

SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: APRIL 19, 2018

Record No.:	2015-001650CUAVAR
Project Address:	3042 CALIFORNIA ST
Zoning:	RH-2 (Residential- House, Two Family District)
	40-X Height and Bulk District
Block/Lot:	1023/015
Applicant:	Brian Kaufman
	77 Van Ness Avenue #501, San Francisco, Ca 94102
Staff Contact:	Christopher May – (415) 575-9087
	<u>christopher.may@sfgov.org</u>
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 proposes to legalize the previously-demolished and partially reconstructed two-story, twounit dwelling at the rear of the subject property. Each dwelling unit occupies the entire floor, measures approximately 660 square feet, and contains one bedroom and one bathroom. Bicycle parking for each of the units is proposed within the common garage in the residential building at the front of the property fronting California Street. The partially reconstructed rear building has no rear yard, and the two proposed decks do not meet the minimum horizontal dimensions to qualify as private usable open space. Neither of the reconstructed dwelling units front onto a public street or Code-compliant rear yard; therefore, the project requires a variance to the rear yard, usable open space, and dwelling unit exposure requirements of Planning Code Sections 134, 135 and 140.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization for the demolition of dwelling units within the RH-2 Zoning District.

ISSUES AND OTHER CONSIDERATIONS

Public Comment & Outreach. As of April 9, 2018, in advance of the Planning Commission hearing on April 19, 2018, the Department has received one email, from the owner of the adjacent property at 3036-3038 California Street, expressing concerns regarding how the sides of the reconstructed building would be accessed for maintenance purposes. The Department also received three telephone inquiries related primarily to the size of the partially-reconstructed building compared to the original building, and how concerns related to an apparent vermin infestation on the subject property could be handled.

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- Existing Tenant & Eviction History: Both of the partially-reconstructed units are vacant. There is no known evidence of any evictions on the subject property. See Exhibit G for Eviction History documentation.
- **Rear Yard, Usable Open Space and Dwelling Unit Exposure:** The partially reconstructed building has no rear yard, and the two proposed decks do not meet the minimum horizontal dimensions to qualify as private usable open space. Neither of the reconstructed dwelling units front onto a public street or Code-compliant rear yard; therefore, the project requires a variance to the rear yard, usable open space, and dwelling unit exposure requirements of Planning Code Sections 134, 135 and 140. The Zoning Administrator will consider these Variance requests concurrent with the Planning Commission hearing for this Conditional Use Authorization.
- **Design Review Comments:** The project has changed in the following significant ways since the original submittal to the Department:
 - Removal of an external staircase providing access to the 2nd floor unit and the provision of an interior staircase providing access to the 2nd floor unit.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Project will reconstruct two dwelling units that have sat vacant and in disrepair for close to ten years. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

- Draft Motion Conditional Use Authorization
- Exhibit A Conditions of Approval
- Exhibit B Plans and Renderings
- Exhibit C Environmental Determination
- Exhibit D Land Use Data
- Exhibit E Maps and Context Photos
- Exhibit F Public Correspondence
- Exhibit G Eviction History Documentation



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: APRIL 19, 2018

Case No.:	2015-001650CUAVAR
Project Address:	3042 CALIFORNIA STREET
Zoning:	RH-2 (Residential, House - Two-Family) Zoning District
	40-X Height and Bulk District
Block/Lot:	1023/015
Project Sponsor:	Brian Kaufman, Brian Kaufman Design
	77 Van Ness Ave, #501
	San Francisco, CA 94102
Property Owner:	3042 California Street, LLC
	San Francisco, CA 94102
Staff Contact:	Christopher May – (415) 575-9087
	christopher.may@sfgov.org

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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 303 AND 317 TO LEGALIZE THE PREVIOUSLY DEMOLISHED AND PARTIALLY RECONSTRUCTED TWO-STORY BUILDING AT THE REAR OF THE SUBJECT PROPERTY (APPROXIMATELY 1,320 SQUARE FEET) WITH TWO DWELLING UNITS (CONSISTING OF TWO 1-BEDROOM UNITS) AND 4 BICYLCE SPACES, LOCATED AT 3042 CALIFORNIA STREET, LOT 015 IN ASSESSOR'S BLOCK 1023, WITHIN THE RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On September 13, 2016, Brian Kaufman of Brian Kaufman Design (hereinafter "Project Sponsor") filed Application No. 2015-001650CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to legalize the previously demolished and partially reconstructed two-story, two-unit building at the rear of the subject property (hereinafter "Project") at 3042 California Street, Block 1023 Lot 015 (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2015-001650CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On April 19, 2018, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2015-001650CUA.

On March 7, 2018, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as Class 1 and 3 Categorical Exemptions under CEQA as described in the determination contained in the Planning Department files for this Project.

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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 Authorization as requested in Application No. 2015-001650CUA, 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. **Project Description.** The Project includes legalizing the previously-demolished and partially reconstructed two-story, two-unit residential building at the rear of the subject property. The replacement building occupies the same footprint and is the same height as the demolished building. Each dwelling unit occupies the entire floor, measures approximately 660 square feet, and contains one bedroom and one bathroom. Bicycle parking for each of the units is proposed within the common garage in the residential building at the front of the property fronting California Street. Common usable open space, measuring approximately 315 square feet, is provided for the two units in an area at grade between the rear building and the main building fronting California Street. The original second floor unit had been accessed by a non-Code compliant exterior staircase within the open space separating the two buildings on the lot. The replacement building proposes to internalize this staircase accessing the upper unit which will improve access to light and air onto this shared usable open space.
- 3. Site Description and Present Use. The project is located on the north side of California Street, between Lyon and Baker Streets, Lot 015 in Assessor's Block 1023. The property is located within the RH-2 (Residential, House Two-Family) District and a 40-X Height and Bulk District. The subject property has approximately 25 feet of frontage on California Street and is approximately 128 feet deep. The property slopes laterally downward toward the east and is currently occupied by a three-story-over-garage, three-unit building at the very front of the lot, which was constructed circa 1907. A permit to renovate the front building, including the addition of a roof deck to provide common usable open space, was issued in April, 2016. The previously-demolished and partially reconstructed two-story, two-unit building is located at the rear of the subject property. Prior to its demolition, the rear building sat vacant for several years, having been left in a state of disrepair. Together, the two buildings occupy approximately 80% of the lot.
- 4. **Surrounding Properties and Neighborhood.** This part of the Pacific Heights neighborhood is zoned RH-2 (Residential, House Two-Family) and is surrounded primarily by two-family dwellings and multi-unit apartment buildings ranging in height from two to four stories. Immediately adjacent to the subject property to the west is a two-story-over-garage, 5-unit residential building and immediately to the east is a two-story-over-garage, two-unit residential

building. Directly across the street there are a mix of two- and three-story-over-garage multi-unit residential buildings. The subject property is well-served by public transit, being located within a quarter-mile of stops for the 1 – California, 1AX – California A Express, 1BX – California B Express, 2 - Clement, 3 - Jackson, 24 – Divisadero, 31AX – Balboa A Express, 31BX – Balboa B Express, 38AX – Geary A Express, 38BX – Geary B Express, 43 – Masonic, and NX – N Express MUNI transit lines.

- 5. **Public Outreach and Comments.** As of April 9, 2018, in advance of the Planning Commission hearing on April 19, 2018, the Department has received one email, from the owner of the adjacent property at 3036-3038 California Street, expressing concerns regarding how the sides of the reconstructed building would be accessed for maintenance purposes. The Department also received three telephone inquiries related primarily to the size of the partially-reconstructed building compared to the original building, and how concerns related to an apparent vermin infestation on the subject property could be handled.
- 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. Residential Demolition. Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to demolish a residential unit in an RH-2 Zoning District. This Code Section establishes criteria that Planning Commission shall consider in the review of applications for Residential Demolition.

As the project requires Conditional Use Authorization per the requirements of the Section 317, the additional criteria specified under Section 317 have been incorporated as findings in Subsection 7 "Dwelling Unit Removal" below.

B. **Rear Yard.** Planning Code Section 134 requires a rear yard equal to 45 percent of the total depth, at grade and above, for properties containing dwelling units in RH-2 Zoning Districts. Where applicable, Planning Code Section 134(c) allows for the reduction in the rear yard requirement to the average between the depths of the rear building walls of the two adjacent buildings.

The subject property is approximately 128 feet in depth and therefore the 45 percent rear yard requirement is approximately 48 feet. However, the adjacent conditions allow for the required rear yard to be reduced to an average of the depths of the rear building walls of the two adjacent buildings, which in this case would be approximately 39 feet. The previously-demolished and partially reconstructed two-story, two-unit building abuts its rear lot line and occupies most of the required rear yard. As such, a Variance to the rear yard requirements of Planning Code Section 134 is required to legalize the building's reconstruction. The Zoning Administrator will consider this Variance request concurrent with the Planning Commission hearing for this Conditional Use Authorization.

C. **Usable Open Space.** Planning Code Section 135 requires 125 square feet of useable open space for each dwelling unit if all private, or a total of 333 square feet of common usable open space.

The Project contains two dwelling units. The lower unit has exclusive access to a 70 square-foot private deck on the ground floor at the northwest corner of the subject property, but it is not large enough to qualify as private usable open space. Instead, the 315 square-foot space between the rear building and the main building fronting California Street is proposed to serve as common usable open space for the two partially-reconstructed units. This space does not meet the minimum 333 square-foot requirement; therefore a Variance to the usable open space requirements of Planning Code Section 135 is required. The Zoning Administrator will consider this Variance request concurrent with the Planning Commission hearing for this Conditional Use Authorization.

D. **Dwelling Unit Exposure**. Planning Code Section 140 requires that at least one 120 square-foot room in all dwelling units face onto a public street or public alley at least 30 feet in width, a side yard at least 25 feet in width, a rear yard meeting the requirements of the Code or other open area that meets minimum requirements for area and horizontal dimensions.

Neither of the two partially-reconstructed dwelling units in the rear building front onto a public street, a Code-compliant rear yard or other open area meeting the above minimum requirements. As such, a Variance to the dwelling unit exposure requirements of Planning Code Section 140 is required. The Zoning Administrator will consider this Variance request concurrent with the Planning Commission hearing for this Conditional Use Authorization.

E. **Off-Street Parking**. Planning Code Section 151 requires one parking space for each dwelling unit and a maximum of four spaces when two are required. Planning Code Section 150(e) allows for off-street parking spaces to be reduced and replaced by bicycle parking spaces.

The Project will provide two (2) bicycle parking spaces in lieu of the required off-street vehicular parking spaces in the garage level of the main building fronting California Street.

F. **Bicycle Parking**. Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for each dwelling unit.

In addition to the two bicycle parking spaces to replace the required off-street vehicular parking spaces, the project proposes another two Class 1 bicycle parking spaces for the partially-reconstructed dwelling units.

G. **Building Height**. Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district.

The subject property is located within the 40-foot height district. The previously-demolished and partially reconstructed two-story, two-unit building is approximately 22 feet in height.

H. **Dwelling Unit Density.** Planning Code Section 209 permits a maximum dwelling unit density of two dwelling units per lot, or up to one dwelling unit per 1,500 square feet of lot area as a Conditional Use.

The subject property contains three dwelling units in the main building fronting California Street and proposes to reconstruct two dwelling units that were demolished in the rear building. Planning Code Section 181(c)(2) allows for the reconstruction of dwelling units that exceed the maximum permitted density, so long as such reconstruction does not otherwise extend beyond the building envelop as it existed on January 1, 2013. The partially-reconstructed two-story, two-unit building is within the same envelope as that which was previously demolished.

- 7. **Dwelling Unit Removal.** Planning Code Section 317 establishes criteria for the Planning Commission to consider when reviewing applications to demolish or convert Residential Buildings. On balance, the Project does comply with said criteria in that:
 - i. Whether the property is free of a history of serious, continuing code violations;

A review of the Department of Building Inspection and the Planning Department databases showed seven complaints, dating between 1999 and 2013, related to the abandoned and deteriorating twostory, two-unit building at the rear of the subject property. Four additional complaints, which led to the notice of violation related to this project, were received between 2014 and 2015, which related to work being done outside the scope of the approved permit for the renovation work on the main building fronting California Street.

ii. Whether the housing has been maintained in a decent, safe, and sanitary condition;

Prior to its demolition, the two-story, two-unit building does not appear to have been maintained in a decent, safe, and sanitary condition for approximately 15 years.

iii. Whether the property is an "historical resource" under CEQA;

Although the demolished building was more than 50 years old, a review of supplemental information resulted in a determination that the property is not an historical resource.

iv. Whether the removal of the resource will have a substantial adverse impact under CEQA;

The structure is not an historical resource and its removal will not have a substantial adverse impact.

v. Whether the Project converts rental housing to other forms of tenure or occupancy;

The two previously-demolished and partially-reconstructed dwelling units are vacant and had been vacant for more than 20 years. Upon completion, the project sponsor's family members propose to occupy the two dwelling units.

vi. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

The Planning Department cannot definitively determine whether or not the previously-demolished and partially-reconstructed dwelling units are subject to the Rent Stabilization and Arbitration Ordinance. This is the purview of the Rent Board.

vii. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

Although the two-unit building has already been demolished, the project will result in two replacement dwellings.

viii. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

The Project conserves neighborhood character with appropriate scale, design, and materials, and improves cultural and economic diversity by reconstructing two dwellings that are consistent with the RH-2 Zoning District.

ix. Whether the Project protects the relative affordability of existing housing;

The proposed reconstructed units would be new and therefore are likely to be less affordable than older housing units.

x. Whether the Project increases the number of permanently affordable units as governed by Section 415;

The Project is not subject to the provisions of Planning Code Section 415, as the project proposes fewer than ten units.

xi. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

While the subject property is an anomaly in terms of having a two-story, two-unit building occupying the rear yard, the Project proposes to replace two dwelling units that have been previously demolished in their original location.

xii. Whether the project increases the number of family-sized units on-site;

The Project proposes to reconstruct two 1-bedroom units.

xiii. Whether the Project creates new supportive housing;

The Project does not create supportive housing.

xiv. Whether the Project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

On balance, the overall scale, design, and materials of the proposed building are consistent with the neighborhood character with traditional building materials and design.

xv. Whether the Project increases the number of on-site dwelling units;

The Project would replace two dwelling units that were demolished.

xvi. Whether the Project increases the number of on-site bedrooms.

