



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: OCTOBER 12, 2017

Date: October 5, 2017
Case No.: **2017-004562CUA & 2008.0410V**
Project Address: **799 Castro Street & 3878-3880 21st Street**
Zoning: RH-2 (Residential-House, Two Family)
40-X Height and Bulk District
Block/Lot: 3603/024
Project Sponsor: Thomas Tunny
1 Bush Street
San Francisco, CA 94104
Staff Contact: Nancy Tran – (415) 575-9174
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposal is to demolish an existing mixed-use structure (commercial office/single-family) and construct a three-story over basement single-family residence at 799 Castro Street. The subject property contains three dwelling units – two units in a building at the rear of the property (3878-3880 21st Street) and one unit within an existing limited nonconforming commercial office in a building at the front (799 Castro Street). Under a separate building permit, 2017.04.04.3134, one new accessory dwelling unit is proposed in the rear building. The proposal also requires Variances from the Zoning Administrator to construct within the required front setback and rear yard.

The project requires Conditional Use Authorization for residential demolition per Planning Code Section 317. This report includes findings for a Conditional Use Authorization in addition to demolition criteria established in Planning Code Section 317. The design of the new structure is analyzed in the Design Review Checklist.

Per Planning Code Section 317 (d)(2), "Conditional Use authorization is required for approval of the permit for Residential Demolition, and the Commission shall consider the replacement structure as part of its decision on the Conditional Use application. If Conditional Use Authorization is required for the replacement structure by other sections of this Code, the Commission shall consider the demolition as part of its decision on the Conditional Use application."

EXISTING CONDITIONS		PROPOSED CONDITIONS	
Number Of Units	3	Number Of Units	3 + 1 ADU
Parking Spaces	0	Parking Spaces	1
Unit Breakdown	<ul style="list-style-type: none"> • 799 Castro St <ul style="list-style-type: none"> ○ ± 1,238 GFA, 0 bed • 3878-3880 21st Street <ul style="list-style-type: none"> ○ Unit 1: ± 822.5 GFA (1 bed) ○ Unit 2: ± 943.5 GFA (1 bed + study) 	Unit Breakdown	<ul style="list-style-type: none"> • 799 Castro St <ul style="list-style-type: none"> ○ ± 3,429 GFA (incl. garage), 3 bed • 3878-3880 21st Street <ul style="list-style-type: none"> ○ Unit 1: No Change ○ Unit 2: No Change ○ ADU: ± 554 GFA (Studio)

STRUCTURE AS ALTERED

The existing one-story structure would be altered to remove the commercial use and provide a family sized dwelling-unit with a one-car garage. The building would rise to 40', step back at upper levels with the top floor set back approximately 14' from the front wall along Castro Street. A roof deck, third floor deck and patio space above the garage are included as part of the project to provide approximately 675 square feet of open space. The new dwelling unit would provide 3 bedrooms and 3.5 bathrooms. Basement excavation for additional habitable space, interior remodeling and significant exterior changes are also proposed.

The project will increase the separation between the existing and proposed structure from 8'6" to 10' and provides code-compliant, usable open space for the proposed structure. However, the current nonconforming rear yard and open space condition for the existing two units would remain. Although the existing lot coverage slightly decreases and the two-unit residential structure is within the required rear yard of the current lot, the proposed construction would also be in the required rear yard; therefore a rear yard variance is required. Planning Code Section 134 requires a minimum rear yard of 25% of the total lot depth or 15' between the two buildings on the lot, this proposal provides only a 10' separation. Planning Code Section 132 requires a front setback of 4' 5" and construction is proposed within the required setback.

The overall scale, design, and materials of the proposed replacement structure are compatible with the residential neighborhood character. The materials for the front and side façades are more contemporary in style, with a mix of smooth and wood siding, and metal framed window.

BACKGROUND

The Project was scheduled for May 12, 2016 as a joint hearing with the Planning Commission and Zoning Administrator after a public-initiated Discretionary Review was filed. Below is a brief timeline to-date where presently, the Project seeks Conditional Use Authorization from the Planning Commission for a dwelling unit demolition and Variances from the Zoning Administrator.

- May 27, 2015/ Dec 24, 2015 – 311 notice mailed
- Jan 25, 2016 – DR filed by adjacent neighbor at 789 Castro St
- May 12, 2016 – Joint DR and Variance hearing continued (to 7/14/16, 10/6/16, 11/10/16)
- Jul 26, 2016 – BPA filed to document legal use change from market to office use
- Nov 9, 2016 – BPA for legal use change withdrawn
- Nov 10, 2016 – DR and Variance withdrawn
- Apr 13, 2017 – CUA for demolition filed, Variance case reactivated

SITE DESCRIPTION AND PRESENT USE

The project is located at the northeast corner of Castro and 21st Streets, Block 3603, Lot 024. The subject property is located within the RH-2 (Residential-House, Two Family) and the 40-X Height and Bulk District. The property is developed with a one-story commercial/residential building at the corner and a two-story building with two units along 21st Street. The 2,650 square Design Review Checklist

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located at the southern edge of the Castro/Upper Market neighborhood, bordering Noe Valley and within Supervisor District 8. Parcels within the immediate vicinity consist of residential single-, two- and three-family dwellings of varied design and construction dates. Architectural styles, building heights, building depth and front setbacks vary within the neighborhood.

ENVIRONMENTAL REVIEW

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

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	Sept 22, 2017	Sept 22, 2017	20 days
Posted Notice	20 days	Sept 22, 2017	Sept 22, 2017	20 days
Mailed Notice	20 days	Sept 22, 2017	Sept 22, 2017	20 days

The proposal requires a Section 311-neighborhood and Variance notification, which were conducted in conjunction with the Conditional Use Authorization process.

PUBLIC COMMENT/COMMUNITY OUTREACH

- The Project Sponsor conducted two Pre-Application Meetings with adjacent property owners on July 1, 2014 and February 21, 2017. To date, the Project has completed the Section 311, Conditional Use and Variance notifications as mentioned above.
- The Department has not received communication from neighbors regarding the Project since the public-initiated Discretionary Review and Variance applications were withdrawn.

ISSUES AND OTHER CONSIDERATIONS

- Pursuant to Planning Code Section 317 (d)(2), "Conditional Use authorization is required for approval of the permit for Residential Demolition, and the Commission shall consider the replacement structure as part of its decision on the Conditional Use application. If Conditional Use Authorization is required for the replacement structure by other sections of this Code, the Commission shall consider the demolition as part of its decision on the Conditional Use application."
- The property is nonconforming with respect to density as it is located within the RH-2 (Residential-House, Two Family) and presently contains three units. The project will maintain three units and introduce an accessory dwelling unit in the existing two-unit building on the property (3878-3880 21st Street). The Department supports the necessary and desirable additional unit as proposed.
- The proposal requires Variances from the Zoning Administrator to construct within the required front setback and rear yard.

RESIDENTIAL DESIGN TEAM REVIEW

The project was reviewed by the Residential Design Team (RDT) multiple times and has incorporated RDT comments, including the removal of the previously proposed rooftop stair penthouse.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow demolition of an existing single-family residence for the construction of a replacement dwelling unit located at 799 Castro Street.

BASIS FOR RECOMMENDATION

- The project will provide a family-size unit with three bedrooms.
- The project will result in a net gain of one unit through the proposed Accessory Dwelling Unit in the adjacent building on site.
- No tenants will be displaced as a result of this project.
- Given the scale of the project, there will be no significant impact on the existing capacity of the local street system or MUNI.
- The existing building is not an historic resource or landmark.
- The project is residential and has no impact on neighborhood-serving retail uses.
- The proposed project meets all applicable requirements of the Planning Code.

RECOMMENDATION: Approval with Conditions
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Design Review Checklist

NEIGHBORHOOD CHARACTER (PAGES 7-10)

QUESTION	
The visual character is: (check one)	
Defined	X
Mixed	

Comments: The surrounding neighborhood consists of a mixture of two-, three- and four-story buildings, containing mostly one- or two- residential dwelling-units constructed in the Queen Anne style of architecture characterized by pitched roofs. The residential neighborhood contains dwellings respecting the topography of the up-sloping street as one heads south. The adjacent property to the corner site is two-stories-over-garage with attic as are many buildings on the subject block-face. Directly across the street on Castro Street is a two-story structure with mostly three-story-over-garage buildings. Further south on Castro Street across 21st, the neighborhood character is a bit more mixed with buildings constructed more recently than those in the first decade of the 20th century.

SITE DESIGN (PAGES 11 - 21)

QUESTION	YES	NO	N/A
Topography (page 11)			
Does the building respect the topography of the site and the surrounding area?	X		
Is the building placed on its site so it responds to its position on the block and to the placement of surrounding buildings?	X		
Front Setback (pages 12 - 15)			
Does the front setback provide a pedestrian scale and enhance the street?			X
In areas with varied front setbacks, is the building designed to act as transition between adjacent buildings and to unify the overall streetscape?			X
Does the building provide landscaping in the front setback?			X
Side Spacing (page 15)			
Does the building respect the existing pattern of side spacing?			X
Rear Yard (pages 16 - 17)			
Is the building articulated to minimize impacts on light to adjacent properties?	X		
Is the building articulated to minimize impacts on privacy to adjacent properties?	X		
Views (page 18)			
Does the project protect major public views from public spaces?			X
Special Building Locations (pages 19 - 21)			
Is greater visual emphasis provided for corner buildings?	X		
Is the building facade designed to enhance and complement adjacent public spaces?			X
Is the building articulated to minimize impacts on light to adjacent cottages?			X

Comments: The proposed building is consistent with other buildings in the vicinity. Although many buildings on the subject block face are characterized with gabled roofs, a considerable number of buildings south of 21st Street one block away from the subject property are constructed with flat roofs, as proposed by the project. Similar to many properties in the neighborhood, the proposed structure would consist of four levels.

BUILDING SCALE AND FORM (PAGES 23 - 30)

QUESTION	YES	NO	N/A
Building Scale (pages 23 - 27)			
Is the building's height and depth compatible with the existing building scale at the street?	X		
Is the building's height and depth compatible with the existing building scale at the mid-block open space?	X		
Building Form (pages 28 - 30)			
Is the building's form compatible with that of surrounding buildings?	X		
Is the building's facade width compatible with those found on surrounding buildings?	X		
Are the building's proportions compatible with those found on surrounding buildings?	X		
Is the building's roofline compatible with those found on surrounding buildings?	X		

Comments: The replacement building is compatible with the established building scale at the street. The building's form, façade width, proportions, and roofline are compatible with the newer buildings in the neighborhood context.

ARCHITECTURAL FEATURES (PAGES 31 - 41)

QUESTION	YES	NO	N/A
Building Entrances (pages 31 - 33)			
Does the building entrance enhance the connection between the public realm of the street and sidewalk and the private realm of the building?	X		
Does the location of the building entrance respect the existing pattern of building entrances?	X		
Is the building's front porch compatible with existing porches of surrounding buildings?	X		
Are utility panels located so they are not visible on the front building wall or on the sidewalk?	X		
Bay Windows (page 34)			
Are the length, height and type of bay windows compatible with those found on surrounding buildings?	X		
Garages (pages 34 - 37)			
Is the garage structure detailed to create a visually interesting street frontage?	X		
Are the design and placement of the garage entrance and door compatible with	X		

the building and the surrounding area?			
Is the width of the garage entrance minimized?	X		
Is the placement of the curb cut coordinated to maximize on-street parking?	X		
Rooftop Architectural Features (pages 38 - 41)			
Is the stair penthouse designed to minimize its visibility from the street?			X
Are the parapets compatible with the overall building proportions and other building elements?			X
Are the dormers compatible with the architectural character of surrounding buildings?			X
Are the windscreens designed to minimize impacts on the building's design and on light to adjacent buildings?			X

Comments:

BUILDING DETAILS (PAGES 43 - 48)

QUESTION	YES	NO	N/A
Architectural Details (pages 43 - 44)			
Are the placement and scale of architectural details compatible with the building and the surrounding area?	X		
Windows (pages 44 - 46)			
Do the windows contribute to the architectural character of the building and the neighborhood?	X		
Are the proportion and size of the windows related to that of existing buildings in the neighborhood?	X		
Are the window features designed to be compatible with the building's architectural character, as well as other buildings in the neighborhood?	X		
Are the window materials compatible with those found on surrounding buildings, especially on facades visible from the street?	X		
Exterior Materials (pages 47 - 48)			
Are the type, finish and quality of the building's materials compatible with those used in the surrounding area?	X		
Are the building's exposed walls covered and finished with quality materials that are compatible with the front facade and adjacent buildings?	X		
Are the building's materials properly detailed and appropriately applied?	X		

Comments: The placement and scale of the architectural details are compatible with the residential character of this neighborhood. The proportion of windows and material choice of aluminum windows appear consistent with the newer buildings in the neighborhood.

SPECIAL GUIDELINES FOR ALTERATIONS TO BUILDINGS OF POTENTIAL HISTORIC OR ARCHITECTURAL MERIT (PAGES 49 – 54)

QUESTION	YES	NO	N/A
Is the building subject to these Special Guidelines for Alterations to Buildings of Potential Historic or Architectural Merit?			X
Are the character-defining features of the historic building maintained?			X
Are the character-defining building form and materials of the historic building maintained?			X
Are the character-defining building components of the historic building maintained?			X
Are the character-defining windows of the historic building maintained?			X
Are the character-defining garages of the historic building maintained?			X

Comments: The Project has been determined not to be an historical resource for the purposes of CEQA.

Attachments:

Design Review Checklist

Parcel Map

Sanborn Map

Aerial Photograph

Zoning Map

Site Photo

CEQA Categorical Exemption Determination

Combined Section 309 / 311 Notice

Project Sponsor Submittal, including:

- Brief Submittal
- Conditional Use Authorization & Variance Applications

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 type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photo | <input type="checkbox"/> RF Report |
| | <input type="checkbox"/> Community Meeting Notice |
| | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

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

____NHT_____

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. 414)
- Other

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 317 REQUIRING CONDITIONAL USE AUTHORIZATION FOR THE TANTAMOUNT TO DEMOLITION AND REPLACEMENT OF A RESIDENTIAL UNIT.

PREAMBLE

On April 13, 2017, Thomas Tunny for Hatef Moghimi (Project Sponsor) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303 and 317 to demolish a residential unit and construct a three-story over basement single-family residence at 799 Castro Street within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. One new accessory dwelling unit is proposed in a detached building on site under a separate permit.

On October 12, 2017, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-004562CUA and 2008.0410V.

On September 29, 2017, the Department issued a new CEQA Categorical Determination to reflect scope of work changes (e.g., demolition, accessory dwelling unit) and supersede the previous determination document. The Department determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of

Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

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. 2017-004562CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The proposal is for demolition of an existing mixed-use structure (commercial office/single-family) and construction of a three-story over basement single-family residence at 799 Castro Street. The subject property contains three dwelling units – two units in a building at the rear of the property (3878-3880 21st Street) and one unit within an existing limited nonconforming commercial office in a building at the front (799 Castro Street). Under a separate building permit, 2017.04.04.3134, one new accessory dwelling unit is proposed in the rear building.
3. **Site Description and Present Use.** The project is located at the northeast corner of Castro and 21st Streets, Block 3603, Lot 024. The subject property is located within the RH-2 (Residential-House, Two Family) and the 40-X Height and Bulk District. The property is developed with a one-story commercial/residential building at the corner and a two-story building with two units along 21st Street. The 2,650 square foot laterally sloping corner lot has 26'6" of frontage along Castro Street and a depth of 100' along 21st Street.
4. **Surrounding Properties and Neighborhood.** The subject property is located at the southern edge of the Castro/Upper Market neighborhood, bordering Noe Valley and within Supervisor District 8. Parcels within the immediate vicinity consist of residential single-, two- and three-family dwellings of varied design and construction dates. Architectural styles, building heights, building depth and front setbacks vary within the neighborhood.
5. **Public Comment/Community Outreach**
 - The Project Sponsor conducted two Pre-Application Meetings with adjacent property owners on July 1, 2014 and February 21, 2017. The Project completed the Section 311, Conditional Use and Variance notifications as mentioned above.

- The Department has not received communication from neighbors regarding the Project since the public-initiated Discretionary Review and Variance applications were withdrawn.
6. **Planning Code Compliance:** The Commission finds that the Project is generally consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 40-X Height and Bulk District, with a 40' height limit. Planning Code Section 261 further restricts height in RH-2 Districts to 30' at the front lot line, then at such setback, height shall increase at an angle of 45° toward the rear lot line until the prescribed 40' height limit is reached.

The project proposes a building that will be approximately 40' tall and will meet the 30' maximum at the front.

- B. **Front Setback Requirement.** Planning Code Section 132 requires, in RH-2 Districts, a front setback that complies to legislated setbacks (if any) or a front back based on the average of adjacent properties (15 foot maximum).

The subject property does not have a legislated setback. Based on the average of adjacent neighbors, a 4'5" front setback is required. The project requires a front setback variance as portions of the building encroach within the required setback.

- C. **Rear Yard Requirement.** Planning Code Section 134 requires, in RH-2 Districts, a rear yard measuring 45 percent of the total depth; properties with two buildings on a lot are required to provide a minimum rear yard of 25% of the total lot depth or 15' between the two buildings.

The project proposes an approximately 10' separation (increased from existing 8'6") between the subject building at the front and rear building. The project requires a variance as the subject building encroaches within the required rear yard.

- D. **Side Yard Requirement.** Planning Code Section 133 does not require side yard setbacks in in RH-2 Districts.

The project proposes constructing to both side property lines since no side setbacks are required in the RH-2 District. The property does not currently provide side setbacks as the existing buildings are built to both side property lines.

- E. **Residential Design Guidelines.** Per Planning Code Section 311, the construction of new residential buildings and alteration of existing residential buildings in R Districts shall be consistent with the design policies and guidelines of the General Plan and with the "Residential Design Guidelines."

The Residential Design Team determined that the project complies with the Residential Design Guidelines.

- F. **Front Setback Landscaping and Permeability Requirements.** Planning Code Section 132 requires that the required front setback be at least 20% unpaved and devoted to plant material and at least 50% permeable to increase storm water infiltration.

A majority of the existing front building wall built to the front property line will be maintained as part of the proposal. Areas not constructed on and within the required front setback will provide the minimum required landscaping and permeability.

- G. **Street Frontage Requirement.** Planning Code Section 144 requires that off-street parking entrances be limited to one-third of the ground story width along the front lot line and no less than one-third be devoted to windows, entrances to dwelling units, landscaping and other architectural features that provide visual relief and interest for the street frontage.

The project complies with the street frontage requirement as it exceeds the visual relief minimum.

- H. **Street Frontage, Parking and Loading Access Restrictions.** Off-street parking shall meet the standards set forth in Planning Code Section 155 with respect to location, ingress/egress, arrangement, dimensions, etc.

Proposed off-street parking for one vehicle will be located wholly within the property, comply with access, arrangement and street frontage dimensional standards.

- I. **Usable Open Space.** Planning Code Section 135 requires, in RH-2 Districts, usable open space that is accessible by each dwelling (125 square feet per unit if private, ~166 square feet if shared).

The project provides the minimum private usable open space required for the subject building. However, the nonconforming open space condition for the existing two units would remain.

- J. **Parking.** Planning Code Section 151 requires one parking space for each dwelling unit.

The project proposes one off-street parking space for the subject building. However, the nonconforming parking condition for the existing two units would remain.

- K. **Residential Demolition – Section 317:** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to remove a residential unit. 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 the Section 317, the additional criteria specified under Section 317 have been incorporated as findings a part of this Motion. See Item 8. “Additional Findings pursuant to Section 317” below.

- L. **Residential Density, Dwelling Units.** Per Planning Code Section 209.1, up to two units per lot are principally permitted in RH-2 Districts and up to one unit per 1,500 Sq. Ft. of lot area is allowed with Conditional Use Authorization.

The property is nonconforming with respect to density as it presently contains three units. The project proposes tantamount to demolition of the existing single-family/commercial structure and construction of a replacement dwelling unit on the 2,650 square foot parcel. The project will maintain the quantity of dwelling units on site and will introduce an Accessory Dwelling Unit in the existing two-unit building on the property (3878-3880 21st Street) under a separate building permit.

- M. **Child Care Requirements for Residential Projects.** Planning Code Section 414A requires that any residential development project that results in additional space in an existing residential unit of more than 800 gross square feet shall comply with the imposition of the Residential Child Care Impact Fee requirement.

The project proposes adding more than 800 gross square feet to the subject building. Therefore, the Project is subject to the Residential Child Care Impact Fee and must comply with the requirements outlined in Planning Code Section 414A.

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 proposal will remove a noncomplying commercial office use from and replace it with residential use within the residential context. It will provide a family-sized unit that is designed to be in keeping with the existing development pattern and the neighborhood character.

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 proposal is designed to be compatible with the surrounding neighborhood and adjacent buildings. It proposes a single-family structure that is similar to the massing and arrangement of the neighborhood context.

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;

Planning Code requires one off-street parking space per dwelling unit. One vehicle and one bicycle space are proposed where currently no spaces provided on site for the existing buildings.

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

The proposal is residential and will not yield noxious or offensive emissions.

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

The proposed project is residential, will be landscaped accordingly and will provide one off-street parking space.

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

The Project generally complies with 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 RH-2 District.

The property is nonconforming with respect to density as it presently contains three units. The project will maintain the existing quantity of dwelling units on site and will introduce an Accessory Dwelling Unit in the existing two-unit building on the property (3878-3880 21st Street) under a separate building permit.

8. **Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider when reviewing applications to demolish or convert Residential Buildings. On balance, the Project does comply with said criteria in that:

- i. Whether the property is free of a history of serious, continuing Code violations;

Project meets criterion.

A review of the databases for the Department of Building Inspection and the Planning Department did not show any enforcement cases or notices of violation.

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

Project meets criterion.

The structure appears to be in decent condition.

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

Criterion not applicable.

The Planning Department reviewed the Historic Resource Evaluation submitted and concluded that the subject property is not eligible for listing in the California Register of Historical Resources (CRHR) individually or as a contributor to a historic district. Therefore, the existing structure is not a historic resource under CEQA.

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

Criterion not applicable.

Not applicable. The Planning Department determined that the existing structure is not a historic resource. Therefore, the removal of the structure would not result in a significant adverse impact on historic resources under CEQA.

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

Criterion not applicable.

The existing unit is not rental housing.

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

Criterion not applicable.

The subject property is a commercial office/single-family residence and not subject to rent control.

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

Project meets criterion.

Although the project proposes demolition of the commercial office/dwelling unit, it will be replaced with a family-sized unit with 3 bedrooms. The project will maintain the quantity of dwelling units on site and will introduce an Accessory Dwelling Unit in the existing two-unit building on the property (3878-3880 21st Street) under a separate building permit.

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

Project meets criterion.

The replacement building will conserve neighborhood character with appropriate scale, design, and materials, and improve cultural and economic diversity by appropriately increasing the number of bedrooms for a family-sized unit. There will be a net gain of one unit at the project site through the introduction of an Accessory Dwelling Unit under a separate building permit.

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

Project meets criterion.

The project will maintain the existing quantity of dwelling units on site and will introduce an Accessory Dwelling Unit in the existing two-unit building on the property (3878-3880 21st Street) under a separate building permit. By creating new dwelling-unit where one dwelling used to exist, the relative affordability of existing housing is being preserved.

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

Criterion not applicable.

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;

Project meets criterion.

The project has been designed to be in keeping with the scale and development pattern of the established neighborhood character.

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

Project meets criterion.

The project proposes a three-bedroom, family-sized residence and an accessory dwelling unit under a separate building permit in the adjacent building on the lot.

- xiii. Whether the Project creates new supportive housing;

Criterion not applicable.

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;

Project meets criterion.

The overall scale, design, and materials of the proposed building are consistent with the block-face and compliment the neighborhood character.

- xv. Whether the Project increases the number of on-site Dwelling Units;

Project meets criterion.

The project will maintain the existing quantity of dwelling units on site and will introduce an accessory dwelling unit in the existing two-unit building on the property (3878-3880 21st Street) under a separate building permit.

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

Project meets criterion.

The project proposes a three-bedroom, family-sized residence and an accessory dwelling unit (studio) under a separate building permit in the adjacent building on the lot.

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

Project meets criterion.

The property is nonconforming with respect to density as it presently contains three units. The project proposes tantamount to demolition of the existing single-family/commercial structure and construction of a replacement dwelling unit on the 2,650 square foot parcel. The project will maintain the existing quantity of dwelling units on site and will introduce an accessory dwelling unit in the existing two-unit building on the property (3878-3880 21st Street) under a separate building permit.

- xviii. 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.

Project meets criterion.

The project proposes replacing the existing commercial/residential structure with a new, family-sized dwelling unit of a larger size.

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

HOUSING ELEMENT

OBJECTIVE 4:

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

Policy 4.1:

Develop new housing, and encourage the remodeling of existing housing, for families with children.

The project proposes a three-bedroom, family-sized residence and an accessory dwelling unit under a separate building permit in the adjacent building on the lot.

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.

The overall scale, design, and materials of the proposed building are consistent with the block-face and compliment the 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.

The property is nonconforming with respect to density as it presently contains three units. The project will maintain the existing quantity of dwelling units on site and will introduce an accessory dwelling unit in the existing two-unit building on the property (3878-3880 21st Street) under a separate building permit.

Policy 11.4

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

Policy 11.5

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

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 project proposes construction that respects existing building heights and topography in the neighborhood.

Policy 1.3:

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

The proposed replacement building reflects the existing mixed architectural character and development pattern of the neighborhood. The overall scale, design, and materials of the proposed building are consistent with the block-face and compliment the neighborhood character.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6:

Respect the character of older development nearby in the design of new buildings.

The replacement building has been designed to be compatible with the neighborhood's mixed massing, width and height. It proposes exterior materials that are compatible with the adjacent buildings and immediate neighborhood character.

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.

While the existing commercial/residential structure is proposed to be demolished, the replacement building would provide a family-sized dwelling unit in a neighborhood made up of one-, two-and three+ units of mixed architectural character.

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

The replacement building would provide a family-sized dwelling unit in a neighborhood made up of one-, two-and three+ units of mixed architectural character.

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

While the project does not propose affordable housing, it will provide a family-size dwelling unit and an accessory dwelling unit on site, adding to the City supply of housing.

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

The project would not have a significant adverse effect on automobile traffic congestion or create parking problems in the neighborhood. The project would enhance neighborhood parking by providing one off-street parking space and one bicycle parking space, where none currently exist on the lot.

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

The project will remove a nonconforming commercial office/residential building and replace it with residential use which is in keeping with the residential neighborhood context.

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

The project will conform to the requirements of the San Francisco Building Code.

G. That landmarks and historic buildings be preserved.

Landmark or historic buildings do not occupy the project site.

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 height of the proposed structure 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. 2016-004562CUA** 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. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 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 October 12, 2017.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: October 12, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow tantamount to demolition of an existing single-family residence and construction of two replacement dwelling units located at 437 Hoffman Avenue, Block 6503, Lot 024 pursuant to Planning Code Sections **303 and 317** within the **RH-2** District and a **40-X** Height and Bulk District; in general conformance with plans, dated **September 10, 2017**, and stamped "EXHIBIT B" included in the docket for Case No. **2017-004562CUA** and subject to conditions of approval reviewed and approved by the Commission on **October 12, 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 **October 12, 2017** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

DESIGN

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

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

7. **Landscaping.** Pursuant to Planning Code Section 132, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that 50% of the front setback areas shall be surfaced in permeable materials and further, that 20% of the front setback areas shall be landscaped with approved plant species. The size and specie of plant materials and the nature of the permeable surface shall be as approved by the Department of Public Works.

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

PARKING AND TRAFFIC

8. **Parking Requirement.** Pursuant to Planning Code Section 151, the Project shall provide one independently accessible off-street parking space.

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

PROVISIONS

10. **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

MONITORING

11. **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

12. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

13. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>

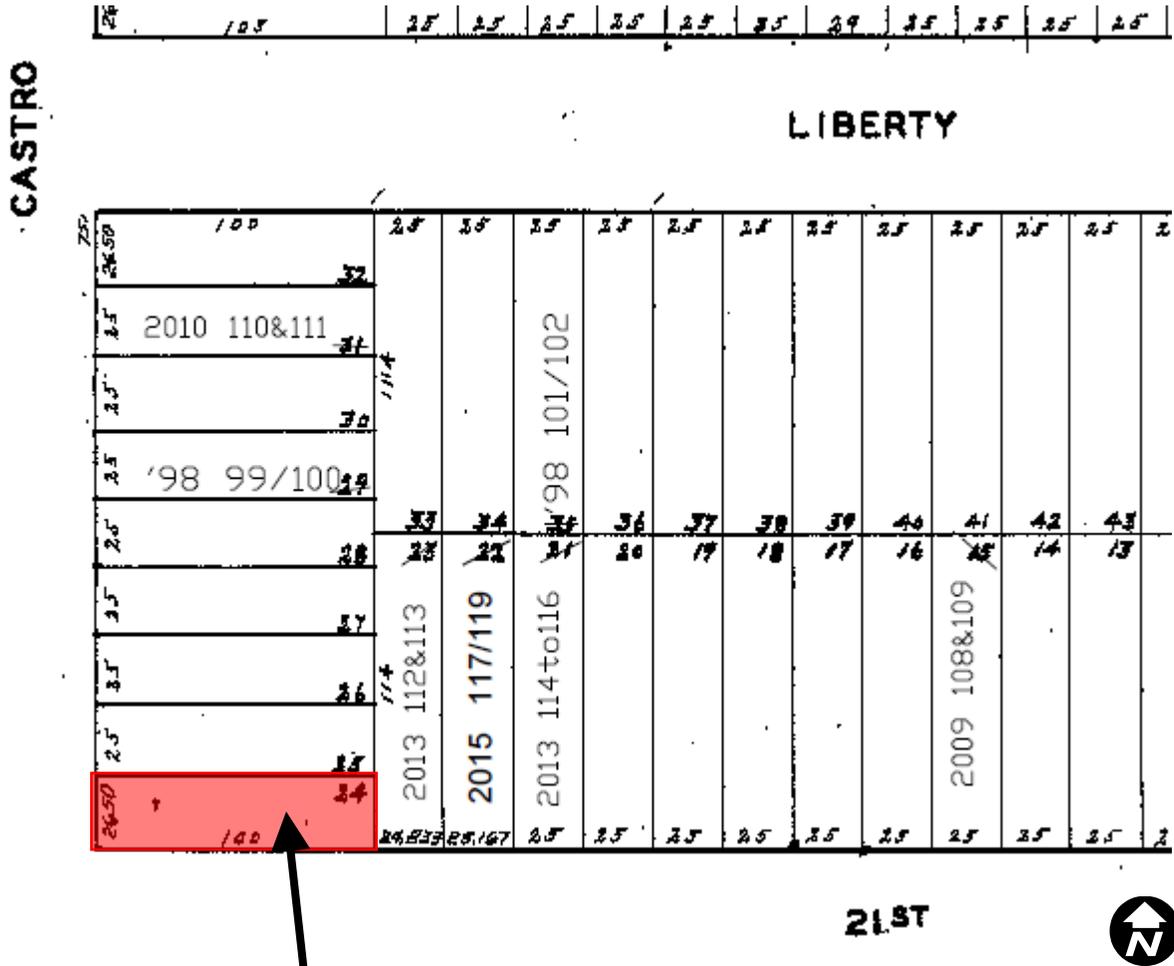
14. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

15. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

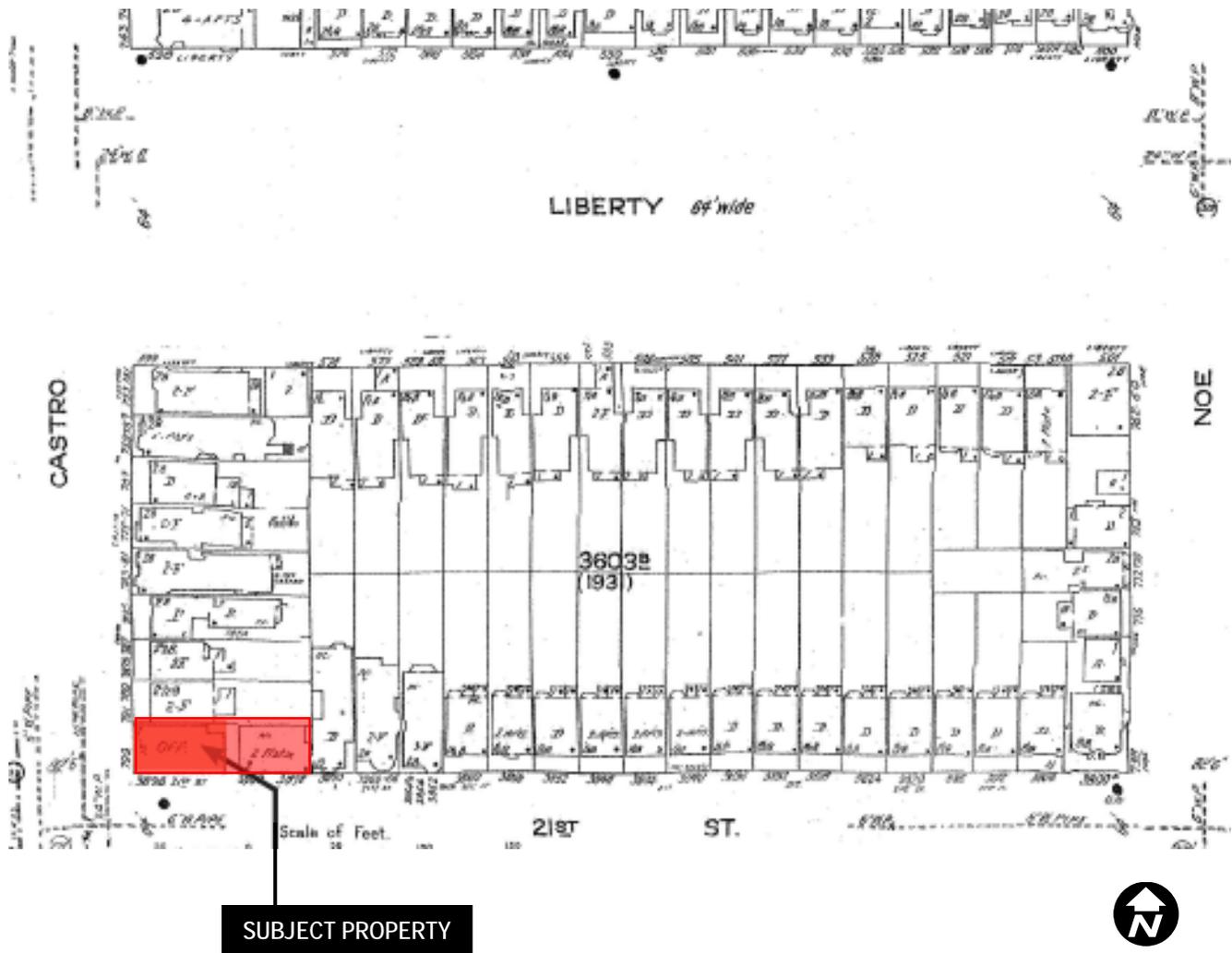
Parcel Map



SUBJECT PROPERTY

Conditional Use Authorization & Variance
 Case Number 2017-004562CUA & 2008.0410V
 799 Castro Street & 3878-388021st Street

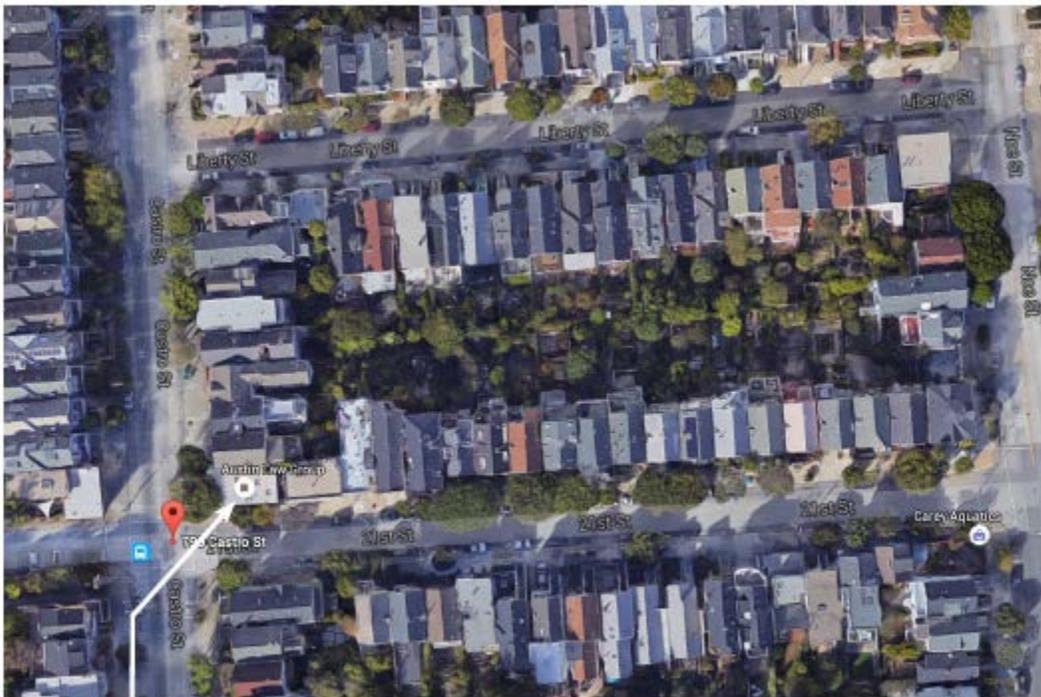
Sanborn Map*



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

Conditional Use Authorization & Variance
Case Number 2017-004562CUA & 2008.0410V
799 Castro Street & 3878-3880 21st Street

