



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: NOVEMBER 7, 2019

Record No.: 2017-013155CUA
Project Address: 230 Kirkham Street
Zoning: RH-2 (Residential, House, Two-Family) Zoning District
40-X Height and Bulk District
Block/Lot: 1847/026
Project Sponsor: Cassandra Mettling-Davis
801 Portola Drive, Ste. 104
San Francisco, CA 94127
Property Owner: Rose Bermudez Trust
18360 Swarthmore Drive
Saratoga, CA 95070
Staff Contact: Laura Ajello – (415) 575-9142
laura.ajello@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The Project includes demolition of a 1,777 square foot, two-story single-family residence and new construction of a three-story, 34-ft tall, two-family residence. The resulting building will contain two 1,218 square foot family-sized dwelling units with a two-car garage. The project site is located within the RH-2 (Residential, House, Two-Family) Zoning District, and 40-X Height and Bulk District

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 317 and 303 to demolish an existing two-story, one-family residence and construct a new three-story, two-unit residence at 230 Kirkham Street.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** To date the Department has not received any correspondence related to the project.
- **Existing Tenant & Eviction History:** The existing single-family dwelling is tenant-occupied. According to the property owner, the tenants are aware of the Project and have the option to lease the existing unit building until August 2022. There is no known evidence of any evictions on the property. See Exhibits for Eviction History documentation.
- **Design Review Comments:** The project has changed in the following ways since the original submittal to the Department:

- Front façade: Expression of first floor height lowered while improving the expression of the main entry. Garage door size minimized and raised entry added to better match the neighborhood character.

ENVIRONMENTAL REVIEW

On October 23, 2019, the Project was determined to be exempt from the California Environmental Quality Act (“CEQA”) as Class 1 and Class 3 Categorical Exemptions under CEQA as described in the determination contained in the Planning Department files for this Project.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Project will allow construction of a three-story two-family dwelling on the subject property currently occupied by a two-story, one-family residential building. The project represents a sensitive infill within the allowable residential density applicable to the RH-2 Zoning District. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

Draft Motion – Conditional Use Authorization with Conditions of Approval
Exhibit B – Plans and Renderings
Exhibit C – Environmental Determination
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F - Project Sponsor Brief
Exhibit G - Eviction History Documentation



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 317, TO DEMOLISH AN EXISTING TWO-STORY, 1,777 SQUARE FOOT ONE-FAMILY RESIDENCE AND CONSTRUCT A NEW 3,941 SQUARE FOOT THREE-STORY, TWO-FAMILY RESIDENCE WITH TWO FAMILY-SIZED DWELLING UNITS, LOCATED AT 230 KIRKHAM STREET, LOT 026 IN ASSESSOR'S BLOCK 1847, WITHIN THE RH-2 (RESIDENTIAL, HOUSE, TWO-FAMILY) ZONING DISTRICTS AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On October 5 2018, Cassandra Mettling-Davis of CMD Architecture (hereinafter "Project Sponsor") filed Application No. 2017-013155CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new three-story, 34-ft tall, residential building with two dwelling units (hereinafter "Project") at 230 Kirkham Street, Block 1847 Lot 026 (hereinafter "Project Site").

On October 23, 2019, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as Class 1 and Class 3 Categorical Exemptions under CEQA as described in the determination contained in the Planning Department files for this Project.

On November 7, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-013155CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2017-013155CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2017-013155CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project includes demolition of an existing single-family residence and new construction of a three-story, 34-ft tall, two-family residential building (approximately 3,491 total gross square feet) with two automobile and two Class 1 bicycle parking spaces. The Project includes two three-bedroom units. The Project provides common open space in the rear yard and private open space decks.

The Project is located on a 2,500 square-foot lot with 25 feet of street frontage and a depth of 100 feet. The Project Site contains one existing building, approximately 47 feet in length, containing a tenant-occupied one-family residence. The existing building was determined not to be a historic resource (application number 2017-013155ENV).

3. **Surrounding Properties and Neighborhood.** The Project Site is located within the RH-2 Zoning District. The immediate context is primarily residential in character and is comprised primarily of single-family and two-family structures. The adjacent building to the east is a similar one-story-over-basement single-family residence, while the adjacent building to the west is a three-story-over-garage, two-family residence. UCSF Medical Center and Garden for the Environment are located nearby. Other zoning districts near the project site include: RH-1 (Residential, House, One-Family) and RM-1 (Residential, Mixed, Low Density).
4. **Public Outreach and Comments.** The Department has not received any correspondence related to the project.
5. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Residential Demolition.** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to remove one or more residential units.

As the project requires Conditional Use Authorization, the additional criteria specified under Section 317 for residential demolition have been incorporated as findings a part of this Motion. See Item 8, "Additional Findings Pursuant to Planning Code Section 317," below.

- B. **Residential Density, Dwelling Units.** Planning Code Section 209.1 states that states that two-family residences are permitted within the RH-2 District.

The Project will demolish one existing single-family dwelling and will construct two residential units within a new three-story building; therefore, the Project complies.

- C. **Rear Yard.** Planning Code Section 134 states properties in the RH-2 Zoning District must maintain a rear yard equal to 45% of the depth of the lot, subject to averaging based on adjacent neighbors. If averaged the rear yard can be no less than 25% of the lot depth.

The Project provides a rear yard equal to 45% of the depth of the lot which is encroached by a two-story 12-foot deep extension with five-foot side setbacks as permitted by Planning Code Section 136(c)(25)(ii). Therefore, the Project complies.

- D. **Open Space.** Planning Code Section 135 states that 100 square feet of usable open space must be provided per unit if private to each unit, or 133 square feet of usable open space must be provided if common between multiple units.

Both units have access to common open space in the rear yard and each unit has a private deck. In total, these areas meet the usable open space requirements for size and dimensions.

- E. **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.

The subject property is not required to provide a front setback. As such, landscaping and permeability requirements do not apply to the Project.

- F. **Dwelling Unit Exposure.** Planning Code Section 140 states that all dwelling units in all districts must face onto an open area meeting the requirements of the Section.

Both units face onto Kirkham Street and a conforming rear yard. Therefore, the Project meets dwelling unit exposure requirements of the Planning Code.

- G. **Bicycle Parking.** Planning Code Section 155.1 requires one Class One bicycle parking space per dwelling unit.

The Project provides two Class One bicycle parking spaces within the garage at the ground level. Thus, the project complies with this requirement.

- H. **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 in a 40-X Height and Bulk District.

The proposal measures 34 feet in height and therefore complies.

- I. **Residential Demolition.** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for any application for a permit that would result in the removal of one or more residential units. This Code Section establishes a checklist of criteria that the Planning Commission shall consider in review of the application.

As the Project requires Conditional Use Authorization per the requirements of the Section 317, the additional criteria specified under Section 317(g)(5) have been incorporated as findings as a part of this Motion. See Section 7, below, "Additional Findings Pursuant to Section and 317 – Residential Demolition".

- J. **Residential Child-Care Impact Fee.** 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 adds one new dwelling unit. Therefore, the Project is subject to the Residential Child Care Impact Fee and must comply with the requirements outlined in Planning Code Section 414A. This square footage shall be subject to the Residential Child-Care Impact Fee, as outlined in Planning Code Section 411A.

6. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The use and size of the proposed resident project is compatible with the immediate neighborhood, which exhibits a mixture of multi- and single-family buildings of two to four stories. The proposal would

demolish an existing one-family dwelling that contains two bedrooms and has approximately 1,777 total square feet of gross floor area (gfa). The new building will contain two 1,218 square foot three-bedroom dwelling units (approximately 3,941 total gfa).

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

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

The proposed massing is appropriate given the context of the immediate neighborhood and block face. The new construction is within the buildable area and provides a rear yard comparable to adjacent properties.

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

The proposal adds one automobile parking space for a ratio of one parking space per dwelling unit. Two required Class 1 bicycle parking spaces are located in the garage. The Project would not interfere or unduly burden traffic patterns within the surrounding transit rich neighborhood.

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

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

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

Although designed in a more contemporary aesthetic, the façade treatment and materials of the new building have been appropriately selected to be compatible with the surrounding neighborhood.

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

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

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable RH-2 District.

The proposed project would remain in conformity with the stated purpose of the RH-2 Zoning District, as the building will construct two residential units where two residential units are permitted per lot.

7. **Additional Findings pursuant Planning Code Section 317** establishes additional criteria for the Planning Commission when reviewing applications for the Loss of Residential and Unauthorized Units, Through Demolition, Merger and Conversion. On balance, the project complies with said criteria in that:

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

A review of the Department of Building Inspection and the Planning Department databases showed no active enforcement cases or notices of violation for the subject property.

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

The existing structure appears to have been maintained in a decent, safe and sanitary condition.

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

The existing structure is not a historical resource.

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

The Project qualifies for a categorical exemption and would not result in a substantial adverse impact under CEQA.

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

The existing structure is a one-family residence which is tenant-occupied. The new building will consist of one tenant- and one owner-occupied unit. As such, the project does entail conversion of rental housing to other forms of tenure or occupancy.

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

The Project Site contains one dwelling unit. Although a single dwelling unit is technically subject to the Rent Stabilization and Arbitration Ordinance because it is a residential building constructed before 1979, the Planning Department cannot definitively determine which aspects of the Ordinance are applicable. The Rent Stabilization and Arbitration Ordinance includes provisions for eviction controls, price controls, and other controls, and it is the purview of the Rent Board to determine which specific controls apply to a building or property. The Rent Board has confirmed that there are

no database records, or any documentation indicating an eviction. Neither history nor eviction notices are filed at the Rent Board for 230 Kirkham Street.

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

Although the Project proposes the demolition of an existing one-family residence, the new construction proposes two family-sized dwelling units, resulting in a net gain of one dwelling unit at the Project Site.

