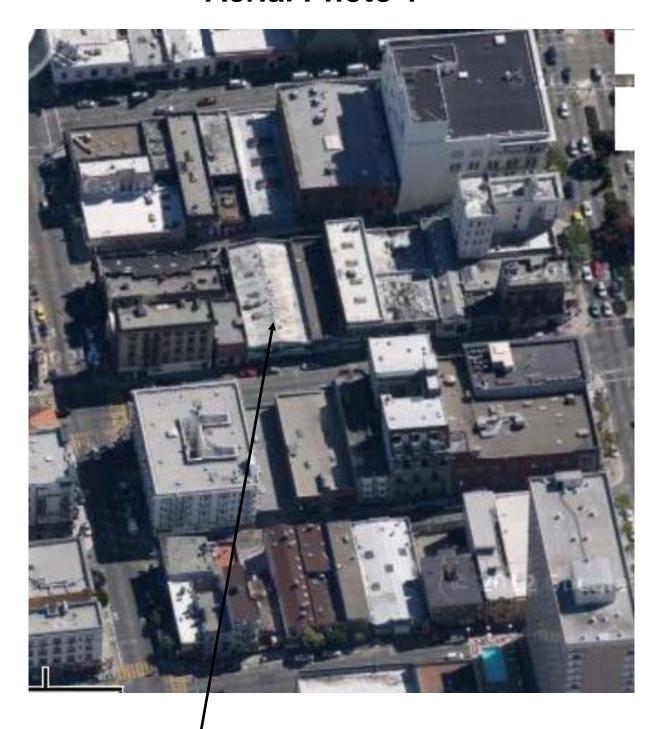
Sanborn Map*



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



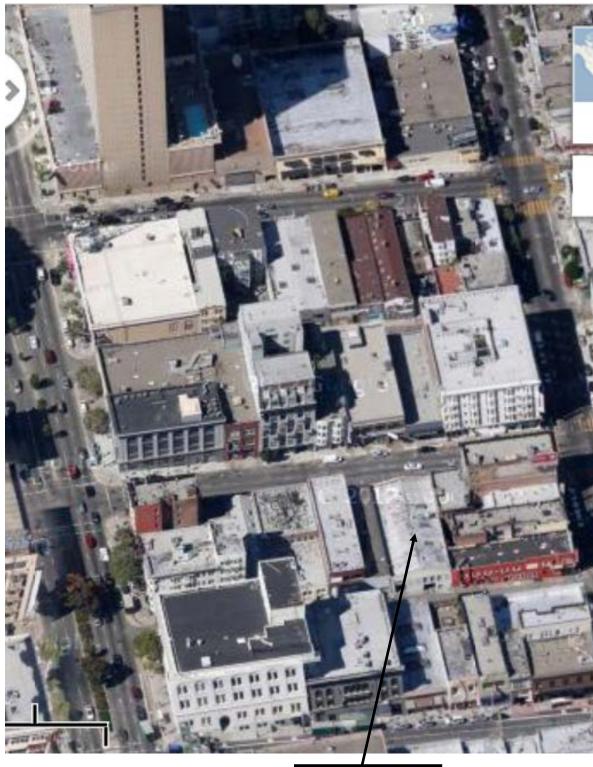
Aerial Photo 1



SUBJECT PROPERTY



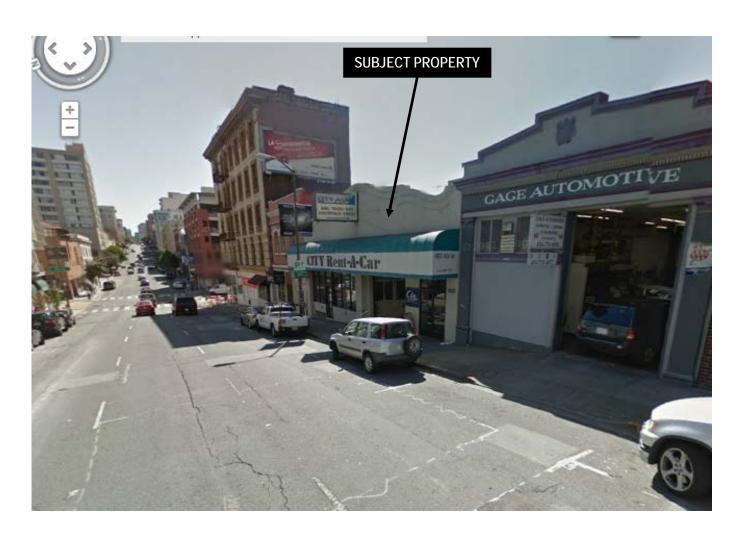
Aerial Photo 2



SUBJECT PROPERTY

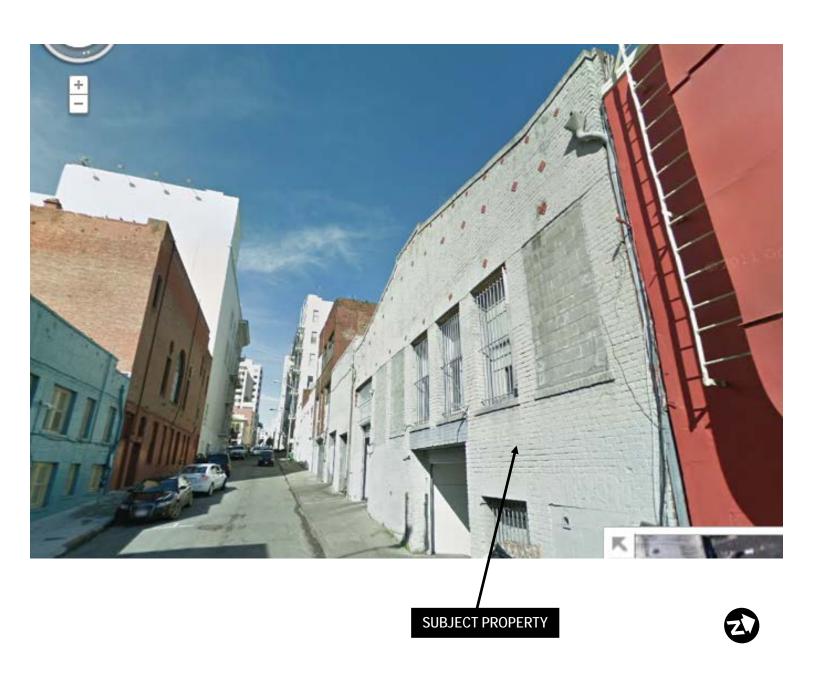


Context Photo – Bush Street





Context Photo – Fern Street





SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination **EXEMPTION FROM ENVIRONMENTAL REVIEW**

Suite 400 San Francisco, CA 94103-2479

1650 Mission St.

Reception:

415.558.6378

Fax:

415.558.6409

Planning

Information: 415.558.6377

1433 Bush Street

RC-4 (Residential-Commercial Combined, High Density) 130-V Height and Bulk District

Van Ness and Automobile Special Use District

Block/Lot:

0670/024

2009.1074E

Lot Size:

Case No.:

Zoning:

Project Title:

6,600 square feet

Project Sponsor:

Antony Joma, Joma Studio Architects, (408) 838-0087

Staff Contact:

Don Lewis - (415) 575-9095, don.lewis@sfgov.org

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 proposed project would demolish the existing 30-foot-tall, one-story-over-basement commercial building with 25 off-street parking spaces, and construct a new 112-foot-tall, ten-story-over-basement mixed-use building with 26 residential units, 2,200 square feet of ground-floor retail use, and 29 off-street below grade parking spaces. The unit mix would be 8 one-bedroom, 14 two-bedroom, and 4 three-bedroom units. Access to the underground parking garage would be from both Bush Street and Fern Street. The existing building is approximately 6,600 square feet in size while the proposed building would be approximately 60,145 square feet in size. The existing building was constructed in 1915 and is currently occupied by a car rental company. The project would require Conditional Use authorization for development of a building exceeding a height of 40 feet in a Residential District.

EXEMPT STATUS:

Categorical Exemption, Class 32 [State CEQA Guidelines Section 15332]

REMARKS:

See reverse side.

DETERMINATION:

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

BILL WYCKO

Environmental Review Officer

Bulletin Board V. Byrd, M.D.F

REMARKS (continued):

In-Fill Development- California Environmental Quality Act (CEQA) State Guidelines Section 15332, or Class 32, provides an exemption from environmental review for in-fill development projects which meet the following conditions:

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. The site is located within the Residential-Commercial Combined, High Density (RC-4) zoning district where development and uses would be permitted. The RC-4 district allows a residential density of one unit per 200 square feet of lot area, thus the 6,600-square-foot project site would be permitted up to 33 new residential units. The proposed project would include 26 new residential units thus the density is consistent with the RC-4 zoning designation. In the RC-4 district, 36 square feet of open space per unit if private, or 1/3 more for any portion of usable open space if common, is required. The project would thus be required to provide 1,248 square feet of common open space. The proposed project would provide 1,565 square feet of common open space, thus it meets the useable open space requirements. The project site is also located within the Van Ness and Automobile Special Use District, which requires one off-street parking space for each dwelling unit while the retail component would be required to provide one space for each 500 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet. Thus, the project would require one parking space for each of the 26 proposed residential units and would not require a parking space for the 2,200 square feet of commercial use. The proposed project includes 26 residential parking spaces and 3 commercial parking spaces, for a total of 29, and meets the required minimum number of parking spaces. 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 site is located in a 130 height district and the proposed building would be 112 feet in height. The project would thus comply with the 130 height district. As discussed on page 1, the project would require Conditional Use authorization for development of a building exceeding a height of 40 feet in a Residential District. Therefore, the proposed project would be consistent with all applicable zoning plans and policies.

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

The 0.15-acre (6,600 square feet) project site is located within a fully developed area of San Francisco. The surrounding uses consist of mixed-use residential and commercial buildings. Thus, the proposed project would be properly characterized as an in-fill development surrounded by urban uses on a site smaller than five acres.

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

The project site is within a fully developed urban area that is completely covered with existing buildings and paved surfaces, and does not provide habitat for any rare or endangered plant or animal species.

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

Traffic

Trip generation of the proposed project was calculated using information in the 2002 Transportation Impacts Analysis Guidelines for Environmental Review (SF Guidelines) developed by the San Francisco Planning Department.¹ The proposed project would generate about 570 person trips (inbound and outbound) on a weekday daily basis, consisting of 210 auto trips, 130 transit trips, 180 walk trips and 50 trips by other modes. During the p.m. peak hour, the proposed project would generate an estimated 20 vehicle trips (accounting for vehicle occupancy data for this Census Tract). Due to the project's location near major transit routes, this is likely a conservative or worst case estimate of vehicle trips. This additional traffic would not be substantial relative to the existing capacity of the surrounding street system and would be mostly undetectable to residents and drivers in the area. Therefore, the proposed project would not result in any significant adverse traffic impacts.

Transit

As indicated above, the proposed project is estimated to add 130 daily transit person trips, of which 18 are estimated to occur in the p.m. peak hour. The project site is served by several local and regional transit lines including Muni lines 1, 19, 31, 38, 47, 49, and 76, and therefore, the additional 18 p.m. peak hour transit trips would be accommodated on existing routes, and would result in a less-than-significant effect on transit services.

Parking

As discussed above, the Planning Code would require 26 off-street parking spaces for the proposed project and the project includes a total of 29 parking spaces. Based on the methodology presented in the *SF Guidelines*, on an average weekday, the demand for parking would be 42 spaces. Thus, the project would have an unmet parking demand of 13 spaces. While the proposed off-street parking spaces would be less than the anticipated parking demand, the resulting parking deficit is not considered to be a significant impact under CEQA, regardless of the availability of on-street parking under existing conditions.

San Francisco does not consider parking supply as part of the permanent physical environment and therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA. However, this report presents a parking analysis to inform the public and the decision makers as to the parking conditions that could occur as a result of implementing the proposed project.

¹ Don Lewis, San Francisco Planning Department, *Transportation Calculations*, January 13, 2011. These calculations are available for review as part of Case File No. 2009.1074E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by local public transit (Muni lines 1, 19, 31, 38, 47, 49, and 76) and bike lanes (16, 25, and 51), which provide alternatives to auto

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

Access

Vehicular ingress to the ground-floor parking garage would be on Bush Street while egress would be on Fern Street. Pedestrian access would be on Bush Street. Bush Street is a three-lane, one-way, major arterial with parallel parking on both sides. Emergency access to the project site would not be changed by the proposed project. There are no bus stops in front of the project site. Sidewalks and on-street parking are present on both sides of the street. It is anticipated that both garbage pickup and commercial retailing would be located on Bush Street. The project would not impede traffic or cause unsafe conditions, and would not result in a significant effect related to access

Loading

Based on the *SF Guidelines*, the proposed project would generate an average loading demand of 0.09 truck-trips per hour. Planning Code Section 152.1 does not require off-street loading for residential development less than 100,000 square feet and for retail use less than 10,000 square feet. Therefore, off-street loading spaces are not required for the proposed project, which would include 45,200 square feet of

residential use and 2,200 square feet of retail use. The proposed project would avoid the potential for impacts to adjacent roadways due to loading activities by limiting all long-term and construction loading/staging operations to the existing on-street parking area along Bush Street and Fern Street. Vehicles performing move in/move out activities would be able to obtain temporary parking permits for loading and unloading operations on Bush Street and Fern Street. In addition, the parking area on the ground floor could also be used for loading activity.

Pedestrian and Bicycle Conditions

The proposed project would generate approximately 22 p.m. peak-hour pedestrian trips, which would not cause a substantial amount of pedestrian and vehicle conflict, as there are adequate sidewalk and crosswalk widths. Pedestrian activity would increase as a result of the project, but not to a degree that could not be accommodated on local sidewalks or would result in safety concerns.

