



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use / Residential Demolition

HEARING DATE: JANUARY 19, 2017

*Date:* January 9, 2017  
*Case No.:* **2016-000790CUA**  
*Project Address:* **5118-5122 3<sup>rd</sup> Street**  
*Zoning:* NC-3 (Moderate Scale Neighborhood Commercial) District  
40-X Height and Bulk District  
*Block/Lot:* 5358/005A  
*Project Sponsor:* Jeremy Schaub  
1360 9th Avenue, Suite 210  
San Francisco, CA 94122  
*Staff Contact:* Jeffrey Speirs – (415) 575-9106  
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### PROJECT DESCRIPTION

The project proposes to demolish a three-story mixed-use building, and to construct a new four-story, 40-ft tall, mixed-use building with six dwelling units and approximately 763 square feet of ground floor retail use. The new building contains no off-street automobile parking spaces, and eight Class 1 & two Class 2 bicycle parking spaces.

EXISTING CONDITIONS		PROPOSED CONDITIONS	
Number Of Existing Units	1 legal	Number Of New Units	6
Existing Parking	0	New Parking	0
Number Of Existing Bedrooms	2	Number Of New Bedrooms	19
Existing Building Area	±4,500 Sq. Ft.	New Building Area	±11,161 Sq. Ft.

### SITE DESCRIPTION AND PRESENT USE

The subject property is located on the west side of 3rd Street, between Bay View Street and Shafter Avenue, Lot 005A in Assessor's Block 5358. The subject lot is 50 feet wide and 74 feet 8 inches deep, with an area of approximately 3,720 square feet. The subject property contains a three-story mixed-use building consisting of a vacant church at the first and second floor, and a fire-damaged dwelling unit at the third floor. The existing building is approximately 4,500 square feet in size, approximately 27 feet in height, and has been vacant since 2012.

## SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located off of a moderate-scale commercial corridor along 3rd Street in the Bayview neighborhood. Buildings in the neighborhood contain a mixture of use types, most with residential uses over ground floor retail. The general massing of the neighborhood is a mix of one to three-story buildings, with the nearest four-story building three blocks north of the project site. Immediately north of the site at 5114-5116 3rd Street is a two-story mixed-use building with residential over commercial. To the immediate south at 5126-5128 3rd Street is a two-story mixed-use building with a two-family dwelling over commercial. East of the site are two-story mixed-use buildings with residential over commercial, and to the west of the subject property, behind the subject site, are two and three-story residential dwellings. The subject property is also within .25-miles of stops for the following MUNI transit lines: KT, 23, 24, 44, and 54. The project site is located near the south end of an NC-3 Zoning District, and two blocks north of a PDR-2 and M-1 Zoning District.

## ENVIRONMENTAL REVIEW

The project is categorically exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and Class 3 categorical exemption.

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	December 29, 2016	December 29, 2016	20 days
Posted Notice	20 days	December 29, 2016	December 29, 2016	20 days
Mailed Notice	20 days	December 29, 2016	December 29, 2016	20 days

The proposal requires a Section 312 neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

## PUBLIC COMMENT/COMMUNITY OUTREACH

To date, the Department has received two letters of support for the project.

## ISSUES AND OTHER CONSIDERATIONS

- Conditional Use Authorization: The project requires Conditional Use Authorization pursuant to Planning Code Section 303, 317, and 712.96 to demolish a dwelling unit. The project is not seeking any exceptions or variances from the Planning Code.
- Property History: The project will demolish an existing vacant two-bedroom single-family dwelling. The existing dwelling has been neglected and is now in disrepair. The dwelling unit was subject to fire damage in 2011, and then sold to the new owner in 2012. The Department of Building Inspection (DBI) issued a Notice of Violation (NOV) to repair the fire damage, as the damage was repairable at the time. A permit was issued and the NOV was abated; however, work was never completed to repair the fire damage. The roof is no longer intact and only partial

wall framing remains at the third floor dwelling unit. Since 2012, the church below has been vacant and deteriorating. The new construction will result in five net new units, bringing the property to the maximum density, which is allowed per Planning Code Section 712.

- Family-Sized Units: All six new dwelling units are appropriately sized for families, with five three-bedroom units and one four-bedroom unit.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow the demolition of a dwelling unit within an NC-3 Zoning District, pursuant to Planning Code Sections 303, 317 and 712.96.

## **BASIS FOR RECOMMENDATION**

- The Project will result in a net gain of five legal dwelling units.
- The Project will create six dwelling units, all of which are family-sized.
- Given the scale of the Project, there will be no significant impact on the existing capacity of the local street system or MUNI.
- The Project will provide a commercial space along the street frontage on-site.
- The Project is therefore an appropriate in-fill development within the NC-3 Zoning District.
- Although the structure is more than 50-years old, a review of the Historic Resource Evaluation resulted in a determination that the existing building is not an historic resource or landmark.
- The neighborhood is well served by transit; therefore customers should not impact traffic.
- The proposed Project meets all applicable requirements of the Planning Code.

<b>RECOMMENDATION:</b>	<b>Approval with Conditions.</b>
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### **Attachments:**

Block Book Map  
Sanborn Map  
Zoning Map  
Height & Bulk Map  
Aerial Photographs & Site Photos  
Environmental Evaluation / Historic Resource Evaluation  
Public Comment  
Project Sponsor Submittal  
Reduced Plans & Color Rendering

Attachment Checklist

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

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

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JS  
Planner's Initials

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# SAN FRANCISCO PLANNING DEPARTMENT

*Subject to: (Select only if applicable)*

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)

- ☐ First Source Hiring (Admin. Code)
- ☒ Child Care Requirement (Sec. 414A)
- ☐ Other

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## Planning Commission Draft Motion

HEARING DATE: JANUARY 19, 2017

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**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 317, and 712.96 OF THE PLANNING CODE TO DEMOLISH A THREE-STORY MIXED-USE BUILDING WITH ONE EXISTING DWELLING UNIT, AND TO CONSTRUCT A FOUR-STORY, 40-FT TALL, MIXED-USE BUILDING WITHIN THE NC-3 (NEIGHBORHOOD COMMERCIAL, MODERATE SCALE) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On August 9, 2016, Jeremy Schaub of Gabriel Ng + Architects (Project Architect) for Judy Wu (Project Sponsor) filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303, 317, and 712.96 to demolish a three-story mixed-use building, and to construct a new four-story, 40-ft tall, mixed-use building with six dwelling units and approximately 763 square feet of ground floor retail use within an NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and a 40-X height and bulk district.

On April 8, 2016, the Project was determined by the Department to be categorically exempt from environmental review under Case No. 2016-000790ENV. The Commission has reviewed and concurs with said determination.

On January 19, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-000790CUA.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2016-000790CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

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. 2016-000790CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The subject property is located on the west side of 3rd Street, between Bay View Street and Shafter Avenue, Lot 005A in Assessor's Block 5358. The subject lot is 50 feet wide and 74 feet 8 inches deep, with an area of approximately 3,720 square feet. The subject property contains a three-story mixed-use building consisting of a vacant church at the first and second floor, and a fire-damaged dwelling unit at the third floor. The existing building is approximately 4,500 square feet in size, approximately 27 feet in height, and has been vacant since 2012.
3. **Surrounding Properties and Neighborhood.** The project site is located off of a moderate-scale commercial corridor along 3rd Street in the Bayview neighborhood. Buildings in the neighborhood contain a mixture of use types, most with residential uses over ground floor retail. The general massing of the neighborhood is a mix of one to three-story buildings, with the nearest four-story building three blocks north of the project site. Immediately north of the site at 5114-5116 3rd Street is a two-story mixed-use building with residential over commercial. To the immediate south at 5126-5128 3rd Street is a two-story mixed-use building with a two-family dwelling over commercial. East of the site are two-story mixed-use buildings with residential over commercial, and to the west of the subject property, behind the subject site, are two and three-story residential dwellings. The subject property is also within .25-miles of stops for the following MUNI transit lines: KT, 23, 24, 44, and 54. The project site is located near the south end of an NC-3 Zoning District, and two blocks north of a PDR-2 and M-1 Zoning District.
4. **Project Description.** The project proposes to demolish a three-story mixed-use building, and to construct a new four-story, 40-ft tall, mixed-use building with six dwelling units and approximately 763 square feet of ground floor retail use. The new building contains no off-street automobile parking spaces, and eight Class 1 & two Class 2 bicycle parking spaces.

5. **Public Comment/Community Outreach.** The Department has received two letters of support for the project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Residential Demolition – Section 317:** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to demolish a residential unit in an NC-3 Zoning District. This Code Section establishes a checklist of criteria that delineate the relevant General Plan Policies and Objectives.

*As the project requires Conditional Use Authorization per the requirements of Section 317, the additional criteria specified under Section 317 have been incorporated as findings as part of this Motion. See Below.*

- B. **Front Setback Requirement.** Planning Code Section 132 states that the minimum front setback shall be based on the average of adjacent properties or a Legislated Setback.

*The two adjacent buildings do not have a front setback; therefore, there is no front setback requirement for the proposed building. The Project proposes a zero inch front setback, thus complying with Planning Code Section 132.*

- C. **Rear Yard Requirement.** Planning Code Section 134 requires a minimum rear yard equal to 25%, but in no case less than 15 feet, and shall be provided at the lowest story containing a dwelling unit.

*The subject property is 74 feet 8 inches deep; therefore, the rear yard requirement is 18 feet 8 inches at all levels. The proposal provides a code-complying rear yard that is 18 feet 8 inches at the ground level.*

- D. **Useable Open Space.** Planning Code Section 135 requires 80 square feet of useable open space for each dwelling unit if all private, or 100 square feet of common usable open space.

*The Project provides access to the required rear yard at the ground level, with approximately 930 square feet of common useable open space. The common open space area for all units exceeds the 100 square feet required; therefore, the Project provides code-complying open space for all dwelling units.*

- E. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of 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.

*All six dwelling units have direct exposure onto either the street or required rear yard. Three units face the code-complying rear yard of 18 feet 8 inches, and three units facing 3<sup>rd</sup> Street. Therefore, the Project provides code-complying exposure for all dwelling units.*

- F. **Off-Street Parking.** Planning Code Section 151 requires parking for commercial uses over 5,000 square feet, and one parking space for each dwelling unit.

*As the Project provides less than 5,000 square feet of commercial space, no automobile parking spaces are required. Per Planning Code Section 150(e) and 155.1(d), the required parking for the dwelling units has been reduced as the Project provides code-complying bicycle parking for all proposed uses.*

- G. **Bicycle Parking.** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for each dwelling unit and each 7,500 square feet of commercial space; and a minimum of two Class 2 bicycle parking spaces for each commercial space.

*The Project is required to provide seven Class 1 bicycle parking spaces and two Class 2 bicycle parking spaces. The Project proposes eight Class 1 bicycle parking spaces at the ground level, and two Class 2 bicycle parking spaces on the adjacent sidewalk along 3<sup>rd</sup> Street.*

- H. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. For properties in NC-3 Zoning Districts, height is measured at the center of the building starting from curb to a point of 40 at the front setback.

*The existing building is approximately 27 feet. The Project will construct a four-story mixed-use building that is 40 feet at the street front; therefore, the Project complies with the Planning Code and the 40-X Height and Bulk District.*

- I. **Child Care Requirements for Residential Projects.** Planning Code Section 414A requires that any residential development project that results in at least one net new residential unit shall comply with the imposition of the Residential Child Care Impact Fee requirement.

*The Project proposes new construction of a building that results in five net new dwellings. Therefore, the Project is subject to the Residential Child Care Impact Fee and must comply with the requirements outlined in Planning Code Section 414A.*

- J. **Transportation Sustainability Fee.** Planning Code Section 411A requires that any new construction of a Non-Residential use in excess of 800 gross square feet shall comply with the imposition of the Residential Child Care Impact Fee requirement.

*The Project proposes new construction of a building that results in Non-Residential use of 763 gross square feet. Therefore, the Project is subject to the Transportation Sustainability Fee and must comply with the requirements outlined in Planning Code Section 411A.*

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 use and size of the proposed project is compatible with the immediate neighborhood. The proposal demolishes an existing fire-damaged dwelling unit and a vacant church, but increases the density of the property in a code-complying design-sensitive manner. Housing is a top priority for the City of San Francisco, and the construction of new family-sized housing is necessary and desirable for the immediate neighborhood and larger community.*

- 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 four-story massing at the street front is appropriate given the two-to-three-story context of the neighborhood. The proposed building will be two stories higher than its adjacent buildings but it remains compatible with the neighborhood's numerous three-story structures.*

- 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;

*While the Planning Code requires six off-street parking spaces for the proposed dwelling units; the addition of eight Class 1 bicycle parking spaces provides for alternative means of transit. By providing additional bike parking and no automotive parking, the Project is supportive of the City's transit first policies. The commercial uses require no automobile parking spaces, and no curb cut is proposed. The general scale of this project is not expected to impact accessibility or traffic patterns.*

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

*Noxious or offensive emissions are not typically associated with the residential uses proposed. The proposed commercial spaces, even though commercial tenants have not been identified, are not anticipated to create a nuisance.*

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

*As designed, the façade treatment of the new building, with materials such as stucco and rainscreen cladding, with aluminum and wood accents, are appropriate given the surrounding neighborhood context.*

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

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

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable NC-3 District.

*NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes. NC-3 Districts include some of the longest linear commercial streets in the City, some of which have continuous retail development for many blocks. Large-scale lots and buildings and wide streets distinguish the districts from smaller-scaled commercial streets, although the districts may include small as well as moderately scaled lots. Buildings typically range in height from two to four stories with occasional taller structures. NC-3 building standards permit moderately large commercial uses and buildings. Rear yards are protected at residential levels. Housing development in new buildings is encouraged above the second story. The proposed project is consistent with the stated purpose of the NC-3 Districts and brings the property into greater conformance with the NC-3 District controls.*

8. **Planning Code Section 317** establishes additional criteria for the Planning Commission to consider when reviewing applications to demolish 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 database shows 13 enforcement cases or notices of violation for the subject property, with two active violations remaining. The proposed project, if approved, would close and abate these violations.*

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

*The existing dwelling has been neglected and is now in disrepair. The dwelling unit was subject to fire damage in 2011, and the Department of Building Inspection issued a Notice of Violation (NOV) to repair the fire damage. A permit was issued and the NOV was abated; however, work was never completed to repair the fire damage. The roof is no longer intact and only partial wall framing remains at the third floor dwelling unit. The church below is also vacant and deteriorating.*

- iii. Whether the property is an “historical resource” under CEQA;

*Although the existing structure is more than 50 years old, a review of supplemental information on the property’s history 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;

*Not applicable. The structure is not an historical resource.*

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

*The existing single-family dwelling is currently a vacant abandoned rental unit, and the proposed dwelling units are intended to be rental.*

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

*The existing single family dwelling is currently vacant. Although the single family dwelling is technically subject to the Rent Stabilization and Arbitration Ordinance, the Planning Department cannot definitively determine which aspects of the Ordinance are applicable. The Rent Stabilization and Arbitration Ordinance includes provisions for eviction controls, price controls, and other controls, and it is the purview of the Rent Board to determine which specific controls apply to a building or property. The Department can confirm that there are no tenants currently living in the dwelling.*

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

*Although the Project proposes the demolition of an existing fire-damaged dwelling, the new construction project will result in an additional five dwelling units.*

- 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 appropriately increasing the number of family-sized units. The proposed mixed-use development is characteristic of other existing mixed-use buildings located along 3<sup>rd</sup> Street.*

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

*The Project removes an older dwelling unit, which is generally considered more affordable than a more recently constructed unit. However, the project also adds five legal dwelling units to the City's housing stock.*

- 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 less than ten units.*

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

*The Project has been designed to be in keeping with the scale and development pattern of the established neighborhood character. Although the proposed building is two stories taller than the directly adjacent structures, the proposed mixed-use development is characteristic of other existing mixed-use buildings located along 3<sup>rd</sup> Street.*

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

*The Project proposes six opportunities for family-sized housing by creating five three-bedroom dwellings and one four-bedroom dwelling. Currently the property only contains one approximately 1,100 square foot dwelling unit.*

- 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;

*The overall 4-story scale, design, and materials of the proposed buildings are consistent with the block-face and compliment the neighborhood character with a contemporary design. Materials such as stucco, rainscreen cladding, and aluminum and wood accents, are appropriate given the surrounding neighborhood context. The proposed mixed-use development is characteristic of other existing mixed-use buildings located along 3<sup>rd</sup> Street.*

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

*The Project will increase the number of on-site units from one dwelling unit to six dwelling units.*

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

*The existing dwelling appears to have contained a total of two bedrooms. The Project will contain a total of 19 bedrooms across six dwelling units.*

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

*The maximum density for the subject property is six units. The Project proposes the new construction of a six unit building, increasing the existing site density. In addition, the project proposes commercial space at the ground level.*



- 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.

*Although the single family dwelling is technically subject to the Rent Stabilization and Arbitration Ordinance, the Planning Department cannot definitively determine which aspects of the Ordinance are applicable. The Rent Stabilization and Arbitration Ordinance includes provisions for eviction controls, price controls, and other controls, and it is the purview of the Rent Board to determine which specific controls apply to a building or property. The Department can confirm that there are no tenants currently living in the dwelling. Regarding unit size and count, the existing dwelling unit appears to have 1,100 square feet of habitable area and two bedrooms. The proposed building contains six units; one with four bedrooms and five with three bedrooms. The new units provide more than the existing square footage and bedroom count.*

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

#### HOUSING ELEMENT

##### 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.

*The Project proposes demolition of a fire-damaged residential structure containing a two-bedroom single family dwelling. However, the new construction proposal will result in six family-sized units, and thereby contribute to the general housing stock of the city.*

##### 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 3.3:

Maintain balance in affordability of existing housing stock by supporting affordable moderate ownership opportunities.

##### Policy 3.4:

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

*While the project will demolish an existing vacant and neglected dwelling, the new construction project will result in an increase in the density of the property and contributes five net new dwelling unit, a net addition of 17 bedrooms, to the existing housing stock.*

**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 11.5:**

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

*The proposed new construction is appropriate in terms of material, scale, proportions and massing for the surrounding neighborhood. Furthermore, the proposal results in an increase in density on the site while maintaining general compliance with the requirements of the Planning Code.*

**COMMERCE AND INDUSTRY ELEMENT**

**OBJECTIVE 6:**

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

**Policy 6.1:**

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

**Policy 6.2:**

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

**Policy 6.3:**

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

**Policy 6.7:**

Promote high quality urban design on commercial streets.

*The Project provides an opportunity for a new 763 square foot ground floor commercial space, which is consistent with the goals for the NC-3 Zoning District. Currently, the subject property has a vacant church at the ground floor. The Project would provide new opportunity for neighborhood-serving retail uses.*

**URBAN DESIGN**

**OBJECTIVE 1:**

**EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.**

**Policy 1.2:**

Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

*The existing street pattern is a mix of predominately two- and three-story buildings, with a four-story building two blocks to the north. The Project proposes new construction that will reinforce the existing pattern at the block face as the building scale is appropriate for the subject block's street frontage. The topography is flat on-site, with a slight lateral slope to the south along 3<sup>rd</sup> Street. The proposed mixed-use development is characteristic of other existing mixed-use buildings located along 3<sup>rd</sup> Street.*

**Policy 1.3:**

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

*The proposed façade and massing are compatible with the existing neighborhood character and development pattern, particularly because the proposed building is of a similar massing, width and height to the existing structures in the neighborhood. The choice to include a variety of materials (i.e stucco, wood siding, and rainscreen cladding) as design materials is compatible with the adjacent neighbors and neighborhood.*

**OBJECTIVE 4:**

**IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.**

**Policy 4.13:**

Improve pedestrian areas by providing human scale and interest.

*The proposed project does not provide vehicular access for off-street parking, thus limiting conflicts with pedestrians and bicyclists. The project provides a recessed pedestrian entry, and the adjacent sidewalk has two existing street trees. Along the project site, the pedestrian experience will be improved.*

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

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

*Existing neighborhood-serving retail uses would not be displaced or otherwise adversely affected by the proposal, as the existing building does not contain an occupied commercial use/space. The proposed building would increase neighborhood-serving uses by providing new retail use on the ground floor.*

- 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 neighborhood. The project proposes a height and scale compatible with the adjacent neighbors, and the project proposes adding five additional units, which is compatible with the existing density in other buildings along 3<sup>rd</sup> Street.*

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

*The existing single family dwelling is currently vacant and abandoned. Although the single family dwelling is technically subject to the Rent Stabilization and Arbitration Ordinance, the Planning Department cannot definitively determine which aspects of the Ordinance are applicable. The Rent Stabilization and Arbitration Ordinance includes provisions for eviction controls, price controls, and other controls, and it is the purview of the Rent Board to determine which specific controls apply to a building or property. The Department can confirm that there are no tenants currently living in the dwelling. The proposed six dwellings are appropriately sized to promote diversity in the City's housing stock.*

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

*The project meets the permitted density and bicycle parking requirements of the Planning Code; therefore, the Project is not anticipated to impede transit service or overburden our streets with neighborhood parking. The Project supports by the City's transit first policies by providing no off-street parking.*

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The existing building is vacant and no commercial office is proposed; therefore the Project would benefit the service sector by increasing leasable space and increasing related employment opportunities.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The replacement structure would be built in compliance with San Francisco's current Building Code Standards and would meet all earthquake safety requirements.*

- G. That landmarks and historic buildings be preserved.

*Landmark or historic buildings do not occupy the Project site. The existing building is not a historic resource.*

- 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 exceed the 40-foot height limit, and is thus not subject to the requirements of Planning Code Section 295 – Height Restrictions on Structures Shadowing Property Under the Jurisdiction of the Recreation and Park Commission. The height of the proposed structures is compatible with the established neighborhood development.*

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

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2016-000790CUA**, subject to the following conditions attached hereto as "EXHIBIT A" 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. 17820. 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 94012.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 19, 2017.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: January 19, 2017

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow the demolition of a three-story mixed-use building, and to construct a new four-story, 40-ft tall, mixed-use building with six dwelling units and approximately 763 square feet of ground floor retail use, located at 5118-5122 3<sup>rd</sup> Street, Lot 005A in Assessor's Block 5358, pursuant to Planning Code Section(s) 303, 317, and 712.96 within the NC-3 District and a 40-X Height and Bulk District; in general conformance with plans, dated December 21, 2016, and stamped "EXHIBIT B" included in the docket for Case No. 2016-000790CUA and subject to conditions of approval reviewed and approved by the Commission on January 19, 2017 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on January 19, 2016, under Motion No. XXXXXX.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://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](http://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](http://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](http://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](http://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](http://www.sf-planning.org).*

## PARKING AND TRAFFIC

7. **Bicycle Parking.** The Project shall provide no fewer than **seven** Class 1 and **two** Class 2 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](http://www.sf-planning.org)*

## PROVISIONS

8. **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 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

9. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING - AFTER ENTITLEMENT

10. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

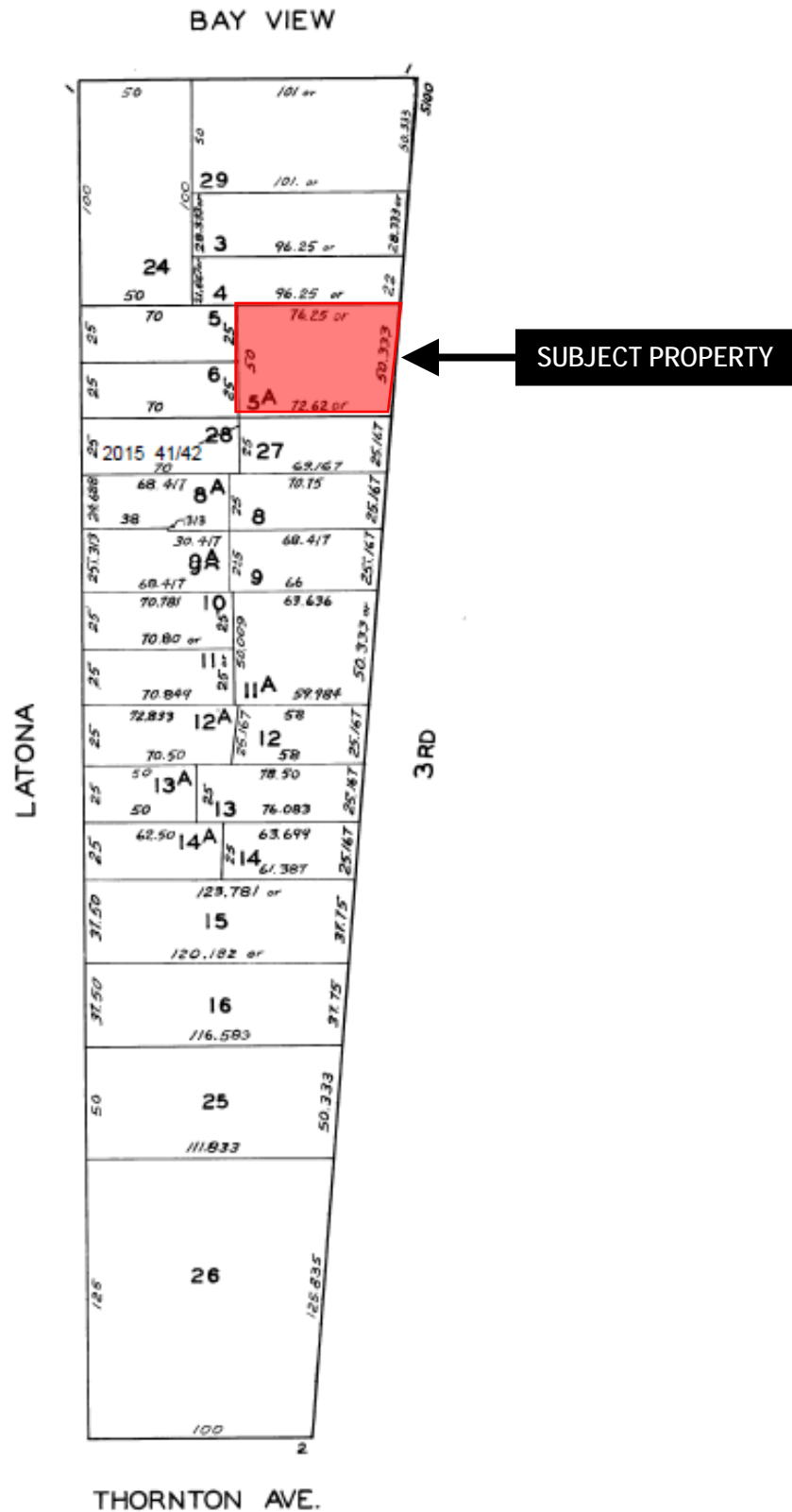
11. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions 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](http://www.sf-planning.org)*

