Executive Summary
Conditional Use

HEARING DATE: MARCH 12, 2020

Record No.: 2018-006299CUA
Project Address: 378 8th Avenue
Zoning: RM-1 (Residential, Mixed, Low Density) Zoning District
40-X Height and Bulk District
Block/Lot: 1439/024
Project Sponsor: Cassandra Mettling-Davis
CMD Architecture
801 Portola Drive, Ste. 104
San Francisco, CA 94127
Property Owner: Steven and Rita Lau
1032 Irving Street #621
San Francisco, CA 94122
Staff Contact: Laura Ajello – (415) 575-9142
laura.ajello@sfgov.org
Recommendation: Approval with Conditions

PROJECT DESCRIPTION

The Project includes demolition of a 2,945 square foot, three-story single-family residence and new construction of a 6,400 square foot, three-story, 34-ft tall, two-family residence. The resulting building will contain two family-sized dwelling units (approximately 1,900 and 2,900 square feet) with a tandem two-car garage. The project site is located within the RM-1 (Residential, Mixed, Low Density) 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-over-garage, one-family residence and construct a new three-story, two-unit residence at 378 8th Avenue.

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 currently vacant. According to the property owners, the previous tenants moved out in October 2019 of their own accord. There is no known evidence of any evictions on the property. See Exhibits for Eviction History documentation.
• Design Review Comments: The department requested the applicant make the ground floor living space into a separate dwelling unit. The ground floor consists of 451 square feet of habitable space behind the garage. The space is independently accessible and has conforming dwelling unit exposure to the rear yard.

However, the property owners have noted in the Project Sponsor Brief (Exhibit F) that they intend to have their family utilize the lower unit for multi-generational family use and rent the upper unit. Additionally, they cite budget constraints prevent them from making the building into an apartment building, or adding a fourth floor, and will likely abandon the project if a third unit is made a condition of Conditional Use approval.

ENVIRONMENTAL REVIEW

On March 3, 2020, 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 three-story, one-family residential building. The project represents a sensitive infill within the allowable residential density applicable to the RM-1 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
Planning Commission Draft Motion
HEARING DATE: MARCH 12, 2020

Record No.: 2018-006299CUA
Project Address: 378 8TH AVENUE
Zoning: RM-1 (Residential, Mixed, Low Density) Zoning District
        40-X Height and Bulk District
Block/Lot: 1439/024
Project Sponsor: Cassandra Mettling-Davis
                CMD Architecture
                801 Portola Drive, Ste. 104
                San Francisco, CA 94127
Property Owner: Steven and Rita Lau
                1032 Irving Street #621
                San Francisco, CA 94122
Staff Contact: Laura Ajello – (415) 575-9142
               laura.ajello@sfgov.org

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO
PLANNING CODE SECTIONS 303 AND 317, TO DEMOLISH AN EXISTING THREE-STORY, 2,945
SQUARE FOOT ONE-FAMILY RESIDENCE AND CONSTRUCT A NEW 6,400 SQUARE FOOT
THREE-STORY, TWO-FAMILY RESIDENCE WITH TWO FAMILY-SIZED DWELLING UNITS,
LOCATED AT 378 8TH AVENUE, LOT 024 IN ASSESSOR’S BLOCK 1439, WITHIN THE RM-1
(RESIDENTIAL, MIXED, LOW DENSITY) ZONING DISTRICTS AND A 40-X HEIGHT AND BULK
DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT.

PREAMBLE

On April 12, 2019, Cassandra Mettling-Davis of CMD Architecture (hereinafter "Project Sponsor") filed
Application No. 2018-006299CUA (hereinafter “Application”) with the Planning Department (hereinafter
“Department”) for a Conditional Use Authorization to construct a new three-story, 34-ft tall, residential
building with two dwelling units (hereinafter “Project”) at 378 8th Avenue, Block 1436 Lot 024 (hereinafter
“Project Site”).

On March 3, 2020, 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 March 12, 2020, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly
noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2018-
006299CUA.
Draft Motion
March 12, 2020

RECORD NO. 2018-006299CUA
378 8th Avenue

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-006299CUA 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. 2018-006299CUA, 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 a 2,945 square foot, three-story single-family residence and new construction of a 6,400 square foot, three-story, 34-ft tall, two-family residence. The resulting building will contain two family-sized dwelling units (approximately 1,900 and 2,900 square feet) with a tandem two-car garage and two Class 1 bicycle parking spaces. The Project includes one two-bedroom and one three-bedroom unit. The Project provides private open space in the rear yard and a private roof deck.