There are no existing or proposed bike lanes on the project site, and there would be no net increase in curb cuts on Bush Street or Fern Street. In the vicinity of the project site, there are three major Citywide Bicycle Routes (16, 25, and 51). Although the proposed project would result in an increase in the number of vehicles in the project vicinity, this increase would not substantially affect bicycle travel in the area.

The recently amended (Board of Supervisors Ordinance No. 129-06) *Planning Code* Section 155.5 requires that residential projects of 50 dwelling units or less provide one bicycle space for every two dwelling units. The proposed project includes 26 dwelling units and thus would be required to provide 13 bicycle parking spaces, which would be provided on the ground-floor level. In conclusion, the proposed project would not substantially increase pedestrian and bicycle hazards.

In summary, the project would not result in a significant effect with regard to transportation.

Noise: An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity. The noise generated by the occupants of the proposed new building would be considered common and generally acceptable in an urban area, and would not be considered a significant impact. The proposed construction could generate noise and possibly vibration that may be considered an annoyance by occupants of nearby properties. Construction noise is regulated under Article 29 of the City's Police Code, and would be temporary and intermittent in nature. Considering the above discussion, the proposed project would not result in a significant impact with regard to noise.

<u>Air Quality</u>: The Bay Area Air Quality Management District (BAAQMD) has established thresholds for projects requiring its review for potential air quality impacts. These thresholds are based on the minimum size of projects that the District considers capable of producing air quality problems due to vehicle emissions or stationary sources of pollution. The BAAQMD considers residential projects greater than 510 apartment units, office projects greater than 280,000 gross square feet (gsf), and retail development greater than 87,000 gsf to result in potentially significant vehicular emission impacts. The proposed project would create 26 residential units with 2,200 square feet of ground-floor commercial

space and would not exceed the minimum standards. Therefore, no significant air quality impacts would be generated by the proposed project.

Article 38 of the San Francisco Health Code was amended to require that all newly constructed buildings containing ten or more units within the Potential Roadway Exposure Zone perform an Air Quality Assessment to determine whether the PM 2.5² concentration at the project site is greater than 0.2 micrograms per cubic meter (0.2 ug/m3).3 Sponsors of projects on sites where the PM 2.5 concentration exceeds the 0.2 ug/m3 threshold are required to install ventilation systems or otherwise redesign the project to reduce the PM 2.5 concentration for the habitable areas for the dwelling units to below the threshold. The project site is located within the Potential Roadway Exposure Zone, triggering the application of San Francisco Health Code Article 38. An Air Quality Assessment was completed by the Department of Public Health for the project site on March 30, 2010.⁴ The results indicate that 1433 Bush Street, at 6.55 meters, exceeds the action level of 0.2 micrograms per cubic meter annual exposure along the front of the proposed building. Therefore, pursuant to Article 38 of the San Francisco Health Code, the project would be required to implement air quality measures, such as incorporating a mechanical ventilation system with ambient air filtration. Action levels, modeling, and mitigations are discussed in the Department of Public Health's Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review. Therefore, the project would not have significant air quality impacts on residents due to roadway emissions.

<u>Water Quality</u>: The proposed project would not generate wastewater or result in 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 the City's combined sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge. Therefore, the proposed project would not result in significant water quality impacts.

d) 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 facilities are available; no expansion of public services or utilities is required in order to serve the proposed project.

6

² PM 2.5 is a measure of smaller particles in the air. PM 10 has been the pollutant particulate level standard against which EPA has been measuring Clean Air Act compliance. On the basis of newer scientific findings, the Agency is considering regulations that will make PM 2.5 the new "standard".

³ See Board of Supervisors Ordinance No. 281-08, effective January 5, 2009.

⁴ Modeling completed by Patrick Fosdahl of the San Francisco Department of Public Health on March 30, 2010. Modeling results are available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Project File No. 2009.1074E.

Other Environmental Issues

<u>Hazardous Materials</u>: Golden Gate Tank Removal conducted a Phase I Environmental Site Assessment (ESA) at the project site.⁵ This assessment was performed to provide a record of the conditions at the subject property and to evaluate what, if any, environmental issues exist at the site. The ESA assessed the potential for adverse environmental impacts from the current and historical practices on the site and the surrounding area.

According to the ESA, the vicinity of the project area was initially residential but sometime after the 1906 Earthquake became commercial and retail. The project site was occupied by residences in the late 1880's. Sometime after the 1906 Earthquake, the site was occupied with an "auto top factory and painting" facility. The current building was on the site by 1939 and has been used as a commercial space for several businesses. At one time the building housed some type of auto painting business, but no visual evidence of improper disposal of any paint type materials was found during the Phase I ESA site reconnaissance. The project site is not located within the limits of the Maher Ordinance.

At the time of the Phase I ESA, the subject building was occupied by a van transport company and a luggage repair business. The transport company had carried out minor maintenance on vehicles in the basement and had accumulated a significant amount of materials which were considered hazardous. These included used motor oil and used oil filters. There was no evidence of misuse or illegal disposal of materials seen. With the exception of minor amounts of automotive maintenance supplies used by the tenants and minor leaks associated with parked autos, there was no evidence of the use, storage, or disposal of materials considered hazardous.

There are various businesses in the area which could have environmental effects on the subject property and the neighborhood in general; specifically, the presence of an unregistered and apparently unused tank at the property just to the west of the site. If this tank, or the underground storage tank (UST) at Giampolini at 1445 Bush Street, also along Fern Avenue to the west, have leaked in the past or should leak in the future, the soil and groundwater below the site could be affected. The nearest active leaking UST site, which is several hundred feet away, was identified at 1395 Van Ness Avenue, the Ellis Brooks Chevrolet Dealer. There are also several other unregistered USTs, which include underground heating oil tanks associated with the larger apartment buildings along Polk Street. The presence of other unknown USTs and known leaking underground fuel tank sites, could have had an impact on the soil and groundwater below the project site. Based on discussions with the Department of Public Health, since the proposed project does not require excavation that is deeper than the existing basement level, the project would not result in a significant impact related to hazards and hazardous materials.

Based on the above, effects related to hazardous materials would not be significant.

⁵ Golden Gate Removal, "Phase I Environmental Site Assessment, 1425 Bush Street, San Francisco, California," October 18, 1999. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Project File No. 2009.1074E.

<u>Visual Quality</u>: Design and aesthetics are by definition subjective, and open to interpretation by decision-makers and members of the public. A proposed project would, therefore, be considered to have a significant adverse effect on visual quality only if it would cause a substantial and demonstrable negative change. The proposed project would not have such change. As described above, the proposed building envelope meets Planning Code requirements for the RC-4 zoning district.

The proposed project would be visible from some residential and commercial buildings within the project site vicinity. Some reduced views on private property would be an unavoidable consequence of the proposed project and would be an undesirable change for those individuals affected. Nonetheless, the change in views would not exceed that commonly expected in an urban setting, and the loss of those views would not constitute a significant impact under CEQA.

Historic Architectural Resources: In evaluating whether the proposed project would be exempt from environmental review under the California Environmental Quality Act (CEQA), the Planning Department determined that the building located on the project site is not a historic resource. As described in the attached Historic Resource Evaluation Response (HRER) Memorandum, the property at 1433 Bush Street would be eligible for listing in the California Register as an individual resource under Criteria 1 (Events) and 3 (Architecture) if the subject property retained its historic integrity.⁶ In addition, the 1433 Bush Street building was not listed as individually significant or as a contributor to the significance of the area in the Van Ness Area Plan published in 1986, nor was the building identified as an individual resource or a contributing resource to the historic district in the latest Van Ness Auto Row survey conducted by William Kostura.⁷

The 1433 Bush Street building, constructed in 1915, is one-story-over-basement, with two street-facing facades designed by Joseph A. Leonard. The primary (north) façade faces Bush Street and is clad in flat stucco, and is distinguished by a sculpted Mission Revival-style parapet wall that is divided into three bays. The Fern Street (south) façade is clad in painted brick and is utilitarian in its design. The property is associated with the development of the Van Ness Auto Row corridor through its location, construction date, historic use, architectural style, and building type. It appears that if the building retained historic integrity then it would qualify for listing on the Register as an individual resource for its association with this significant period of development in San Francisco. Research has not revealed information that any of its owners or occupants were associated with persons that have made a significant contribution to the broad patterns of history. The 1433 Bush Street property, if unaltered, would represent the automotive support structure building type from the early Auto Row period of development within San Francisco. However, as described below, alterations have caused the building to lose historic integrity so that it no longer conveys this historical significance.

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

⁶ Memorandum from Shelley Caltagirone, Preservation Technical Specialist, to Don Lewis, Planning Staff, Major Environmental Analysis, July 7, 2010. This memorandum is attached and available for review at the Planning Department, 1650 Mission Street, Suite 400.

⁷ This survey was adopted by the Historic Preservation Commission on July 21, 2010.

character-defining features of the primary façade are the sculpted parapet and the building's scale. The building has, however, retained its historic location, setting, and association, which link the building to the potential Auto Row historic district located along Van Ness Avenue between approximately Jackson and Turk Streets.

The 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 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 (approximately 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). 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. As discussed above, the 1433 Bush Street building is not a contributor to the historic district.

The proposed project at 1433 Bush Street would not have an adverse impact on any off-site historic resources. In the most recent survey of the area, Kostura found only two historic resources on the subject block - 1441 Bush Street and 1455 Bush Street. 1441 Bush Street is immediately adjacent to the subject property to the west while 1455 Bush Street is located three lots to the west. The project would not cause any direct impacts to the character-defining features of either building. Impacts of the proposed project on the historic integrity of these resources would be limited to the change in setting. This impact would be less-than-significant, as the subject block already displays a wide variety of building types, heights, materials, and styles with which the new building would be compatible. Because of this diversity in the immediate context, the new building would not dramatically change the character of the block or change the buildings' setting such that their historic significance would no longer be conveyed. Similarly, the project would not cause a significant adverse impact to the potential multi-property, non-contiguous historic district identified by Department staff as the project would not directly affect any of the identified resources within the Van Ness corridor or cause a significant change in the setting of this collection of properties.

<u>Archeological Resources</u>: The Planning Department reviewed the proposed project to determine if any archeological resources would be impacted. The Planning Department staff determined that the proposed project would not adversely affect CEQA-significant archeological resources.⁸

<u>Shadow</u>: Section 295 of the San Francisco Planning Code restricts new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet. To

9

⁸ This analysis is summarized from a Planning Department technical memorandum (Randall Dean, staff archeologist, to Don Lewis, Planner, March 11, 2010), which is available for review at the Planning Department, 1650 Mission Street, Suite 400.

determine whether this project, which would result in a building height of 112 feet, would comply with Section 295, a shadow fan analysis was prepared by the Planning Staff. This analysis determined that the proposed project would not cast a new shadow on any properties protected by Section 295.9

<u>Wind:</u> Project-specific evaluation of the probable wind impacts of the proposed project was completed by ESA.¹⁰ This study concluded that there would be no adverse effects on the wind environment that could result from the proposed project. Thus, the proposed project would not have any significant wind impacts.

Neighborhood Concerns

A "Notification of Project Receiving Environmental Review" was mailed on April 15, 2010 to owners of properties within 300 feet of the project site and to adjacent occupants. Four members of the public requested to receive the final environmental document, and one person expressed concerns related to the number of proposed parking spaces. Parking is discussed under page 2 regarding consistency with applicable general plan and zoning designations, and in the transportation section on page 3 with regard to parking demand and supply.

Conclusion

CEQA State Guidelines Section 15332, or Class 32, allows for an exemption of an in-fill development meeting various conditions. As described above, the proposed project is an in-fill development that would have no significant adverse environmental effects and would meet all the various conditions prescribed by Class 32. Accordingly, the proposed project is appropriately exempt from CEQA under Section 15332.

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project would not have a significant effect with regard to hazardous materials, visual quality or cultural resources. There are no other unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant environmental effect. The proposed project is an in-fill development that meets the above conditions, and would have no significant environmental effects.

For the above reasons, the proposed project is appropriately exempt from environmental review.

⁹ Glenn Cabreros, "Case No. 2009.1074K Shadow Analysis," to Antony Joma, Project Sponsor, 1433 Bush Street, July 7, 2010. This document is available for review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2009.1076K.

¹⁰ ESA, Potential Section 148 Wind Impacts, 1433 Bush Street Development, February 25, 2009. A copy of this document is available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, California, as a part of Case File No. 2009.1074E.

MEMO

Historic Resource Evaluation Response

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

MEA Planner:

Don Lewis

Project Address:

1433 Bush Street

Block/Lot: Case No.:

0670/024

Date of Review:

2009.1074E July 7, 2010

Planning Dept. Reviewer: Shelley Caltagirone

(415) 558-6625 | shelley.caltagirone@sfgov.org

415.558.6409

415.558.6378

Reception:

Planning Information: 415.558.6377

PROPOSED PROJECT

□ Demolition

Alteration

PROJECT DESCRIPTION

The proposal is to demolish the existing one-story building and construct a mixed-use retail/residential 10-story building with two levels of underground parking. The building would be designed as a Cshaped structure with an interior courtyard, and the top two floors would be set back 20 feet from the plane of the front and rear facades. The project would include 26 dwelling units and 2100 square feet of retail/commercial use on the ground floor.

