

SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: JANUARY 28, 2016

Date:	January 21, 2016
Case No.:	2014-002228CUA
Project Address:	636 Octavia Street
Zoning:	Hayes-Gough NCT (Neighborhood Commercial Transit)
	40-X Height and Bulk District
Block/Lot:	0793/021
Project Sponsor:	282 Lily Street
	San Francisco, CA 94102
Staff Contact:	Carly Grob – (415) 575-9138
	Carly.grob@sfgov.org.
Recommendation:	Approval with Conditions

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

Reception: 415.558.6378

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Planning Information: 415.558.6377

PROJECT DESCRIPTION

The project sponsor proposes to remove the garage at the ground floor of the subject property and to establish a 1,185 square foot Business and Professinal Service use, doing business as Wilson Properties.

SITE DESCRIPTION AND PRESENT USE

The subject property is located on the east side of Octavia Street, between Fulton and Grove Street, Block 0793, Lot 021, within the Hayes-Gough Neighborhood Commercial Transit District ("NCT") and the 40-X Height and Bulk District. The subject lot is approximately 100 feet deep by 25 feet wide, and is currently developed with a three-story over garage residential building. There are nine dwelling units on the site, including six studio units and three one-bedroom units. The ground floor is currently a garage with room for four off-street parking spaces, as well as storage, mechanical, and laundry.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located within the northernmost boundary of the Hayes-Gough NCT, and is within one block of the Residential Transit-Oriented District, and the Moderate-Scaled Neighborhood Commercial Transit District (NCT-3). The immediate vicinity is primarily comprised of two- to five-story residential and mixed use buildings, and serves as the transition from the heart of Hayes Valley, which is defined by neighborhood-serving restaurants, retail, and services at the ground floor, to the primarily residential uses within the Western Addition to the northwest. Civic Center is two blocks to the east of the project site, and the Margaret Hayward Playground is two blocks to the north. The project site is located within the Market-Octavia Plan Area, as well as the Hayes Valley Residential Historic District.

Executive Summary Hearing Date: January 28, 2016

ENVIRONMENTAL REVIEW

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

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	January 8, 2016	January 6, 2016	22 days
Posted Notice	20 days	January 8, 2016	January 6, 2016	22 days
Mailed Notice	20 days	January 8, 2016	January 6, 2016	22 days

PUBLIC COMMENT

• To date, the Department has not received any public comment regarding this project.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment of a business and professional service within the Hayes-Gough NCT, pursuant to Planning Code Section 720.53.

BASIS FOR RECOMMENDATION

- The proposed business, Wilson Properties, is a locally owned company which would continue to
 operate with local maintenance vendors, property owners, tenants, and members of the public
 interested in renting or owning housing in one of the 390 units that the company manages.
- The project would eliminate a garage with four off-street parking spaces within a transit-oriented Zoning District, and would encorage residents and employees of the proposed business to utilize alternate means of transportation.
- The proposal would include the installation of a storefront on subject property, which would provide an active use at the ground floor.
- The proposed wooden storefront system is a high-quality material that is consistent with the historic building and with the historic district.
- 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 Photographs Zoning Map Site Photo CEQA Categorical Exemption Checklist Public Correspondence (see also Project Sponsor Submittal) Project Sponsor Submittal, including:

- Plans

-Letter from Mark Wilson of Wilson Properties

-Information about Wilson Properties

ATTACHMENT CHECKLIST

\square	Executive Summary	\square	Project sponsor submittal
\square	Draft Motion		Drawings: Existing Conditions
\square	Environmental Determination		Check for legibility
\square	Zoning District Map		Drawings: Proposed Project
	Height & Bulk Map		Check for legibility
\square	Parcel Map		3-D Renderings (new construction or significant addition)
\square	Sanborn Map		Check for legibility
\square	Aerial Photo		Wireless Telecommunications Materials
	Context Photos		Health Dept. review of RF levels
\square	Site Photos		RF Report
			Community Meeting Notice
			Housing Documents
			Inclusionary Affordable Housing Program: Affidavit for Compliance

Exhibits above marked with an "X" are included in this packet ______C.G. _____

Planner's Initials



Planning Commission Draft Motion

HEARING DATE: JANUARY 28, 2016

Date: Case No.: Project Address:	January 21, 2016 2014-002228CUA 636 Octavia Street
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Zoning.	40-X Height and Bulk District
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 720.53 OF THE PLANNING CODE TO ALLOW A BUSINESS AND PROFESSIONAL SERVICE (D.B.A. WILSON PROPERTIES) WITHIN THE HAYES-GOUGH NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On November 2, 2014 Donna Schumacher (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section 720.53 to allow a business and professional service (d.b.a. Wilson Properties) within the Hayes-Gough NCT (Neighborhood Commercial Transit) District and a 40-X Height and Bulk District.

On January 28, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014-002228CUA.