The interior layout of the two dwelling units prior to their demolition is unknown. The proposal includes two one-bedroom units.

xvii. Whether or not the replacement project would maximize density on the subject lot; and,

The project will exceed the allowed density on-site by replacing two demolished dwelling units.

xviii. If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all the existing units with new dwelling units of a similar size and with the same number of bedrooms.

The project will replace two demolished dwelling units with two equally-sized dwelling units each containing one bedroom. The Planning Department cannot definitively determine whether or not the dwelling units are subject to the Rent Stabilization and Arbitration Ordinance. This is the purview of the Rent Board; however, the Department can confirm that there were no tenants living in the dwelling units for several years prior to their demolition.

- 8. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies 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 use and size of the proposed project is compatible with the immediate neighborhood. While its location within the required rear yard is non-conforming, the size and location of the reconstructed two-story, two-unit building at the rear of the lot is identical to the building that was previously demolished.

- 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:
 - (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The height and bulk of the replacement building will be identical to the building that was previously demolished and will not alter the existing appearance or character of the project vicinity.

(2) 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 replacement building should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The project will provide four bicycle spaces in lieu of off-street vehicular parking.

(3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

As the proposed project is residential in nature, unlike commercial or industrial uses, the proposed residential use is not expected to produce noxious or offensive emissions.

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

While not fully Code-compliant, the project will provide some private and common usable open space within the area between the two buildings.

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

Except for those provisions for which Variances are being requested, 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 Residential District.

The proposed project is consistent with the stated purpose of RH-2 Districts which are devoted to onefamily and two-family houses that are finely scaled and usually do not exceed 25 feet in width or 40 feet in height.

9. **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 2.1:

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

OBJECTIVE 3:

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

Policy 3.1:

Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

Policy 3.4:

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

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.

OBJECTIVE 11:

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

Policy 11.1:

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

Policy 11.2: Ensure implementation of accepted design standards in project approvals.

Policy 11.3:

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

Policy 11.4:

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.5:

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

The Project will allow for the reconstruction of a previously-demolished two-story, two-unit building at the rear of the subject property. The building had been left vacant and in a state of disrepair for several years

and while in the process of repairing the building, a significant amount of structural elements were removed such that it has been determined to be tantamount to demolition, pursuant to Planning Code Section 317.

Each dwelling unit occupies the entire floor, measures approximately 660 square feet, and contains one bedroom and one bathroom. Bicycle parking for each of the units is proposed within the common garage in the building at the front of the property fronting California Street. Common usable open space, measuring approximately 315 square feet, is provided for the two units in an area at grade between the rear building and the main building fronting California Street.

The project represents an improvement over the previous condition in that the original second floor unit had been accessed by a non-Code compliant exterior staircase within the open space separating the two buildings on the lot. The replacement building proposes to internalize this staircase accessing the upper unit which will improve access to light and air onto this shared usable open space. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

- 10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies 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.

Existing neighborhood-serving retail uses would not be displaced or otherwise adversely affected by the proposal, as the existing building does not contain commercial uses.

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

The project is compatible with the existing housing and neighborhood character of the immediate vicinity. The project proposes a height and scale identical to the building that was demolished, which is compatible with the surrounding neighborhood and is consistent with the Planning Code.

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

The Project does not propose any affordable housing.

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

The subject property is well-served by public transit, being located within a quarter-mile of stops for the 1 – California, 1AX – California A Express, 1BX – California B Express, 2 - Clement, 3 - Jackson, 24 – Divisadero, 31AX – Balboa A Express, 31BX – Balboa B Express, 38AX – Geary A Express, 38BX – Geary B Express, 43 – Masonic, and NX – N Express MUNI transit lines. The Project also provides sufficient bicycle parking for residents and their guests. 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 will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

The Project site is not occupied by any City Landmarks or historic buildings.

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 have an impact on open spaces.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2015-001650CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 14, 2017, 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. 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 April 19, 2018.

Jonas P. Ionin Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 19, 2018

SAN FRANCISCO PLANNING DEPARTMENT

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to legalize the previously-demolished and partially reconstructed two-story, two-unit dwelling at the rear of the subject property located at 3042 California Street, Block 1023, Lot 015 pursuant to Planning Code Sections 303 and 317 within the RH-2 Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated March 14, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2015-001650CUA and subject to conditions of approval reviewed and approved by the Commission on April 19, 2018 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 April 19, 2018 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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

DESIGN – COMPLIANCE AT PLAN STAGE

Final Materials. The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be SAN FRANCISCO PLANNING DEPARTMENT

subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

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

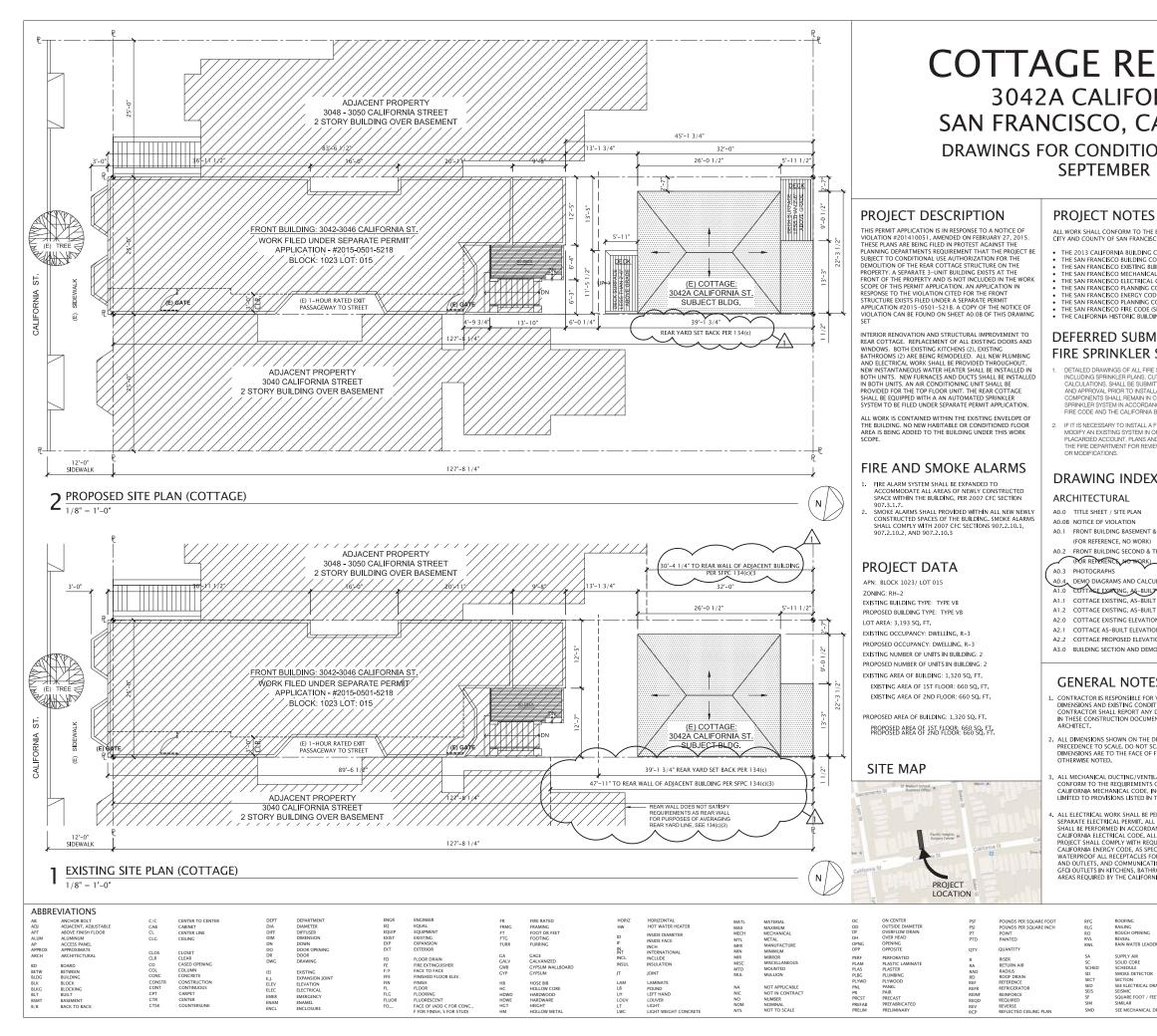
For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, <u>www.sf-planning.org</u>

PARKING AND TRAFFIC

8. **Bicycle Parking.** The Project shall provide no fewer than four Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

PROVISIONS

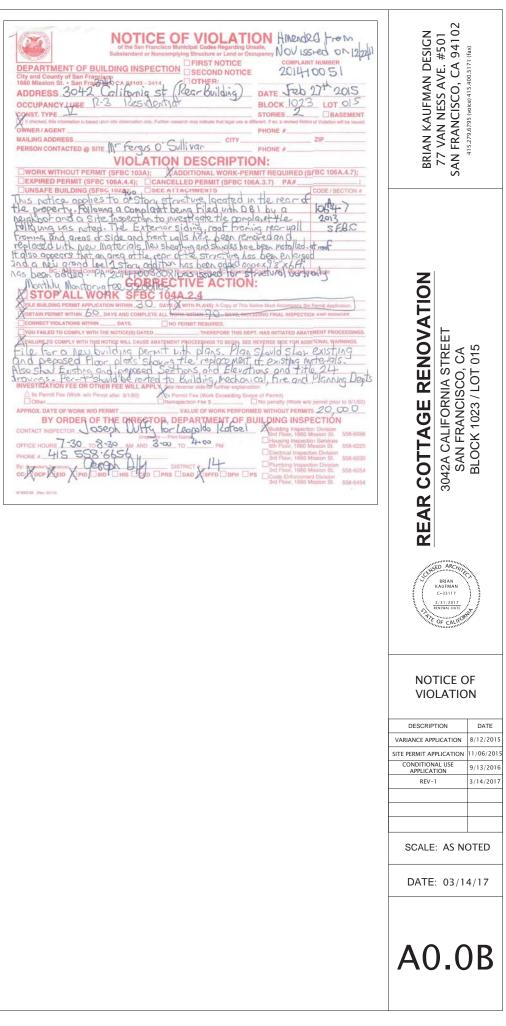
9. Child Care Fee - Residential. The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A. *For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org*

