



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: MARCH 26, 2015

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: March 16, 2015
Case No.: **2014.0965CV**
Project Address: **126-130 Laguna Street**
Zoning: RTO (Residential Transit-Oriented) District
40-X Height and Bulk District
Market Octavia Plan Area
Block/Lot: 0856/013
Project Sponsor: Robert Gilson
Macy Architecture
315 Linden St.
San Francisco, CA 94102
Staff Contact: Carly Grob – (415) 575-9138
carly.grob@sfgov.org
Recommendation: **Approval with Conditions**

PROJECT DESCRIPTION

The project sponsor proposes to add two dwelling units within an existing five-unit multifamily building for a total of seven units. Both units would be two bedroom units, the first measuring 900 square feet (Unit 124A) and the second measuring 988 square feet (Unit 124B). Laundry and storage would be maintained, and 10 bicycle parking spaces would be added at the basement level. The proposed units would be located within the existing basement, thereby not expanding the overall depth or width of the existing building. A small expansion is proposed at the basement level only, which consists of filling in recesses between bay windows. No work is proposed at the first, second, or third floor.

SITE DESCRIPTION AND PRESENT USE

The project is located on the east side of Laguna Street, between Haight Street and Waller Street, Block 0856, Lot 013. The subject lot has 37' 6" of street frontage and a depth of 91' 3", resulting in a 3,422 square foot lot area. The existing building footprint is 32' wide by 79' 10" deep. There is a 4' 5" wide side yard at the south side of the property, and a 11' 3" deep rear yard. The property was constructed in 1900 and is developed with a three-story over basement building with five existing residential units. The basement is currently storage space with a laundry room for tenants. The subject property is located within the Residential Transit-Oriented District ("RTO") and the 40-X Height and Bulk District.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Hayes Valley neighborhood west of the Hayes Neighborhood Commercial Transit District, which contains a variety of mixed use buildings, many of which feature

residential uses above ground floor commercial establishments. The neighborhood is well-served by MUNI, and has access to open space, including Patricia's Green, the Page and Laguna Mini Park, Koshland Community Park, and Hayes Valley Playground. The buildings surrounding the subject property on the east side of the street are primarily comprised of two to four story multifamily residences, all but one of which were constructed in 1900. A two-story over garage, three-unit residential building is adjacent to the subject property to the north, and a four-story, 23-unit residential building is adjacent to the south. A five-story, 330-unit mixed use building is currently under construction across the street on Laguna.

ENVIRONMENTAL REVIEW

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

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	March 6, 2015	March 4, 2015	22 days
Posted Notice	20 days	March 6, 2015	March 3, 2015	23 days
Mailed Notice	10 days	March 16, 2015	March 6, 2015	20 days

The proposal requires a Section 311-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

- To date, the Department has received letters of support for the proposal from the Hayes Valley Neighborhood Association Transportation and Planning Committee and from the Preservation Committee of the Victorian Alliance.

ISSUES AND OTHER CONSIDERATIONS

- **Variances.** The project also includes a request for Variances pursuant to Planning Code Sections 305, pursuant to Planning Code Sections 134 and 135 to fill in a bay within the required rear yard, to provide less residential open space than required by the Planning Code and for said open space to be covered.
- The Project does not meet exposure requirements of Planning Code Section 140. Section 307(h)(1)(B) states that the Zoning Administrator may allow complete or partial relief from dwelling unit exposure requirements for buildings recorded with the State Historic Preservation Office as eligible for the California Register. The Zoning Administrator has reviewed the project and has determined that the project meets the criteria of Section 307(h)(1)(B).

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant Conditional Use Authorization to permit a dwelling unit density not exceeding one unit for each 400 square feet of lot area pursuant to Planning Code Section 209.4 (formerly 209.1(k)).

BASIS FOR RECOMMENDATION

- The project is consistent with Objective 2.2, Policy 2.2.5 of the Market-Octavia Plan to encourage construction of residential infill throughout the area by encouraging additional units in existing buildings.
- The proposed units would be constructed in an existing underutilized storage space. No work to existing units is proposed, and current tenants will not be displaced.
- The addition of two dwelling units will contribute to greater density and add housing units without affecting neighborhood character or the historic character of the building.
- The project meets the goals of the Residential Transit-Oriented District by adding density without adding additional parking. The addition of two proposed units will not contribute to additional vehicle traffic. The project also promotes multi-modal transit by adding bicycle parking near high-traffic bicycle corridors.
- 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
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Attachments:

Block Book Map

Sanborn Map

Aerial Photographs

Public Correspondence

Project Sponsor Submittal, including:

- Site Photographs

- Reduced Plans

Attachment Checklist

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

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

CG_____

Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

HEARING DATE: MARCH 26, 2015

Date: March 16, 2015
Case No.: **2014.0965CV**
Project Address: **126-130 LAGUNA STREET**
Zoning: RTO (Residential Transit-Oriented) District
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 209.4 (FORMERLY 209.1) OF THE PLANNING CODE TO ALLOW A DWELLING UNIT DENSITY NOT EXCEEDING ONE UNIT FOR EACH 400 SQUARE FEET OF LOT AREA WITHIN THE RTO (RESIDENTIAL TRANSIT-ORIENTED) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 25, 2014 Robert Gilson (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section 209.4 (formerly 209.1) to allow a dwelling unit density not exceeding one unit for each 400 square feet of lot area within the RTO (Residential Transit-Oriented) District and a 40-X Height and Bulk District.

On March 26, 2015, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014.0965CV.

This 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. 2014.0965CV, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the east side of Laguna Street, between Haight Street and Waller Street, Block 0856, Lot 013. The subject lot has 37' 6" of street frontage and a depth of 91' 3", resulting in a 3,422 square foot lot area. The existing building footprint is 32' wide by 79' 10" deep. There is a 4' 5" wide side yard at the south side of the property, and a 11' 3" deep rear yard. The property was constructed in 1900 and is developed with a three-story over basement building with five existing residential units. The basement is currently storage space with a laundry room for tenants. The subject property is located within the Residential Transit-Oriented District ("RTO") and the 40-X Height and Bulk District.
3. **Surrounding Properties and Neighborhood.** The subject property is located in the Hayes Valley neighborhood west of the Hayes Neighborhood Commercial Transit District, which contains a variety of mixed use buildings, many of which feature residential uses above ground floor commercial establishments. The neighborhood is well-served by MUNI, and has access to open space, including Patricia's Green, the Page and Laguna Mini Park, Koshland Community Park, and Hayes Valley Playground. The buildings surrounding the subject property on the east side of the street are primarily comprised of two to four story multifamily residences, all but one of which were constructed in 1900. A two-story over garage, three-unit residential building is adjacent to the subject property to the north, and a four-story, 23-unit residential building is adjacent to the south. A five-story, 330-unit mixed use building is currently under construction across the street on Laguna.
4. **Project Description.** The project sponsor proposes to add two dwelling units within an existing five-unit multifamily building for a total of seven units. Both units would be two bedroom units, the first measuring 900 square feet (Unit 124A) and the second measuring 988 square feet (Unit 124B). Laundry and storage would be maintained, and 10 bicycle parking spaces would be added at the basement level. The proposed units would be located within the existing basement, thereby not expanding the overall depth or width of the existing building. A small expansion is proposed at the basement level only, which consists of filling in recesses between bay windows. No work is proposed at the first, second, or third floor.

5. **Public Comment.** The Department has received letters of support for the proposal from the Hayes Valley Neighborhood Association Transportation and Planning Committee and from the Preservation Committee of the Victorian Alliance.
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. **Dwelling Unit Density.** Planning Code Section 209.4 (formerly 209.1(k)) states a Conditional Use Authorization is required for a dwelling unit density not exceeding one unit for each 400 square feet of lot area.

The subject lot is 3,422 square feet in area, which would allow for up to 9 units with Conditional Use Authorization. The project sponsor is seeking Conditional Use Authorization to add two units for a total of seven units in the building.

- B. **Rear Yard.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 45 percent of the total depth of a lot in which it is situated. The rear yard requirement may be reduced based on the conditions of adjacent lots, but in no case shall be reduced to less than a depth equal to 25 percent of total lot depth.

Based on the depth of the adjacent lot to the north of the subject property, the rear yard could be reduced from the required 45 percent of lot depth, or 41 feet, to a depth of 25' 3", or approximately 28 percent of lot depth. The existing rear yard is 11' 5" and is considered noncomplying. The project sponsor has proposed to fill in the corner of an existing bay window at the basement level. This construction would take place within the required rear yard, and would create a greater nonconformity in the rear yard. The project sponsor is seeking a Variance from the requirements of Planning Code Section 134.

- C. **Usable Open Space.** Planning Code Section 135 states 100 square feet of Usable Open Space is required per unit if such space is private, and each square foot of private open space may be substituted with 1.33 square foot of common open space. Planning Code Section 135(f)(2)(B) requires that the open space must face a street, face or be within a rear yard, or face some over space which meets the minimum dimension and area requirements of Planning Code Section 135(g)(1), or 15 feet in every horizontal direction and at least 300 feet in area. The obstructions listed in Planning Code Section 136 for usable open space are permitted in the open space.

There is an existing deficit of usable open space for the existing units. The proposal includes a 100 square foot privately accessible patio for each proposed unit. Providing private open space for the two additional units would not exacerbate the existing nonconforming open space deficit, however, the additional open space does not meet the criteria of Planning Code Section 135(f)(2)(B), as the proposed patio does not face the street or rear yard and is not located in an open area which meets the minimum dimensions of Section 135(g)(1). Furthermore, the open space is obstructed by the upper floors of the existing building, which is not considered a permitted obstruction under Planning Code

Section 136. The project sponsor is seeking a Variance from the requirements of Planning Code Section 135.