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

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2014-002228CUA, 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 subject property is located on the east side of Octavia Street, between Fulton and Grove Street, Block 0793, Lot 021, within the Hayes-Gough Neighborhood Commercial Transit District ("NCT") and the 40-X Height and Bulk District. The subject lot is approximately 100 feet deep by 25 feet wide, and is currently developed with a three-story over garage residential building. There are nine dwelling units on the site, including six studio units and three one-bedroom units. The ground floor is currently a garage with room for four off-street parking spaces, as well as storage, mechanical, and laundry.
- 3. **Surrounding Properties and Neighborhood.** The project site is located within the northernmost boundary of the Hayes-Gough NCT, and is within one block of the Residential Transit-Oriented District, and the Moderate-Scaled Neighborhood Commercial Transit District (NCT-3). The immediate vicinity is primarily comprised of two- to five-story residential and mixed use buildings, and serves as the transition from the heart of Hayes Valley, which is defined by neighborhood-serving restaurants, retail, and services at the ground floor, to the primarily residential uses within the Western Addition to the northwest. Civic Center is two blocks to the east of the project site, and the Margaret Hayward Playground is two blocks to the north. The project site is located within the Market-Octavia Plan Area, as well as the Hayes Valley Residential Historic District.
- 4. **Project Description.** The project sponsor proposes to remove garage at the ground floor of the subject property and to establish a 1,185 square foot Business and Professional Service use, doing business as Wilson Properties.
- 5. **Public Comment**. To date, the Department has not received any public comment regarding this 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. **Business and Professional Service.** Planning Code Section 720.53 states that a Conditional Use Authorization is required to establish a Business and Professional Service within the Hayes Gough-NCT. Business and Professional Service is defined in Planning Code Section 790.108 as a retail use which provides to the general public, general business or professional services, including but not limited to, architectural, management, clerical, accounting, legal, consulting, insurance, real estate brokerage, and travel services. It also includes business offices of building, plumbing, electrical, painting, roofing, furnace or pest control contractors, if no storage of equipment or items for wholesale use are located on-site. It may provide

services to the business community, provided that it also provides services to the general public.

Wilson Properties is a full service property management, leasing and sales company. The company is locally owned, and currently manages 390 units in 40 buildings across San Francisco. Eight staff members are currently employed at Wilson Properties, including two owners, two property managers, two maintenance personnel, and two bookkeepers. During a typical day, the office will be visited by potential renters and tenants, repair and maintenance vendors, and clients/property owners. The proposed business will be open to passing pedestrians and members of the public who may be interested in renting or purchasing housing at one of the properties managed by Wilson Properties.

B. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area.

The proposed storefront is compliant with the requirements of Planning Code Section 145.1. The proposed business and professional use would extend the length of the existing building, or approximately 83 feet, 9 inches, and the proposed wood storefront system is fenestrated with transparent windows which exceed 60% of the street frontage.

C. **Parking.** Per Planning Code Section 151, no off-street parking is required for residential or commercial uses.

The project removes all four of the existing off-street parking spaces from the site. No parking is required for the existing residential uses or for the proposed business and professional service use. The proposal does not remove any required accessory off-street parking.

D. Usable Open Space – Residential. Planning Code Section 720.93 states that 80 square feet of common usable open space is required per dwelling unit in the Hayes-Gough NCT. Per Section 135(g), common usable open space must be at least 15 feet in every horizontal dimension, and must be at least 300 square feet in area.

There are nine units on the subject property, so 720 square feet of common usable open space is required. There is a current deficit of usable open space, as there is approximately 406 square feet of usable open space located within the rear yard setback. The existing open space exceeds the minimum required dimensions, as it is 16 feet 3 inches deep and 25 feet wide. This open space would remain available to residents of the existing building. Additionally, the project would include the installation of a 500 square foot roof deck, measuring 20 feet by 25 feet. The project would result in 906 square feet

of usable open space, which brings the property into compliance with the Usable Open Space requirements of the code.

E. **Rear Yard.** Planning Code Section 134(a) states that the minimum rear yard depth shall be equal to 25 percent of the total depth of a lot in which it is situated, but in no case less than 15 feet. Per Planning Code Section 134(e), rear yards are required at the lowest level containing a dwelling unit and at each succeeding story of the building.

The existing rear yard setback is 16 feet, 3 inches in depth and begins at grade level. Because the existing rear yard is not 25 percent of the lot depth, then it is considered nonconforming. The conversion of the ground floor to commercial will not increase this nonconformity, as there will be no changes to the existing setback at both the ground floor and the residential floors above.

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

The size of the proposed use is in keeping with other storefronts on the block face. The proposed business and professional service use will primarily serve local tenants, maintenance vendors, property managers, and members of the public who are seeking housing. The conversion of a garage to a storefront occupied by a local business creates an active use that is compatible with neighborhood character and is more necessary to the transit-oriented neighborhood than off-street parking.

- 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 façade has been reviewed by a Preservation Planner to ensure that it is consistent with the character of the Hayes Valley Residential Historic District. The entry has been recessed so the door swing will not inhibit pedestrian traffic on the sidewalk. The proposed business and professional service use is 1,185 square feet, which is consistent with the fine-grained retail character in the Zoning District.

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 removal of the garage will improve traffic within the immediate vicinity for both persons and vehicles. The existing parking arrangement often requires that one or more cars is moved when someone wants to use their vehicle, which slows vehicular traffic and creates an unsafe situation for pedestrians and cyclists.

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

The proposed use as a property management company will operate during normal business hours, and will not create any noxious or offensive emissions. The reduction of parking reduces the noxious emissions from private vehicles.