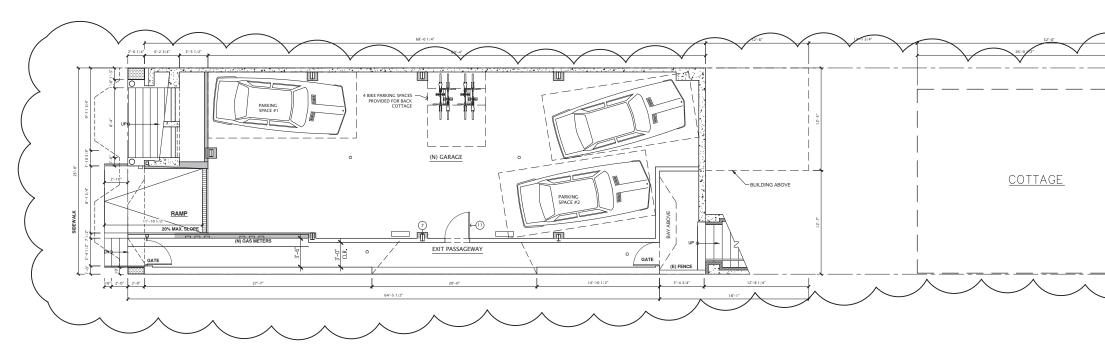


ENOVATION RNIA STREET ALIFORNIA 94115 DNAL USE APPLICATION 12, 2016			BRIAN KAUFMAN DESIGN 77 VAN NESS AVE. #501 SAN FRANCISCO, CA 94102 415.279.6795 (voleo) 415.400.5171 (fax)		
EULIDING CODES AS RE CODE CODE CODE CODE CODE CODE CODE COD	QUIRED BY THE T LIMITED TO:	A SAN A CTS CT: FER FOS SAN BRIA SAN BRIA SAN BRIA SAN	CUS O'SULLIVAN COMPANY 9 LONGARD STREET FRANCISCO, CA 94102 -279-6795		3042A CALIFORNIA STREET SAN FRANCISCO, CA BLOCK 1023 / LOT 015
CIFIED IN THESE PLANS.	NEW STAIRS SHALL HAVE AND 11' MINIMUM TREAI WITHIN INDIVIDUAL DWE A MAXIMUM RISER OF 7 10''. G. GUARDRAILS, PICKETS, A DESIGNED AND CONSTRI, 4' DIAMETER CAN NOT P MAXIMUM 6' DIAMETER I FORMED BY THE TREAD, BALUSTER/BALUSTRADE. STAIRS WITH 4 OR MORE INSTALLED BETWEEN 34" EDGE OF THE STAIR TREA AT THE TOP AND BOTTO 3' 7. ALL HABITABLE ROOMS S NATURAL LIGHT AND VEN	DT COMPLY UND AND RISE A 7" MAXIMI D DEPTH, EX LILING UNITS " AND MINIM ND BALUSTE! CITED SUCH ASS THROUC S ALLOWED / NISER, AND HANDRAILS RISER, HAN D NOSING, V M OF THE ST HALL BE PRC THLATION. T	WTH CURRENT CODE R DIMENSIONS, ANY JM RISER HEIGHT EPT FOR STARES WHICH SHALL HAVE IUM TREAD DEPTH OF RS SHALL BE THAT A BALL WITH A H ANY PORTION, A AT THE TRIANGLE ARE REQUIRED ON DRAILS SHALL BE JVC THE LEADING WTH 12" EXTENSIONS AIR RUN. VIDED WITH HE MINIMUM	SIT DESCRIP VARIANCE APP SITE PERMIT AP CONDITION APPLICAT REV-	LICATION 8/12/2015 PLICATION 11/06/2015 AL USE 9/13/2016
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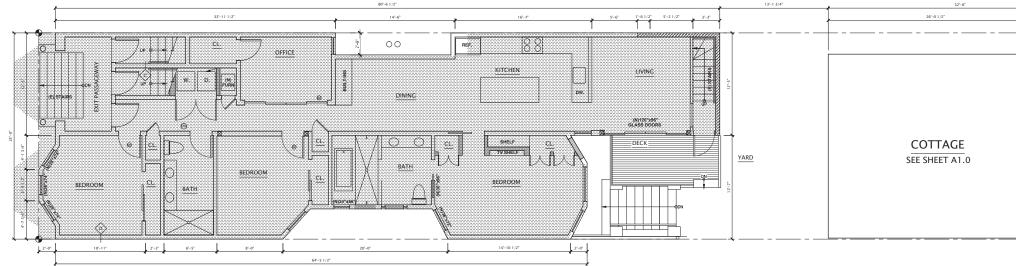
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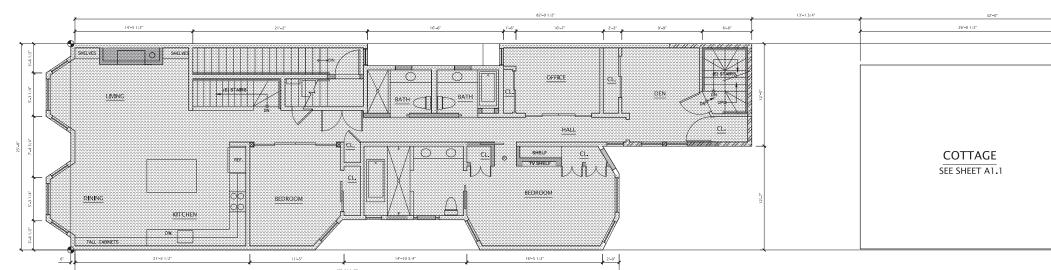
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\frac{1}{3^{16''}-1^{-0''}}
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NOTE: NO WORK TO BE DONE ON THE FRONT BUILDING UNDER THE SCOPE OF THIS PERMIT. WORK SCOPE FOR THE FRONT BUILDING IS FILED UNDER SEPARATE PERMIT APPLICATION #2015-0501-5218



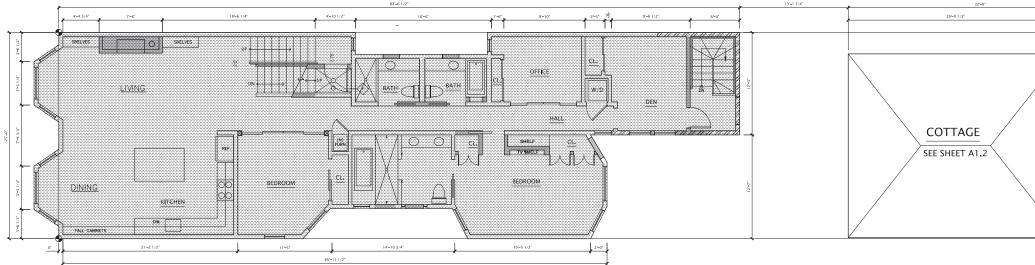
NOTE: NO WORK TO BE DONE ON THE FRONT BUILDING UNDER THE SCOPE OF THIS PERMIT. WORK SCOPE FOR THE FRONT BUILDING IS FILED UNDER SEPARATE PERMIT APPLICATION #2015-0501-521

5-11 1/2 	BRIAN KAUFMAN DESIGN 77 VAN NESS AVE. #501 SAN FRANCISCO, CA 941 02 415.2796.795 (voleol 415.4005171 (fax)
	REAR COTTAGE RENOVATION 3042A CALIFORNIA STREET SAN FRANCISCO, CA BLOCK 1023 / LOT 015
5-111/2" 	FRONT BUILDING PLANS (FOR REFERENCE, NO WORK) DESCRIPTION DATE VARIANCE APPLICATION 8/12/2015 SITE PERMIT APPLICATION 11/06/2015 CONDITIONAL USE OP13/2016
8	APPLICATION 9/13/2018 REV-1 3/14/2017 SCALE: AS NOTED DATE: 03/14/17 A0.1



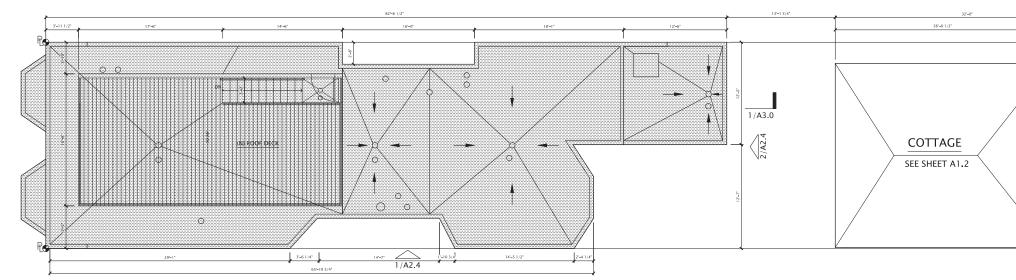
FRONT BUILDING SECOND FLOOR PLAN - FOR REFERENCE ONLY 3/16" = 1'-0"

NOTE: NO WORK TO BE DONE ON THE FRONT BUILDING UNDER THE SCOPE OF THIS PERMIT. WORK SCOPE FOR THE FRONT BUILDING IS FILED UNDER SEPARATE PERMIT APPLICATION #2015-0501-5218



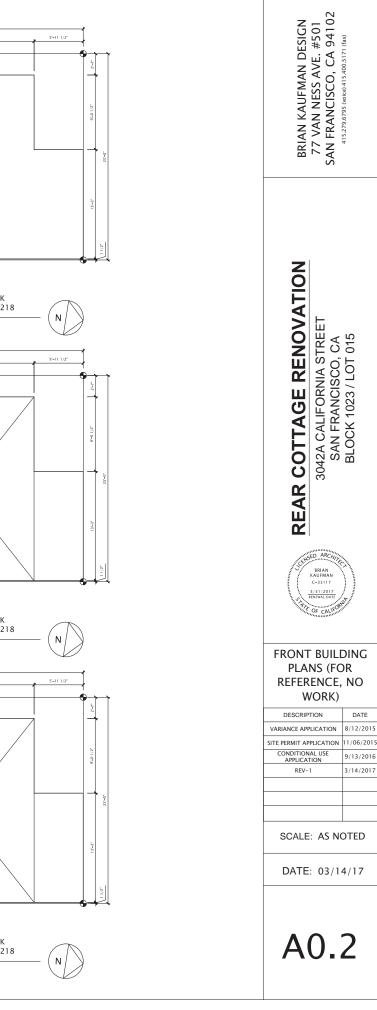
$2 \frac{\text{FRONT BUILDING THIRD FLOOR PLAN - FOR REFERENCE ONLY}}{_{3/16''=1'-0''}}$

NOTE: NO WORK TO BE DONE ON THE FRONT BUILDING UNDER THE SCOPE OF THIS PERMIT. WORK SCOPE FOR THE FRONT BUILDING IS FILED UNDER SEPARATE PERMIT APPLICATION #2015-0501-5218



 $2 \frac{\text{ROOF PLAN} - \text{FOR REFERENCE ONLY}}{\frac{3}{16'' = 1' - 0''}}$

NOTE: NO WORK TO BE DONE ON THE FRONT BUILDING UNDER THE SCOPE OF THIS PERMIT. WORK SCOPE FOR THE FRONT BUILDING IS FILED UNDER SEPARATE PERMIT APPLICATION #2015-0501-5218