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

The replacement building complements the neighborhood character with appropriate mass, scale, design, and materials, and improves cultural and economic diversity by appropriately increasing the number of bedrooms, which provide family-sized housing. The Project would yield a net gain of one residential unit and four bedrooms (six total) to the City's housing stock.

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

The existing residential unit is not a designated affordable dwelling unit nor subject to the Residential Rent Stabilization and Arbitration Ordinance and is therefore subject to market-rate demand pricing. The Project will provide two new family-sized market-rate units and is therefore not comparable to the affordability of the existing two-bedroom circa 1922 single-family dwelling. The Project will also result in a net addition of one new dwelling unit to the City's housing stock, thereby providing minor relief to the overall demand for housing.

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

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

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

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

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

The project proposes an opportunity for family-sized housing, the new structure will provide one additional dwelling unit. Thus, creating two family-sized units where one currently exists.

- xiii. Whether the Project creates new supportive housing;

The Project will not create new supportive housing.

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

The overall scale, design, and materials of the proposed building complements the neighborhood character with a contemporary design. The Project was reviewed by the Residential Design Advisory Team, which determined that the Project was consistent with the Residential Design Guidelines and enhances the existing neighborhood character.

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

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

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

The existing building contains two bedrooms. The Project will contain a total of six bedrooms across the two dwelling units.

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

The project proposes demolition of the existing one-family structure and construction of a two-family structure. The Project will provide the maximum number of dwelling units allowed on site.

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

The Planning Department cannot definitively determine whether the one-family home is subject to the Rent Stabilization and Arbitration Ordinance. The existing two-bedroom structure is proposed to be replaced with two dwelling units. As such, the Project adds one family-sized unit to the City's housing stock.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

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 to demolish a single-family residence to construct a new two-family residence; each 1,218 square foot unit will provide three bedrooms.

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 complement 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.

Policy 11.4:

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

Policy 11.5:

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

The proposed new construction conforms to the Residential Design Guidelines and is appropriate in terms of material, scale, proportions and massing for the surrounding neighborhood. Furthermore, the proposal results in an increase in the number of dwelling units, while maintaining general compliance with the requirements of the Planning Code.

URBAN DESIGN ELEMENT

Objectives and Policies

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 1.3

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 complement the neighborhood character.

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

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

The project site does not possess any neighborhood-serving retail uses. The Project provides two new dwelling units, which will enhance the nearby retail uses by providing new residents, who may patron and/or own these businesses.

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

The 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 and units. There will be a net gain of one unit at the project site.

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

The Project does not currently possess any existing affordable 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 is within walking distance to the 6-Haight/Parnassus, 36-Teresita, 43-Masonic, 44-O'Shaughnessy, and 66-Quintara bus lines, and N-Judah Muni Metro line.

- 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 is a residential project in an RH-2 District; therefore, the Project would not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses would not be affected by the Project.

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

The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

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

The Project will have no negative impact on existing parks and open spaces. The Project does not exceed the 40-foot height limit and is thus not subject to the requirements of Planning Code Section 295 – Height Restrictions on Structures Shadowing Property Under the Jurisdiction of the Recreation and Park Commission. The height of the proposed structure is compatible with the established neighborhood development.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Conditional Use 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. 2017-013155CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 4, 2019, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 7, 2019.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: November 7, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to demolish a two-story single-family dwelling and to construct a three-story, two-family dwelling located at 230 Kirkham Street, Block 1847, and Lot 026 pursuant to Planning Code Sections 303 and 317 within the RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District; in general conformance with plans, dated October 4, 2019, and stamped "EXHIBIT B" included in the docket for Record No. 2017-013155CUA and subject to conditions of approval reviewed and approved by the Commission on November 7, 2019 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 November 7, 2019 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 – COMPLIANCE AT PLAN STAGE

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

PROVISIONS

7. **Residential Child Care Impact Fee.** 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 - AFTER ENTITLEMENT

8. **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

9. **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

10. **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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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

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Exhibit B - Plans and Renderings



CMD Architecture
 801 Portola Drive
 Suite 104
 San Francisco CA
 94127
 415 664 3400

NEW TWO-UNIT BUILDING FOR THE BERMUDEZ FAMILY

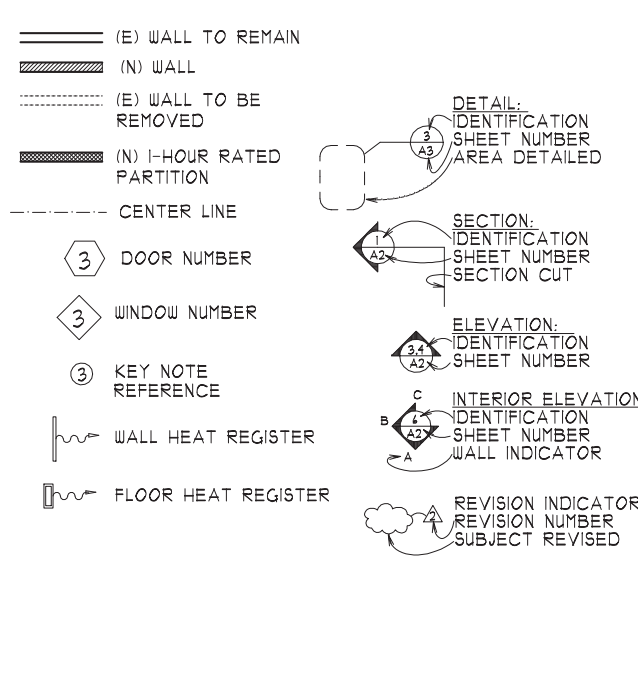
230 KIRKHAM STREET, SAN FRANCISCO, CA 94122
SITE PERMIT SUBMITTAL

PROJECT NAME AND ADDRESS:
 NEW TWO-UNIT BUILDING FOR THE BERMUDEZ FAMILY
 230 Kirkham Street, San Francisco, CA 94122
 SITE PERMIT SUBMITTAL

AND	H.B.	HOSE BIBB	TRD.	TREAD
ANGLE	HOUD.	HARDWOOD	T.B.	TOWEL BAR
AT	HDUE.	HARDWARE	T.C.	TOP OF CURB
CENTERLINE	HORIZ.	HORIZONTAL	TEL.	TELEPHONE
PROPERTY LINE	HOUR	HOUR	T.I.G.	TONGUE AND GROOVE
DIAMETER OR ROUND FOUND OR NUMBER	I.D.	INSIDE DIAMETER (DIM.)	THK.	THICK
FOOT, FEET	INCHES	INCHES	T.O.	TOP OF
INCHES	INSUL.	INSULATION	T.P.	TOP OF PAVEMENT
TIMES OR BY	INT.	INTERIOR	T.P.D.	TOILET PAPER DISPENSER
EXISTING	INT.	INTERIOR	T.V.	TELEVISION
NEW	JT.	JOINT	T.W.	TOP OF WALL
RELOCATED	KIT.	KITCHEN	TYP.	TYPICAL
A.D.	ADJ.	ADJUSTABLE	UNF.	UNFINISHED
ADJ.	A.F.F.	ABOVE FINISHED FLOOR	U.O.N.	UNLESS OTHERWISE NOTED
APPROX.	LAM.	LAMINATE	VERT.	VERTICAL
ARCH.	LAV.	LAVATORY	V.I.F.	VERIFY IN FIELD
ARCH.	LT.	LIGHT	W.	WEST
BD.	MAX.	MAXIMUM	W/C.	WITH WATER CLOSET
BITUM.	M.C.	MEDICINE CABINET	W.D.	WOOD
BLDG.	MECH.	MECHANICAL	W/L.	WASTE LINE
BLKG.	MEMB.	MEMBRANE	W/O.	WITHOUT WATERPROOF
BN.	MET.	METAL	W.P.	WARRANTY
BOT.	MFR.	MANUFACTURER	W.V.	WASTE VENT
CAB.	MIN.	MINIMUM		
C.B.	MIR.	MIRROR		
C.B.	MIS.C.	MISCELLANEOUS		
C.E.M.	M.O.	MASONRY OPENING		
C.F.	M.T.D.	MOUNTED		
C.I.	MUL.	MULLION		
C.G.				
C.G.				
CLG.				
CLKG.				
CLO.				
CLR.				
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CONC.				
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FLUOR.				
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F.O.F.				
F.O.S.				
FFRF.				
F.P.				
FT.				
FTG.				
FURR.				
FUT.				
GA.				
GALV.				
G.B.				
G.D.				
G.F.I.				
GL.				
GND.				
GR.				
GYP.				



PROJECT ADDRESS: 230 KIRKHAM STREET, SAN FRANCISCO, CA 94122
 OWNERS: ROSE BERMUDEZ TRUST
 TRUSTEE FOR ROSE BERMUDEZ TRUST:
 JULIO BERMUDEZ (408) 811-0830
 CONTACT PERSON: CASSANDRA METTLING-DAVIS, AIA
 CMD ARCHITECTURE
 (415) 664-3400
 PROJECT DESCRIPTION: DEMOLISH EXISTING SINGLE FAMILY HOUSE AND CONSTRUCT NEW TWO-UNIT BUILDING, 1ST FLOOR (GROUND LEVEL) TO PROVIDE PARKING FOR TWO CARS, STORAGE, AND ENTRY FOYER, 2ND AND 3RD FLOORS TO EACH HAVE ONE RESIDENTIAL UNIT, EACH WITH THREE BEDROOMS, 1-1/2 BATHROOMS PLUS OPEN PLAN FOR KITCHEN/LIVING/DINING AREAS AND REAR DECKS.