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

The proposal includes the addition of a roof deck, which adds usable open space for existing residents. No landscaping, parking, loading, or service areas are proposed. Any proposed signage will be reviewed by a Preservation Planner prior to approval.

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

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

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

The Hayes-Gough NCT is mixed-use in character, with commercial uses permitted at the first and second stories with housing above. Given the area's central location and accessibility to downtown and the City's transit network, accessory parking for residential uses is not required. The removal of a garage to install a business and professional service at the ground floor is consistent with the purpose of the Hayes-Gough NCT, as it encourages the use of transit over private vehicles while adding active frontage at the street level.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

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 1.3:

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

The proposed development creates an active ground floor use and removes a garage, which has negative consequences for pedestrian, bicycle, and automotive traffic. The proposed storefront is in keeping with the character of the Neighborhood Commercial District with fine-grained retail.

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 provision of a business and professional use in the Hayes-Gough NCT would diversify the services available within the Zoning District.

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.

Wilson Properties is a locally owned small business which manages 40 buildings in San Francisco.

MARKET OCTAVIA AREA PLAN

Objectives and Policies

OBJECTIVE 1.2:

ENCOURAGE URBAN FORM THAT REINFORCES THE PLAN AREA'S UNIQUE PLACE IN THE CITY'S LARGER URBAN FORM AND STRENGHTENS ITS PHYSICAL FABRIC AND CHARACTER

Policy 1.2.2:

Maximize housing opportunities and encourage high-quality commercial spaces on the ground floor.

The project proposes to replace a garage with a 1,185 square foot wooden storefront at the ground floor, which creates a high-quality space for the proposed business and professional service use and for any potential future users of the space.

OBJECTIVE 5.2:

DEVELOP AND IMPLEMENT PARKING POLICIES FOR AREAS WELL SERVED BY PUBLIC TRANSIT THAT ENCOURAGE TRAVEL BY PUBLIC TRANSIT AND ALTERNATIVE TRANSPORTATION MODES AND REDUCE TRAFFIC CONGESTION.

Policy 5.2.3:

Minimize the negative impacts of parking on neighborhood quality.

Policy 5.2.4:

Support the choice to live without a car.

OBJECTIVE 5.2:

ELIMINATE OR REDUCE THE NEGATIVE IMPACT OF PARKING ON THE PHYSICAL CHARACTER AND QUALITY OF THE NEIGHBORHOOD.

Policy 5.3.1:

Encourage the fronts of buildings to be lined with active uses and, where parking is provided, require that it be setback and screened from the street.

The proposed removal of the garage would eliminate the negative impact of parking on the character and quality of the neighborhood. The installation of a commercial storefront would add an active use to the street frontage along the subject lot.

- 9. **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 would enhance the district by activating the ground floor by replacing a garage with a new storefront. The business would be locally owned and it brings eight current employees to the neighborhood, as well as building owners, potential tenants, and repair and maintenance vendors who frequent the office. Employees of the proposed property management company would patronize other businesses within the area, further enhancing the existing neighborhood-serving retail by expanding their customer base. The office would be open to members of the general public who are seeking housing or business with the property management company.

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

The proposal would enhance the surrounding neighborhood character. The project would remove a garage from the ground floor within a transit-oriented Zoning District, and would provide an active use at the ground floor, which is consistent with the fine-grained retail character of Hayes Valley. The storefront design has been reviewed by Preservation staff to ensure consistency with the existing building and surrounding historic district.

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

No housing is removed for this Project. A 500 square foot roof deck is proposed, which would provide an amenity for existing residents.

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

The removal of four off-street parking spaces would discourage daily use of personal vehicles and encourage residents to use alternate modes of transportation.

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.

Structural improvements will be completed simultaneously with this project, which would greatly improve safety and enhance the integrity of the building during seismic events.

G. That landmarks and historic buildings be preserved.

The modifications to the façade at the ground floor have been reviewed by a Preservation Planner to ensure that the proposed storefront is consistent with the character of the surrounding historic district and will not negatively impact the character-defining features of the existing historic building.

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

The project will have no negative impact on existing parks and open spaces. The project does not include any vertical or horizontal addition to the existing building envelope, and the improvements to the property will not inhibit access to sunlight or vistas.

- 10. 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.
- 11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2014-002228CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 1, 2015, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 28, 2016.

Jonas P. Ionin Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: January 28, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Business and Professional Service (d.b.a. Wilson Properties) located at 636 Octavia Street, Assessor's Lot 021 in Block 0793 pursuant to Planning Code Section(s) 720.53 within the Hayes-Gough NCT District and a 40-X Height and Bulk District; in general conformance with plans, dated September 1, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2014-002228CUA and subject to conditions of approval reviewed and approved by the Commission on January 28, 2016 under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on January 28, 2016 under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

Validity. The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period. *For information about compliance, contact Code Enforcement, Planning Department at* 415-575-6863, <u>www.sf-planning.org</u>

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

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

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

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

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

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

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

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

PROVISIONS

1. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411, the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate

of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

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

2. **Market Octavia Community Improvements Fund.** Pursuant to Planning Code Section 421, the Project Sponsor shall comply with the Market Octavia Community Improvements Fund provisions through payment of an Impact Fee in full to the Treasurer, or the execution of a Waiver Agreement, or an In-Kind agreement approved as described per Planning Code Section 421 (formerly 326) prior to the issuance by Department of Building Inspection of the construction document for the development project.