PRE-EXISTING HISTORIC RATING / SURVEY

The subject building is listed in the San Francisco Architectural Heritage Survey with a rating of C, the 1976 Architectural Survey with a rating of 0, the Un-reinforced Masonry Building Survey with a rating of Priority II, and the Van Ness Avenue Area as non-contributing. The property was also recently evaluated by William Kostura for the Van Ness Auto Row Support Structures survey and determined to be not eligible for listing on the California Register of Historic Places. (The survey is scheduled for adoption by the Historic Preservation Commission July 21, 2010.) Currently, the building is considered a "Category B" (Properties Requiring Further Consultation and Review) property for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures.

PROPERTY DESCRIPTION

The subject building is a one-story-over-basement, heavy timber-frame, full-lot brick structure with two street-facing facades designed by Joseph A. Leonard in 1915 and built for Charles Myrick. The primary (north) façade faces Bush Street and is clad in flat stucco. The façade is distinguished by a sculpted Mission Revival-style parapet wall and is divided into three bays. The eastern bay contains a pair of modern storefronts while the two western bays contain non-historic automobile and pedestrian entrances. The façade also displays a non-historic awning and bracket sign. The historic stucco details, storefronts, and bracket sign evident in the 1960 Tax Assessor's photograph have been removed and the configuration of the masonry openings has been altered. The Fern Street (south) façade is clad in painted brick and is utilitarian in its design. It displays a plain gabled parapet and contains two automobile entrances with non-historic garage doors. The majority of the historic window openings on this façade have been infilled with concrete block.

HISTORIC DISTRICT / NEIGHBORHOOD CONTEXT

1433 Bush Street is located on the south side of the street between Van Ness Avenue and Polk Street. The building is within a RC-4 (Residential-Commercial, High Density) District and a 130-V Height and Bulk District. The building is also located within the Van Ness and Automobile Special Use Districts and borders a Neighborhood Commercial District to the east. The area is characterized by large commercial structures located along Van Ness Avenue with smaller commercial and residential buildings located on the side streets and Turk Street. The immediate vicinity is dominated by historically auto-related buildings. Building styles and ornamentation are in a variety of architectural types from commercial Renaissance Revival, Edwardian, Art Deco/eclectic, post-war Modern, and contemporary.

The immediate neighborhood contains a high concentration of buildings that were a part of San Francisco's "Auto Row", which was located along Van Ness Avenue and extended onto the side streets. Van Ness Avenue developed into auto row after the 1906 earthquake and eventually grew to encompass approximately 13 blocks, from Turk Street on the south to Jackson Street on the north. Development followed the typical pattern for auto uses, with the large showroom buildings along Van Ness Avenue (especially on prominent corner sites) and smaller one-to-two-story garages, auto body fabricators and part shops located along the mid-block or on the intersecting streets. Many of the blocks along Van Ness Avenue from the Civic Center to Pine Street are bisected into smaller blocks by a series of intersecting alleys, which allowed building showrooms to have two frontages: one façade serving as the primary, or 'front', and another as the 'rear' or service.

While the auto use began to cluster on Van Ness Avenue shortly after the 1906 earthquake and fire, the development continued through the 1920's and the area remained a central hub of automobile use through the 1970's. As a result of this development, there is considerable harmony among the buildings throughout the area, both in building type (automobile uses broken into showroom and ancillary uses) and in building style. Most building details are intact; while there have been some alterations to buildings, the majority still possesses the basic form and architectural detailing associated with their style from when they were originally constructed. There are several San Francisco Landmarks along Van Ness Avenue, (1000 Van Ness Avenue, Landmark #152), as well as National Register Landmarks (1699 Van Ness Avenue) that are significant based on their association with the automotive industry in this area. Further, the Van Ness Area Plan calls out 33 buildings along Van Ness Avenue and side streets as being individually significant, and lists approximately 88 buildings in the area that are contributors to the significance of this area based on their significance with the automobile industry.

The building at 1433 Bush Street, while constructed during the period of significance for Auto Row and included in the Van Ness Area survey, was not listed as individually significant or as a contributor to the significance of the area in the Van Ness Area Plan published in 1986. Nor is the building identified as an individual resource or a contributing resource to a potential historic district in the latest Van Ness Auto Row survey conducted by Kostura. Kostura found only two buildings on the subject block to be historic resources eligible for listing on the California Register - 1441 Bush Street and 1455 Bush Street – and these buildings were found to be individual resources. The only potential historic district identified by Kostura

¹ See attached DPR form.

<i>5</i> ti	eet. ²					
1.	California Register Criteria of Significance: Note, a building may be an historical resource if it meets any of the California Register criteria listed below. If more information is needed to make such a determination please specify what information is needed. (This determination for California Register Eligibility is made based on existing data and research provided to the Planning Department by the above named preparer / consultant and other parties. Key pages of report and a photograph of the subject building are attached.)					
	Event: or Persons: or Architecture: or Information Potential: District or Context: If Yes; Period of significations	Xes, ma	U	Unable to determine Unable to determine Unable to determine ation recommended. bute to a potential district or significant context		

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Based upon Planning Department records, the *Van Ness Auto Row Support Structures* survey, and the Historic Resource Evaluation Report prepared by Kelley & VerPlanck on June 25, 2007, staff finds that the building at 1433 Bush Street would be eligible for the California Register as an individual and contributory historic resource under Criteria 1 (Event) and 3 (Architecture) if the property retained historic integrity. The property is evaluated below.

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

The property at 1433 Bush Street is associated with the development of the Van Ness Auto Row corridor through its location, construction date, historic use, architectural style, and building type. It appears that if the building retained historic integrity then it would qualify for listing on the Register as an individual resource for its association with this significant period of development in San Francisco, as described above and in the Kostura survey.

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

Research does not indicate that any of the owners or others associated with the building was a historically important person in our local, regional or national past.

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

² Kostura, William. Van Ness Auto Row Support Structures: A Survey of Automobile-Related Buildings along the Van Ness Avenue Corridor. Prepared for the San Francisco Planning Department, 2010. Available for review in the Planning Department's Historic Preservation files.

The property at 1433 Bush Street, if unaltered, would represent the automotive support structure building type from the early Auto Row period of development within San Francisco. However, as described in Section 2, alterations have caused the building to lose historic integrity so that it no longer conveys this historical significance.

Criterion 4: It yields, or may be likely to yield, information important in prehistory or history; The evaluation of Criterion 4 is not within the scope of this evaluation.

District or Context;

The building is located at the eastern boundary of the Van Ness Auto Row area. As described above, this area displays considerable harmony among the buildings throughout the area, both in building type and in building style. However, as found in the recent Kostura survey, the area has also undergone significant change since the period of automobile-related development (approximately 1906-1970) and the many buildings in the area have lost historic integrity. Considering these factors, staff finds that 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 state Register based on its significance under Criterion 1 (Events) and Criterion 3 (Architecture). 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. See *Historic District/Neighborhood Context* above and the *Van Ness Auto Row Support Structures* survey for a description of the district.

i ı	Integrity is the ability of a property to convey its significance. To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register criteria, but it also must have integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects. The subject property has retained or lacks integrity from the period of significance noted above:						
I	Location: Association: Design: Workmanship:	Retains Retains Retains Retains	☐ Lacks ☐ Lacks ☑ Lacks ☑ Lacks	Setting: [Feeling: [Materials: [X Retains Retains Retains	☐ Lacks ☑ Lacks ☑ Lacks	

As noted above, the building at 1433 Bush Street was extensively altered in 1984, subsequent to the 1976 Architectural and 1982 Heritage surveys and prior to the publishing of the 1986 Van Ness Area Plan. In 1984 the original storefront, bulkheads, pilasters, transoms, and 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. The building has, however, retained its historic location, setting, and association, which link the building to the potential Auto Row historic district located along Van Ness Avenue between approximately Jackson and Turk Streets.

In sum, due to the extent of alterations to the historic appearance of the building, the building is not eligible for the California Register either as an individual resource or as a contributor to the potential Auto Row historic district. This finding is consistent with the re-evaluation of the building from "contributing" to "noncontributing" that took place between the 1982 and 1986 Van Ness Area assessments noted in the Heritage survey and in the Van Ness Area Plan as noted above. The Planning Department, therefore, concurs with the findings presented in the Historic Resource Evaluation Report prepared by Kelley & VerPlanck and dated June 25, 2007 and in the *Van Ness Auto Row Support Structures* survey that 1433 Bush Street is not a historical resource.

3.	Determination: Whether the property is an "historical resource" for purposes of CEQA					
	No Resource Present (Go to 6 below.) Historical Resource Present (Continue to 4.)					
4.	If the property appears to be an historical resource, whether the proposed project would materially impair the resource (i.e. alter in an adverse manner those physical characteristics which justify the property's inclusion in any registry to which it belongs).					
	The project will not cause a substantial adverse change in the significance of the resource such that the significance of the resource would be materially impaired. (<i>Continue to 5 if the project is an alteration.</i>)					
	The project is a significant impact as proposed. (Continue to 5 if the project is an alteration.)					
5.	c. Character-defining features of the building to be retained or respected in order to avoid significant adverse effect by the project, presently or cumulatively, as modifications to the project to reduce or avoid impacts. Please recommend conditions of approval that may be desirable to mitigate the project's adverse effects.					
6.	Whether the proposed project may have an adverse effect on off-site historical resources, such as adjacent historic properties.					
	Yes No Unable to determine					
	The proposed project at 1433 Bush Street would not have an adverse impact on any off-site historic resources. In the most recent survey of the area, Kostura found only two historic resources on the subject block - 1441 Bush Street and 1455 Bush Street. 1441 Bush Street is immediately adjacent to the subject property to the west and 1455 Bush Street is located three lots to the west. The project would					

not cause any direct impacts to the character-defining features of either building. Impacts of the proposed demolition and new construction to the historic integrity of these resources would be limited to the change in setting. This impact would be less than significant as the subject block already displays a wide variety of building types, heights, materials, and styles with which the new building will be compatible. Because of this diversity in the immediate context, the new building

would not dramatically change the character of the block or change the buildings' setting such that their historic significance would no longer be conveyed. Similarly, the project would not cause a significant adverse impact to the potential multi-property, non-contiguous historic district identified by Department staff as the project would not directly affect any of the identified resources within the Van Ness corridor or cause a significant change in the setting of this collection of properties.

PRESERVATION COORDINATOR REVIEW

Signature

Sophie Hayward, Acting Preservation Coordinator

cc:

Linda Avery, Recording Secretary, Historic Preservation Commission

Virnaliza Byrd / Historic Resource Impact Review File

SC: G:\DOCUMENTS\Cases\CEQA\HRER\2009.1074E_1433 Bush.doc



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: September 9, 2013

TO: Case File No. 2009.1074E, 1433 Bush Street

FROM: Don Lewis, Environmental Planner

RE: Environmental Review, 1433 Bush Street project

The original project proposal for 1433 Bush Street was analyzed in a Categorical Exemption that was issued on January 27, 2011. The original proposal involved the demolition of an existing 30-foot-tall, one-story-over-basement, commercial building with 25 off-street parking spaces, and the 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 off-street below grade parking spaces. Subsequent to the issuance of the Categorical Exemption, the project sponsor revised their proposal. The current project proposal involves the demolition of the existing commercial building and the construction of a new 115-foot-tall, 65,975-square-foot, ten-story-over-basement, mixed-use building with 32 residential units, 3,140 square feet of ground-floor retail use, and 32 off-street parking spaces.

The revised project differs from that analyzed in the Categorical Exemption in that it would include the addition of 6 residential units, 6 off-street parking spaces, and 940 square feet of retail use. The proposed building was also increased by approximately 5,830 square feet in size and three feet in height. The Department reviewed these project changes and determined that the analyses conducted and the conclusions reached in the 2011 Categorical Exemption remain valid and that no supplemental environmental review is required.

CEQA State Guidelines Section 15332, or Class 32, allows for an exemption of an in-fill development meeting various conditions. The proposed project is an in-fill development that would have no significant adverse environmental effects and would meet all the various conditions prescribed by Class 32. Accordingly, the proposed project is appropriately exempt from CEQA under Section 15332.

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project would not have a significant effect with regard to hazardous materials, visual quality or cultural resources. There are no other unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant environmental effect. The proposed project is an in-fill development that meets the above conditions, and would have no significant environmental effects. In conclusion, the proposed project is appropriately exempt from environmental review.

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377 July 7, 2010

Mr. Antony Joma, Architect P.O. Box 1843 Cupertino, CA 95015

CASE NO.

2009.1074K

ADDRESS:

1433 Bush Street

BLOCK/ LOTS:

0670 / 024

PROJECT SPONSOR: Donald & Catherine D'Ambrosio Family Trust

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

Reception: 415.558.6378

415.558.6409

Fax:

Planning Information: 415.558.6377

Dear Mr. Joma:

The Department has reviewed the proposed project for compliance with Section 295 of the San Francisco Planning Code. Section 295 restricts new shadow, cast by structures exceeding a height of forty feet, upon property under the jurisdiction of the Recreation and Park Commission.

A shadow fan was developed based on the drawings submitted with the application to determine the shadow impact of the project on properties protected by the Sunlight Ordinance. For the purposes of the shadow study, a 130-foot building height was assumed. The fan indicates that there is no shadow impact from the subject property on any property protected by the Ordinance. Therefore, this Department concludes that the proposed project is in compliance with Section 295 of the Planning Code.

Please contact me at (415) 558-6169 or glenn.cabreros@sfgov.org if you have any questions.