Aerial Photo

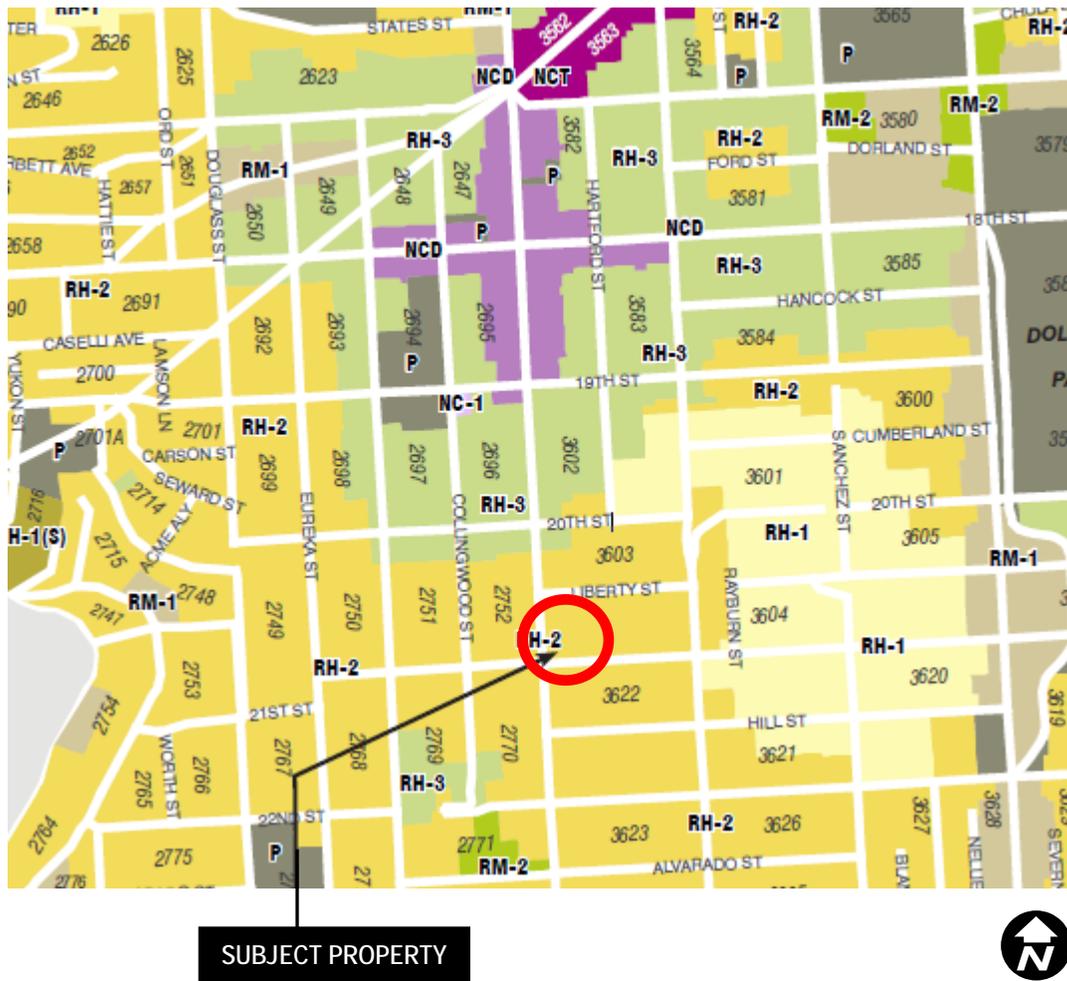


Subject Property



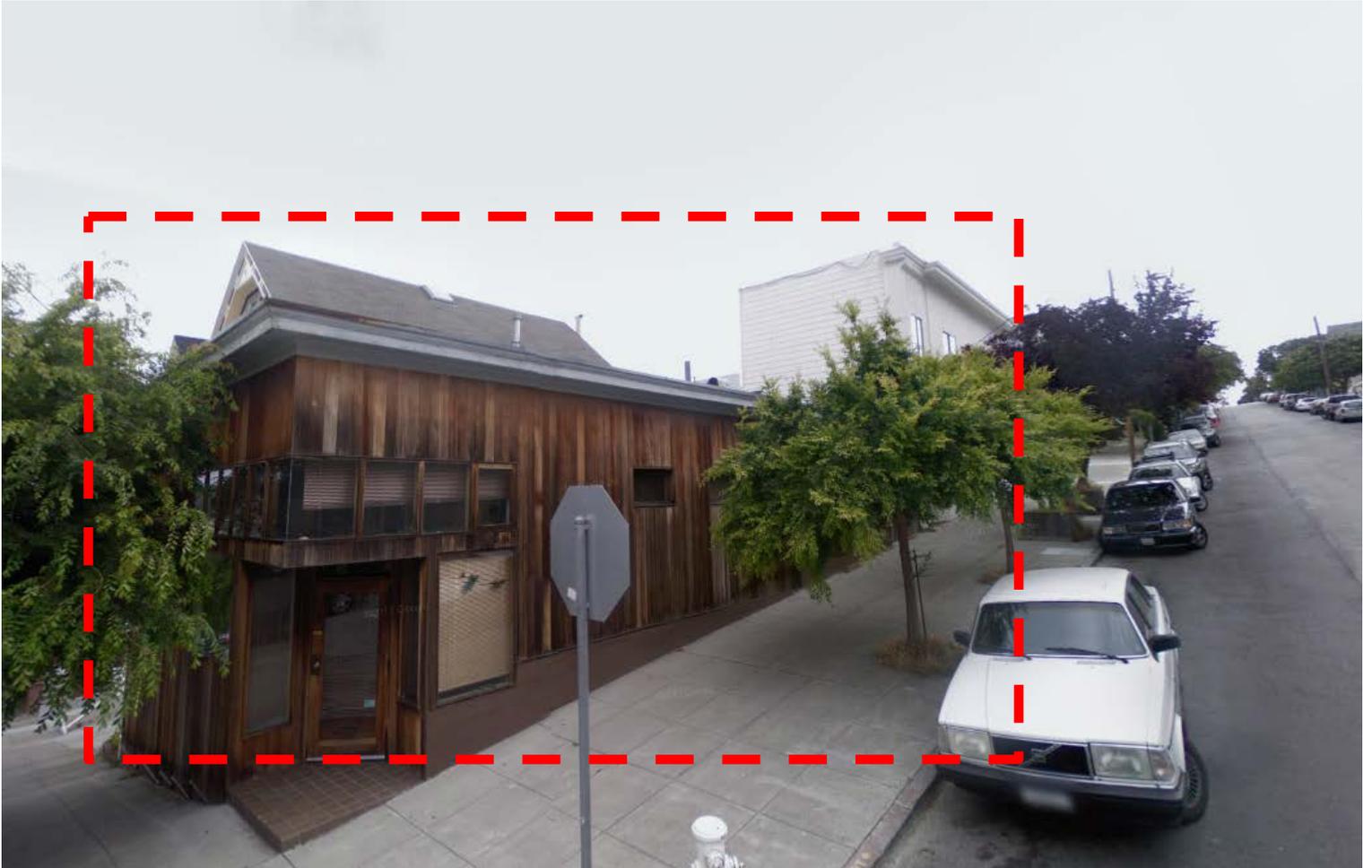
Conditional Use Authorization & Variance
Case Number 2017-004562CUA & 2008.0410V
799 Castro Street & 3878-388021st Street

Zoning Map



Conditional Use Authorization & Variance
Case Number 2017-004562CUA & 2008.0410V
799 Castro Street & 3878-388021st Street

Site Photo



Conditional Use Authorization & Variance
Case Number 2017-004562CUA & 2008.0410V
799 Castro Street & 3878-3880 21st Street



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
799 Castro/3878-3880 21st Street		3603/024	
Case No.	Permit No.	Plans Dated	
2008.0410E	201704043134	8-10-2017	
<input checked="" type="checkbox"/> Addition/ Alteration	<input checked="" type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
799 Castro Street : change of use from commercial to residential, addition of three stories. 3878 21st Street: Addition to the existing residential structure not visible from the street. Window alteration at front facade. 3 dwelling units to be located at 3878 21st Street. Lot line adjustment.			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

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

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

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

	<i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

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

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

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

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

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building’s historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior’s Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p style="text-align: center;"><i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> _____</p>
<input type="checkbox"/>	<p>10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i></p> <p style="padding-left: 40px;"><input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C</p> <p>a. Per HRER dated: _____ <i>(attach HRER)</i></p> <p>b. Other <i>(specify)</i>: _____</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input checked="" type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p> <p>799 Castro Street rated as a C building per Historic Resource Evaluation Response. 3878-3880 21st Street not evaluated, however (N) openings at main facade for windows are compatible in proportion, size and (N) window material conform to SOIS and Department standards and with existing building.</p>	
<p>Preservation Planner Signature: Marcelle Boudreaux <small>Digitally signed by Marcelle Boudreaux DN: cn=Marcelle Boudreaux, o=City Planning, ou=Current Planning, ou=Marcelle Boudreaux, email=Marcelle.Boudreaux@sfgov.org Date: 2017.09.28 10:20:57 -0700</small></p>	

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

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either <i>(check all that apply)</i>:</p> <p style="padding-left: 40px;"><input type="checkbox"/> Step 2 – CEQA Impacts</p> <p style="padding-left: 40px;"><input type="checkbox"/> Step 5 – Advanced Historical Review</p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>							
<input type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Planner Name:</td> <td style="width: 50%; padding: 5px;">Signature:</td> </tr> <tr> <td style="padding: 5px;">Project Approval Action:</td> <td></td> </tr> <tr> <td style="padding: 5px;"> <p>Select One</p> <p>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p> </td> <td></td> </tr> </table> <p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>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.</p>		Planner Name:	Signature:	Project Approval Action:		<p>Select One</p> <p>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	
Planner Name:	Signature:							
Project Approval Action:								
<p>Select One</p> <p>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>								

**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. ATEX FORM	

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

1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, October 12, 2017**
 Time: **Not before 1:00 PM**
 Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**
 Case Type: **Conditional Use & Variance**
 Hearing Body: **Planning Commission & Zoning Administrator**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: 799 Castro Street 3878-3880 21st Street	Case No.: 2017-004562CUA 2008.0410V
Cross Street(s): Castro & 21st Streets	Building Permit: 2014.09.19.6883
Block /Lot No.: 3603 / 024	Applicant: Tom Tunny
Zoning District(s): RH-2 / 40-X	Telephone: (415) 567-9000
Area Plan: N/A	E-Mail: ttunny@reuben.com

PROJECT DESCRIPTION

The proposal is for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to demolish an existing mixed-use structure (commercial office/single-family) and construct a three-story over basement single-family residence. The subject property contains three dwelling units, two units in a building at the rear of the property, and one unit with office in a building at the front. See attached plans.

The project also requests **Variations** from the Zoning Administrator to construct within the required front setback and rear yard. Planning Code Section 132 requires a front setback of 4 feet - 5 inches and construction is proposed to the front property line. Section 134 requires a rear yard of 25% of the total lot depth or 15 feet between the two buildings on the lot and the proposal provides only a 10 foot separation. The property is legally non-complying in regards to the rear yard requirement because there is a two-story over basement with two dwelling units located entirely within rear yard.

Under a separate building permit, 2017.04.04.3134, one new accessory dwelling unit is proposed in the rear building (3878-3880 21st St).

A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

ADDITIONAL INFORMATION

ARCHITECTURAL PLANS: If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans and Department recommendation of the proposed project will be available prior to the hearing through the Planning Commission agenda at: <http://www.sf-planning.org> or by request at the Planning Department office located at 1650 Mission Street, 4th Floor.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:

Planner: **Nancy Tran** Telephone: **(415) 575-9174** E-Mail: **Nancy.H.Tran@sfgov.org**

GENERAL INFORMATION ABOUT PROCEDURES

HEARING INFORMATION

You are receiving this notice because you are either a property owner or resident that is adjacent to the proposed project or are an interested party on record with the Planning Department. **You are not required to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and/or neighborhood association as they may already be aware of the project.

Persons who are unable to attend the public hearing may submit written comments regarding this application to the Planner listed on the front of this notice, Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103, by 5:00 pm the day before the hearing. These comments will be made a part of the official public record and will be brought to the attention of the person or persons conducting the public hearing.

Comments that cannot be delivered by 5:00 pm the day before the hearing may be taken directly to the hearing at the location listed on the front of this notice. Comments received at 1650 Mission Street after the deadline will be placed in the project file, but may not be brought to the attention of the Planning Commission at the public hearing.

BUILDING PERMIT APPLICATION INFORMATION

Pursuant to Planning Code Section 311 or 312, the Building Permit Application for this proposal may also be subject to a 30-day notification of property owners and residents within 150-feet of the subject property. **This notice covers the Section 311 notification requirements.**

APPEAL INFORMATION

An appeal of the approval (or denial) of a **Conditional Use application** and/or building permit application associated with the Conditional Use application may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Section 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** by the Planning Commission may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

Pursuant to California Government Code Section 65009, if you challenge, in court, the decision of an entitlement or permit, the issues raised shall be limited to those raised in the public hearing or in written correspondence delivered to the Planning Commission prior to, or at, the public hearing.

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

REUBEN, JUNIUS & ROSE, LLP

September 26, 2017

President Rich Hillis
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

**Re: 799 Castro Street/3878-3880 21st Street (1369/034)
Brief in Support of Proposed Project
Planning Department Case No. 2017.004562CUA
Hearing Date: October 12, 2017
Our File No.: 10028.01**

Dear President Hillis and Commissioners:

Our office represents Hatef Moghimi (the “**Project Sponsor**”) concerning his proposed project at 799 Castro Street and 3878-3880 21st Street (the “**Property**”). The proposed project (the “**Project**”) consists of the following:

- Termination of a noncomplying office use in the one-story building at 799 Castro Street and construction of a new 3,150 square-foot, 3-bedroom, 3-story over basement single-family home (renderings of the new home are attached as Exhibit A); and
- Establishment of a dwelling unit as a rent-controlled accessory dwelling unit (“**ADU**”) in the existing two-unit residential building at 3878-3880 21st Street, replacing a dwelling unit at 799 Castro Street, the legal status of which is uncertain (the entire building has been used as a legal noncomplying office since at least 1980 and as a grocery store for many decades prior);

(Project plans for the 799 Castro residence and the ADU are attached as Exhibit B and Exhibit C, respectively.)

The Project requires authorization under Planning Code Section 317 and a Conditional Use Authorization (the “**CU**”) for the “removal” and re-establishment of the dwelling unit as an ADU, and the construction of the new single-family home. The Project also requires front setback and rear yard Variances. The Project in its present form is the culmination of nine years of planning, including extensive negotiations with the adjacent neighbor at 789 Castro Street.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Tuija I. Catalano | Jay F. Drake | Matthew D. Visick | Lindsay M. Petrone | Sheryl Reuben¹
Thomas Tunny | David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight
Chloe V. Angelis | Corie A. Edwards | Coryn E. Millslagle | Jared Eigerman^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

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One Bush Street, Suite 600, San Francisco, CA 94104
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Oakland Office
827 Broadway, Suite 205, Oakland, CA 94607
tel: 510-257-5589

www.reubenlaw.com

For the following reasons, we respectfully request that the Planning Commission approve the Project:

- The replacement of the noncomplying office use with a modestly-sized and well-designed single-family home and rent-controlled ADU brings the Property into compliance with the Planning Code and creates much-needed housing in two different but equally desirable product types;
- At 3,150 square feet and 3 bedrooms, the proposed single-family home is comparable in size with other single-family homes in the neighborhood and provides an appropriately strong presence for a corner lot; the modern design, at the direction of Planning Department staff, provides differentiation within the neighborhood character; the rear is pushed forward and the rear entrance has been reconfigured to accommodate the noncomplying property line window of the adjacent neighbor at 789 Castro Street;
- The legal status of the existing dwelling unit at 799 Castro Street was at best dubious – the Department of Building Inspection (“**DBI**”) concluded that no dwelling unit existed. Nevertheless, the neighbor at 789 Castro Street challenged DBI’s conclusion. As an accommodation of the neighbor and in the spirit resolution, the Project Sponsor agreed to recognize the dwelling unit and proposes to re-establish it as a rent-controlled ADU at 3878-3880 21st Street;
- For all of these reasons, staff has recommended approval of the Project.

I. PROPERTY AND PROJECT BACKGROUND

The building at 799 Castro was constructed in 1909 as grocery store with a small dwelling unit in the rear. In 1980, a building permit was issued that changed the use from grocery store to office, and recognized that the dwelling unit no longer existed. (Exhibit D.) When the Project Sponsor purchased the Property in 2007, DBI would not issue a 3-R Report for 799 Castro because it was recognized as a commercial use in the City’s records.

Because questions were raised concerning the use of 799 Castro, DBI investigated and confirmed the commercial use and lack of a dwelling unit. DBI issued a Certificate of Final Completion and Occupancy in 2015 (the “**CFC**”), confirming that no dwelling unit existed at 799 Castro. (Exhibit E.) The adjacent neighbor at 789 Castro filed an appeal of the CFC to the Board of Appeals.

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In the spirit of resolution and a desire to move forward with the Project, the Project Sponsor revised the Project to add the ADU to 3878-3880 21st Street. Although no building plans exist showing the size and configuration of a dwelling unit at 799 Castro Street, it was one-story and, if it existed, would have been no larger than approximately 400 square feet. The ADU similarly is one-story and is approximately 550 square feet.

The new dwelling at 799 Castro is a modestly-sized (3,150 square feet), 3-bedroom family home. At least five other nearby single-family homes are comparable in size, including the adjacent neighbor at 789 Castro. (Exhibit F.)

The proposed size and design provides an appropriately strong presence for a corner-lot location. The Project Sponsor originally proposed a more traditional design, but Planning Department staff insisted that the design be changed to a more contemporary one. This is consistent with neighborhood character as there are several other contemporary designs in the neighborhood. (Exhibit G.)

The new residence has been designed to minimize any impacts on the adjacent neighbor at 789 Castro. The building has been pushed forward to provide access to light and air to the neighbor's noncomplying property line window. The Project Sponsor also removed a rear entrance at that location, and moved it to the garage, to protect the neighbor's privacy.

As is typical of a corner lot, open space on the Property is at a premium. Because of this, the new residence provides open space with a second-story terrace at the rear, a third-story terrace at the front, and a roof deck. In recognition of the Planning Commission's policies concerning roof decks, this deck is smaller-sized at 290 square feet and set back from the property lines significantly on all sides. Viewing the property from above, one can see that the deck will not have any privacy or light and air impacts on any neighbors. (Exhibit H.)

II. THE PLANNING CODE'S DWELLING UNIT DEMOLITION AND CONDITIONAL USE FINDINGS ARE MET

A. Section 317

Under Planning Code Section 317(g)(5), the Planning Commission must make certain findings in order to approve the demolition of a dwelling unit at 799 Castro and its re-establishment as an ADU at 3878-3880 21st Street. We submit that that the proposed Project meets all of the required findings, including without limitation the following. The Project:

- Does not convert rental housing to other forms of tenure or occupancy, and in fact adds a rent-controlled unit;

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- Conserves existing housing to preserve cultural and economic neighborhood diversity;
- Protects the relative affordability of existing housing;
- Locates in-fill housing on appropriate sites in established neighborhoods;
- Increases the number of family-sized units on-site;
- Is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;
- Increases the number of on-site dwelling units;
- Increases the number of on-site bedrooms; and
- Would maximize density on the subject lot.

B. Section 303

The proposed Project also satisfies the required findings of Planning Code Section 303, as follows:

(1) *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 Project is necessary and desirable because it will remove a noncomplying office use from a residential neighborhood and replace it with a residential use. The project will add a modestly-sized single-family home in a district where family housing is strongly encouraged by City planning and zoning controls and policies. The new residence is of a superior design, is of a size comparable to other single-family homes in the neighborhood, and is designed to minimize impacts on the adjacent neighbor. The new ADU addresses a pressing City need for rent-controlled housing and smaller units.

(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 injuries to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:*

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- (a) *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of the structure.*

The Project will demolish a dilapidated existing structure and replace it with a single-family home that is sensitively designed to minimize impacts on the adjacent residence, and of a size, shape and arrangement similar to other single-family homes in this neighborhood. The proposed lot coverage is typical for a corner lot.

- (b) *The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.*

The Project adds a single-family home to the Property, which will not impact traffic patterns in the neighborhood. One off-street parking space is proposed where none exist presently. The property is well-served by public transit. The 24, 33, 35, and J Church MUNI bus lines, and the Castro MUNI station, all are within a few blocks of the Property.

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

The Project adds a single-family home to the Property, which will not produce noxious or offensive emissions such as noise, glare, dust and odor.

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

The Property will be thoughtfully landscaped and provide usable open space as required the Planning Code, and will provide an off-street parking space where none exists presently.

- (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 project will affirmatively promote, is consistent with, and will not adversely affect the General Plan, and specifically the Housing Element of the General Plan, as follows:

Policy 11.1: Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

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Policy 11.5: Promote the construction of well-designed housing that enhances existing neighborhood character.

The project provides well-designed new housing that enhances existing neighborhood character, consistent with these policies.

(4) Such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable use district.

The Property is located in the RH-2 Zoning District. According to Planning Code Section 209.1, these Districts are devoted to one-family and two-family homes. The replacement of the noncomplying office use with a single-family home will bring the Property into conformity with the stated purpose of the District.

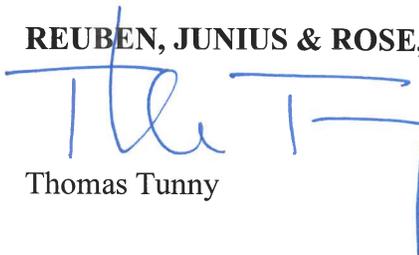
III. CONCLUSION

The proposed Project eliminates a noncomplying office use and replaces it with a thoughtfully-designed, single-family home that is sensitive to the adjacent neighbor and will enhance the greater neighborhood. The addition of a rent-controlled ADU preserves the existing housing at the Property and addresses an urgent City need.

For all of these reasons, we respectfully request that the Planning Commission approve the Project.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Thomas Tunny

Enclosures

cc: Vice-President Dennis Richards
Commissioner Rodney Fong
Commissioner Christine Johnson
Commissioner Joel Koppel

San Francisco Planning Commission

September 26, 2017

Page 7

Commissioner Myrna Melgar
Commissioner Kathrin Moore
Jonas Ionin – Commission Secretary
Nancy Tran – Project Planner
Hatef Moghimi

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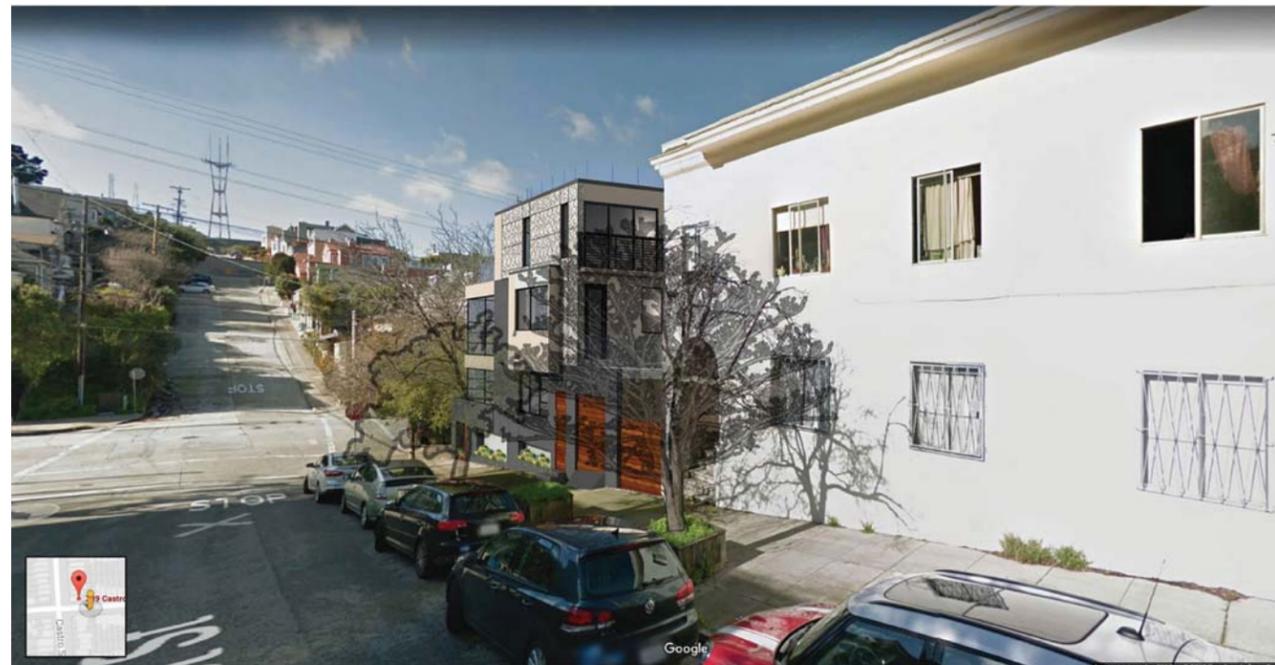
EXHIBIT A



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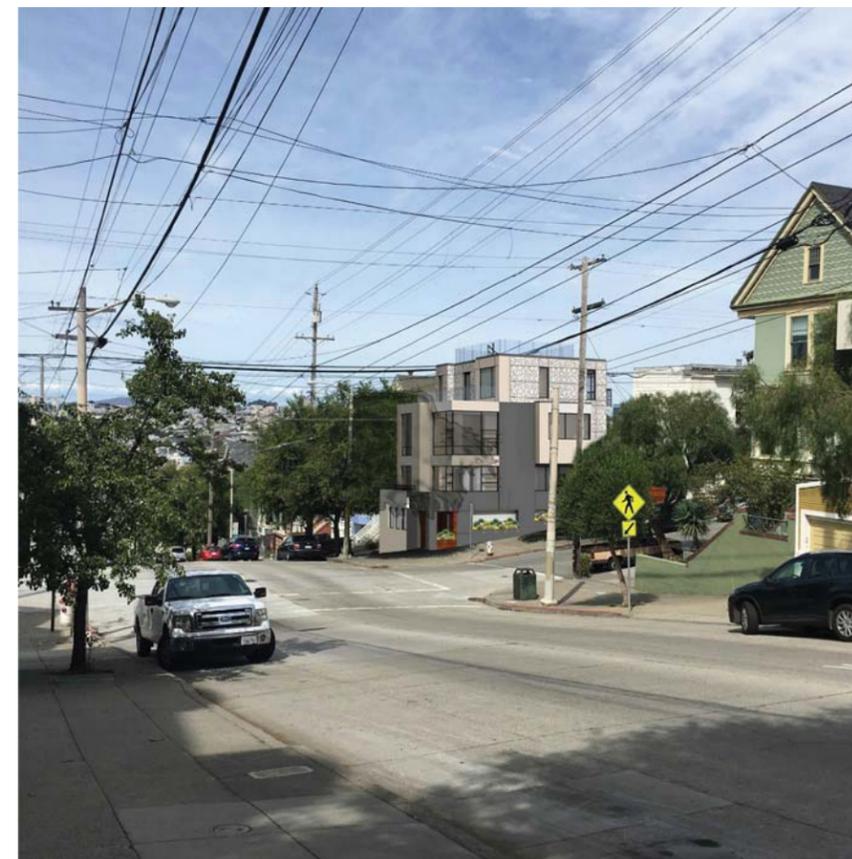
799 CASTRO STREET -EXISTING AERIAL VIEW



VIEW FROM 21ST STREET



VIEW FROM CASTRO STREET INTERSECTION



VIEW FROM CASTRO STREET

1 3D VIEWS

Scale:NTS



TECTA

associates

- ARCHITECTURE
- INTERIORS
- PLANNING

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SAN FRANCISCO, CA 94110
tel. 415-362-5857
fax. 415-362-5044

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ARCHITECTURAL PROJECT NO.:

NEW RESIDENCE
799 CASTRO
SAN FRANCISCO, CA 94114

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NO.	REVISIONS:	DATE:
1	DESIGN	5.10.10
2	ENVIRONMENTAL EVALUATION	2.24.11
3	EE REVISION	5.3.11
4	RDG RESUBMITTAL	01.16.14
5	PLANNING COMMENTS	05.27.14
6	ALTERATION PERMIT	08.06.14
7	B11 / VARIANCE	05.13.15

ISSUE DATE: 04.03.14
SPACE PLAN: 09-20-17

DRAWING TITLE:

BUILDING RENDERINGS

DRAWING NUMBER:

A-0.3



Google

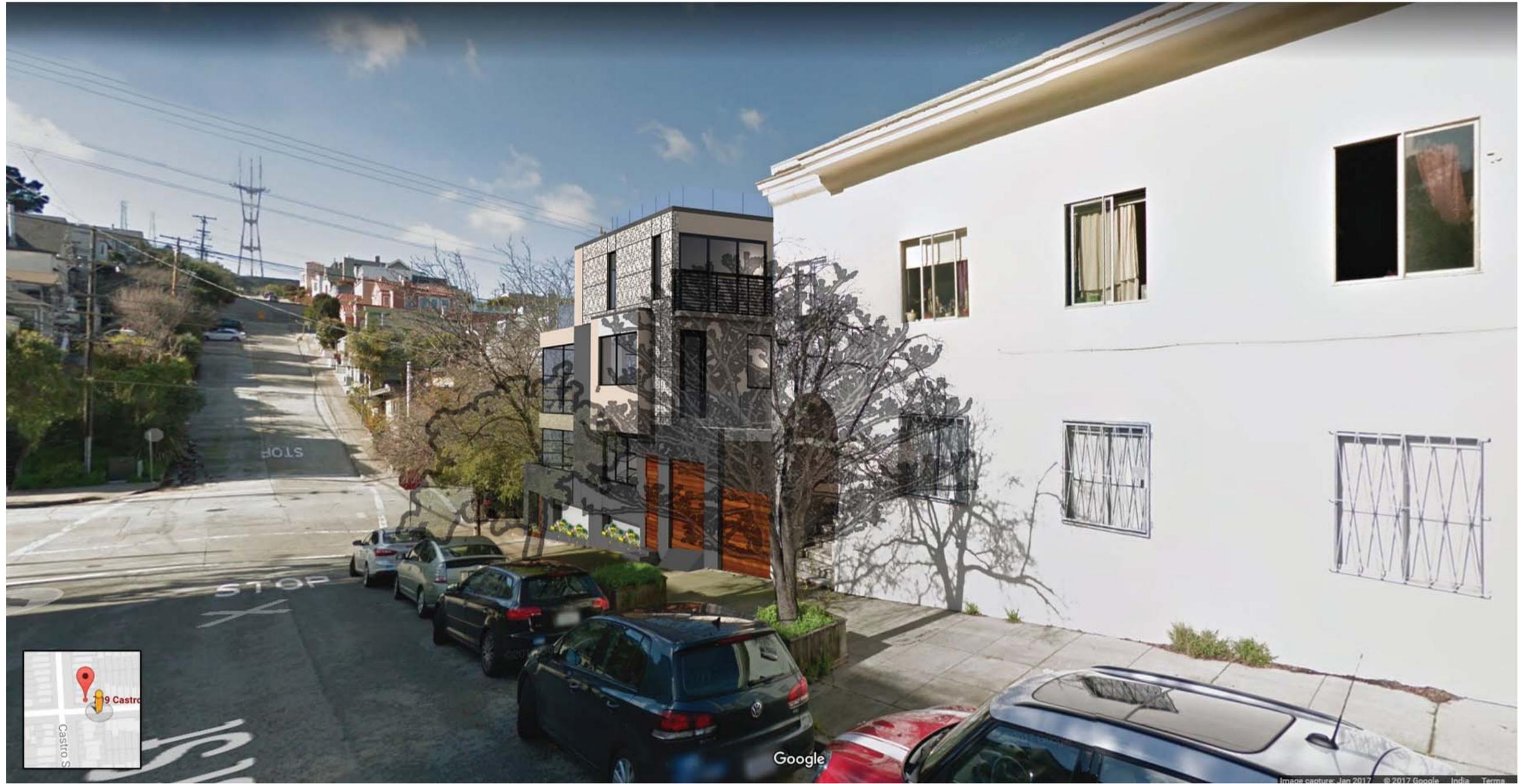
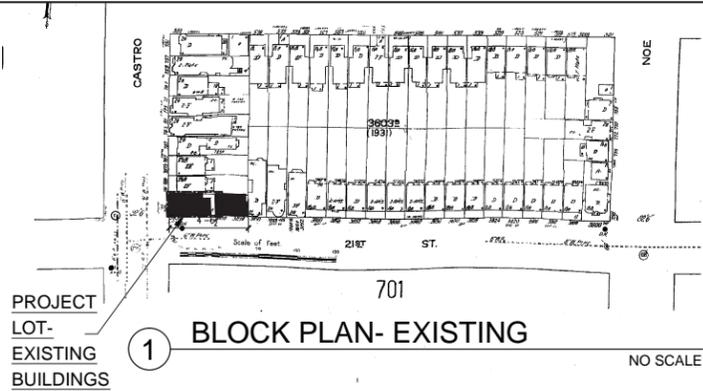


EXHIBIT B



1 BLOCK PLAN- EXISTING

SHEET INDEX:

- A-0 VICINITY MAP, SITE/ ROOF PLAN & PROJECT DATA
- A-1.1 PROPOSED BASEMENT + FIRST FLOOR PLANS
- A-1.2 PROPOSED SECOND + THIRD FLOOR PLANS
- A-1.3 PROPOSED SECTIONS
- A-2 PROPOSED WEST AND EAST ELEVATIONS
- A-2.1 PROPOSED SOUTH ELEVATION
- A-2.2 PROPOSED NORTH ELEVATION
- A-2.4 EXISTING SOUTH ELEVATION
- A-2.5 EXISTING NORTH ELEVATION

AREA SUMMARIES

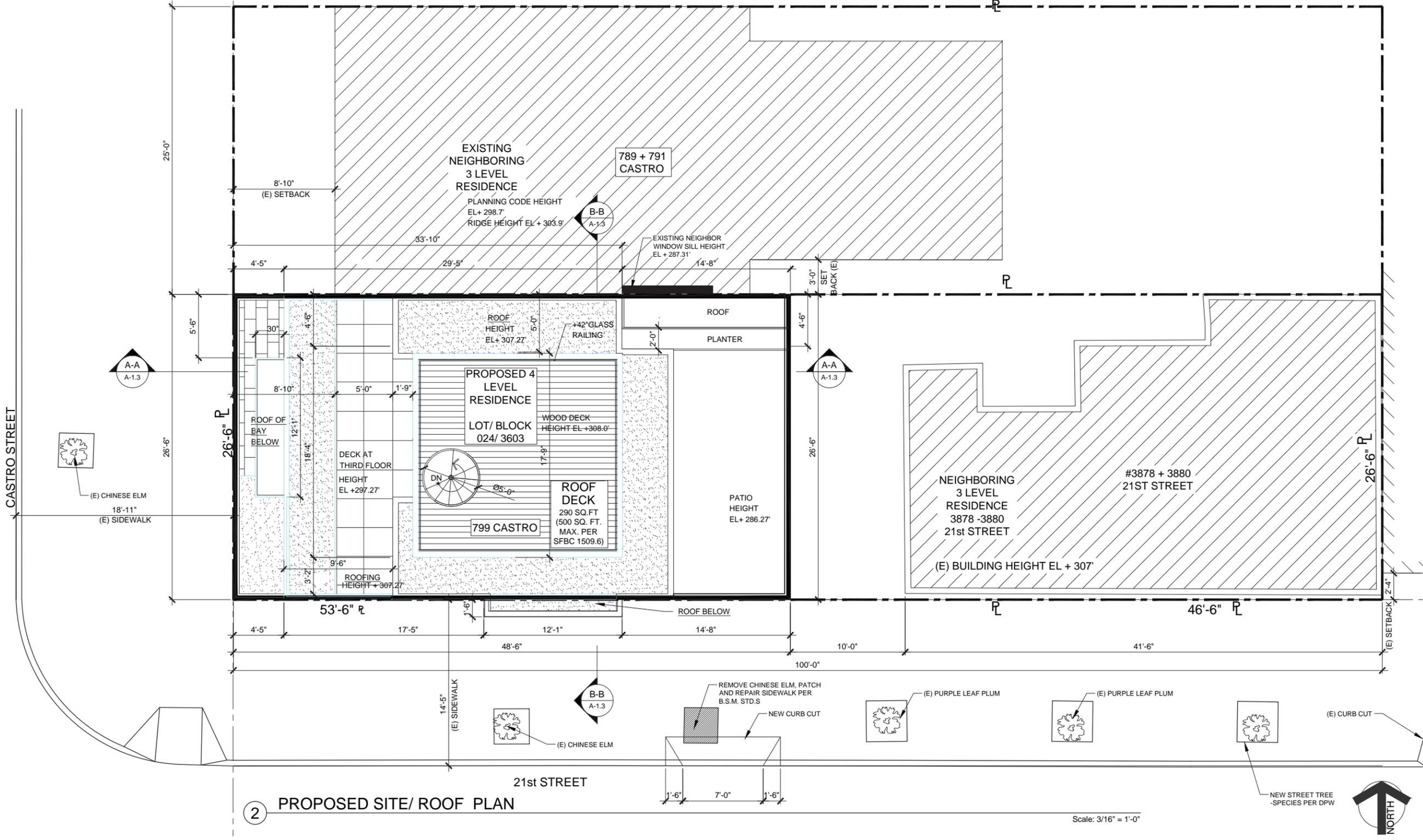
- EXISTING BUILDING 2,650 SQ. FT. PER TRUE NORTH SURVEY DATED NOV. 13,2007
- PROPOSED BUILDING
 - FLOOR AREA: 3,150 SQ. FT.
 - GARAGE: 306 SQ. FT.
 - BALCONY, PATIO AREAS: 349.5 SQ. FT.

SCOPE OF WORK:

- ALTERATION OF EXISTING COMMERCIAL BUILDING
- CONVERSION OF OCCUPANCY TO R-3.

PROJECT DATA:

REMODELED RESIDENCE AT 799 CASTRO STREET
 CODE : 2013 SFBC
 CONSTRUCTION TYPE : V B
 SPRINKLERING: PER 903.3.1
 OCCUPANCY GROUP : R-3
 FLOORS: 4 LEVELS - THREE STORIES OVER A BASEMENT
 FULL LOT AREA: 2,862 SQ. FT.
 BLOCK/ LOT : 3603/024
 ZONING : RH-2, RESIDENTIAL - TWO FAMILY
 HEIGHT/ BULK DISTRICT : 40-X
 FRONT SETBACK : PER PROPOSED VARIANCE
 REAR SETBACK : VARIANCE REQUEST PER MINIMUM 15' SEPARATION BETWEEN BUILDINGS.