ABBREVIATIONS

PROPOSED BUILDING

BLOCK/LOT #: 1841 / 024 (E) NO. OF FLOORS: 2
 ZONING DISTRICT: RH-2 PROPOSED NO. OF FLOORS: 3
 HEIGHT/BULK DISTRICT: 40X MAX. DEPTH OF EXCAVATION: 2'
 OCCUPANCY: R-3 EST. AMT. OF SOIL DISTURBANCE: 69 CY
 CONSTRUCTION TYPE: VB EXISTING BLDG. HGT: ±20'-2"
 DWELLING UNIT MIX: (2) 3 BDRM. UNITS PROPOSED BLDG. HGT: ±33'-9"
 NO. OF PARKING SPACES: 2
 NO. OF BICYCLE PARKING SPACES: 0
 USABLE OPEN SPACE: 1,260 SF (INCLUDES DECKS, STAIRS)
 NO. OF MARKET RATE UNITS: 2

SYMBOLS

1. THESE DRAWINGS CONSTITUTE A PORTION OF THE CONTRACT DOCUMENTS AS DEFINED IN THE GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION. REFER TO PROJECT MANUAL.
 2. CONTRACTOR ACKNOWLEDGES THAT HE HAS THOROUGHLY FAMILIARIZED HIMSELF WITH THE BUILDING SITE CONDITIONS, GRADES, ETC. WITH THE DRAWINGS AND SPECIFICATIONS. WITH THE DELIVERY FACILITIES AND ALL OTHER MATTERS AND CONDITIONS WHICH MAY AFFECT THE OPERATION AND COMPLETION OF THE WORK AND ASSUMES ALL RISKS. CONTRACTOR TO VERIFY SURVEY DIMENSIONS BEFORE COMMENCING WORK. THEREFROM CONTRACTOR SHALL AT ONCE REPORT TO THE ARCHITECT ANY ERROR, INCONSISTENCY, OR OMISSION THAT MAY BE DISCOVERED AND CORRECT AS DIRECTED IN WRITING BY THE ARCHITECT.
 3. BY ACCEPTING AND USING THESE DRAWINGS, CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE SAFETY CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY, AND HOLD THE OWNER AND THE ARCHITECT HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ARCHITECT.
 4. ALL ITEMS NOT NOTED AS (E) OR 'EXISTING' ARE NEW.
 5. ARCHITECT AND OWNER WILL NOT BE RESPONSIBLE FOR ANY CHANGES IN PLANS, DETAILS OR SPECIFICATIONS UNLESS APPROVED IN WRITING IN ADVANCE OF CONSTRUCTION.
 6. DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTOR SHALL VERIFY AND BE MADE COMPLETELY RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS SHOWN AND A WRITTEN CHANGE ORDER SHALL BE ISSUED BEFORE MAKING ANY CHANGES AT THE JOB SITE.

7. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES. ALL DAMAGE SHALL BE REPAIRED AT CONTRACTOR EXPENSE.
 8. CONTRACTOR TO PROVIDE BRACING AND SUPPORT AS REQUIRED TO MAINTAIN THE INTEGRITY AND SAFETY OF THE EXISTING STRUCTURE.
 9. ALL DIMENSIONS ARE TO OUTSIDE FACE OF FINISHES, UNLESS OTHERWISE NOTED.
 10. ALL EXISTING WALLS, FLOORS, AND CEILINGS AT REMOVED, NEW OR MODIFIED CONSTRUCTION SHALL BE PATCHED AS REQUIRED TO MAKE SURFACES WHOLE, SOUND AND TO MATCH EXISTING ADJACENT CONSTRUCTION, EXCEPT AS OTHERWISE NOTED.
 11. ALL WORK SHALL BE IN ACCORDANCE WITH 2014 SFBC, 2014 CBC, 2014 CMC, 2014 CEES, 2014 CEC, AND 2014 CPC, AND ALL OTHER LOCAL, STATE AND FEDERAL BUILDING CODES AND SAFETY ORDINANCES IN EFFECT AT THE TIME OF PERMIT ISSUANCE.
 12. ALL DRAWINGS, SPECIFICATIONS AND COPIES THEREOF FURNISHED BY THE ARCHITECT ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT. THEY ARE TO BE USED ONLY WITH RESPECT TO THIS PROJECT AND ARE NOT TO BE USED ON ANY OTHER PROJECT. WITH THE EXCEPTION OF ONE CONTRACT SET FOR EACH PARTY OF THE CONTRACT, SUCH DOCUMENTS ARE TO BE RETURNED OR SUITABLY ACCOUNTED FOR TO THE ARCHITECT ON REQUEST AT THE COMPLETION OF THE WORK. SUBMISSION OR DISTRIBUTION TO MEET OFFICIAL REGULATORY REQUIREMENTS OR FOR OTHER PURPOSES IN CONNECTION WITH THE PROJECT IS NOT TO BE CONSTRUED AS PUBLICATION IN DEROGATION OF THE ARCHITECT'S COMMON LAW COPYRIGHT OR OTHER RESERVED RIGHTS.
 13. THE CONTRACTOR SHALL TAKE APPROPRIATE STEPS THROUGHOUT THE PROJECT TO PREVENT AIRBORNE DUST DUE TO THE WORK, MAINTAIN WORK AREAS CLEAN AND FREE FROM UNLIE ENCUMBRANCES, AND REMOVE SURPLUS MATERIALS AND WASTE AS THE WORK PROGRESSES.

FLOOR AREAS	EXISTING:	NEW CONSTRUCTION:	INCREASE:
FIRST FLOOR (UNCONDITIONED AREA)	846 SF	1,312 SF	526 SF
SECOND FLOOR	931 SF	1,260 SF	329 SF
THIRD FLOOR	N/A	1,309 SF	1,309 SF
TOTAL HABITABLE:	931 SF	2,569 SF*	1,638 SF
UNCONDITIONED FLOOR AREA	846 SF	1,312 SF	526 SF
TOTAL:	1,111 SF	3,941 SF	2,164 SF

* NEW HABITABLE AREA TOTAL

REVISIONS:
1. 4/4/19 RDAT & PLANNING PLAN CHECK COMMENTS
2. 5/28/19 RDAT COMMENTS
3. 9/20/19 HGT. AND MISC. CLARIFICATIONS

DATE: AUGUST 28, 2018
 SCALE: AS SHOWN
 SHEET TITLE: COVER SHEET

GENERAL NOTES

PROJECT INFORMATION

SHEET INDEX

SHEET NO. **A0**
 1 OF 9 SHEETS

ARCHITECT'S STAMP:

REVISIONS:

1/4/19 RDAT & PLANNING PLAN
CHECK COMMENTS

2/20/19 HGT. AND MISC.
CLARIFICATIONS

DATE:
AUGUST 28, 2018

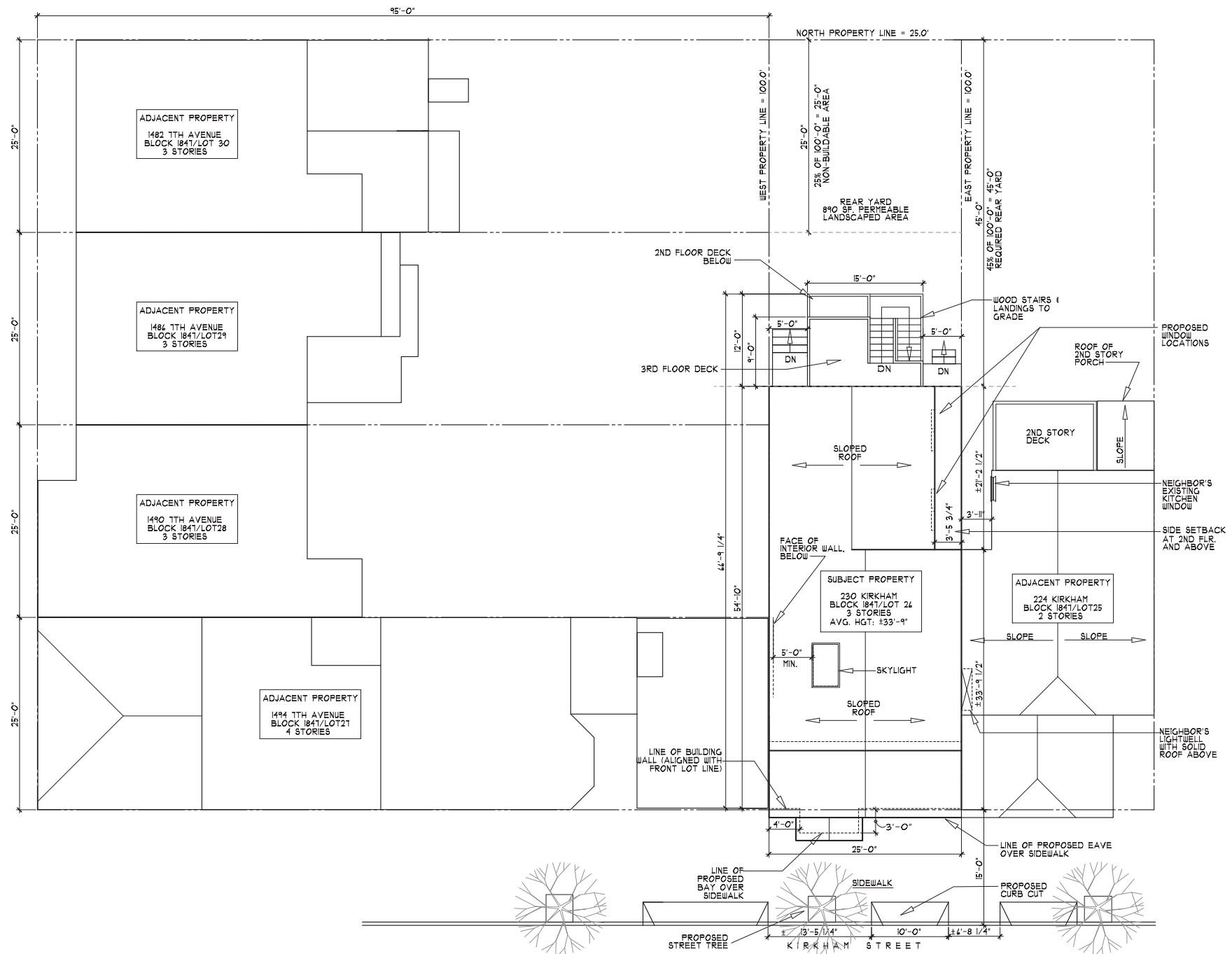
SCALE:
1/8" = 1'-0"

SHEET TITLE:
PROPOSED PLOT
PLAN / ROOF
PLAN

SHEET NO.