## OPERATION

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

# Parcel Map



Conditional Use Authorization Hearing  
January 19, 2017  
Case Number 2016-000790CUA  
1016 De Haro Street

[illegible]

SAN FRANCISCO  
**PLANNING DEPARTMENT**

# Aerial Photo



SUBJECT PROPERTY





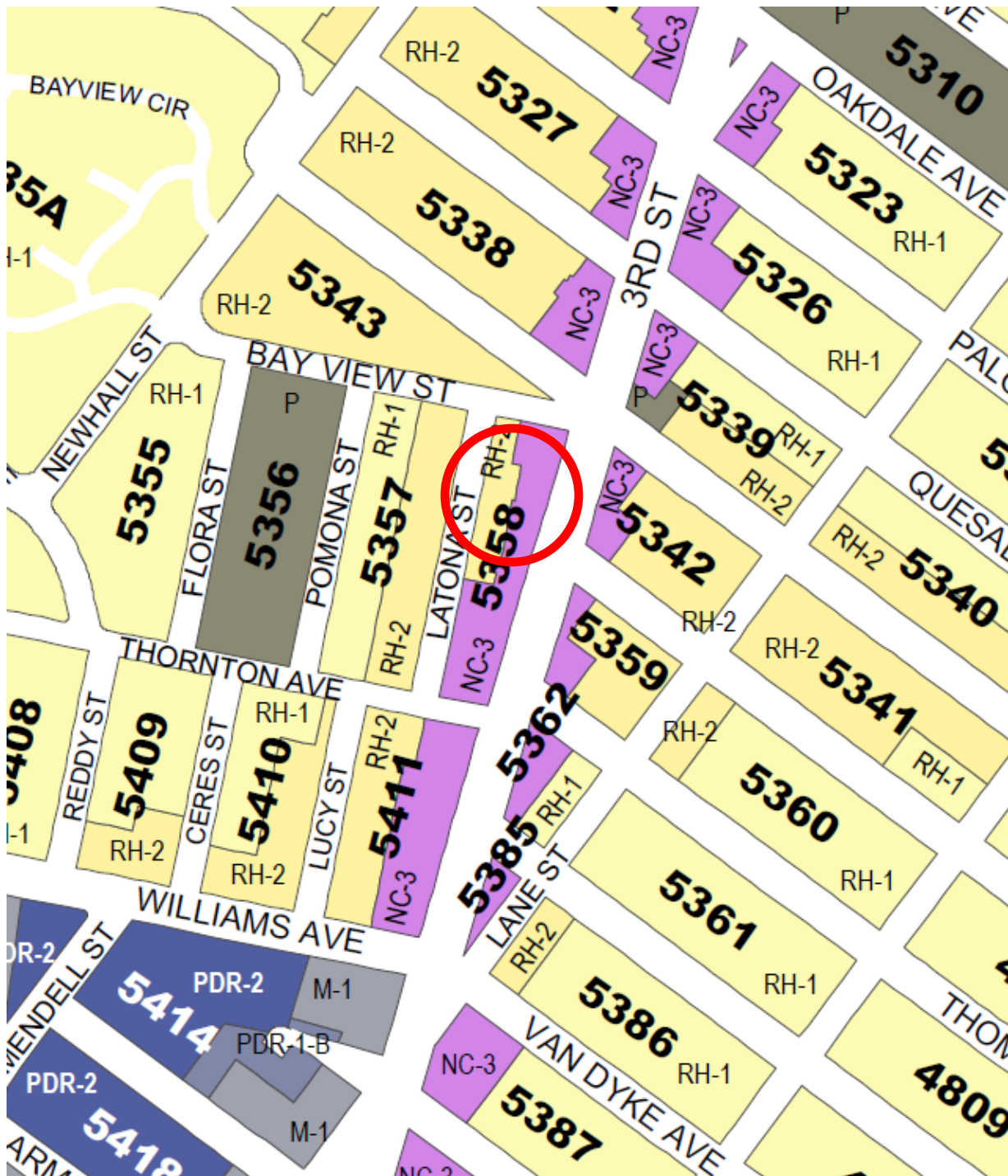
# Aerial Photo



SUBJECT PROPERTY



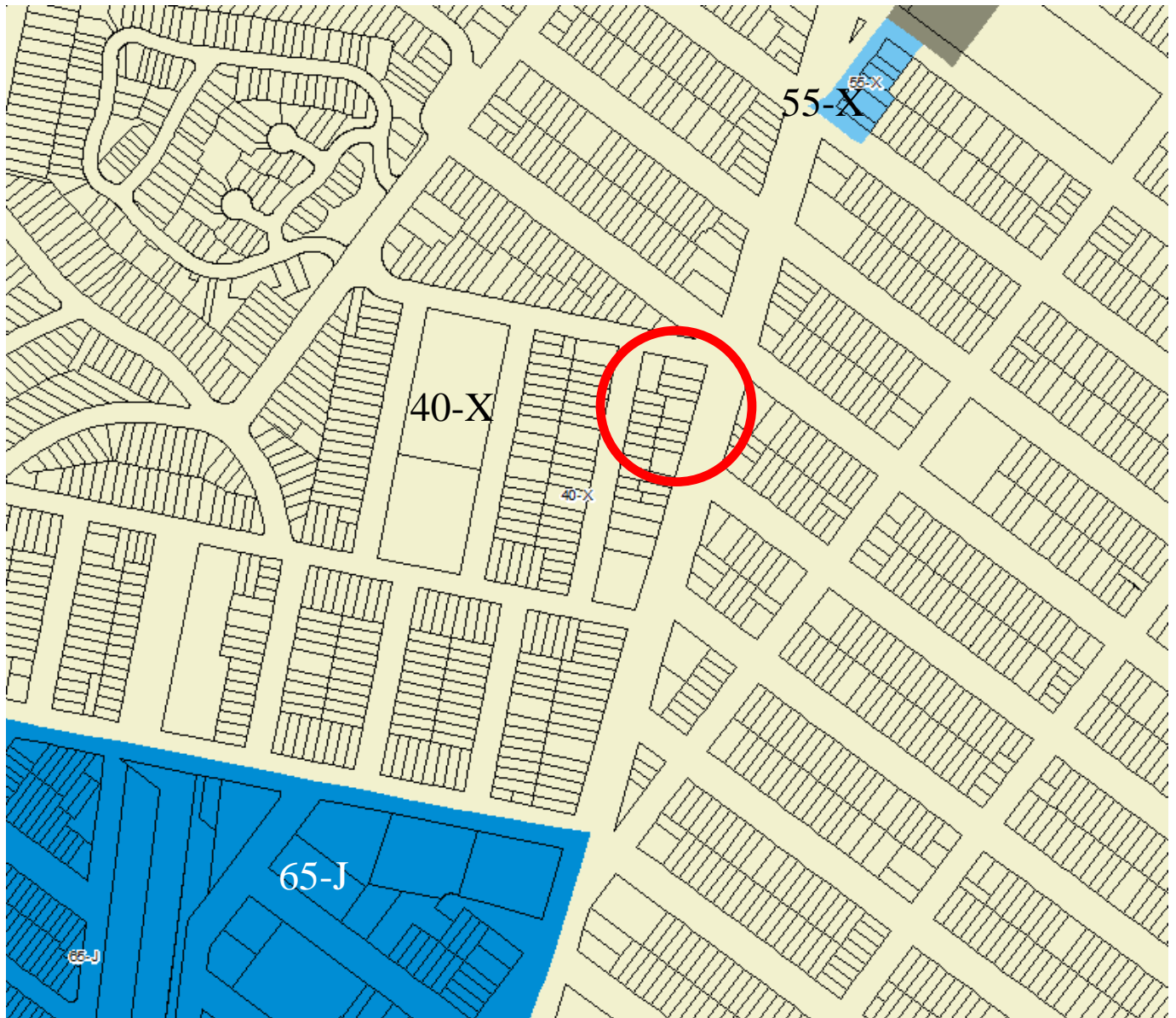
# Zoning Map



Conditional Use Authorization Hearing  
January 19, 2017  
Case Number 2016-000790CUA  
1016 De Haro Street



# Height and Bulk Map





# Site Photo



Conditional Use Authorization Hearing  
January 19, 2017  
**Case Number 2016-000790CUA**  
1016 De Haro Street

# Site Photo



Conditional Use Authorization Hearing  
January 19, 2017  
**Case Number 2016-000790CUA**  
1016 De Haro Street



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
5118-5122 3rd Street		5358/005A	
Case No.	Permit No.	Plans Dated	
2016-000790ENV	201512185516 & 201512185520	12/10/2015	
<input type="checkbox"/> Addition/ Alteration	<input checked="" type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Proposed demolition of (E) 2-story church & single dwelling building. Construction of (N) 4-story, 6-unit building w/ retail @ ground floor.			

### STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

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

### STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b>	
<input type="checkbox"/>	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Air Pollutant Exposure Zone)</i>
<input checked="" type="checkbox"/>	<b>Hazardous Materials:</b> 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 EP_ArcMap &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	<b>Archeological Resources:</b> 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input checked="" type="checkbox"/>	<b>Noise:</b> Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, new construction, or square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required.</b>
<b>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.</b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>
<b>Comments and Planner Signature (optional):</b> Jean Poling Sponsor has enrolled in DPH Maher program. Project will follow recommendations of 9/2/15 Walsh Norris acoustics report.	

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

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

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

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

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

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

<input type="checkbox"/>	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator) _____
<input checked="" type="checkbox"/>	10. <b>Reclassification of property status</b> to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: _____ (attach HRER) b. Other (specify): Per PTR form signed on 3/25/2016.
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
Comments (optional):	
Preservation Planner Signature: Stephanie Cisneros <small>Digitally signed by Stephanie Cisneros DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Stephanie Cisneros, email=Stephanie.Cisneros@sfgov.org Date: 2016.03.31 09:33:25 -07'00'</small>	

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

<input type="checkbox"/>	<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>	
<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA.</b>	
	<b>Planner Name:</b> Stephanie A. Cisneros  <b>Project Approval Action:</b> <b>Building Permit</b> If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	<b>Signature:</b>  Stephanie Cisneros <small>Digitally signed by Stephanie Cisneros DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Stephanie Cisneros, email=Stephanie.Cisneros@sfgov.org Date: 2016.03.31 09:33:25 -07'00'</small>
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of 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.		



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

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

**PROPERTY INFORMATION/PROJECT DESCRIPTION**

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

**DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION**

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

**DETERMINATION OF NO SUBSTANTIAL MODIFICATION**

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







# SAN FRANCISCO PLANNING DEPARTMENT

## PRESERVATION TEAM REVIEW FORM

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

<b>Preservation Team Meeting Date:</b>		<b>Date of Form Completion</b>	3/17/2016
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PROJECT INFORMATION:		
<b>Planner:</b>	<b>Address:</b>	
Stephanie Cisneros	5118-5122 3rd Street	
<b>Block/Lot:</b>	<b>Cross Streets:</b>	
5358/005A	Bay View Street & Thornton Avenue	
<b>CEQA Category:</b>	<b>Art. 10/11:</b>	<b>BPA/Case No.:</b>
B	N/A	2016-000790ENV

PURPOSE OF REVIEW:		PROJECT DESCRIPTION:		
<input checked="" type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input type="radio"/> Alteration	<input checked="" type="radio"/> Demo/New Construction

<b>DATE OF PLANS UNDER REVIEW:</b>	12/10/2015
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PROJECT ISSUES:	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	
Submitted: Historic Resource Evaluation prepared by Ver Planck Historic Preservation Consulting (dated July 2015).	
Proposed Project: Proposed demolition of (E) 2-story church & single dwelling building. Construction of (N) 4-story, 6-unit building w/ retail @ ground floor.	