- D. **Exposure.** Planning Code Section 140 states that at least one room with a minimum floor area of 120 square feet shall face directly onto a public street or alley at least 20 feet in width, a side yard at least 25 feet in width, an unobstructed open area at least 25 in every horizontal dimension, or a code complying rear yard. Section 307(h)(1)(B) states that the Zoning Administrator may allow complete or partial relief from dwelling unit exposure requirements for buildings recorded with the State Historic Preservation Office as eligible for the California Register when (i) the literal enforcement of Planning Code Section 140 would result in the material impairment of the historic resource and (ii) the project complies with the Secretary of the Interior's Standards.

Both of the proposed additional units would face a 7' by 28'7" patio on the south side of the subject property which is covered by the building envelope, and one of the proposed units would face an existing 11'5" rear yard. The patio does not meet the minimum standards of an open area for the purpose of meeting the exposure requirement. The existing building encroaches into the required rear yard, so the rear yard is considered noncomplying. Therefore, the two additional units do not meet the requirements for exposure.

The subject property is listed in the California Register of Historic Resources. The literal enforcement of Section 140 may impair the historic resource or make the project infeasible. The project has been reviewed by a Preservation Technical Specialist to ensure it is compliant with the Secretary of the Interior Standards. The Zoning Administrator has reviewed the project and has determined that it meets the criteria of Planning Code Section 307(h)(1)(B).

- E. **Bicycle Parking.** Planning Code Section 155.2 states that the addition of a new dwelling unit triggers the requirement bicycle parking. One Class 1 space is required for every dwelling unit.

The project sponsor would add five bicycle racks, or 10 bicycle spaces, at the basement level of the property. The provision of 10 new bicycle spaces satisfies the bicycle parking requirement in Planning Code Section 155.2.

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 addition of two dwelling units within an existing residential building provides necessary and desirable density by adding housing without creating an impact on the character of existing structure

and on the surrounding neighborhood. The project would result in seven total units, which is compatible with surrounding neighborhood multifamily buildings, including a 23-unit building to the south of the subject property and a 330-unit project under construction across the street.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The height of the existing building will remain the same, and the minor expansion of the building at the basement level will not alter the existing appearance or character of the project vicinity.

- 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 Planning Code does not require off-street parking for any use in the RTO Zoning District. No off-street parking is proposed.

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

No noxious or offensive emissions would result from the addition of two dwelling units.

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

The proposed patio on the south side of the property is screened by an existing fence at the property line. The project does not include off-street parking. No additional lighting, landscaping, screening, or open spaces are proposed.

- 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 generally complies with all relevant requirements and standards of the Planning Code, or the project sponsor is seeking a Variance from the requirements. The project is consistent with objectives and policies of the General Plan as detailed below.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 2:

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.4:

Promote improvements and continued maintenance to existing units to ensure long term habitation and safety.

Adding density within the existing housing stock maintains older units, which are generally less expensive and more accessible than newly constructed units. Construction of the proposed units would not displace any tenants, as they would be constructed in existing storage space.

OBJECTIVE 4:

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

POLICY 4.4:

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

The proposed project will add two units to an existing five-unit multifamily building, providing additional rental housing opportunities to city residents.

POLICY 4.6:

Encourage an equitable distribution of growth according to infrastructure and site capacity.

The project is located within the Residential Transit-Oriented District, which is intended to enhance areas characterized by a range of densities which are well-served by transit and small-scale neighborhood-serving retail. The subject property is located within close proximity to Market Street and Hayes Valley, which are rich in public transportation and retail shopping opportunities.

OBJECTIVE 11:

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

POLICY 11.3

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

The project proposed to increase density with minor modifications to the building envelope which are minimally visible from the public right of way. The proposed project would have little to no impact on existing residential neighborhood character.

POLICY 11.5

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

The project would increase density by adding two units within an existing five-unit building without substantially modifying the building envelope. Minor modifications to the building would be at the basement level and would be minimally visible from the public right of way. The proposed density is compatible with surrounding multi-family development in the immediate vicinity and within the RTO Zoning District, which places an emphasis on increased density.

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 proposed project would enhance the neighborhood-serving retail base by providing two additional households to patronize existing businesses.

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

The proposed project, the addition of two dwelling units within an existing five-unit building, is compatible with existing multifamily housing and character of the neighborhood.

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

The city's supply of affordable housing will not be adversely affected by the proposal to add two market rate units to an existing multifamily building.

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

The subject property is well-served by transit. Laguna Street has two MUNI bus lines (6 and 71) with five additional lines within three blocks. The proposal does not include new off-street parking for private automobiles.

- 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. A soft-story upgrade is included within the project scope.

- G. That landmarks and historic buildings be preserved.

The subject property is categorized as a Class A Historic Resource. The proposed changes are minimally visible from the public right-of-way. A horizontal transition on the south elevation is designed to demarcate the proposed basement units and the existing first floor by reiterating the existing horizontal band which separates the existing first and second floor on the west elevation.

- 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.

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. 2014.0965CV** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 18, 2007, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 09, 2007.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a dwelling unit density not exceeding one unit for each 400 square feet of lot area located at 126-130 Laguna, Lot 013 in Assessor's Block 0856, pursuant to Planning Code Section(s) 209.4 (formerly 209.1) within the RTO District and a 40-X Height and Bulk District; in general conformance with plans, dated January 8, 2015 and stamped "EXHIBIT B" included in the docket for Case No. 2014.0965CV and subject to conditions of approval reviewed and approved by the Commission on March 26, 2015 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 March 26, 2015 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

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

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

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

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

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

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

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

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

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

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

DESIGN

6. **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.

7. **Additional Project Authorization.** The Project Sponsor must obtain a Project authorization under Sections 305, 134, and 135 to fill in a bay within the required rear yard, to provide less residential open space than required by the Planning Code and for said open space to be covered. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

PARKING AND TRAFFIC

8. **Bicycle Parking.** The Project shall provide no fewer than **XXX** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.

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

PROVISIONS

9. **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, www.sf-planning.org

MONITORING

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.

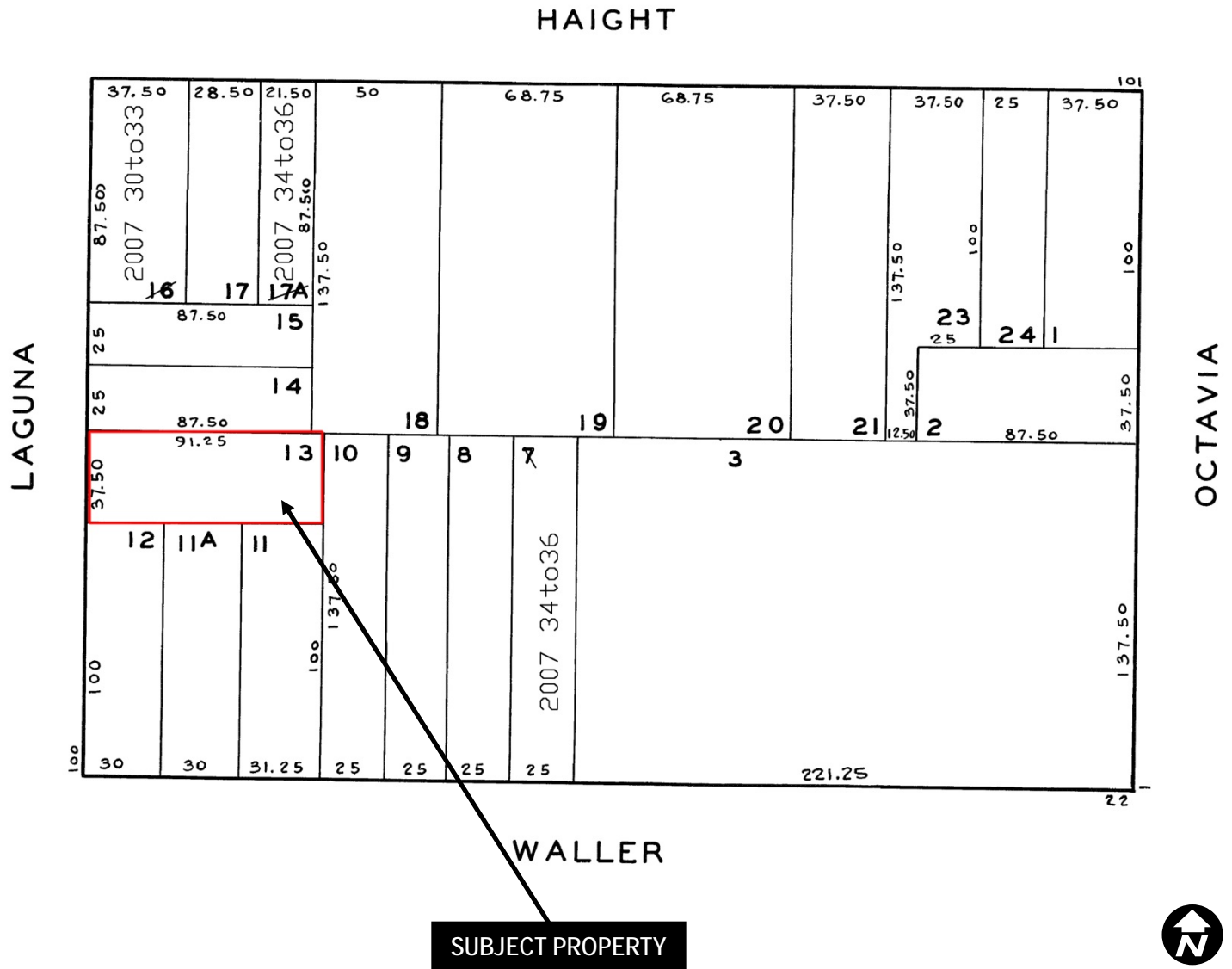
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