4 SECOND FLOOR COTTAGE



3 FIRST FLOOR COTTAGE

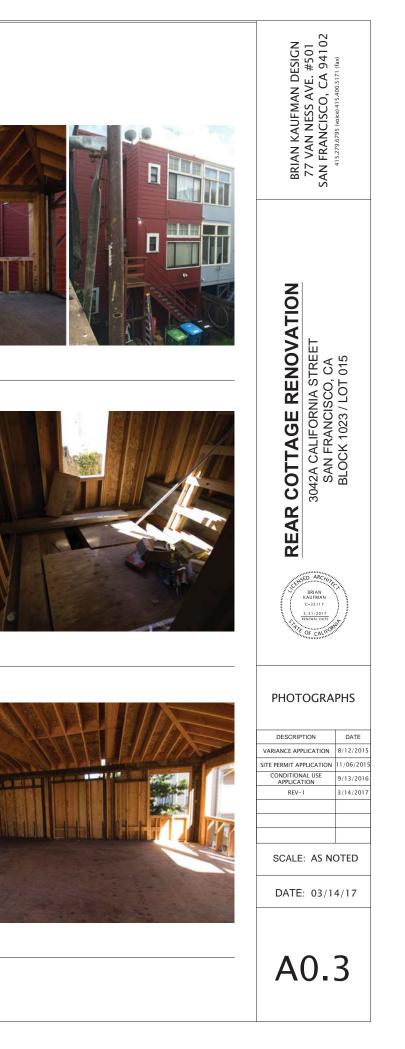


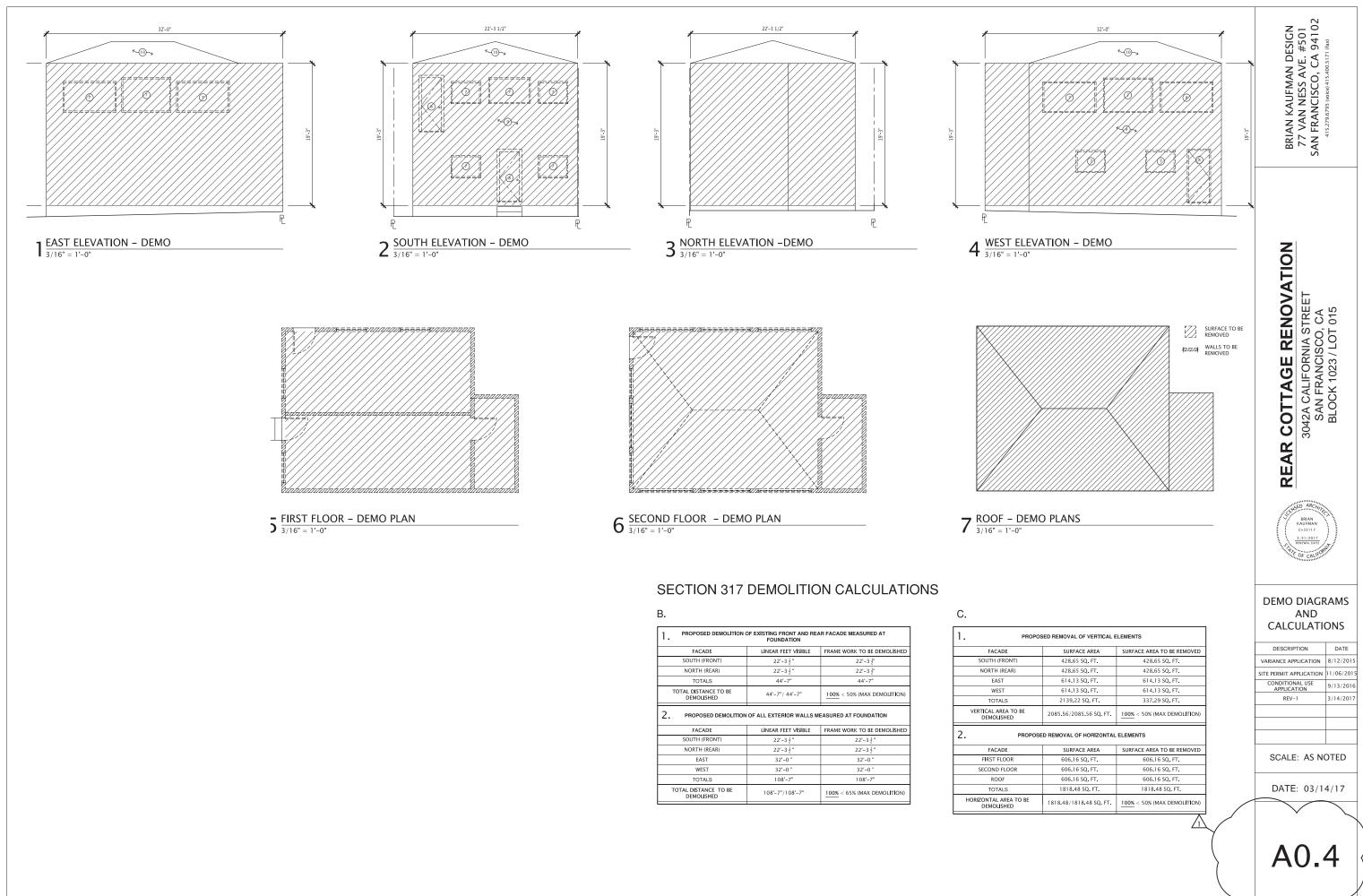
1 FRONT OF COTTAGE



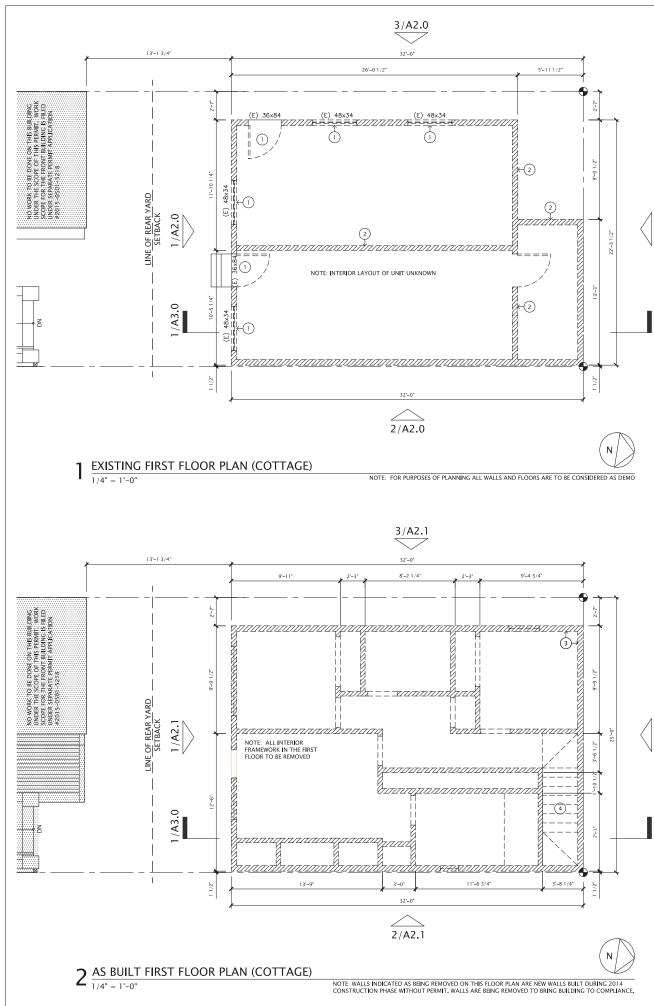


2 REAR OF ADJACENT BUILDINGS





PROPOSED DEMOLITION	OF EXISTING FRONT AND RE FOUNDATION	AR FACADE MEASURED AT
FACADE	LINEAR FEET VISIBLE	FRAME WORK TO BE DEMOLISHED
SOUTH (FRONT)	22'-3 ¹ / ₂ "	22'-3 ¹ / ₂ "
NORTH (REAR)	22'-3 ½ "	22'-3 ¹ / ₂ "
TOTALS	44'-7"	44'-7"
TOTAL DISTANCE TO BE DEMOLISHED	44'-7"/ 44'-7"	100% < 50% (MAX DEMOLITION)
PROPOSED DEMOLITION	I OF ALL EXTERIOR WALLS N	
		FRAME WORK TO BE DEMOLISHED
FACADE	LINEAR FEET VISIBLE	
FACADE SOUTH (FRONT)	LINEAR FEET VISIBLE	FRAME WORK TO BE DEMOLISHED
FACADE SOUTH (FRONT) NORTH (REAR)	LINEAR FEET VISIBLE 22'-3 ½ " 22'-3 ½ "	FRAME WORK TO BE DEMOLISHED 22'-3 ½ " 22'-3 ½ "
FACADE SOUTH (FRONT) NORTH (REAR) EAST	LINEAR FEET VISIBLE 22'-3 ½ " 22'-3 ½ " 32'-0 "	FRAME WORK TO BE DEMOLISHED 22'-3 ½ " 22'-3 ½ " 32'-0 "



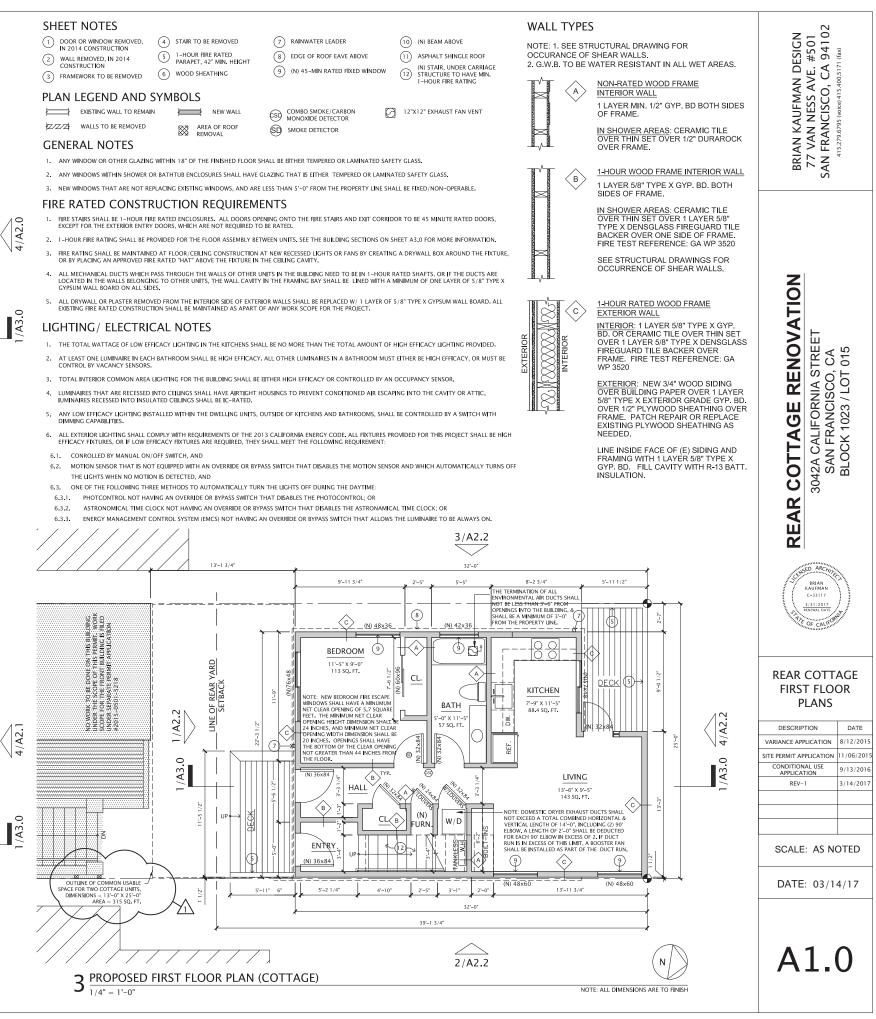
1 2 3	DOOR OR WINDOW REMOVED, IN 2014 CONSTRUCTION WALL REMOVED, IN 2014 CONSTRUCTION FRAMEWORK TO BE REMOVED	(4) (5) (6)	STAIR TO BE REMOVED 1-HOUR FIRE RATED PARAPET, 42" MIN. HEIGH WOOD SHEATHING

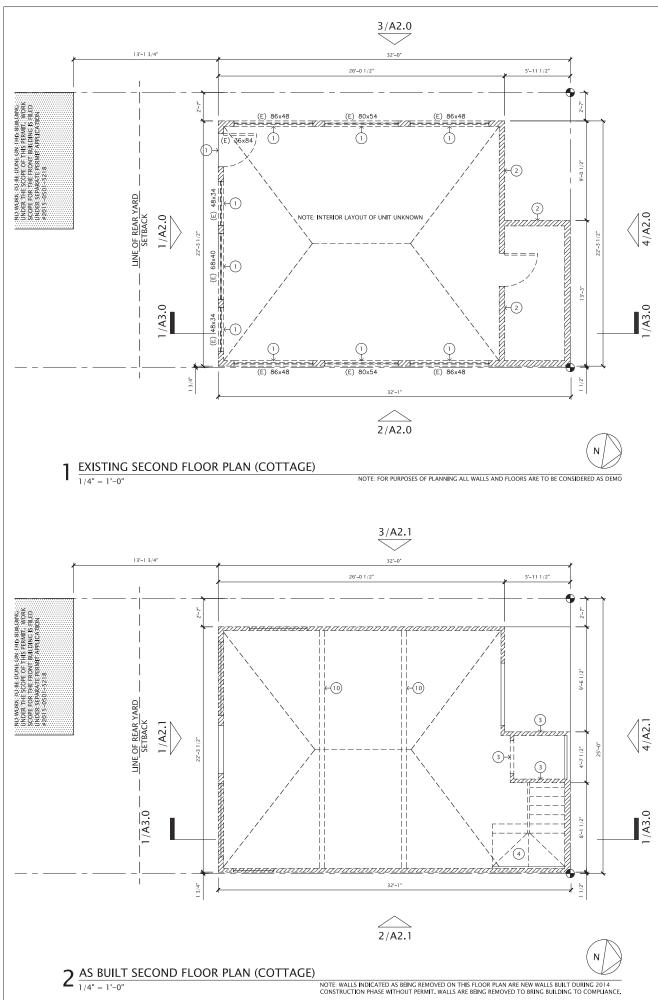
Ħ	EXISTING WALL TO REMAIN
2/2/2	WALLS TO BE REMOVED

- CONTROL BY VACANCY SENSORS.

- 6.1. CONROLLED BY MANUAL ON/OFF SWITCH, AND

- ASTRONOMICAL TIME CLOCK NOT HAVING AN OVERRIDE OR BYPASS SWITCH THAT DISABLES THE ASTRONAMICAL TIME CLOCK; OR 6.3.2.





SHEET NOTES

PLAN LEGEND AND SYMBOLS EXISTING WALL TO REMAIN

2/2/2	WALLS TO BE REMOVED

GENERAL NOTES

AREA OF ROOF REMOVAL \otimes SD SMOKE DETECTOR

NEW WALL

- 1. ANY WINDOW OR OTHER GLAZING WITHIN 18" OF THE FINISHED FLOOR SHALL BE EITHER TEMPERED OR LAMINATED SAFETY GLASS.
- 2. ANY WINDOWS WITHIN SHOWER OR BATHTUB ENCLOSURES SHALL HAVE GLAZING THAT IS EITHER TEMPERED OR LAMINATED SAFETY GLASS.
- 3. NEW WINDOWS THAT ARE NOT REPLACING EXISTING WINDOWS, AND ARE LESS THAN 5'-0" FROM THE PROPERTY LINE SHALL BE FIXED/NON-OPERABLE.

FIRE RATED CONSTRUCTION REQUIREMENTS

- 1. FIRE STAIRS SHALL BE 1-HOUR FIRE RATED ENCLOSURES. ALL DOORS OPENING ONTO THE FIRE STAIRS AND EXIT CORRIDOR TO BE 45 MINUTE RATED DOORS, EXCEPT FOR THE EXTERIOR ENTRY DOORS, WHICH ARE NOT REQUIRED TO BE RATED.
- 2. 1-HOUR FIRE RATING SHALL BE PROVIDED FOR THE FLOOR ASSEMBLY BETWEEN UNITS. SEE THE BUILDING SECTIONS ON SHEET A3.0 FOR MORE INFORMATION. 3. FIRE RATING SHALL BE MAINTAINED AT FLOOR/CEILING CONSTRUCTION AT NEW RECESSED LIGHTS OR FANS BY CREATING A DRYWALL BOX AROUND THE FIXTURE, OR BY PLACING AN APPROVED FIRE RATED "HAT" ABOVE THE FIXTURE IN THE CEILING CAVITY.