2 PROPOSED SITE/ ROOF PLAN

Scale: 3/16" = 1'-0"



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4	RDG RESUBMITTAL	01.16.14
5	PLANNING COMMENTS	05.27.14
6	ALTERATION PERMIT	08.06.14
7	B11 / VARIANCE	05.13.15

ISSUE DATE: 04.03.14
 SPACE PLAN: 09-20-17

DRAWING TITLE:
PROPOSED SITE PLAN

DRAWING NUMBER:
A-0



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 fax. 415-362-5044

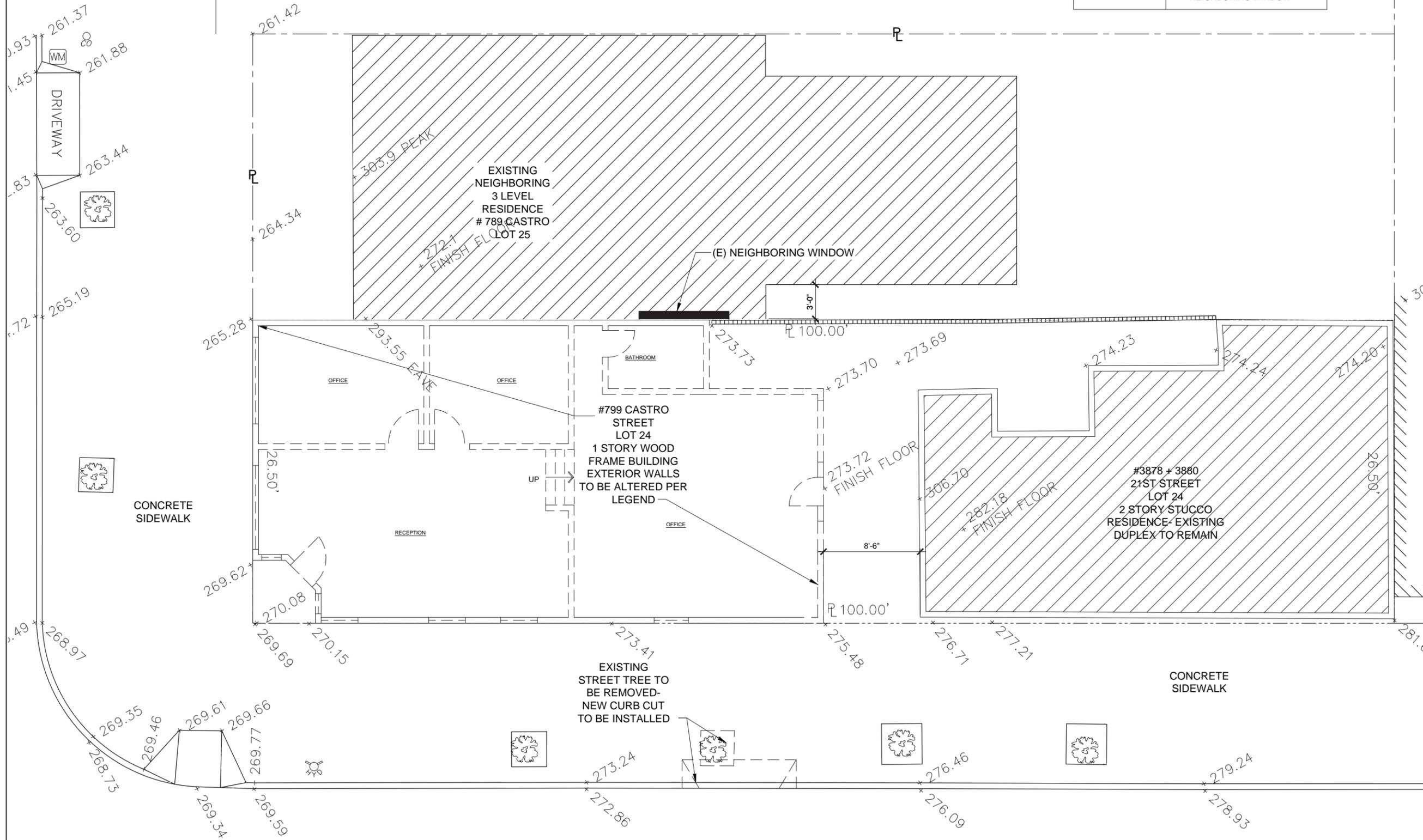
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ARCHITECTURAL PROJECT NO.:

NEW RESIDENCE
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 SAN FRANCISCO, CA 94114

DRAWING KEY	
	WALL / FEATURE TO BE REMAIN.
	WALL / FEATURE TO BE REMOVED.
	NEIGHBORING WINDOW



(E) FLOOR AREA : 1,238 SQ. FT.
 TOTAL HORIZONTAL AREA: 1,238 SQ. FT.
 AREA TO BE REMOVED: 0 SQ. FT.

1 EXISTING SITE PLAN

Scale: 1/4" = 1'-0"



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NO.	REVISIONS:	DATE:
1	DESIGN	5.10.10
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ISSUE DATE: 04.03.14
 SPACE PLAN: 09-20-17

DRAWING TITLE:
EXISTING SITE PLAN

DRAWING NUMBER:
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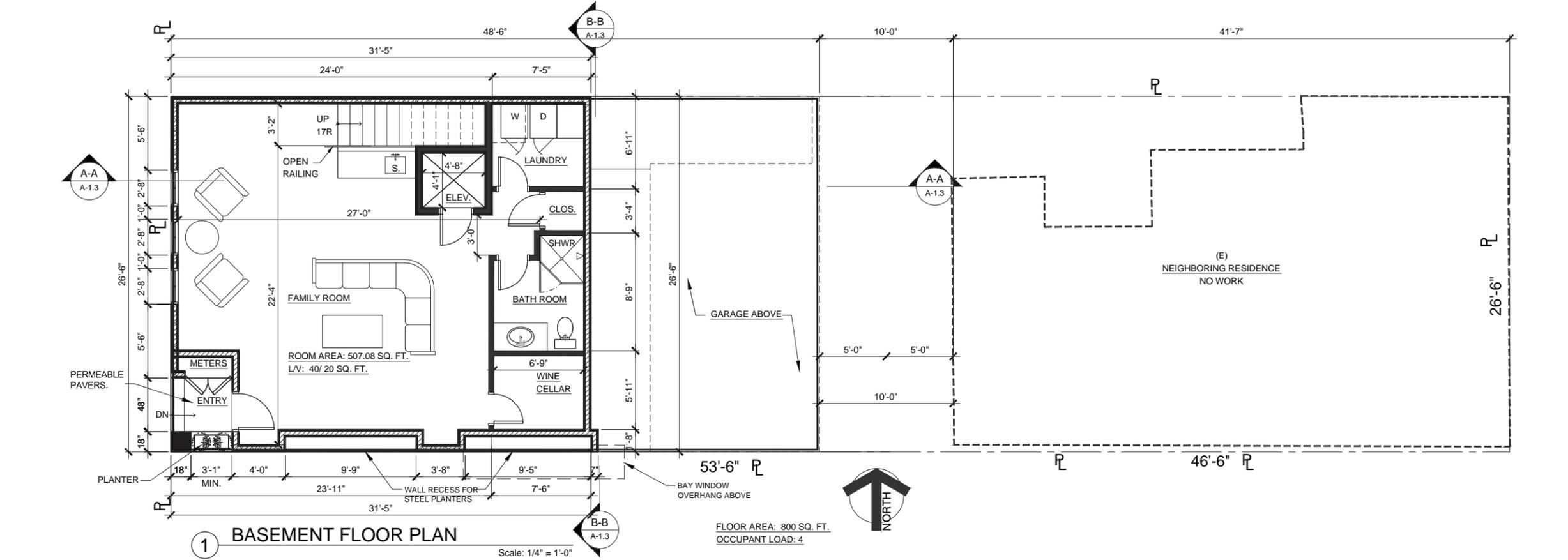
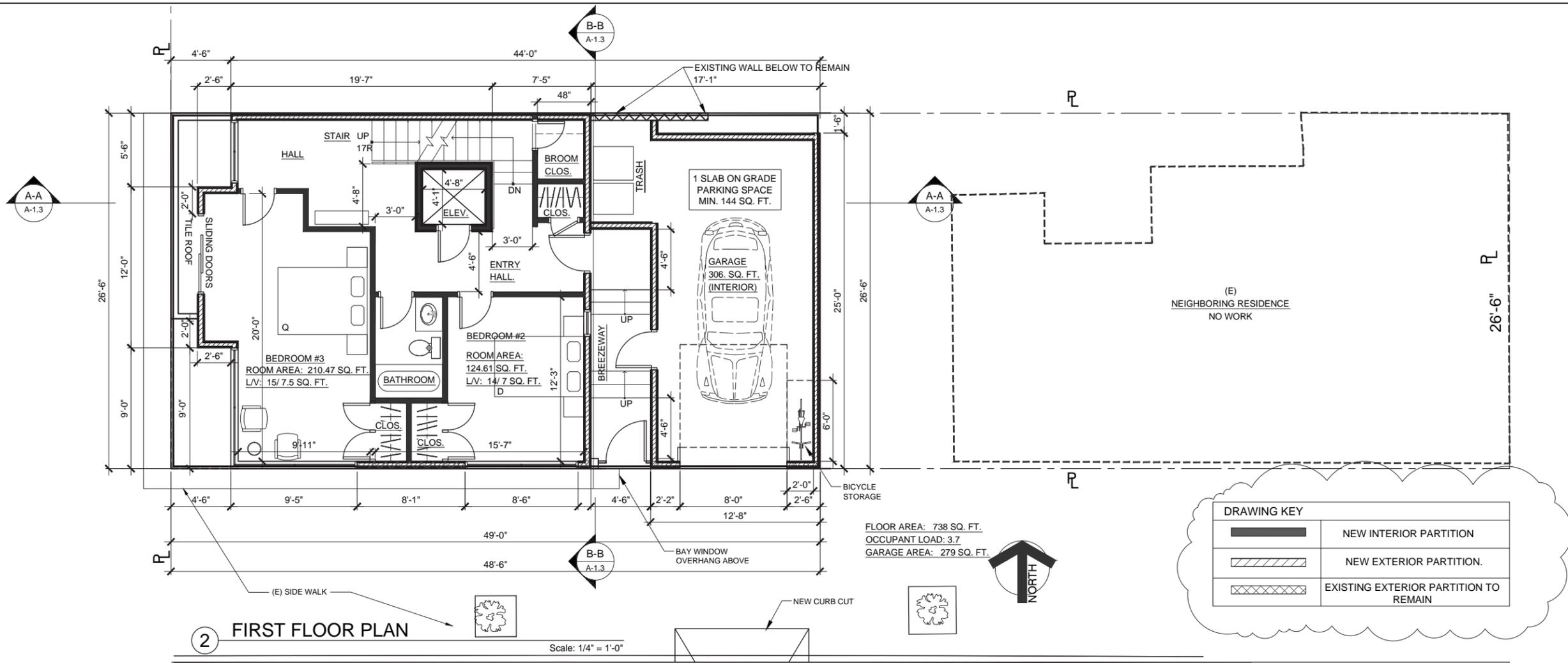
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7	B11 / VARIANCE	05.13.15

ISSUE DATE: 04.03.14
 SPACE PLAN: 09-20-17

DRAWING TITLE:
BASEMENT & FIRST FLOOR PLANS

DRAWING NUMBER:

A-1.1





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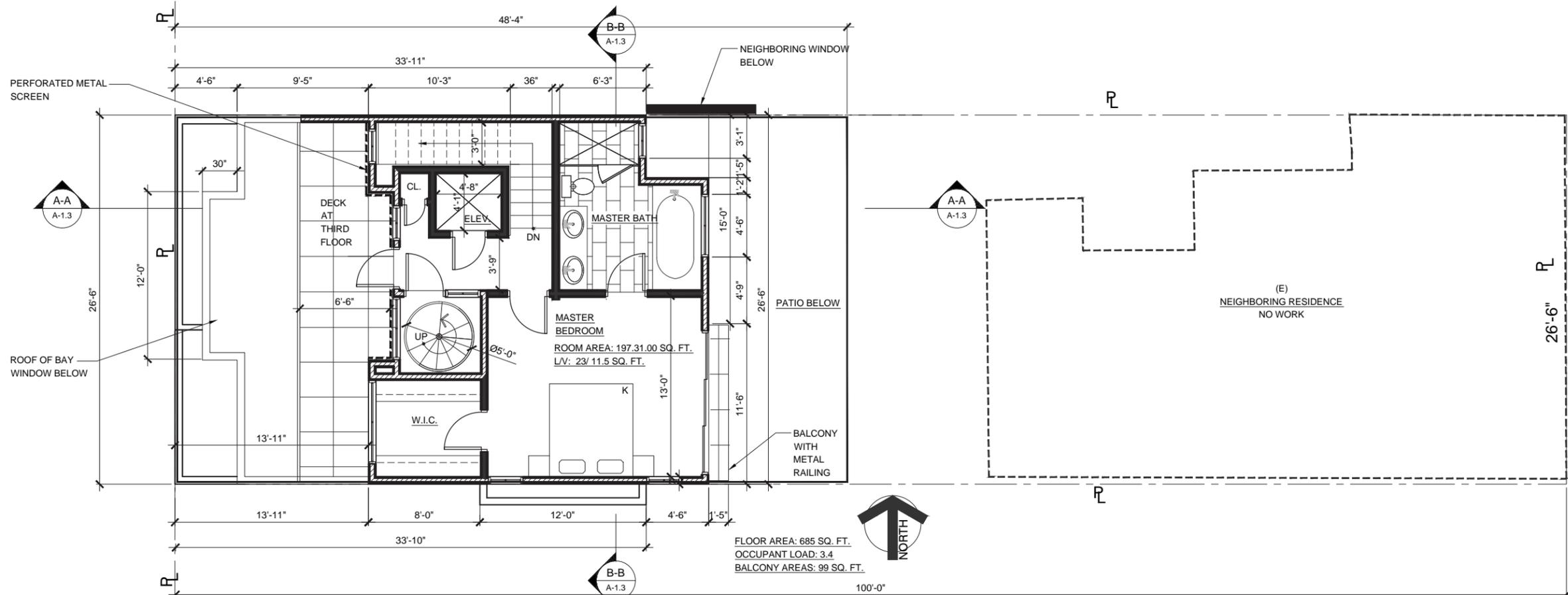
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▲	B11 / VARIANCE	05.13.15

ISSUE DATE: 04.03.14
 SPACE PLAN: 09-20-17

DRAWING TITLE:
SECOND & THIRD FLOOR PLANS

DRAWING NUMBER:

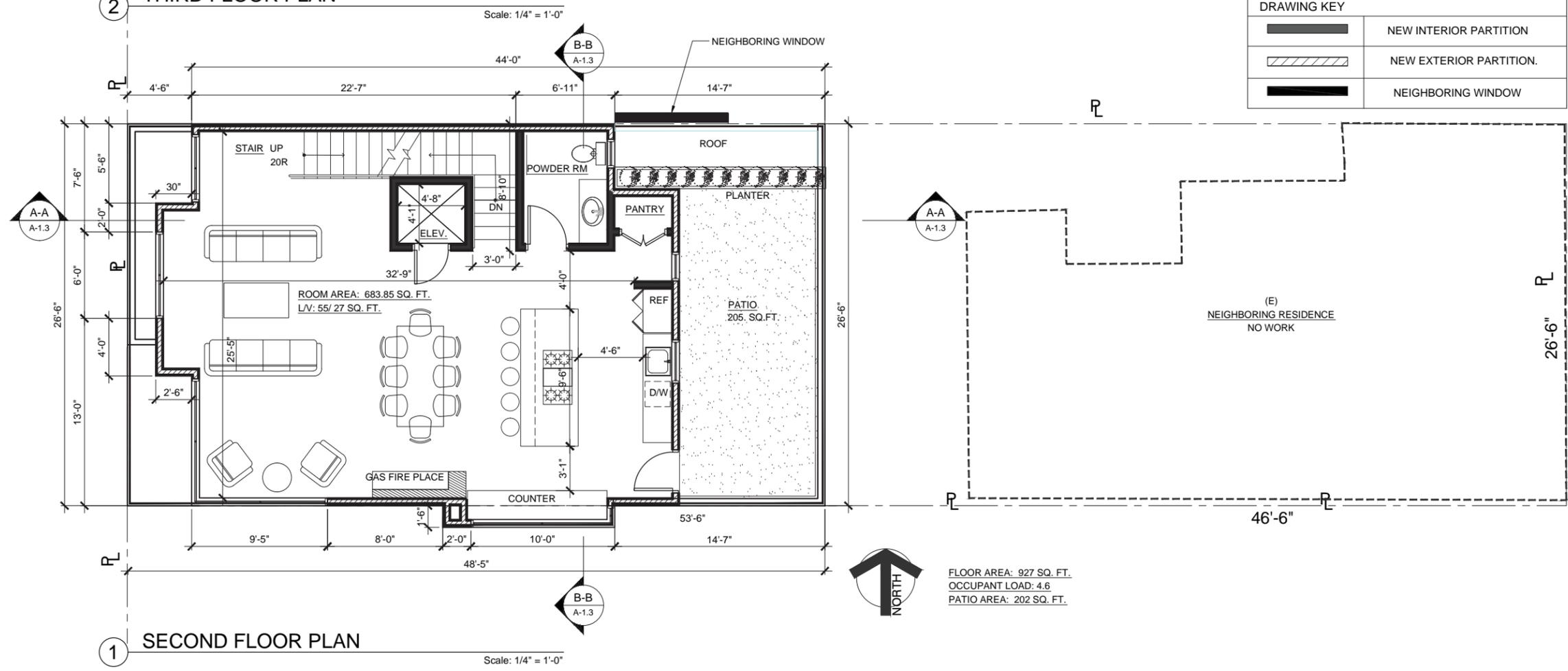
A-1.2



2 THIRD FLOOR PLAN

DRAWING KEY

	NEW INTERIOR PARTITION
	NEW EXTERIOR PARTITION.
	NEIGHBORING WINDOW



1 SECOND FLOOR PLAN

FLOOR AREA: 927 SQ. FT.
 OCCUPANT LOAD: 4.6
 PATIO AREA: 202 SQ. FT.



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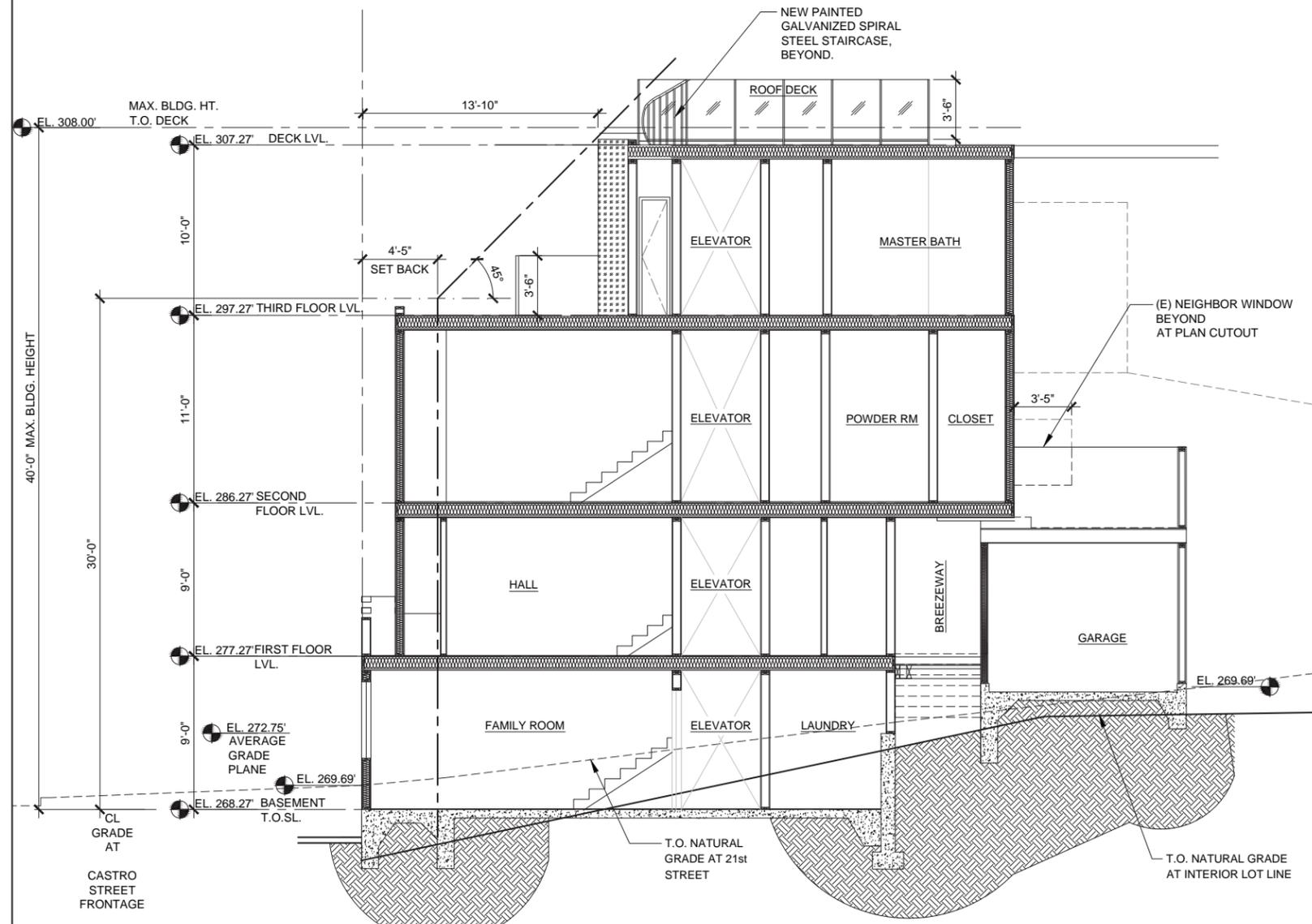
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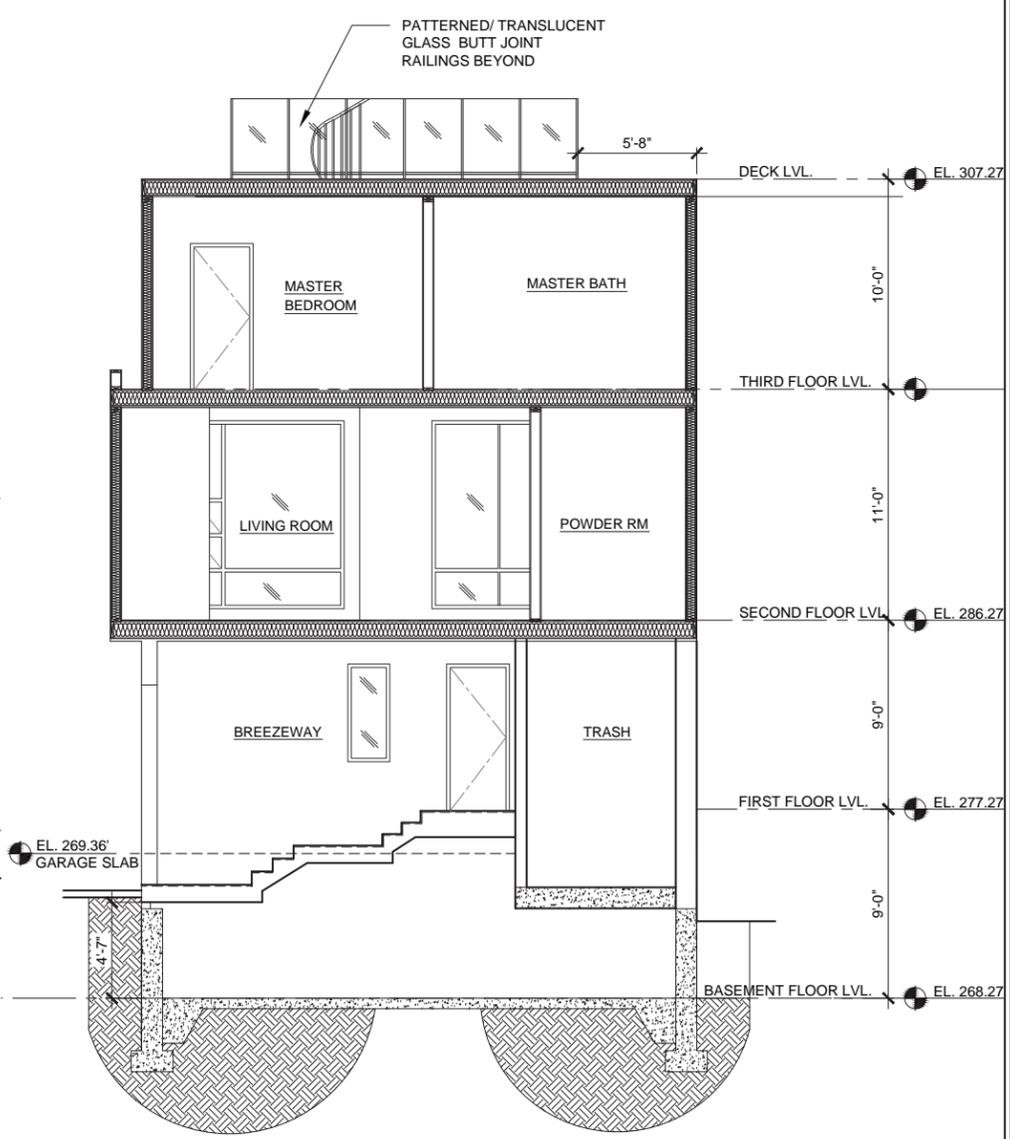
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GUARDRAIL AND HANDRAIL EXB MPT
 PER SFPC SECTION 260 (b) (A) (B)



2 SECTION A-A

Scale: 1/4" = 1'-0"



1 SECTION B-B

Scale: 1/4" = 1'-0"

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7	311 / VARIANCE	05.13.15
8	PLANNING COMMENTS	08.10.17

ISSUE DATE: 04.03.14
 SPACE PLAN: 08-10-17

DRAWING TITLE:
SECTIONS

DRAWING NUMBER:

A-1.3



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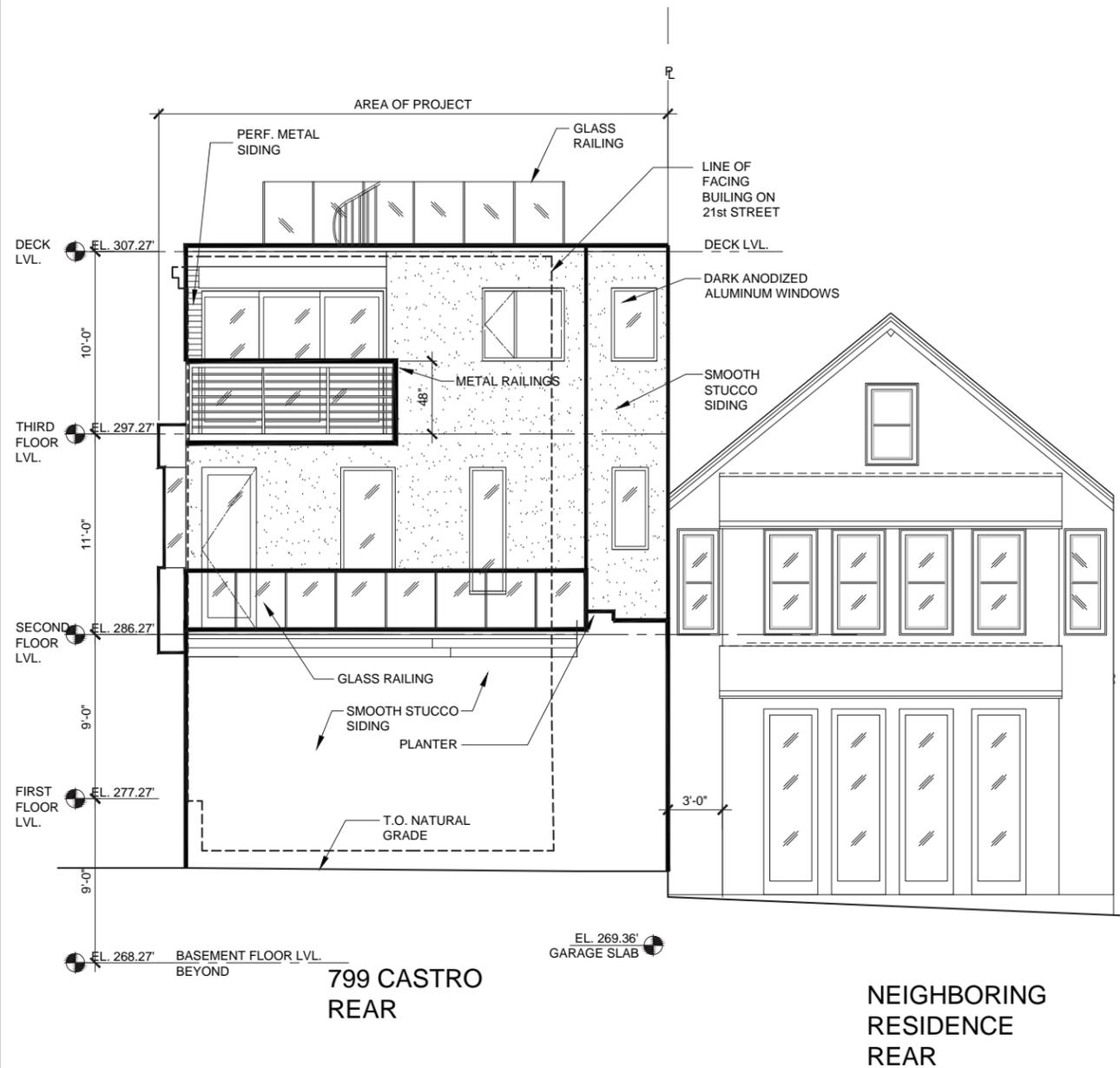
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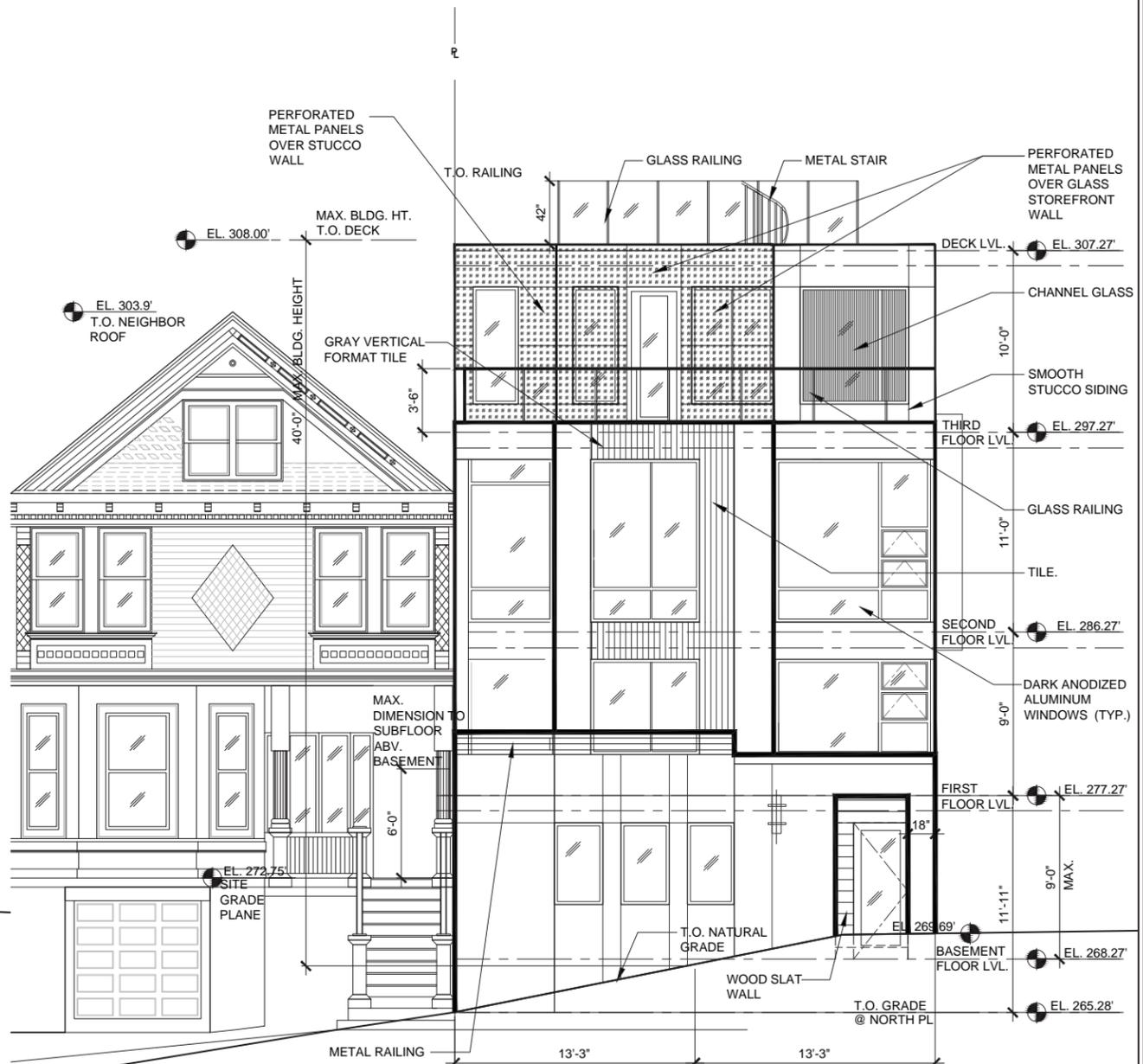
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2 EAST ELEVATION

Scale: 1/4" = 1'-0"



1 WEST ELEVATION - CASTRO STREET

Scale: 1/4" = 1'-0"

- EXISTING GRADE PLANE ANALYSIS**
- WEST FRONTAGE AVERAGE GRADE = 267.5'
 - EAST PROPERTY LINE AVERAGE GRADE = 278'
 - SOUTH FRONTAGE AVERAGE GRADE = 275.7'
 - NORTH PROPERTY LINE AVERAGE GRADE = 269.7'
 - AVERAGE GRADE PLANE FOR PROPERTY IS = 272.75'
 - LOWEST PROPOSED LEVEL IS A BASEMENT: PROPOSED FLOOR ABOVE IS LESS THAN SIX FEET ABOVE GRADE PLANE.