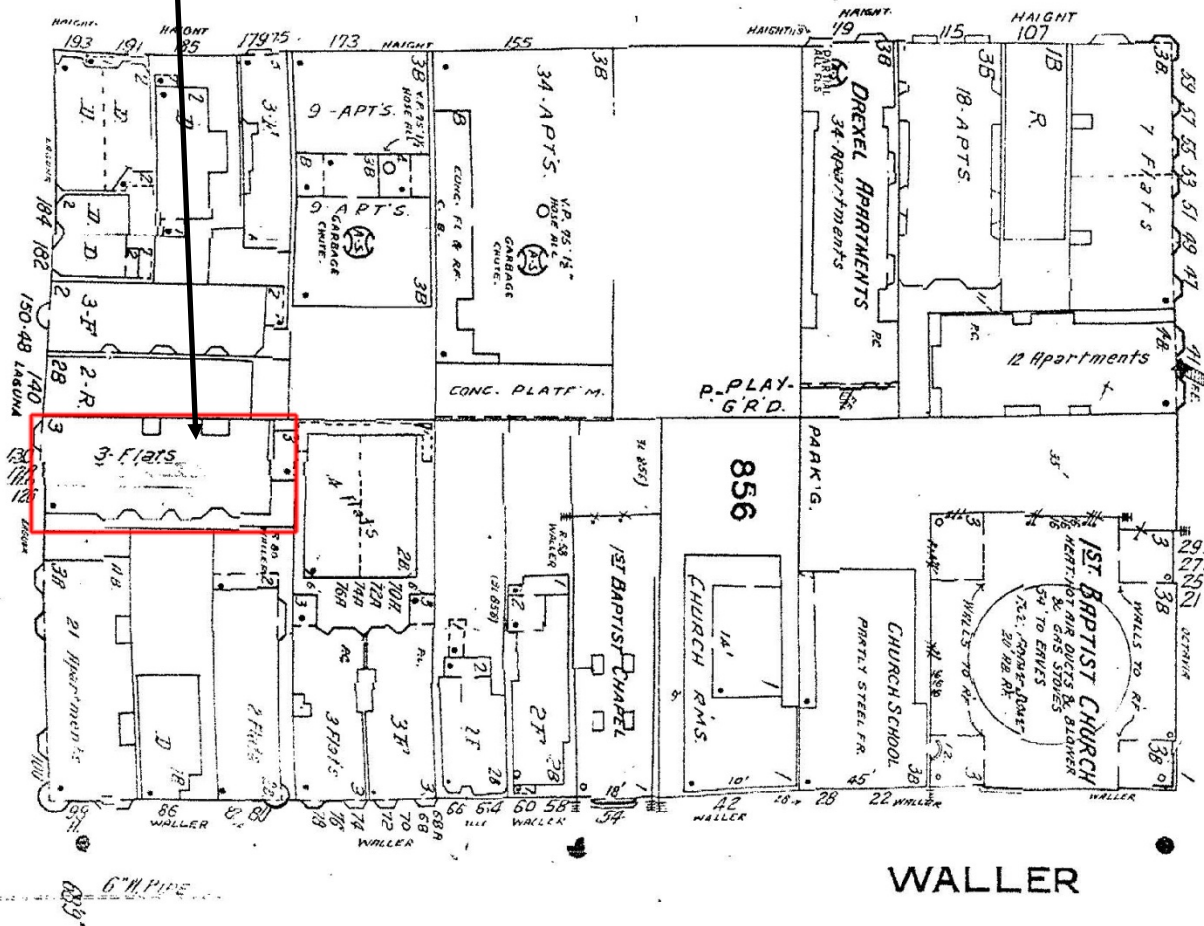
Parcel Map



Conditional Use Authorization Hearing
Case Number 2014.0965CV
Dwelling Unit Density – Addn. of 2 DUs
126-130 Laguna Street

Sanborn Map*

SUBJECT PROPERTY



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



Conditional Use Authorization Hearing
Case Number 2014.0965CV
Dwelling Unit Density – Addn. of 2 DUs
126-130 Laguna Street

Aerial Photo



SUBJECT PROPERTY



Zoning Map



SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2014.0965CV
 Dwelling Unit Density – Addn. of 2 DUs
 126-130 Laguna Street

Site Photo



Conditional Use Authorization Hearing
Case Number 2014.0965CV
Dwelling Unit Density – Addn. of 2 DUs
126-130 Laguna Street

From: [jim warshell](#)
To: [Grob, Carly \(CPC\)](#); [Tes Welborn](#)
Subject: case 2014.0965 CV
Date: Saturday, February 28, 2015 4:00:05 PM

Dear Ms. Grob:

The Preservation Committee of the Victorian Alliance supports the proposed addition of two apartments to the building at 126-130 Laguna Street, as submitted.

We note that the historic Laguna Street facade has been and will be maintained intact. In addition, the North building facade, and the portion of the South building facade located between the street and 20'-0" feet back from the street will be maintained and remain intact.

All new work that is visibly different from the existing facade will be concealed from the street by an existing fence and a new side yard gate.

All new work is distinguished from the existing by a simple frieze detail that separates the new facade from the old. This frieze reiterates the existing Laguna Street frieze that separates the first floor from the second floor. This makes a tasteful reflection of and linkage to the historic facade.

All fenestration located between the street and the first 25'-0" of the street match the existing size, detailing, and operability of the existing fenestration. We encourage the Planning Commission to allow wooden windows in this building addition.

We have reviewed this project and believe it to be an excellent example of preserving all historic elements of the structure, making it seismically safe and increasing the housing stock with the two new units. Any concerns regarding the new units entrances behind the gate on the side passageway should be resolved following the Secretary of the Interior Standards for Rehabilitation recommending good contextual fit while not aiming for false historicism. A simple, attractive and contextual solution should be easily attained to satisfy all parties and advance this worthwhile project.

Thank you.

Jim Warshell
Chair, San Francisco Victorian Alliance Historic Preservation Committee



February 24, 2015

Carly Grob, Planner, Northeast Quadrant
San Francisco Planning Department
1650 Mission Street, Suite 400, San Francisco, CA 94103
Email: carly.grob@sfgov.org

RE: 126-130 Laguna Street (Case 2014.096)

Dear Ms. Grob,

The Hayes Valley Neighborhood Association's Transportation & Planning Committee, based on support for the Market and Octavia Better Neighborhoods Plan, endorses the proposed addition of two apartments to the building at 126-130 Laguna Street.

We met with the project sponsor in early February and reviewed her proposal. A key element of the Market and Octavia Plan is the encouragement of additional housing units within current building envelopes. This project is an excellent example of that, with an addition of two family-sized two bedroom, two bath apartments.

We also remind you that good infill projects such as this are possible because of the plan's innovative parking reforms. We encourage you and your colleagues to aggressively promote this kind of development over the thoughtless garage insertions of which your colleagues have recently endorsed within the plan area.

Sincerely,

Jason Henderson
Chair, Transportation and Planning Committee,
Hayes Valley Neighborhood Association
300 Buchanan Street, #503
San Francisco, CA
94102
(415)-255-8136
jhenderson@sbcglobal.net

From: [Allegra Fortunati](#)
To: robertg@macyarchitecture.com
Cc: [Grob, Carly \(CPC\)](#); [Julian Keippel](#); [Christopher Boyd](#); [Jerad Morrison](#); [Amy Bochenek](#)
Subject: Concerns about the proposed construction at 126-130 Laguna (Case No. 2014.0965CV)
Date: Friday, March 13, 2015 8:11:36 AM

Dear Robert,

Carly Grob suggested that we contact you directly about some of our concerns. After reviewing the plans, we have come up with five potential problems:

- 1) The existing water heater that serves the entire building has not been relocated within the proposed project. We see smaller water heaters within the two proposed apartments but do not see where the building water heater might be.
- 2) The laundry room does not include any table or cupboards that we can see for residents' use and to store their detergent and other laundry supplies. We would like to see some accomodation as it now exists or better.
- 3) Escape route from the back during construction along the side of the building where you are excavating. We need to know there will be an open route to ensure an easy escape from the back of the building, if needed.
- 4) It looks like you are moving the electrical and gas meters while installing the new units. These new units might overload an already weak and old electrical system. Some of us cannot run (much needed) space heaters without blowing fuses; others are paying for the electricity use of other apartments because of tangled wiring within the building. We would like some kind of upgrade of the electrical system in the process of construction. Is that going to happen?
- 5) The plans indicate that you are moving the side security gate from an alignment with the front sidewalk down past some proposed stairs, allowing free access to anyone who might want to lurk there or break into the front part of the basement. Please consider our security needs.

I would really appreciate a timely response to our concerns.

Thanks,

Allegra Fortunati

From: [Allegra Fortunati](#)
To: [Grob, Carly \(CPC\)](#)
Cc: [Christopher Boyd](#); [Julian Keippel](#); [Jerad Morrison](#); [Amy Bochenek](#)
Subject: Fw: Laguna construction questions
Date: Sunday, March 15, 2015 3:42:02 PM

Dear Carly,

Tes did not include you in her reply to us about our concerns, so I thought I would forward her answers to you.

We do not really understand what she is saying about the electrical system, so we will be researching that more.

Also, after talking to you, we looked at the plans again and saw that the side security gate is being moved. It looks like the gate's new location would allow for people to hide on the proposed new side stairs. Tes says that the City will not allow a gate to open over stairs etc. You can read it yourself. Given our neighborhood, this could be a problem. We would like to know if this is true and might there be another solution for us that the City would allow or if an exception can be made.