PRESERVATION TEAM REVIEW:			
Historic Resource Present		<input type="radio"/> Yes	<input checked="" type="radio"/> No *
		<input type="radio"/> N/A	
Individual		Historic District/Context	
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:		Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:	
Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Criterion 2 -Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 -Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Period of Significance:		Period of Significance:	
		<input type="radio"/> Contributor <input type="radio"/> Non-Contributor	

Complies with the Secretary's Standards/Art 10/Art 11:	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
CEQA Material Impairment:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Needs More Information:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Defer to Residential Design Team:	<input checked="" type="radio"/> Yes	<input type="radio"/> No	

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

**PRESERVATION TEAM COMMENTS:**

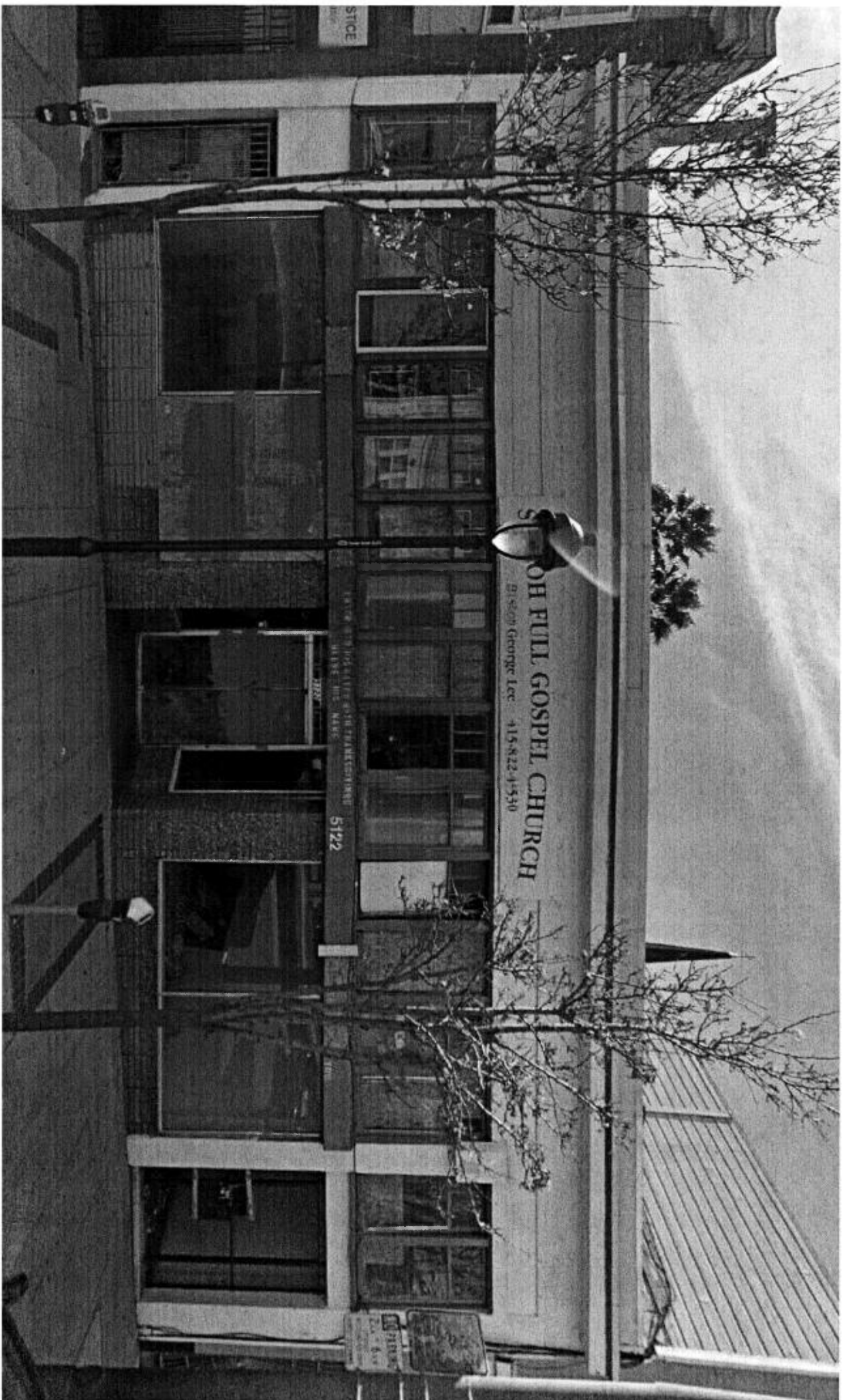
According to the Historic Resource Evaluation prepared by Ver Planck Historic Preservation Consulting (dated July 2015) and information found in the Planning Department files, the subject property at 5118-5122 3rd Street contains a one-and-partial-two-story, concrete (?), commercial and one residential unit building. The mixed-use building was constructed in 1927 by contractor Thomas R. Sharman for original owners James Joyce and his wife Mary, both residents of Redwood City (source: building permit). The Joyces rented the property out to various owners who occupied both the commercial tenant space and the residential unit above from 1927 until they sold the building in 1938. Known alterations to the property include: installation of a double face horizontal neon sign (1934); re-roofing (1938); removing the wainscoat at storefront and installing solid brick bulkhead and new aluminum entry doors (1962); re-roofing (2011); and repairing dry rot damage and fire damage and in-kind replacement of windows not visible from the street (2014).

No known historic events occurred at the subject property (Criterion 1). None of the owners or occupants have been identified as important to history (Criterion 2). The subject property's storefront was significantly altered in 1962, which compromised original integrity. Altogether, the building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3.

The subject property is not located within the boundaries of any identified historic district. The subject property is located in the Bayview neighborhood on a block that exhibits a variety of architectural styles and construction dates ranging from 1900 to the 1980s, many of which have undergone significant alterations. Together, the block does not comprise a significant concentration of historically or aesthetically unified buildings.

Therefore, the subject property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	3/25/2016



**Speirs, Jeffrey (CPC)**

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**From:** Morgan D. <morgantor@gmail.com>  
**Sent:** Friday, January 06, 2017 3:23 PM  
**To:** Speirs, Jeffrey (CPC)  
**Subject:** Support for 5122 3rd street

Mr. Spiers,

I recently learned that there are plans in the works to replace the dilapidated storefront at 5122 3rd street with a new mixed use building. I cannot tell you enough how much i wish we saw more of this happening in the Bayview already. Please know that I, as a resident of that neighborhood, cannot express enough how much i'd like to see this redevelopment happen asap.

I have no financial or material stake in the proposed development, i am just a resident hoping to see my neighborhood improve.

All the Best,  
Morgan Dornbush  
Silver Terrace

## Speirs, Jeffrey (CPC)

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**From:** Lawrence Cuevas <lpcuevas@gmail.com>  
**Sent:** Thursday, December 29, 2016 12:08 PM  
**To:** Speirs, Jeffrey (CPC)  
**Subject:** Letter of Support: 5118-5120 3rd Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Jeffrey,

Thanks for connecting me to the team at Gabriel Ng + Architects. I appreciate everyone's responsiveness.

I am a resident of the 1700 block of Revere Avenue in the Bayview and would like to express my strong support for the multi-family, mixed-use project at 5118-5120 3rd Street.

San Francisco is facing a severe housing and transportation crisis, and the Bayview neighborhood has long endured economic struggles. The project at 5118-5120 3rd Street would be a great step towards alleviating these issues by transforming a blighted property into transit-first housing and commercial activation.

The project features a responsible scale and density for the 3rd Street corridor, while the facade articulation and material variation relate nicely to the neighboring buildings. I especially appreciate the use of warmer, finer scale accents at the pedestrian level.

The 5118-5120 3rd Street project presents the highest and best use of this important site, creates an opportunity for economic re-invigoration of the Bayview's commercial heart, and offers hope for a more affordable and sustainable San Francisco.

Thank you for your time and consideration.

Best,  
Lawrence Cuevas

January 4<sup>th</sup>, 2017

Rodney Fong, President  
And Planning Commissioners  
San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, California 94103

**Re: 5118-5120 3<sup>rd</sup> Street (Block 5358, Lot 005A)  
Demolition of Church with Single Family Dwelling &  
Construction of a 4-Story Mixed Use Building, 6 Dwelling Unit with Retail  
Case No. 2016-000790  
Building Permits #2015-1218-5516 & 2015-1218-5520  
Hearing Date: January 19<sup>th</sup>, 2017**

Dear President Fong and Commissioners –

Our architecture firm represents the owners of 5118-5120 3<sup>rd</sup> Street. This property was the site of an electrical fire on October 15<sup>th</sup>, 2011, and has been vacant since then. The ground floor concrete commercial space is partially intact, but the top level wood framed unit was heavily damaged by the blaze. This hearing is to approve the residential demolition that the fire has already caused. Please see the attached photos documenting the damage.

## **PROJECT SITE**

The project site at 5118-22 is an approximately 3734-square-foot (sq. ft.), lot in the Bayview neighborhood. The parcel is irregularly shaped, with an angled frontage, and the site slopes steeply uphill at the rear with a large retaining wall. The project site is located on a block bounded by Bay View Street, Latona Street, and Thornton Avenue, and is zoned NC-3.

The existing two story plus mezzanine building was built in 1927, as a rental commercial and residential building. It is now vacant after a fire in October 2011. The ground floor storefront was most recently occupied by a church, but has also been a furniture store, a mortuary, and a liquor store. The ground floor covers all but the last 11'-8 1/2" of the lot. The dwelling is located at the rear of the building's second floor, and was typically occupied by the stores' proprietors. Per the Categorical Exemption dated March 25<sup>th</sup>, 2016, the building is not found to be an historic resource.

The neighbor to the left (south-west) of the lot is a two story mixed use building, also built in 1927. There are two ground floor retail spaces, and two second floor residential units. The right (north-east) side is also a two story mixed use building, constructed in 1926. It contains one dwelling over one commercial. The rear of our subject parcel contains a large retaining wall, to separate the site from two neighboring (north-west) single family homes, approximately 18' above.

## **PROPOSED PROJECT**

The scope of work is to authorize the demolition of the fire damaged building and construct an approximately 11,185 gross-square-foot (gsf), 40-foot-tall residential building with retail on the ground floor. The residential portion of the proposed project would provide 5 three-bedroom apartments and 1 four-bedroom accessible apartment, for a total of 6 residential units. These family sized dwellings will

**SCHAUB LY ARCHITECTS, INC.**

range from 1,193-1,880 square feet. The commercial space is one ±763 square foot retail unit. The proposed bicycle parking area would be located on the ground floor, and provide storage for 8 bicycles. There is no vehicle parking proposed. Common open space is provided on a shared rear patio.

The 4-story mixed-used building would encompass approximately 7,855 gsf of residential space, 763 gsf commercial, a 934-gsf shared patio, and 2,567 gsf of common space (i.e. lobby, storage, corridors, stairs, and mechanical rooms).

The façade of the proposed building is designed to emphasize the residential entry, and to separate the commercial space. The 11' tall ground floor allows for high transom windows, to follow the vernacular of nearby storefronts. Upper residential floors have a taller bay element on the left side, and three smaller angled bays to the right. The bay dimensions provide for additional space in the bedrooms, and reduce the impact of the skewed front property line. These top floor bays wrapped with rainscreen panel cladding, similar to the nearby Bayview Library. Overall the building is designed to showcase the best elements of the neighborhood, while also providing an updated façade to a district on the upswing.

## NEIGHBORHOOD OUTREACH

A pre-application meeting was held at the Bayview Branch Library on Saturday, December 5<sup>th</sup>, 2015. We spoke with two nearby homeowners. Both voiced their support of the demolition, and had some general concerns about the height of the building. Due to their location on Latona Street behind the property, they also asked about the proposed stair penthouse. Per their request we offered to move it to the north side, although subsequently it has been removed completely.

We also presented the project at the Bayview CAC on September 7<sup>th</sup>, 2016. They also generally welcomed the demolition and update of the site. Everyone appreciated the family sized units, however there was some urging to also provide vehicle parking as part of the project.

## CONDITIONAL USE FINDINGS:

Pursuant to §303(c)

- 1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community:**

*The majority of the neighborhood is 2-3 stories, and most buildings date back to the 1910s and 1920s. Most of the commercial corridor on Third Street has ground floor retail, and multiple units per building. Many nearby projects are newly constructed at the allowable height and density, and the proposed project would bring the lot closer to the contemplated size per the NC-2 Zoning. This project adds a net 5 units and 18 bedrooms to the city's housing stock.*

- 2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:**

- a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;**

*The project site is 50.21' wide, and an average of 74' 8-1/4" lot depth. The existing building intrudes into the required rear yard, and has an awkward second floor setback. The replacement building would be fully code compliant, as well as meet the Residential Design*

*Guidelines. The new project would replace a 28' 1-1/4" tall building with a 40' tall structure, and introduce a lightwell to match the southern neighbor.*

- b. The accessibility and traffic patterns for person and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading:

*The existing building has no parking for vehicles or bicycles. The T-Third line started operation in 2007, providing valuable transportation directly in front of the project site. The proposed replacement project provides 8 Class 1 and 2 Class 2 bicycle parking spaces.*

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

*The proposed project would mechanically ventilate all exhaust to the roof, away from the adjacent neighbors. This will alleviate any noise and odor concerns. Safeguards will be used during construction to mitigate any impact to the neighborhood.*

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

*The rear yard will be restored to code compliant 25% of the lot depth. It will provide common open space for all of the residential units, including landscaping elements. All lighting and signs will be respectfully designed and detailed.*

**3. That such use or feature as proposed will comply with the applicable provisions of this Code, and will not adversely affect the Master Plan:**

*The proposed project would authorize the demolition an existing fire damaged single family home over commercial, and replace it with six family sized dwellings. Per the Historic Resource Evaluation Response, the house is not an historic resource. The existing structure dates to 1927, and little has been done to improve it since. The building was subject to a large fire in October 2011, and has not been restored. The proposed replacement building has been designed to meet current design standards. An 801 square foot retail space occupies the revitalizing Third Street frontage. The 6 large family sized units have multiple bedrooms and bathrooms, with a large open kitchen and living room area. The rear yard will provide open space for each unit. The proposed project complies with all provisions and intentions of the Planning Code, and will positively affect the neighborhood and Master Plan.*

**RESIDENTIAL DEMOLITION ADDITIONAL CRITERIA:**

Pursuant to §317(g)(5)

This project complies with the majority of the criteria to demolish existing housing.