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△	311 / VARIANCE	05.13.15
△	PLANNING COMMENTS	08.10.17

ISSUE DATE: 04.03.14
 SPACE PLAN: 08-10-17

DRAWING TITLE:
PROPOSED WEST AND EAST ELEVATIONS

DRAWING NUMBER:

A-2.0



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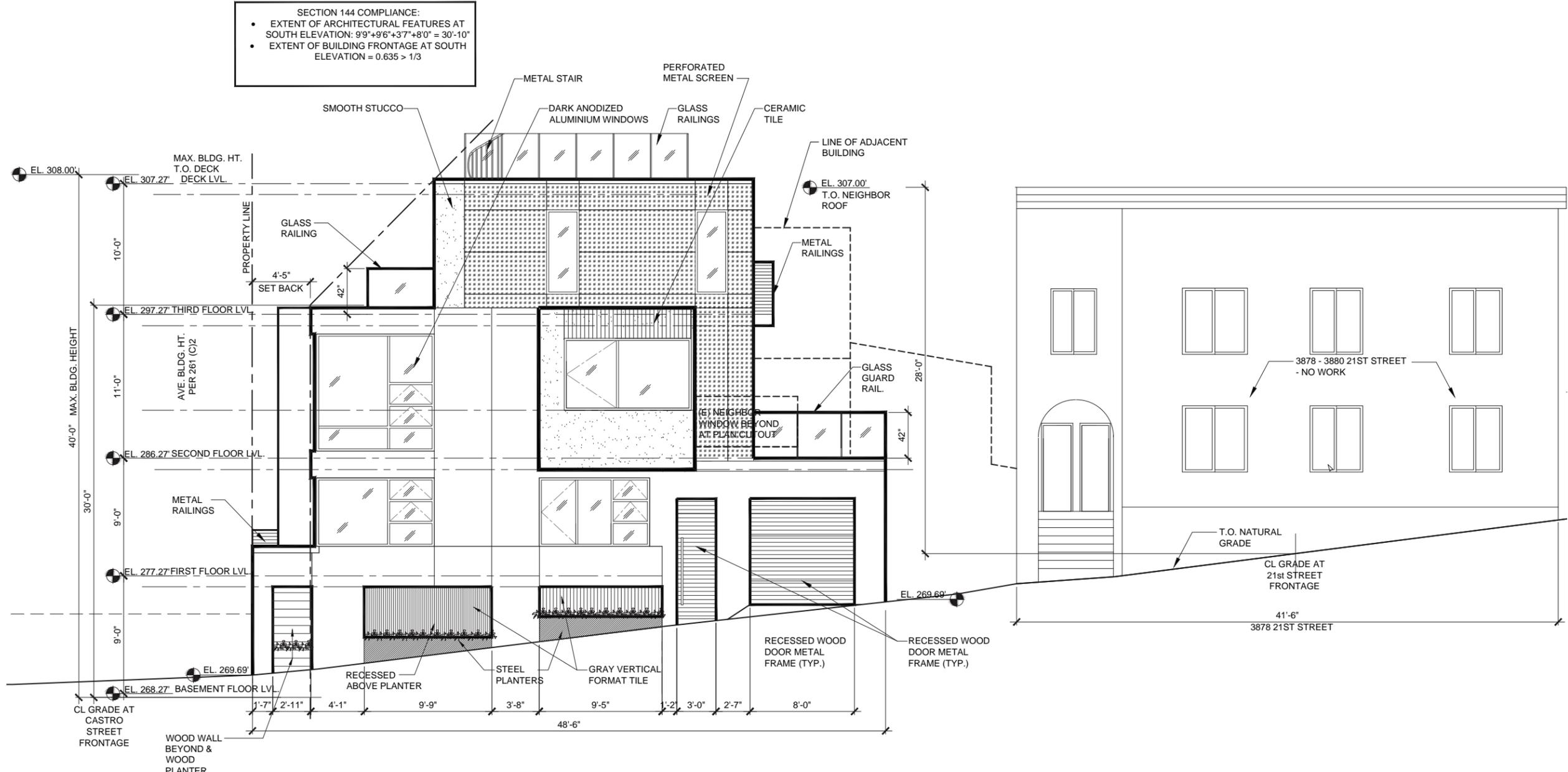
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ISSUE DATE: 04.03.14
 SPACE PLAN: 09-20-17

DRAWING TITLE:
PROPOSED SOUTH ELEVATION

DRAWING NUMBER:

A-2.1



SECTION 144 COMPLIANCE:
 • EXTENT OF ARCHITECTURAL FEATURES AT SOUTH ELEVATION: 9'9"+9'6"+3'7"+8'0" = 30'-10"
 • EXTENT OF BUILDING FRONTAGE AT SOUTH ELEVATION = 0.635 > 1/3

1 SOUTH ELEVATION - 21ST STREET - PROPOSED

Scale: 1/4" = 1'-0"



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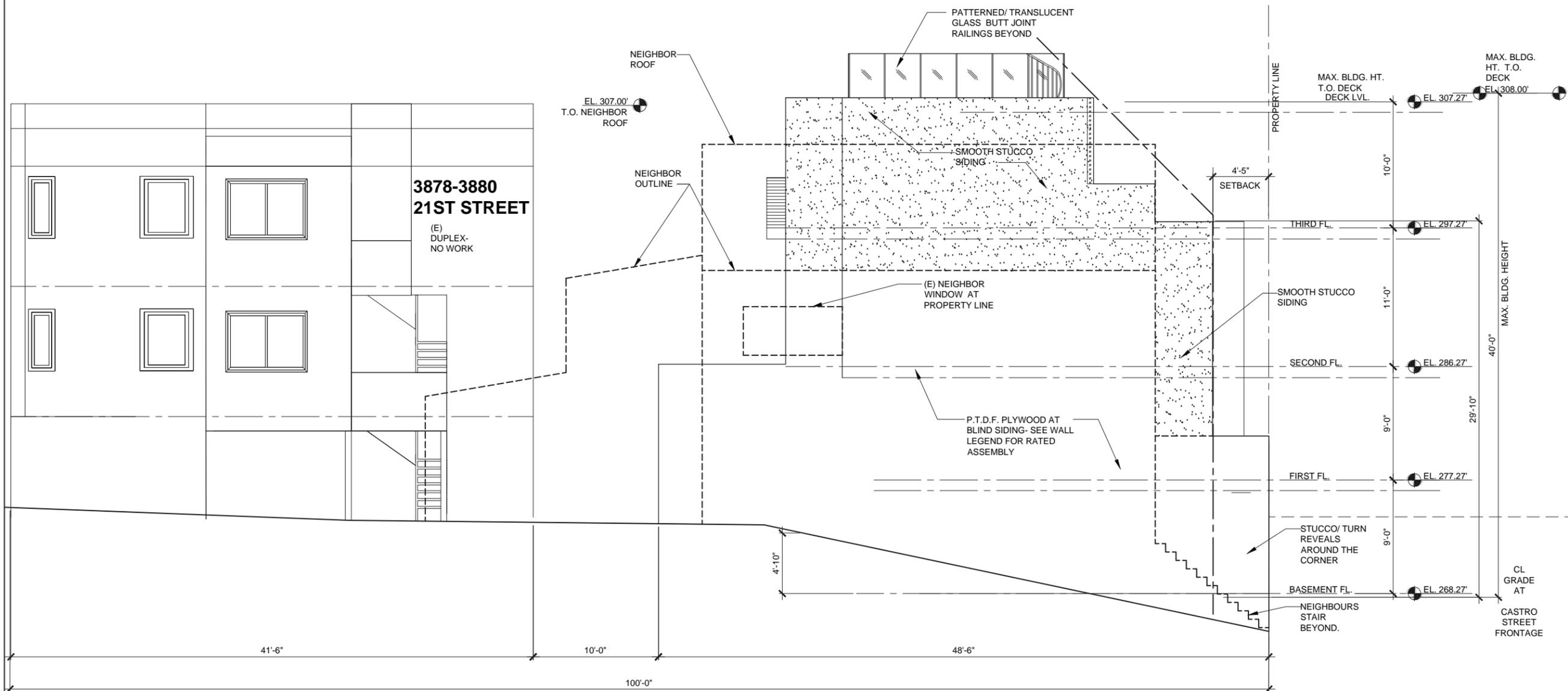
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ISSUE DATE: 04.03.14
 SPACE PLAN: 09-20-17

DRAWING TITLE:
**PROPOSED
 NORTH
 ELEVATION**

DRAWING NUMBER:

A-2.2



1 NORTH ELEVATION - PROPOSED

Scale: 1/4" = 1'-0"



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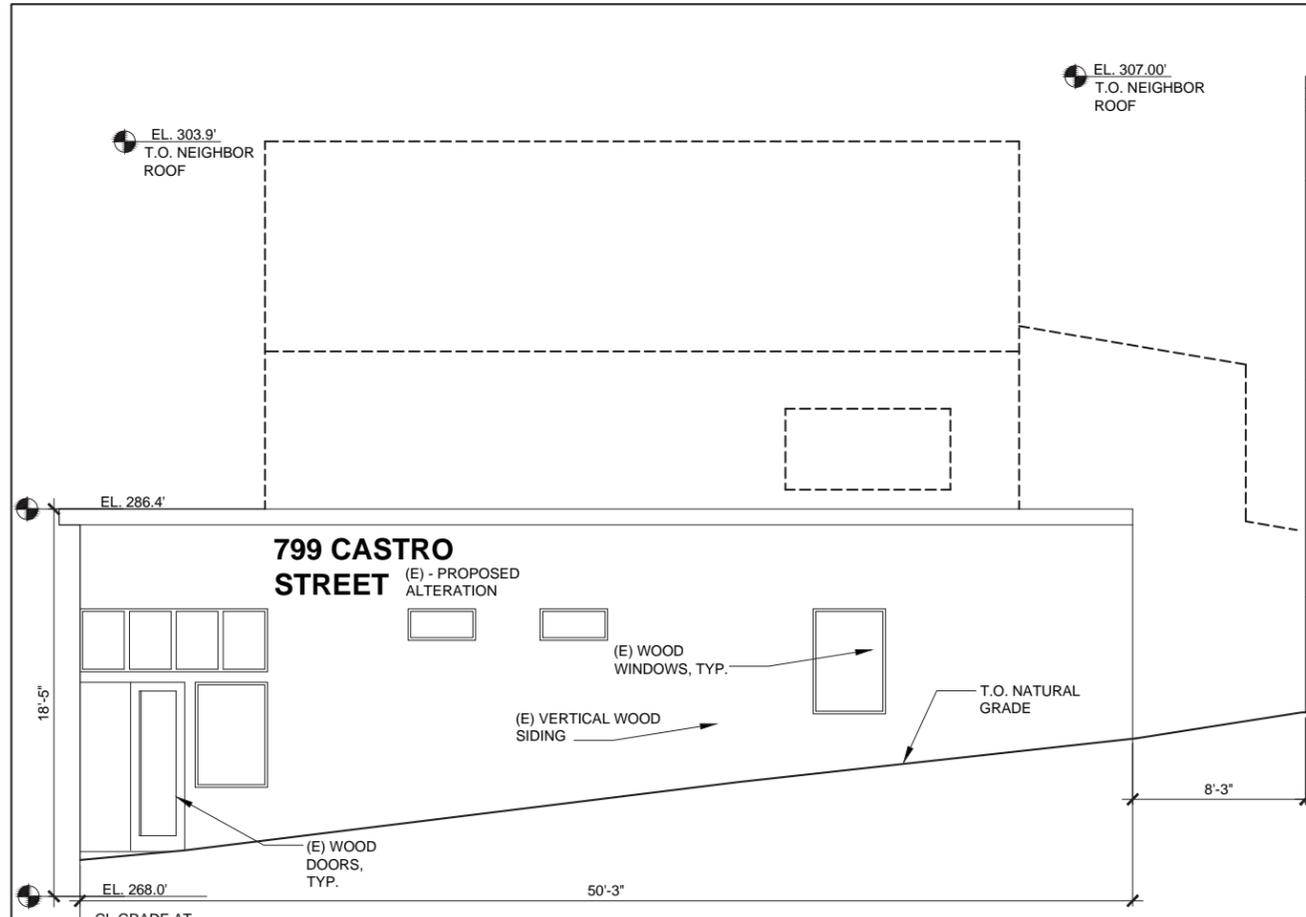
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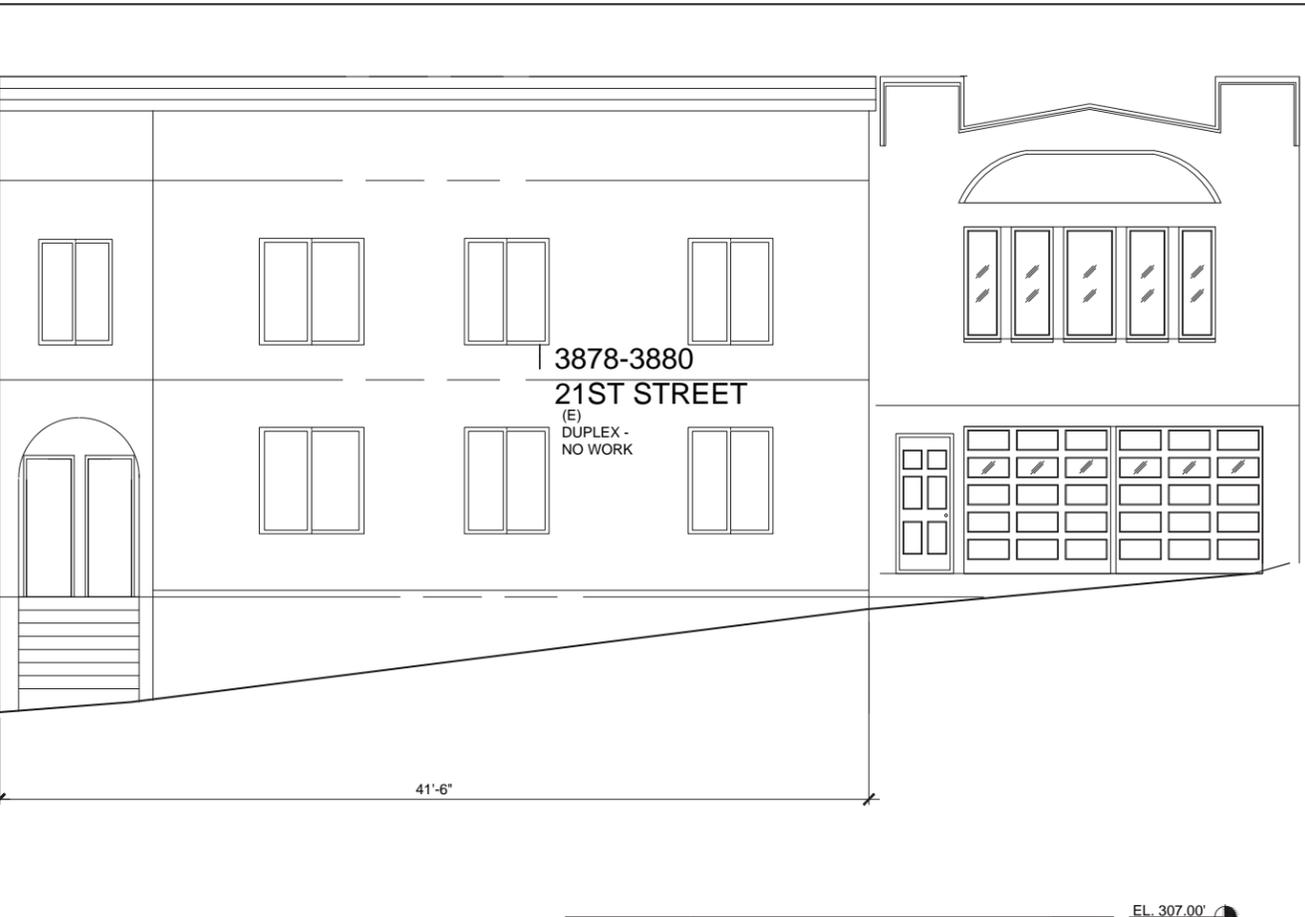
DRAWING TITLE:
**EXISTING
 ELEVATIONS**

DRAWING NUMBER:

A-2.3



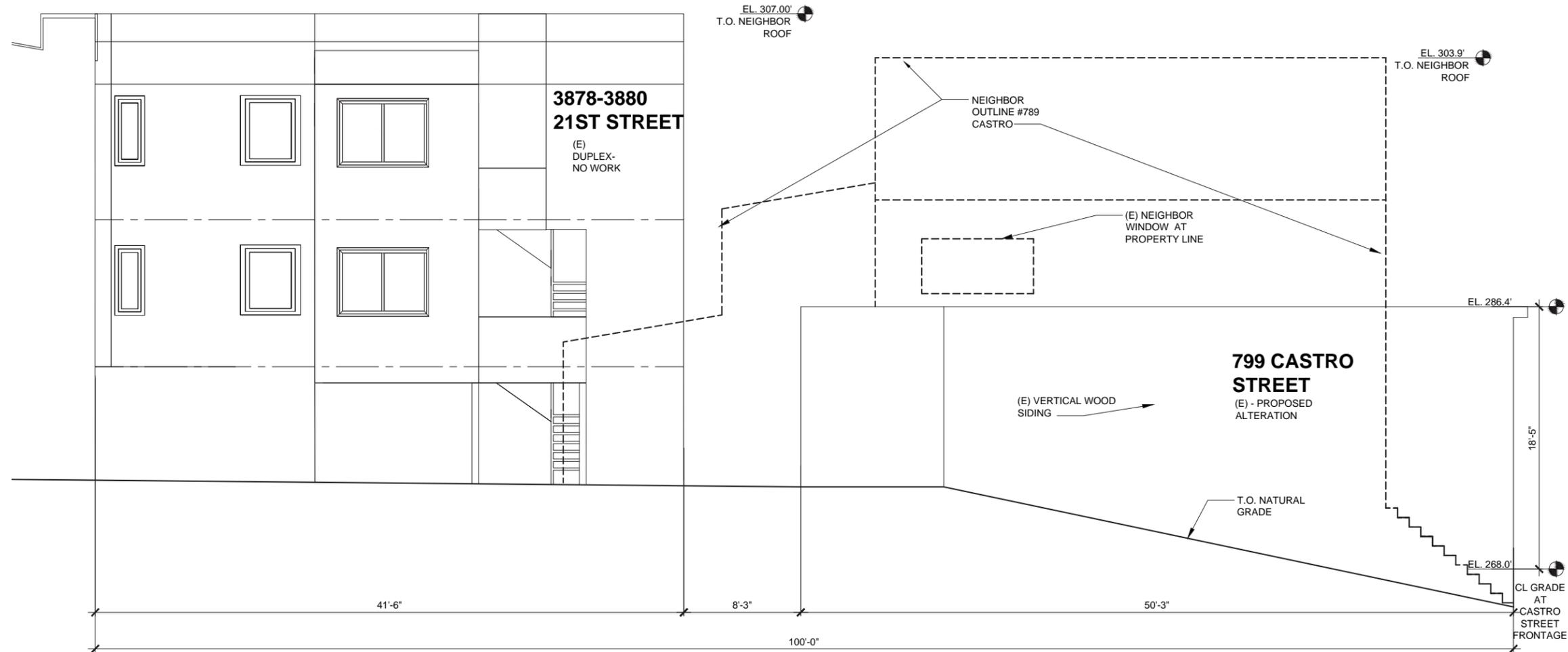
3 SOUTH ELEVATION - 21ST STREET - EXISTING
 Scale: 1/4" = 1'-0"



1 WEST ELEVATION - CASTRO STREET - EXISTING
 Scale: 1/4" = 1'-0"



2 EAST ELEVATION - 799 CASTRO STREET - EXISTING
 Scale: 1/4" = 1'-0"



1

NORTH ELEVATION - EXISTING

Scale: 3/16" = 1'-0"



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△	PLANNING COMMENTS	08.10.17

ISSUE DATE: 04.03.14
 SPACE PLAN: 08-10-17

DRAWING TITLE:
 EXISTING NORTH
 ELEVATION

DRAWING NUMBER:

A-2.4

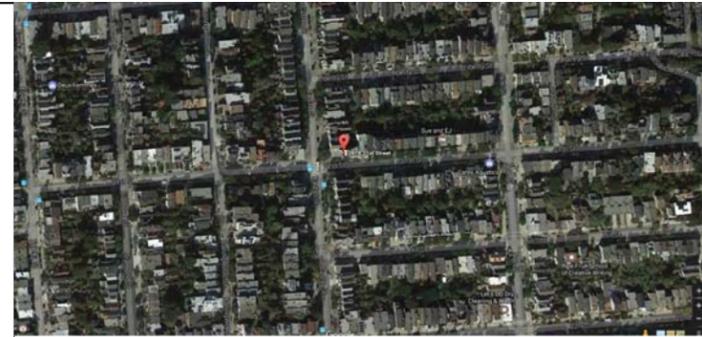
EXHIBIT C

ABBREVIATIONS

& AND	MECH. MECHANICAL	VEST. VESTIBULE
L ANGLE	MEMB. MEMBRANE	W. WEST
@ AT	MET. METAL	W/ WITH
⊘ CENTERLINE	MFR. MANUFACTURER	W.C. WATER
∅ DIAMETER	MH. MANHOLE	CLOSET
# FOUND OR NUMBER	MIN. MINIMUM	WD. WOOD
(E) EXISTING	MIR. MIRROR	W/O WITHOUT
ACOUS. ACOUSTICAL	MISC. MISCELLANEOUS	WP. WATERPROOF
A.D. AREA DRAIN	M.O. MASONRY OPENING	WSCOT. WAINSCOT
ADJ. ADJUSTABLE	MTD. MOUNTED	
AGGR. AGGREGATE	MUL. MULLION	
AL. ALUMINUM	N. NORTH	
APPROX. APPROXIMATELY	N.I.C. NOT-IN-CONTRACT	
ARCH. ARCHITECTURAL	NO. or# NUMBER	
ASB. ASBESTOS	NOM. NOMINAL	
ASPH. ASPHALT	N.T.S. NOT-TO-SCALE	
BD. BOARD	O.A. OVERALL	
BITUM. BITUMINOUS	OBS. OBSCURE	
BLDG. BUILDING	O.C. ON CENTER	
BLK. BLOCK	O.D. OUTSIDE DIAMETER	
BLKG. BLOCKING	OFF. OFFICE	
BM. BEAM	OPNG. OPENING	
BOT. BOTTOM	OPP. OPERABLE	
B.U.R. BUILT-UP ROOFING	PRCST. PRECAST	
CAB. CABINET	PL. PLATE	
C.B. CATCH BASIN	P.LAM. PLASTIC	
CEM. CEMENT	LAMINATE	
CER. CERAMIC	PLAS. PLASTER	
C.I. CAST IRON	PLYWD. PLYWOOD	
C.G. CORNER GUARD	PR. PAIR	
CLG. CEILING	PT. POINT	
CLKG. CAULKING	P.T.D. PAPER TOWEL	
CLO. CLOSET	DISPENSER	
CLR. CLEAR	P.T.D./R COMBINATION	
C.O. CASED OPENING	PAPER TOWEL	
COL. COLUMN	DISPENSER &	
CONC. CONCRETE	RECEPTACLE	
CONN. CONNECTION	PTN. PARTITION	
CONST. CONSTRUCTION	P.T.R. PAPER TOWEL	
CONT. CONTINUOUS	RECEPTACLE	
CORR. CORRIDOR	Q.T. QUARRY TILE	
CTSK. COUNTERSUNK	R. RISER	
CNTR. CENTER	RAD. RADIUS	
DBL. DOUBLE	R.D. ROOF DRAIN	
DEPT. DEPARTMENT	REF. REFERENCE	
D.F. DRINKING FOUNTAIN	REFR. REFRIGERATOR	
DET. DETAIL	RGTR. REGISTER	
DIA. DIAMETER	REINF. REINFORCEMENT	
DIM. DIMENSION	REQ. REQUIRED	
DISP. DISPENSER	RESIL. SILIENT	
DN. DOWN	RM. ROOM	
D.O. DOOR OPENING	R.O. ROUGH OPENING	
DR. DOOR	RWD. REDWOOD	
DWR. DRAWER	R.W.L. RAIN WATER	
D.S. DOWNSPOUT	LEADER	
D.S.P. DRY STANDPIPE	S. SOUTH	
DWG. DRAWING	S.C. SOLID CORE	
E. EAST	S.C.D. SEAT COVER	
EA. EACH	DISPENSER	
E.J. EXPANSION JOINT	SCHED. SCHEDULE	
EL. ELEVATION	S.D. SOAP	
ELEC. ELECTRICAL	DISPENSER	
ELEV. ELEVATOR	SECT. SECTION	
ENCL. ENCLOSURE	SH. SHELF	
EMERG. EMERGENCY	SHR. SHOWER	
E.P. ELECTRICAL	SHT. SHEET	
PANELBOARD	SIM. SIMILAR	
EQ. EQUAL	WT. WEIGHT	
EQPT. EQUIPMENT	S.N.D. SANITARY	
E.W.C. ELECTRIC WATER	NAPKIN	
COOLER	DISPENSER	
EXIST. EXISTING	S.N.R. SANITARY	
EXPO. EXPOSED	NAPKIN	
EXP. EXPANSION	RECEPTACLE	
EXT. EXTERIOR	SPEC. SPECIFICATION	
F.A. FIRE ALARM	SQ. SQUARE	
F.B. FLAT BAR	S.ST. STAINLESS	
F.D. FLOOR DRAIN	STEEL	
FDN. FOUNDATION	S.SK. SERVICE SINK	
F.E. FIRE EXTINGUISHER	STA. STATION	
CABINET	STD. STANDARD	
F.H.C. FIRE HOSE CABINET	STL. STEEL	
FIN. FINISH	STOR. STORAGE	
FL. FLOOR	STR. STRUCTURAL	
FLASH. FLASHING	SUSP. SUSPENDED	
FLOUR. FLUORESCENT	SYM. SYMMETRICAL	
F.O.C. FACE OF CONCRETE	TRD. TREAD	
F.O.F. FACE OF FINISH	T.B. TOWEL BAR	
F.O.S. FACE OF STUD	T.C. TOP OF CURB	
FPRF. FIREPROOF	T.C. TOP OF CURB	
F.S. FULL SIZE	TEL. TELEPHONE	
FT. FOOT OR FEET	TER. TERRAZZO	
FTG. FOOTING	T.&G. TONGUE &	
FURR. FURRING	GROOVE	
FUT. FUTURE	THK. THICK	
GA. GAUGE	T.P. TOP OF PAVEMENT	
GALV. GALVANIZED	T.P.D. TOILET PAPER	
G.B. GRAB BAR	DISPENSER	
GL. GLASS	T.V. TELEVISION	
GND. GROUND	T.W. TOP OF WALL	
GR. GRADE	TYP. TYPICAL	
GYP. GYPSUM	UNF. UNFINISHED	
H.B. HOSE BIB	U.O.N. UNLESS	
H.C. HOLLOW CORE	OTHERWISE	
HDR. HANDRAIL	NOTED	
HDWD. HARDWOOD	UR. URINAL	
HDWE. HARDWARE	VERT. VERTICAL	
HGT. HEIGHT		
H.S. HINGE SWITCH		
JT. JOINT		
KIT. KITCHEN		
LAB. LABORATORY		
LAM. LAMINATE		
LAV. LAVATORY		
LKR. LOCKER		
LT. LIGHT		
MAX. MAXIMUM		
M.C. MEDICINE CABINET		
MDF. MEDIUM DENSITY		
FIBERBOARD		

UNIT ADDITION

3878 / 3880 21st. STREET, SAN FRANCISCO, CA 94114



VICINITY MAP

GENERAL NOTES

- ALL WORK SHALL BE PERFORMED BY LICENSED & INSURED CONTRACTOR
- THE CONTRACTOR IS RESPONSIBLE FOR MEANS, METHODS, AND TECHNIQUES FOR CONSTRUCTION.
- ALL OSHA REGULATIONS SHALL BE FOLLOWED THE GENERAL CONTRACTOR & EACH SUBCONTRACTOR IS RESPONSIBLE FOR JOB-STE SAFETY.
- UNLESS NOTED OTHERWISE ALL MATERIALS AND EQUIPMENT ARE TO BE INSTALLED PER THE APPLICABLE PROVISIONS OF THESE DOCUMENTS AND THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
- IN USING THESE PLANS FOR BIDDING OR CONSTRUCTION PURPOSES ALL CONTRACTORS ARE REQUIRED TO REVIEW AND TREAT THEM AS A WHOLE IN ORDER TO IDENTIFY ALL REQUIREMENTS THAT DIRECTLY OR INDIRECTLY AFFECT THERE PORTION OF THE WORK, EVEN REQUIREMENTS LOCATED IN SECTIONS DESIGNATED AS APPLICABLE TO OTHER TRADES. IN CASE OF CONFLICTS THE AFFECTED CONTRACTOR IS REQUIRED TO EITHER OBTAIN DIRECTION FROM AN APPROPRIATE REPRESENTATIVE OF THE OWNER OR OTHERWISE APPLY THE MORE STRINGENT LOCATION.
- THESE PLANS ARE INTENDED TO SET FORTH THE REQUIREMENTS FOR CONSTRUCTIONS IN ONLY AN INDUSTRY STANDARD LEVEL OF QUALITY AND DETAIL AND THE ARE INTENDED TO BE SUPPLEMENTED BY APPROPRIATE REQUESTS FOR CLARIFICATION AND INFORMATION CONTRACTORS ARE REQUIRED TO REVIEW THESE PLANS FOR ERRORS AND OMISSIONS. AND BRING THESE TO THE ATTENTION OF AN APPROPRIATE OWNER REPRESENTATIVE IN A TIMELY MANNER AND ANY CONTRACTOR WHO FAILS TO DO SO BEFORE BIDDING OR OTHERWISE PROCEEDING ASSUMES THE RISK OF ANY CONSEQUENCES CONTRACTORS PROCEED AT THEIR OWN RISK IF THEY FAIL TO VERIFY FIELD MEASURE DIMENSIONS BEFORE PROCEEDING WITH ANY AFFECTED PROCUREMENT FABRICATION OR CONSTRUCTION SCHEMATIC PLANS ARE INTENDED ONLY TO DEMONSTRATE THE RELATIONSHIP AMONG COMPONENT PARTS, AND NOT TO DEPICT SPECIFIC LOCATIONS.
- SUBMITTALS WILL BE REVIEWED BY THE ARCHITECT ONLY PURSUANT TO THE INDUSTRY STANDARD PROTOCOL SET FORTH IN ALA DOCUMENT A201, AND IN NO EVENT WILL THE SUBMITTAL REVIEW PROCESS RELIEVE OR LESSEN THE SUBMITTING CONTRACTOR'S RESPONSIBILITY FOR AN INAPPROPRIATE SUBMITTAL.
- THE GENERAL CONTRACTOR SHALL VERIFY AND ASSUME RESPONSIBILITY FOR ALL DIMENSIONS AND SITE CONDITIONS THE GENERAL CONTRACTOR SHALL INSPECT THE EXISTING PREMISES AND TAKE NOTE OF EXISTING CONDITIONS PRIOR TO SUBMITTING PRICES NO CLAIM SHALL BE ALLOWED FOR DIFFICULTIES ENCOUNTERED WHICH COULD HAVE REASONABLY BEEN INFERRED FROM SUCH AN EXAMINATION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR CO-ORDINATION BETWEEN ARCHITECTURAL STRUCTURAL, MECHANICAL PLUMBING AND ELECTRICAL SYSTEMS THIS INCLUDES REVIEWING REQUIREMENTS OF INDIVIDUAL SYSTEMS BEFORE ORDERING AND INSTALLATION OF ANY WORK, VERIFY ALL ARCHITECTURAL DETAILS AND ALL FINISH CONDITIONS (WHETHER DEPICTED IN DRAWINGS OR NOT) WITH SAME DISCIPLINES.
- DO NOT SCALE DRAWINGS, WRITTEN DIMENSIONS GOVERN ALL CLEAR DIMENSIONS ARE NOT TO BE ADJUSTED WITHOUT APPROVAL OF THE ARCHITECT WHEN SHOWN IN PLAN ALL DIMENSIONS ARE TO FACE OF STUD, CONCRETE, CENTERLINE OF COLUMNS OR CENTERLINE OF WALL ASSEMBLIES, UNLESS OTHERWISE NOTED. WHEN SHOWN IN SECTION OR ELEVATION, ALL DIMENSIONS ARE TO TOP OF PLATE, TOP OF CONCRETE, OR TOP OF CEMENT BASED UNDERLAYMENT UNLESS OTHERWISE NOTED.
- DETAILS SHOWN ARE TYPICAL SIMILAR DETAILS APPLY IN SIMILAR CONDITIONS
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR APPLYING AND OBTAINING ALL REQUIRED INSPECTIONS TO CONFORM WITH LOCAL BUILDING AND FIRE CODES.
- PROVIDE AND INSTALL 2x FLAT WOOD BLOCKING OR 16 GA METAL STRAPPING FOR ALL BATH ACCESSORIES HANDRAILS, CABINETS TOWEL BARS, WALL MOUNTED FIXTURES AND ANY OTHER ITEMS ATTACHED TO WALL.
- ALL CHANGES IN FLOOR MATERIALS OCCUR AT CENTERLINE OF DOOR OR FRAMED OPENINGS UNLESS OTHERWISE INDICATED ON THE DRAWINGS.
- INSTALL ALL FIXTURES EQUIPMENT AND MATERIALS PER MANUFACTURER'S RECOMMENDATIONS AND THE REQUIREMENTS OF THE CODES ALL APPLIANCES, FIXTURES AND EQUIPMENT ASSOCIATED WITH PLUMBING ELECTRICAL AND MECHANICAL SYSTEMS SHALL BE LISTED BY A NATIONALLY RECOGNIZED AND APPROVED AGENCY.
- VERIFY CLEARANCES FOR FLUES, VENTS, CHASES, SOFFITS, FIXTURES, FIREPLACES ETC. BEFORE ANY CONSTRUCTION, ORDERING OF OR INSTALLATION OF ANY ITEM OF WORK
- PROVIDE FIRE-BLOCKING AND DRAFT STOPPING AT ALL CONCEALED DRAFT OPENINGS (VERTICAL AND HORIZONTAL) AS REQUIRED PER 2010 CBC.
- MECHANICAL, PLUMBING, ELECTRICAL AND OTHER PENETRATIONS OF FLOORS, WALLS AND CEILINGS SHALL BE SEALED AIRTIGHT WITH ACOUSTICAL SEALANT AND FIRESAFING AS REQUIRED.
- ALL EXTERIOR DOORS AND WINDOWS ARE TO BE WEATHER STRIPPED PER TITLE 24 REQUIREMENTS.
- ALL WALL FLOOR, ROOF AND SHAFT CONSTRUCTION TO BE FIRE-RATED MINIMUM ONE HOUR, U.O.N.
- DISCREPANCIES: WHERE A CONFLICT IN REQUIREMENTS OCCURS BETWEEN THE SPECIFICATIONS AND DRAWINGS OR ON THE DRAWINGS AND A RESOLUTION IS NOT OBTAINED FORM THE ARCHITECT BEFORE THE BIDDING DATE, THE MORE STRINGENT ALTERNATE WILL BECOME THE CONTRACTUAL REQUIREMENTS.
- CONTRACTOR SHALL INSURE THAT GUIDELINES SET FORTH ON THE ACCESSIBILITY SHEET ARE MAINTAINED DURING CONSTRUCTION, INSTALLATION AND FINISHING OF ALL ASPECTS OF THIS PROJECTS.

CODES

APPLICABLE CODES:
 2013 CALIFORNIA BUILDING CODE W / SF AMENDMENTS
 2013 CALIFORNIA MECHANICAL CODE
 2013 CALIFORNIA ELECTRICAL CODE
 2013 CALIFORNIA PLUMBING CODE
 2013 CALIFORNIA FIRE CODE
 2013 CALIFORNIA FIRE CODE
 SAN FRANCISCO COUNTY HEALTH & SAFETY CODE

2013 CALIFORNIA GREEN BUILDING CODE
 SEE SHEET C-7 SF GREEN BUILDING SUBMITAL

2013 CALIFORNIA BUILDING CODE

CHAPTER 3 - USE AND OCCUPANCY CLASSIFICATIONS
 EXISTING OCCUPANCY: R-2 OCCUPANCY
 PROPOSED OCCUPANCIES: R-2 OCCUPANCY NO CHANGE TO PROPOSED OCCUPANCY

CHAPTER 5 GENERAL BUILDING HEIGHT & AREA

CONSTRUCTION TYPE: TYPE 1 N-B
 TABLE 503: OCCUPANCY R-2 TYPE N1-B

BUILDING AREA (GROSS SQUARE FOOTAGE)
 BASEMENT 884.5 SF.
 LEVEL 1 822.5 SF.
 LEVEL 2 943.5 SF.
 TOTAL 2650.5 SF.

CHAPTER 6 TYPES OF CONSTRUCTION

TABLE 601: TYPE NI-B
 PRIMARY STRUCTURAL FRAME = 0 HR
 BEARING WALL - EXTERIOR = 2 HR
 BEARING WALL - INTERIOR = 0 HR
 NON BEARING WALL - EXTERIOR = PER TABLE 602
 NON BEARING WALL - INTERIOR = 0 HR
 FLOOR CONSTRUCTION = 0 HR
 ROOF CONSTRUCTION = 0 HR

TABLE 602: OCCUPANCY R-2, CONSTRUCTION TYPE NI-B
 EXTERIOR WALLS = 1 HR W / FIRE SEPARATION DISTANCE <5

CHAPTER 8 - INTERIOR FINISHES

CLASS A: FLAME SPREAD INDEX 0-25 SMOKE DEVELOPED INDEX 0-450
 CLASS B: FLAME SPREAD INDEX 26 - 75 SMOKE DEVELOPED INDEX 0-450
 CLASS C: FLAME SPREAD INDEX 76 - 200 SMOKE DEVELOPED INDEX 0-450

SECTION 803: THE MAXIMUM FLAME SPREAD CLASS OF FINISH MATERIALS USED ON INTERIOR WALL AND CEILINGS IN ROOMS AND OTHER ENCLOSED SPACES SHALL BE CLASS C OR BETTER, PER TABLE 803.9 FOR B OCCUPANCY, NON-SPRINKLERED

CHAPTER 9 - FIRE PROTECTION SYSTEMS

EXISTING BUILDING IS FULLY SPRINKLERED PROVIDE NFPA-13 SPRINKLER SYSTEM AT BASEMENT AND DWELLING UNITS.

SHEET INDEX

A-0.0	TITLE, DESCRIPTION, NOTES.
A-0.1	SITE PLAN
A-0.2	CODE REVIEW
A-0.5	SITE PHOTOS + KEY
A-1.0	EXISTING FLOOR PLANS
A-1.1	EXISTING ELEVATIONS
A-2.0	PROPOSED AND EXISTING PLANS
A-3.0	PROPOSED AND EXISTING SECTION
A-4.0	PROPOSED AND EXISTING ELEVATIONS
A-4.1	PROPOSED AND EXISTING ELEVATIONS
A-7.0	ENLARGED PLAN AND SECTION OF PROPOSED UNIT.

PROJECT INFORMATION

PROJECT DESCRIPTION
 THE EXISTING BUILDING IS A 2-STORY RESIDENTIAL BUILDING R-2 OCCUPANCY THE SCOPE OF THE WORK IS TO ADD A NEW ACCESSORY DWELLING UNIT TO THE BASEMENT LEVEL PER ORDINANCE 162-18

BUILDING USE / OCCUPANCY GROUP
 EXISTING R-2 OCCUPANCY
 PROPOSED R-2 OCCUPANCY

PROJECT ADDRESS: 2378 / 2380 21st ST.
 PARCEL AREA: 2650 SF. LOT.

BUILDING AREA: 884.5 SF.

NUMBER OF UNITS (EXIST'G): 2 NUMBER OF UNITS (PROPOSED): 3

SPRINKLERED: NO

NEW RESIDENTIAL SQUARE FOOTAGE: 554 SF

ZONING DISTRICT: RH-2

HEIGHT & BULK DISTRICT: 40-X

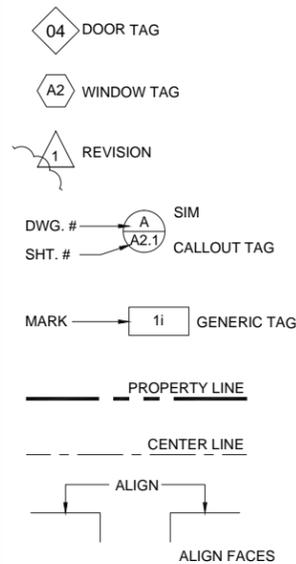
SPECIAL USE DISTRICTS: WITHIN 1/4 MILE OF AN EXISTING FRINGE FINANCIAL SERVICE RUD

PLANNING DEPT. HISTORIC STATUS CODE: B - UNKNOWN / AGE ELIGIBLE

PRE-APPLICATION MEETING DATE:

PERMIT APPLICATION NUMBER:

SYMBOLS



PROJECT DIRECTORY

ARCHITECT TECTA ASSOCIATES 2747 19TH STREET SAN FRANCISCO, CA 94110 (415) 362-5857 (415) 362-5044 (FAX) CONTACT: AHMAD MOHAZAB, AHMAD@TECTA.COM	OWNER HATEF MOGHIMI P.O.BOX 77322 S.F. CA. 415.425.1815 HATEF@MAC.COM	OWNER REP THOMAS TUNNY C/O REUBEN, JUNIUS & ROSE, LLP ONE BUSH STREET, STE 600 SAN FRANCISCO, CA 94104 415-567-9000
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ARCHITECTURAL PROJECT NO.: 92232

UNIT RELOCATION
 3878 / 3880 21st. STREET
 SAN FRANCISCO, CA 94114

NOTES: CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF EXISTING STRUCTURE AND MATERIALS BEFORE CONSTRUCTION. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.

NO.	REVISIONS:	DATE:

ISSUE DATE: PLAN CHECK REV. 09-28-17
 SPACE PLAN: 08-21-17

DRAWING TITLE:
 TITLE SHEET

DRAWING NUMBER:

A-0

SHEET INDEX:

- A-0 VICINITY MAP, SITE/ ROOF PLAN & PROJECT DATA
- A-1.0 EXISTING BASEMENT PLAN & 1st FLOOR PLAN
- A-1.1 PROPOSED BASEMENT + FIRST FLOOR PLANS
- A-1.2 REFLECTED CEILING PLAN
- A-2.0 PROPOSED SOUTH ELEVATION
- A-2.1 PROPOSED WEST ELEVATION

AREA SUMMARIES

- EXISTING BUILDING 1ST + 2ND FL. COMBINED
1,766. SQ. FT. PER TRUE NORTH SURVEY
DATED NOV. 13,2007
- PROPOSED BUILDING
 - FLOOR AREA: 554 SQ. FT.
 - PATIO AREAS: 335 SQ. FT.