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

MONITORING

- 3. 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*
- 4. **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, <u>www.sf-planning.org</u>

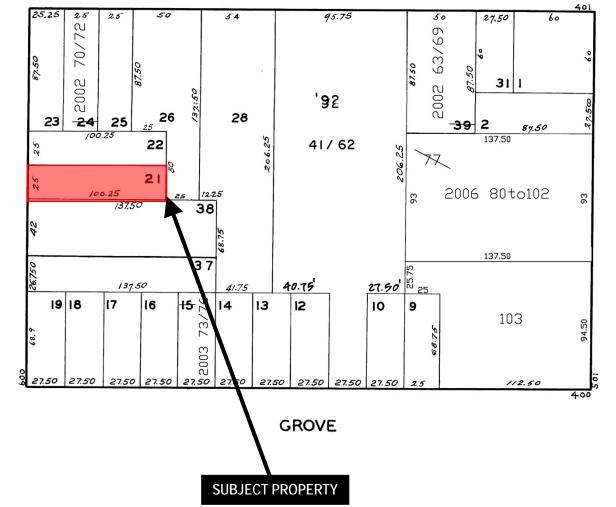
OPERATION

- 5. Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017,.<u>http://sfdpw.org/</u>
- 6. **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, <u>www.sf-planning.org</u>

Block Map



FULTON

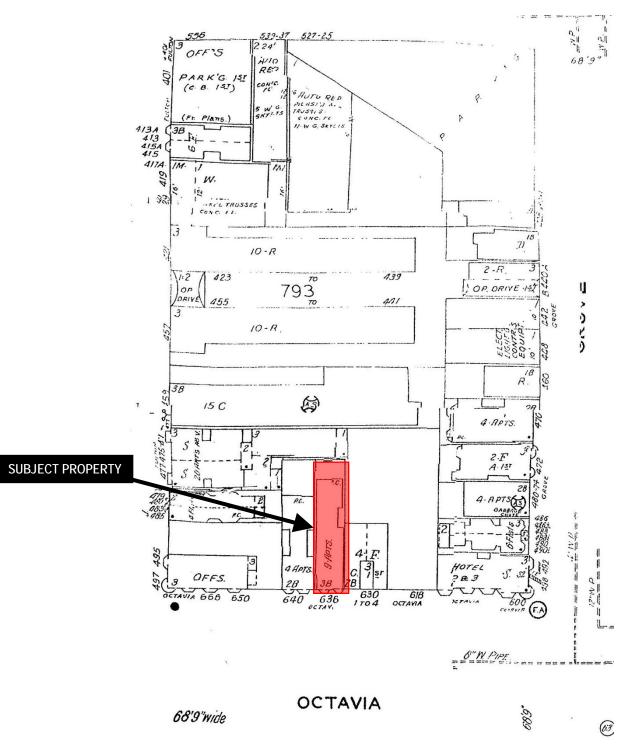




Conditional Use Authorization Hearing **Case Number 2014-002228CUA** Business and Professional Service 636 Octavia Street

GOUGH

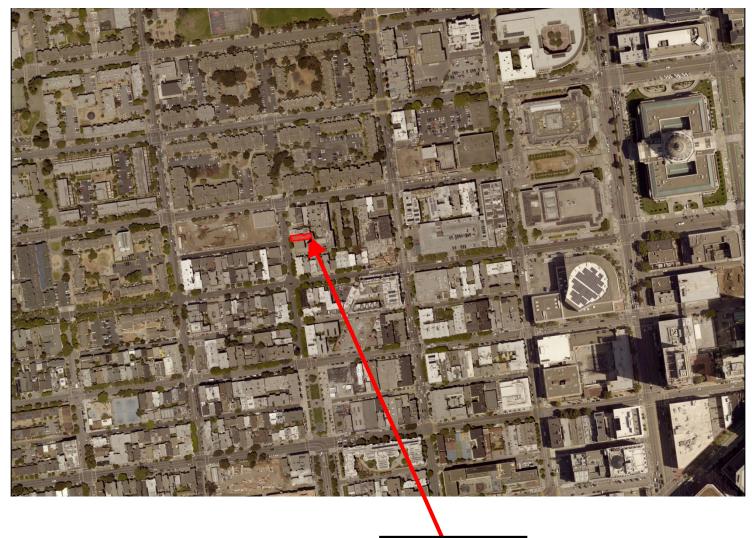
Sanborn Map*



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



Aerial Photo



SUBJECT PROPERTY



Zoning Map





Site Photo





SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)			
636 Octavia St.		0	793/021		
Case No. Permit No.		Plans Dated			
2015-006689ENV		12/2/14			
Addition/	Demolition	New	Project Modification		
Alteration	(requires HRER if over 45 years old)	Construction	(GO TO STEP 7)		
Project description for	Planning Department approval.				
Convert ground floor from four-vehicle garage to office use.					