Thanks for any help you can give us,

Allegra Fortunati

On Saturday, March 14, 2015 9:06 PM, "tesw@aol.com" <tesw@aol.com> wrote:

To: Julian Keippel <keippelj@yahoo.com>, Christopher Boyd <chris@mac66.com>, Jerad Morrison <jerad.morrison@gmail.com>, Amy Bochenek <amy.bochenek@gmail.com>

Reply-To: Allegra Fortunati <allegrafortunati@yahoo.com>

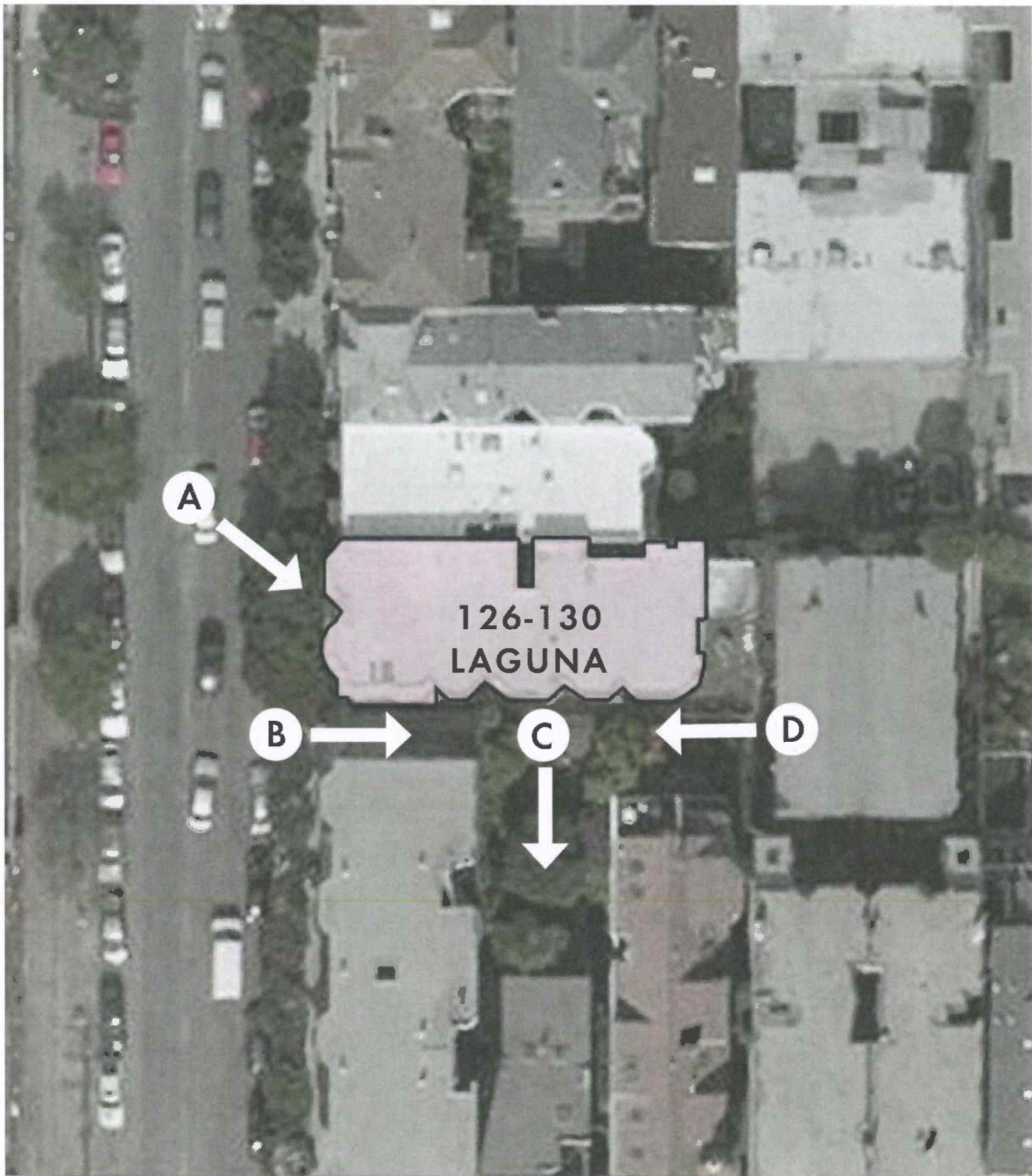
Dear Allegra, Jerad and Amy, Julian, and Chris,

My architect passed along your questions. I'm sure we'll have more to talk about as the two projects move along. Here are my responses to your current questions, below in italics.

1. The existing water heater that serves the entire building has not been relocated within the proposed project. We see smaller water heaters within the two proposed apartments but do not see where the building water heater might be. *The water heater serving the building will be relocated to the service area, along with the laundry, and the addition of new bike storage.*
2. The laundry room does not include any table or cupboards that we can see for residents' use and to store their detergent and other laundry supplies. We would like to see some accomodation as it now exists or better. *The plans you saw were preliminary. Detailed plans will be drafted after the Planning Commission's review. There will be space for resident laundry supplies and a table or countertop. I'd be interested in knowing how many of you use the current countertop for sorting or folding laundry, etc., vs. for detergent storage. This would be useful for planning.*

3. Escape route from the back during construction along the side of the building where you are excavating. We need to know there will be an open route to ensure an easy escape from the back of the building, if needed. *Your safety is important to me. In general, you can expect some obstruction due to construction work. Details on after hours emergency access will be worked out with the contractors, once detailed plans are drawn, bids made, and work commences.*
4. It looks like you are moving the electrical and gas meters while installing the new units. These new units might overload an already weak and old electrical system. Some of us cannot run (much needed) space heaters without blowing fuses; others are paying for the electricity use of other apartments because of tangled wiring within the building. We would like some kind of upgrade of the electrical system in the process of construction. Is that going to happen?
A new electrical service from PG&E will be brought to the building. While detailed plans are yet to be drawn, Glen was present when architect and electrical/mechanical contractor did walk-through of basement. They discussed sizing the new service to handle the whole building and planning the migration of existing circuits to the new service distribution panels. No work is planned on current apartments. For your information, in the past, we have made some electrical upgrades serving the rear and first floor units, particularly to kitchens and porches.
5. The plans indicate that you are moving the side security gate from an alignment with the front sidewalk down past some proposed stairs, allowing free access to anyone who might want to lurk there or break into the front part of the basement. Please consider our security needs. *I share your concern about having the gate down a number of steps. I have repeatedly asked for the gate to be retained in the current location, but am told that city code does not permit a gate to open over stairs, or to open out over the sidewalk. And I'm told by the architect that the steps layout cannot be changed easily either. Please feel free to press the gate location issue with the Planning Department. In any case, the door to the utility area will likely be some sort of reinforced material, and there will be lighting in this area.*

Cordially,
Tes Welborn



AREIAL VIEW

14.0965 C



A - LAGUNA STREET VIEW



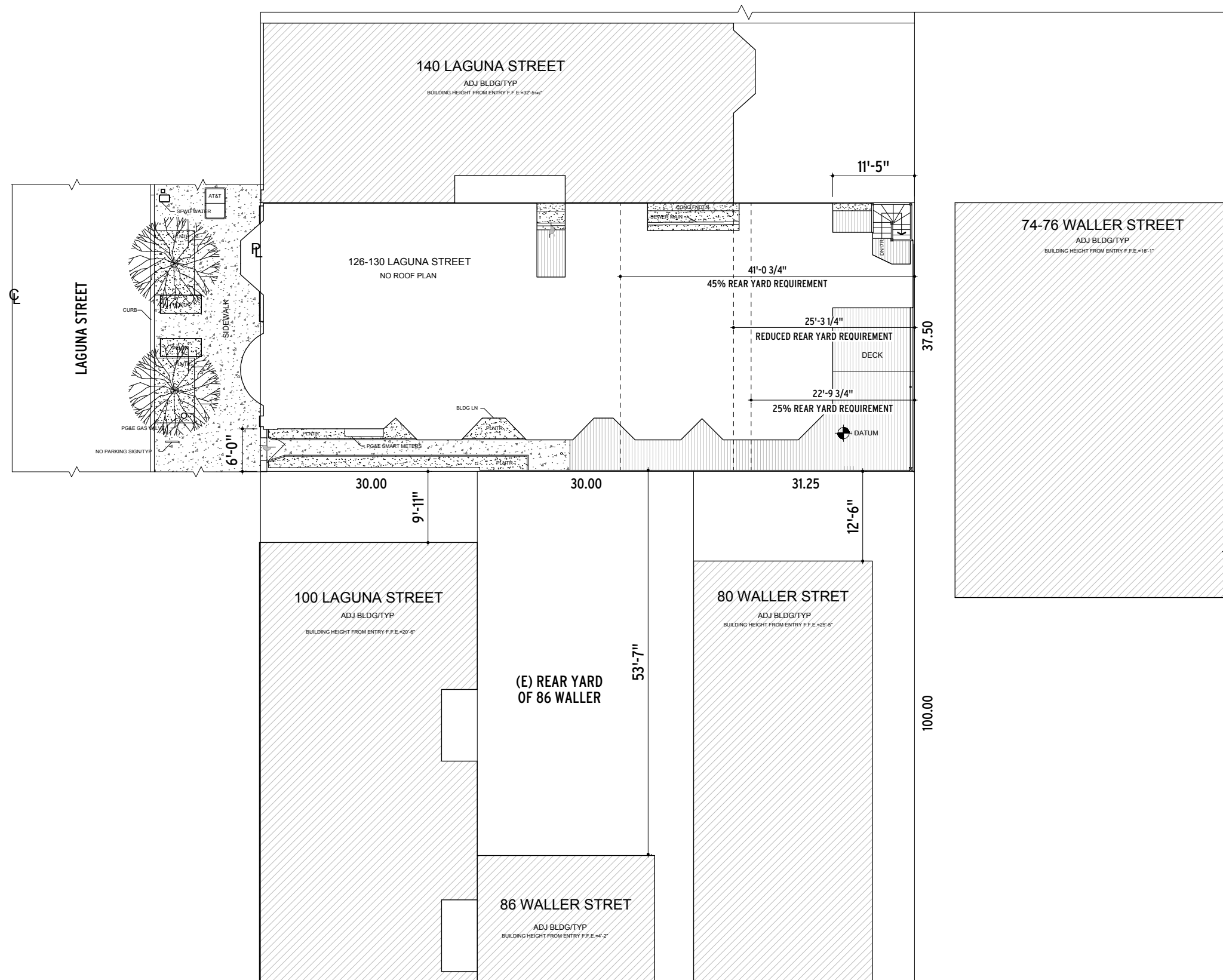
B - SIDE ACCESS PATHWAY



C - VIEW LOOKING SOUTH INTO REAR YARD OF 86 WALLER



D - SIDE ACCESS PATHWAY



0' 16' 32' 48'