7 RAINWATER LEADER

COMBO SMOKE/CARBON MONOXIDE DETECTOR

8 EDGE OF ROOF EAVE ABOVE

(9) (N) 45-MIN RATED FIXED WINDOW

(N) BEAM ABOVE

12"X12" EXHAUST FAN VENT

(1) ASPHALT SHINGLE ROOF

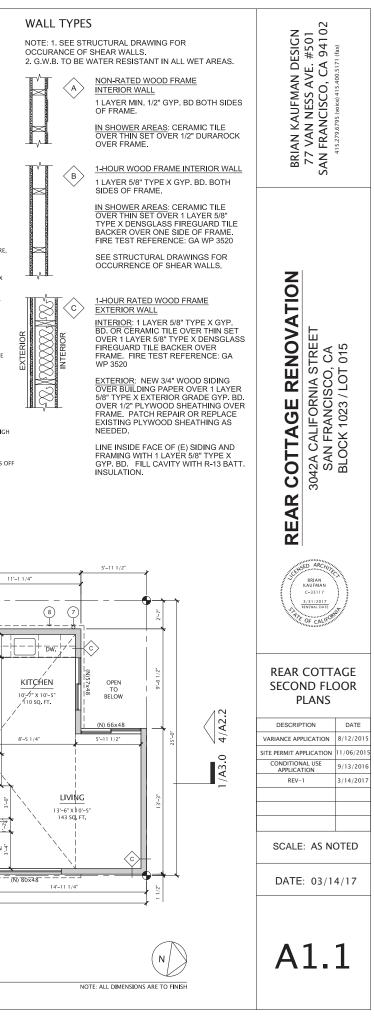
(12) (N) STAIR, UNDER CARRIAGE STRUCTURE TO HAVE MIN.

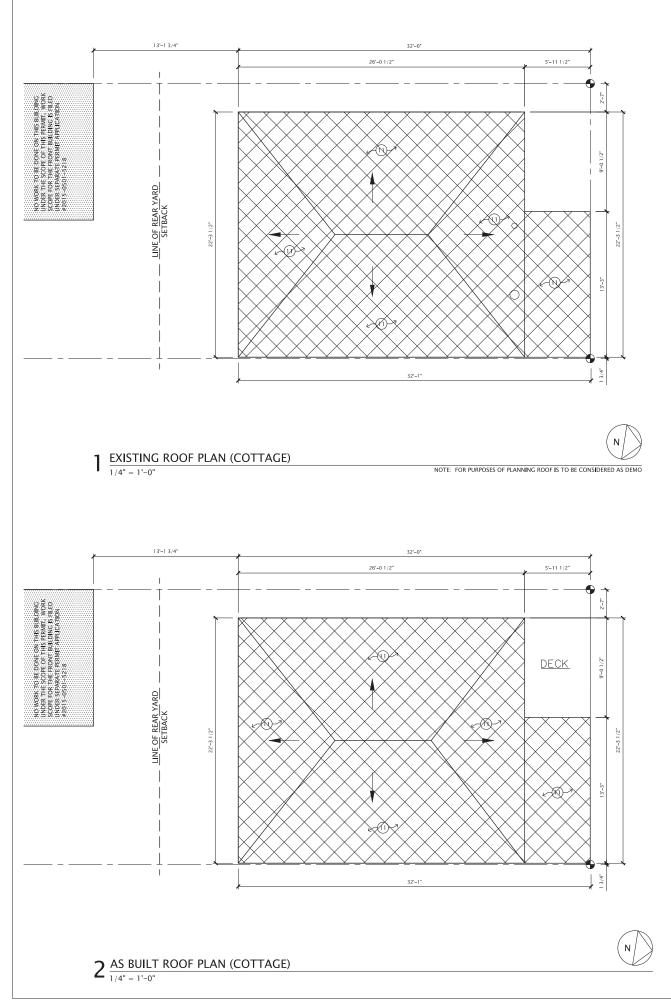
1-HOUR FIRE RATING

- 4. ALL MECHANICAL DUCTS WHICH PASS THROUGH THE WALLS OF OTHER UNITS IN THE BUILDING NEED TO BE IN 1-HOUR RATED SHAFTS, OR IF THE DUCTS ARE LOCATED IN THE WALLS BELONGING TO OTHER UNITS, THE WALL CAVITY IN THE FRAMING BAY SHALL BE LINED WITH A MINIMUM OF ONE LAYER OF 5/8" TYPE X GYPSUM WALL BOARD ON ALL SIDES.
- 5. ALL DRYWALL OR PLASTER REMOVED FROM THE INTERIOR SIDE OF EXTERIOR WALLS SHALL BE REPLACED W/ 1 LAYER OF 5/8" TYPE X GYPSUM WALL BOARD. ALL EXISTING FIRE RATED CONSTRUCTION SHALL BE MAINTAINED AS APART OF ANY WORK SCOPE FOR THE PROJECT.

LIGHTING/ ELECTRICAL NOTES

- 1. THE TOTAL WATTAGE OF LOW EFFICACY LIGHTING IN THE KITCHENS SHALL BE NO MORE THAN THE TOTAL AMOUNT OF HIGH EFFICACY LIGHTING PROVIDED.
- 2. AT LEAST ONE LUMINAIRE IN EACH BATHROOM SHALL BE HIGH EFFICACY. ALL OTHER LUMINAIRES IN A BATHROOM MUST EITHER BE HIGH EFFICACY, OR MUST BE CONTROL BY VACANCY SENSORS.
- 3. TOTAL INTERIOR COMMON AREA LIGHTING FOR THE BUILDING SHALL BE EITHER HIGH EFFICACY OR CONTROLLED BY AN OCCUPANCY SENSOR
- LUMINAIRES THAT ARE RECESSED INTO CEILINGS SHALL HAVE AIRTIGHT HOUSINGS TO PREVENT CONDITIONED AIR ESCAPING INTO THE CAVITY OR ATTIC. IUMINAIRES RECESSED INTO INSULATED CEILINGS SHALL BE IC-RATED.
- 5. ANY LOW EFFICACY LIGHTING INSTALLED WITHIN THE DWELLING UNITS, OUTSIDE OF KITCHENS AND BATHROOMS, SHALL BE CONTROLLED BY A SWITCH WITH DIMMING CAPABILITIES.
- 6. ALL EXTERIOR LIGHTING SHALL COMPLY WITH REQUIREMENTS OF THE 2013 CALIFORNIA ENERGY CODE. ALL FIXTURES PROVIDED FOR THIS PROJECT SHALL BE HIGH EFFICACY FIXTURES, OR IF LOW EFFICACY FIXTURES ARE REQUIRED, THEY SHALL MEET THE FOLLOWING REQUIREMENT:
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- 6.2. MOTION SENSOR THAT IS NOT EQUIPPED WITH AN OVERRIDE OR BYPASS SWITCH THAT DISABLES THE MOTION SENSOR AND WHICH AUTOMATICALLY TURNS OFF THE LIGHTS WHEN NO MOTION IS DETECTED, AND
- 6.3. ONE OF THE FOLLOWING THREE METHODS TO AUTOMATICALLY TURN THE LIGHTS OFF DURING THE DAYTIME
- 6.3.1. PHOTCONTROL NOT HAVING AN OVERRIDE OR BYPASS SWITCH THAT DISABLES THE PHOTOCONTROL; OF
- ASTRONOMICAL TIME CLOCK NOT HAVING AN OVERRIDE OR BYPASS SWITCH THAT DISABLES THE ASTRONAMICAL TIME CLOCK; OR 6.3.2. 6.3.3. ENERGY MANAGEMENT CONTROL SYSTEM (EMCS) NOT HAVING AN OVERRIDE OR BYPASS SWITCH THAT ALLOWS THE LUMINAIRE TO BE ALWAYS ON 3/A2.2 13'-13/4 26'-01/2 12'-4 3/4 NO WORK TO BE DONE ON THIS BUILDING UNDER THE SCOPT OF THIS PERMIT. WORR SCOPE FOR THE ROAT BUILDING & FILID UNDER SEMBARTE PERMIT APPLICATION #2015-9501-5218 \Diamond (N)60x48 BEDROOM 11'-6" X 10'-5" 120 SQ. FT. REDROOM FIRE ESCAPE TE: NEW BEDROOM FIRE ESCAPE NDOWS SHALL HAVE A MINUMUM T CLEAR OPENING OF 5.7 SQUAR T. THE MINIMUM NET CLEAR CL. iall k (10) ENING HEIGHT DIMENSION SHAL 24 INCHES, AND MINIMUM NET LINE OF REAR YARD SETBACK AR OPENING WIDTH DIMENSIC LL BE 20 INCHES. OPENINGS 1/A2 THE FLOOR 0 (st) THE TERMINATION OF ALL-ENVIRONMENTAL AIR DUCTS SHALL NOT BE LESS THAN 3'-0' RFOM OPENINGS INTO THE BUILDING, & SHALL BE A MINIMUM OF 3'-0' FROM THE PROPERTY LINE. -0 2" TALL CABINETS OR BÁTH (N) 80x4 11'-0 3/4 6'-0" 32'-0 NT: DOTE: DOMESTIC DRYER EXHAUST DUCTS SHALL NOT EXCEED A TOTAL COMBINED HORIZONTAL & VERTICAL LENCTH OF 14-0°, INCLIDNO (2) 90° ELBOW, A LICHT OF 2-0° SHALL BE DEDUCTED FOR EACH 90° ELBOW, IN EXCESS OF 2. I E DUCT RUN IS IN EXCESS OF THIS LIMIT, A BOOSTER FAN SHALL BE INSTALLED AS PART OF THE DUCT RUN. 2/A2.2 3 PROPOSED SECOND FLOOR PLAN (COTTAGE) 1/4" = 1'-0"





SHEET NOTES

DOOR OR WINDOW REMOVED, IN 2014 CONSTRUCTION	4 STAIR TO BE REMOVED	7 RAINWATER LEADER	(10)	(N) BEAM ABOVE
2) WALL REMOVED, IN 2014	5 1-HOUR FIRE RATED PARAPET, 42" MIN. HEIGHT	8 EDGE OF ROOF EAVE ABOVE	(11)	ASPHALT SHINGLE ROOF
3 FRAMEWORK TO BE REMOVED	6 WOOD SHEATHING	(9) (N) 45-MIN RATED FIXED WINDOW	(12)	(N) STAIR, UNDER CARRIAGE STRUCTURE TO HAVE MIN. 1-HOUR FIRE RATING

NEW WALL

PLAN LEGEND AND SYMBOLS

	EXISTING WALL TO REMAIN
2/2/2	WALLS TO BE REMOVED

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COMBO SMOKE/CARBON MONOXIDE DETECTOR

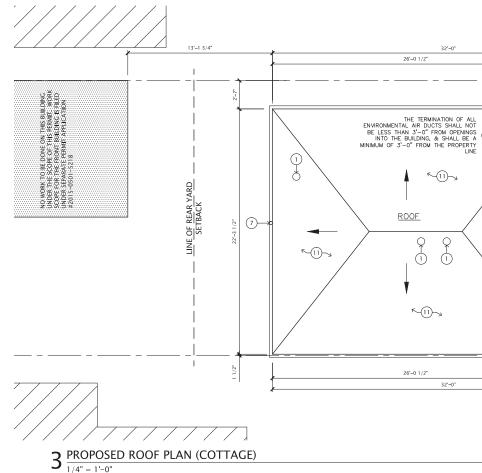
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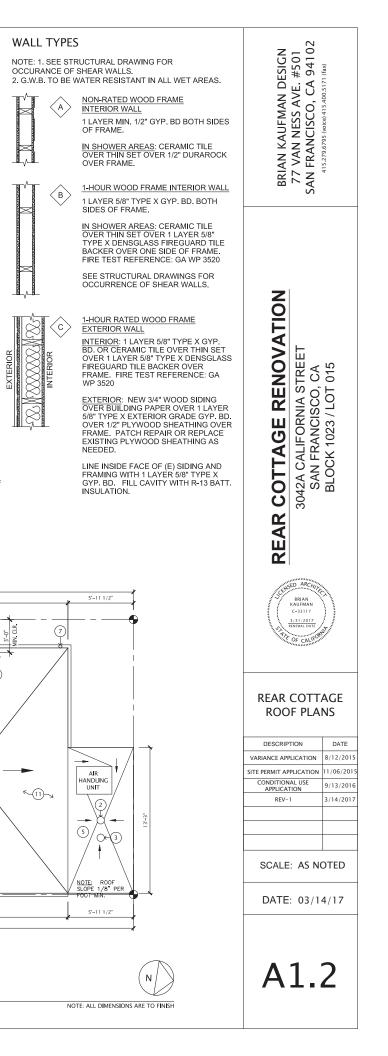
12"X12" EXHAUST FAN VENT