SCOPE OF WORK:

- ALTERATION OF BASEMENT & STORAGE AREA
- ADDITION OF NEW DWELLING UNIT PER ORDENANCE 162-16 (ADU).

PROJECT DATA:

NEW UNIT AT 3880a 21st STREET
 CODE : 2013 SFBC
 CONSTRUCTION TYPE : V B
 SPRINKLERING: PER 903.3.1
 OCCUPANCY GROUP : R-3
 FLOORS: 3 LEVEL - WITH BASEMENT
 FULL LOT AREA: 2,650 SQ. FT.
 BLOCK/ LOT : 3603/024
 ZONING : RH-2, RESIDENTIAL - TWO FAMILY
 HEIGHT/ BULK DISTRICT : 40-X
 FRONT SETBACK : EXISTING
 REAR SETBACK : EXISTING UNCHANGED



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1	DBI COMMENTS	08-24-17

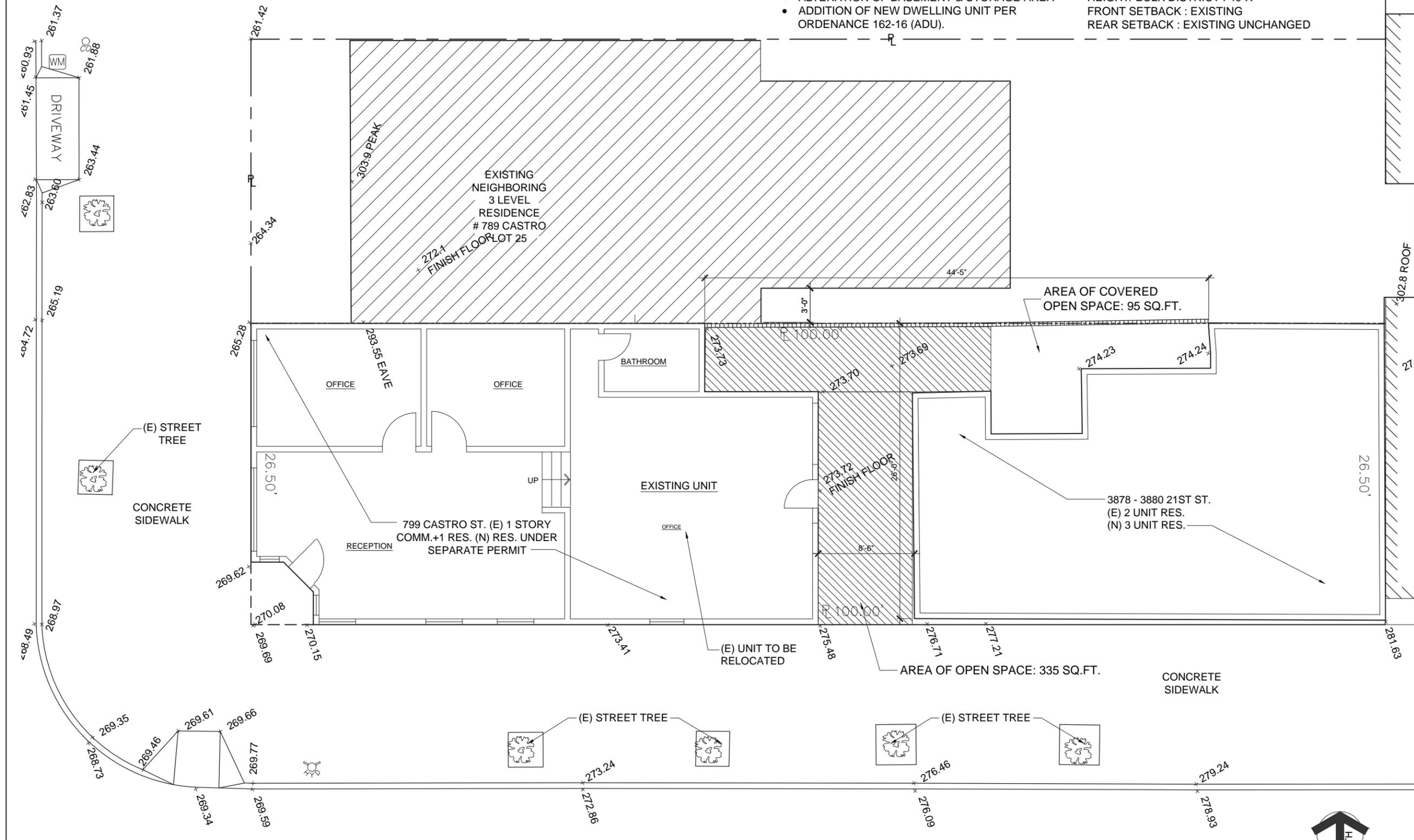
ISSUE DATE: PLAN CHECK REV. 09-28-17
 SPACE PLAN: 08-21-17

DRAWING TITLE:

SITE PLAN

DRAWING NUMBER:

A-0.1



1 EXISTING SITE PLAN

Scale: 1/4" = 1'-0"



BUILDING CODE NOTES

2013 CALIFORNIA BUILDING CODE

THESE NOTES ARE PROVIDED FOR RESIDENCE ONLY REFER TO THE COMPLETE BUILDING CODE OR CODE REQUIREMENTS AND QUESTIONS OF COMPLIANCE

CHAPTER 3 - USE AND OCCUPANCY CLASSIFICATION

3104 - THE EXISTING 2-UNIT BUILDING WOULD BE CONSIDERED AN R-2 OCCUPANCY
3104 - ADDING THE ONE ADDITIONAL UNITS WILL NOT CHANGE THE OCCUPANCY

CHAPTER 5 - GENERAL BUILDING HEIGHTS AND AREAS

NO CHANGE TO OVERALL GROSS AREA

CHAPTER 9 - FIRE PROTECTION SYSTEMS

903.2.8 COMPLY WITH THE REQUIREMENTS OR AUTOMATIC SPRINKLER PROTECTION IN GROUPS OCCUPANCIES

CHAPTER 10 - MEANS OF EGRESS

1006 I PROVIDE EGRESS ILLUMINATION ALONG THE MEANS OF EGRESS (OUT SIDE THE DWELLING UNIT)

1021.2 SINGLE EXITS. THERE ARE LESS THAN 5 UNITS AT THE BASEMENT LEVEL IN COMPLIANCE WITH TABLE 1021.2 (1). THE EXIT ACCESS TRAVEL DISTANCE IS BE LESS THAN 125' FROM THE FURTHEST POINT INSIDE THE DWELLING UNITS

1029 RESCUE OPENINGS TO BE PROVIDED VIA RESCUE WINDOWS AT ALL BEDROOMS AND VIA RESCUE WINDOWS OR A DOOR TO THE EXTERIOR AT STUDIO UNITS.

CHAPTER 12 - INTERIOR ENVIRONMENT

SEE UNIT PLAN SHEET

CHAPTER 11 DOES NOT APPLIED TO THIS PROJECT.

PLANNING CODE NOTES

CURRENT ZONING DESIGNATION NC-3 - NEIGHBORHOOD RESIDENTIAL

HEIGHT AND BULK DISTRICT: 40-X

REAR YARD REQUIREMENT: REQUIRED AT RESIDENTIAL LEVELS ONLY

THE EXISTING BUILDING HAS 335 SQ.FT. REAR YARD SPACE BETWEEN ADJACENT BUILDING ON THE SAME LOT.

USABLE OPEN SPACE REQUIREMENT

THE EXISTING BUILDING HAS 335 SQ.FT. USABLE OPEN SPACE (WAIVER REQUIRED)AND 95 SQ.FT.COVERED OPEN SPACE.

EXPOSURE REQUIREMENT: DWELLING UNITS MUST HAVE AT LEAST ONE ONE ROOM THAT FACES ON TO A PUBLIC STREET, PUBLIC ALLEY OR OPEN AREA THAT IS NO LESS THAN 25' X 25' THE ZONING THE UNIT FACES A PUBLIC STREET.

PARKING PER SEC 1552 ONE CLASS 1 BIKE PARKING SPACE IS REQUIRED PER ADU
OWE BICYCLE PARKING SPACES ARE ADDED.

ACCESSORY DWELLING UNIT LEGISLATION

ONE ADDITIONAL UNITS IS BEING PROPOSED FOR ORDINANCE 0162-16 "CITYWIDE ADU PROGRAM"

COMPLIANCE WITH GENERAL CONTROLS OF ADUS

1. ADUS MUST BE WITH IN THE EXISTING BUILDING ENVELOPE.
THE NEW UNIT IS WITH IN THE EXISTING BUILDING ENVELOPE.

2. NEW ADUS CANNOT TAKE SPACE FROM AN EXISTING RESIDENTIAL UNIT
THE NEW UNIT IS AT THE BASEMENT LEVEL OF THE BUILDING AND DO NOT TAKE SPACE FROM EXISTING UNITS ABOVE.

3. ADUS WOULD BE RENT CONTROLLED THE EXISTING BUILDING IS SUBJECT TO RENT CONTROL
THE EXISTING BUILDING IS SUBJECT TO RENT CONTROL SO THE NEW UNIT WALL ALSO BE SUBJECT TO RENT CONTROL.

4. IN BUILDINGS W / 4 OR LESS UNITS ONE ADU MAY BE ADDED IN BUILDINGS W / MORE THAN 4 UNITS AN UNLIMITED NUMBER OF ADU MAY BE ADDED
THE BUILDING HAS 2 UNITS, THEREFORE ONE (1) ADU IS ALLOWED WITH IN THE EXISTING ENVELOPE.

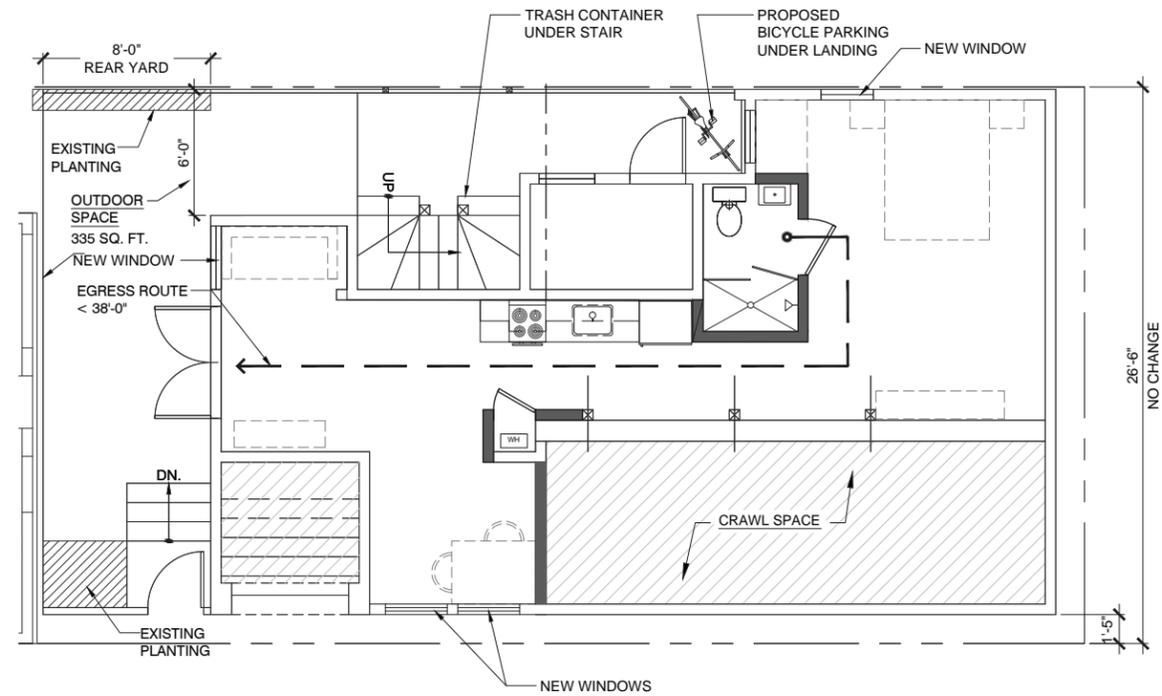
LANDSCAPING & PERMEABILITY

PURSUANT TO PLANNING CODE SECTION 132, NOT LESS THAN 20% ON THERE REQUIRED SETBACK AREA SHALL BE AND REMAIN UNPAVED AND DEVOTED TO PLANT MATERIAL AND THE FRONT SETBACK AREA SHALL BE AT LEAST 50% PERMEABLE SO AS TO INCREASE STORM WATER INFILTRATION.

STREET TREE

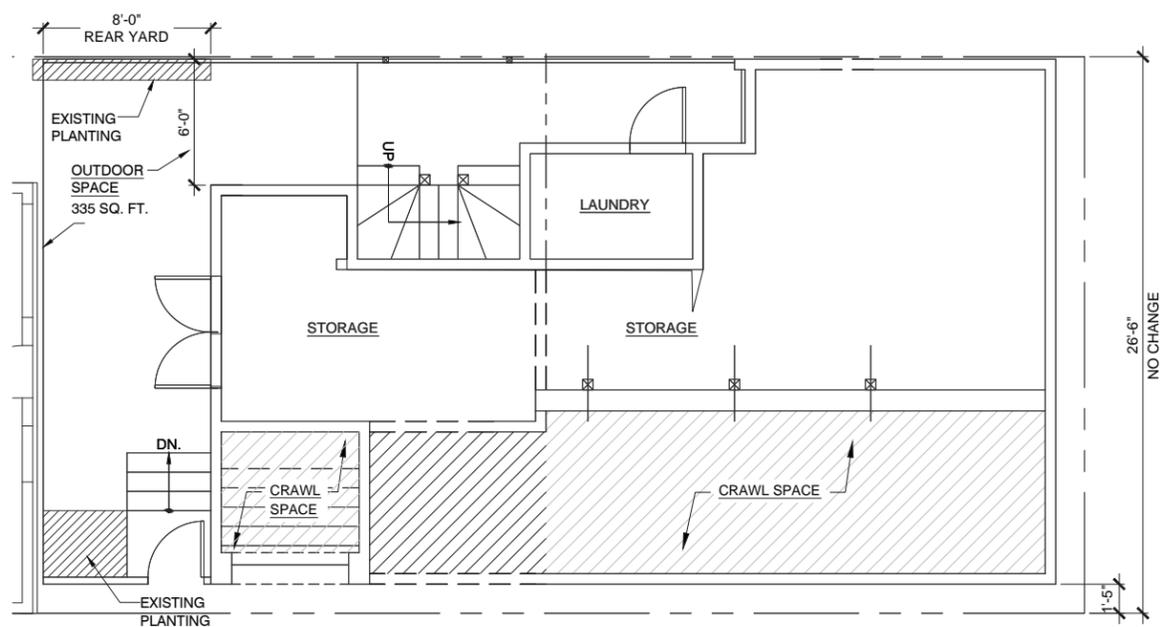
ONE TREE OF 24-INCH BOX SIZE IS REQUIRED FOR EACH 20-FEET OF FRONTAGE OF THE PROPERTY ALONG EACH STREET OR ALLEY, WITH ANY REMAINING FRACTION OF 10 FEET OR MORE OF FRONTAGE REQUIRING AN ADDITIONAL TREE.

ONE STREET TREE WILL BE ADDED TO THE 4 TREES THAT CURRENTLY EXIST.



1 PROPOSED BASEMENT FLOOR PLAN

Scale: 1/4" = 1'-0"



1 EXISTING BASEMENT FLOOR PLAN

Scale: 1/4" = 1'-0"



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NO.	REVISIONS:	DATE:

ISSUE DATE: PLAN CHECK RES. 08-25-17
SPACE PLAN: 08-21-17

DRAWING TITLE:

CODE REVIEW

DRAWING NUMBER:

A-0.2



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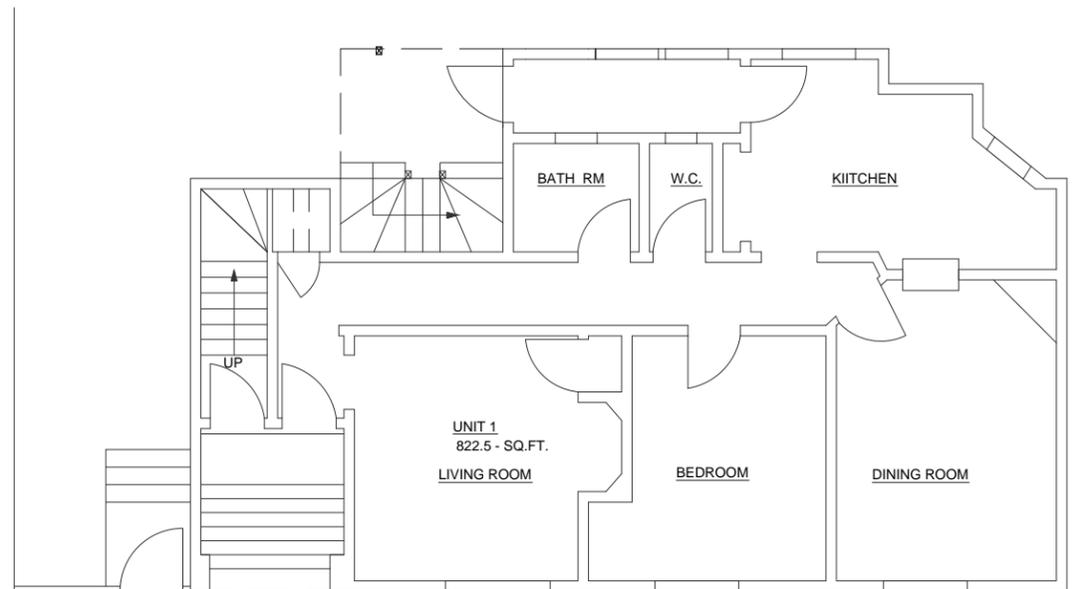
NO.	REVISIONS:	DATE:

ISSUE DATE: PLAN CHECK RES: 08-25-17
 SPACE PLAN: 08-21-17

DRAWING TITLE:
 EXISTING FLOOR PLANS

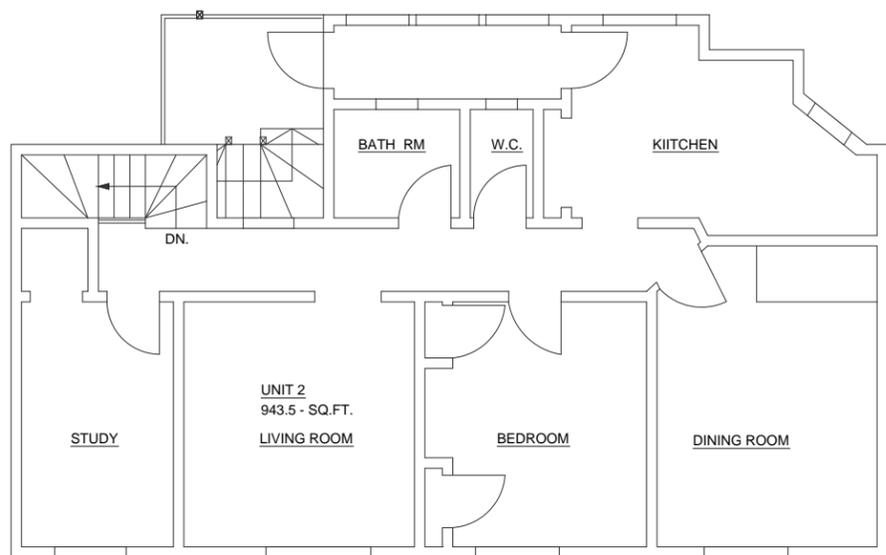
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A-1.0



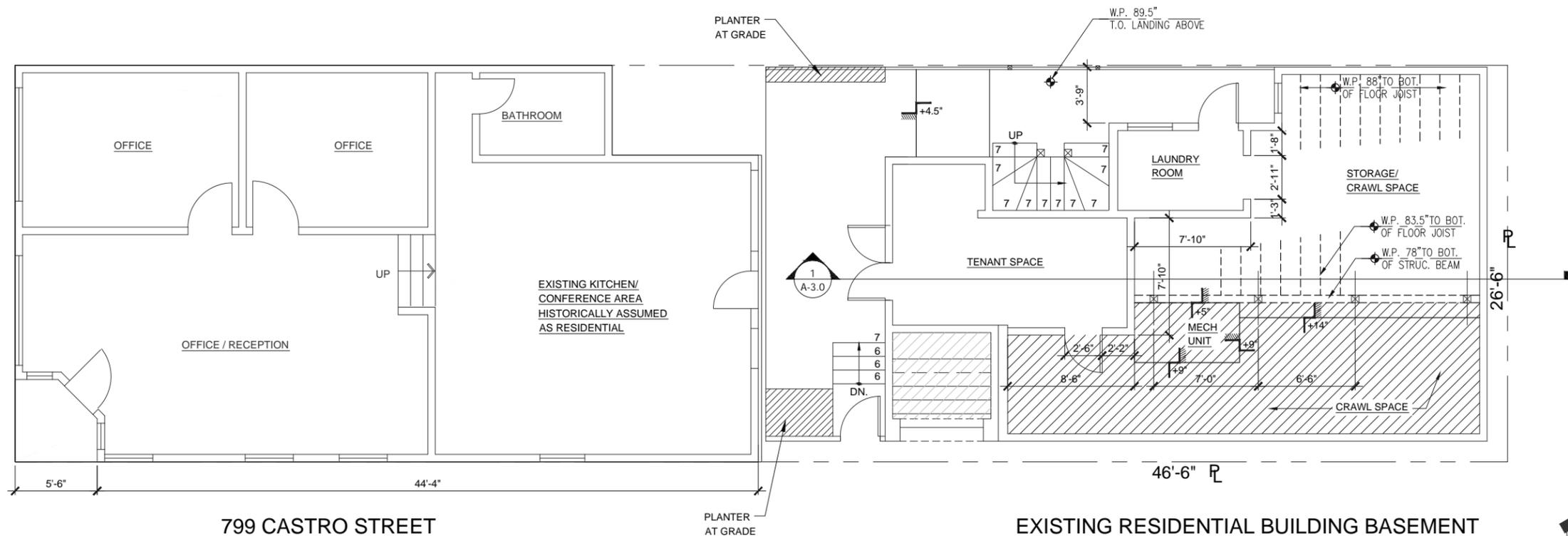
2 EXISTING FIRST FLOOR PLAN - 21st STREET

Scale: 1/4" = 1'-0"



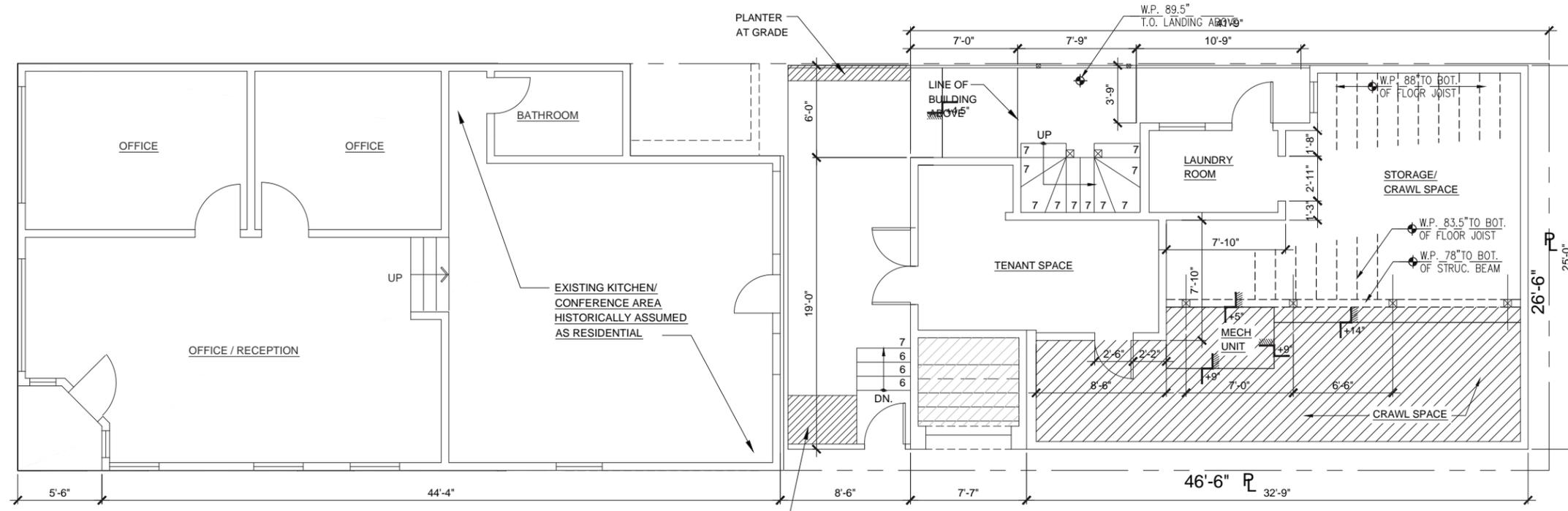
3 EXISTING SECOND FLOOR PLAN - 21st STREET

Scale: 1/4" = 1'-0"



1 EXISTING BASEMENT FLOOR PLAN

Scale: 1/4" = 1'-0"



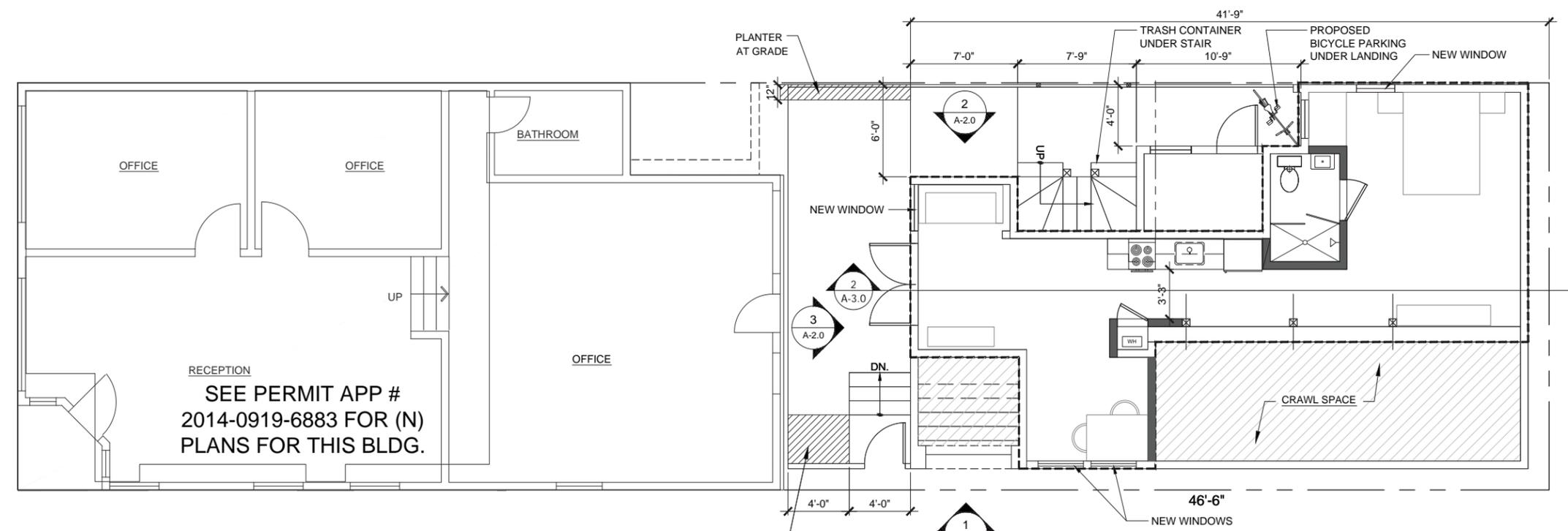
799 CASTRO STREET

EXISTING RESIDENTIAL BUILDING BASEMENT
3878 21st. STREET, SAN FRANCISCO, CA.



2 EXISTING BASEMENT FLOOR PLAN

Scale: 1/4" = 1'-0"



799 CASTRO STREET

PROPOSED UNIT IN EXISTING RESIDENTIAL BUILDING
3878 21st. STREET, SAN FRANCISCO, CA.



1 PROPOSED BASEMENT FLOOR PLAN

Scale: 1/4" = 1'-0"



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UNIT RELOCATION
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SAN FRANCISCO, CA 94114

NOTICE OF PREPAREDNESS
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NO.	REVISIONS:	DATE:

ISSUE DATE: PLAN CHECK RES: 08-25-17
SPACE PLAN: 08-21-17

DRAWING TITLE:
PROPOSED AND EXISTING PLANS

DRAWING NUMBER:

A-2.0



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 tel. 415-362-5857
 fax. 415-362-5044

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ARCHITECTURAL PROJECT NO.: 92232

UNIT RELOCATION
 3878 / 3880 21st. STREET
 SAN FRANCISCO, CA 94114

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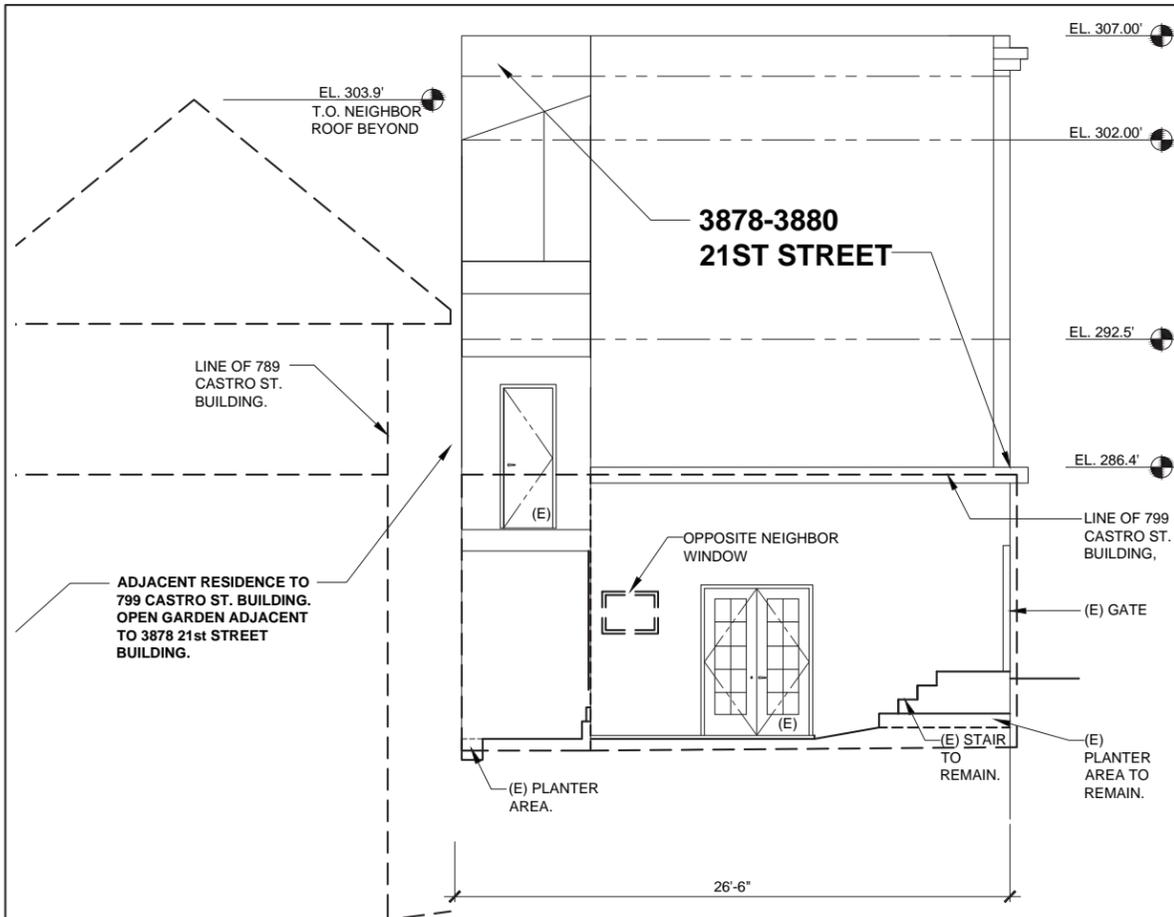
NO.	REVISIONS:	DATE:

ISSUE DATE: PLAN CHECK RES. 08-25-17
 SPACE PLAN: 08-21-17

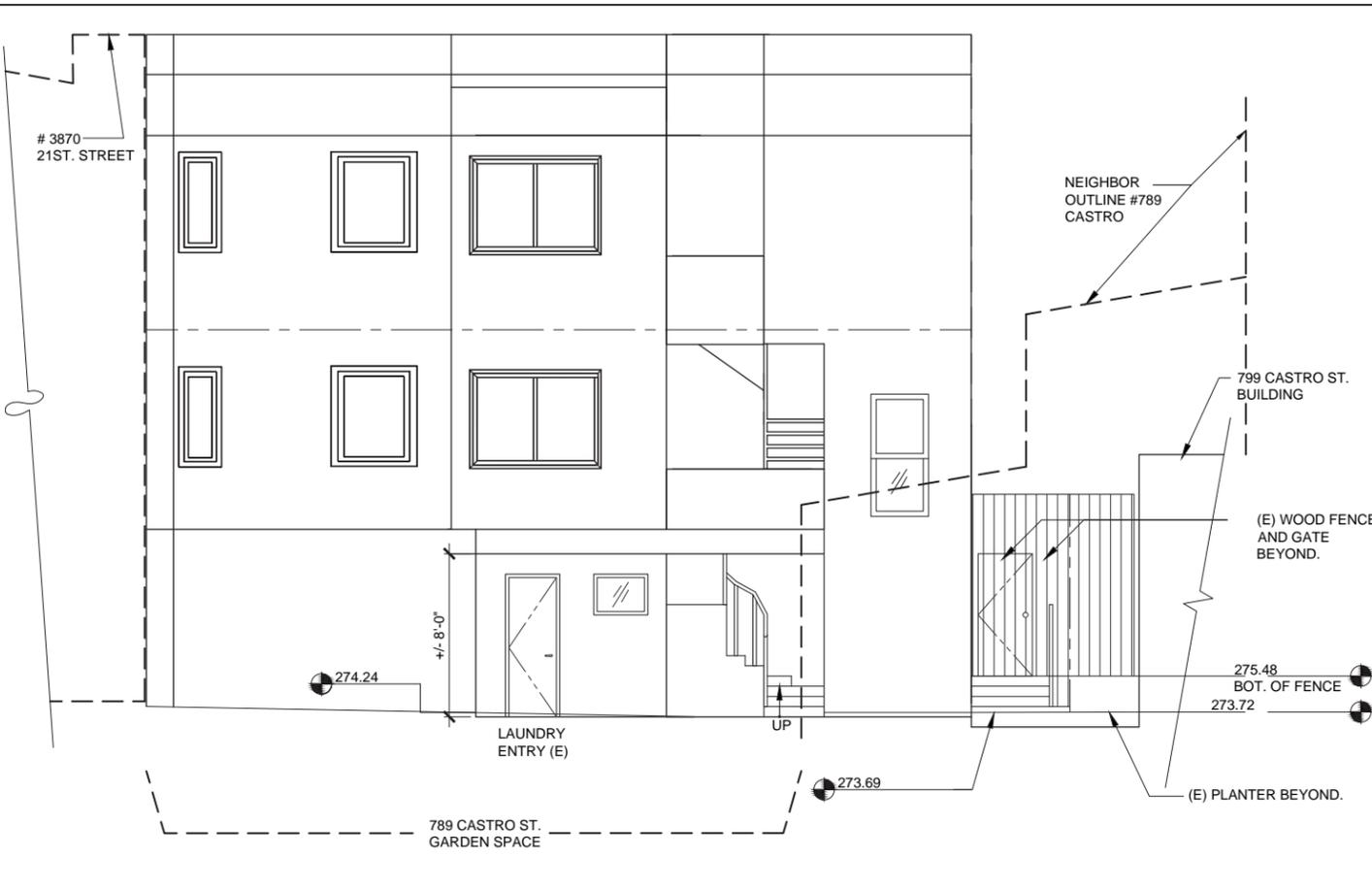
DRAWING TITLE:
EXISTING ELEVATIONS

DRAWING NUMBER:

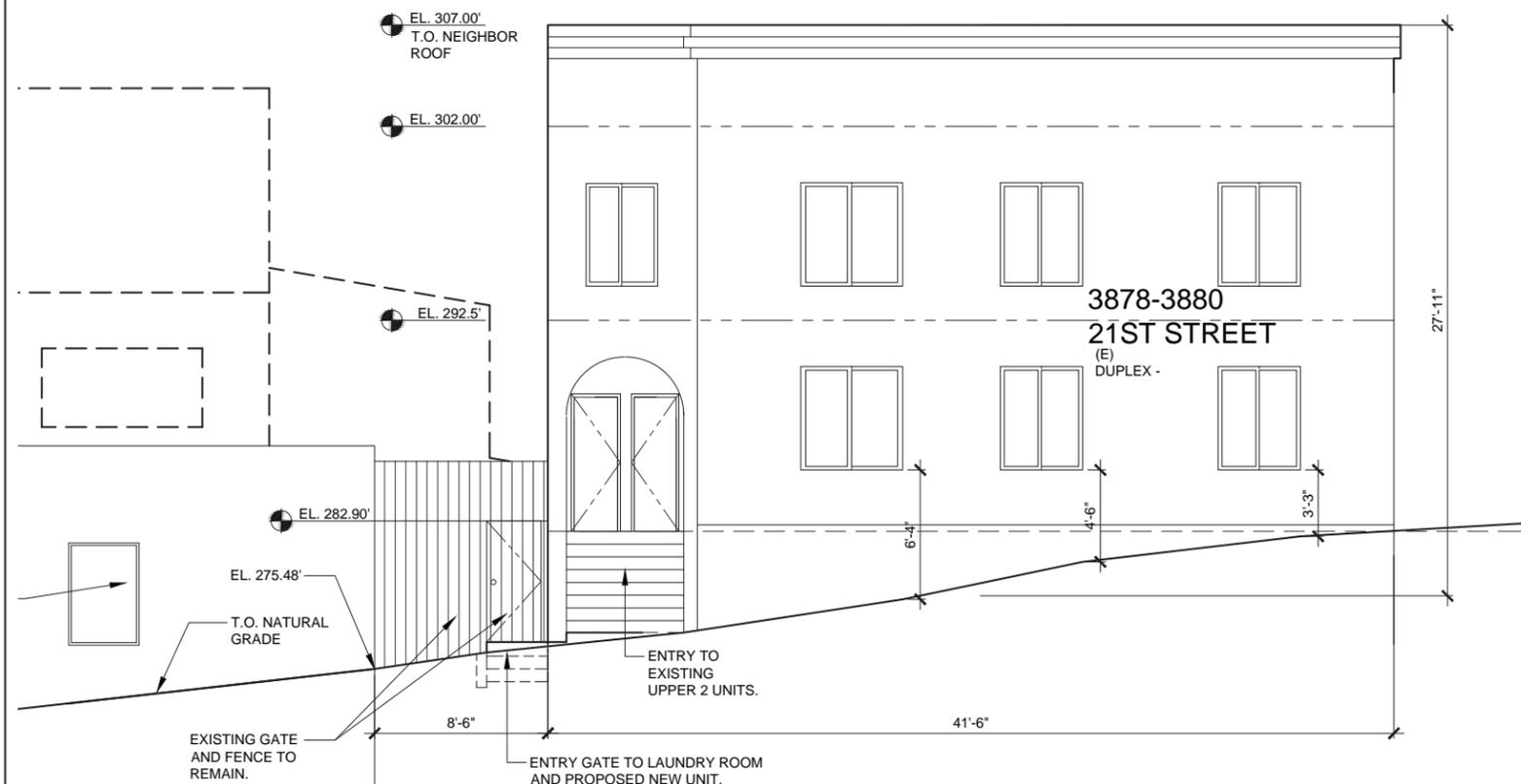
A-1.1



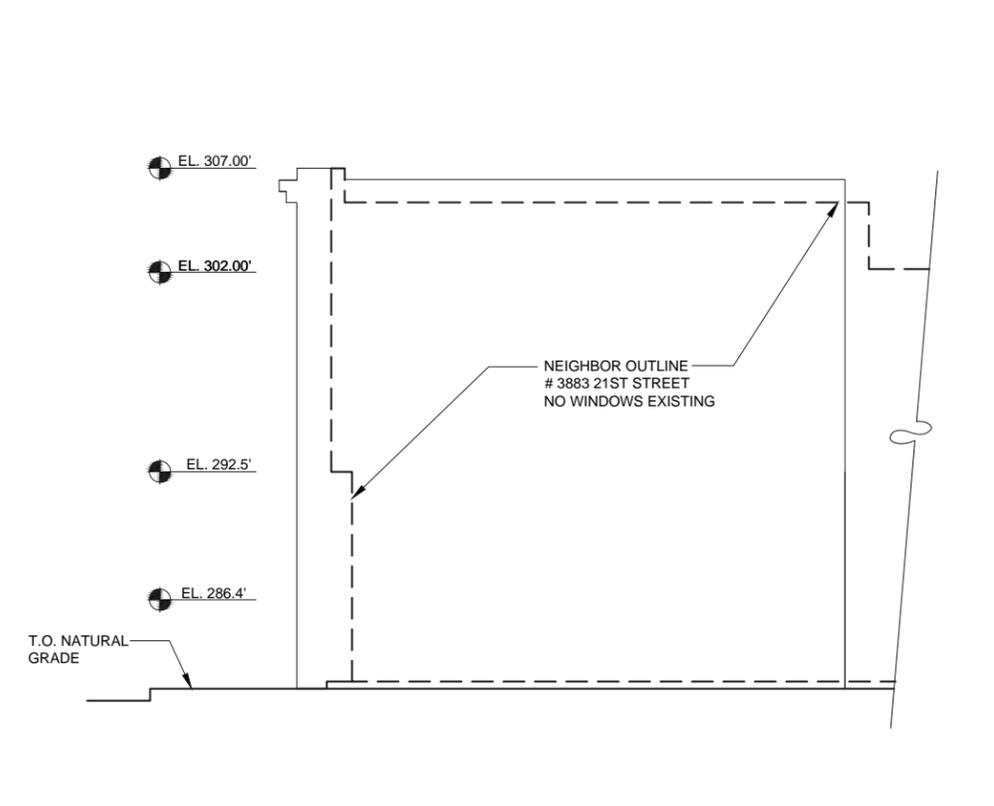
③ WEST ELEVATION - EXISTING (SERVICE TERRACE) Scale: 1/4" = 1'-0"



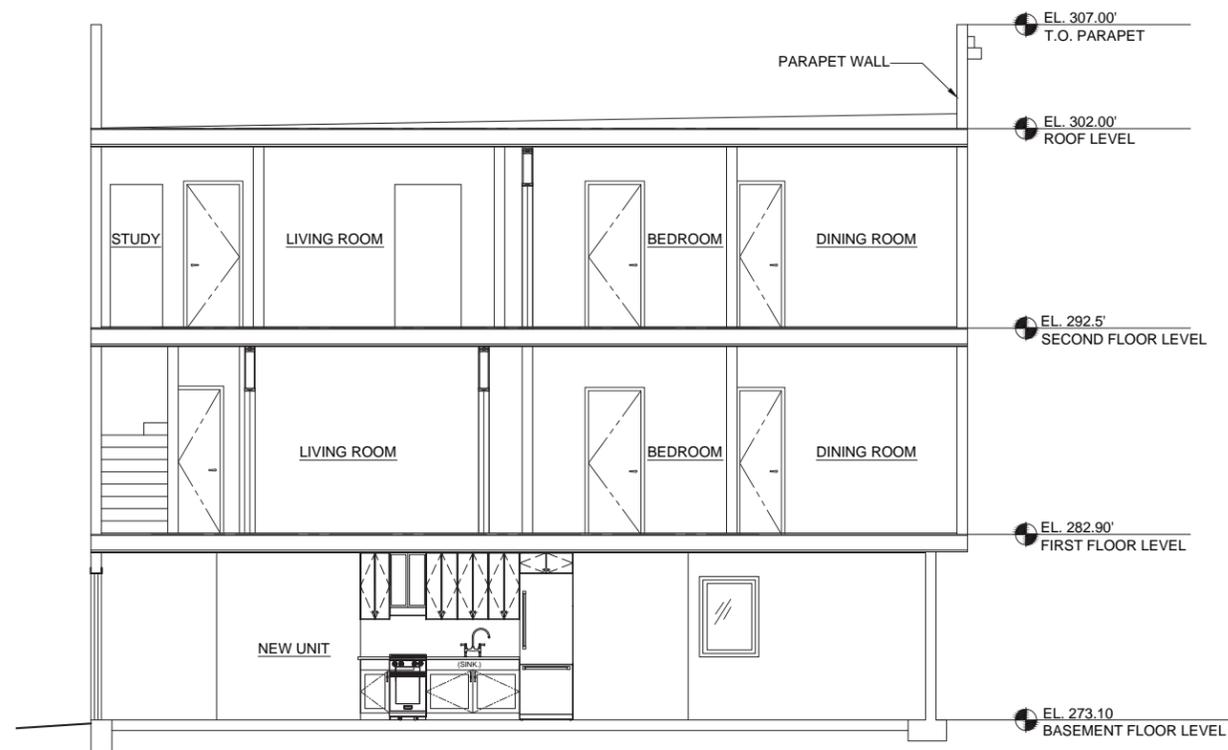
② NORTH ELEVATION - EXISTING Scale: 1/4" = 1'-0"



① SOUTH ELEVATION - 21ST STREET - EXISTING Scale: 1/4" = 1'-0"

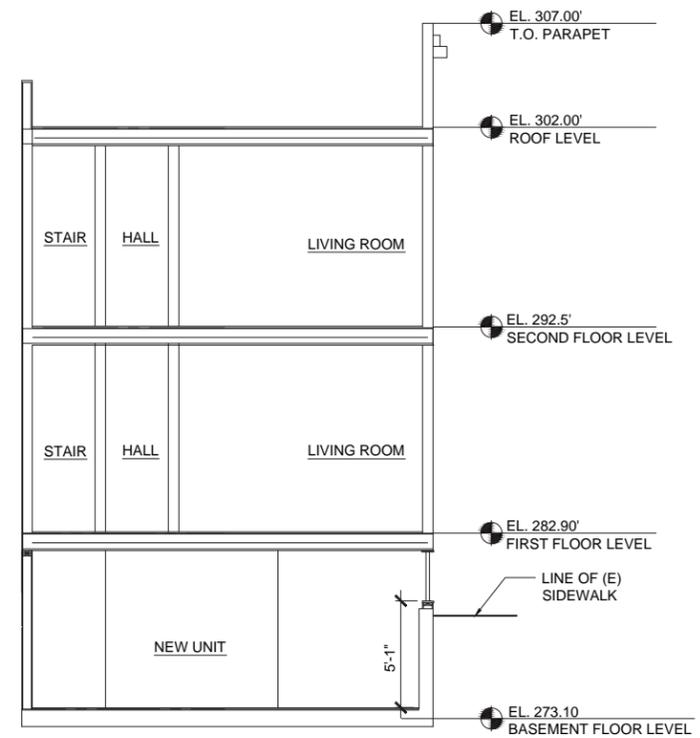


④ EAST ELEVATION - EXISTING Scale: 1/4" = 1'-0"



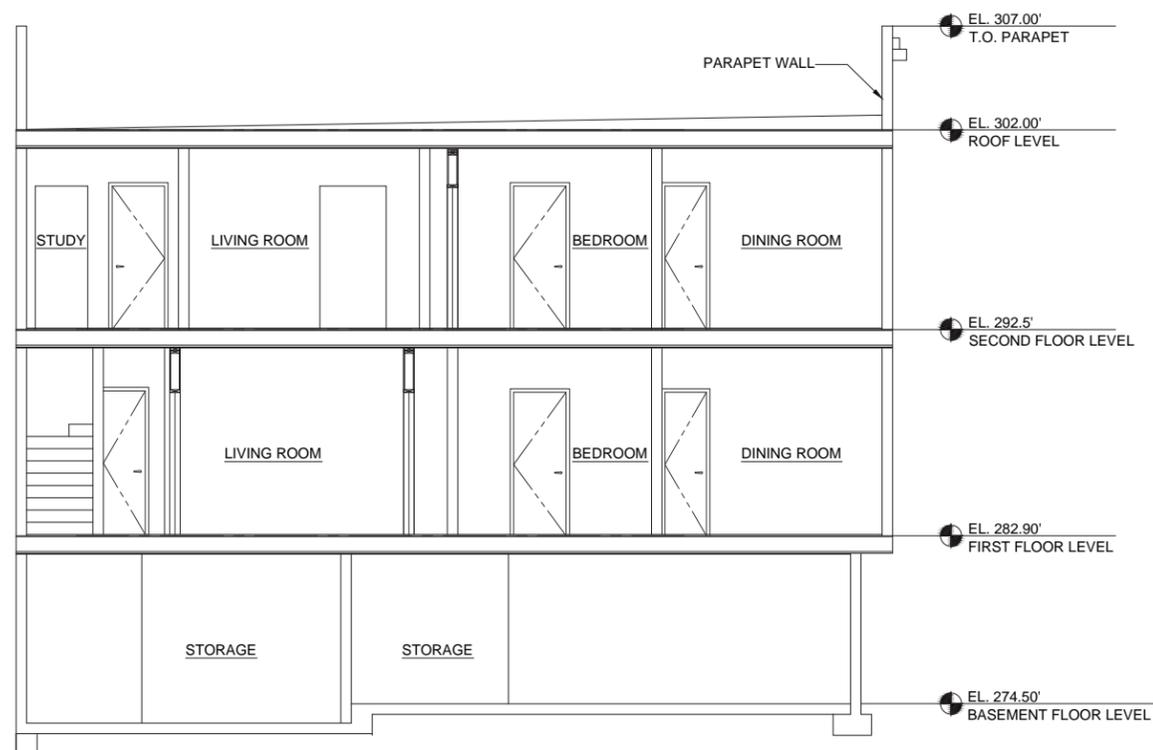
2 PROPOSED BUILDING SECTION - SOUTH

Scale: 1/4" = 1'-0"



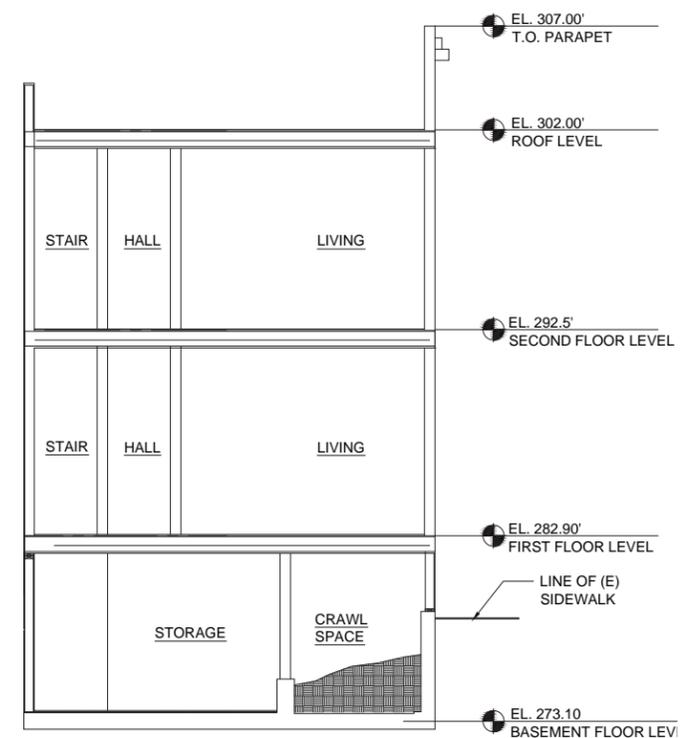
4 PROPOSED BUILDING SECTION - WEST

Scale: 1/4" = 1'-0"



1 EXISTING SECTION - 21ST STREET

Scale: 1/4" = 1'-0"



2 EXISTING BUILDING SECTION -WEST

Scale: 1/4" = 1'-0"



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ARCHITECTURAL PROJECT NO.: 92232

UNIT RELOCATION
3878 / 3880 21st. STREET
SAN FRANCISCO, CA 94114

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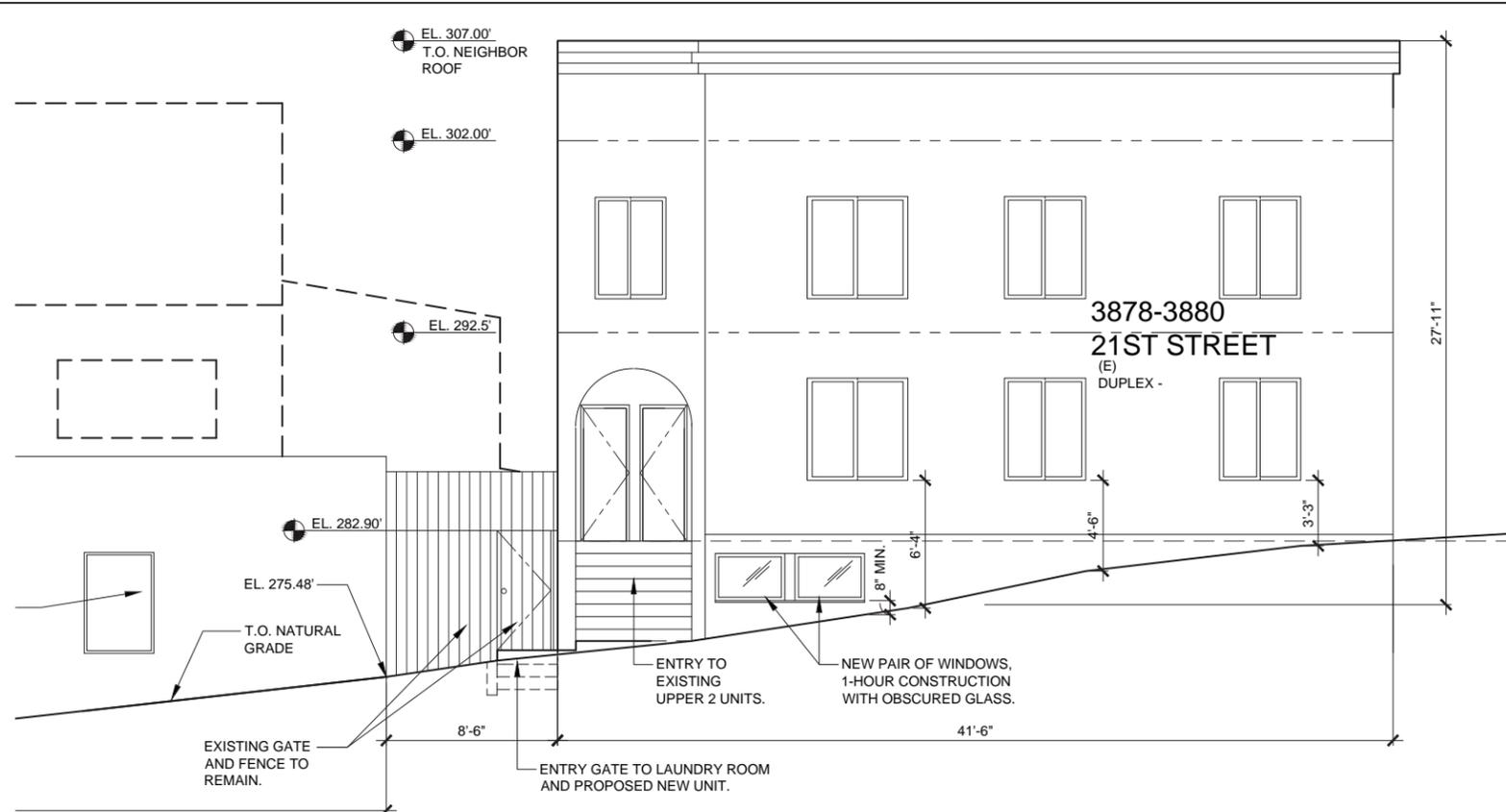
NO.	REVISIONS:	DATE:

ISSUE DATE: PLAN CHECK REV. 09-28-17
SPACE PLAN: 08-21-17

DRAWING TITLE:
PROPOSED AND EXISTING SECTIONS

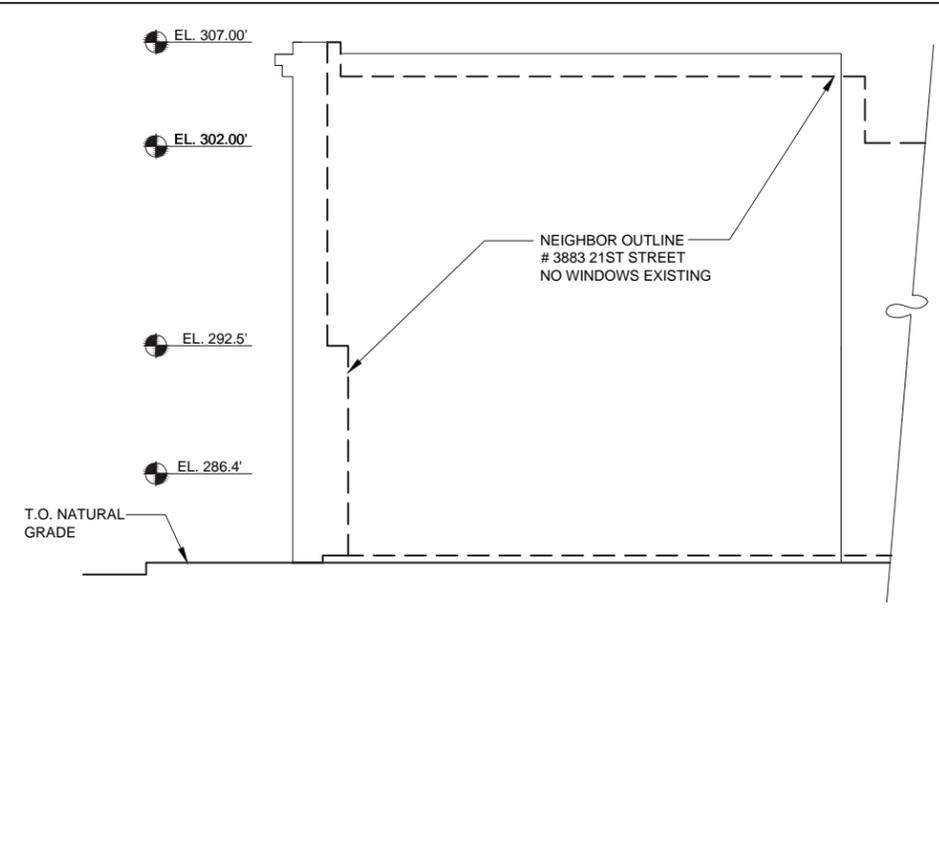
DRAWING NUMBER:

A-3.0



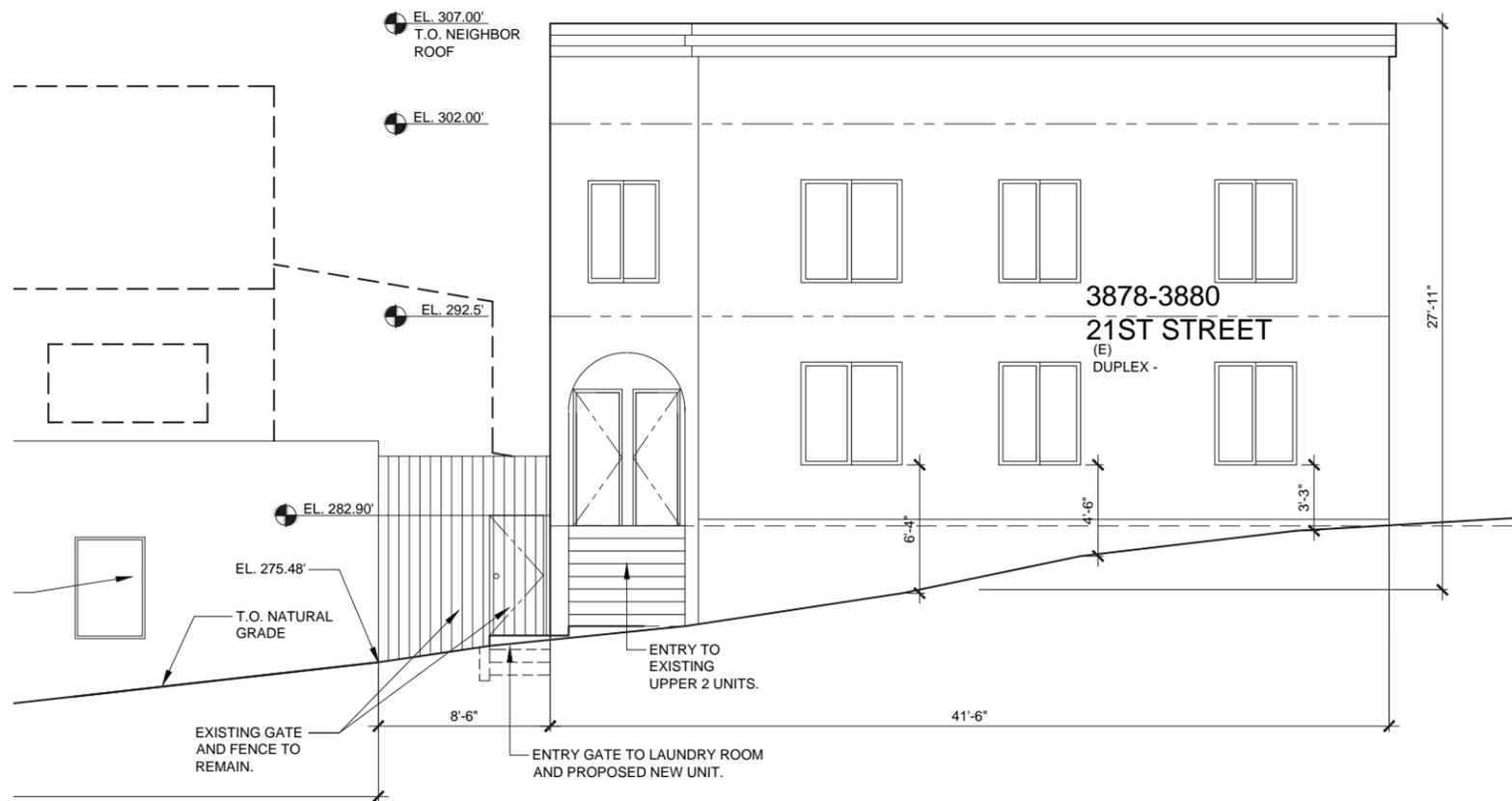
2 SOUTH ELEVATION - 21ST STREET - PROPOSED

Scale: 1/4" = 1'-0"



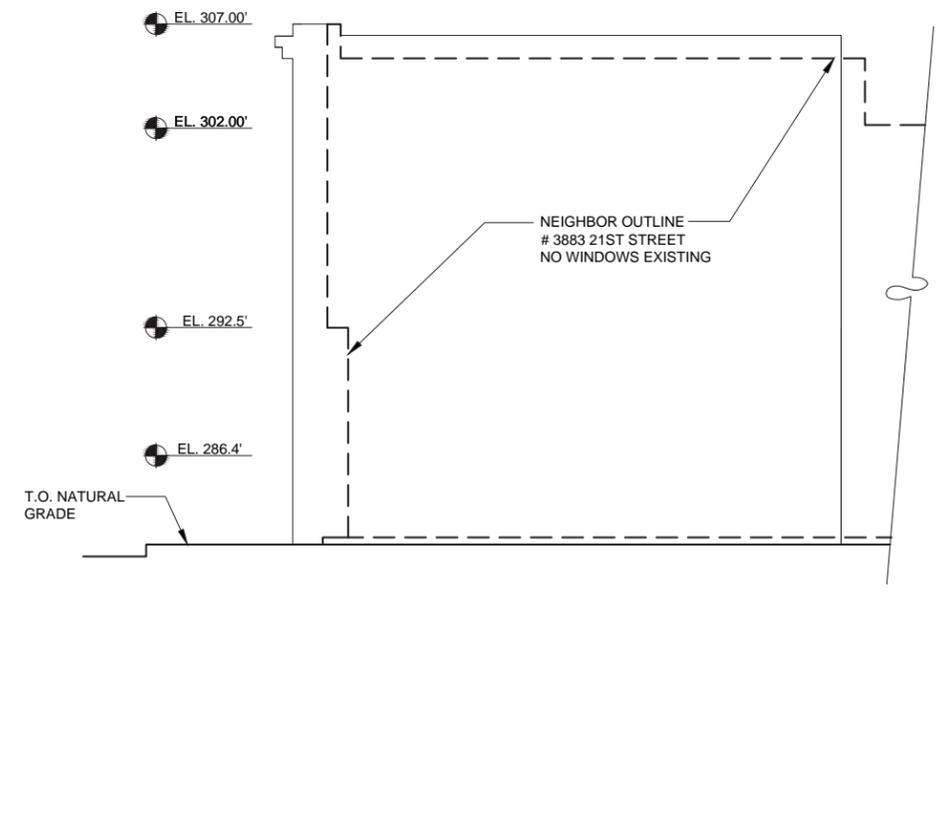
4 EAST ELEVATION - PROPOSED (NO CHANGE)

Scale: 1/4" = 1'-0"



1 SOUTH ELEVATION - 21ST STREET - EXISTING

Scale: 1/4" = 1'-0"



3 EAST ELEVATION - EXISTING

Scale: 1/4" = 1'-0"



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ARCHITECTURAL PROJECT NO.: 92232

UNIT RELOCATION
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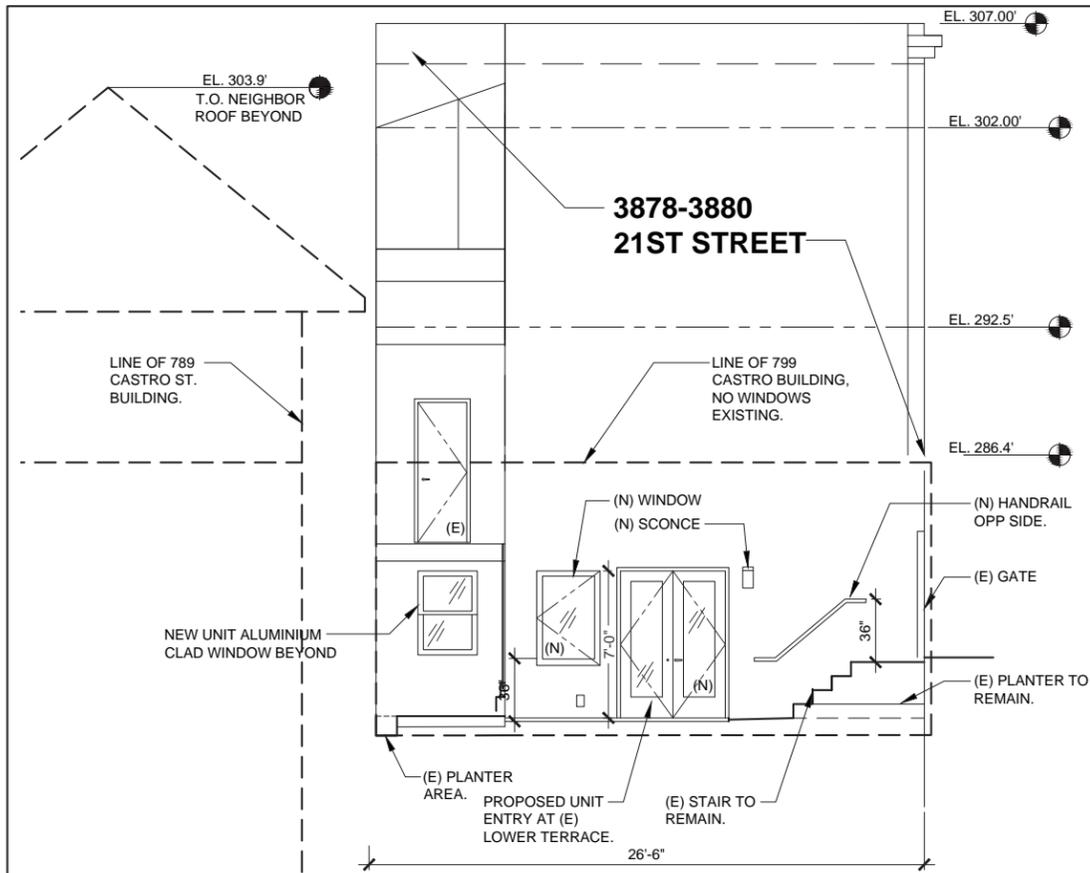
NO.	REVISIONS	DATE

ISSUE DATE: PLAN CHECK RES. 08-25-17
SPACE PLAN: 08-21-17

DRAWING TITLE:
PROPOSED AND EXISTING ELEVATIONS

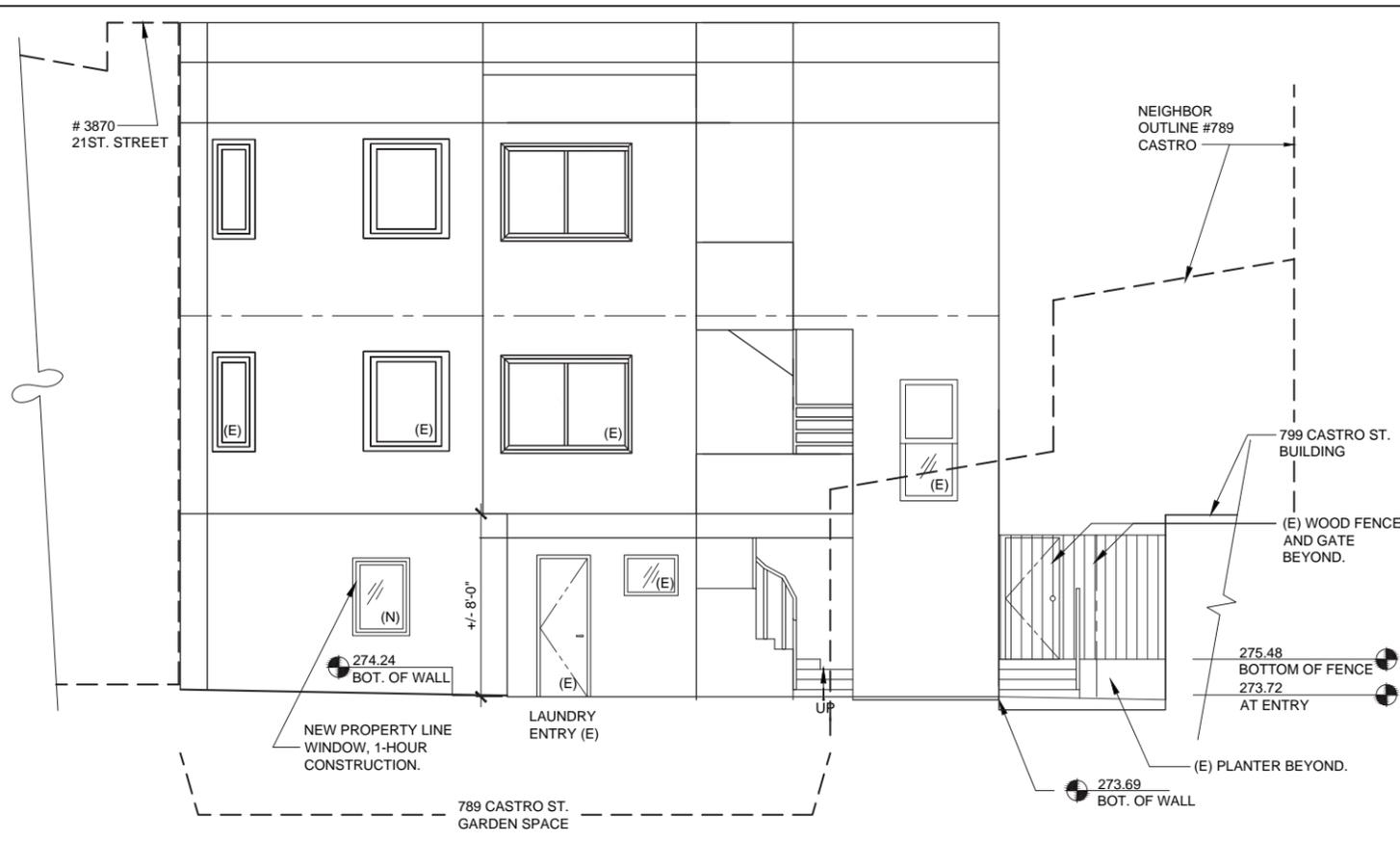
DRAWING NUMBER:

A-4.0



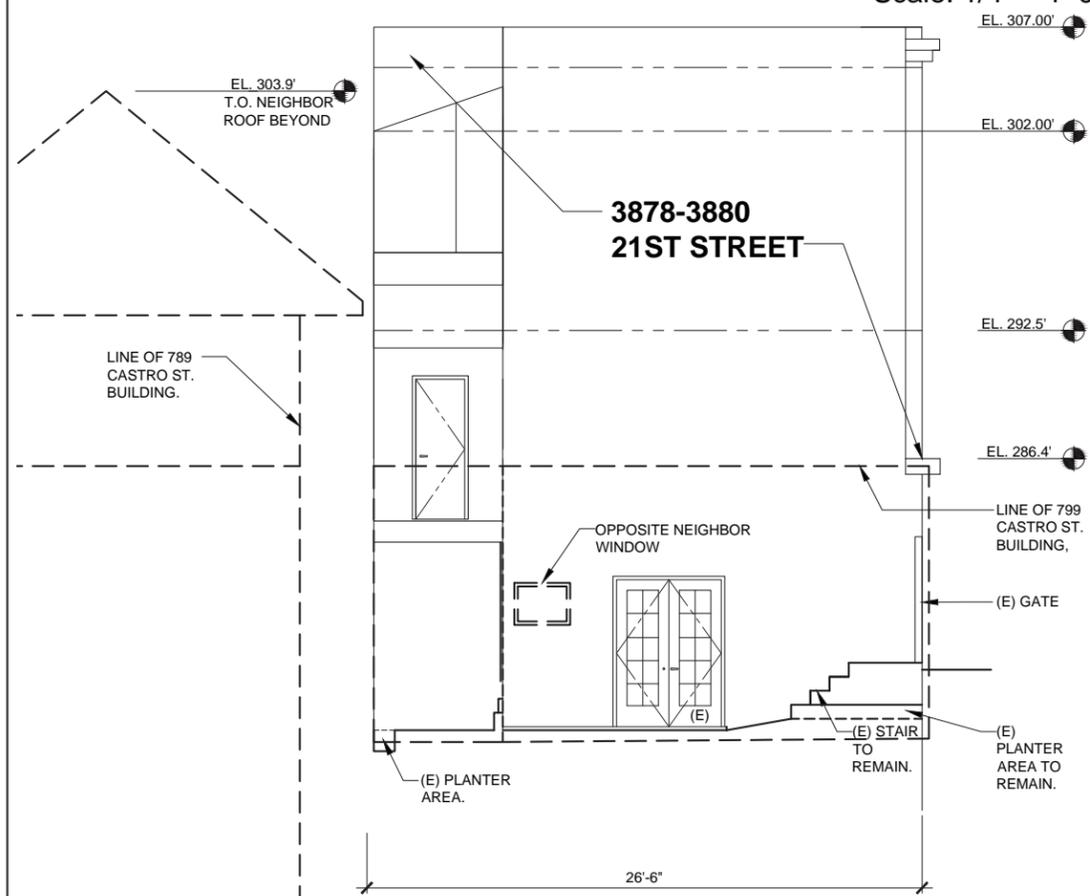
3 PROPOSED WEST ELEVATION - (ENTRY TERRACE)

Scale: 1/4" = 1'-0"