Sincerely,

Glenn Cabreros

Planner

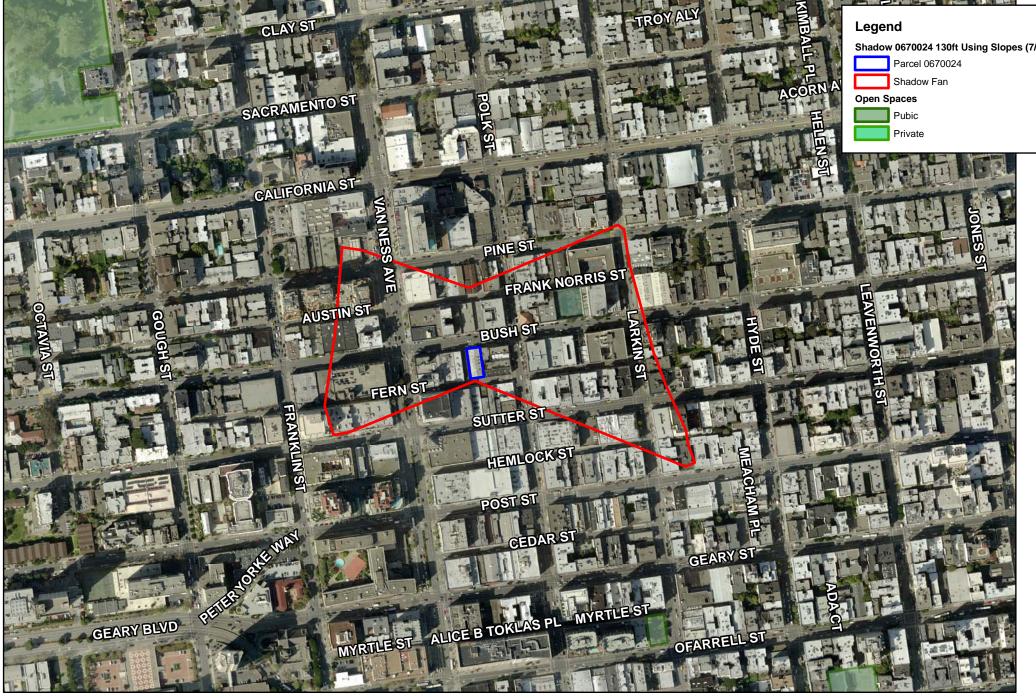
Enclosures

Don Lewis, MEA c:

Donald & Catherine D'Ambrosio Family Trust

GC: G:\Documents\2009\Shadow\2009.1074K - 1433 Bush Street\2009.1074K - 1433 Bush - No Impact Letter.doc

www.sfplanning.org



Title: 2009.1074K - 1433 Bush Street

Comments: Shadow Fan (130 foot structure assumed)

Block 0670 Lot 024

Printed: 7 July, 2010



700

1,050

1,400

350



September 3, 2013

Glenn Cabreros
City of San Francisco
Planning Commission

Dear Glenn,

City Rent-A-Car has operated from 1433 Bush St. for over 13 years. During this time our fleet has ranged on average from 70 to 145 cars. Overall, the summer is our busiest period, while the months between November and February are the slowest. At any time, 80-96 percent of our cars are rented out.

During the construction phase of our new facility, City Rent-A-Car must find a temporary home. We will find a properly-zoned space, hopefully nearby so it can be used as vehicle storage later.

Assuming business as usual, once the new facility is completed, our M.O. would be as follows. The available parking stalls at the rental site would be used for immediate vehicle pick up. We may utilize 10-20 stalls at the nearby Holiday Inn or hopefully, a properly zoned space nearby.

Ultimately, 1433 Bush is where City Rent-A-Car belongs. The location is central and convenient for all of our customers and we benefit the neighborhood in many ways. We give the community easy and affordable access to vehicles, helping to reduce car ownership. We attract tourist and help promote more local business. Most importantly, we occupy space that would otherwise attract more homeless like many vacant commercial spaces in the neighborhood.

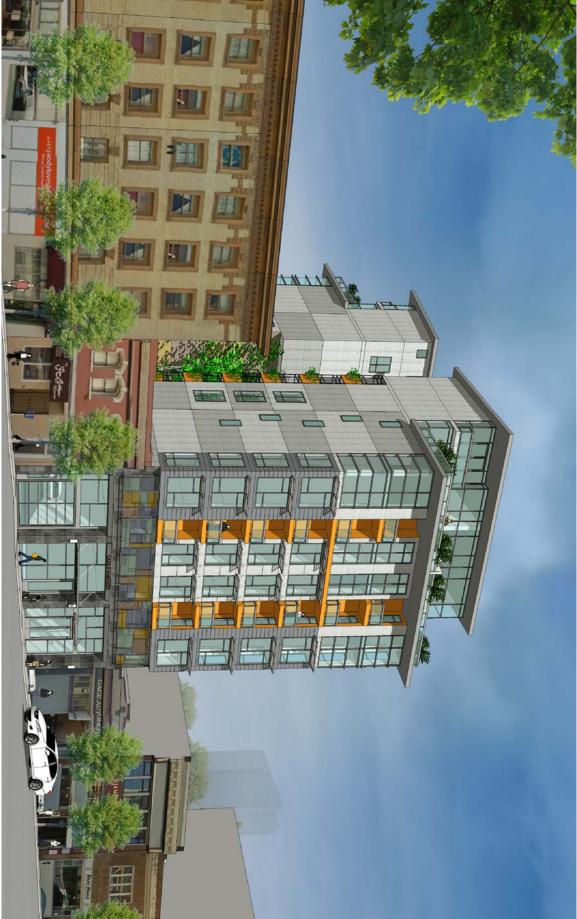
Sincerely,

Joseph Blandino President City Rent-A-Car 415 596-3734 cel

CC. JOMA STUDIO ARCHITECTS, Antony Joma, AIA

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 $_{\rm S}$ STREET $\vee \ - \ \vdash \ \mathbb{W}$

PROJECT DIRECTORY

VICINITY MAP

ARCHITECT: OWNER JOMA STUDIO ARCHITECTS 200 INDUSTRIAL RD, SUITE 150 SAN CARLOS, CA 94070 CITY RENT - A - CAR 1433 BUSH STREET SAN FRANCISCO, CA 94109 (650) 532-8200 (415) 359-1331

CIVIL ENGINEER:

SMP ENGINEERS 1534 CAROB LANE LOS ALTOS, CA 94024

(650) 941-8055

FLOOR AREA:
RESIDENTIAL FLOOR AREA:
COMMERCIAL FLOOR AREA:
TOTAL PARKING AREA:
NON-RESIDENTIAL GROSS
BUILDING FLR. AREA:
MAX. ALLOWABLE BLDG. HEIGHT: 13
PROPOSED MAIN BLDG. HEIGHT: 11
OPEN SPACE REQUIREMENTS: 36
DEDIVIDED: 36

PARKING:
REQUIRED:
TOTAL PARKING PROVIDED: ALLOWABLE DENSITY: PROPOSED # OF UNITS:

15% OF TOTAL UNITS (33 UNITS \times 15% = 5 UNITS OR IN LIEU FEE

PROJECT DATA

LOT AREA:
BASIC FLR AREA (NON-RES.):
MAX. DWELLING UNIT DENSITY:
PROPOSED RESIDENTIAL UNITS: 2009.1074C
670
24
RC-4 (Van Ness Special Use District)
6600 5f. (120 x 55)
46,200 sf. (70 TO 1 N 130' HT. VAN NESS District)
1/ 200 S.F. OF LOT AREA, 6,600 / 200 = 33 UNITS
S: 32 UNITS

33,294 S.F. 3,140 S.F. 8,176 S.F. (EXCLUDING BASEMENT) 19,094 S.F. (INCLUDING 6,600 S.F. BASEMENT) 130' 115'

36 S.F./UNIT 36 S.F./UNIT (MIN.) 1 Unit/200 sf. (6600/200 = 33 UNITS) 32 UNITS

1/UNIT (32 STALLS) OR 1 / 4 UNITS (8 STALLS, IF APPROVED) 26 STALLS (RESIDENTIAL) + 6 STALLS (COMMERCIAL) = 32

PROJECT DESCRIPTION

ENT CITY RENT-ACAR BUSINGS TO REMOVE THE EXISTING ONE SE RESIDENTIAL CONDOMINIUMS AS FLOOR. THE EXISTING BASEMENT CONTINUE TO BE USED AS GING LEVEL IS LOCATED ON THE ETHE RESIDENTIAL UNITS AS WELL.

BE AVAILABLE AT THE REAR OF THE ENT CITY RENT-A-CAR BUSINESS.

THE PROJECT WILL INCORPORATE THIRTY TWO (32) RESIDENTIAL UNITS. MAINLY ONE & TWO BEDROOM. THERE IS A DEDICATED RESIDENTIAL LOBBY ON THE GROUND FLOOR. THE PROPOSED BUILDING WILL CONSIST OF A "U" SHAPE STRUCTURE AND WILL PROVIDE A CONTINUOUS OPEN INTERIOR COURT YARD WHICH TO BE USED AS ADDITIONAL OPEN SPACE FOR THE RESIDENTS. THE COURT YARD SHALL ALSO BE UTILIZED AS UNIT BUTRY & EGRESS FOR THIRD FLOOR RESIDENTS. THE BUILDING IS TEN (10) STORY HIGH BUTT WILL APPEAR EIGHT (8) STORY FROM THE STREET LEVEL SINCE THE TOP TWO FLOORS HAVE TWENTY FEET (20) FROM T& REAR SETBACK, MINIMUM OF 36 S.F. OF BALCONY IS INCORPORATED IN EACH RESIDENTIAL UNIT AS WELL AS STORAGE LOCKERS AND BUKE LOCKERS FOR THE TENANTS IN ADDITION TO THE COMMERCIAL AREA ON THE GROUND FLOOR, THERE IS A PARTIAL MEZZANINE WHICH WILL INCLUDE ADDITIONAL OFFICE SPACE, STORAGE AND TENANT STORAGE LOCKERS.

SHEET INDEX

- TITLE SHEET- PROJECT DATA
 SITE TOPOGRAPHIC SURVEY
 SITE PLAN
 1. PRECEDENTS
 1. PRECEDENTS
 1. PRESENTATION PERSPECTIVE
 2. PRESENTATION PERSPECTIVE
 2. PRESENTATION COLOR ELEVATION NORTH
 4. PRESENTATION COLOR ELEVATION EAST, WEST
 8. BULK STUDY VIEW FROM FOAK STREET
 7. BULK STUDY VIEW FROM FOAK STREET
 7. BULK STUDY WEW FROM FOAK STREET
 8. BULK STUDY BUSH STREET FACADE
 1. COLOR / MATERAL BOARD
 2. GROUND FLOOR PLAN
 3. MEZZANINE FLOOR PLAN
 4. THAT HAU 6TH FLOOR PLAN
 4. PENTHOUSE FRST LEVEL (FLR 9)
 4. PENTHOUSE SECOND LEVEL (FLR 10)
 6. PCAN
 6. BULLDING FRONT 8. SIDE ELEVATIONS
 6. BULLDING FREAR 8. BULLDING SECTION
 6. SUSTAINABILITY STRATEGIES
 6. SUSTAINABILITY STRATEGIES

JOMA STUDIC

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1433

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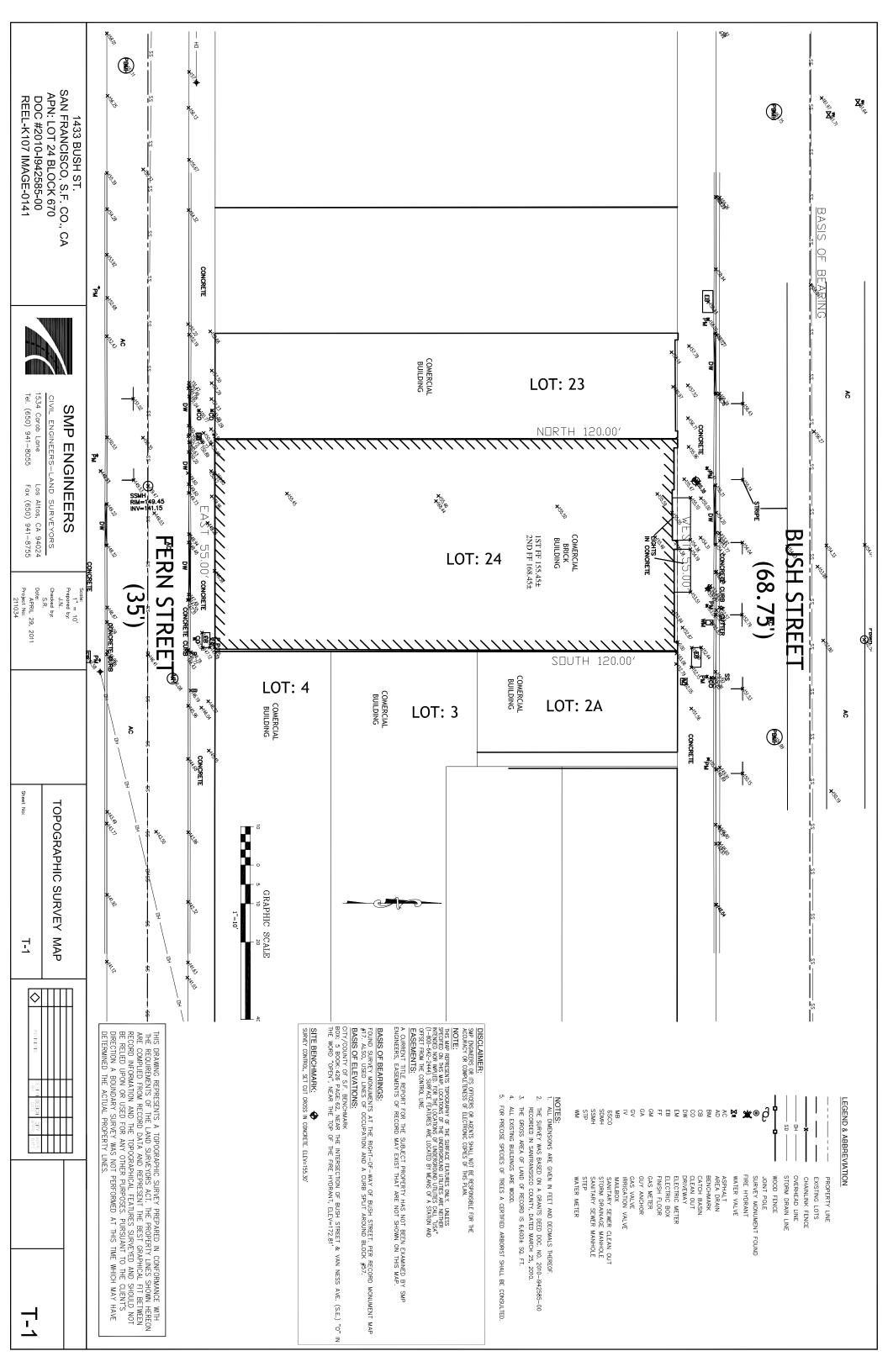
BMR REQUIREMENT:

200 INDUSTRIAL ROAD, SUITE 150 ARCHITECTS

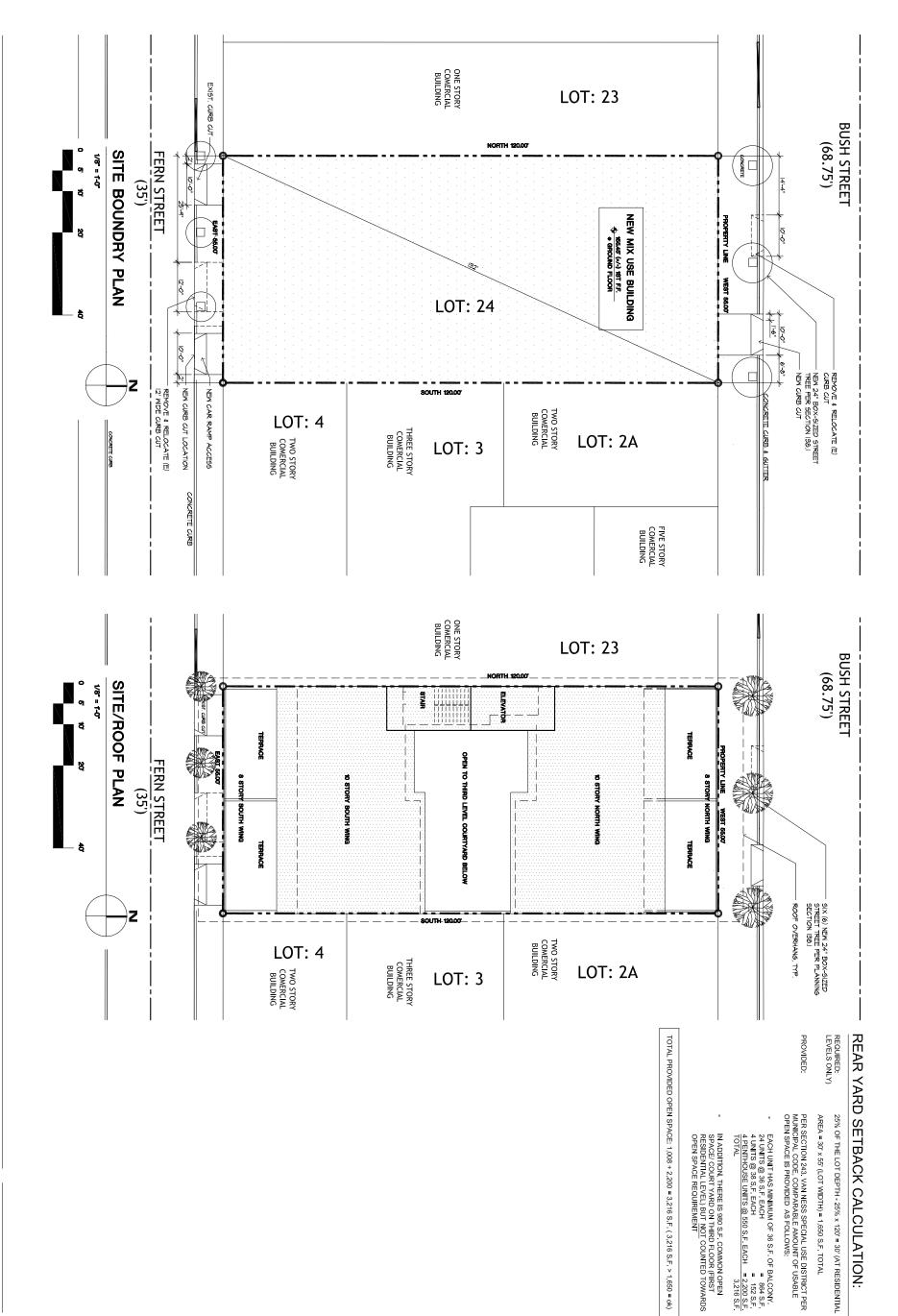
SCALE: AS NOTED PROJECT NO: 0612

SAN CARLOS . CA 94070

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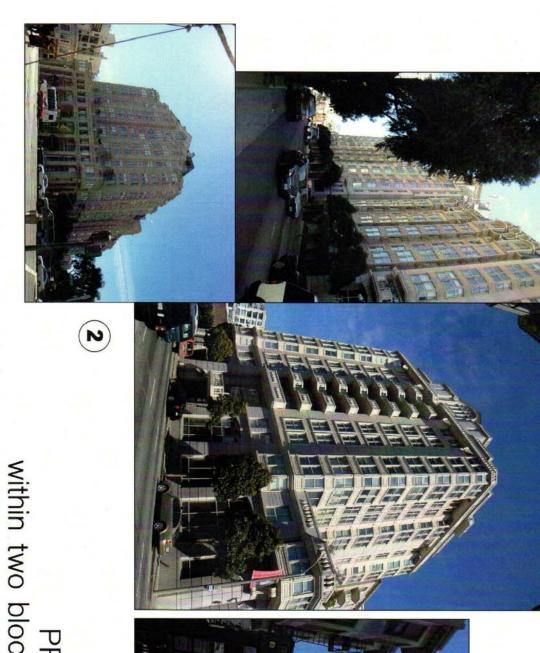


200 INDUSTRIAL ROAD, SUITE 150 JOMA TUDIO SAN CARLOS . CA 94070 ARCHITECTS

PROJECT NO: 0612
SCALE: AS NOTED DATE 06/25/2018

EACH UNIT HAS MINIMUM OF 36 S.F. OF BALCONY.
24 UNITS @ 36 S.F. EACH = 864 S.F.
4 UNITS @ 38 S.F. EACH = 152 S.F.
4 PENTHOUSE UNITS @ 550 S.F. EACH = 2,200 S.F.
TOTAL 3,216 S.F.

IN ADDITION, THERE IS 980 S.F. COMMON OPEN SPACE; COURT YARD ON THIRD FLOOR (FIRST RESIDENTIAL LEVEL) BUT DAT COUNTED TOWARDS OPEN SPACE REQUIREMENT



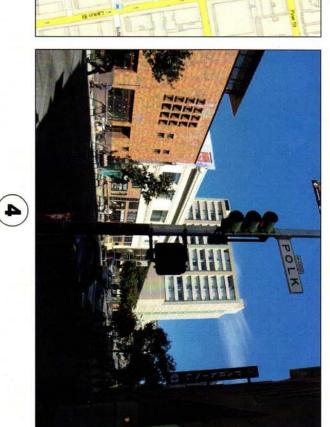


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200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070 ARCHITECTS

Date: 09/05/2013



STREET PERSPECTIVE BUSH

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





BUSH STREET PERSPECTIVE 2

CASA D'AMBROSIO 1433 BUSH STREET & SAN FRANCISCO & CA





BUSH

STREET

ELEVATION

C ASA D'A MBROSIO

1433 BUSH STREET . SAN FRANCISCO . CA



A R C H | T E C T S _____ Date: 09/05/2013



FERN

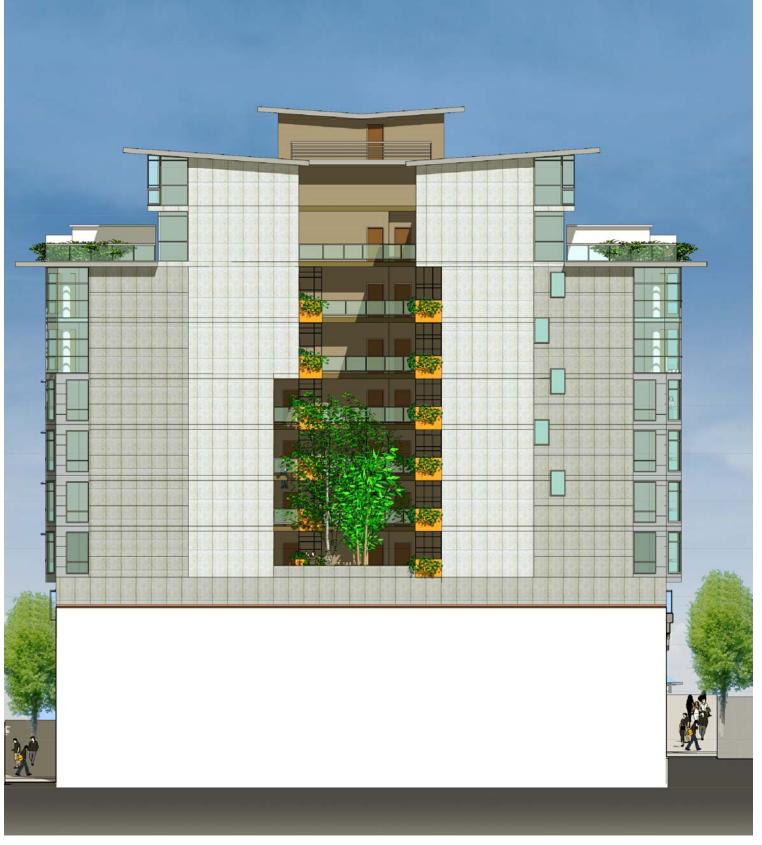
STREET

ELEVATION

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







W E S T E L E V A T I O N E A S T E L E V A T I O N

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





BULK STUDY - VIEW FROM FRANKLIN STREET

CASA D'AMBROSIO

1433 BUSH STREET = SAN FRANCISCO = CA

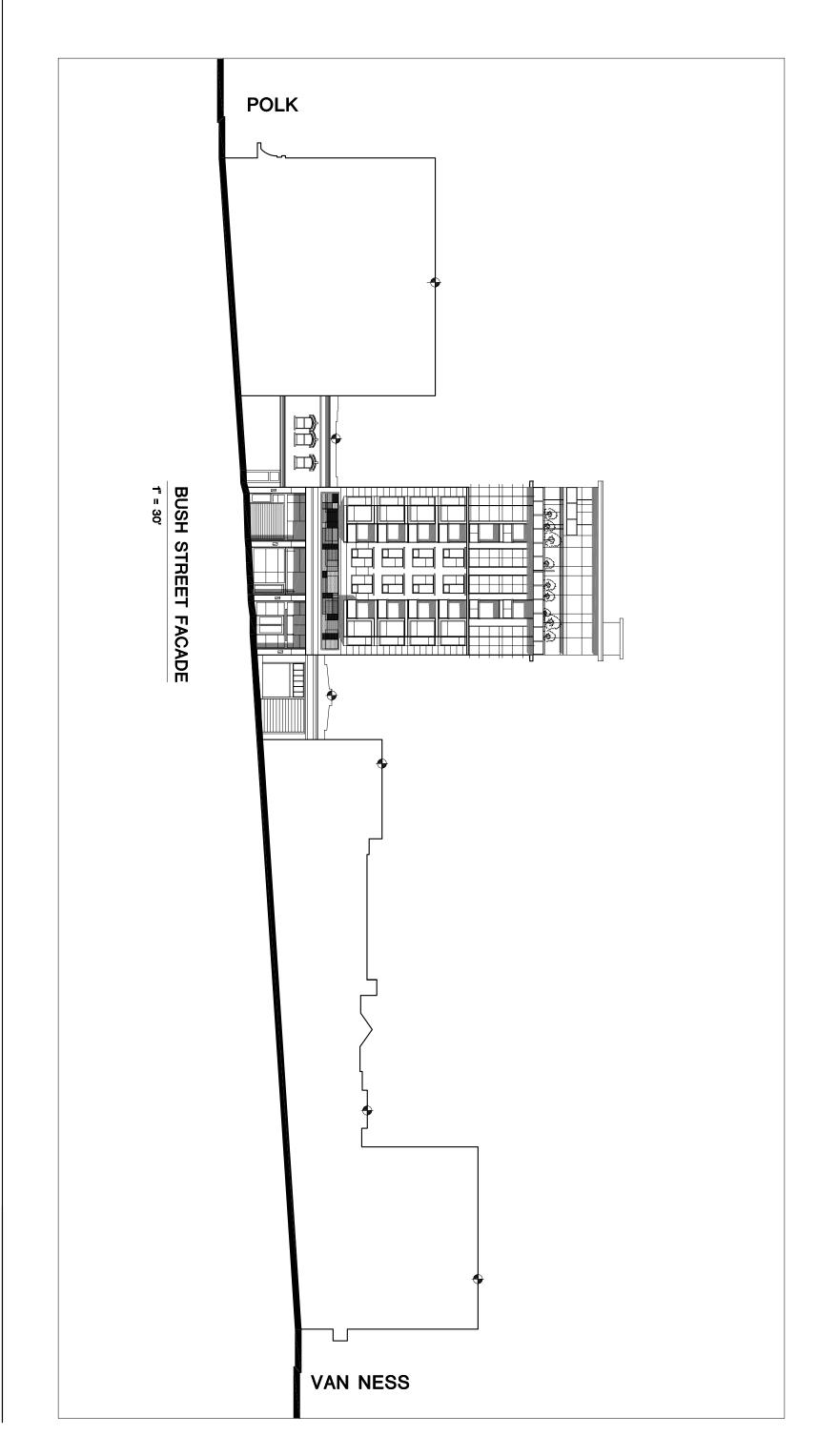


OMA STUDIO ARCHITECTS Date: 09/05/2013

200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070



BULK STUDY - VIEW FROM POLK STREET



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SUSTAINABLE FIBER CEMENT SIDING