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

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

STEP 2: CEQA IMPACTS

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

	Environmental Site Assessment. Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).
	Transportation : Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area</i>)
	Noise: Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area</i>)
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>)
	Slope = or > 20%: Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>) If box is checked, a geotechnical report is required.
	Seismic: Landslide Zone: Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones</i>) If box is checked, a geotechnical report is required.
	Seismic: Liquefaction Zone: Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
	are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an <i>Environmental</i> Application is required, unless reviewed by an Environmental Planner.</u>
\checkmark	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments	and Planner Signature (optional): Jean Poling

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)		
\checkmark	Category A: Known Historical Resource. GO TO STEP 5.	
	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.	
	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.	

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

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

STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW

TO BE COMPLETED BY PRESERVATION PLANNER

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

	8. Other work consistent with the Secretary of the Interior (specify or add comments):	r Standards for the Treatment of Historic Properties	
	9. Other work that would not materially impair a histor	ic district (specify or add comments):	
	Proposal to create a new commercial storefront within the opening of the existing garage is consistent with the SOIS and compatible with the historic district.		
	(Requires approval by Senior Preservation Planner/Preser	vation Coordinator)	
	10. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated:		
	b. Other (<i>specify</i>):		
Note	: If ANY box in STEP 5 above is checked, a Preservation P	······································	
	Further environmental review required. Based on the i <i>Environmental Evaluation Application</i> to be submitted. GC		
	- Project can proceed with categorical exemption review. The project has been reviewed by the		
	nents (<i>optional</i>): rvation Planner Signature: 2000 2000 2000 000	იოფ. ფხლი თე	
	6: CATEGORICAL EXEMPTION DETERMINATION E COMPLETED BY PROJECT PLANNER		
	Further environmental review required. Proposed project apply): Step 2 – CEQA Impacts Step 5 – Advanced Historical Review STOP! Must file an Environmental Evaluation Application	• •	
	No further environmental review is required. The project	t is categorically exempt under CEQA.	
	Planner Name: Tina Tam	Signature: Digitally signed by fina tam DN: dc=org, dc=sfgov, dc=cityplanning,	
	Project Approval Action: Select One It Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Since Service	
	Once signed or stamped and dated, this document constitutes a categoric Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code,		

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

PROPERTY INFORMATION/PROJECT DESCRIPTION

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

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

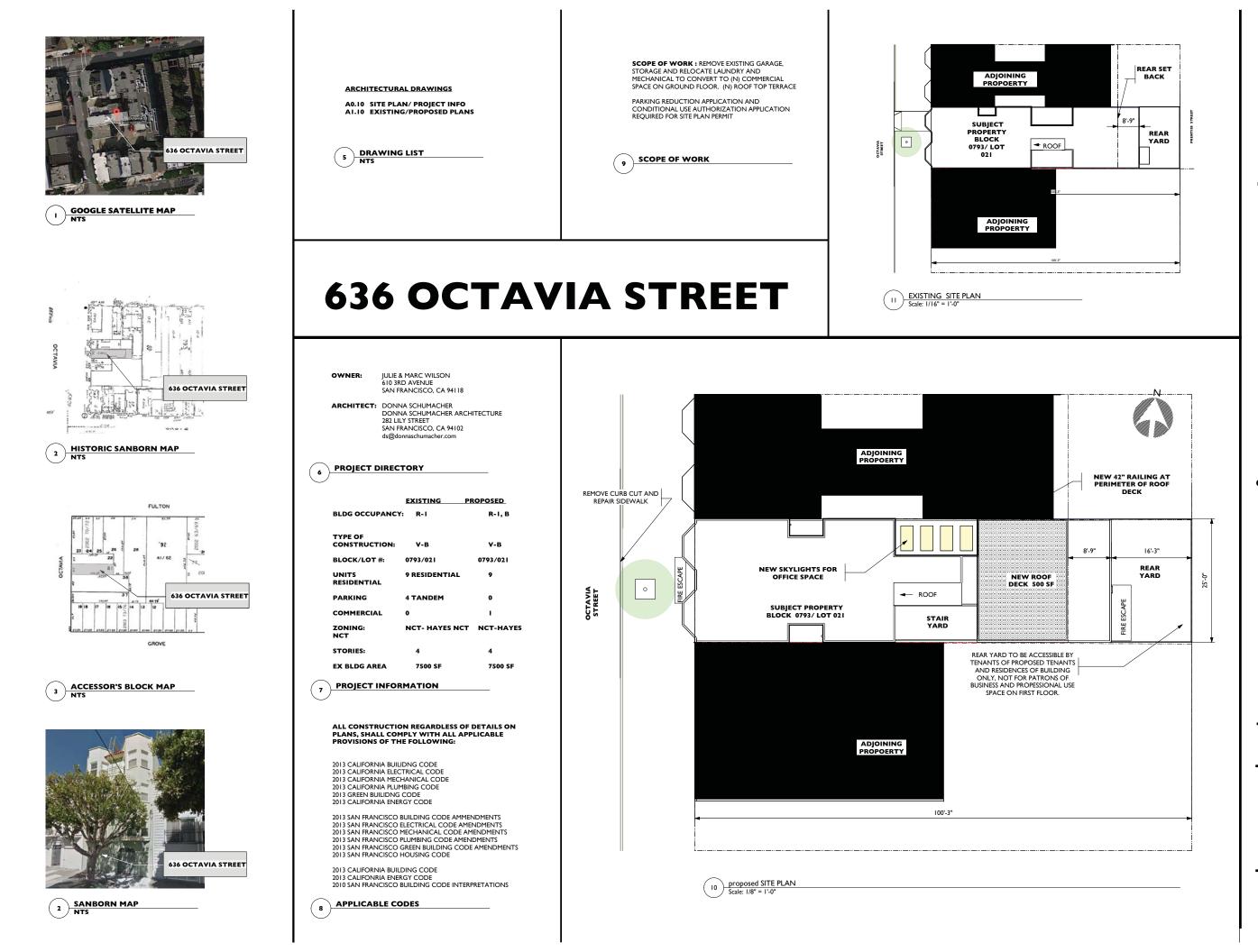
Compared to the approved project, would the modified project:

Result in expansion of the building envelope, as defined in the Planning Code;
Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
Result in demolition as defined under Planning Code Section 317 or 19005(f)?
Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?

If at least one of the above boxes is checked, further environmental review is required CATEX FORM

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

	The proposed modif	ication would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning		
		ailed to the applicant, City approving entities, and anyone requesting written notice.
Planner	Name:	Signature or Stamp:





DONNA SCHUMACHER ARCHITECTURE SAN FRANCISCO, CA 94102 415-552-9572 DS@DONNASCHUMACHER.COM





PRE APP MTG SET NOVEMBER 10, 2014

CONDITIONAL USE AUTHORIZATION DECEMBER 2, 2014

DBI PERMIT SET 09.01.15

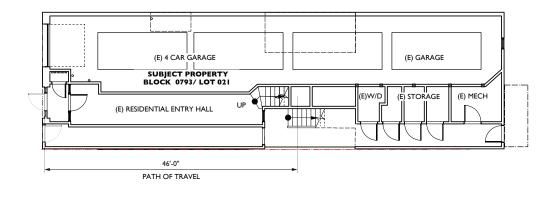
SITE PLAN PROJECT INFO

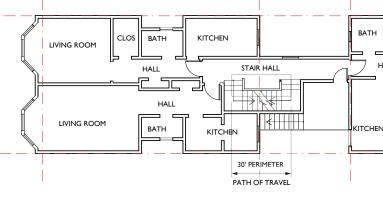
636 OCTAVIA STREET

SAN FRANCISCO, CA 94102

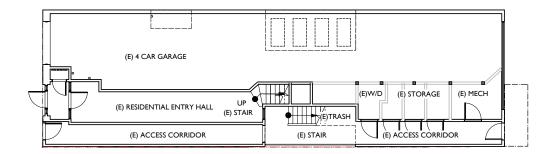
A0.10

NOTE: TOTAL PATH OF TRAVEL IS 170 FEET





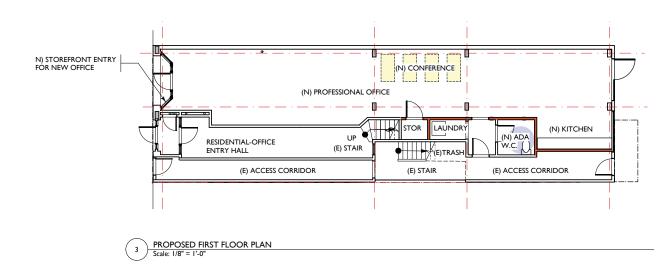
4 EXISTING 2ND, 3RD AND 4TH FLOOR PLANS Scale: 1/8" = 1'-0"

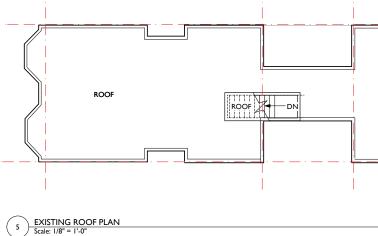


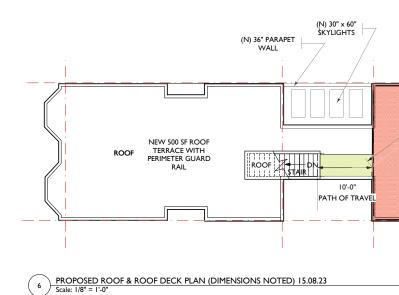


EXISTING FIRST FLOOR PLAN Scale: 1/8" = 1'-0"

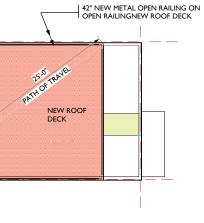
1













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PRE-APP MTG SET NOVEMBER 10, 2014