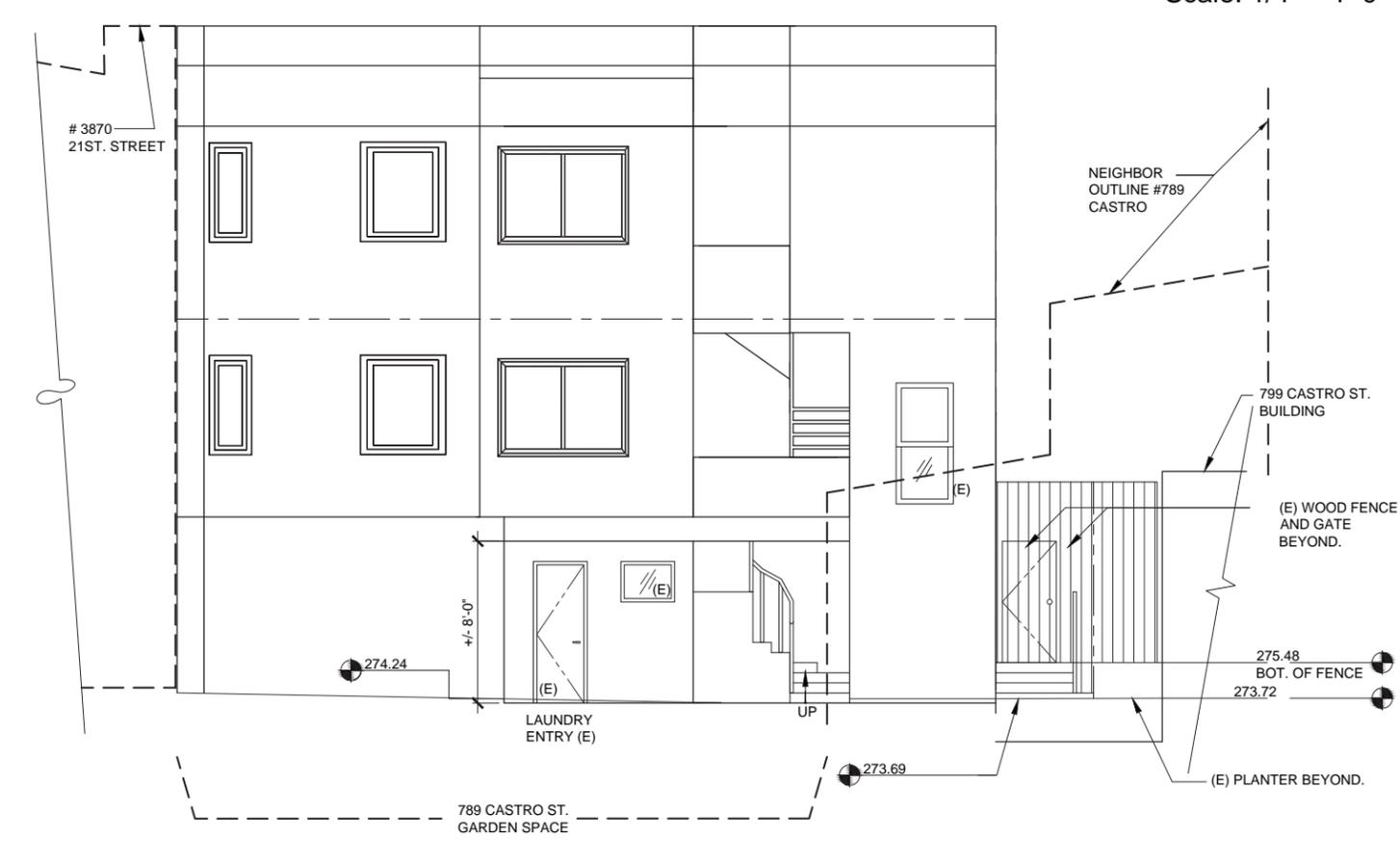
2 PROPOSED NORTH ELEVATION

Scale: 1/4" = 1'-0"



1 EXISTING WEST ELEVATION - (SERVICE TERRACE)

Scale: 1/4" = 1'-0"



4 EXISTING NORTH ELEVATION

Scale: 1/4" = 1'-0"



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ARCHITECTURAL PROJECT NO.: 92232

UNIT RELOCATION
3878 / 3880 21st. STREET
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NO.	REVISIONS:	DATE:

ISSUE DATE: PLAN CHECK REV. 09-28-17
SPACE PLAN: 08-21-17

DRAWING TITLE:
PROPOSED AND EXISTING ELEVATIONS

DRAWING NUMBER:

A-4.1



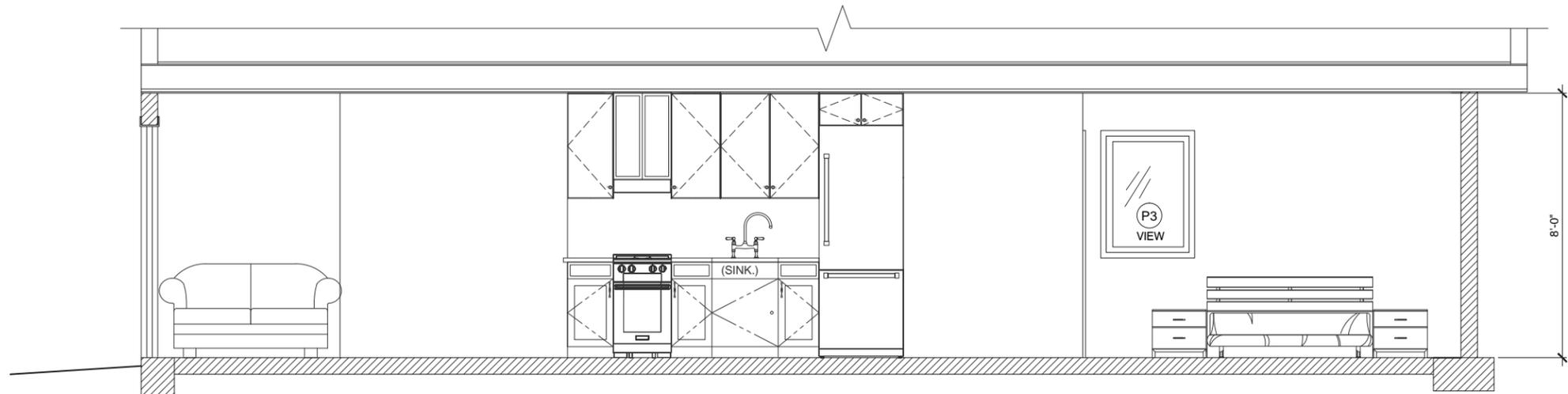
P3 VIEW



P2 VIEW

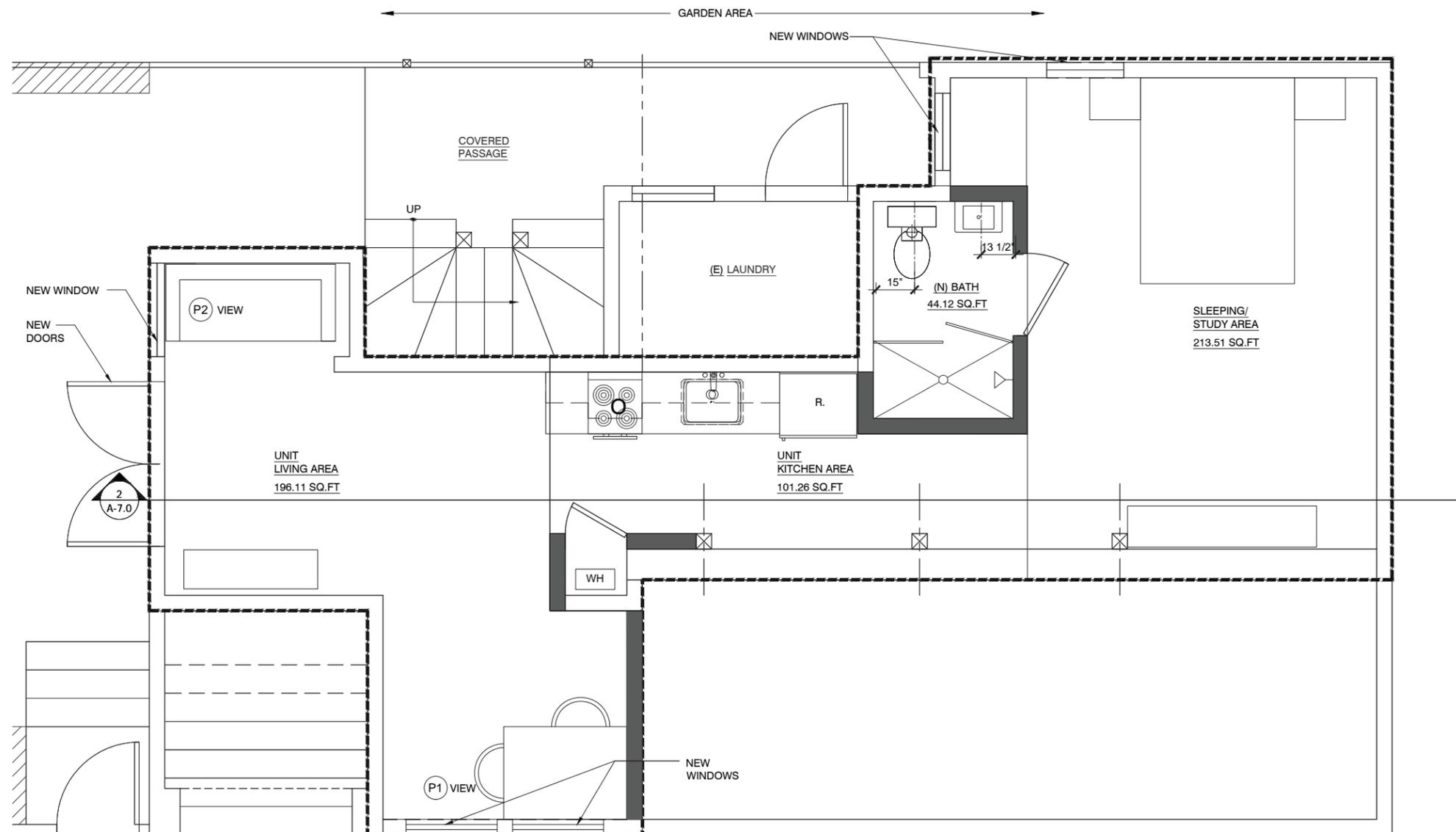


P1 VIEW



2 SECTION

Scale: 1/2" = 1'-0"



1 PROPOSED PLAN

Scale: 1/2" = 1'-0"



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ARCHITECTURAL PROJECT NO.: 92232

UNIT RELOCATION

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NO. REVISIONS: DATE:

ISSUE DATE: PLAN CHECK REV. 09-28-17
SPACE PLAN: 08-21-17

DRAWING TITLE:
ENLARGED PLAN AND SECTION OF UNIT.

DRAWING NUMBER:

A-7.0

EXHIBIT D

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DEPARTMENT OF BUILDING INSPECTION DEPARTMENTAL USE ONLY

APPROVED
 AUG 2 1980
 462747
 AUG - 4 1980

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

APPLICATION MADE TO THE DEPARTMENT OF PUBLIC WORKS OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH:

(1) STREET ADDRESS OF JOB: **799 CASTRO San Francisco, Ca. 94114**
 (2) ESTIMATED COST OF JOB: **\$10,000**

DESCRIPTION OF EXISTING BUILDING										
(1A) TYPE OF CONSTR. 1-10	(1B) NUMBER OF STORIES OF OCCUPANCY	(1C) NUMBER OF BATHROOMS AND CELLARS	(1D) PROPOSED USE	(1E) BLDG CODE OCCUP CLASS	(1F) NO. OF DWELLING UNITS					
1010304052	1	0	Small Corner Market	F2	0					
DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION										
(2) TYPE OF CONSTR. 1-10	(3) NUMBER OF STORIES OF OCCUPANCY	(4) NUMBER OF BATHROOMS AND CELLARS	(5) PROPOSED USE	(6) BLDG CODE OCCUP CLASS	(7) NO. OF DWELLING UNITS					
1010304053	1	0	Office	F2	0					
(10A) DOES ALTERATION CREATE ADDITIONAL STORY TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) IF YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT.	FL.	(11A) DOES THIS ALTERATION INCREASE FOOT OR HORIZ EXTENSION TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) IF YES, STATE NEW SQUARE FLOOR AREA.				SQ. FT.
(14) WILL EXISTING OVER-SPANNING WALLS BE REPAIRED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(14) WILL BUILDING EXISTING BEYOND PROPERTY LINE?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(17) IS AUTO REFRIGERATION TO BE INSTALLED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(17) WILL LOBBY SPACE BE USED DURING CONSTRUCTION?				YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(15) ANY OTHER EXISTING BLDG. ON LOT? IF YES, PROP. OR FLOOR PLAN?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(16) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) ELECTRICAL WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(19) PLUMBING WORK TO BE PERFORMED?				YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(20) GENERAL CONTRACTOR		ADDRESS		PHONE		CALIF. LICENSE NO.				
Owner		3880 21st St.		441-1218						
(21) ARCHITECT OR ENGINEER (DESIGN)		CONSTRUCTION		ADDRESS		CALIF. CERTIFICATE NO.				
None										
(22) CONSTRUCTION UNDER ENTER NAME AND BRANCH DESIGNATION IF ANY IF THERE IS NO KNOWN CONSTRUCTION UNDER, ENTER "UNKNOWN".										
None										
(23) OWNER - (CHECK ONE)		ADDRESS		PHONE FOR CONTACT BY BUREAU						
Scott Caborn		3880 21st St. S.F. Ca. 94102								
(24) STATE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION REFERENCE TO PLANS IF NOT SUFFICIENT:										
<p>Change market to office use (owner occupy). No structural changes. Change 1 existing door to window, put in one new window and one new door. Replace 2 existing windows. New bathroom fixtures and copper plumbing. New electrical. Two new interior stud wall partitions. New drywall in part. New concrete foundation wall on property to support small decks. Repair or replace deck area between building. New slat and gas HW heater. Carpet floor, paint, some redwood panelling, light fixtures, new railings.</p>										

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit conforming with such change. See Sec. 102, 104A, 104B, 104C, 302, 302.1, San Francisco Building Code and Sec. 104, San Francisco Housing Code. No portion of building or structure or installation need during construction, to be clear than 6" to any one existing more than 750 feet. See Sec. 305, California Penal Code.

Pursuant to Sec. 302A.8, San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approval plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines, and this together with complete details of retaining walls and wall footings revised must be submitted to this bureau for approval.

ANY ALTERATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (15) (16) (17) (18) (19) OR (22). THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

PERMITS FOR ALL INSTALLATIONS MUST HAVE A CLEARANCE OF NOT LESS THAN TWO INCHES FROM ALL ELECTRICAL WIRES OR EQUIPMENT.

CHECK APPROPRIATE BOX

OWNER ARCHITECT ENGINEER

ISSUED AGENT WITH POWER OF ATTORNEY

CONTRACTOR ATTORNEY IN FACT

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THEREIN WILL BE COMPLIED WITH.

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The Permittee by acceptance of this permit, agrees to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under the permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands and actions.

In conformity with the provisions of Section 5500 of the Labor Code of the State of California, the applicant shall have on file, or file with the Chief Permit Examiner, either Certificate (I) or (II) or (III) designated below or that indicate item (IV) or (V) or (VI) below, whichever is applicable. If however, item (VI) is checked then item (V) must be checked as well. Mark the appropriate method of compliance below:

- () I. Certificate of Consent to Self-insure issued by the Director of Industrial Relations.
- () II. Certificate of Workmen's Compensation Insurance issued by an admitted insurer.
- () III. An exact copy or duplicate of (I) certified by the Director or (II).
- () IV. The cost of the work to be performed is \$100 or less.
- () V. I certify that in the performance of the work for which this Permit is issued, I shall not employ any person in any manner so as to be covered by the workmen's compensation laws of California. I further acknowledge that I understand, in the event that I should become subject to the workmen's compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 5500 of the Labor Code, that the Permit herein applied for shall be deemed revoked.
- () VI. I certify as the owner (or the agent of the owner) that in the performance of the work for which this Permit is issued, I will employ a Contractor who complies with the workmen's compensation laws of California and who has on file, or pays to the commissioner of any work will file, with the Chief Permit Examiner evidence that workmen's compensation insurance is carried.

APPLICANT'S SIGNATURE: Scott Caborn DATE: 6/19/80

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DEPARTMENT OF BUILDINGS

CONDITIONS AND STIPULATIONS

<p>APPROVED: _____</p> <p>The approval of this application and issuance of permit applies to specified work only and does not constitute an approval of the building.</p> <p><i>Arthur 7/1/80</i> BUILDING INSPECTOR, BUL. OF BLDG. DEPT.</p>	<p>DATE: _____</p> <p>REASON: _____</p> <p>6/26/80 Hold per 2 sets of plans NOTIFIED MR. <i>Owner</i></p>
<p>APPROVED: <i>open plan</i></p> <p><i>3/03/84</i> <i>RH-2</i></p> <p>CATEGORICALLY EXEMPT FROM BUILDING DEPARTMENT OF CITY PLANNING</p> <p><i>Ray 7-8-80</i> DEPARTMENT OF CITY PLANNING</p>	<p>DATE: _____</p> <p>REASON: _____</p> <p>NOTIFIED MR. _____</p>
<p>APPROVED: _____</p> <p>BUREAU OF FIRE PREVENTION & PUBLIC SAFETY</p>	<p>DATE: _____</p> <p>REASON: _____</p> <p>NOTIFIED MR. _____</p>
<p>APPROVED: _____</p> <p><i>WR 7-31-80</i> CIVIL ENGINEER, BUL. OF BLDG. INSPECTION</p>	<p>DATE: _____</p> <p>REASON: _____</p> <p>NOTIFIED MR. _____</p>
<p>APPROVED: _____</p> <p>BUREAU OF ENGINEERING</p>	<p>DATE: _____</p> <p>REASON: _____</p> <p>NOTIFIED MR. _____</p>
<p>APPROVED: _____</p> <p>DEPARTMENT OF PUBLIC HEALTH</p>	<p>DATE: _____</p> <p>REASON: _____</p> <p>NOTIFIED MR. _____</p>
<p>APPROVED: _____</p> <p>REDEVELOPMENT AGENCY</p>	<p>DATE: _____</p> <p>REASON: _____</p> <p>NOTIFIED MR. _____</p>
<p>APPROVED: _____</p> <p>RESIDENTIAL ENV. INSPECTOR, DIV. OF ART & HOTELING, B.U.</p>	<p>DATE: _____</p> <p>REASON: _____</p> <p>NOTIFIED MR. _____</p>
<p>APPROVED: _____</p>	<p>DATE: _____</p> <p>REASON: _____</p> <p>NOTIFIED MR. _____</p>

HOLD SECTION — NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I AGREE TO COMPLY WITH ALL CONDITIONS OR STIPULATIONS OF THE VARIOUS BUREAUS OR DEPARTMENTS NOTED ON THIS APPLICATION, AND ATTACHED STATEMENTS OF CONDITIONS OR STIPULATIONS WHICH ARE HEREBY MADE A PART OF THIS APPLICATION. NUMBER OF ATTACHMENTS []

Stall Coburn
SIGNATURE OF OWNER, LESSEE OR AUTHORIZED AGENT FOR OWNER OR LESSEE

EXHIBIT E



* This CFC is for PA 8005432
which is for a change
From Market store to office

* PA 8005432 was signed
off on Feb 4th 1981 but
no CFC was given. OS required

CERTIFICATE OF FINAL COMPLETION AND OCCUPANCY

LOCATION: 799 Castro St
(number) (street)

3603/024
(block and lot)

Permit Application No: 8005432 / Type of Construction: IB Stories: 1 Dwelling Units: 0

Basements: 0 Occupancy Classification: B No. of Guestrooms: 0 with cooking facilities: 0

Description of Construction: Change Market to office (owner occupy) No structural changes
change one existing door to window, new window and new door, new bathroom fixtures and
copper plumbing, new concrete foundation wall on property to support small decks
This permit was for change Market store to office per permit and plans
A separate structure exists on the lot which is a 2 story 2 unit residential building 3878-3880

To the best of our knowledge, the construction described above has been completed and, effective as of the date the building permit application was filed, conforms both to the Ordinances of the City and County of San Francisco and to the Laws of the State of California. The above referenced occupancy classification is approved pursuant to Section 109A of the San Francisco Building Code.

Any change in the use or occupancy of these premises--or any change to the building or premises--could cause the property to be in violation of the Municipal Codes of the City and County of San Francisco and, thereby, would invalidate this Certificate of Final Completion and Occupancy. A copy of this Certificate shall be maintained on the premises and shall be available at all times. Another copy of this Certificate should be kept with your important property documents.

Before making any changes to the structure in the future, please contact the Department of Building Inspection, which will provide advice regarding any change that you wish to make and will assist you in making the change in accordance with the Municipal Codes of the City and County of San Francisco.

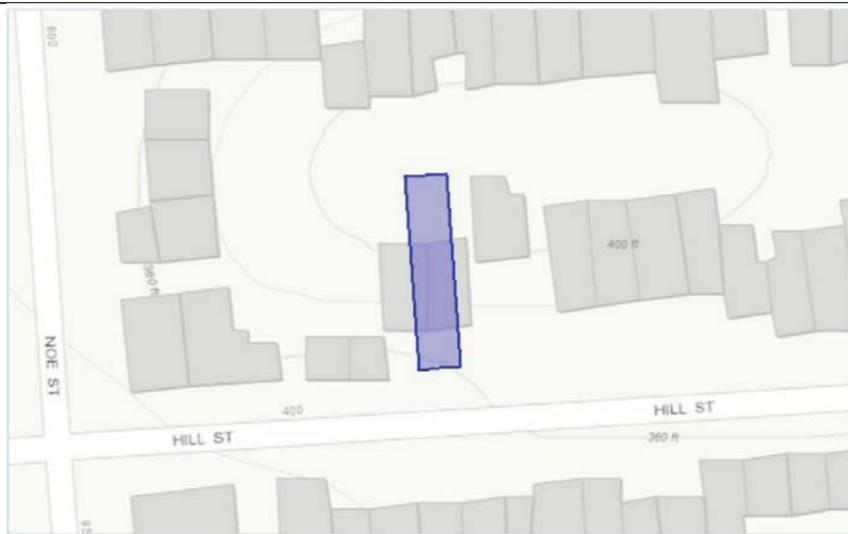
This certificate issued on: Aug 31st 2015

* PA 8005432 was signed off
Tom C. Hui on Feb 4th 1981 but CFC was
NOT ISSUED.

by: Joseph Duffy (Signature) Building Inspector
Printed Name: Joseph Duffy

Copies: White (original to microfilm); Blue (to property owner); Yellow (to Building Inspector); Pink (to Housing Inspector) 0

EXHIBIT F



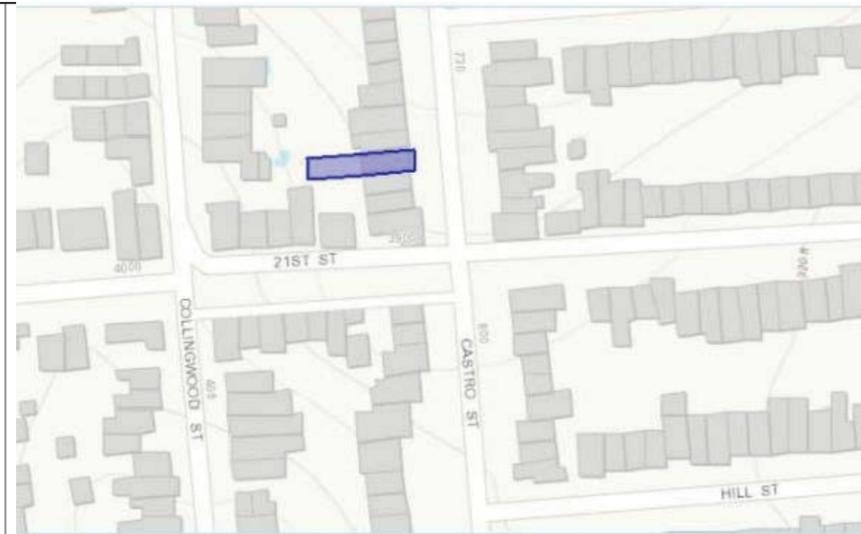
- ADDRESS: 464 HILL ST, SAN FRANCISCO, CA 94114
 - PARCEL: 3621064
 - ASSESSED VALUES:
 - LAND: \$1,836,510.00
 - STRUCTURE: \$1,224,334.00
 - FIXTURES: -
 - PERSONAL PROPERTY: -
 - LAST SALE: 7/5/2000
 - LAST SALE PRICE: \$2,357,500.00
 - YEAR BUILT: 1890
 - BUILDING AREA: 3,088 SQ FT
 - PARCEL AREA: 2,850 SQ FT
- PARCEL SHAPE: -
 - PARCEL FRONTAGE: -
 - PARCEL DEPTH: 14 FT
 - CONSTRUCTION TYPE: WOOD OR STEEL FRAME
 - USE TYPE: DWELLING
 - UNITS: 1
 - STORIES: 3
 - ROOMS: 9
 - BEDROOMS: 3
 - BATHROOMS: 3
 - BASEMENT: -

464 HILL STREET



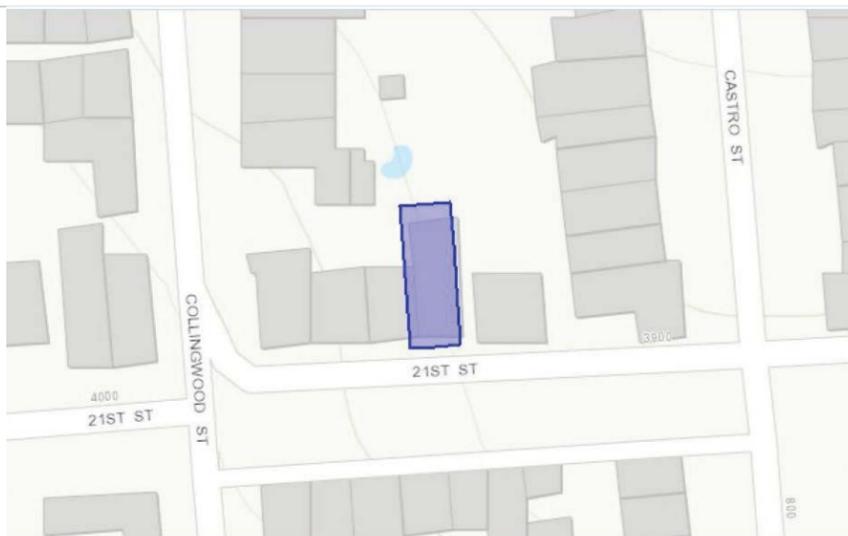
- ADDRESS: 789-791 CASTRO ST, SAN FRANCISCO, CA 94114
 - PARCEL: 3603025
 - ASSESSED VALUES:
 - LAND: \$703,443.00
 - STRUCTURE: \$488,500.00
 - FIXTURES: -
 - PERSONAL PROPERTY: -
 - LAST SALE: 7/31/2000
 - LAST SALE PRICE: \$903,000.00
 - YEAR BUILT: 1905
 - BUILDING AREA: 2,728 SQ FT
 - PARCEL AREA: 2,500 SQ FT
- PARCEL SHAPE: -
 - PARCEL FRONTAGE: -
 - PARCEL DEPTH: -
 - CONSTRUCTION TYPE: -
 - USE TYPE: DWELLING
 - UNITS: -
 - STORIES: 4
 - ROOMS: 9
 - BEDROOMS: 2
 - BATHROOMS: 3
 - BASEMENT: -

789 CASTRO STREET



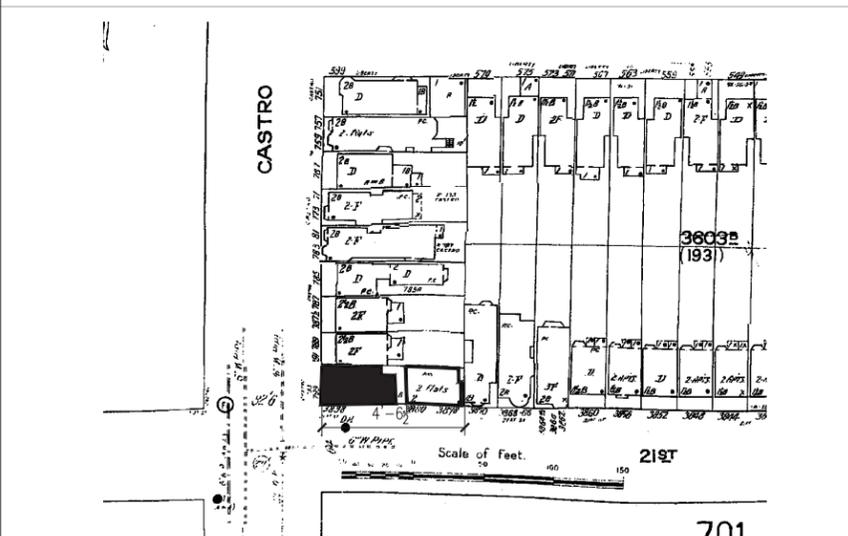
- ADDRESS: 746 CASTRO ST, SAN FRANCISCO, CA 94114
 - PARCEL: 2752017
 - ASSESSED VALUES:
 - LAND: \$404,230.00
 - STRUCTURE: \$401,801.00
 - FIXTURES: -
 - PERSONAL PROPERTY: -
 - LAST SALE: 3/10/1989
 - LAST SALE PRICE: \$498,500.00
 - YEAR BUILT: 1896
 - BUILDING AREA: 2,916 SQ FT
 - PARCEL AREA: 3,125 SQ FT
- PARCEL SHAPE: -
 - PARCEL FRONTAGE: -
 - PARCEL DEPTH: 25 FT
 - CONSTRUCTION TYPE: WOOD OR STEEL FRAME
 - USE TYPE: DWELLING
 - UNITS: 1
 - STORIES: 3
 - ROOMS: 7
 - BEDROOMS: -
 - BATHROOMS: 1
 - BASEMENT: -

746 CASTRO STREET



- ADDRESS: 3930 21ST ST
 - PARCEL: 2752021
 - ASSESSED VALUES:
 - LAND: \$1,123,132.00
 - STRUCTURE: \$779,230.00
 - FIXTURES: -
 - PERSONAL PROPERTY: -
 - LAST SALE: 5/28/2003
 - LAST SALE PRICE: \$1,500,000.00
 - YEAR BUILT: 1999
 - BUILDING AREA: 3,400 SQ FT
 - PARCEL AREA: 2,550 SQ FT
- PARCEL SHAPE: -
 - PARCEL FRONTAGE: -
 - PARCEL DEPTH: 85 FT
 - CONSTRUCTION TYPE: WOOD OR STEEL FRAME
 - USE TYPE: DWELLING
 - UNITS: 1
 - STORIES: 3
 - ROOMS: 7
 - BEDROOMS: 4
 - BATHROOMS: 4
 - BASEMENT: -

3930 21st STREET



AREA SUMMARIES

- EXISTING BUILDING 2,650 SQ. FT. PER TRUE NORTH SURVEY DATED NOV. 13, 2007
- PROPOSED BUILDING
 - FLOOR AREA: 3,150 SQ. FT.
 - GARAGE: 306 SQ. FT.
 - BALCONY, PATIO AREAS: 349.5 SQ. FT.

SCOPE OF WORK:

- ALTERATION OF EXISTING COMMERCIAL BUILDING
- CONVERSION OF OCCUPANCY TO R-3.

PROJECT DATA:

REMODELED RESIDENCE AT 799 CASTRO STREET
 CODE : 2013 SFBC
 CONSTRUCTION TYPE : V B
 SPRINKLERING: PER 903.3.1
 OCCUPANCY GROUP : R-3
 FLOORS: 4 LEVELS - THREE STORIES OVER A BASEMENT
 FULL LOT AREA: 2,862 SQ. FT.
 BLOCK/ LOT : 3603/024
 ZONING : RH-2, RESIDENTIAL - TWO FAMILY
 HEIGHT/ BULK DISTRICT : 40-X
 FRONT SETBACK : PER PROPOSED VARIANCE
 REAR SETBACK : 5 FEET AT PROPOSED LOT SUBDIVISION

799 CASTRO STREET - PROPOSED



- ADDRESS: 767 CASTRO ST
 - PARCEL: 3603030
 - ASSESSED VALUES:
 - LAND: \$1,448,318.00
 - STRUCTURE: \$620,704.00
 - FIXTURES: -
 - PERSONAL PROPERTY: -
 - LAST SALE: 11/14/2012
 - LAST SALE PRICE: \$1,950,000.00
 - YEAR BUILT: 1895
 - BUILDING AREA: 3,097 SQ FT
 - PARCEL AREA: 2,500 SQ FT
- PARCEL SHAPE: -
 - PARCEL FRONTAGE: -
 - PARCEL DEPTH: -
 - CONSTRUCTION TYPE: WOOD OR STEEL FRAME
 - USE TYPE: DWELLING
 - UNITS: 1
 - STORIES: 3
 - ROOMS: 9
 - BEDROOMS: 4
 - BATHROOMS: 2
 - BASEMENT: -

767 CASTRO STREET



TECTA

associates

- ARCHITECTURE
- INTERIORS
- PLANNING

2747 19TH STREET
 SAN FRANCISCO, CA 94110
 tel. 415-362-5857
 fax. 415-362-5044

www.tecta.com



ARCHITECTURAL PROJECT NO.:

NEW RESIDENCE 799 CASTRO SAN FRANCISCO, CA 94114

NOTICE: THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF TECTA ASSOCIATES AND SHALL NOT BE REPRODUCED OR USED IN ANY MANNER OR FOR ANY OTHER WORK WITHOUT THE WRITTEN PERMISSION OF TECTA ASSOCIATES. WRITTEN PERMISSIONS AND FEES WILL BE REQUIRED FOR ANY REPRODUCTION OR USE OF THESE DRAWINGS OR SPECIFICATIONS IN ANY MANNER OR FOR ANY OTHER WORK WITHOUT THE WRITTEN PERMISSION OF TECTA ASSOCIATES. THESE DRAWINGS ARE INTENDED FOR DESIGN PURPOSES ONLY AND NOT FOR CONSTRUCTION UNLESS APPROVED AS SUCH BY GOVERNING AUTHORITIES.

NO.	REVISIONS:	DATE:
1	DESIGN	5.10.10
2	ENVIRONMENTAL EVALUATION	2.24.11
3	EE REVISION	5.3.11
4	RDG RESUBMITTAL	01.16.14
5	PLANNING COMMENTS	05.27.14
6	ALTERATION PERMIT	08.06.14
7	B11 / VARIANCE	05.13.15

ISSUE DATE: 04.03.14
 SPACE PLAN: 09-20-17

DRAWING TITLE:

PROPERTY
 COMPARISONS

DRAWING NUMBER:

A-0.1

EXHIBIT G



539 ELIZABETH ST.



1006 CASTRO STREET



765 SANCHEZ STREET



3649 21st STREET



799 CASTRO STREET - PROPOSED



1121 CASTRO STREET



TECTA

associates

- ARCHITECTURE
- INTERIORS
- PLANNING

2747 19TH STREET
SAN FRANCISCO, CA 94110
tel. 415-362-5857
fax. 415-362-5044

www.tecta.com



ARCHITECTURAL PROJECT NO.:

NEW RESIDENCE
799 CASTRO
SAN FRANCISCO, CA 94114

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NO.	REVISIONS:	DATE:
△	DESIGN	5.10.10
△	ENVIRONMENTAL EVALUATION	2.24.11
△	EE REVISION	5.3.11
△	RDG RESUBMITTAL	01.16.14
△	PLANNING COMMENTS	05.27.14
△	ALTERATION PERMIT	08.06.14
△	B11 / VARIANCE	05.13.15

ISSUE DATE: 04.03.14
SPACE PLAN: 09-20-17

DRAWING TITLE:

**BUILDING TYPE
COMPARISONS**

DRAWING NUMBER:

A-0.2

EXHIBIT H



SITE

Matthew Stelzner

Map

Google

APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: Hatef Moghimi	
PROPERTY OWNER'S ADDRESS: 799 Castro Street San Francisco, CA 94114	TELEPHONE: (415) 425-1815
	EMAIL: hatef@me.com

APPLICANT'S NAME: <div style="text-align: right;">Same as Above <input checked="" type="checkbox"/></div>	
APPLICANT'S ADDRESS:	TELEPHONE: ()
	EMAIL:

CONTACT FOR PROJECT INFORMATION: Thomas Tunny <div style="text-align: right;">Same as Above <input type="checkbox"/></div>	
ADDRESS: Reuben, Junius & Rose, LLP One Bush Street, Suite 600 San Francisco, CA 94104	TELEPHONE: (415) 567-9000
	EMAIL: ttunny@reubenlaw.com

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): <div style="text-align: right;">Same as Above <input checked="" type="checkbox"/></div>	
ADDRESS:	TELEPHONE: ()
	EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT: 799 Castro Street / 3878-3880 21st Street	ZIP CODE: 94114
CROSS STREETS: Liberty Street and 21st Street	

ASSESSORS BLOCK/LOT: 3603 / 1024	LOT DIMENSIONS: 26.5' x 100'	LOT AREA (SQ FT): 2,650	ZONING DISTRICT: RH-2	HEIGHT/BULK DISTRICT: 40-X
--	--	-----------------------------------	---------------------------------	--------------------------------------

3. Project Description

(Please check all that apply) <input type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alterations <input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify:	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE: Residential and Office	
	PROPOSED USE: Residential		
	BUILDING APPLICATION PERMIT NO.: 2014-0919-6883 2017-0404-3134	DATE FILED: 09-19-14 04-04-17	

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES	EXISTING USES TO BE RETAINED	NET NEW CONSTRUCTION AND/OR ADDITION	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units	3	3	1	4
Hotel Rooms	0	0	0	0
Parking Spaces	0	0	1	1
Loading Spaces	0	0	0	0
Number of Buildings	2	1	1	2
Height of Building(s)	18' / 27'	0 / 27'	13'	40' / 27'
Number of Stories	1 / 2	0 / 2	4	4 / 2
Bicycle Spaces	0	0	0	0
GROSS SQUARE FOOTAGE (GSF)				
Residential	2,245	2,245	3,150	5,395
Retail	0	0	0	0
Office	1,100	0	(1,100)	0
Industrial/PDR <i>Production, Distribution, & Repair</i>	0	0	0	0
Parking	0	0	279	279
Other (Specify Use)	0	0	0	0
TOTAL GSF	3,345	2,245	2,329	5,674

Please describe any additional project features that are not included in this table:
 (Attach a separate sheet if more space is needed)

CASE NUMBER:
For Staff Use only

5. Action(s) Requested (Include Planning Code Section which authorizes action)

Dwelling unit demolition pursuant to Planning Code Section 317 and Conditional Use Authorization pursuant to Planning Code Section 303.

Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

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; and
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;
 - (b) 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;
 - (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - (d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
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.

Please see Attachment A.

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

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

Please see Attachment B.

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

Please see Attachment B.

3. That the City's supply of affordable housing be preserved and enhanced;

Please see Attachment B.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

Please see Attachment B.