1/16" = 1'-0" N

EXISTING SITE PLAN

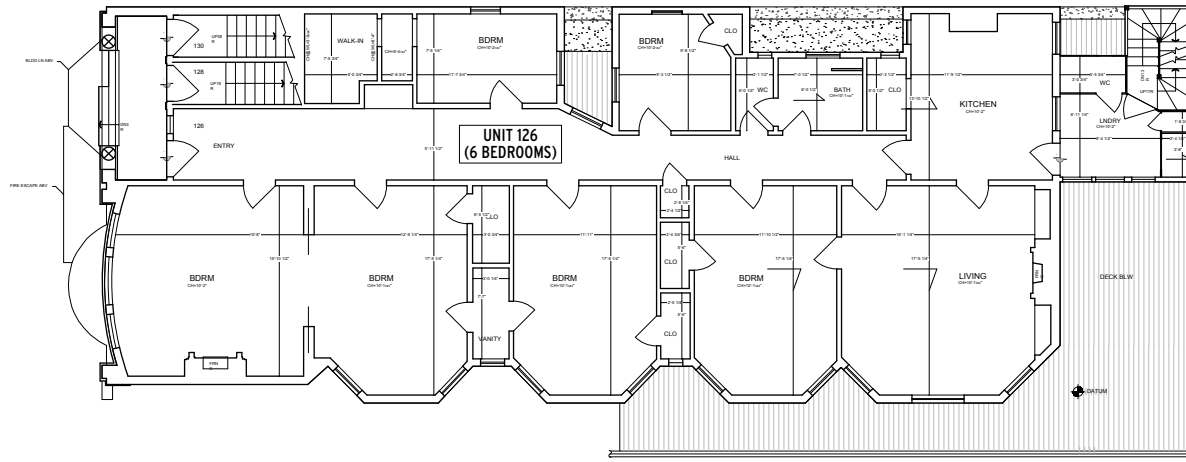
01/08/2015

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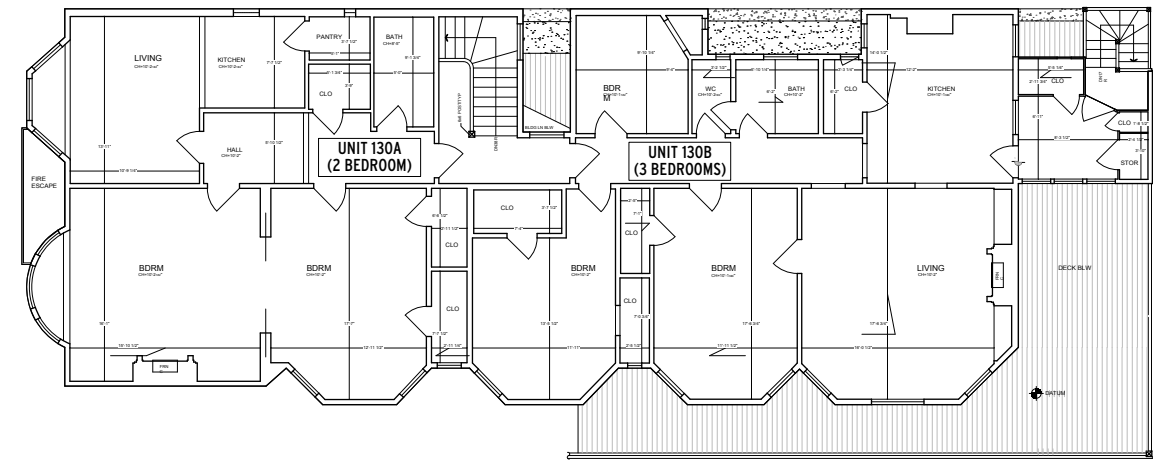
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APPLICATION FOR ENVIRONMENTAL EVALUATION
126-130 LAGUNA STREET
BLOCK 0856 LOT 013

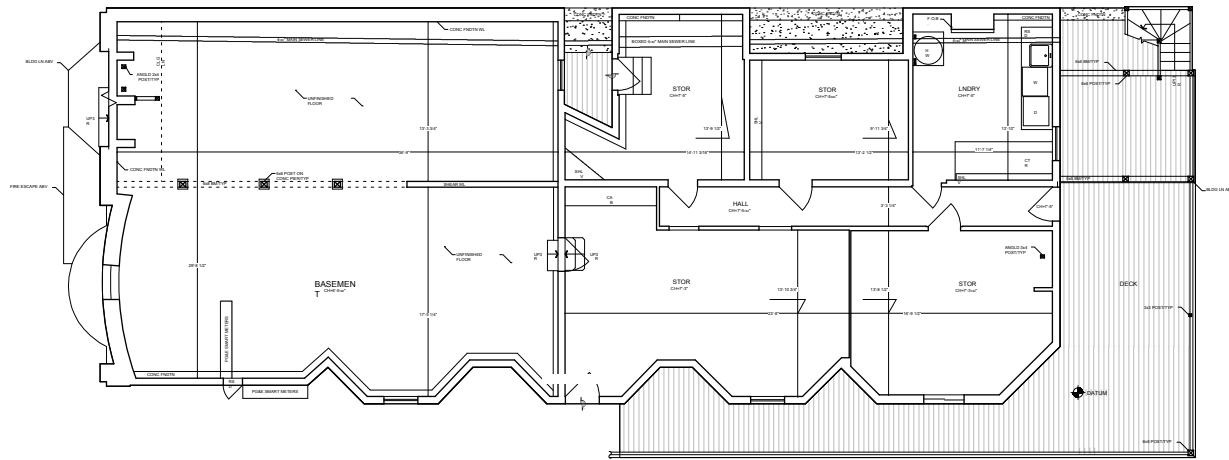
PAGE 3 OF 16



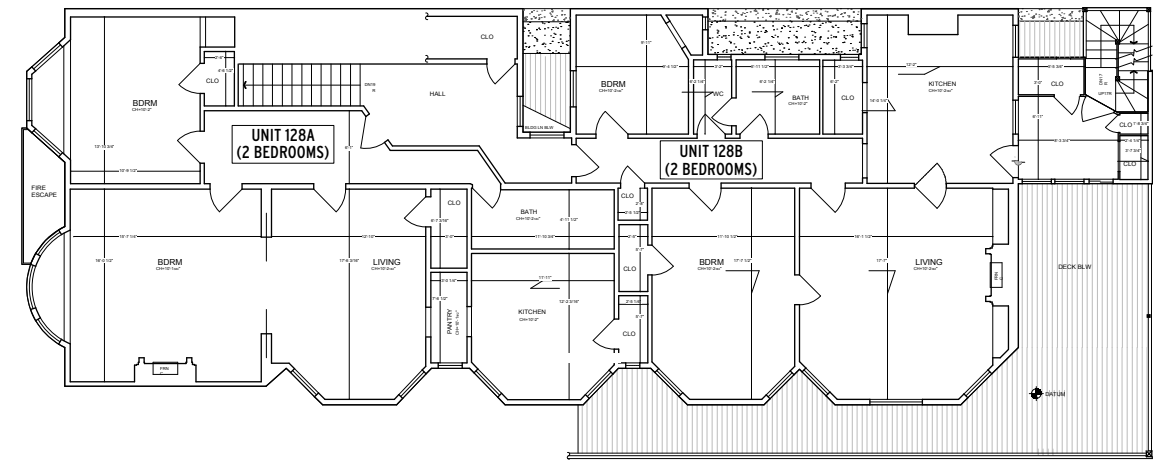
2 (E) FIRST FLOOR PLAN
1/8" = 1'-0"



4 (E) THIRD FLOOR PLAN
1/8" = 1'-0"



1 (E) BASEMENT LEVEL PLAN
1/8" = 1'-0"