**A. Whether the property is free of a history of serious, continuing Code violations;**

*The existing building was the site of a fire in 2011, and has been vacant since then. Subsequently, two permits were issued to repair the building; however the damage proved to be beyond the scope of a simple repair permit. The building has been registered as a vacant building, and is currently boarded up.*

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

*The housing unit was destroyed by fire in 2011. It has been vacant since then.*

**SCHAUB LY ARCHITECTS, INC.**



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

*The building is not found to be an historic resource, per the Categorical Exemption issued March 25<sup>th</sup>, 2016.*

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

*The building is neither found to be an historic resource, nor to have any adverse impacts under CEQA, per the Categorical Exemption issued March 25<sup>th</sup>, 2016.*

**E. Whether the project converts rental housing to other forms of tenure or occupancy;**

*The residence was historically rented along with the retail space. The most recent occupants were also renters. The new construction will retain the occupancy as rental.*

**F. Whether the project removes rental units subject to the Residential Rent Stabilization and Arbitration Ordinance or affordable housing;**

*The existing single family house was not subject to rent control.*

**G. Whether the project conserves existing housing to preserve cultural and economic neighborhood diversity;**

*The existing house does not contribute to cultural or economic diversity.*

**H. Whether the project conserves neighborhood character to preserve neighborhood cultural and economic diversity;**

*The existing fire damaged structure negatively contributes to the neighborhood character. The proposed 4-story, 6-unit dwelling, will respect the nearby context, while providing a net 5 new residential units.*

**I. Whether the project protects the relative affordability of existing housing;**

*The existing single family dwelling was removed by fire, and has been off the rental market for several years.*

**J. Whether the project increases the number of permanently affordable units as governed by Section 415;**

*Affordable housing per §415 will not be affected.*

**K. Whether the project locates in-fill housing on appropriate sites in established neighborhoods;**

*The project site is zoned NC-3 for Neighborhood Commercial – Moderate Scale, and is located in the heart of the Bayview district. The proposed 6 family sized units will be appropriate for the site and the neighborhood.*

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

*The proposed will replace one 1-bedroom single family house with 6 family sized dwelling units, for a net gain of 5 dwellings and 18 bedrooms.*

**M. Whether the project creates new supportive housing;**

*Supportive housing is not affected.*

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

*The design complies with all relevant Residential Design Guidelines. The form is influenced by the vernacular of the surrounding neighborhood, with strong vertical bays centered over ground floor entries. High quality materials and craftsmanship will be used throughout the building, with special attention given to the pedestrian experience.*

**O. Whether the project increases the number of on-site Dwelling Units;**

*The number of dwelling units will increase from one to six.*

**P. Whether the project increases the number of on-site bedrooms;**

*The project will add 18 on-site bedrooms, from 1 to 19.*

**Q. Whether or not the replacement project would maximize density on the subject lot; and**

*The proposed 6-unit project maximizes the allowable density in this site zoned as an NC-3 district.*

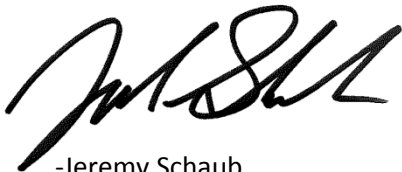
**R. If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.**

*The replacement project substitutes the existing 1 bedroom rental with 6 family sized multi-bedroom dwelling units. The existing unit is  $\pm$  1,100 square feet, and most of the replacement units are  $\pm$  1,195 square feet.*

**CONCLUSION**

This project will authorize the physical demolition that occurred during an electrical fire. The site has been vacant for over 5 years, and now can be part of the growth within the Bayview District. The project complies with all of the Zoning Codes and Residential Design Guidelines. We respectfully request that you grant the conditional use authorization, and approve the project as proposed.

Thank you for your consideration,



-Jeremy Schaub  
Principal Architect, Schaub Ly Architects, Inc.



View of Dwelling From Behind



View of Dwelling Inside





View of Dwelling Inside



View of Commercial Space



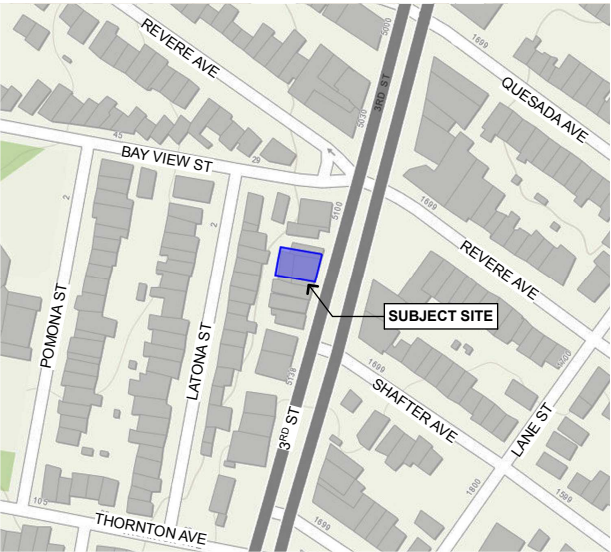


**LOOKING NORTH ON 3RD STREET**

**SHEET INDEX**

A-0	RENDERING
A-0.1	RENDERING & PROJECT DESCRIPTION
A-1.0	PROPOSED SITE PLAN AND PROJECT INFORMATION
A-2.0	GROUND FLOOR PLAN
A-2.1	SECOND FLOOR PLAN
A-2.2	THIRD FLOOR PLAN
A-2.3	FOURTH FLOOR PLAN
A-2.4	ROOF PLAN
A-3.0	FRONT ELEVATION
A-3.1	REAR ELEVATION
A-3.2	SIDE ELEVATIONS
A-3.3	SECTIONS
A-3.4	3-D RENDERING & MATERIAL BOARD
A-4.0	CONTEXT PHOTOS
A-4.1	EXISTING SITE PLAN
A-4.2	EXISTING / DEMO FLOOR PLANS & ELEVATIONS

**VICINITY MAP**







**LOOKING SOUTH ON 3RD STREET**

**SITE DESCRIPTION AND PRESENT USE**

THE PROPERTY IS LOCATED ON THE NORTHWEST SIDE OF 3<sup>RD</sup> STREET, BETWEEN BAY VIEW STREET/REVERE AVENUE AND SHAFTER AVENUE, NEAR THE SOUTHERN END OF BAYVIEW-HUNTERS POINT'S 3<sup>RD</sup> STREET COMMERCIAL DISTRICT, ASSESSOR'S PARCEL 5358/005A. THE SUBJECT PROPERTY CONTAINS A ONE-AND-PARTIAL-TWO-STORY CONCRETE, UTILITARIAN COMMERCIAL AND RESIDENTIAL BUILDING CONSTRUCTED IN 1927. THE EXISTING BUILDING BURNED IN A 2011 FIRE AND LITTLE IS LEFT OF THE INTERIOR. THE PROJECT SITE ZONING IS WITHIN THE NC-3 MODERATE SCALE NEIGHBORHOOD COMMERCIAL DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

**PROJECT DESCRIPTION**

THE PROJECT PROPOSES TO DEMOLISH THE EXISTING EXTENSIVELY FIRE DAMAGED BUILDING AND CONSTRUCT A NEW FOUR-STORY MIXED-USE BUILDING FRONTING ON 3<sup>RD</sup> STREET. THE PROPOSED NEW BUILDING'S GROUND FLOOR CONTAINS ONE COMMERCIAL SPACE, BIKE PARKING, COMMON OPEN SPACE AND THE LOWER HALF OF A RESIDENTIAL UNIT. THE 2<sup>ND</sup>-4<sup>TH</sup> FLOORS CONSIST OF 6 RESIDENTIAL UNITS, INCLUDING THE UPPER PORTION OF UNIT #101. THE RESIDENTIAL UNITS RANGE FROM 1,193 SQ. FT. TO 1,880 SQ. FT. FIVE RESIDENTIAL UNITS ARE 3 BED / 2 BATH AND ONE RESIDENTIAL UNIT IS 4 BED / 3 BATH ON THE GROUND AND 2<sup>ND</sup> FLOORS; THE TOTAL LIVING AREA FOR ALL UNITS IS 7,855 SQ. FT. THE COMMERCIAL SPACE ON GROUND FLOOR IS 763 SQ. FT.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD**

THE ADJACENT PROPERTY ON THE RIGHT SIDE IS A TWO-STORY MIXED-USE BUILDING, CONTAINING A COMMERCIAL UNIT ON THE GROUND FLOOR AND A RESIDENTIAL UNIT ON THE SECOND FLOOR. THE ADJACENT PROPERTY ON THE LEFT SIDE IS A TWO-STORY MIXED-USE BUILDING, CONTAINING TWO COMMERCIAL UNITS ON THE GROUND FLOOR AND A RESIDENTIAL UNIT ON THE SECOND FLOOR. A MUNI T-THIRD STATION IS IN FRONT OF THE SUBJECT SITE, PROVIDING SERVICE TO DOWNTOWN AND VISITACION VALLEY. THE BUILDINGS ACROSS THE 100' WIDE 3<sup>RD</sup> STREET RANGE FROM A CHURCH PARKING LOT TO THREE STORY MIXED USE BUILDINGS. BOTH EAST AND WEST SIDES OF 3<sup>RD</sup> STREET ARE ACTIVE STREET FRONTAGE WITH COMMERCIAL STOREFRONT AND NO ACCESS TO ENCLOSED GARAGES.



OFF-STREET PARKING REQUIREMENT PER § 151, 161(g):

	REQUIRED	PROPOSED
RESIDENTIAL	6	0 (NO NEW CURB CUTS)
RETAIL	0	0

BICYCLE PARKING REQUIREMENT PER §155.2:

	REQUIRED	PROPOSED
RESIDENTIAL	6 (CLASS 1)	8 (CLASS 1)
RETAIL	2 (CLASS 2)	2 (CLASS 2)

OPEN SPACE REQUIREMENT PER §135(d):

	REQUIRED	PROPOSED
RESIDENTIAL	600 S.F. COMMON OPEN SPACE	934 S.F. (REAR YARD)

EXISTING PROPERTY INFORMATION

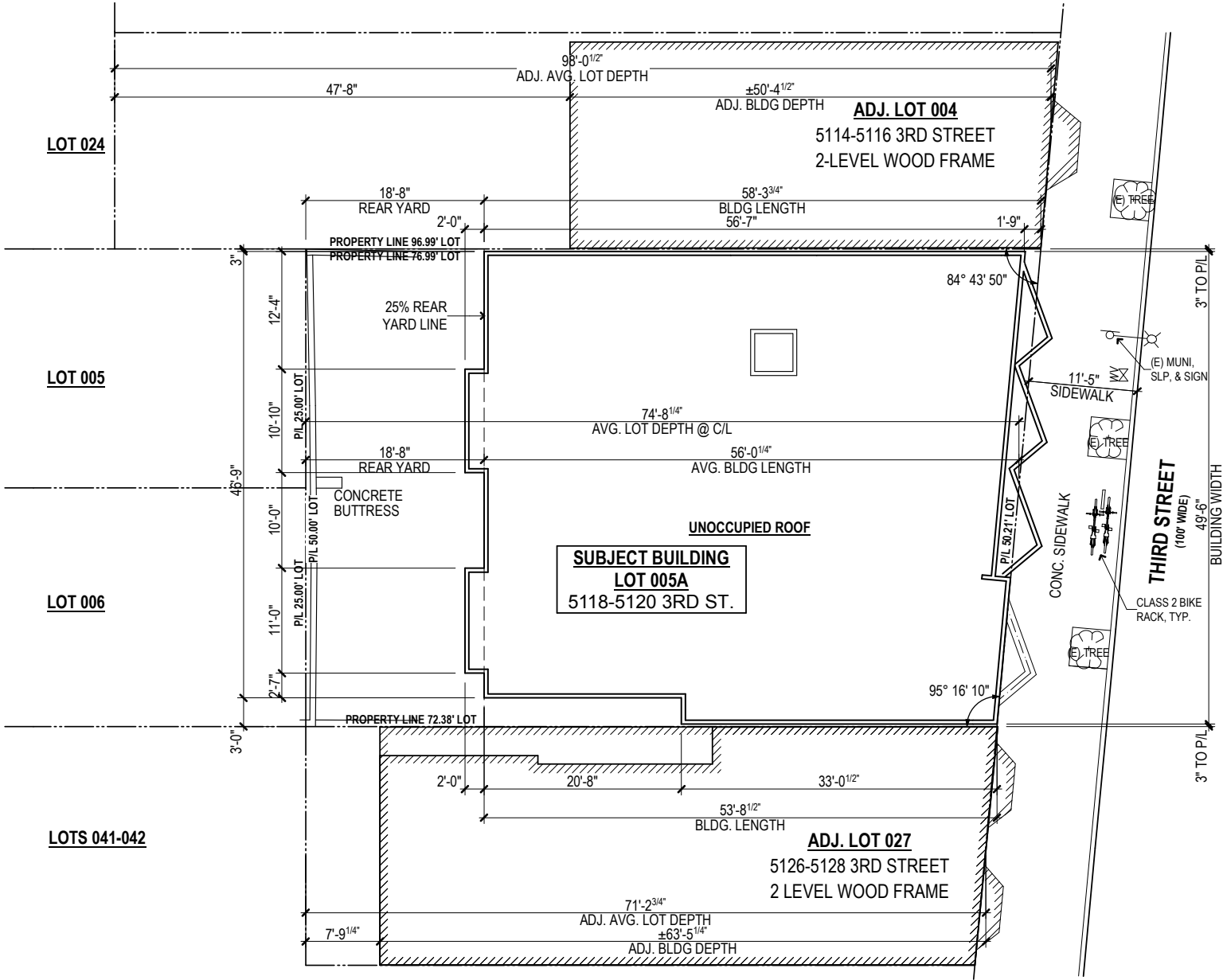
ADDRESS	5118-5120 3RD STREET
BLOCK / LOT	5358 / 005A
LOT WIDTH x AVG. DEPTH	50' x 74'-8" AVERAGE
LOT AREA	+/- 3,734 S.F.
# OF RESIDENTIAL UNITS	1
GROUND FLOOR OCCUPANCY	CHURCH