TEMPERED GLASS GUARD RAIL (Similar)



METAL SUNSHADE





2 ALUMINUM CURTAIN WALL SYSTEM AND TINTED GLAZING











6 METAL SUNSHADE - (Similar)



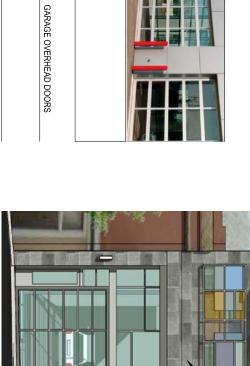
ACID ETCHED GFRC PANEL

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SAND BLASTED GFRC PANEL









CASA

1433 BUSH STREET Q S A N A M B FRANCISCO IJ 0 ഗ 0 C A 94109

SHERWIN-WILLIAMS EXTERIOR PAINT - 6893

METAL SCREEN - MULTI COLOR PERFORATED STEEL MESH

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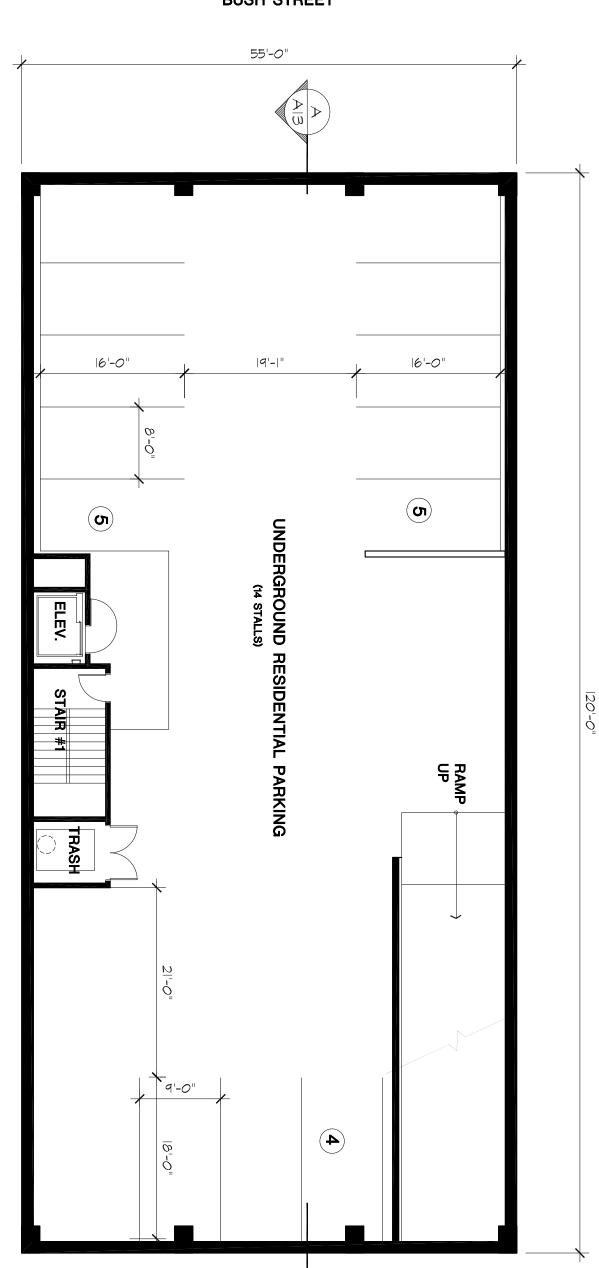
COLOR / MATERIAL BOARD

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

PROJECT NO: 0612 DATE: 06/25/2015
SCALE: AS NOTED

CB

BUSH STREET



FERN STREET

CASA D'AMBROSIO

1433

BUSH

STREET

S A N

FRANCISCO

С А 3/32"=1'-0"

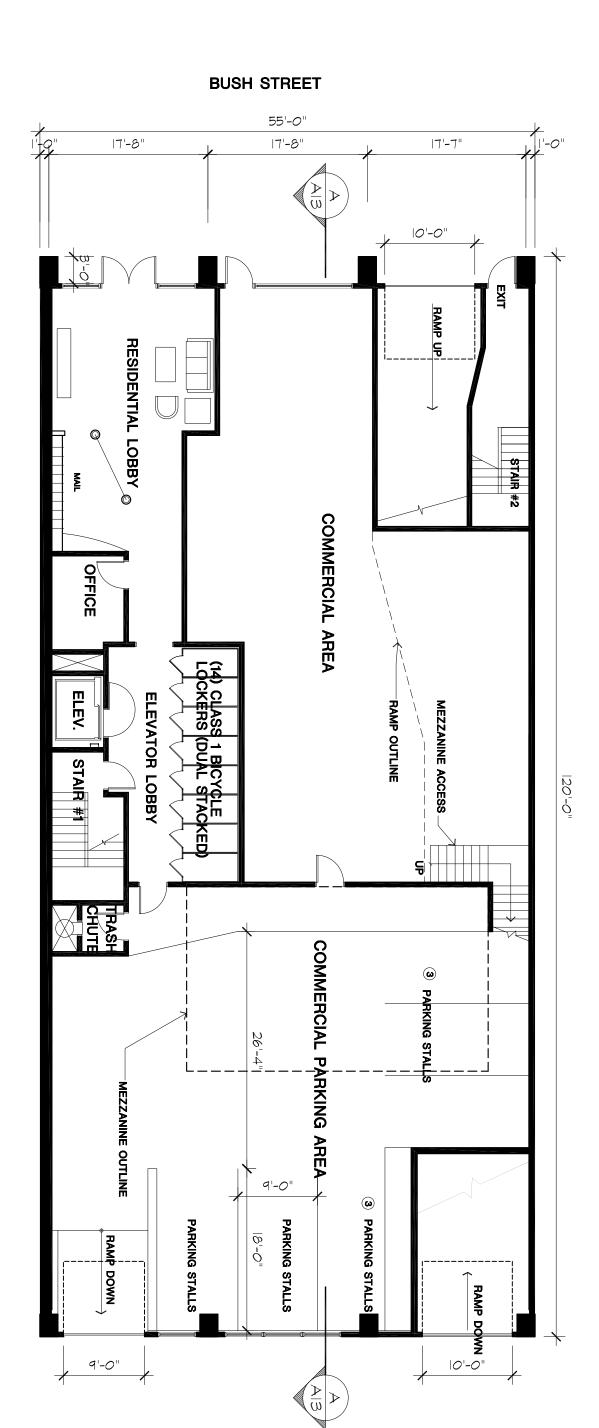
UNDERGROUND PARKING (EXIST. BASEMENT LEVEL)

Z

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

Date: 09/05/2013

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FERN STREET

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

GROUND FLOOR PLAN

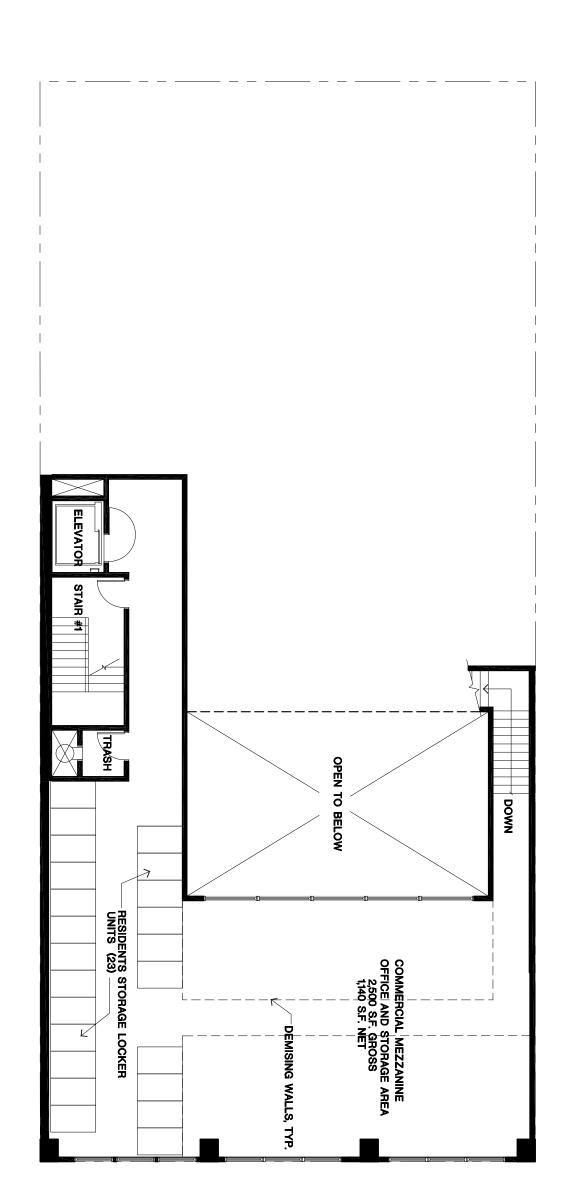
Z

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Date: 09/05/2013

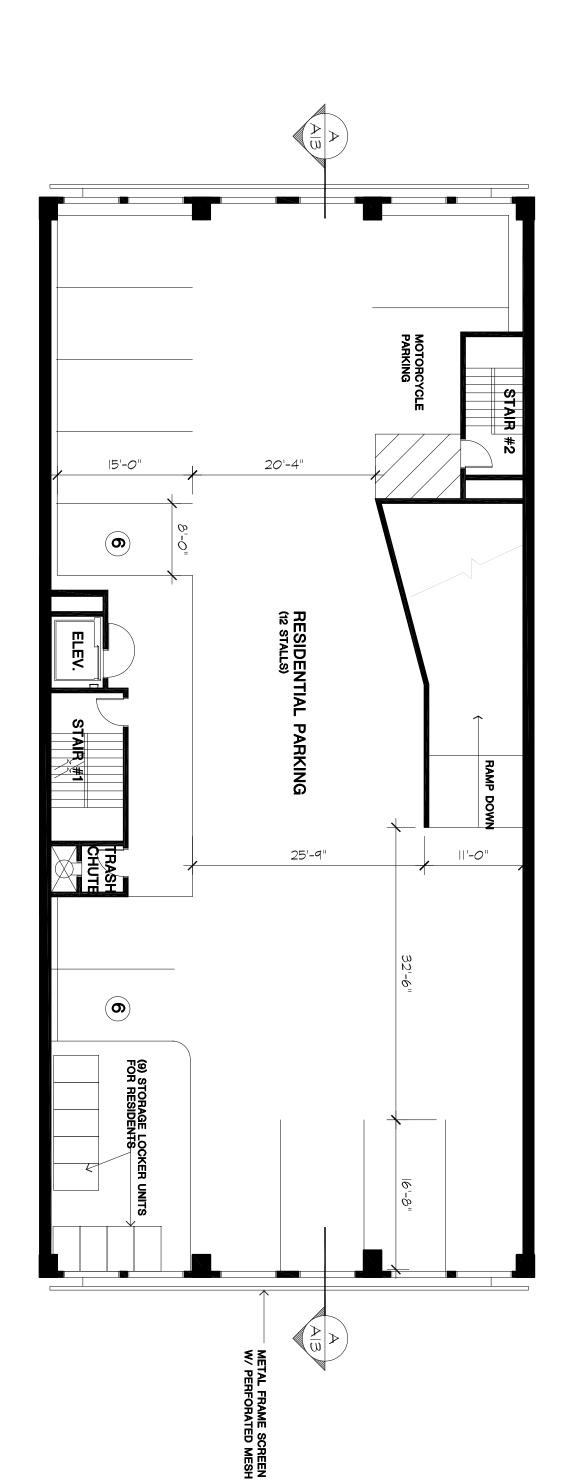
MEZZANINE FLOOR PLAN
3/32"=1'-0"