CASE NUMBER:
For Staff Use only

5. 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;

Please see Attachment B.

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

Please see Attachment B.

7. That landmarks and historic buildings be preserved; and

Please see Attachment B.

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

Please see Attachment B.

Estimated Construction Costs

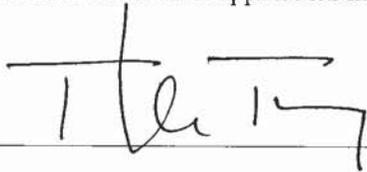
TYPE OF APPLICATION: Conditional Use	
OCCUPANCY CLASSIFICATION: R-3	
BUILDING TYPE: V.B	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION: 3,925	BY PROPOSED USES: All Residential
ESTIMATED CONSTRUCTION COST: \$900,000	
ESTIMATE PREPARED BY: Ahmad Mohazab, Architect	
FEE ESTABLISHED: \$7,620.00	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: _____



Date: _____

4.13.17

Print name, and indicate whether owner, or authorized agent:

Thomas Tunny

Owner / Authorized Agent (circle one)

Application Submittal Checklist

Applications listed below submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent and a department staff person.**

APPLICATION MATERIALS	CHECKLIST
Application, with all blanks completed	<input checked="" type="checkbox"/>
300-foot radius map, if applicable	<input type="checkbox"/> N/A
Address labels (original), if applicable	<input type="checkbox"/> N/A
Address labels (copy of the above), if applicable	<input type="checkbox"/> N/A
Site Plan	<input checked="" type="checkbox"/>
Floor Plan	<input checked="" type="checkbox"/>
Elevations	<input checked="" type="checkbox"/>
Section 303 Requirements	<input checked="" type="checkbox"/>
Prop. M Findings	<input checked="" type="checkbox"/>
Historic photographs (if possible), and current photographs	<input checked="" type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Original Application signed by owner or agent	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input checked="" type="checkbox"/>
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input checked="" type="checkbox"/>

NOTES:

- Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

After your case is assigned to a planner, you will be contacted and asked to provide an electronic version of this application including associated photos and drawings.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

ATTACHMENT A

Under Planning Code Section 303(c), the Planning Commission shall approve the application and authorize a conditional use if the facts presented are such to establish the following:

1. Desirability and Compatibility of project

Planning Code Section 303(c)(1) requires that facts be established which demonstrate the following:

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 project is necessary and desirable because it will remove a non-complying office use from a residential neighborhood and replace it with a residential use. The project will add a family-sized single family home to the subject property where family-sized housing is strongly encouraged by City Planning and Zoning policies. The new residence is carefully designed to be compatible with existing neighborhood character, and is of a size comparable to other single-family homes in the neighborhood.

2. Effect of Project on Health, Safety, Convenience or General Welfare

Planning Code Section 303(c)(2) requires that facts be established that demonstrate the following:

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 injuries 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 the structure.**

The project will demolish a dilapidated existing structure and replace it with a single-family home that is sensitively designed to minimize impacts on the adjacent residence, and of a size, shape and arrangement similar to other single-family homes in this neighborhood. For these reasons, the project will not be detrimental to the health, safety, convenience or general welfare.

(b) **The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.**

The project adds a single-family home to the subject property, which will not impact traffic patterns in the neighborhood. One off-street parking space is provided where none exist

presently. The property is well-served by public transit. The 24, 33, 35, and J Church MUNI bus lines, and the Castro MUNI station, all are within a few blocks of the Property. As a result, the project will not be detrimental to the neighborhood due to its effect on accessibility and traffic patterns.

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

The project adds a single-family home to the property, which will not produce noxious or offensive emissions such as noise, glare, dust and odor.

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

The property will be thoughtfully landscaped and provide usable open space as required the Planning Code, and will provide an off-street parking space where none exists presently.

3. Compliance with the General Plan.

Planning Code Section 303(c)(3) requires that facts be established that demonstrate the following:

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 project will affirmatively promote, is consistent with, and will not adversely affect the General Plan, and specifically the **Housing Element of the General Plan**, as follows:*

Housing Element

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 11.5: Promote the construction of well-designed housing that enhances existing neighborhood character.

The project provides well-designed new housing that enhances existing neighborhood character, consistent with these policies.

ATTACHMENT B

PRIORITY MASTER PLAN POLICIES FINDINGS

Planning Code Section 101.1 establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The project is consistent with each of these policies as follows:

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

The project will remove a non-complying office use and provide a new single-family home, and therefore will have no impact existing neighborhood-serving retail uses.

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

The project will remove a non-complying office use and provide a new, well-designed single-family home, making the property more compatible with existing neighborhood character.

- 3. That the City's supply of affordable housing be preserved and enhanced.**

The project will have no effect on affordable housing, as it will remove a non-complying office use and provide a new single-family home.

- 4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.**

The project will remove a non-complying office use and provide a new single-family home, and therefore will not create any additional commuter traffic. The property is well-served by public transit. The 24, 33, 35, and J Church MUNI bus lines, and the Castro MUNI station, all are within a few blocks of the Property.

- 5. That a diverse economic base be maintained by protecting our industrial and service**

sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The project will remove a non-complying office use and provide a new single-family home, and does not propose a commercial office use.

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

The project will conform to the requirements of the San Francisco Building Code, and thus will meet this policy.

- 7. That landmarks and historic buildings be preserved.**

The project is not located in a landmark or historic building, or in a Conservation District or Historic District. The project will have no effect on any historic resource.

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

The project is not located near any public parks or open space and will therefore have no effect on such resources.

APPLICATION FOR Dwelling Unit Removal Merger, Conversion, or Demolition

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: Hatef Moghimi	
PROPERTY OWNER'S ADDRESS: 799 Castro Street San Francisco, CA 94114	TELEPHONE: (415) 425-1815
	EMAIL: hatef@me.com

APPLICANT'S NAME: Same as Above <input checked="" type="checkbox"/>	
APPLICANT'S ADDRESS: 	TELEPHONE: ()
	EMAIL:

CONTACT FOR PROJECT INFORMATION: Thomas Tunny	
Same as Above <input type="checkbox"/>	
ADDRESS: Reuben, Junius & Rose, LLP One Bush Street, Suite 600 San Francisco, CA 94104	TELEPHONE: (415) 567-9000
	EMAIL: ttunny@reubenlaw.com

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): Same as Above <input checked="" type="checkbox"/>	
ADDRESS: 	TELEPHONE: ()
	EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT: 799 Castro Street / 3878-3880 21st Street	ZIP CODE: 94114
CROSS STREETS: Liberty Street and 21st Street	

ASSESSORS BLOCK/LOT: 3603 / 1024	LOT DIMENSIONS: 26.5' x 100'	LOT AREA (SQ FT): 2,650	ZONING DISTRICT: RH-2	HEIGHT/BULK DISTRICT: 40-X
--	--	-----------------------------------	---------------------------------	--------------------------------------

3. Project Type and History

(Please check all that apply) <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alterations <input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify: _____	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input type="checkbox"/> Height <input type="checkbox"/> Side Yard	BUILDING PERMIT NUMBER(S): 2014-0919-6883 2017-0404-3134 DATE OF PROPERTY PURCHASE: (MM/DD/YYYY) 06/01/2007	DATE FILED: 09-19-14 04-04-17
	ELLIS ACT Was the building subject to the Ellis Act within the last decade?		YES NO <input type="checkbox"/> <input checked="" type="checkbox"/>

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES	EXISTING USES TO BE RETAINED	NET NEW CONSTRUCTION AND OR ADDITION	PROJECT TOTALS
PROJECT FEATURES				
Dwelling Units	3	3	1	4
Hotel Rooms	0	0	0	0
Parking Spaces	0	0	1	1
Loading Spaces	0	0	0	0
Number of Buildings	2	1	1	2
Height of Building(s)	18' / 27'	0 / 27'	13'	40' / 27'
Number of Stories	1 / 2	0 / 2	4	4 / 2
Bicycle Spaces	0	0	0	0
GROSS SQUARE FOOTAGE (GSF)				
Residential	2,245	2,245	3,150	5,395
Retail	0	0	0	0
Office	1,100	0	(1,100)	0
Industrial/PDR <i>Production, Distribution, & Repair</i>	0	0	0	0
Parking	0	0	279	279
Other (Specify Use)	0	0	0	0
TOTAL GSF	3,345	2,245	2,329	5,674

5. Additional Project Details

UNITS	EXISTING:	PROPOSED:	NET CHANGE:
Owner-occupied Units:	0	1	1
Rental Units:	3	3	0
Total Units:	3	4	1
Units subject to Rent Control:	3	3	0
Vacant Units:	1	0	(1)

BEDROOMS	EXISTING:	PROPOSED:	NET CHANGE:
Owner-occupied Bedrooms:	0	3	3
Rental Bedrooms:	2	2	0
Total Bedrooms:	2	5	3
Bedrooms subject to Rent Control:	2	2	0

6. Unit Specific Information

	UNIT NO.	NO. OF BEDROOMS	GSF	OCCUPANCY	ADDITIONAL CRITERIA (check all that apply)
EXISTING	1	1	900	<input type="checkbox"/> OWNER OCCUPIED <input checked="" type="checkbox"/> RENTAL	<input type="checkbox"/> ELLIS ACT <input type="checkbox"/> VACANT <input checked="" type="checkbox"/> RENT CONTROL
PROPOSED	1	1	900	<input type="checkbox"/> OWNER OCCUPIED <input checked="" type="checkbox"/> RENTAL	
EXISTING	2	1	900	<input type="checkbox"/> OWNER OCCUPIED <input checked="" type="checkbox"/> RENTAL	<input type="checkbox"/> ELLIS ACT <input type="checkbox"/> VACANT <input checked="" type="checkbox"/> RENT CONTROL
PROPOSED	2	1	900	<input type="checkbox"/> OWNER OCCUPIED <input checked="" type="checkbox"/> RENTAL	
EXISTING	3	0	474	<input type="checkbox"/> OWNER OCCUPIED <input checked="" type="checkbox"/> RENTAL	<input type="checkbox"/> ELLIS ACT <input checked="" type="checkbox"/> VACANT <input type="checkbox"/> RENT CONTROL
PROPOSED	3	0	474	<input type="checkbox"/> OWNER OCCUPIED <input checked="" type="checkbox"/> RENTAL	

7. Other Information

Please describe any additional project features that were not included in the above tables:
(Attach a separate sheet if more space is needed)

The fourth dwelling unit will be a new, single-family residence with three bedrooms and a total floor area of approximately 3,150 square feet.

Priority General Plan Policies – Planning Code Section 101.1

(APPLICABLE TO ALL PROJECTS)

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed alterations and demolitions are consistent with eight priority policies set forth in Section 101.1 of the Planning Code. These eight policies are listed below. Please state how the Project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. If a given policy does not apply to your project, explain why it is not applicable.

Please respond to each policy; if it's not applicable explain why:

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

Please see Attachment A.

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

Please see Attachment A.

3. That the City's supply of affordable housing be preserved and enhanced;

Please see Attachment A.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

Please see Attachment A.

Please respond to each policy; if it's not applicable explain why:

5. 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;

Please see Attachment A.

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

Please see Attachment A.

7. That landmarks and historic buildings be preserved; and

Please see Attachment A.

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

Please see Attachment A.

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Dwelling Unit Demolition

(SUPPLEMENTAL INFORMATION)

Pursuant to Planning Code Section 317(d), Residential Demolition not otherwise subject to a Conditional Use Authorization shall be either subject to a Mandatory Discretionary Review hearing or will qualify for administrative approval.

Administrative approval only applies to:

- (1) single-family dwellings in RH-1 and RH-1(D) Districts proposed for Demolition that are not affordable or financially accessible housing (valued by a credible appraisal within the past six months to be greater than 80% of combined land and structure value of single-family homes in San Francisco); OR
- (2) residential buildings of two units or fewer that are found to be unsound housing.

Please see the Department's website under Publications for "Loss of Dwelling Units Numerical Values".

The Planning Commission will consider the following criteria in the review of Residential Demolitions. Please fill out answers to the criteria below:

EXISTING VALUE AND SOUNDNESS		YES	NO
1	Is the value of the existing land and structure of the single-family dwelling affordable or financially accessible housing (below the 80% average price of single-family homes in San Francisco, as determined by a credible appraisal within six months)? If no, submittal of a credible appraisal is required with the application.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Has the housing been found to be unsound at the 50% threshold (applicable to one- and two-family dwellings)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Is the property free of a history of serious, continuing code violations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Has the housing been maintained in a decent, safe, and sanitary condition?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Is the property a <i>historical resource</i> under CEQA? If yes, will the removal of the resource have a substantial adverse impact under CEQA? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/>	<input checked="" type="checkbox"/>
RENTAL PROTECTION		YES	NO
6	Does the Project convert rental housing to other forms of tenure or occupancy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7	Does the Project remove rental units subject to the Rent Stabilization and Arbitration Ordinance or affordable housing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PRIORITY POLICIES		YES	NO
8	Does the Project conserve existing housing to preserve cultural and economic neighborhood diversity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	Does the Project conserve neighborhood character to preserve neighborhood cultural and economic diversity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Does the Project protect the relative affordability of existing housing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11	Does the Project increase the number of permanently affordable units as governed by Section 415?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Dwelling Unit Demolition

(SUPPLEMENTAL INFORMATION CONTINUED)

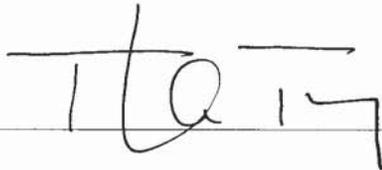
REPLACEMENT STRUCTURE		YES	NO
12	Does the Project locate in-fill housing on appropriate sites in established neighborhoods?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13	Does the Project increase the number of family-sized units on-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14	Does the Project create new supportive housing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15	Is the Project of superb architectural and urban design, meeting all relevant design guidelines, to enhance the existing neighborhood character?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16	Does the Project increase the number of on-site dwelling units?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17	Does the Project increase the number of on-site bedrooms?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Signature: _____



Date: _____

4-13-17

Print name, and indicate whether owner, or authorized agent:

Thomas Tunny

Owner / Authorized Agent (circle one)

Demolition Application Submittal Checklist

(FOR PLANNING DEPARTMENT USE ONLY)

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials.

APPLICATION MATERIALS	CHECKLIST
Original Application, signed with all blanks completed	<input checked="" type="checkbox"/>
Prop. M Findings (General Plan Policy Findings)	<input checked="" type="checkbox"/>
Supplemental Information Pages for Demolition	<input checked="" type="checkbox"/>
Notification Materials Package: (See Page 4)	<input type="checkbox"/> *
Notification map	<input type="checkbox"/> *
Address labels	<input type="checkbox"/> *
Address list (printed list of all mailing data or copy of labels)	<input type="checkbox"/> *
Affidavit of Notification Materials Preparation	<input type="checkbox"/> *
Set of plans: One set full size AND two reduced size 11"x17"	<input checked="" type="checkbox"/>
Site Plan (existing and proposed)	<input checked="" type="checkbox"/>
Floor Plans (existing and proposed)	<input checked="" type="checkbox"/>
Elevations (including adjacent structures)	<input checked="" type="checkbox"/>
Current photographs	<input checked="" type="checkbox"/>
Historic photographs (if possible)	<input checked="" type="checkbox"/>
Check payable to Planning Dept. (see current fee schedule)	<input checked="" type="checkbox"/>
Letter of authorization for agent (if applicable)	<input checked="" type="checkbox"/>
Pre-Application Materials (if applicable)	<input checked="" type="checkbox"/>
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input checked="" type="checkbox"/>

NOTES:

- Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- * Required upon request upon hearing scheduling.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Dwelling Unit Merger

(SUPPLEMENTAL INFORMATION)

Pursuant to Planning Code Section 317(e), the merger of residential dwelling-units not otherwise subject to a Conditional Use Authorization shall be either subject to a Mandatory Discretionary Review hearing or will qualify for administrative approval.

Administrative review criteria only apply to those Residential Units proposed for Merger that are not affordable or financially accessible housing, (valued by a credible appraisal within the past six months to be greater than 80% of combined land and structure value of single-family homes in San Francisco).

The Planning Commission shall not approve an application for Merger if certain eviction criteria apply. Please see the implementation document *Zoning Controls on the Removal of Dwelling Units*, Planning Code Section 317, and Administrative Code Section 37.9(a) for additional information.

Please answer the following questions to determine how the project does or does not meet the Planning Code requirements:

DWELLING UNIT MERGER CRITERIA:		YES	NO
1	Does the removal of the unit(s) eliminate only owner-occupied housing? If yes, for how long was the unit(s) proposed for removal owner-occupied? _____ months or years (circle one)	<input type="checkbox"/>	<input type="checkbox"/>
2	Is the removal of the unit(s) and the merger with another intended for owner occupancy?	<input type="checkbox"/>	<input type="checkbox"/>
3	Will the removal of the unit(s) remove an affordable housing unit as defined in Section 415 of the Planning Code or housing subject to the Rent Stabilization and Arbitration Ordinance? If yes, will replacement housing be provided which is equal or greater in size, number of bedrooms, affordability, and suitability to households with children to the units being removed? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/>	<input type="checkbox"/>
4	Will the removal of the unit(s) bring the building closer into conformance with the prescribed zoning?	<input type="checkbox"/>	<input type="checkbox"/>
5	Will the number of bedrooms provided in the merged unit be equal to or greater than the number of bedrooms in the separate units?	<input type="checkbox"/>	<input type="checkbox"/>
6	Is the removal of the unit(s) necessary to correct design or functional deficiencies that cannot be corrected through interior alterations?	<input type="checkbox"/>	<input type="checkbox"/>

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Signature: _____

Date: _____

Print name, and indicate whether owner, or authorized agent:

Owner / Authorized Agent (circle one)

Dwelling Unit **Merger** Application Submittal Checklist

(FOR PLANNING DEPARTMENT USE ONLY)

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials.

APPLICATION MATERIALS	CHECKLIST
Original Application, signed with all blanks completed	<input type="checkbox"/>
Prop. M Findings (General Plan Policy Findings)	<input type="checkbox"/>
Supplemental Information Pages for Dwelling Unit Merger	<input type="checkbox"/>
Notification Materials Package: (See Page 4)	<input type="checkbox"/> *
Notification map	<input type="checkbox"/> *
Address labels	<input type="checkbox"/> *
Address list (printed list of all mailing data or copy of labels)	<input type="checkbox"/> *
Affidavit of Notification Materials Preparation	<input type="checkbox"/> *
Set of plans: One set full size AND one reduced size 11"x17"	<input type="checkbox"/>
Site Plan (existing and proposed)	<input type="checkbox"/>
Floor Plans (existing and proposed)	<input type="checkbox"/>
Elevations (including adjacent structures)	<input checked="" type="checkbox"/>
Current photographs	<input type="checkbox"/>
Historic photographs (if possible)	<input checked="" type="checkbox"/>
Check payable to Planning Dept. (see current fee schedule)	<input type="checkbox"/>
Letter of authorization for agent (if applicable)	<input type="checkbox"/>
Pre-Application Materials (if applicable)	<input type="checkbox"/>
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input checked="" type="checkbox"/>

NOTES:

- Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- * Required upon request upon hearing scheduling.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Dwelling Unit Conversion

(SUPPLEMENTAL INFORMATION)

Pursuant to Planning Code Section 317(f), the Conversion of residential dwelling-units not otherwise subject to a Conditional Use Authorization shall be subject to a Mandatory Discretionary Review.

In reviewing proposals for the Conversion of residential dwelling-units to other forms of occupancy, the Planning Commission will review the criteria below.

Please answer the following questions to determine how the project does or does not meet the Planning Code requirements:

DWELLING UNIT CONVERSION CRITERIA:		YES	NO
1	Will the conversion of the unit(s) eliminate only owner occupied housing? If yes, for how long has the unit(s) proposed for removal been owner-occupied? _____ months or years (circle one)	<input type="checkbox"/>	<input type="checkbox"/>
2	Will the conversion of the unit(s) provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s)?	<input type="checkbox"/>	<input type="checkbox"/>
3	Is the property located in a district where Residential Uses are not permitted? If yes, will the Residential Conversion bring the building closer into conformance with the uses permitted in the zoning district? <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/>	<input type="checkbox"/>
4	Will the conversion of the unit(s) be detrimental to the City's housing stock?	<input type="checkbox"/>	<input type="checkbox"/>
5	Is the conversion of the unit(s) necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected?	<input type="checkbox"/>	<input type="checkbox"/>
6	Will the Residential Conversion remove Affordable Housing, or unit(s) subject to the Rent Stabilization and Arbitration Ordinance?	<input type="checkbox"/>	<input type="checkbox"/>

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Signature: _____

Date: _____

Print name, and indicate whether owner, or authorized agent:

Owner / Authorized Agent (circle one)

Dwelling Unit **Conversion** Application Submittal Checklist

(FOR PLANNING DEPARTMENT USE ONLY)

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials.

APPLICATION MATERIALS	CHECKLIST
Original Application, signed with all blanks completed	<input type="checkbox"/>
Prop. M Findings (General Plan Policy Findings)	<input type="checkbox"/>
Supplemental Information Pages for Dwelling Unit Conversion	<input type="checkbox"/>
Notification Materials Package: (See Page 4)	<input type="checkbox"/> *
Notification map	<input type="checkbox"/> *
Address labels	<input type="checkbox"/> *
Address list (printed list of all mailing data or copy of labels)	<input type="checkbox"/> *
Affidavit of Notification Materials Preparation	<input type="checkbox"/> *
Set of plans: One set full size AND one reduced size 11"x17"	<input type="checkbox"/>
Site Plan (existing and proposed)	<input type="checkbox"/>
Floor Plans (existing and proposed)	<input type="checkbox"/>
Elevations (including adjacent structures)	<input checked="" type="checkbox"/>
Current photographs	<input type="checkbox"/>
Historic photographs (if possible)	<input checked="" type="checkbox"/>
Check payable to Planning Dept. (see current fee schedule)	<input type="checkbox"/>
Letter of authorization for agent (if applicable)	<input type="checkbox"/>
Pre-Application Materials (if applicable)	<input type="checkbox"/>
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input checked="" type="checkbox"/>

NOTES:

- Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- * Required upon request upon hearing scheduling.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



799 Castro Street

3878-3880 21st Street



799 Castro Street



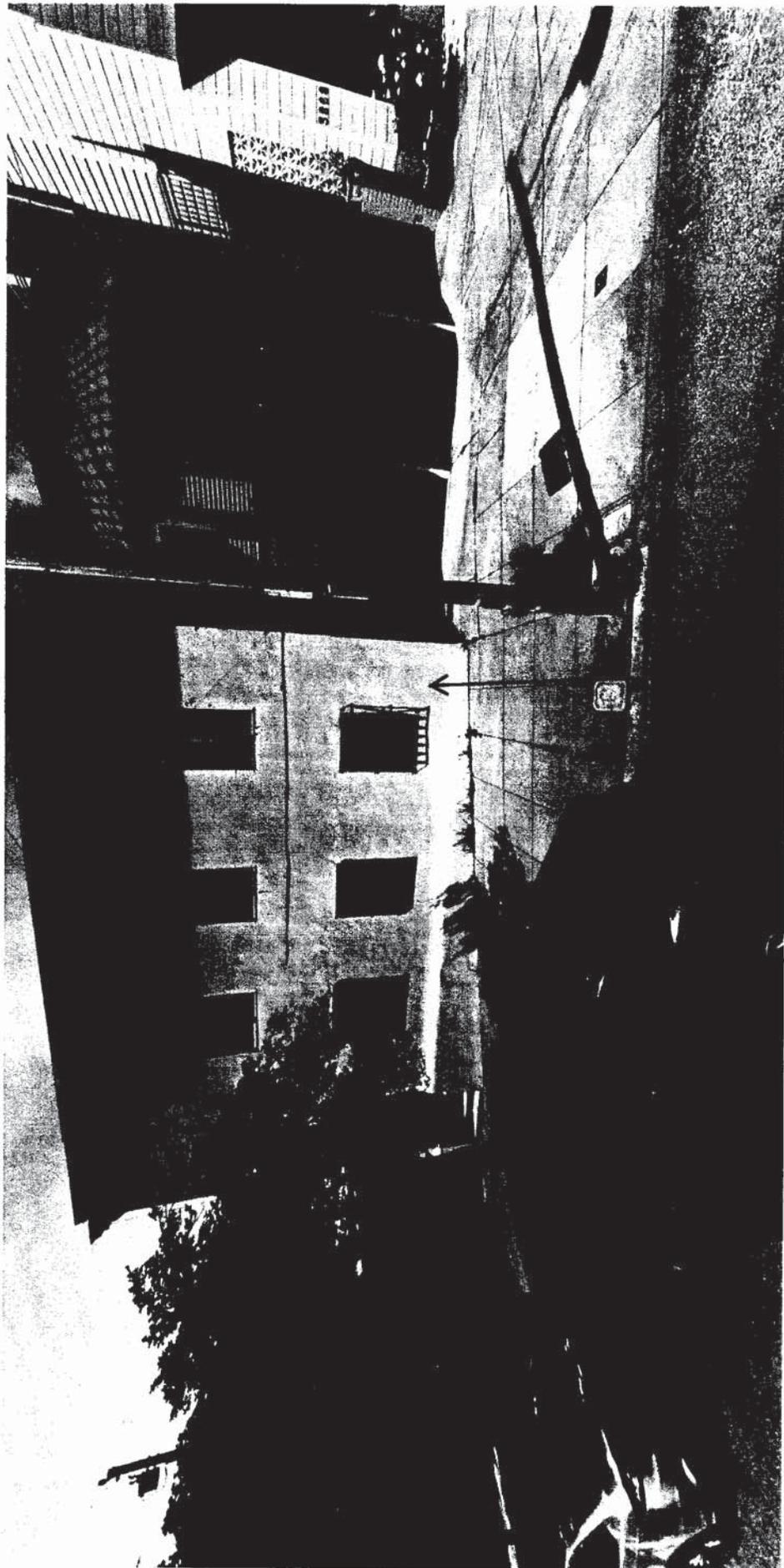
799 Castro Street

3878-3880 21st Street

3878-3880 21st Street



799 Castro Street



3878-3880 21st Street

ATTACHMENT A

PRIORITY MASTER PLAN POLICIES FINDINGS

Planning Code Section 101.1 establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The project is consistent with each of these policies as follows:

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

The project will remove a non-complying office use and provide a new single-family home, and therefore will have no impact existing neighborhood-serving retail uses.

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

The project will remove a non-complying office use and provide a new, well-designed single-family home, making the property more compatible with existing neighborhood character.

- 3. That the City's supply of affordable housing be preserved and enhanced.**

The project will have no effect on affordable housing, as it will remove a non-complying office use and provide a new single-family home.

- 4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.**

The project will remove a non-complying office use and provide a new single-family home, and therefore will not create any additional commuter traffic. The property is well-served by public transit. The 24, 33, 35, and J Church MUNI bus lines, and the Castro MUNI station, all are within a few blocks of the Property.

- 5. That a diverse economic base be maintained by protecting our industrial and service**

sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The project will remove a non-complying office use and provide a new single-family home, and does not propose a commercial office use.

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

The project will conform to the requirements of the San Francisco Building Code, and thus will meet this policy.

- 7. That landmarks and historic buildings be preserved.**

The project is not located in a landmark or historic building, or in a Conservation District or Historic District. The project will have no effect on any historic resource.

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

The project is not located near any public parks or open space and will therefore have no effect on such resources.

Hatef Moghimi
P.O. Box 77322,
San Francisco, CA 94107
Tel 415.425.1815

MARCH 27, 2017

San Francisco Planning Department

1650 Mission Street Suite 400

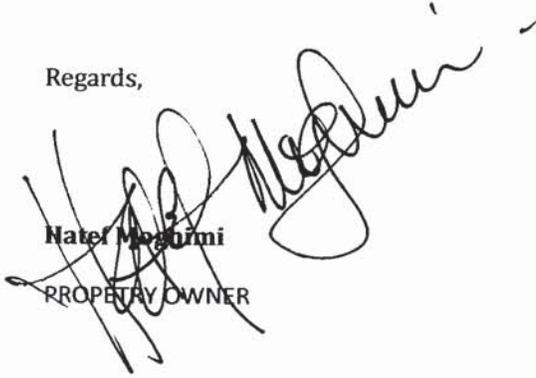
San Francisco, CA 94103

RE: 799 Castro Street & 3878-3880 21st. Street

To Whom it may concern,

This letter is to allow Gillian Allen of Reuben, Junius & Rose, LLP to act as my agent in affairs with the San Francisco Building Department for the property located at 799 Castro Street and 3878 21st Street, San Francisco regarding ADU issues.

Regards,



Hatef Moghimi

PROPERTY OWNER

CASE NUMBER:
For Staff Use only

APPLICATION FOR Variance from the Planning Code

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: HATEF MOGHIMI		TELEPHONE: (415) 425-1815
PROPERTY OWNER'S ADDRESS: P.O. BOX 77322 SF. CA 94107		EMAIL: HATEF@MAC.COM
APPLICANT'S NAME: AHMAD MOHAZAB		TELEPHONE: (415) 362 5857 415 823-0915
APPLICANT'S ADDRESS: TECTA ASSOCIATES 2747 19th ST. SF. CA 94110		EMAIL: AHMAD@TECTA.COM
CONTACT FOR PROJECT INFORMATION: APPLICANT		TELEPHONE: ()
ADDRESS:		EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT: 799 CASTRO STREET / (3878-3880 21st ST)	ZIP CODE: 94117			
CROSS STREETS: 21st ST.				
ASSESSORS BLOCK/LOT: 3603 1024	LOT DIMENSIONS: 100x265	LOT AREA (SQ FT): 2650	ZONING DISTRICT: RH-2	HEIGHT/BULK DISTRICT: 40X

3. Project Description

(Please check all that apply) <input type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input checked="" type="checkbox"/> New Construction <input checked="" type="checkbox"/> Alterations <input type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify: _____	ADDITIONS TO BUILDING: <input checked="" type="checkbox"/> Rear <input checked="" type="checkbox"/> Front <input checked="" type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE: 2 RESIDENTIAL UNITS + COMMERCIAL/OFFICE
	PROPOSED USE: 2 RESIDENTIAL UNITS	BUILDING APPLICATION PERMIT NO.: DATE FILED:

* NOTE: BOX SPLIT, LOT WEST | LOT EAST
 799 | 3878
 CASTRO | 2121 ST.

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

EXISTING USES	EXISTING USES TO BE RETAINED	NEW CONSTRUCTION AND CE ADDITION	PROJECT TOTALS
2	Combine 2	1	2
-	-	-	-
0	N.A.	1	1
-	-	-	-
2	1	1	2
18.4 28	- 28	40 -	40 28
1 2+B	- 2+B	3+B -	3+B 2+B
-	-	-	-
0 2,316	0 2,316	3,315 185	3,315 2,501
-	-	-	-
1,244.9	-	-	-
-	-	-	-
0	N.A.	272	272
-	-	-	-
			3587 2501

*
*
*

Please describe what the variance is for and include any additional project features that are not included in this table. Please state which section(s) of the Planning Code from which you are requesting a variance. (Attach a separate sheet if more space is needed)

VARIANCE FROM Sec. 132 (J) (1)
 FOR FRONT SETBACK ON CASTRO STREET.

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

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

SEE ATTACHED

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

3. That the City's supply of affordable housing be preserved and enhanced;

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

CASE NUMBER:
For Staff Use only

5. 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;

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

7. That landmarks and historic buildings be preserved; and

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

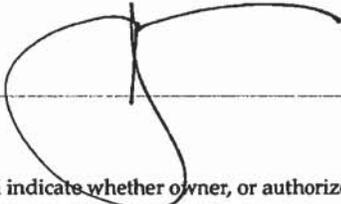
Estimated Construction Costs

TYPE OF APPLICATION: VARIANCE	
OCCUPANCY CLASSIFICATION: A-	
BUILDING TYPE: I-1	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION:	BY PROPOSED USES: RESIDENTIAL
ESTIMATED CONSTRUCTION COST: \$ 850,000. -	
ESTIMATE PREPARED BY: WILLIAM PASTHELINSKY / ANUNAS MOHAZAB	
FEE ESTABLISHED:	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature:  _____ Date: 12.26.17

Print name, and indicate whether owner, or authorized agent:
Anunas Mohazab
Owner / Authorized Agent (circle one)

CASE NUMBER:
For Staff Use only

Application Submittal Checklist

Applications listed below submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and signed by the applicant or authorized agent and a department staff person.

APPLICATION MATERIALS	CHECKLIST
Application, with all blanks completed	<input checked="" type="checkbox"/>
300-foot radius map, if applicable	<input type="checkbox"/>
Address labels (original), if applicable	<input type="checkbox"/>
Address labels (copy of the above), if applicable	<input type="checkbox"/>
Site Plan	<input checked="" type="checkbox"/>
Floor Plan	<input checked="" type="checkbox"/>
Elevations	<input checked="" type="checkbox"/>
Section 303 Requirements	<input checked="" type="checkbox"/>
Prop. M Findings	<input type="checkbox"/>
Historic photographs (if possible), and current photographs	<input checked="" type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Original Application signed by owner or agent	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input checked="" type="checkbox"/>
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input type="checkbox"/>

NOTES:

- Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

After your case is assigned to a planner, you will be contacted and asked to provide an electronic version of this application including associated photos and drawings.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



December 8, 2015

Re: **799 Castro and 3876 21st Street
Variance Findings**

FRONT SETBACK VARIANCE

Pursuant to Planning Code Section 305(c), before approving a variance application, the Zoning Administrator must find that the facts presented are such to establish the findings stated below.

1-That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;

The subject property is exceptional and extraordinary because the property contains two existing structures that occupy most of the lot area; thus, the available building envelope is highly constrained. Moreover, the front structure is occupied with a nonconforming commercial use that is inconsistent with the prevailing residential character of the neighborhood. Finally, the front façade of the existing structure, which will remain in the same location, already is nearly coterminous with the front property line.

2-That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

The existing structures were not constructed by the project applicant and were constructed prior to the imposition of the current front setback regulations. The project applicant does not intend to demolish the existing building, but instead will add to the existing building.

3-That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

The variance will allow for the preservation and enjoyment of a substantial property right possessed by other properties in the same district as this is a corner lot and there are at least seven lots located at or near the eight corners of this Assessor's block that have similar lot coverage. In addition, the variance will allow for the replacement of a nonconforming commercial use with a residential use, as is enjoyed by other properties in this residential district.

4-That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and

The variance will not be materially detrimental or materially injurious because it will allow for construction of a residence compatible in size and bulk with the other residences in the neighborhood, and will allow for the replacement of a nonconforming commercial use with a residential use in a residentially zoned neighborhood. The project will be beneficial to the public welfare by allowing new housing to be added, which will incrementally improve the City's current housing crisis.

5-That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the Master Plan.

The proposed project will affirmatively promote, is consistent with, and will not adversely affect the General Plan, as follows:

Housing Element

OBJECTIVE 1: *Identify and make available for development adequate sites to meet the City's housing needs, especially permanently affordable housing.*

The project satisfies this policy of the General Plan's Housing Element by allowing the replacement of a nonconforming commercial use in the existing structure on the front portion of the property with a residential use. This will help meet the City's housing needs while having as minimal an impact as is possible on the surrounding neighborhood.

OBJECTIVE 11: *SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.*

Policy 11.3: *Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.*

Policy 11.5: *Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.*

The proposed project satisfies these policies by accommodating growth and adding density by allowing the replacement of a nonconforming commercial use in the existing structure on the front portion of the property with a residential use, consistent with the existing residential neighborhood character.

OBJECTIVE 13 *Prioritize sustainable development in planning for and constructing new housing.*

Policy 13.1 *Support "smart" regional growth that locates new housing close to jobs and transit.*

The proposed project adds new housing close to jobs and transit. The project is within blocks of the J Muni line, the 24, 33 and 48 Muni bus lines, and is only a short distance from the Castro Street Muni station.

REAR YARD VARIANCE

Pursuant to Planning Code Section 305(c), before approving a variance application, the Zoning Administrator must find that the facts presented are such to establish the findings stated below.

1-That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;

The subject property is exceptional and extraordinary in that a second structure, which contains two residential units, already exists in the required rear yard. Moreover, the front structure is occupied with a nonconforming commercial use that is inconsistent with the prevailing residential character of the neighborhood. Finally, because of the two existing structures on the lot, and the proposed lot split that will allow the replacement of a nonconforming commercial use with a residential use, the resulting lot sizes and buildable envelope are highly constrained.

2-That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

The existing structures were not constructed by the project applicant and were constructed prior to the imposition of the current rear yard regulations. The project applicant does not intend to demolish the existing building, but instead will add to the existing building.

3-That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;

The variance will allow for the preservation and enjoyment of a substantial property right possessed by other properties in the same district as this is a corner lot and there are at least seven lots located at or near the eight corners of this Assessor's block that have similar lot coverage. In addition, the variance will allow for the replacement of a commercial use with a residential use, as is enjoyed by other properties in this residential district.

4-That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and

The variance will not be materially detrimental or materially injurious because it will allow for construction of a residence compatible in size and bulk with the other residences in the neighborhood, and will allow for the replacement of a nonconforming commercial use with a residential use in a residentially zoned neighborhood. The project will be beneficial to the public welfare by allowing new housing to be added, which will incrementally improve the City's current housing crisis.

5-That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the Master Plan.

The proposed project will affirmatively promote, is consistent with, and will not adversely affect the General Plan, as follows:

Housing Element

OBJECTIVE 1: Identify and make available for development adequate sites to meet the City's housing needs, especially permanently affordable housing.

The project satisfies this policy of the General Plan's Housing Element by allowing the replacement of a nonconforming commercial use in the existing structure on the front portion of the property with a residential use. This will help meet the City's housing needs while having as minimal an impact as is possible on the surrounding neighborhood.

OBJECTIVE 11: SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.3: Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.5: Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

The proposed project satisfies these policies by accommodating growth and adding density by allowing the replacement of a nonconforming commercial use in the existing structure on the front portion of the property with a residential use, consistent with the existing residential neighborhood character.

OBJECTIVE 13 Prioritize sustainable development in planning for and constructing new housing.

Policy 13.1 Support "smart" regional growth that locates new housing close to jobs and transit.

The proposed project adds new housing close to jobs and transit. The project is within blocks of the J Muni line, the 24, 33 and 48 Muni bus lines, and is only a short distance from the Castro Street Muni station.