PROPOSED PROJECT INFORMATION

ADDRESS	5118-5120 3RD STREET
LOT WIDTH x AVG. DEPTH	50' x 74'-8" AVERAGE
LOT AREA	+/- 3,734 S.F.
# OF RESIDENTIAL UNITS	6
# OF RETAIL SPACES	1
BUILDING HEIGHT	40

ZONING INFORMATION

ZONING	NC-3	§712.1
HEIGHT LIMIT	40-X	§250
RESIDENTIAL DENSITY	1 PER 600 S.F. = 6	§712.91
TOTAL DWELLING UNITS	6	
REAR YARD	25%	§712.12
OPEN SPACE	600 S.F. REQUIRED (100 S.F. COMMON AREA x 6) 1,481 S.F. COMMON AREA PROVIDED IN REAR YARD	§712.93
BICYCLE PARKING	CLASS 1: 1 PER UNIT = 6 CLASS 2: 2	TABLE 155.2.11 TABLE 155.2.15
VEHICLE PARKING	1 PER UNIT	§161(g) & §307(h)(2)
SPECIAL USE DISTRICTS	THIRD STREET ALCOHOL S.U.D. THIRD STREET ALCOHOL R.U.D.	§249.14 §249.62 & §782
REDEVELOPMENT AREA	BAYVIEW HUNTERS POINT AREA B	SF OCII



PROPOSED SITE PLAN

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

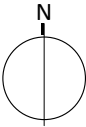
AREA CALCULATION (IN SQUARE FEET):

5120 3 <sup>RD</sup> ST. (RESIDENTIAL)	UNIT NUMBER	GROUND FLOOR	2 <sup>ND</sup> FLOOR	3 <sup>RD</sup> FLOOR	4 <sup>TH</sup> FLOOR	TOTAL	BED/BATH
	UNIT #402*				1,198	1,198	3/2
	UNIT #401*				1,193	1,193	3/2
	UNIT #302*			1,198		1,198	3/2
	UNIT #301*			1,193		1,193	3/2
	UNIT #201*		1,193			1,193	3/2
	UNIT #101*	682	1,198			1,880	4/3
	RETAIL 5118*	763				763	
	COMMON**	1,331	412	412	412	2,567	
TOTAL		2,776	2,803	2,803	2,803	11,185	

TOTAL RETAIL AREA =	763	S.F.
TOTAL LIVING AREA FOR ALL UNITS =	7,855	S.F.
TOTAL COMMON AREA =	2,567	S.F.
TOTAL GROSS AREA =	11,185	S.F.

NOTE:  
AREA CALCULATION AS SHOWN IS INTENDED FOR PERMIT APPLICATION PURPOSES ONLY AND SHALL NOT BE USED FOR SELLING OR LEASING PURPOSES. FINAL SQUARE FOOTAGE AND FINISHED DIMENSIONS MAY VARY FROM THESE PLANS DUE TO CONSTRUCTION VARIABLES.

\* UNIT AREA INCLUDES NET AREA INSIDE OF UNIT ONLY  
\*\* COMMON AREA INCLUDES ALL AREAS OUTSIDE OF UNIT (COMMON STAIR/HALLWAY, WALLS, ETC.)

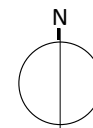
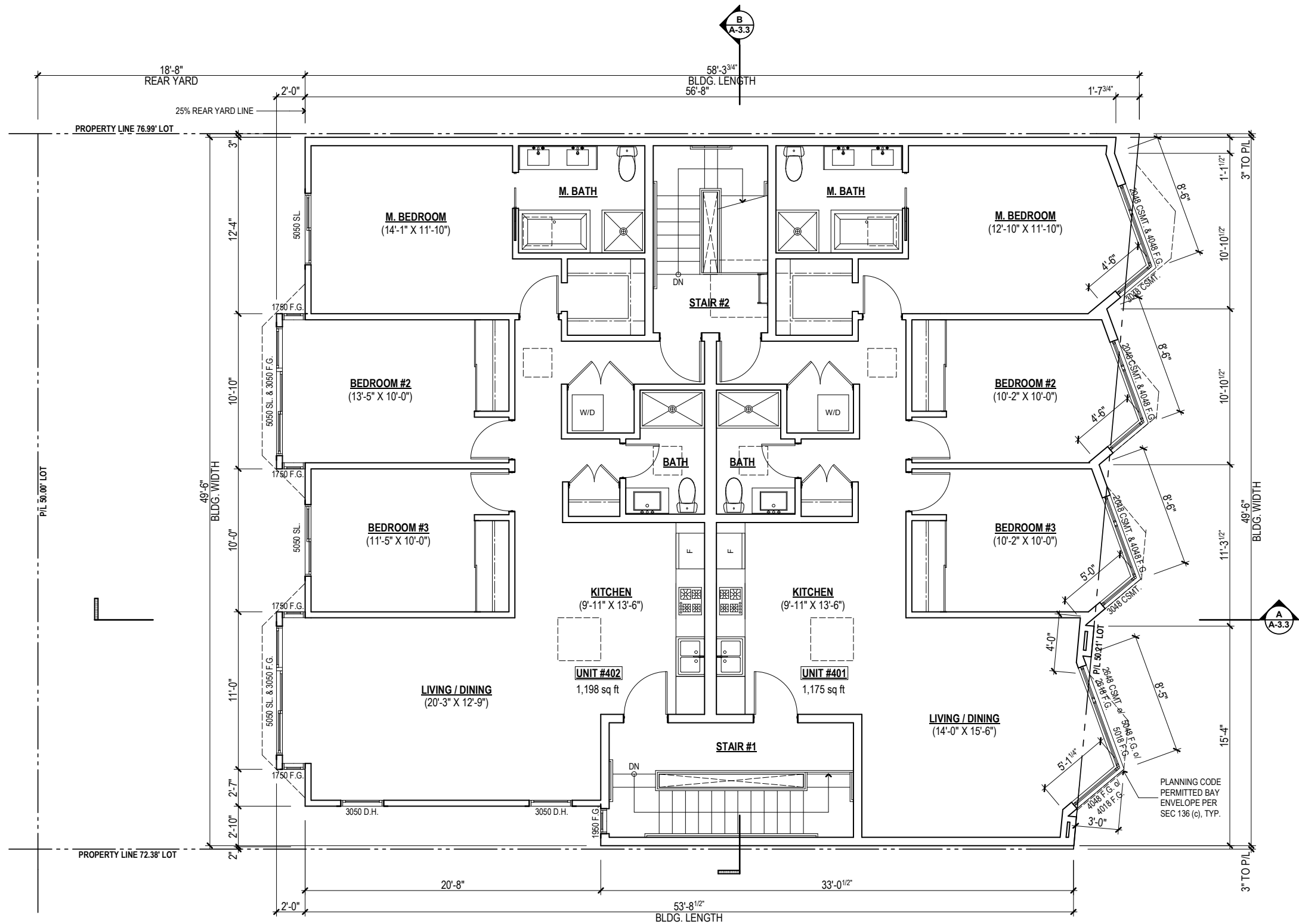


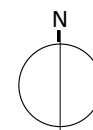
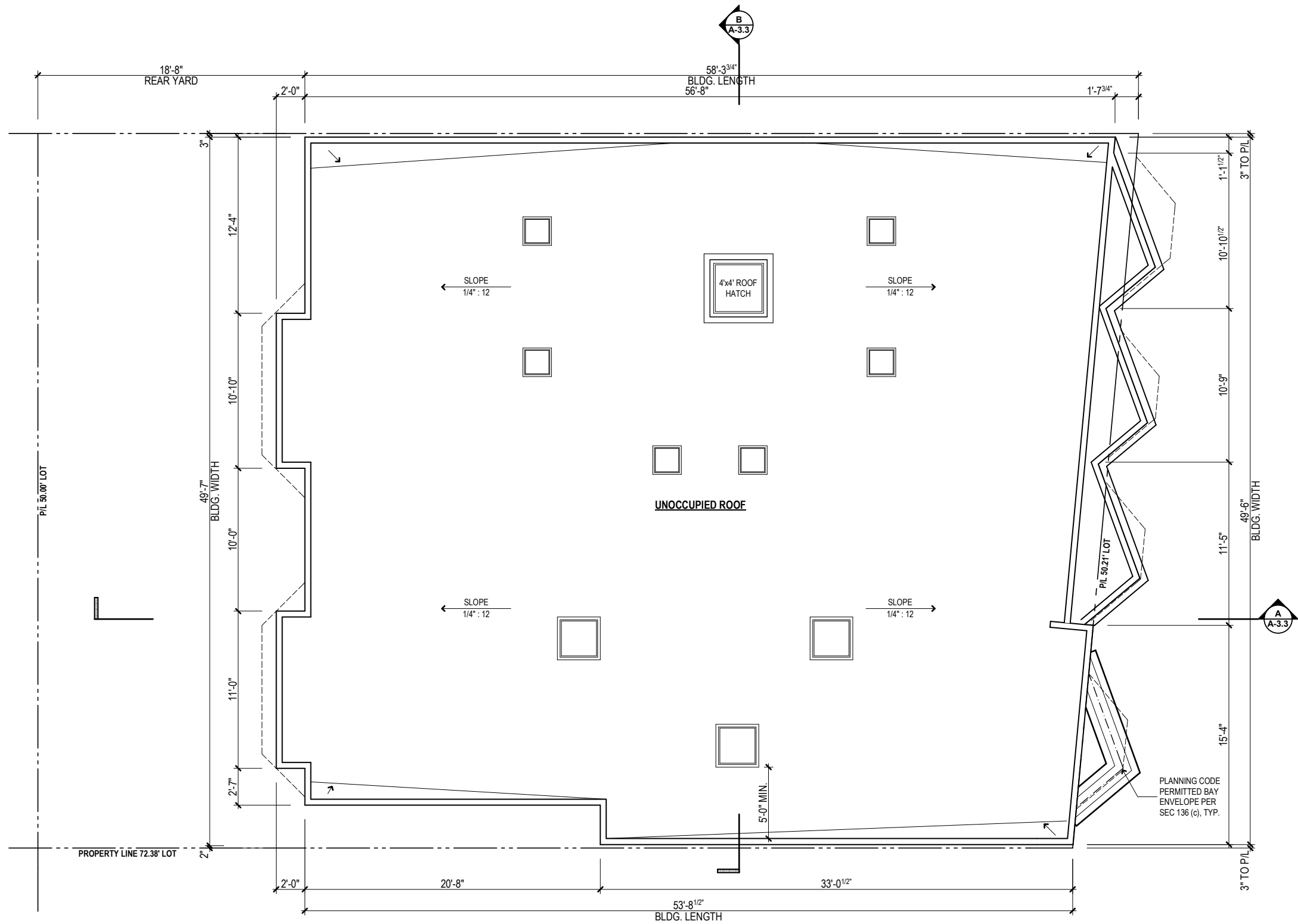