Z



FERN STREET





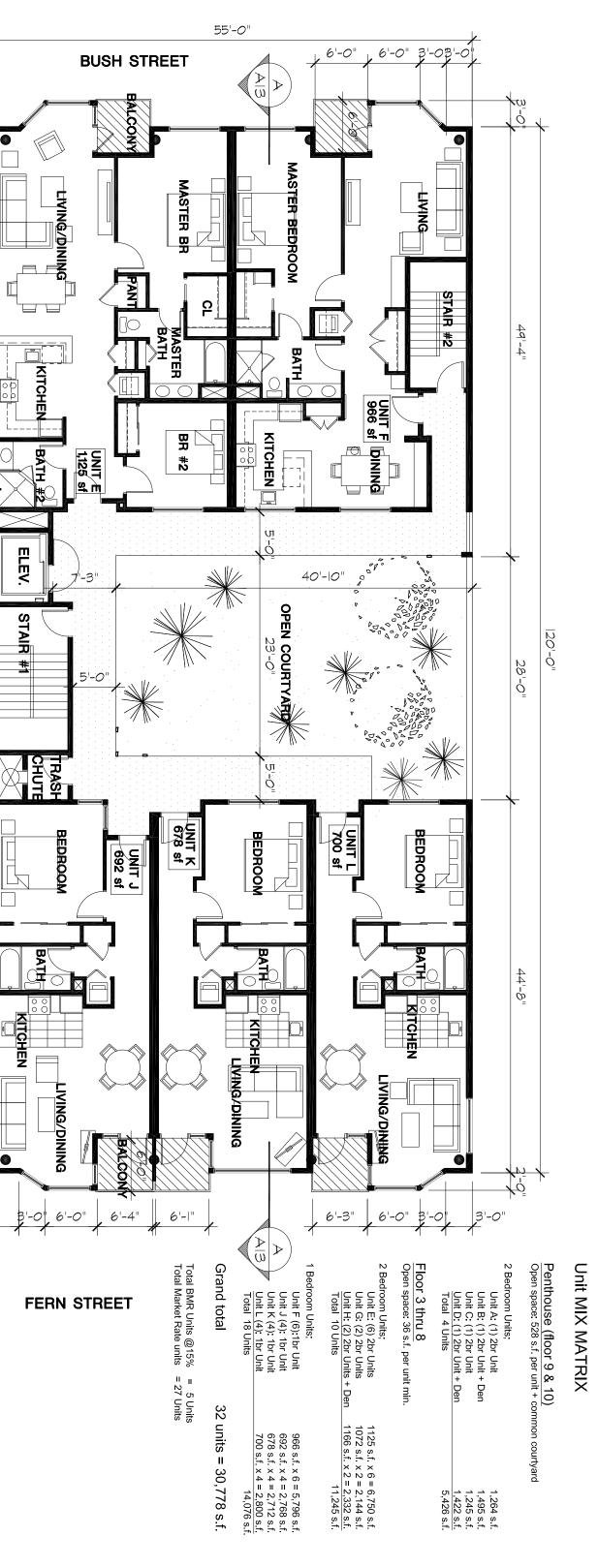






Date: 09/05/2013

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CASA D'AMBROSIO

THIRD FLOOR PLAN (FIRST

RESIDENTIAL FLOOR PLAN)

Z

3/32"=1'-0"

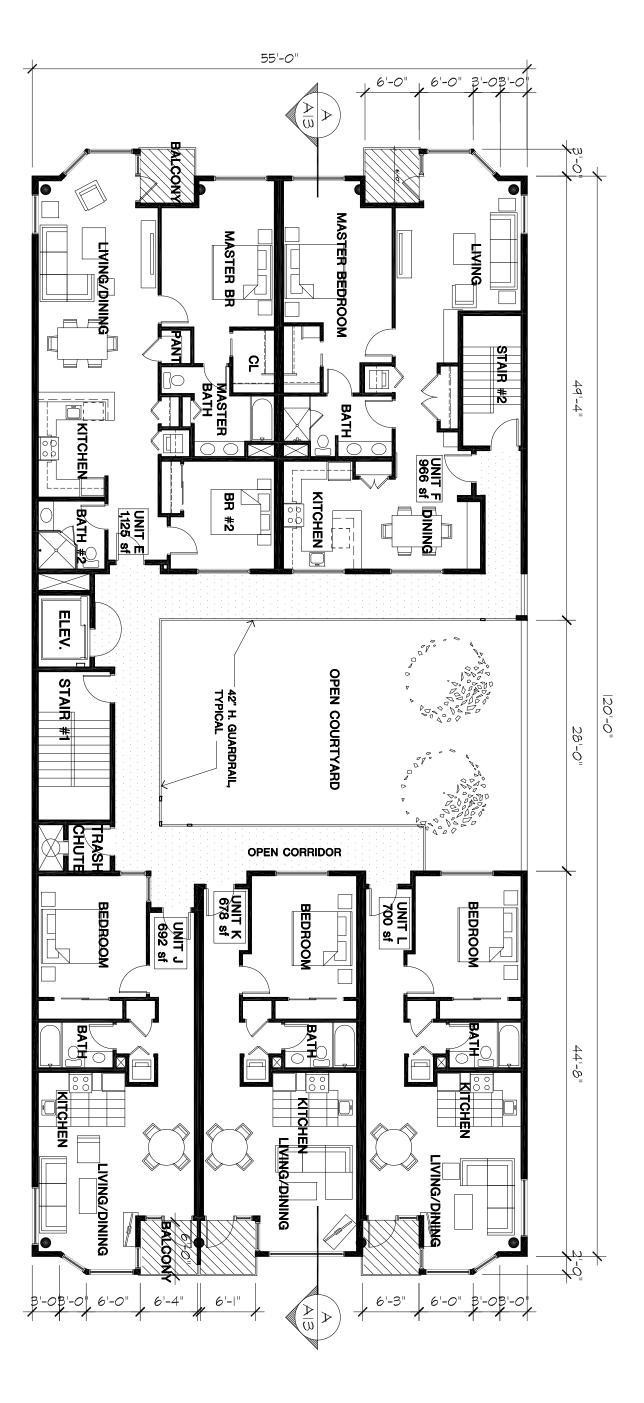
1433 BUSH STREET . SAN FRANCISCO . C



A5

Date:

09/05/2013



\triangleright Z W 刀 S

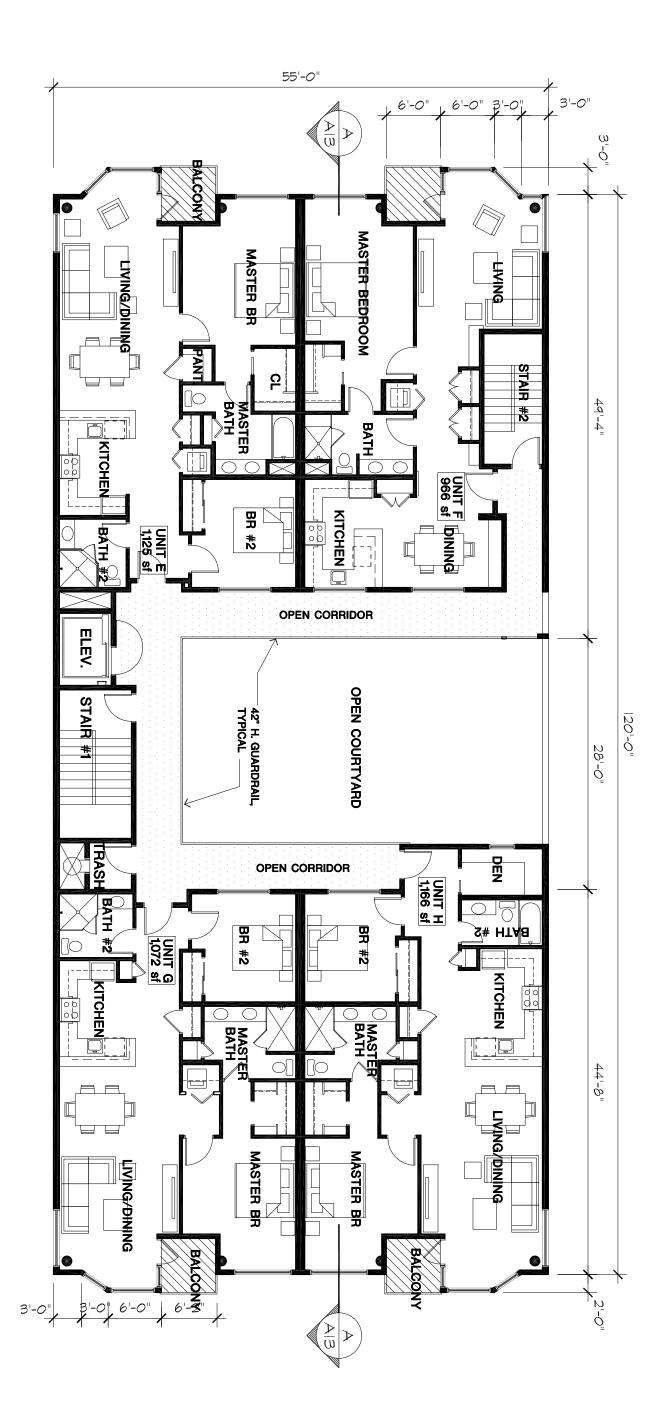
FORTH, FIFTH & SIXTH FLOOR PLAN

Z

3/32"=1'-0"

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Date: 09/05/2013



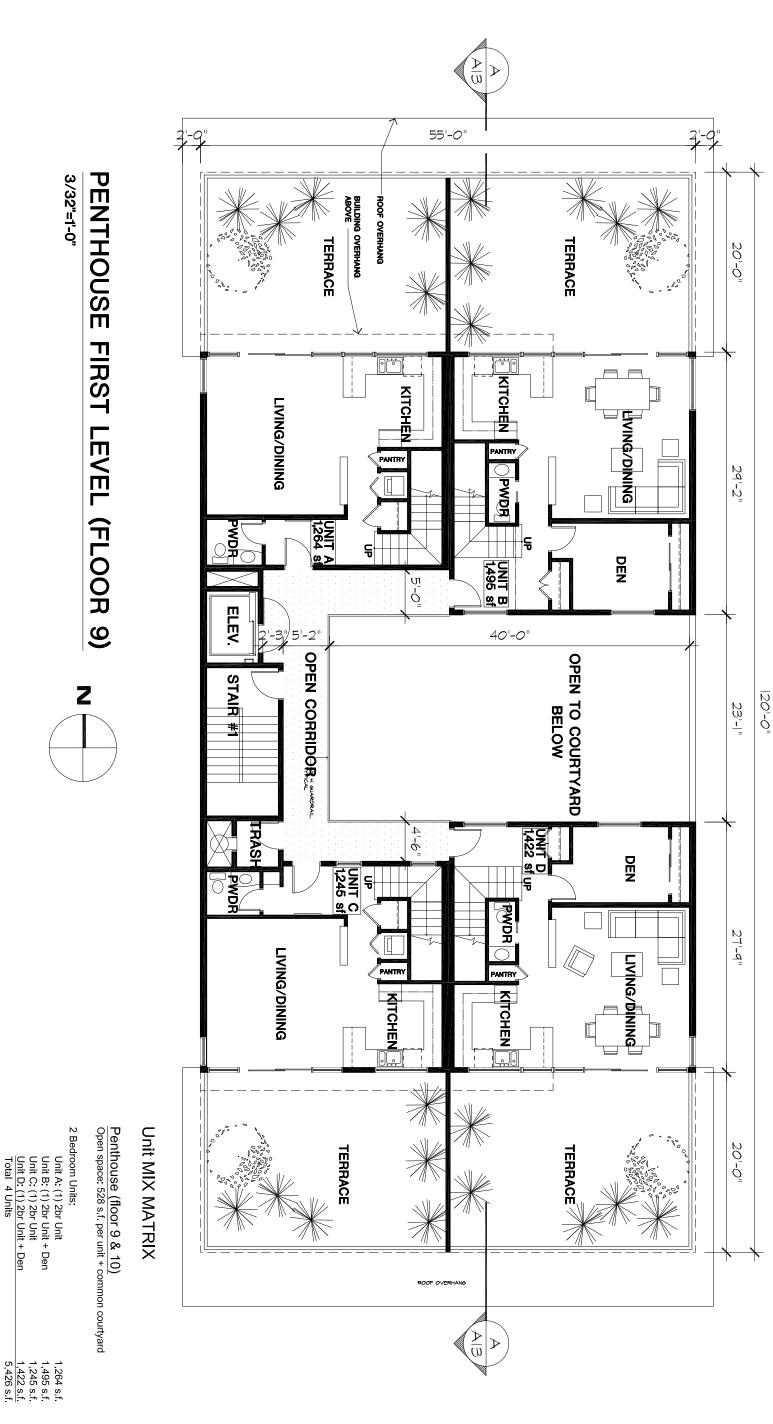
\triangleright W 刀 S

3/32"=1'-0"

7th & 8th FLOOR PLAN

Z

Date: 09/05/2013



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200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070

ARCHITECTS

Date: 09/05/2013

1,264 s.f. 1,495 s.f. 1,245 s.f. 1,422 s.f. 5,426 s.f.