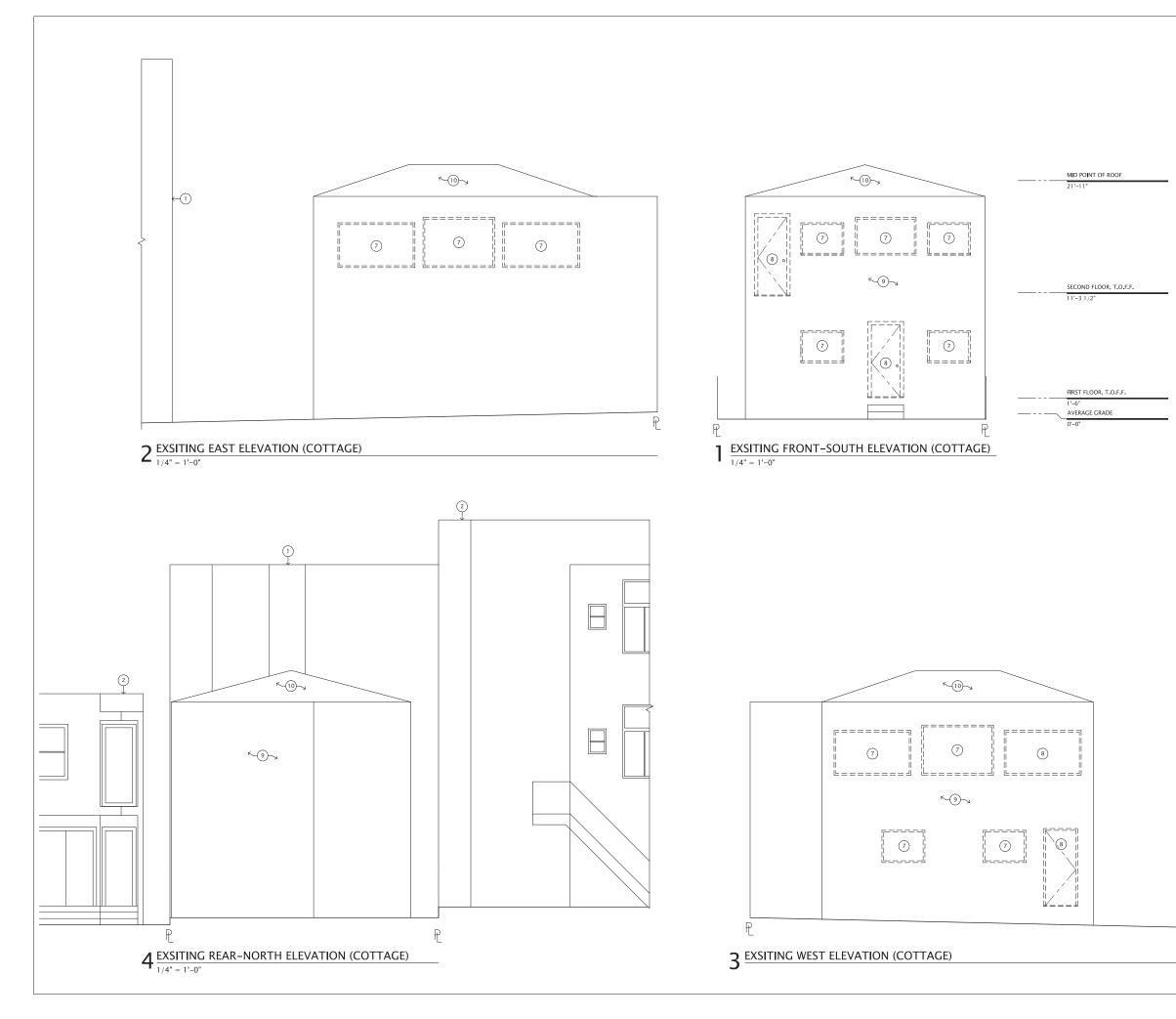
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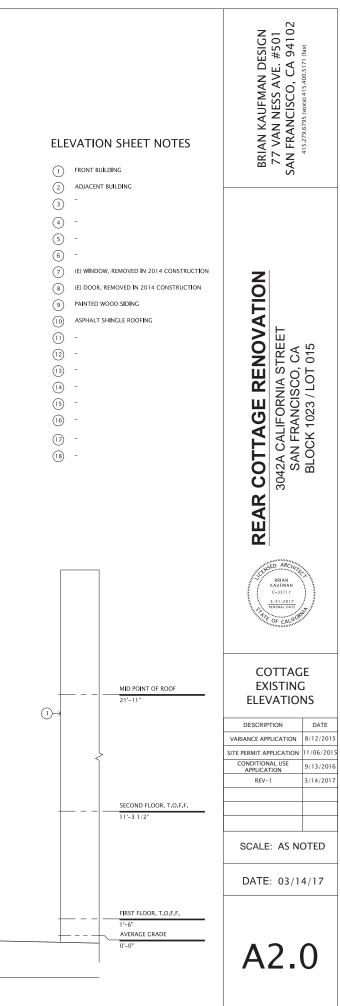
LIGHTING/ ELECTRICAL NOTES

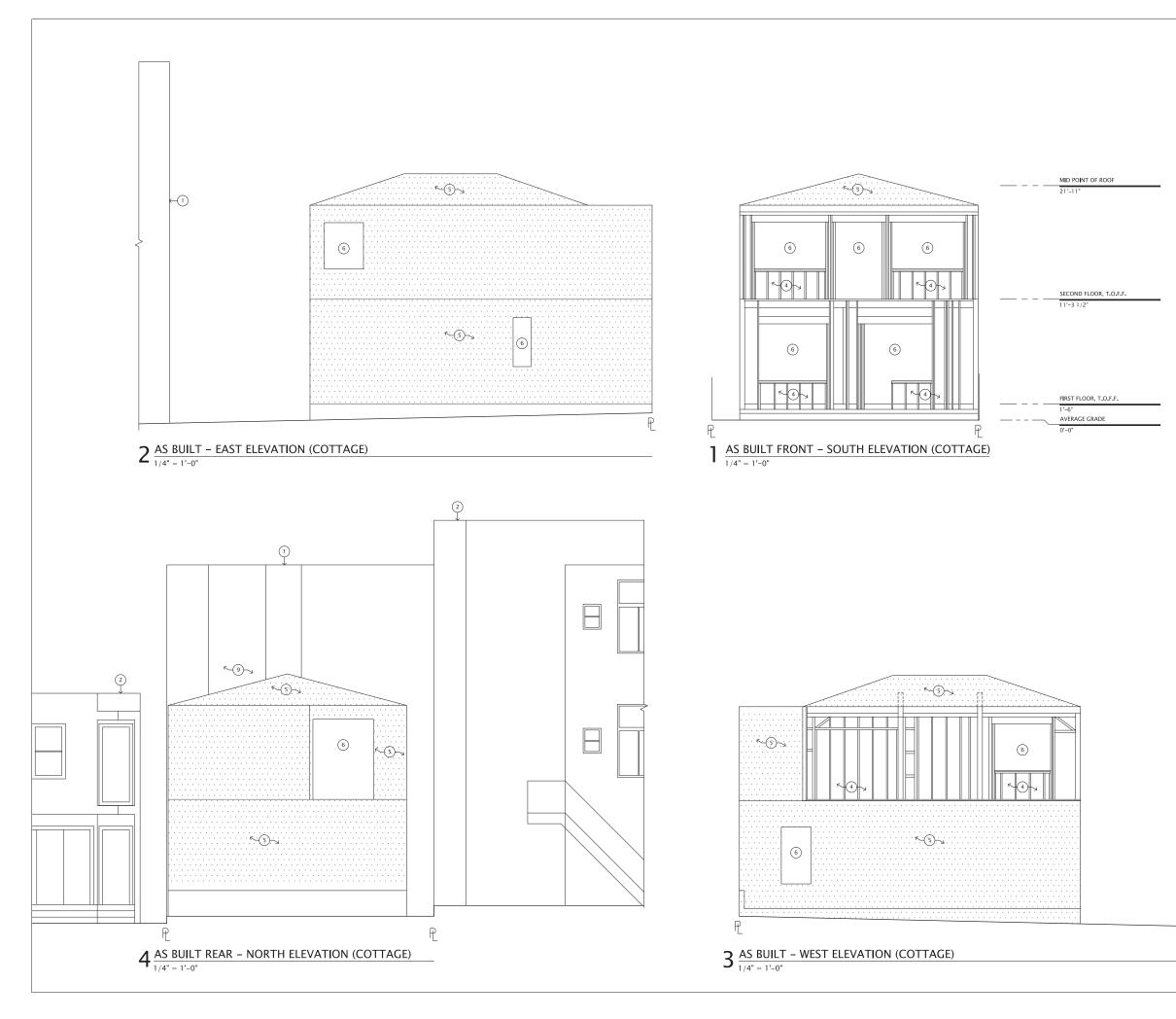
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- 6.3.3. ENERGY MANAGEMENT CONTROL SYSTEM (EMCS) NOT HAVING AN OVERRIDE OR BYPASS SWITCH THAT ALLOWS THE LUMINAIRE TO BE ALWAYS ON