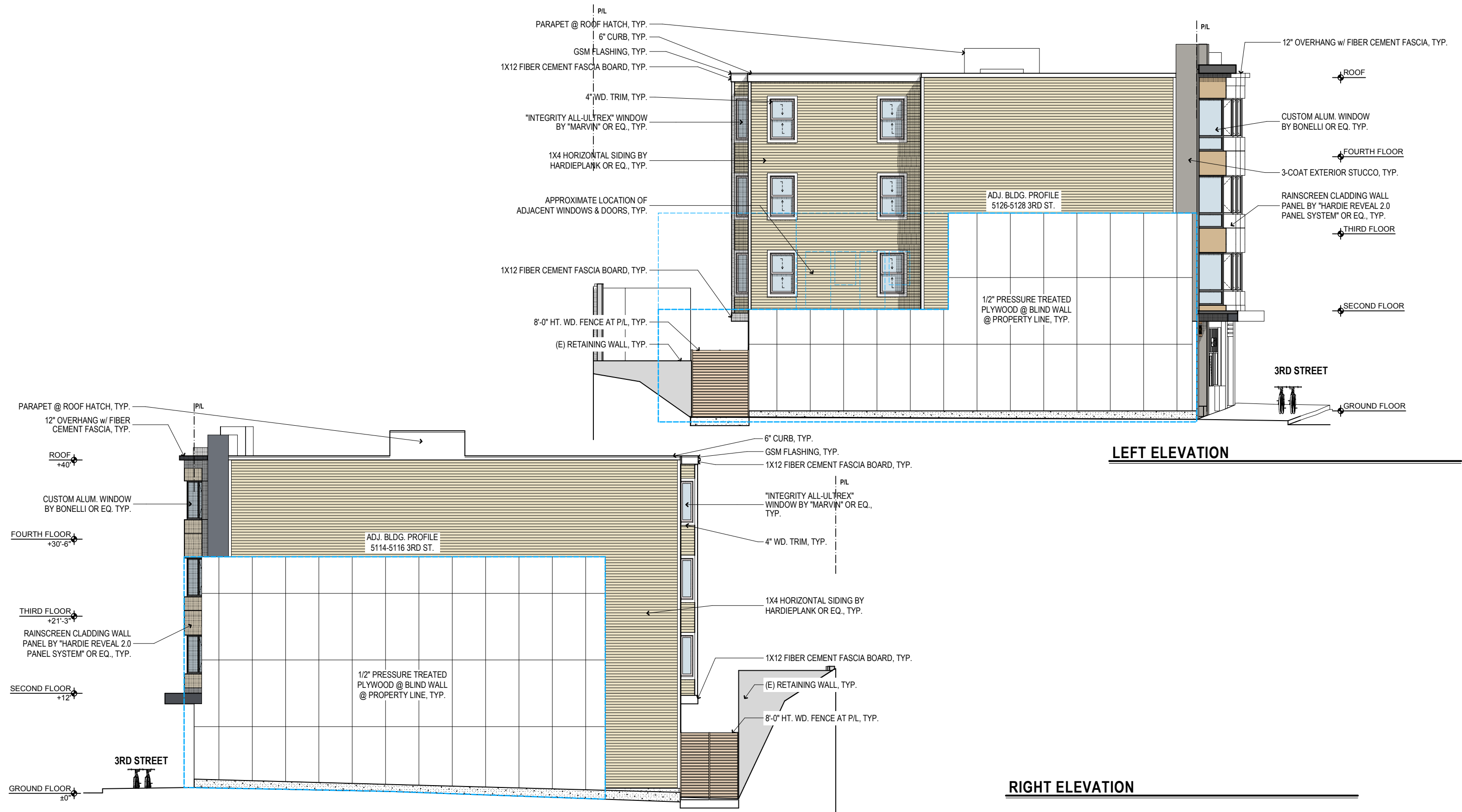


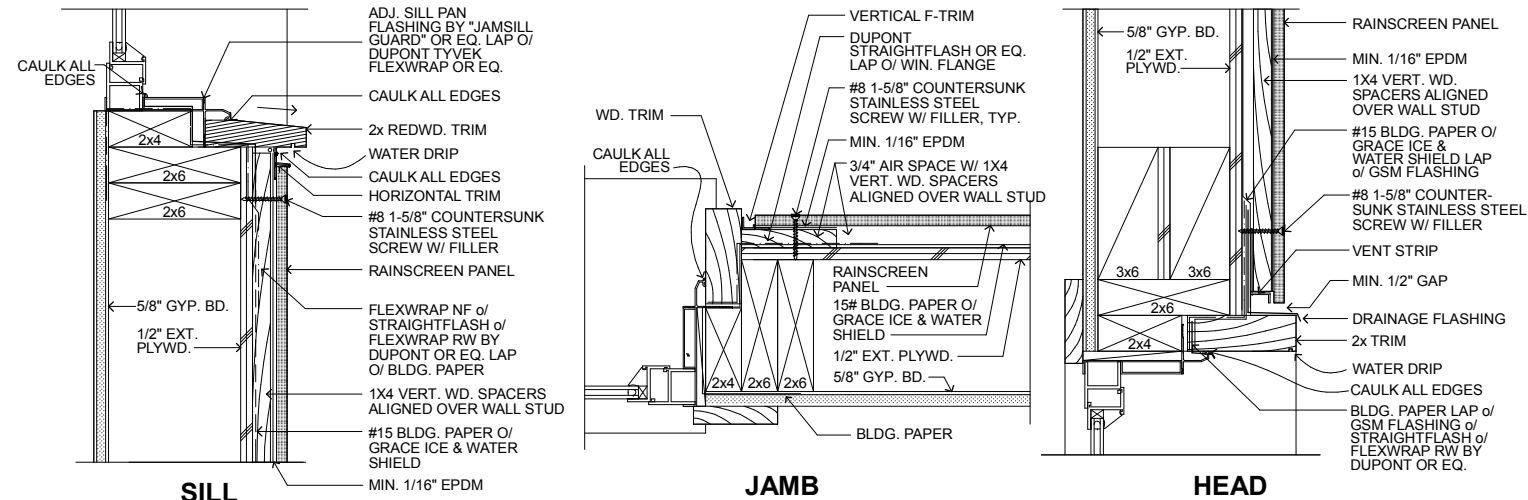




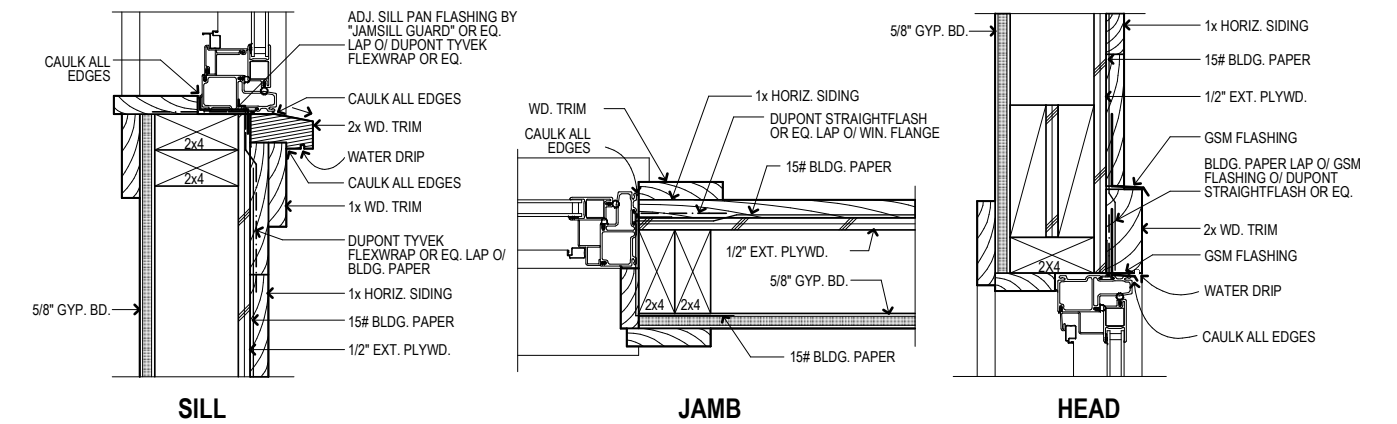




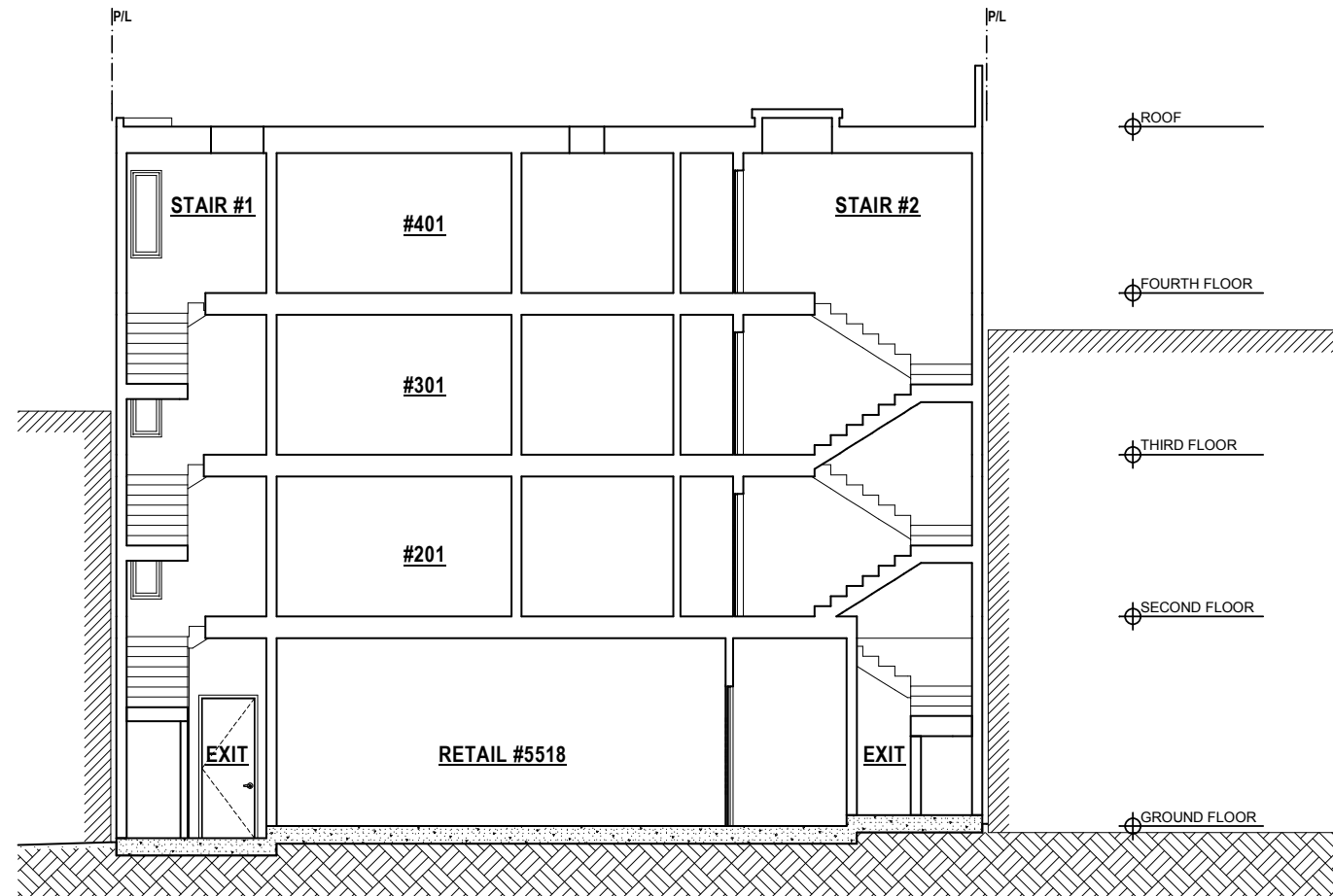
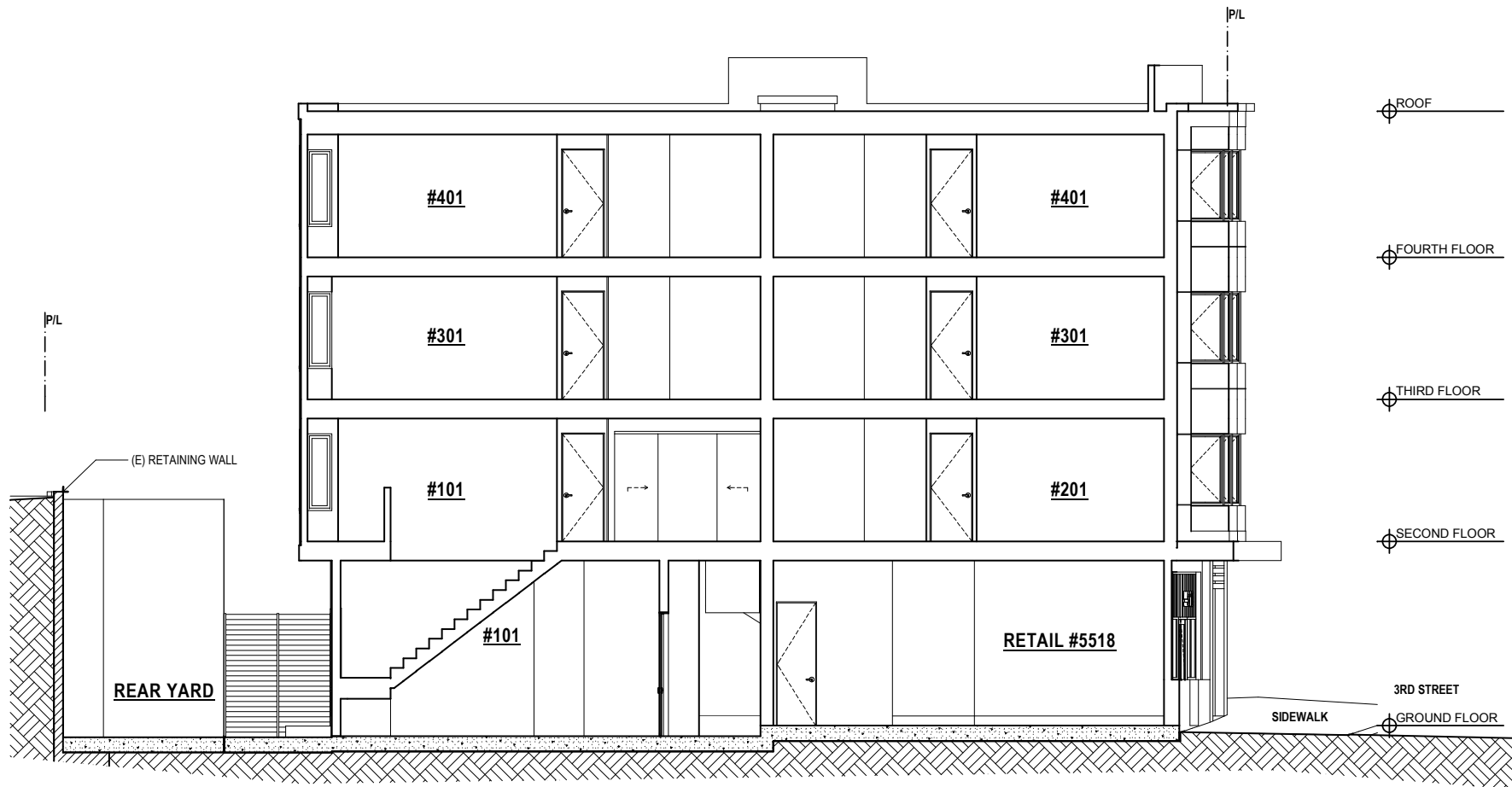