 $\left(\sqrt{\frac{\omega}{w}} \right)$

MASTER BR

BR #2

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BATH

MATH O O

BR #2

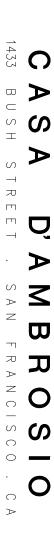
MASTER BR

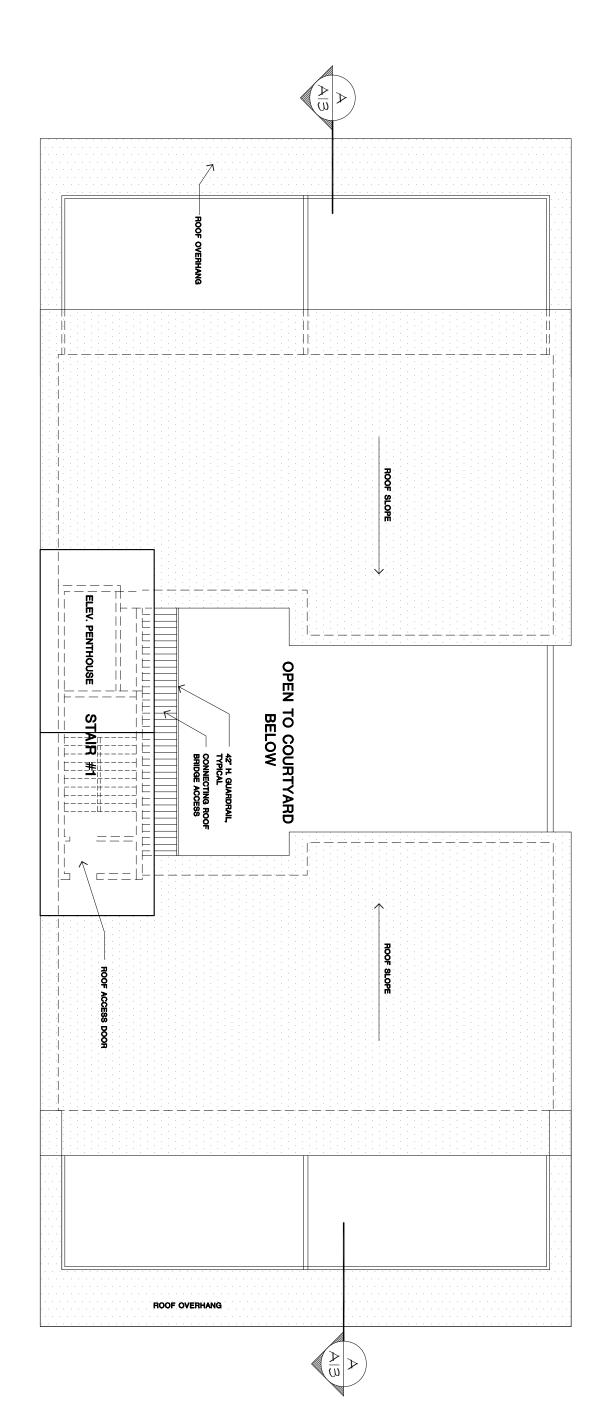
PENTHOUSE SECOND LEVEL (FLR 10) 3/32"=1'-0"

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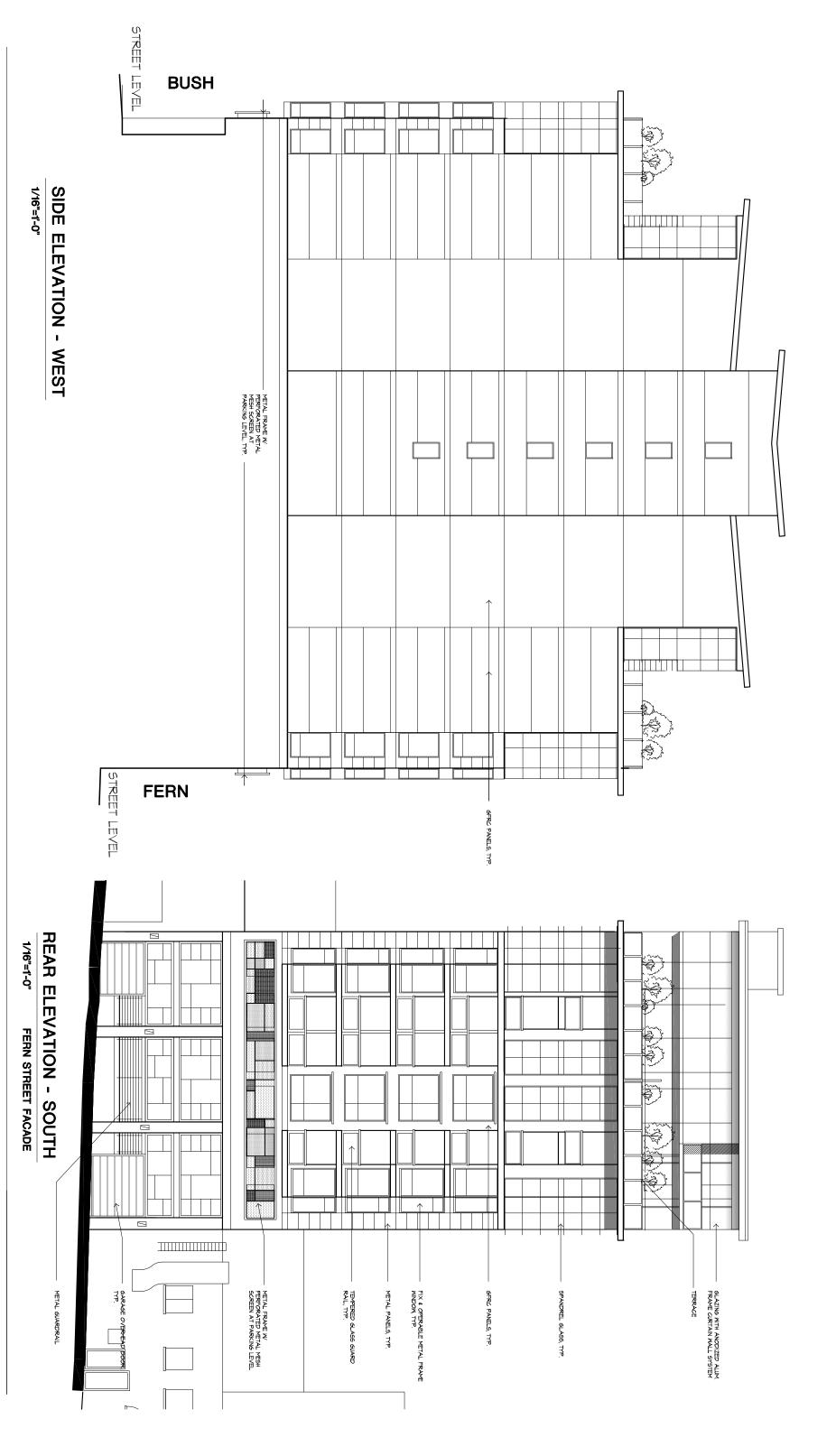






JOMA STUDIO ARCHITECTS 200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070

Date: 09/05/2013 **Δ10**



CASA D'AMBROSIO

1433

BUSH

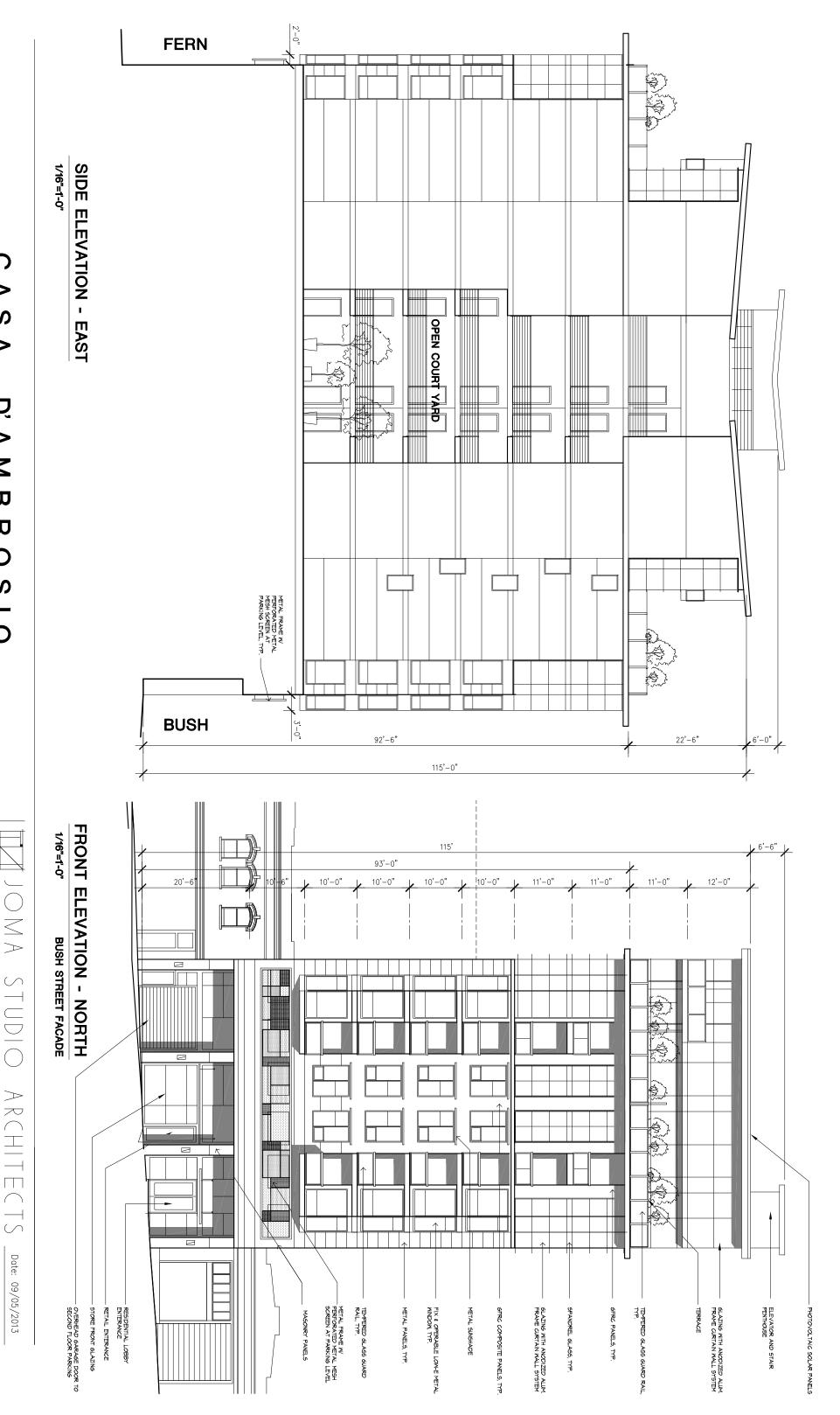
STREET

FRANCISCO

О А

200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070

Date: 09/05/2013



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1433

B U S H

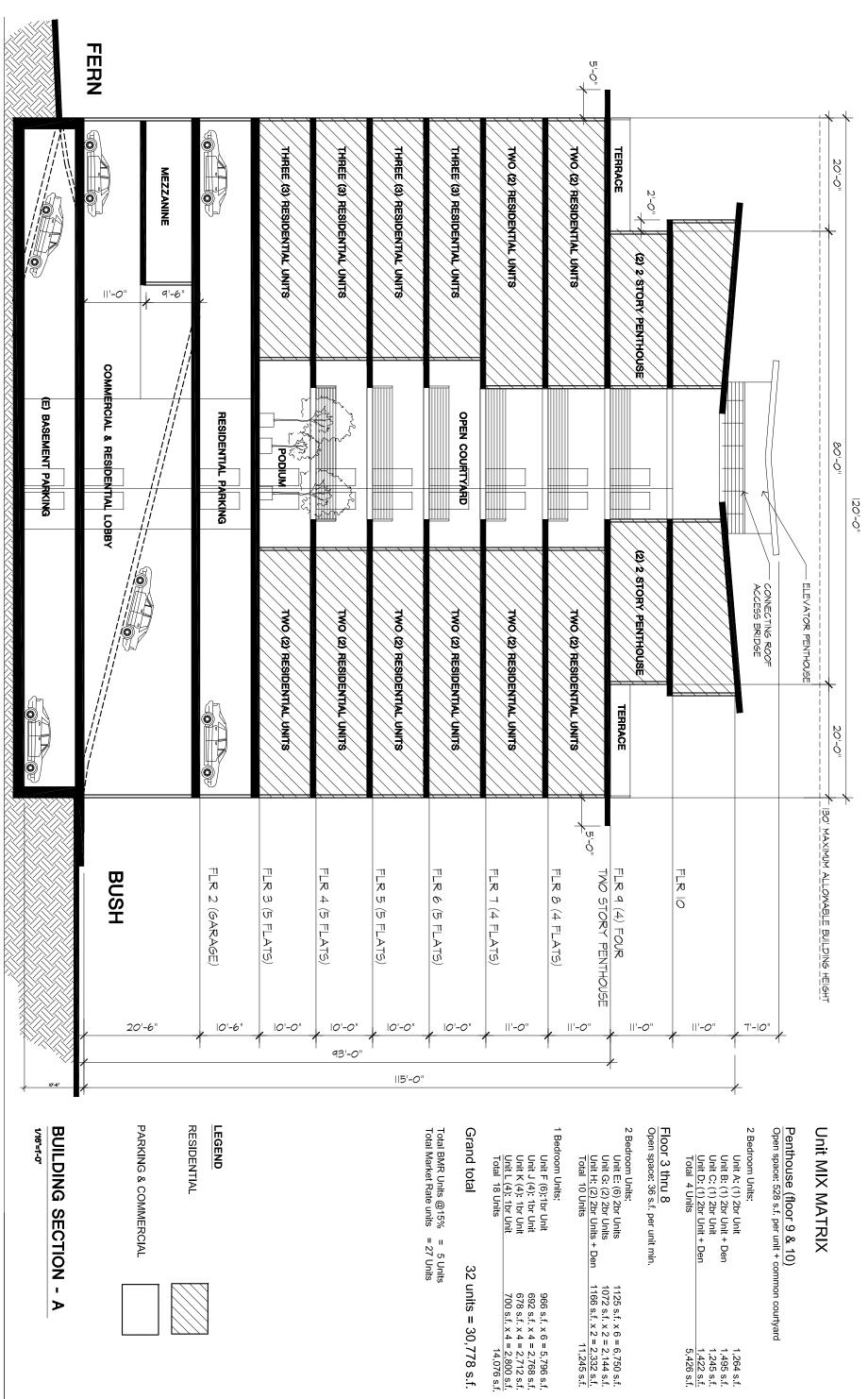
STREE

FRANCISCO

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200 INDUSTRIAL ROAD, SUITE 150 • SAN CARLOS, CALIFORNIA 94070

A11



1,264 s.f. 1,495 s.f. 1,245 s.f. 1,422 s.f. 5,426 s.f.

200 INDUSTRIAL ROAD, SUITE A R C

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STREET

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Date: 09/05/2013

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150 - SAN CARLOS, CALIFORNIA 94070

CASA D'AMBROSIO

1433

B U S H

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FRANCISCO

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

Date: 09/05/2013 **A14**