A1.2

5 OF 9 SHEETS



PLOT PLAN/ROOF PLAN - PROPOSED

SCALE: 1/8" = 1'-0"

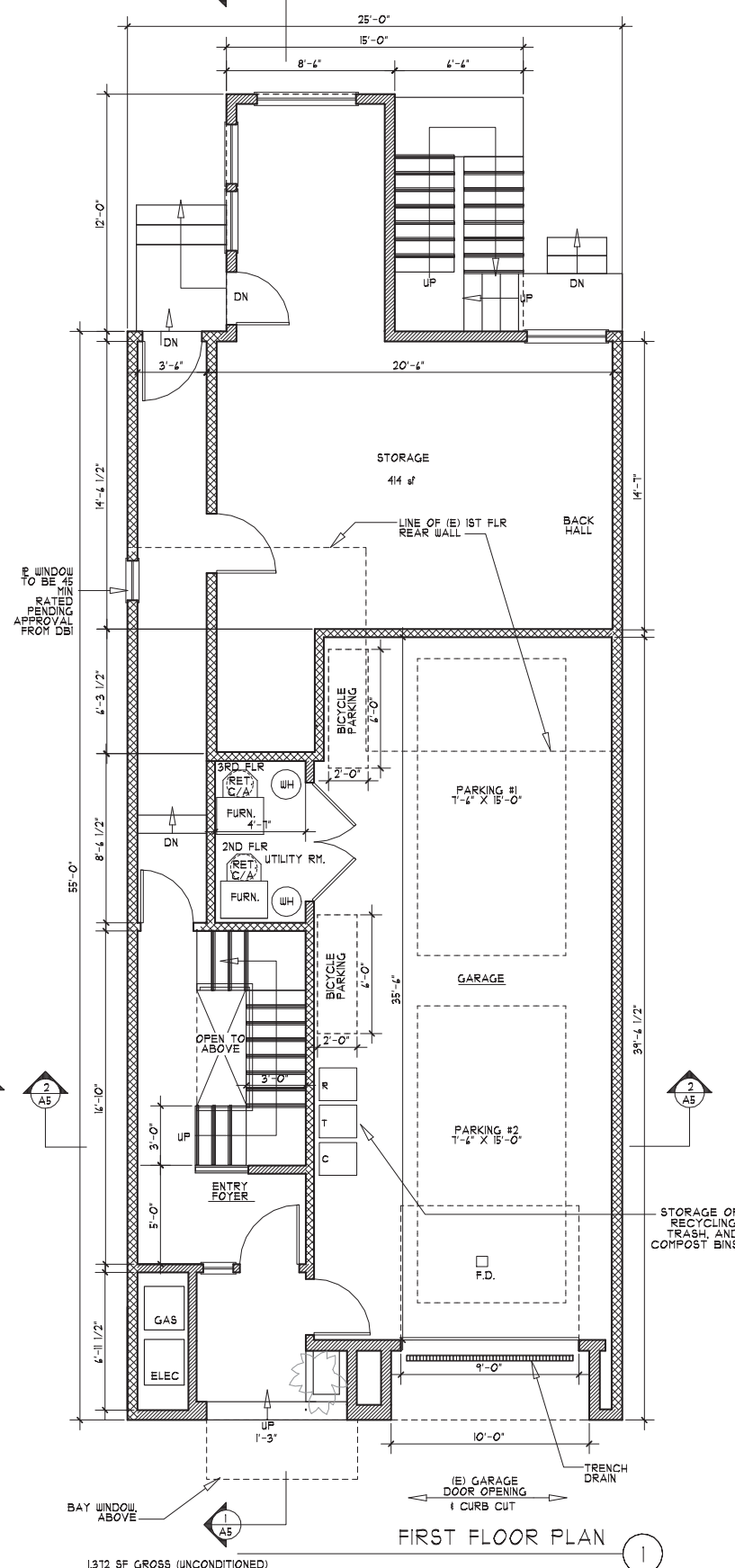
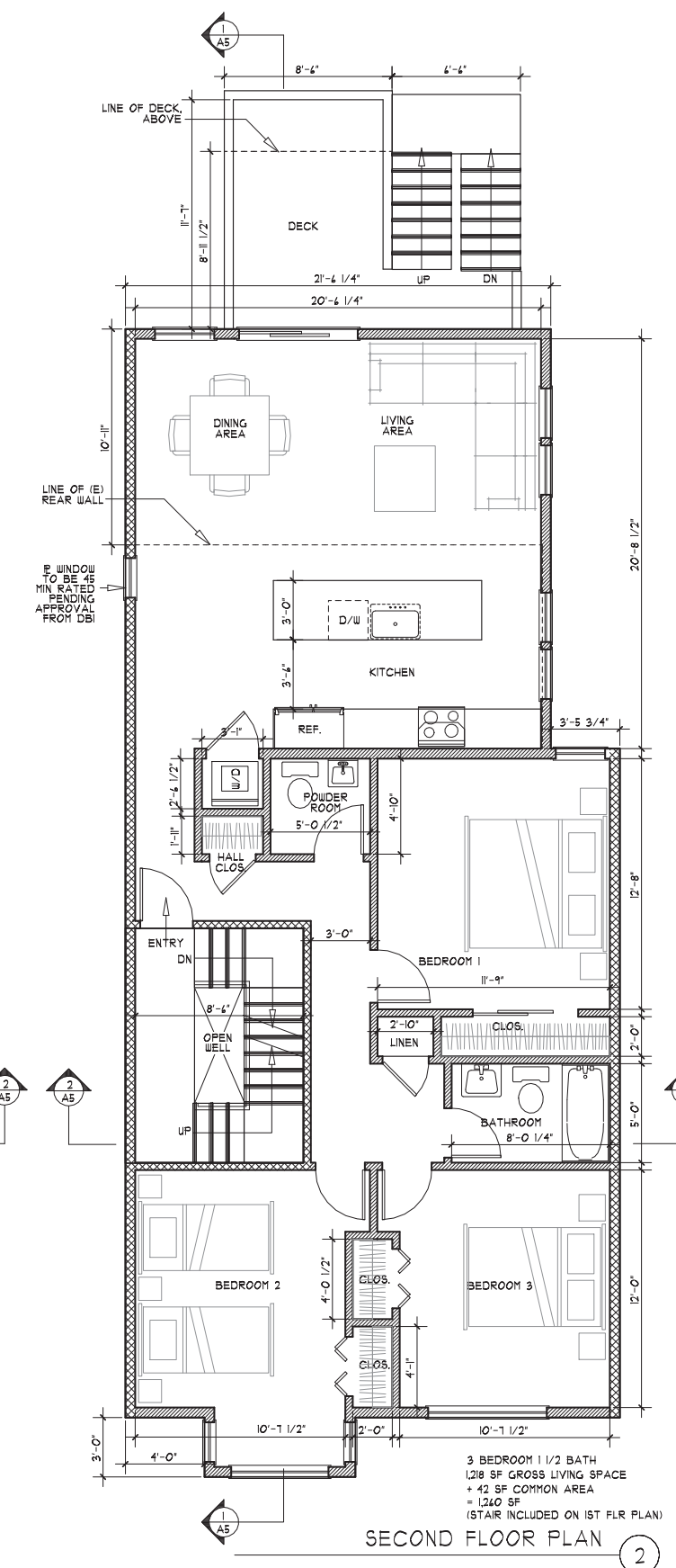
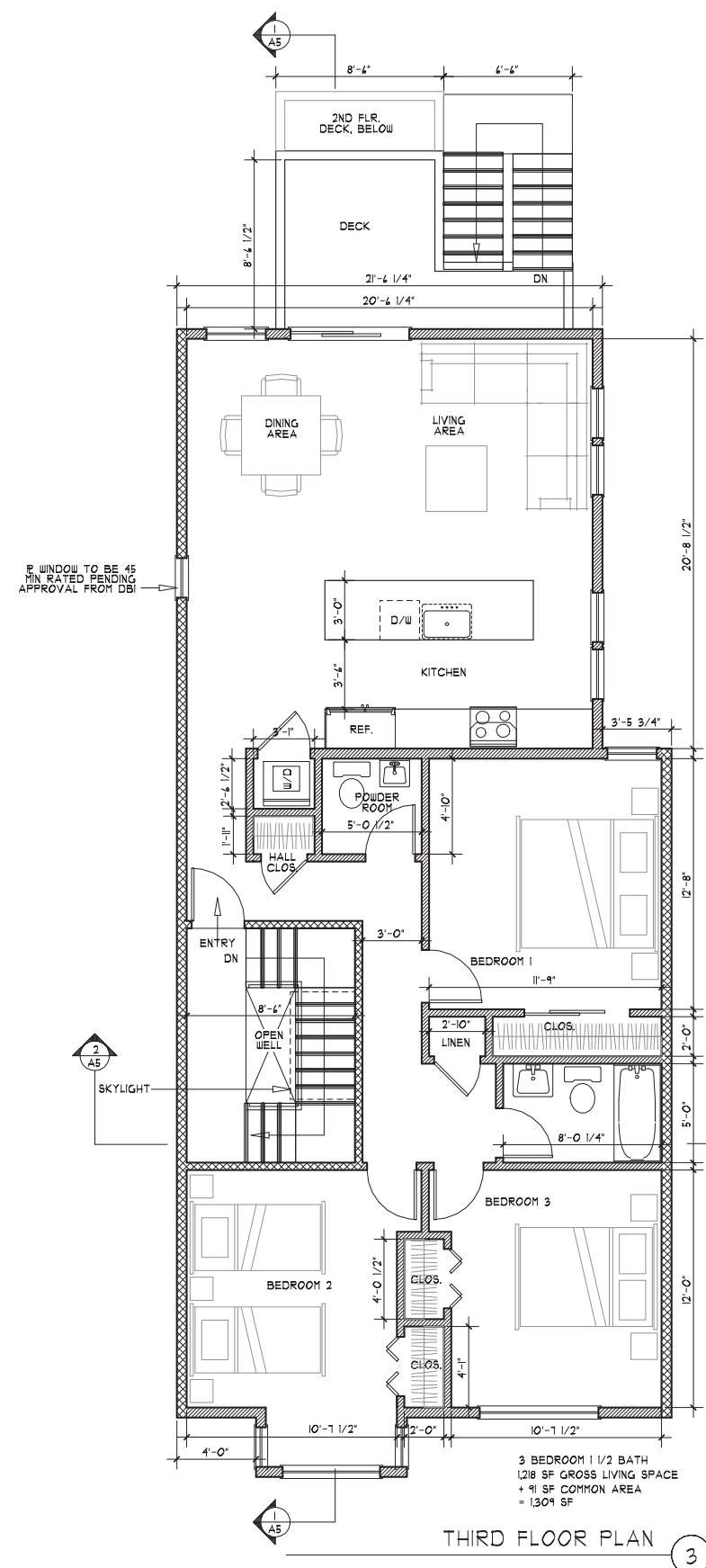