CONDITIONAL USE AUTHORIZATION SET DECEMBER 2, 2014

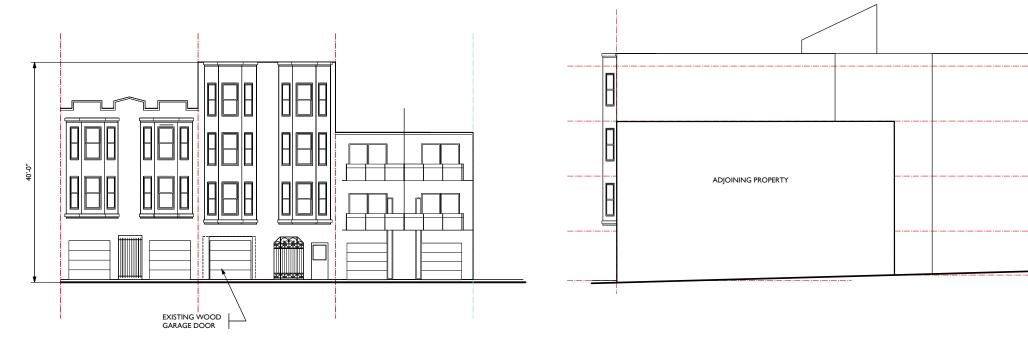
DBI PERMIT SET 09.01.15

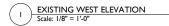
PLANS



SAN FRANCISCO, CA 94102

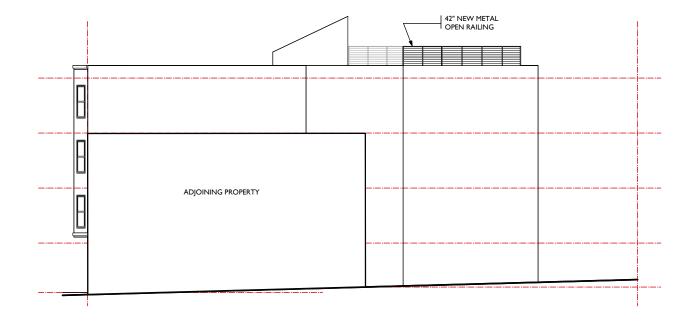
AI.10





3 EXISTING SOUTH ELEVATION Scale: 1/8" = 1'-0"





 $\textcircled{2} \underbrace{ PROPOSED \ OCTAVIA \ STREET \ ELEVATIO}_{Scale: \ 1/8'' = \ 1'-0''} PROPOSED \ BY \ PRESERVATION \ PLANNER$

4 PROPOSED SOUTH ELEVATION Scale: 1/8" = 1'-0"



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PRE-APP MTG SET NOVEMBER 10, 2014