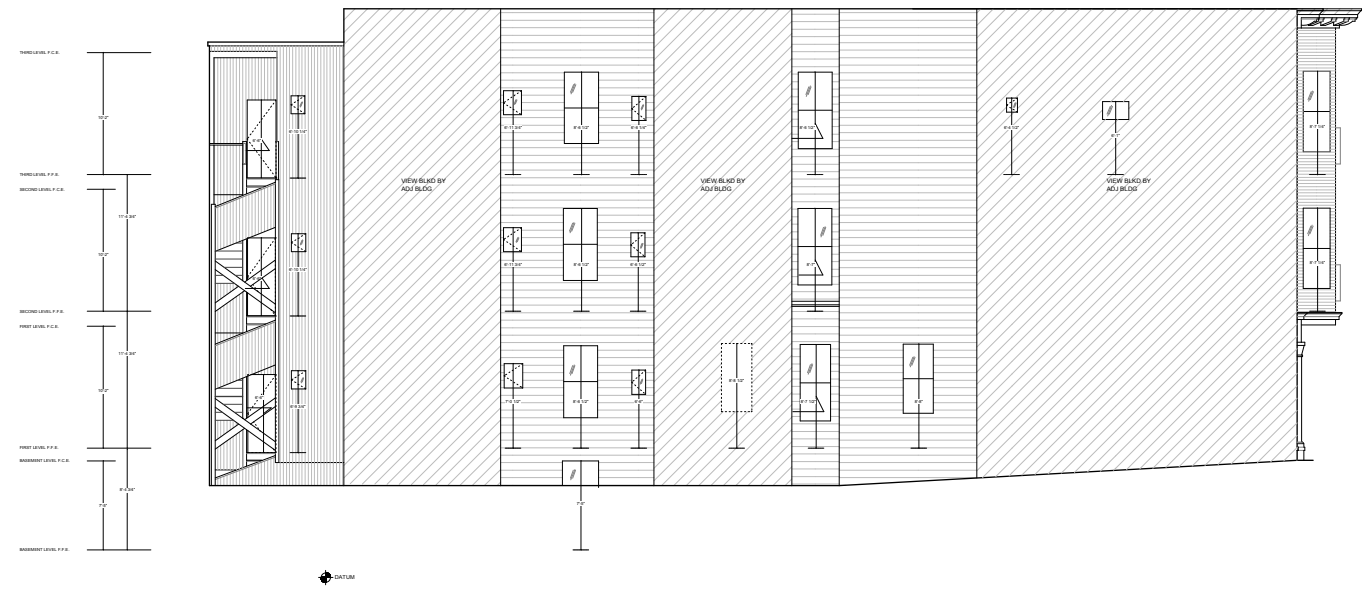


3 (E) SECOND FLOOR PLAN
1/8" = 1'-0"

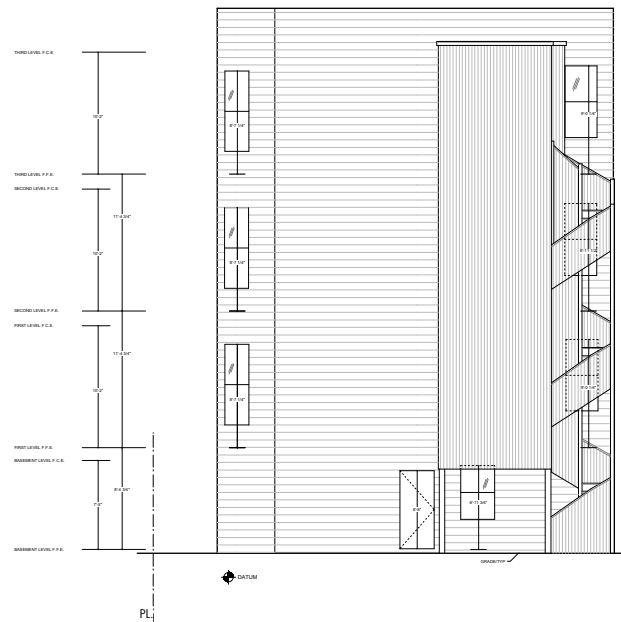




4 (E) WEST ELEVATION
- 1/8" = 1'-0"



2 (E) NORTH ELEVATION
- 1/8" = 1'-0"



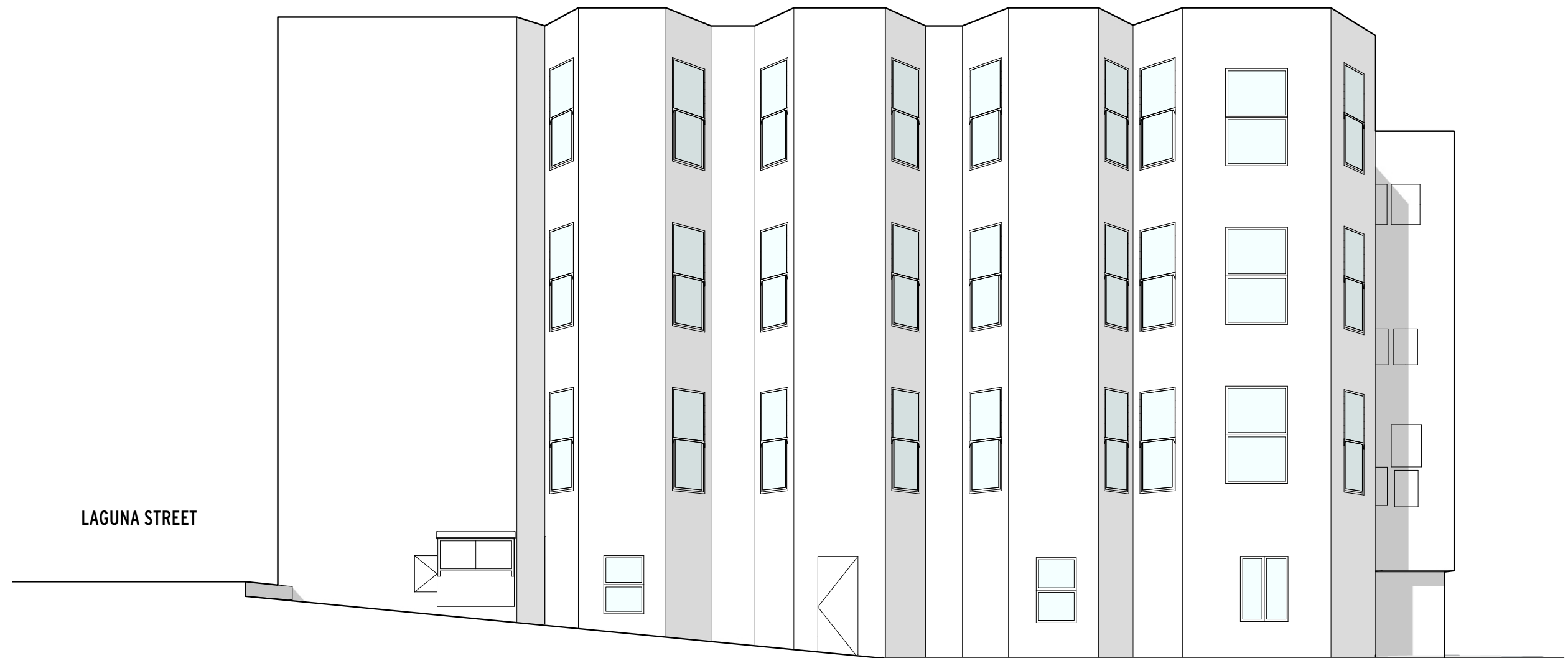
3 (E) EAST ELEVATION
- 1/8" = 1'-0"



1 (E) SOUTH ELEVATION
- 1/8" = 1'-0"

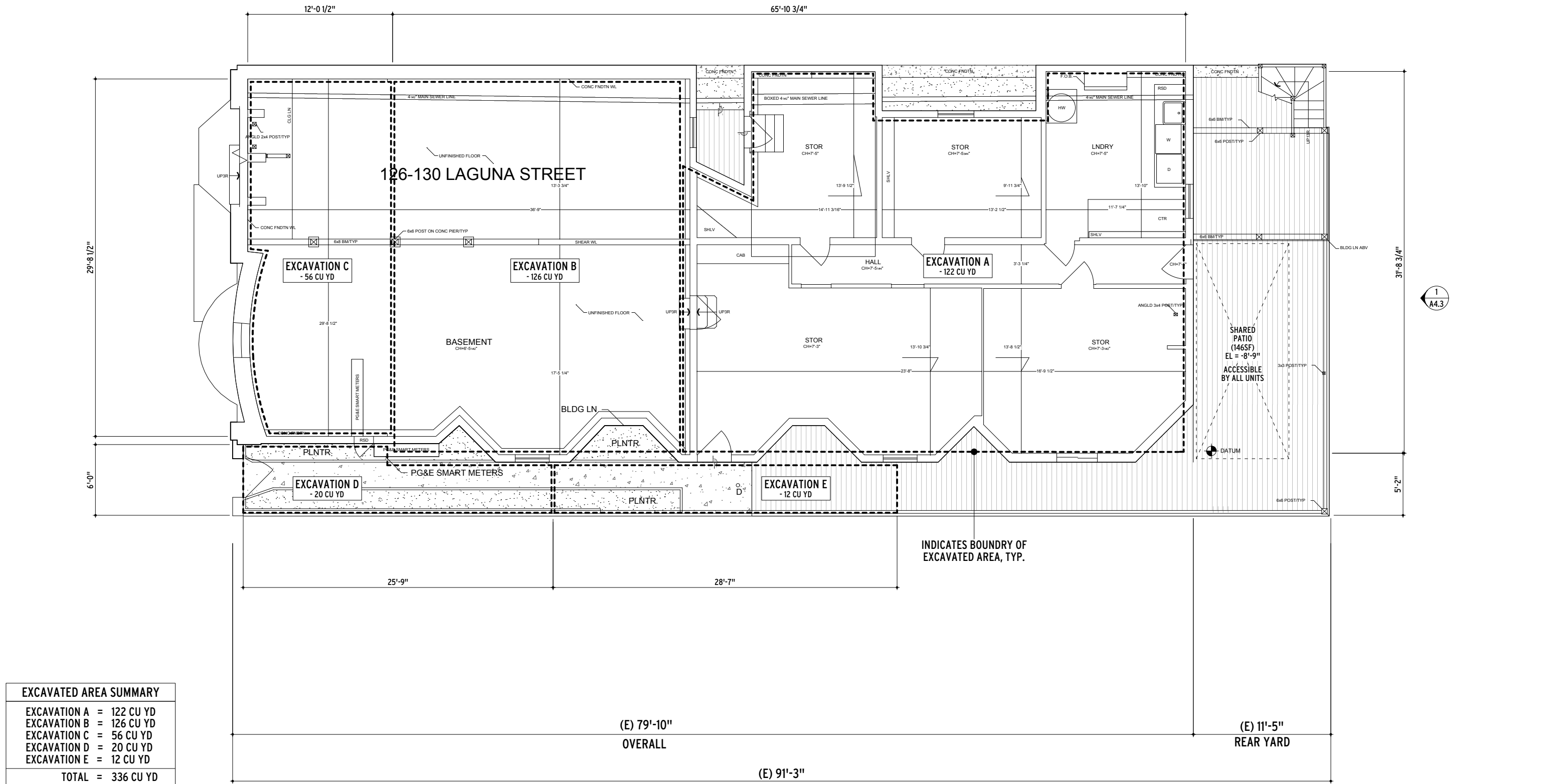
0' 16' 32' 48' 1/16" = 1'-0"

EXISTING ELEVATIONS 01/08/2015



EXISTING SOUTH ELEVATION PERSPECTIVE 01/08/2015





(E) 3RD FLOOR
+ 22'-10"

(E) 2ND FLOOR
+ 11'-5"

(E) 1ST FLOOR
+ 0'-0"

(E) SIDEWALK
- 3'-6"

(E) SIDING & WINDOWS
- NO CHANGE, TYP.