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 801 Portola Drive
 Suite 104
 San Francisco CA
 94127
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WALL KEY:

	(E) WALL TO REMAIN
	(E) WALL TO BE REMOVED
	NEW WALL
	NEW OR UPGRADED (E) WALL FOR 1 HOUR FIRE RATING



PROJECT NAME AND ADDRESS:
 NEW TWO UNIT BUILDING FOR THE
BERMUDEZ FAMILY
 230 Kirkham Street, San Francisco, CA 94122
 CU HEARING SUBMITTAL

ARCHITECT'S STAMP:

REVISIONS:

△	4/4/19 RDAT 1 PLANNING PLAN CHECK COMMENTS
△	5/28/19 RDAT COMMENTS
△	9/20/19 HGT. AND MISC. CLARIFICATIONS

DATE:
AUGUST 28, 2018

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

SHEET TITLE:
FLOOR PLANS - PROPOSED

SHEET NO.
A2
 6 OF 9 SHEETS



REVISIONS:

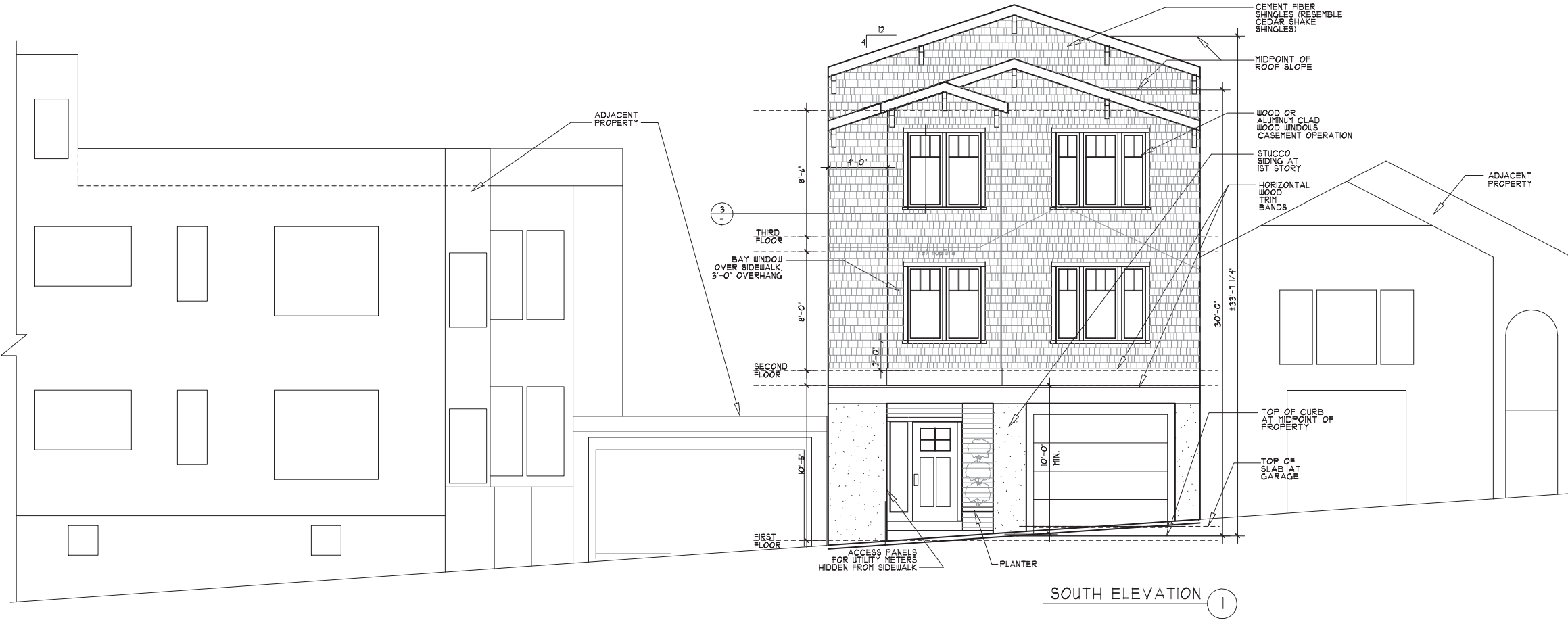
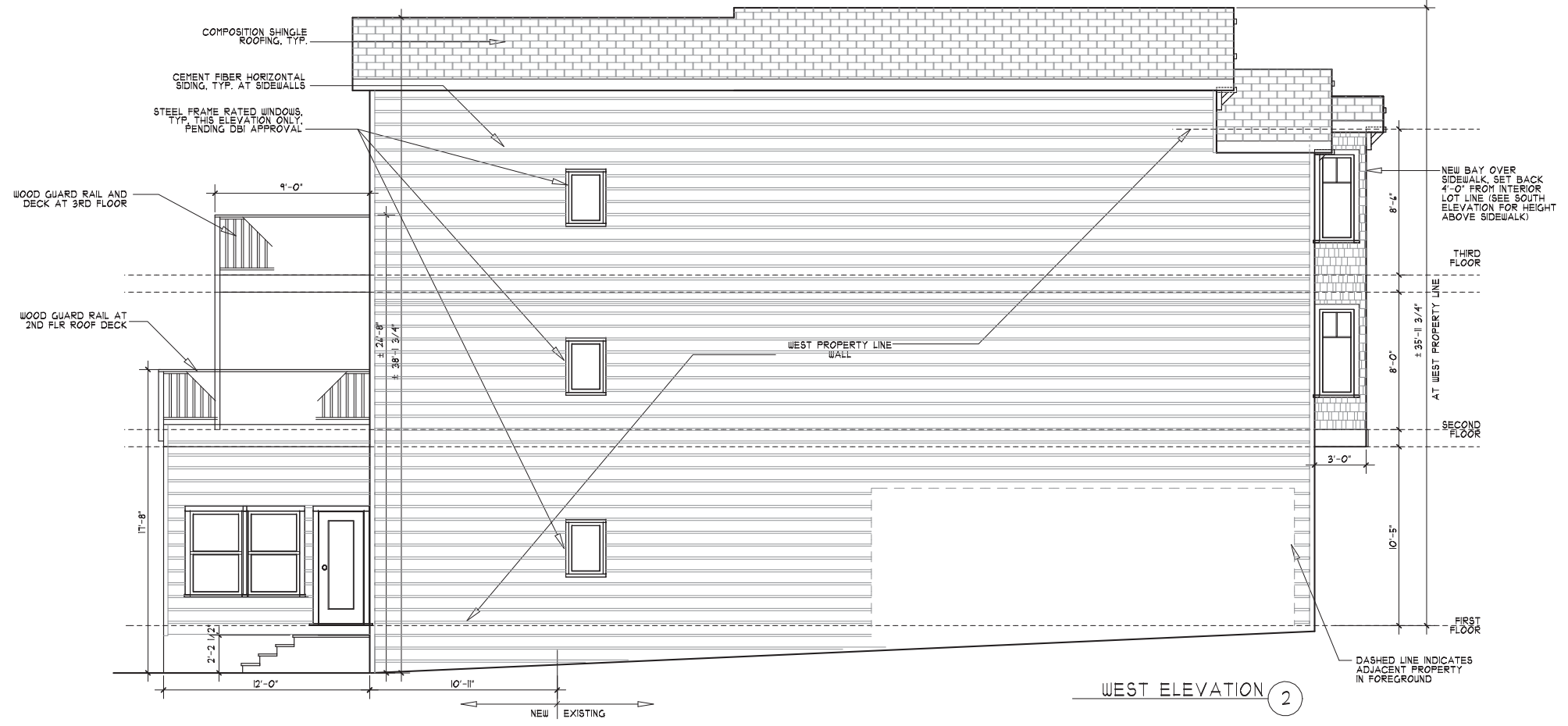
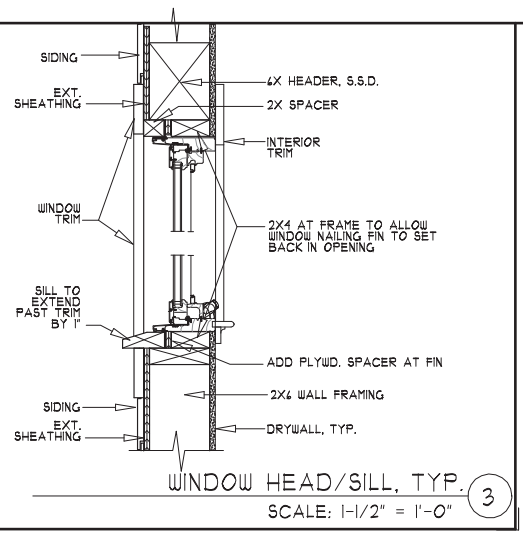
1	4/4/19 RDAT & PLANNING PLAN CHECK COMMENTS
2	5/28/19 RDAT COMMENTS
3	9/20/19 HGT. AND MISC. CLARIFICATIONS

DATE:
AUGUST 28, 2018
SCALE:
1/4" = 1'-0"

SHEET TITLE:
EXTERIOR
ELEVATIONS

SHEET NO.