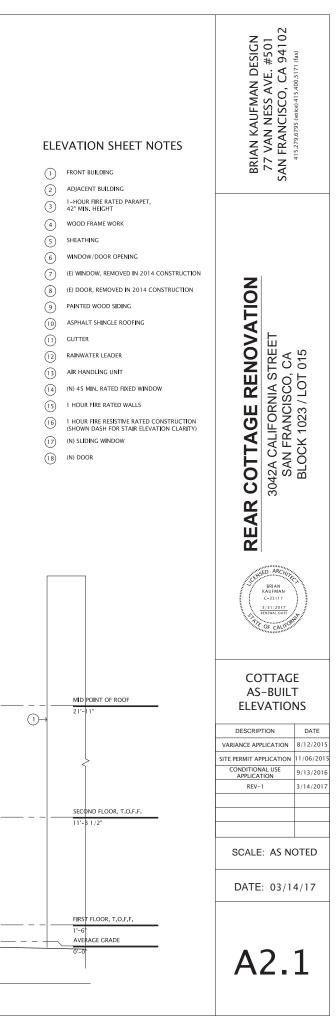




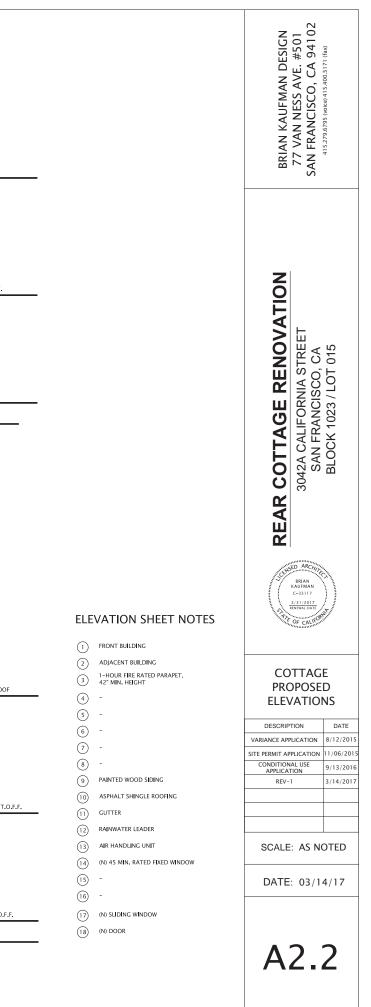


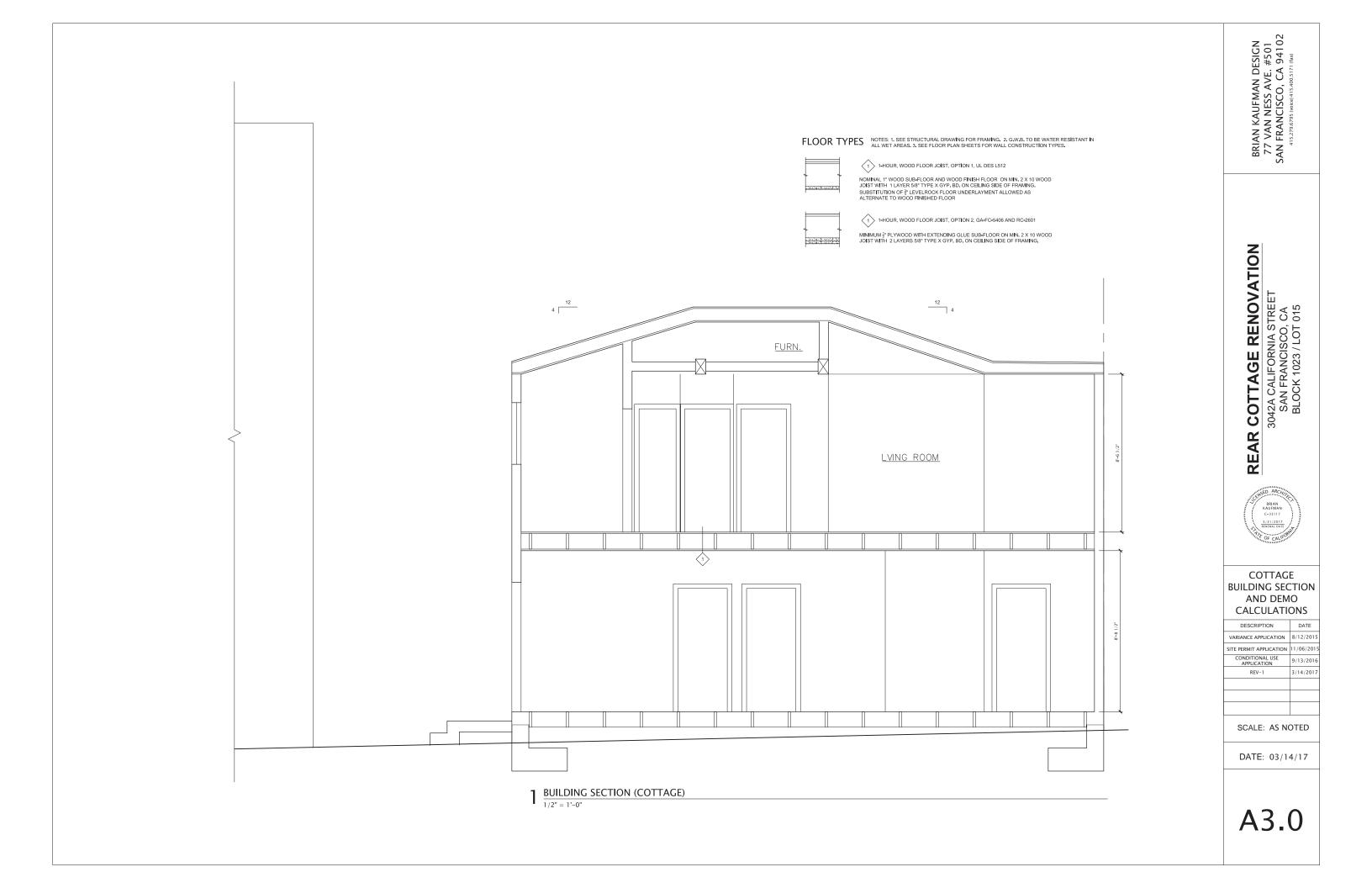














SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
3042 - 3046 CALIFORN	IIA ST	1023/015
Case No.		Permit No.
2015-001650ENV		201501297049
Addition/ Alteration	Demolition (requires HRE for Category B Building)	New Construction
	Planning Department approval.	
EXTERIOR WINDOW, I (N) GAS FIRE PLACES 3 (E) KITCHENS & 8 (E & COVER, INSTALL (N PLUMBING WORK.; CO	TMENTS. REMODEL 3 (E) KITCHENS & 8 (E) BA REMOVE 5 (E) WINDOW & COVER, INSTALL (N 5, (N) ELECTRICAL & PLUMBING WORK, REMOI 2) BATHROOMS. REPLACE ALL (E) EXTERIOR V) HVAC UNITS & DUCTS, INSTALL 2 (N) GAS FI OMPLY NOV 201410051 AMENDED 2/27/15. TO SHED AND PARTIALLY REBUILT 2-STORY, 2-U) HVAC UNITS & DUCTS, INSTALL 2 DEL 3 (E) APARTMENTS. REMODEL WINDOW, REMOVE 5 (E) WINDOW RE PLACES, (N) ELECTRICAL & LEGALIZE AND MAINTAIN

STEP 1: EXEMPTION CLASS

Note	e: If neither class applies, an Environmental Evaluation Application is required.
	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.; change of use under 10,000 sq. ft.
	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions
	 Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.
	Class (1) Renovate existing three-unit dwelling at front of property: convert unfinished basement into garage for four vehicles; add roof deck; replace windows. (2) Legalize and maintain previously demolished and partially reconstructed 2 story 2 unit cottage

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any b	box is 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, etc.)? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution 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. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to <i>EP_ArcMap</i> > Maher layer).</i>
	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>)
	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 ></i> <i>Topography</i>)
	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>) If box is checked, a geotechnical report is required.
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
	boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>cronmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.
Com	ments and Planner Signature (optional): Christopher May

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

PROP	ERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)
	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

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 Window Replacement Standards. 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.
	 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 <i>Zoning</i> 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: I	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 PROJECT PLANNER

Chec	k 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 mi and meet the Secretary of the Interior's Standards for Reha	
	8. Other work consistent with the Secretary of the Interior	Standards for the Treatment of Historic
	Properties (specify or add comments):	
	9. Other work that would not materially impair a historic dis	strict (specify or add comments):
	(Requires approval by Senior Preservation Planner/Preserv	(ation Coordinator)
	10. Reclassification of property status . (Requires approv Planner/Preservation	al by Senior Preservation
	Reclassify to Category A	Reclassify to Category C
	a. Per HRER dated 05/30/2016 (attac	h HRER)
	b. Other (<i>specify</i>): Per PTR dated 5/30/2016	
	Note: If ANY box in STEP 5 above is checked, a Prese	ervation Planner MUST check one box below.
	Further environmental review required. Based on the info	prmation provided, the project requires an
	Environmental Evaluation Application to be submitted. GO	
	Project can proceed with categorical exemption review . Preservation Planner and can proceed with categorical exe	
Comm	ients (optional):	
Preser	vation Planner Signature: Alexandra Kirby	
	EP 6: CATEGORICAL EXEMPTION DETERMINATI BE COMPLETED BY PROJECT PLANNER	ON
	Further environmental review required. Proposed project	does not meet scopes of work in either
	(check all that apply):	·
	Step 2 - CEQA Impacts	
	Step 5 - Advanced Historical Review	
	STOP! Must file an Environmental Evaluation Applicatio	
	No further environmental review is required. The project There are no unusual circumstances that would result in	
	effect.	· · · · · · · · · · · · · · · · · · ·
	Project Approval Action:	Signature:
	Commission Hearing	Christopher May
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	03/28/2018
	Once signed or stamped and dated, this document constitutes a categoric	al exemption pursuant to CEQA Guidelines and Chapter
	31of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code,	an appeal of an exemption determination can only be
	filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. P	
1		

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
3042 - 3046 CALIFORNIA ST		1023/015
Case No.	Previous Building Permit No.	New Building Permit No.
2015-001650PRJ	201501297049	
Plans Dated	Previous Approval Action	New Approval Action
	Commission Hearing	
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Comp	pared 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.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

	The proposed modification wo	uld not result in any of the above changes.	
approv	al and no additional environmental revie	ons are categorically exempt under CEQA, in accordance with prior project ew is required. This determination shall be posted on the Planning he applicant, City approving entities, and anyone requesting written notice.	
Plan	ner Name:	Signature or Stamp:	



SAN FRANCISCO PLANNING DEPARTMENT

PRESERVATION TEAM REVIEW FORM

Preservation Team Meeting Date	: 5/18/2016	Date of Form Co	mpletion 5/18/2016	 Suite 400 San Francisco,
				CA 94103-247
PROJECT INFORMATION:		and the second states		Reception:
Planner:	Address:			415.558.637
Alexandra Kirby	3042 - 3046 Califo	rnia Street		Fax:
Block/Lot:	Cross Streets:			415.558.640
1023/015	Baker and Lyon St	reets		Planning
CEQA Category:	Art. 10/11:	BPA/	Case No.:	Information: 415.558.637
3	N/A	2015-0	16529ENV	
	-			
PURPOSE OF REVIEW:		PROJECT DESCR	· · · · · · · · · · · · · · · · · · ·	_
CEQA CArticle 10/11	C Preliminary/PIC	Alteration	C Demo/New Construction	
DATE OF PLANS UNDER REVIEW: PROJECT ISSUES:	8/12/2015			
	lisible bistoria recorre			_
Is the subject Property an e				_
If so, are the proposed char	nges a significant impa	ACT?		_
Additional Notes:				_
Submitted: Historic Resour	ce Evaluation subr	mitted by Tim Ke	ley, February, 2016.	
The proposal is to renovate and reconstruct the rear tv		nterior of the fron	t building and demolish	-
			·	

Historic Resource Present				CYes	●No *	ON/A
Individual			ŀ	listoric Distr	ict/Context	
Property is individually eligible California Register under one o following Criteria:			Property is in Historic Distri the following	ct/Context ເ	J	
Criterion 1 - Event:	C Yes	No	Criterion 1 - E	vent:	○ Yes	s 💽 No
Criterion 2 -Persons:	C Yes	No	Criterion 2 -Pe	ersons:		5 💽 No
Criterion 3 - Architecture:	C Yes	No	Criterion 3 - A	rchitecture:	C Yes	No 🖲
Criterion 4 - Info. Potential:	C Yes	No	Criterion 4 - Ir	nfo. Potentia	nl: C Yes	5 💽 No
Period of Significance:			Period of Sigr	nificance:		
			C Contribute	or C Non-	Contributor	

Complies with the Secretary's Standards/Art 10/Art 11:	C Yes	C No	€N/A
CEQA Material Impairment:	C Yes	No	
Needs More Information:	C Yes	No	
Requires Design Revisions:	C Yes	No	
Defer to Residential Design Team:	C Yes	● No	

* If No is selected for Historic Resource per CEQA, a signature from Senior Preservation Planner or Preservation Coordinator is required.

PRESERVATION TEAM COMMENTS:

3042 California Street was constructed in 1907 by an unknown architect as a Colonial Revival flat. The subject property is a three-story-over-basement, wood frame, multi-family residence located on the north side of California Street at the south edge of the Pacific Heights neighborhood. The building features a flat roof behind a raised parapet, clapboard siding, and prior to recent unpermitted removal, wood sash double-hung windows. The main entrance is elevated above the street by a wood stair framed by Corinthian columns set on brick cheek walls with three glazed residential entries in the alcove. The ground story features a shallow chamfered bay at the east side; above, two deep chamfered bays project from the facade, braced by decorative brackets below. The bays are capped with a pronounced cornice featuring brackets and a course of dentils. The front building appears to retain a high degree of integrity despite recent work.

The building located at the rear of the property has been largely demolished; however, the original structure appears to have featured a two-story rectangular mass with a hipped roof. The 1906 water record refers to the rear building as the original property on the site, and it is shown in the 1913 Sanborn Map. The original cladding materials, fenestration and details are unknown; however, a 1962 report on the rear building notes that it appeared to have been significantly altered circa 1940 without permits, based on design and materials.

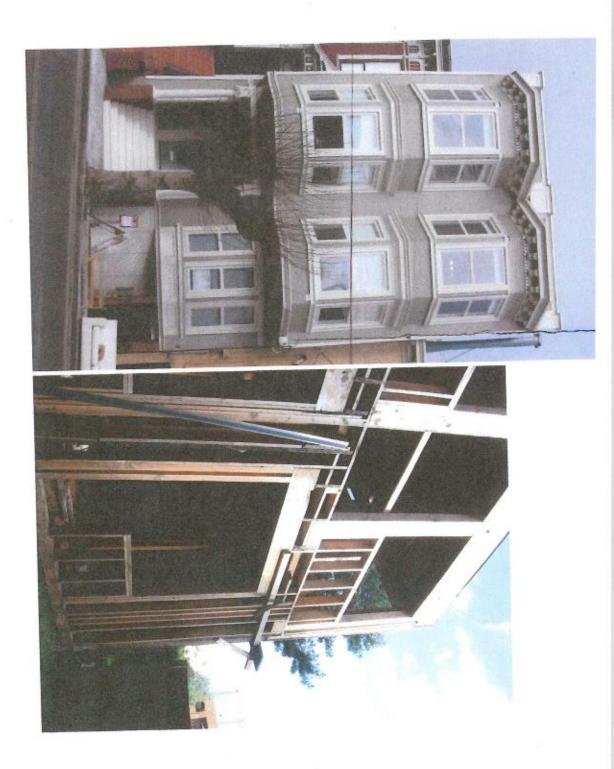
The first owner of the property was John Gately, a bricklayer, and his wife, Pearl. The property was purchased in 1941 by Tatsumi Moriguchi, a janitor, and his wife Shizuko, who maintained the property as a rental. Interestingly, the Moriguchis owned the property through World War II and sold it in 1950 to Alonzo Berry. Little information was found regarding the Moriguchis, although their ownership of the property during the war is unusual and Japanese ownership does not appear to be thematic within the area. No known occupants of the property appear to have been of notable historic significance.

Based on historic research conducted by Tim Kelley consulting and Preservation Planning staff, both buildings at 3042 California Street do not appear to be individually eligible for the California Register under Criteria 1 (Events), 2 (Persons), or 3 (Architecture). 3042 California Street is not associated with any historic trends or events in the area or at the subject property; the owners and occupants do not appear to have been significant to our local, regional or national past; and the subject property is not the work of a master architect or builder, nor does its architecture possess high artistic value or integrity.

Signature of a Senior Preservation Planner / Preservation Coordinator.	Date:
<	
OmaQu	5-30.16

SAN FRANCISCO PLANNING DEPARTMENT (Continued from Page 2)

The immediate context primarily features multi-family dwellings constructed prior to 1906, however there are a number of buildings constructed between 1916 and 1975 on the subject block. An historic district was identified on the south face of the block as a collection of multifamily houses dating from the late nineteenth and early twentieth century, featuring ornate Victorian styles (Case No. 2015-004339ENV, 3009 California Street). The subject block face does not appear to contribute to this district due to the number of buildings constructed outside of the period of significance and the lack of integrity on buildings that would qualify as contributory. Therefore, the subject property does not appear to be within the boundaries of an eligible historic district.