EXCAVATION C
- 56 CU YD

EXCAVATION B
- 126 CU YD

EXCAVATION A
- 122 CU YD

(E) REAR YARD
- 8'-9"

INDICATES DEPTH OF SIDE YARD EXCAVATION D & E, TYP.
- 32 CU YD TOTAL
- SEE (E) BASEMENT LEVEL PLAN SHT. A2.1

12'-0 1/2"

65'-10 3/4"

(E) 79'-10"
OVERALL

(E) 11'-5"
REAR YARD

(E) 91'-3"

0' 8' 16' 24'

1/8" = 1'-0"

EXISTING SOUTH ELEVATION

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APPLICATION FOR ENVIRONMENTAL EVALUATION
126-130 LAGUNA STREET
BLOCK 0856 LOT 013

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(E) 3RD FLOOR
+ 22'-10"

(E) 2ND FLOOR
+ 11'-5"

(E) 1ST FLOOR
+ 0'-0"

(E) SIDEWALK
- 3'-6"

(N) LANDING
- 8'-9"

(N) BASEMENT LEVEL
- 11'-8"

(E) SIDING & WINDOWS
- NO CHANGE, TYP.

ALLOWABLE 45 MINUTE FIRE-RATED "PROPERTY LINE"
WINDOWS SUBJECT TO ADMIN. BULLETIN NO. AB-009

ALLOWABLE 45 MINUTE FIRE-RATED "PROPERTY LINE"
WINDOWS SUBJECT TO ADMIN. BULLETIN NO. AB-009

WOOD WINDOWS TO MATCH
(E) WINDOWS IF ALLOWABLE
BY SFBC

INDICATES INTERIOR
FINISH FLOOR
LEVEL BEYOND

FIBER
CEMENT
SIDING,
(PTD), TYP.

(E) 1ST FLOOR
+ 0'-0"

GRADE PLANE
- 5'-11 1/8"

(E) REAR YARD
- 8'-9"

PROTECTED DOOR
17 SF
(< 29 SF ALLOWED)

13'-3"

25% ALLOWABLE
PROTECTED
OPENING AREA PER SFBC
TABLE 705.8
ALLOWED = 29SF (117SF X .25)

PROTECTED WINDOW
21 SF
(< 36 SF ALLOWED)

12'-6" (RECESSED)

25% ALLOWABLE
PROTECTED
OPENING AREA
PER SFBC TABLE 705.8
ALLOWED = 36SF (145SF X .25)

PROTECTED WINDOWS
84 SF
(< 128 SF ALLOWED)

28'-7" PATIO (RECESSED)

45% ALLOWABLE
PROTECTED
OPENING AREA PER SFBC TABLE 705.8
ALLOWED = 128SF (286SF X .45)

(E) 79'-10"
OVERALL

PROTECTED WINDOWS
42 SF
(< 44 SF ALLOWED)

25'-6"

15% ALLOWABLE
PROTECTED
OPENING AREA PER SFBC TABLE 705.8
ALLOWED = 44SF (298SF X .15)

(E) 11'-5"
REAR YARD

(E) 91'-3"

0' 8' 16' 24'

1/8" = 1'-0"

PROPOSED SOUTH ELEVATION

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APPLICATION FOR ENVIRONMENTAL EVALUATION
126-130 LAGUNA STREET
BLOCK 0856 LOT 013

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(E) 3RD FLOOR
+ 22'-10"

(E) 2ND FLOOR
+ 11'-5"

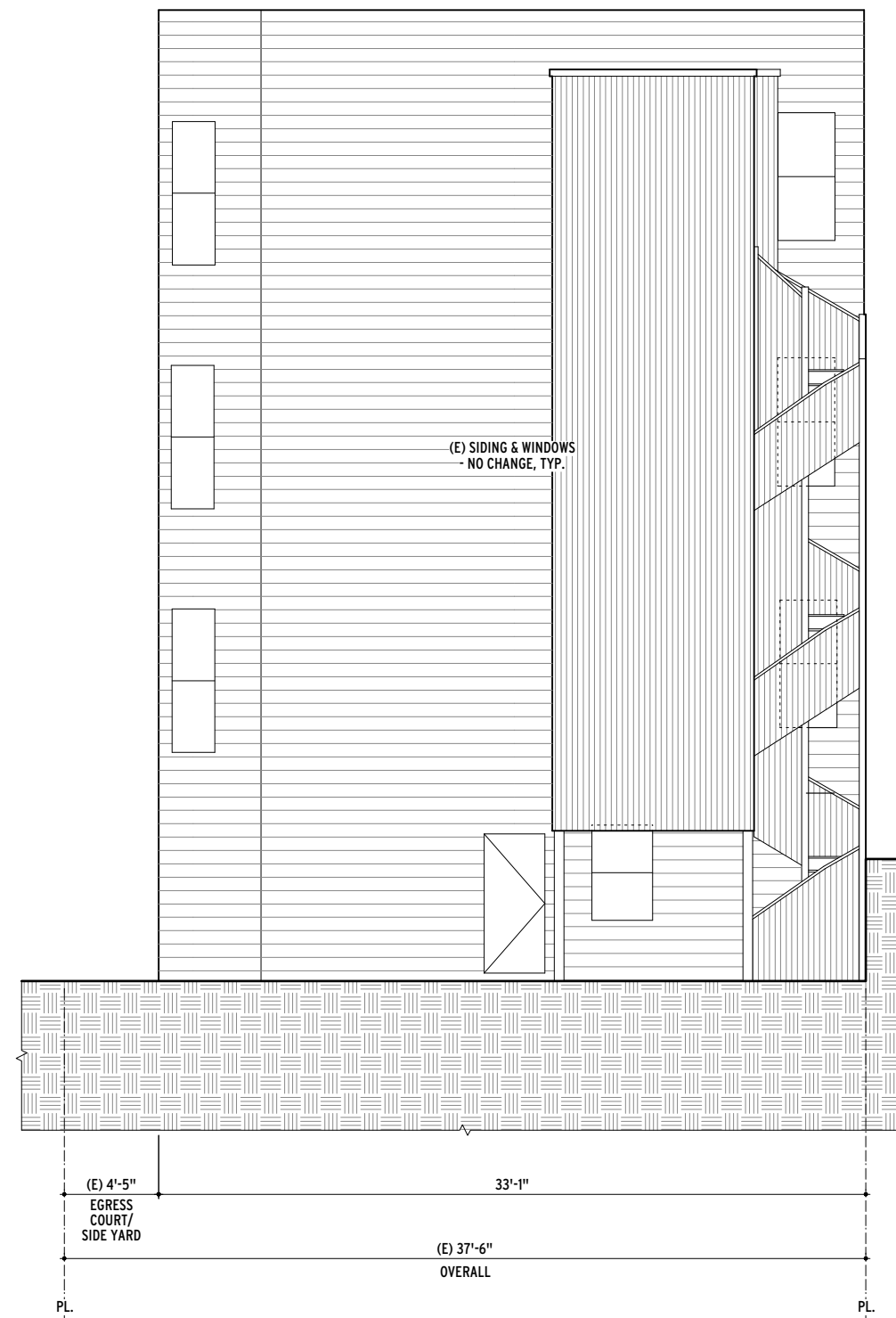
(E) 1ST FLOOR
+ 0'-0"

(E) REAR YARD
- 8'-9"

(E) SIDING & WINDOWS
- NO CHANGE, TYP.

(E) 1ST FLOOR
+ 0'-0"

(E) REAR YARD
- 8'-9"



0' 8' 16' 24'
1/8" = 1'-0"

EXISTING EAST ELEVATION 01/08/2015

(E) 3RD FLOOR
+ 22'-10"

(E) 2ND FLOOR
+ 11'-5"

(E) 1ST FLOOR
+ 0'-0"

(E) REAR YARD
- 8'-9"

(N) BASEMENT LEVEL
- 11'-8"

(E) SIDING & WINDOWS
- NO CHANGE, TYP.

FIBER
CEMENT
SIDING,
(PTD), TYP.

F

F

INDICATES INTERIOR
FINISH FLOOR LEVEL BEYOND

(E) 1ST FLOOR
+ 0'-0"

GRADE PLANE
- 5'-11 1/8"

(E) REAR YARD
- 8'-9"

(E) 4'-5"
EGRESS
COURT/
SIDE YARD

33'-1"

(E) 37'-6"
OVERALL

PL.

PL.