CONDITIONAL USE AUTHORIZATION SET DECEMBER 2, 2014

DBI PERMIT SET 09.01.15

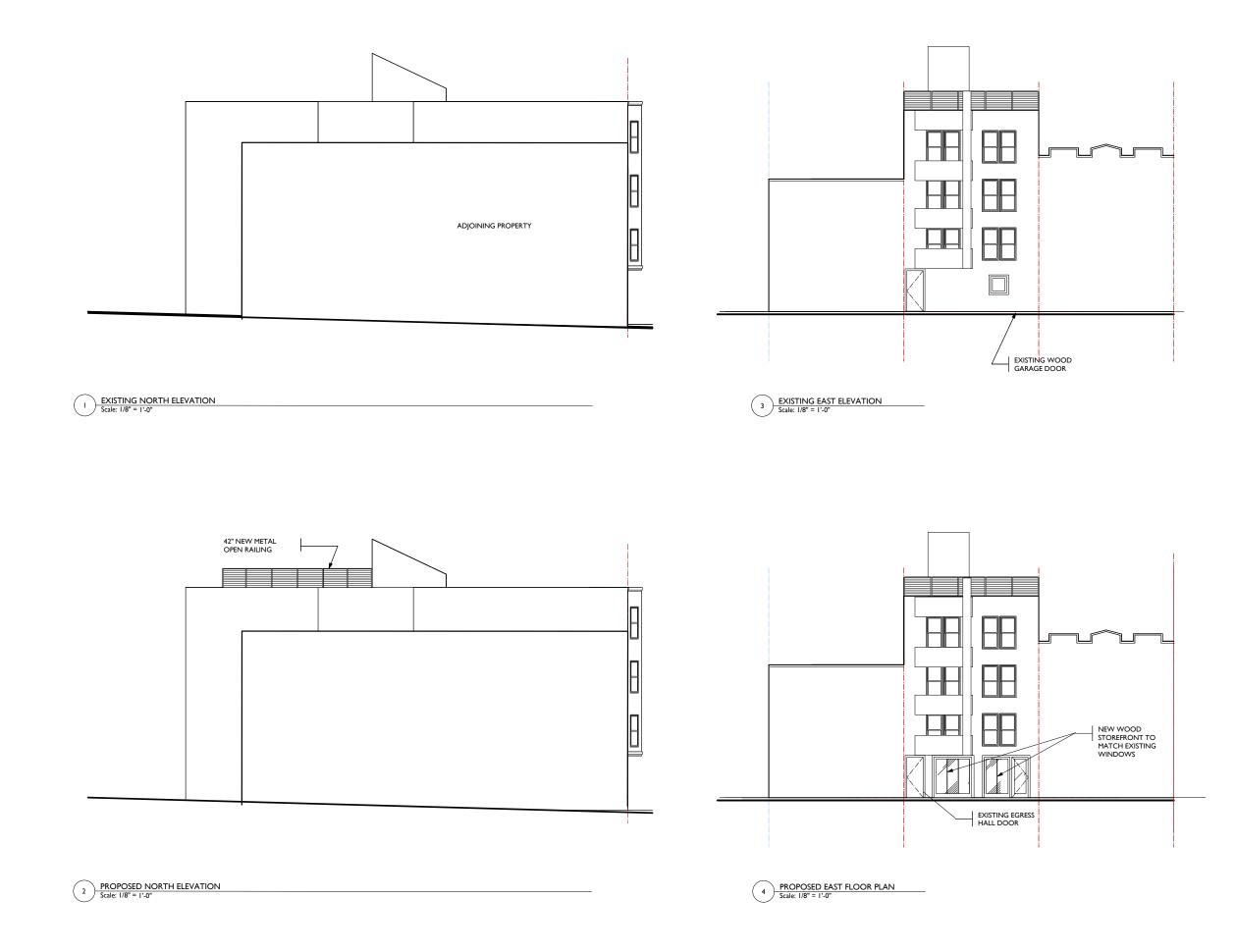
EXTERIOR ELEVATIONS

626 OCTAVIA STREET

SAN FRANCISCO, CA 94102









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PRE-APP MTG SET NOVEMBER 10, 2014

CONDITIONAL USE AUTHORIZATION SET DECEMBER 2, 2014

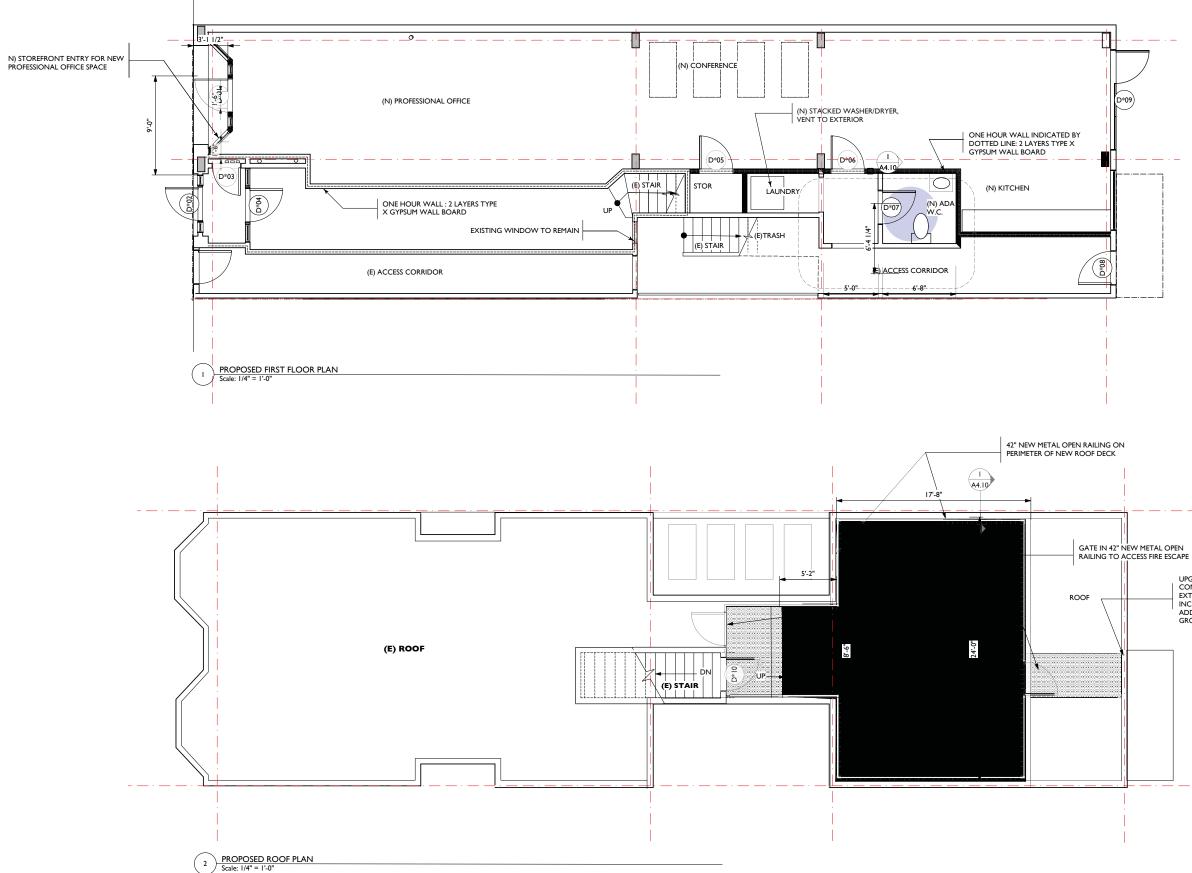
DBI PERMIT SET 09.01.15

EXTERIOR ELEVATIONS

626 OCTAVIA STREET

SAN FRANCISCO, CA 94102







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PRE-APP MTG SET NOVEMBER 10, 2014

CONDITIONAL USE AUTHORIZATION SET DECEMBER 2, 2014

> DBI PER2IT SET 01.12.16



626 OCTAVIA STREET

SAN FRANCISCO, CA 94102

A3.10

UPGRADE EXISTING FIRE ESCAPE TO COMPLY WITH AB-0019. EXTEND FIRE ESCAP TO ROOF WITH FIXED INCLINED LADDER. ADD COUNTER BALANCE LADDER TO GROUND