~ 45P



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 3042 CALIFORNIA ST RECORD NO.: 2015-001650CUAVAR 1650 Mission St. Suite 400 San Francisco, CA 94103-2479

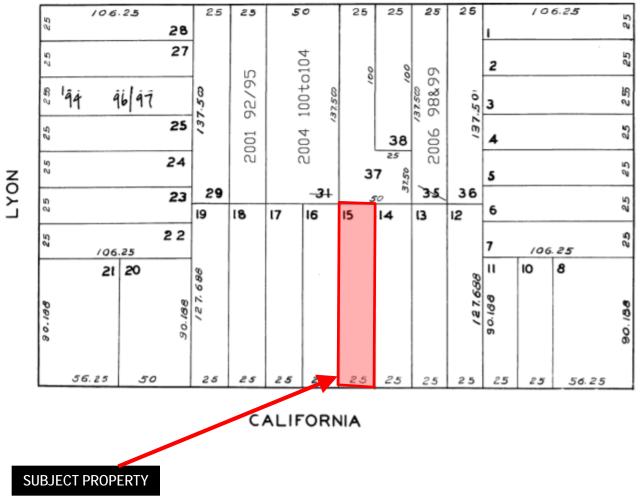
Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: **415.558.6377**

	EXISTING	PROPOSED	NET NEW
	GROSS SQUARE FO	DOTAGE (GSF)	
Lot Area	3,193	-	-
Residential	1,320	0	0
Commercial/Retail	-	-	-
Office	-	-	-
Industrial/PDR Production, Distribution, & Repair	-	-	-
Parking	1,200	0	0
Usable Open Space	123	0	0
Public Open Space	-	-	-
Other()	-	-	-
TOTAL GSF	1,320	0	0
	EXISTING	NET NEW	TOTALS
	PROJECT FEATURES (Units or Amounts)	
Dwelling Units - Market Rate	2	0	2
Dwelling Units - Affordable	-	-	-
Hotel Rooms			
	-	-	-
Parking Spaces	- 3	- 0	- 0
	- 3	- 0 -	- 0 -
Parking Spaces	- 3 - -	- 0 - -	- 0 - -
Parking Spaces Loading Spaces	-	- 0 - - 4	- 0 - - 4
Parking Spaces Loading Spaces Car Share Spaces	-	-	
Parking Spaces Loading Spaces Car Share Spaces Bicycle Spaces	- - 0	4	- - 4
Parking Spaces Loading Spaces Car Share Spaces Bicycle Spaces Number of Buildings	- - 0 2	- - 4 0	- - 4 2

Parcel Map



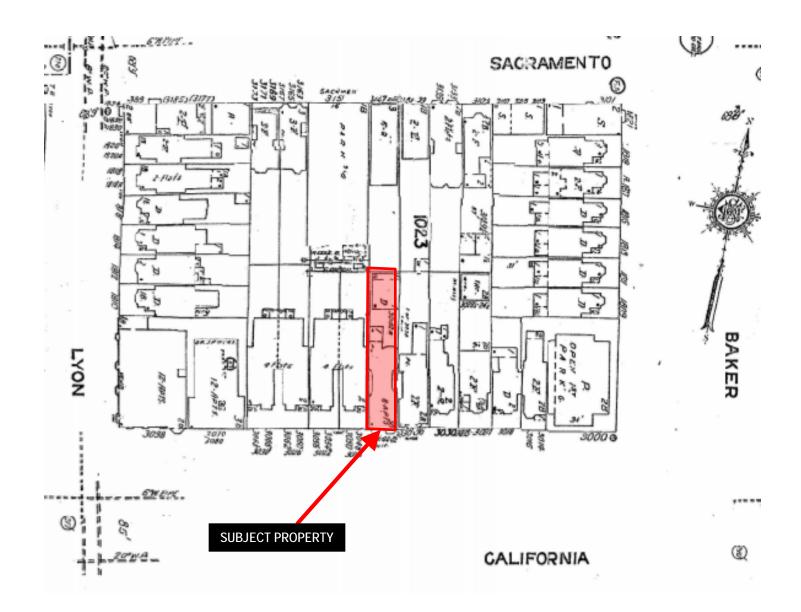
SACRAMENTO



Conditional Use Authorization and Variance Hearing Case Number 2015-001650CUAVAR 3042 California Street

BAKER

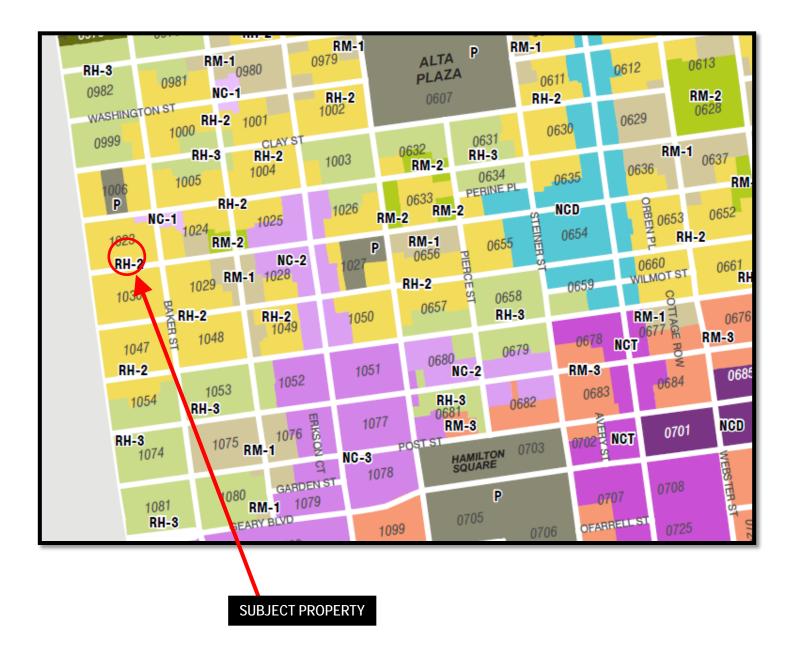
Sanborn Map*



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

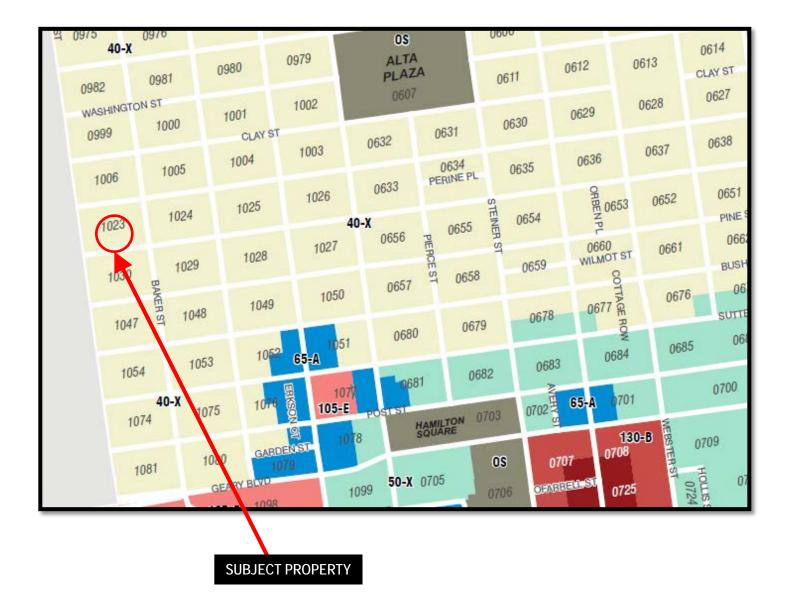


Zoning Map





Height & Bulk Map





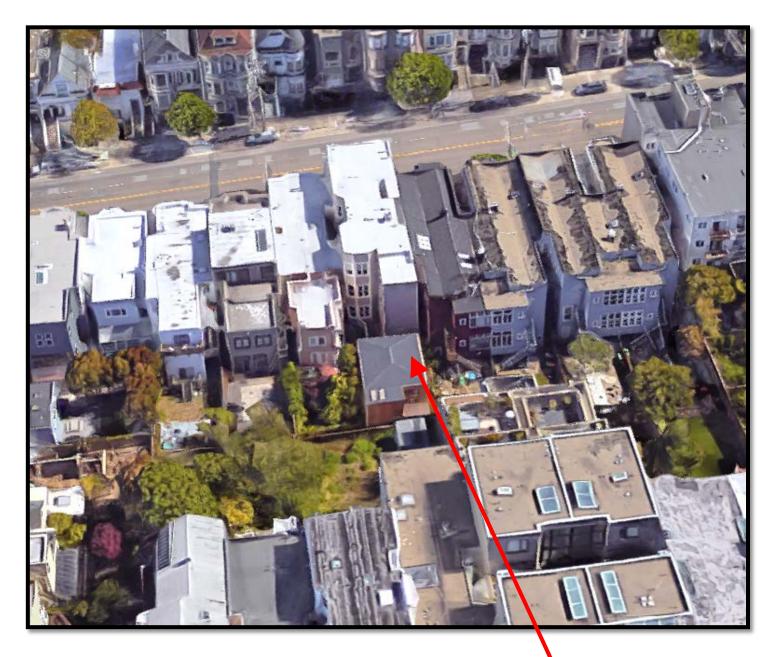
Aerial Photo (Facing North)



SUBJECT PROPERTY



Aerial Photo (Facing South)







Mr. Christopher May San Francisco Planning Department

Re: CASE # 2015-001650CUAVAR 3042 California Street (Baker & Lyon)

April 8, 2018

Dear Mr. May,

Thank you for returning my call on Tuesday, April 3, 2018. I truly appreciated the opportunity to discuss this case (CASE #2015-001650CUAVAR) with you and listened to your feedback.

I am the owner of the property 3036-3038 California Street which is next/adjunct to this property. This project does not have enough clearance(between 2 properties) to allow them to perform the exterior painting/fixing, etc., and, thus, they have to access via my backyard for their use. In the past, they freely accessed through my property without my knowledge/consent. My tenants have brought this issue to my attention as it creates enormous safety issues. The fence is broken off. Also , their outdoor scaffolding is installed in my yard. I understand this allows them to do the exterior work for their property. However, there has been no communication from the owner of this property at all. A major concern is that if any workers get injured on my property, who is responsible for that!!

Enclosed are two pictures which would help you to understand my position. I oppose any construction workers accessing my yard for their projects without my consent. Also, the enclosed pictures were taken from my property.

Thank you for your understanding and support.

Respectfully,

Rae Tso 3036-38 California Street San Francisco, 94115 415-786-8998







Planning	Department Request for Evictior
	History Documentation

(Date) February 14, 2018

ATTN: Van Lam Rent Stabilization and Arbitration Board 25 Van Ness Avenue, Suite 320 San Francisco, CA 94102-6033

3042 California Street RE: Address of Permit Work: Assessor's Block/Lot: 1023/015 BPA # / Case #: 2015-001650CUAVAR

Project Type

Planner

	Merger -	Planning	Code	Section	317
--	----------	----------	------	---------	-----

Enlargement / Alteration / Reconstruction – Planning Code Section 181

Legalization of Existing Dwelling Unit – Planning Code Section 207.3

Accessory Dwelling Unit Planning – Planning Code Section 207(c)(4)

Pursuant to the Planning Code Section indicated above, please provide information from the Rent Board's records regarding possible evictions at the above referenced unit(s) on or after:

		ts subject to Planning code 317(e)4 or 181(c)3 eviction notices under 37.9(a)(8) through (14)	
		s subject to Planning Code Section 207.3 evictions notices under 37.9(a)(8) through (14)	
(S) years prior to the earch records for (.9(a)(8) (5 years)	eviction notices under 37.9(a)(9) through (14)	(10 years) and under
Sincerely,	Christopher May	Digitality express day Christopher Hay DH davorg, dowstrow, discettyplanmeng, aux-Carpitalapher May, and Christopher May (digor.org andial/Christopher May (digor.org	

cc: Jennifer Rakowski- Rent Board Supervisor

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information 415.558.6377

Rent Board Response to Request from Planning Department for Eviction History Documentation

Re: 3042-3046 California

This confirms that the undersigned employee of the San Francisco Rent Board has reviewed its records pertaining to the above-referenced unit(s) to determine whether there is any evidence of evictions on or after the date specified. All searches are based upon the street addresses provided.

No related eviction notices were filed at the Rent Board after:

Ш	12/10/13
	03/13/14
図	10 years

/ 14	2 11 10	
ars prior to the following date: _	2 - 14 = 10	

Yes, an eviction notice was filed at the Rent Board after:

- 12/10/13
- 03/13/14
- 10 years prior to the following date: _____
 - See attached documents.

There are no other Rent Board records evidencing an eviction after:

12/10/13 03/13/14 10 years prior to the following date: 2 - 14 - 18

Yes, there are other Rent Board records evidencing a an eviction after:

Ш	12/10/13	
	03/13/14	
	10 years prior to the following date:	
	 See attached documents. 	
	1 John	

Signed:

Dated: 2 - 14 - 18

Van Lam Citizens Complaint Officer

The Rent Board is the originating custodian of these records; the applicability of these records to Planning permit decisions resides with the Planning Department.