A3





**CMD
Architecture**

801 Portola Drive
Suite 104
San Francisco CA
94127

415 664 3400

PROJECT NAME AND ADDRESS:
NEW TWO UNIT BUILDING FOR THE
**BERMUDEZ
FAMILY**
230 Kirkham Street, San Francisco, CA 94122
CU HEARING SUBMITTAL

ARCHITECT'S STAMP:

REVISIONS:

3/20/18 HGT. AND MISC. CLARIFICATIONS

DATE:
AUGUST 28, 2018

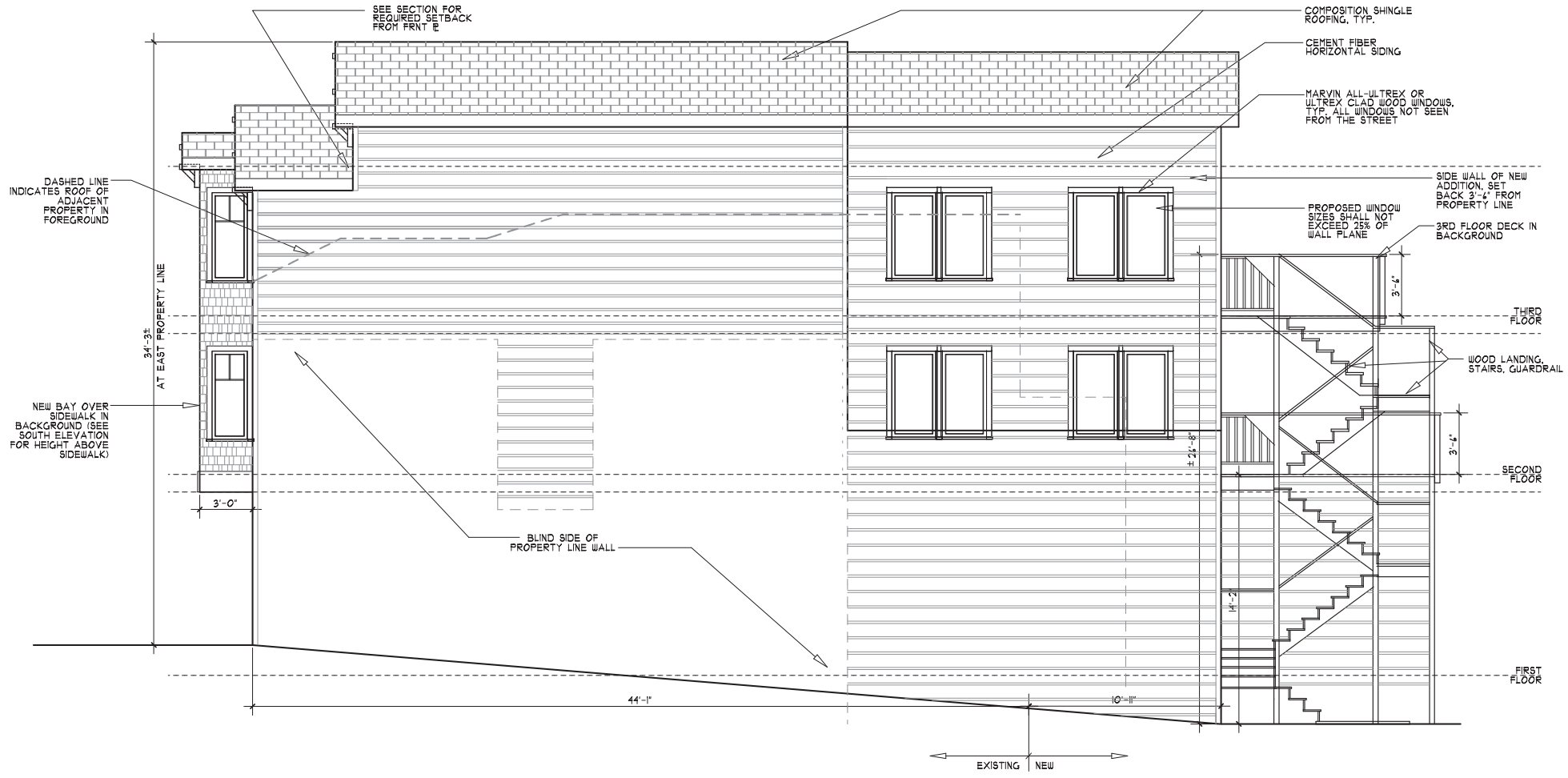
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SHEET TITLE:
EXTERIOR
ELEVATIONS

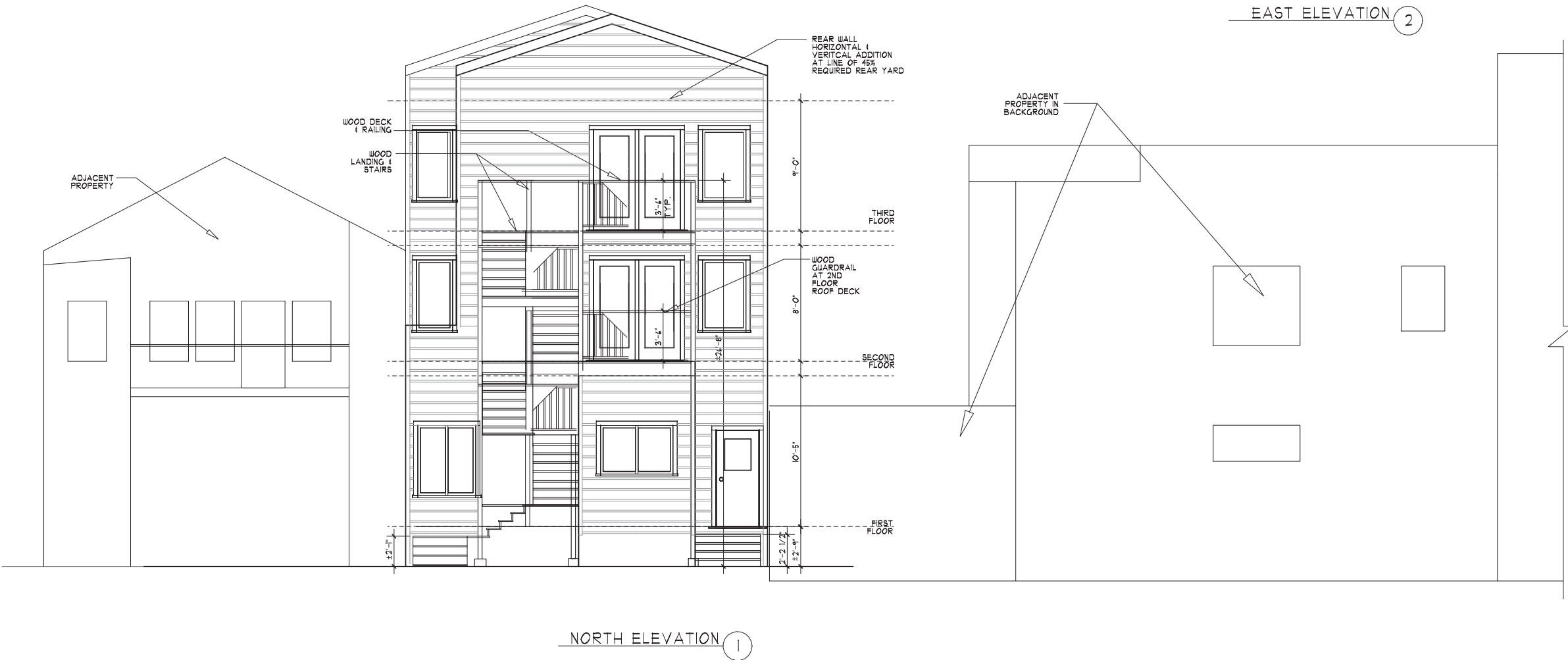
SHEET NO.