**1 WINDOW DETAIL - RAINSCREEN**  
 SCALE 3" = 1'-0"  
 1. PROVIDE FLASHING SYSTEM BY DUPONT TYVEK OR EQ., U.O.N.  
 2. INSTALL ALL WINDOWS & FLASHING PER MFR. INSTRUCTIONS  
 3. VERIFY EGRESS SIZES W/ MANUFACTURER  
**ALUM. WINDOW BY BONELLI OR EQ., TYP.**



**2 WINDOW DETAIL - WOOD SIDING**  
 SCALE 3" = 1'-0"  
 1. PROVIDE FLASHING SYSTEM BY DUPONT TYVEK OR EQ., U.O.N.  
 2. INSTALL ALL WINDOWS & FLASHING PER MFR. INSTRUCTIONS  
 3. VERIFY EGRESS SIZES W/ MANUFACTURER  
**"INTEGRITY ALL-ULTREX" WINDOW BY MARVIN OR EQ., TYP.**







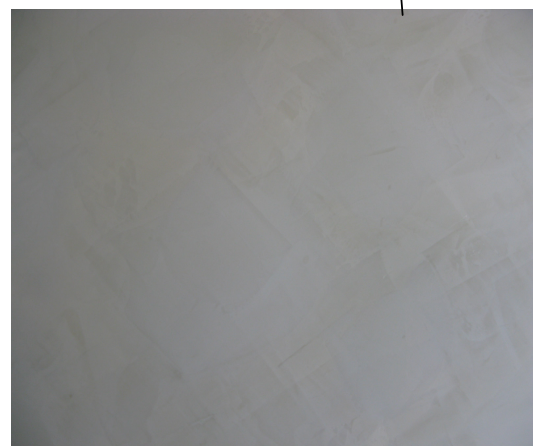
ALUM. WINDOW BY BONELLI OR EQ. TYP.



RAINSCREEN CLADDING WALL PANEL BY JAMES HARDIE REVEAL 2.0



WOODEN SOLAR SHADING PANELS



SMOOTH STUCCO FINISH



ALUMINUM STOREFRONT SYSTEM



ALUMINUM CANOPY



1X4 STAINED WOOD SIDING





SUBJECT SITE & ADJACENT BUILDINGS (LOOKING WEST)



BUILDING ACROSS THE STREET FROM SUBJECT SITE (LOOKING EAST)

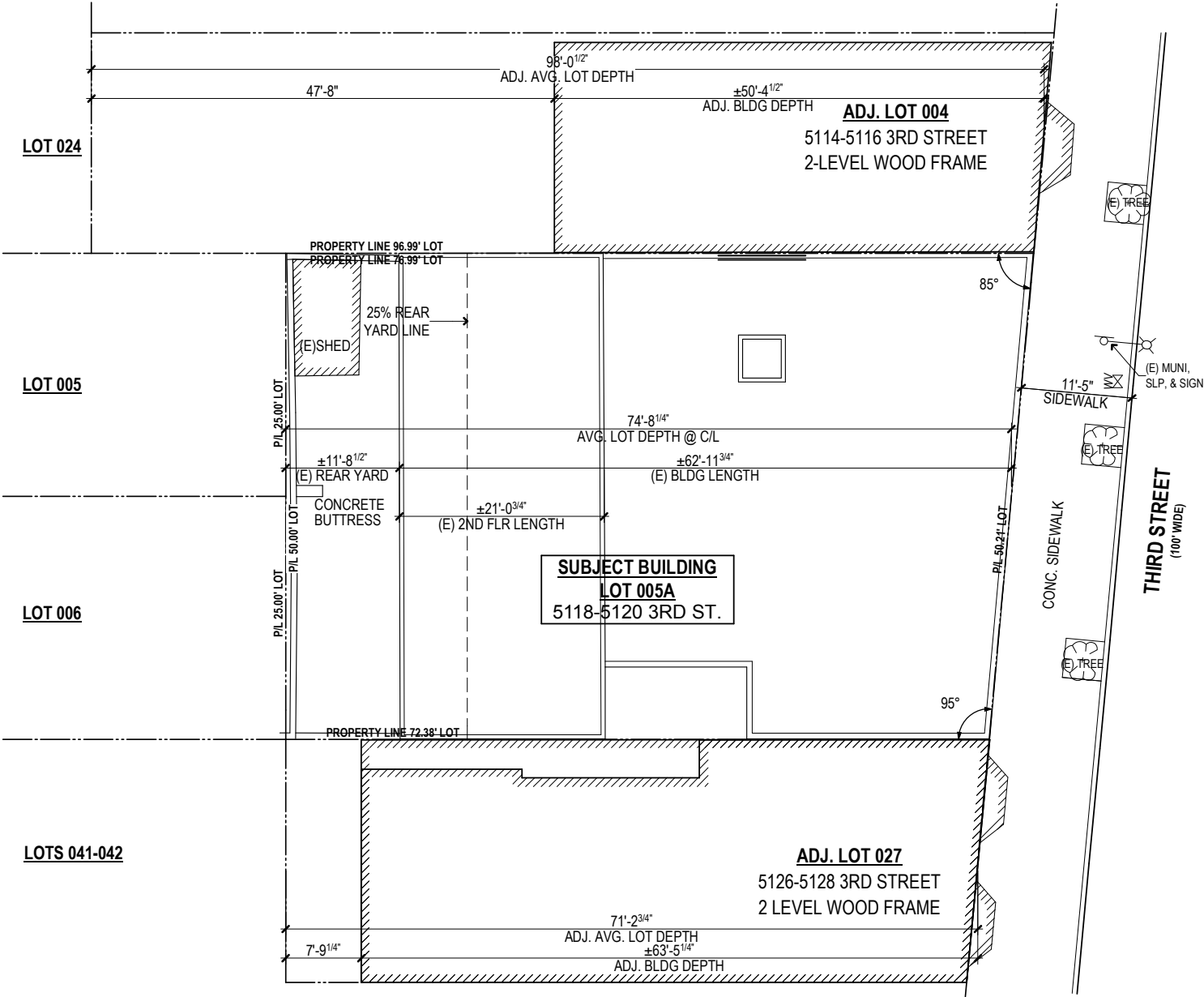


EXISTING BUILDING INACCESSIBLE DUE TO EXTENSIVE FIRE DAMAGE



SUBJECT SITE & ADJACENT BUILDINGS AT REAR





**EXISTING SITE PLAN**

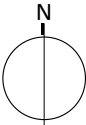
ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.



**CURRENT BUILDING CONDITION**

**EXISTING PROPERTY INFORMATION**

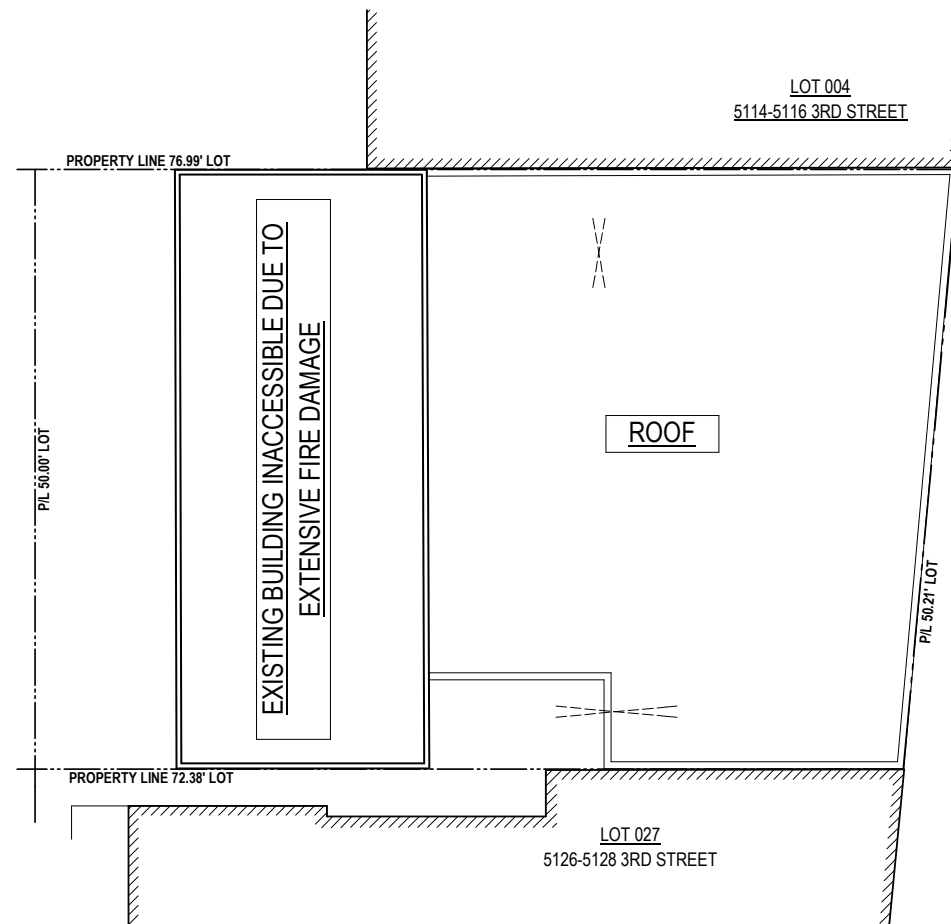
ADDRESS	5118-5120 3RD STREET
BLOCK / LOT	5358 / 005A
LOT WIDTH x AVG. DEPTH	50' x 74'-8" AVERAGE
LOT AREA	+/- 3,734 S.F.
# OF RESIDENTIAL UNITS	1
GROUND FLOOR OCCUPANCY	CHURCH



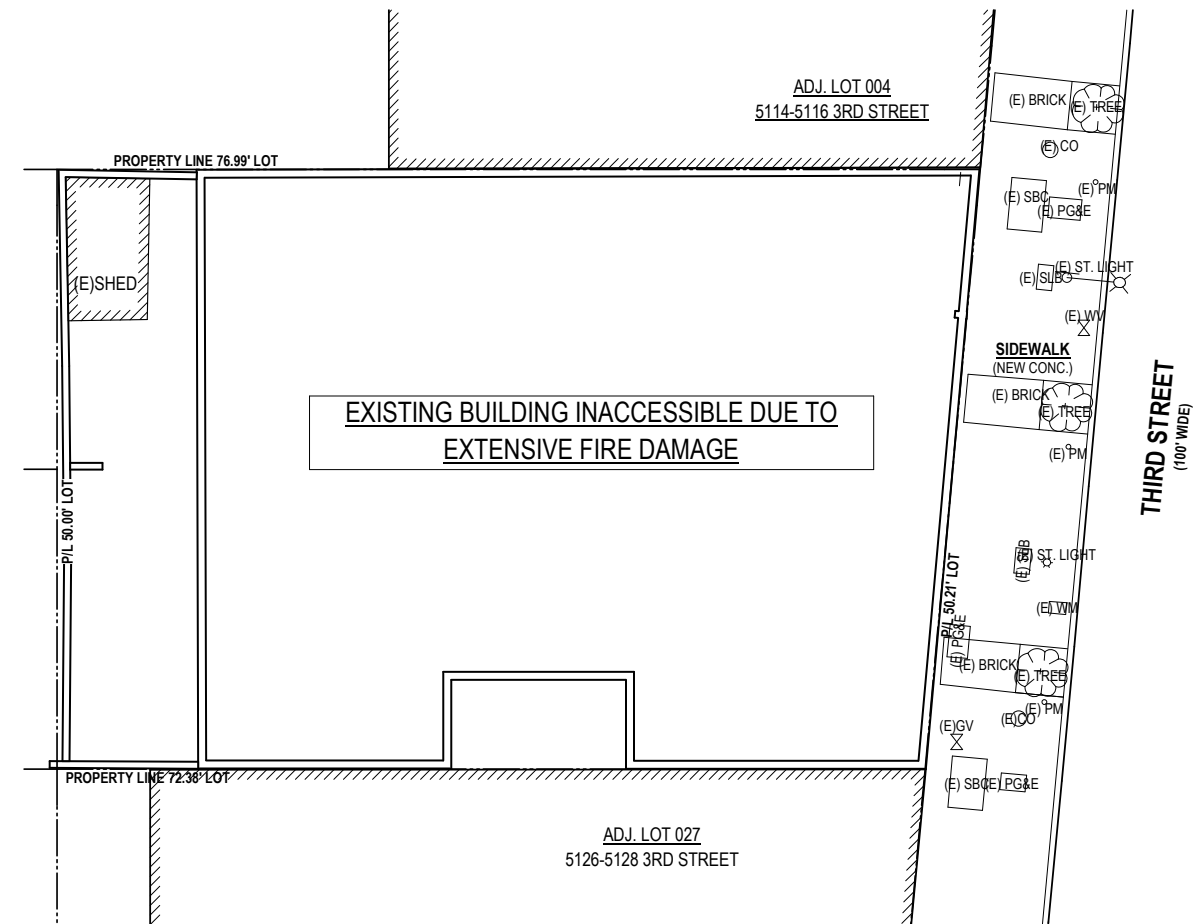


ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.



ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.



ALL DIMENSIONS FROM FINISH TO FINISH, U.O.N.

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