0' 8' 16' 24'

1/8" = 1'-0"

PROPOSED EAST ELEVATION

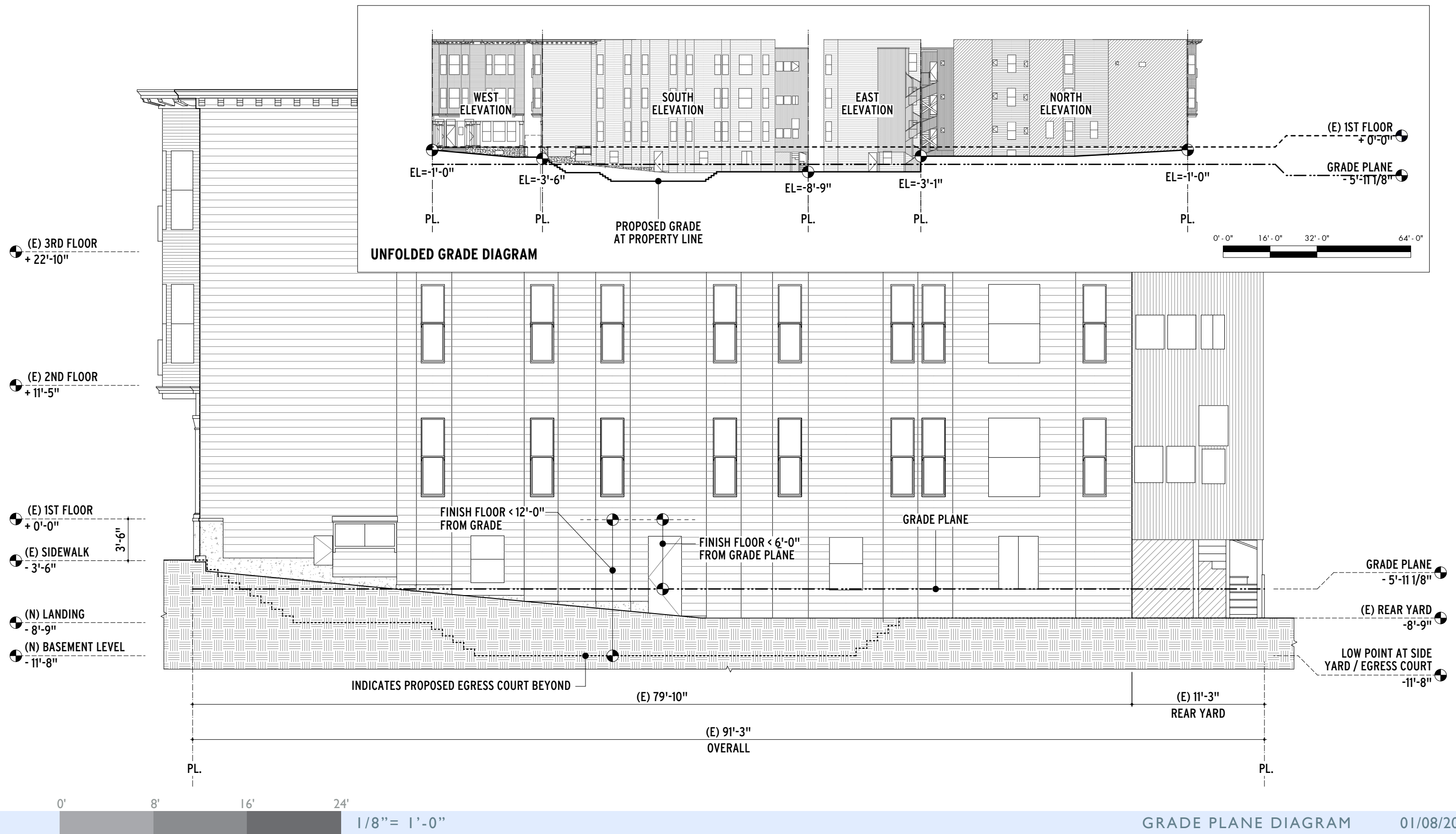
01/08/2015

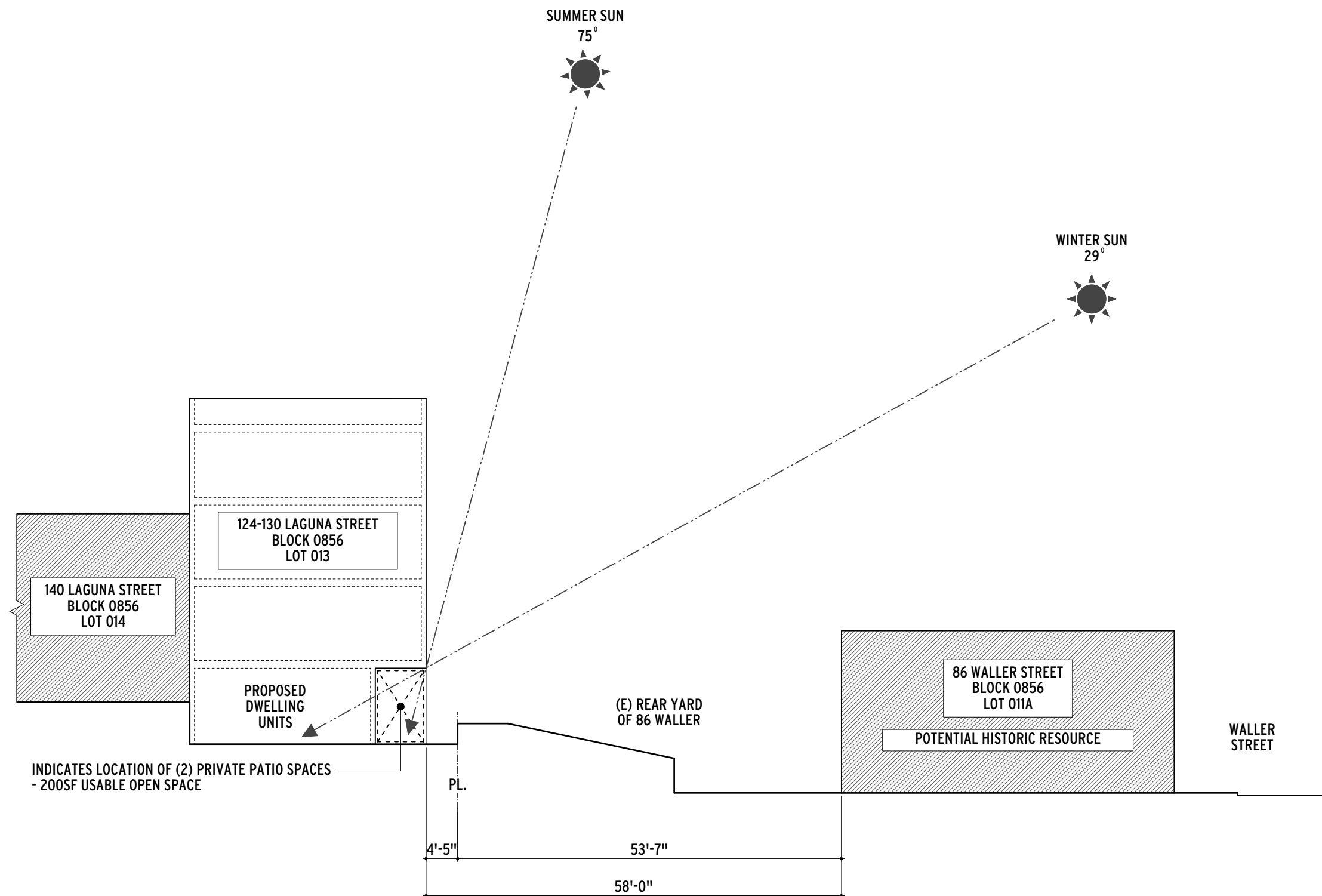
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APPLICATION FOR ENVIRONMENTAL EVALUATION
126-130 LAGUNA STREET
BLOCK 0856 LOT 013

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0' 16' 32' 48'

1/16" = 1'-0"

SITE SECTION - EXPOSURE DIAGRAM

01/08/2015

REVISION 1

DRAWINGS PER LILY YEGAZU'S COMMENTS ON OCTOBER 10, 2014 :

1. 20 SQUARE FEET OF GLAZING REMOVED FROM UNIT 124A'S LIVING ROOM WINDOWS.
2. THE LIVING ROOM WINDOWS OF UNIT 124A ARE NOW WOOD & DOUBLE HUNG SIMILAR TO THE WINDOWS ON THE 1ST 2ND AND 3RD FLOORS.
3. THE OGEE FOUND ON THE EXISTING WINDOWS IS REPLICATED ON THE NEW LIVING ROOM WINDOWS OF UNIT 124A.

LAGUNA STREET

REVISION 2

DRAWINGS PER LILY YEGAZU'S COMMENTS ON DECEMBER 1, 2014 :

1. THE FRIEZE THAT DIFFERENTIATES THE NEW WORK FROM THE EXISTING FOLLOWS THE PROJECTING BAY WINDOWS ABOVE, WITH THE EXCEPTION OF THE PORTION OF THE FRIEZE ABOVE UNIT 124B. THIS PORTION OF THE FRIEZE IS LOCATED APPROXIMATELY 55'-0" BACK FROM THE STREET.
2. UNIT 124A IS NOW RECESSED FROM THE EGRESS COURT. THE DEPTH OF THIS RECESS MATCHES THE EXISTING BAY WINDOW RECESS ABOVE. UNIT 124A IS LOCATED APPROXIMATELY 19'-3" FROM THE STREET.

LAGUNA STREET

≈ 55'-0"

REVISION 3

DRAWINGS PER LILY YEGAZU'S COMMENTS ON JANUARY 5, 2015 :

1. EXTEND (E) RECESS TO (N) GRADE
2. NO WINDOWS INTO DWELLING UNIT 124A PRIOR TO THE FIRST BAY PROJECTION

LAGUNA STREET

WOOD WINDOWS TO MATCH (E) WINDOWS IF ALLOWABLE BY SFBC

≈ 55'-0"

SUMMARY OF REVISIONS PER SFPD HISTORIC PRESERVATION

01/08/2015

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APPLICATION FOR ENVIRONMENTAL EVALUATION
126-130 LAGUNA STREET
BLOCK 0856 LOT 013

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