A4

8 OF 9 SHEETS



EAST ELEVATION ②



NORTH ELEVATION ①



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PROJECT NAME AND ADDRESS:
 NEW TWO UNIT BUILDING FOR THE
BERMUDEZ FAMILY
 230 Kirkham Street, San Francisco, CA 94122
 CU HEARING SUBMITTAL

ARCHITECT'S STAMP:

REVISIONS:

- 1/4/19 RDAT & PLANNING PLAN CHECK COMMENTS
- 3/20/19 HGT. AND MISC. CLARIFICATIONS

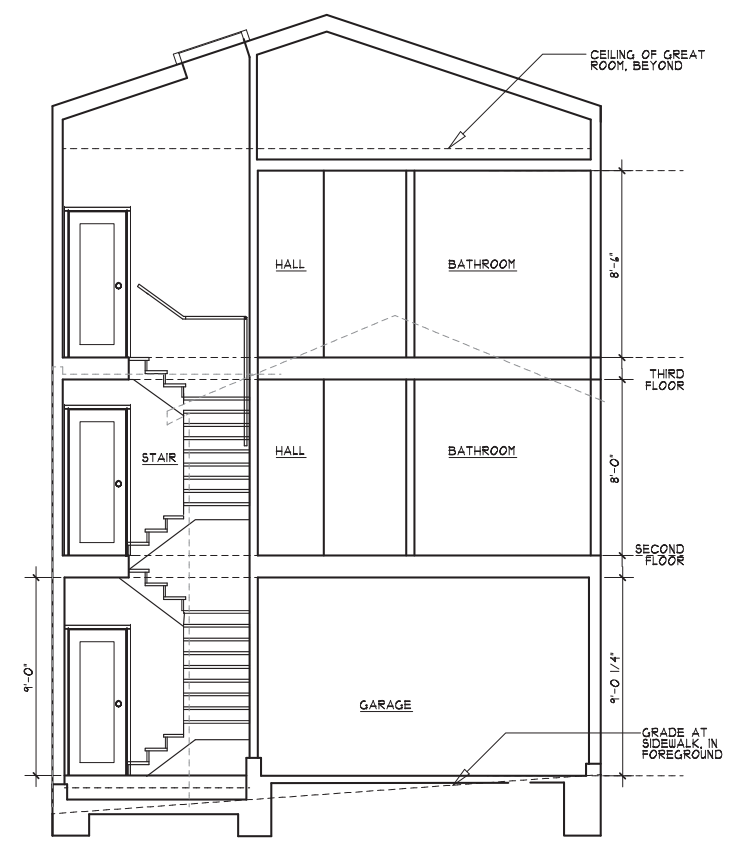
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 AUGUST 28, 2018
 SCALE:
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 BUILDING SECTION

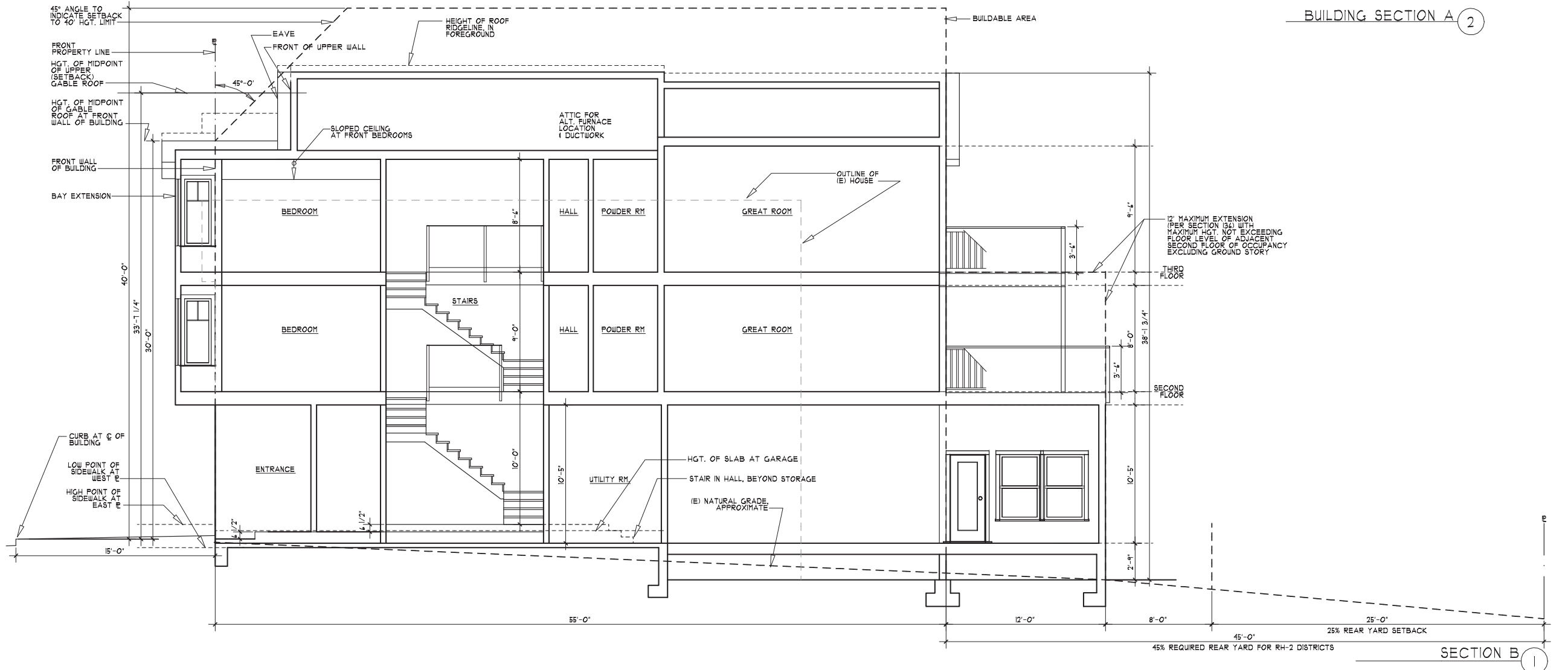
SHEET NO.

A5

9 OF 9 SHEETS



BUILDING SECTION A (2)



SECTION B (1)

230 Kirkham Street

Planning Record Number: 2017-013155CUA



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SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
230 Kirkham Street		1847026
Case No.		Permit No.
2017-013155ENV		
<input checked="" type="checkbox"/> Addition/ Alteration	<input checked="" type="checkbox"/> Demolition (requires HRE for Category B Building)	<input checked="" type="checkbox"/> New Construction
<p>Project description for Planning Department approval. Demolition of existing single family home and construction of new two unit building. Proposed project would consist of approximately 36 ft tall, 3,704 square foot, two unit building. The proposed project would also provide two off street parking spaces via a ground floor garage.</p>		

STEP 1: EXEMPTION CLASS

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).	
<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. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p>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?</p> <p><i>if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i></p>
<input type="checkbox"/>	<p>Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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?</p>
<input type="checkbox"/>	<p>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? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p>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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional): Laura Lynch</p>	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Property Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input 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 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 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 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 checked="" 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 PROJECT 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"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input checked="" type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <input type="checkbox"/> Reclassify to Category A <input checked="" type="checkbox"/> Reclassify to Category C a. Per HRER or PTR dated 01/31/2018 (attach HRER or PTR) b. Other (specify): Per PTR form signed on 1/31/2018
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input checked="" type="checkbox"/>	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.
Comments (optional):	
Preservation Planner Signature: Stephanie Cisneros	

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

<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Planning Commission Hearing	Signature: Laura Ajello
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	10/23/2019
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.		

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)
230 Kirkham Street		1847/026
Case No.	Previous Building Permit No.	New Building Permit No.
2017-013155PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Planning Commission Hearing	
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.	

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. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.	
Planner Name:	Date:



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 230 KIRKHAM ST
RECORD NO.: 2017-013155CUA

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

Reception:
415.558.6378

Fax:
415.558.6409

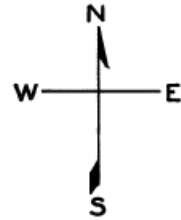
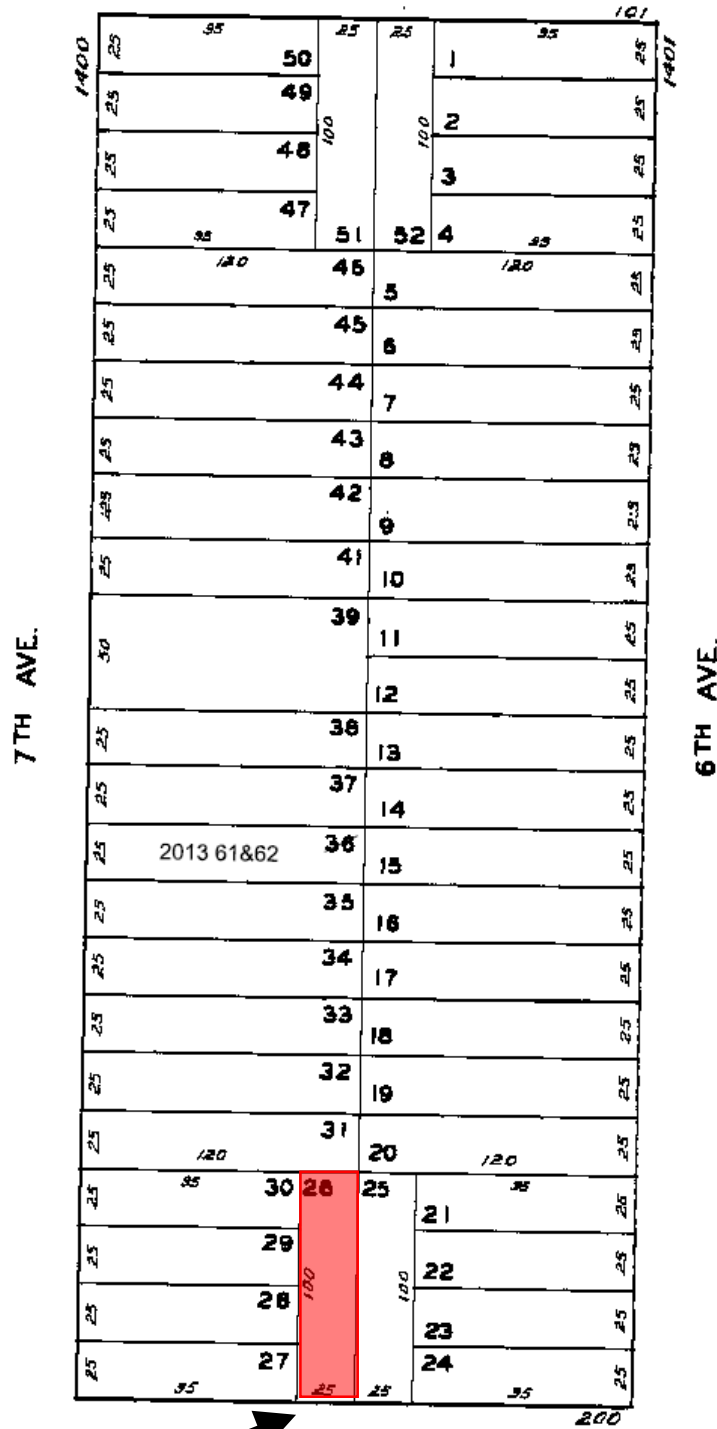
Planning
Information:
415.558.6377

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	283	577	294
Residential GSF	931	2436	1505
Retail/Commercial GSF	N/A	0	0
Office GSF	N/A	0	0
Industrial/PDR GSF <i>Production, Distribution, & Repair</i>	N/A	0	0
Medical GSF	N/A	0	0
Visitor GSF	N/A	0	0
CIE GSF	N/A	0	0
Usable Open Space	1372	1037	0
Public Open Space	N/A	0	0
Other (utility, storage, common area/circulation)	563	928	365
TOTAL GSF			
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	N/A	0	0
Dwelling Units - Market Rate	1	1	2
Dwelling Units - Total	1	1	2
Hotel Rooms	N/A	0	0
Number of Buildings	1	0	1
Number of Stories	2	1	3
Parking Spaces	1	1	2
Loading Spaces	N/A	0	0
Bicycle Spaces	0	2	2
Car Share Spaces	N/A	0	0
Other ()			

	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	0	0	0
One Bedroom Units	0	0	0
Two Bedroom Units	1	0	0
Three Bedroom (or +) Units	0	2	2
Group Housing - Rooms	N/A	0	0
Group Housing - Beds	N/A	0	0
SRO Units	N/A	0	0
Micro Units	N/A	0	0
Accessory Dwelling Units	N/A	0	0

Parcel Map

JUDAH



SUBJECT PROPERTY

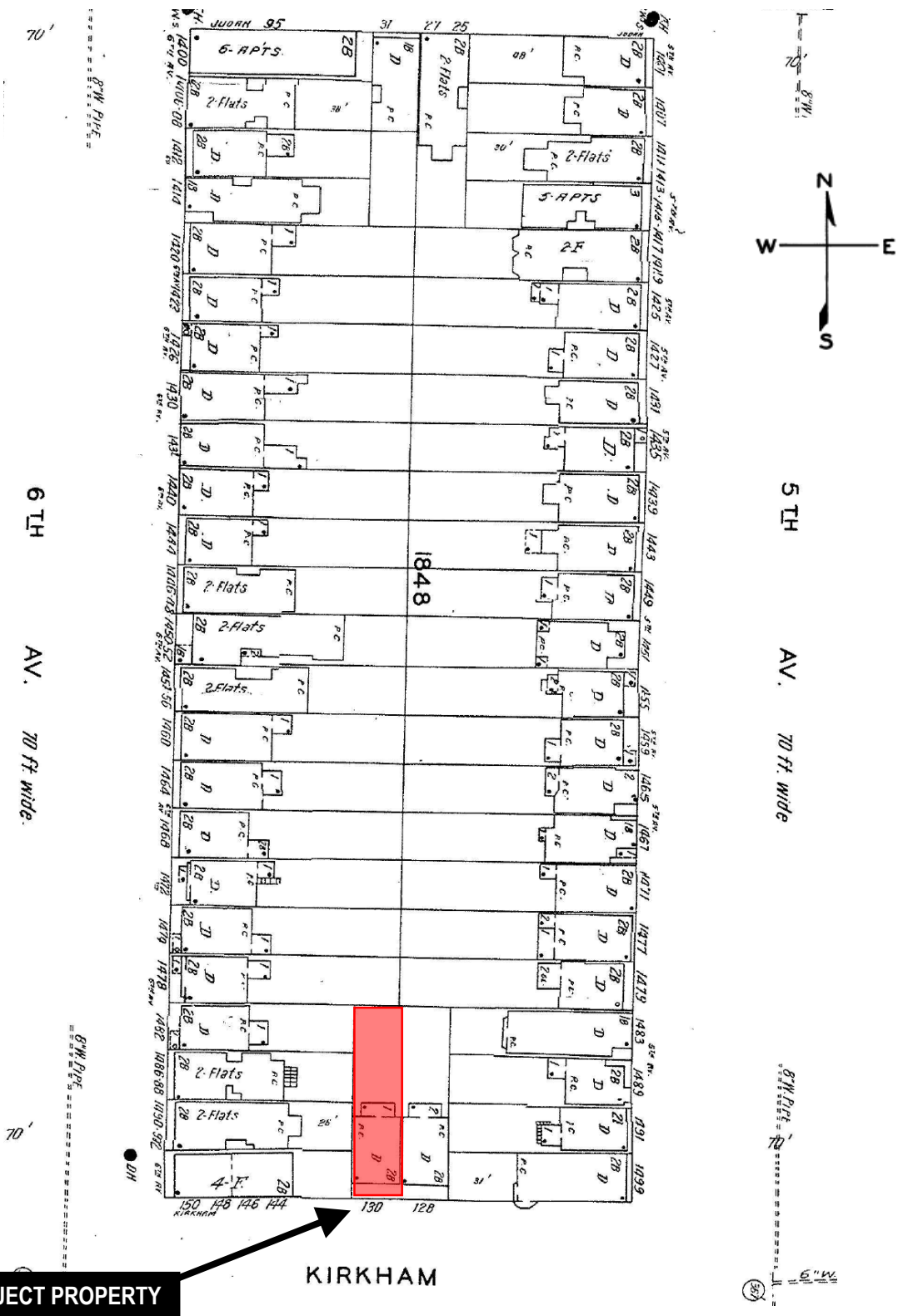
KIRKHAM



Conditional Use Hearing – Exhibit E
 Case Number 2017-013155CUA
 230 Kirkham Street

Sanborn Map*

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



SUBJECT PROPERTY

KIRKHAM



Conditional Use Hearing
 Case Number 2017-013155CUA
 230 Kirkham Street

Aerial Photo – View 1



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2017-013155CUA
230 Kirkham Street

Aerial Photo – View 2



Kirkham Street

SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2017-013155CUA
230 Kirkham Street

Zoning Map



Conditional Use Hearing
Case Number 2017-013155CUA
230 Kirkham Street

Site Photos



Front (above) and rear views of subject property



Conditional Use Hearing
Case Number 2017-013155CUA
230 Kirkham Street



August 13, 2019

To: Planning Commissioners

Submitted by: Cassandra Mettling-Davis, AIA

Re: Project Narrative for 2017-013155CUA
230 Kirkham
Proposed Two-unit residential building

My client, Julio Bermudez, is proposing replacement of his family's single family house with a new two unit building. We originally planned on modifying the existing structure for this increased density use, but found that the foundation was inadequate in all respects. The number of walls and floors that required removal or modification were tantamount to demolition. It was determined that it would be more cost effective to demolish the existing building and start fresh, thus the reason to request approval for demolition through Conditional Use.

The owners, who previously resided in this neighborhood for several decades, have rented out this building for more than a decade, and plan to continue to rent out these units in the future. The 3 bedroom units are designed to accommodate families or communal living. The owners' intent is to address the need for housing for faculty, students, or patients of UCSF, and any other potential renters.

The exterior of the building was designed to be compatible with the scale and architectural features of houses typically found in this Inner Sunset neighborhood. Like the proposed building, most houses are two stories over garage. The eave brackets, shingle and stucco finishes, and windows separated by structural mullions of the proposed building are details that can be found on many homes throughout the surrounding blocks. The gabled roof is also a neighborhood characteristic.

Because this project will add an additional housing unit to the neighborhood and has been designed to be compatible with neighborhood, we respectfully request that the Commissioners consider this project as an asset to the neighborhood and approve this project as proposed.



SAN FRANCISCO PLANNING DEPARTMENT

Planning Department Request for Rent Board Documentation

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

(Date) August 15, 2019

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

RE: Address of Permit Work: 230 Kirkham Street
Assessor's Block/Lot: 1847/026
BPA # / Case #: 2017-013155CUA

Project Type:

- Determination of Unauthorized Unit – Planning Code Section 317(g)(6)
 Other residential demo/new construction

Please provide information from the Rent Board's database records regarding possible evidence of residential use at the above referenced unit(s) on or after: *(enter date)*

Sincerely,

Laura Ajello

Digitally signed by Laura
Ajello
Date: 2019.08.15
14:21:05 -07'00'

Planner

cc: Jennifer Rakowski- Rent Board Supervisor

Rent Board Response to Request for Planning Department Records Search

Re: 230 Kirkham St.

This confirms that the undersigned employee of the San Francisco Rent Board has reviewed its database records pertaining to the above-referenced unit(s) to provide records that may demonstrate evidence of residential use. All searches are based upon the street addresses provided.

No database records were identified.

There are no Rent Board records in our database related to your search request for the property address requested. However, it is important to note that the absence of records for some or all of the residential units at a property does not mean there is or has been no residential use. Property owners are not required by law to provide any information or file any documents with the Rent Board unless they are seeking to take a certain action such as an eviction, a rent increase, or a buyout. Thus, there are many properties and many residential units for which the Rent Board has no records.

Yes, the following records were identified:

- o See attached documents.

Pursuant to your request, we have searched the Rent Board's database for records related to the property requested. Attached are some Rent Board records resulting from our search. These records can be used as evidence of prior and/or current residential use of the property. However, it is important to note that the absence of records for some or all of the residential units at a property does not mean there is or has been no residential use. Property owners are not required by law to provide any information or file any documents with the Rent Board unless they are seeking to take a certain action such as an eviction, a rent increase, or a buyout. Thus, there are many properties and many residential units for which the Rent Board has no records.

Regarding the records provided, please note that the data in the "# of units" field was imported from another department's database in 2002 and may not be accurate. It does not represent a determination by the Rent Board of the number of units at the property.

Signed:



Dated:

8-15-19

Van Lam
Citizens Complaint Officer