3. Site Description and Present Use. The Project Site is located within the RM-1 (Residential, Mixed, Low Density) Zoning District on a 3,000 square-foot lot with 25 feet of street frontage and a depth of 120 feet. The Project Site contains one existing building, approximately 44 feet in length, containing a vacant one-family residential building. The existing structure was determined not to be a historic resource (application number 2005-0856E).

4. Surrounding Properties and Neighborhood. RM-1 Zoning Districts contain a mixture of dwelling types and have a significant number of apartment buildings. The subject site borders an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District which runs along Geary Boulevard and provides access to a wide variety of goods, services and transit lines. The adjacent building to the north is a large circa 1960’s six-family residence, while the adjacent building to the south is a circa 1930’s four-story religious building. The historic Star of the Sea Church and elementary school are located opposite the subject site. Surrounding properties are primarily zoned RM-1 and NC-3.

5. Public Outreach and Comments. The Department has not received any correspondence related to the project.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

   A. **Residential Demolition.** 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 three dwelling units per lot are permitted or one dwelling unit per 800 square feet of lot area within the RM-1 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 RM-1 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 reduced rear yard equal to 25% of the depth of the lot as permitted by Planning Code Section 134. 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 private open space. Unit 1 has exclusive access to the rear yard and Unit 2 the roof deck. Each of 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 8th Avenue 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 with this requirement.

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.

7. **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-family buildings and religious institutions of three to four stories. The proposal would demolish an existing one-family dwelling that contains three bedrooms and has approximately 2,945 total square feet of gross floor area (gfa). The new building will contain two family-sized dwelling units (approximately 6,400 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 does not increase the number of automobile parking spaces at the site. A ratio of one parking space per dwelling unit is provided. 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 RM-1 District.

The proposed project would remain in conformity with the stated purpose of the RM-1 Zoning District, as the building will construct two residential units where four residential units are permitted (one dwelling unit per 800 square feet of lot area).

8. 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 that was tenant-occupied until October 2019 but is currently vacant. 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 378 8th Avenue.

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 two bedrooms (five 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 three-bedroom circa 1904 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 three bedrooms. The Project will contain a total of five 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, where four dwelling units are allowed on a lot of this size. Therefore, the Project will not 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 three-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.

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

**HOUSING ELEMENT**

Objectives and Policies

**OBJECTIVE 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 three-bedroom residence to construct a new 6,400 square foot two-family residence with a total of five 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 mixed visual character neighborhood.*
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.*

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

A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.
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 1-California, 1AX-California A Express, 1BX-California B Express, 2-Clement, 28R-19th Avenue Rapid, 38-Geary, 38AX-Geary A Express, 38BX-Geary B Express, 38R-Geary Rapid, and 44-O’Shaughnessy bus lines.

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 RM-1 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.*

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 would promote the health, safety and welfare of the City.
DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby APPROVES Conditional Use Authorization Application No. 2018-006299CUA subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated March 2, 2020, 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 March 12, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: March 12, 2020
EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to demolish a three-story single-family dwelling and to construct a three-story, two-family dwelling located at 378 8th Avenue Block 1439, and Lot 024 pursuant to Planning Code Sections 317 and 303 within the RM-1 District and a 40-X Height and Bulk District; in general conformance with plans, dated March 2, 2020, and stamped “EXHIBIT B” included in the docket for Record No. 2018-006299CUA and subject to conditions of approval reviewed and approved by the Commission on March 12, 2020 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on March 12, 2020 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. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

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

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

8. **Bicycle Parking.** The Project shall provide no fewer than one Class 1 bicycle parking space per dwelling unit as required by Planning Code Sections 155.1 and 155.2.

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

PROVISIONS

9. **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

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

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

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

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

OPERATION

12. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator 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
This page intentionally left blank.
Exhibit B- Plans and Renderings
### CEQA Categorical Exemption Determination

**PROPERTY INFORMATION/PROJECT DESCRIPTION**

<table>
<thead>
<tr>
<th>Project Address</th>
<th>Block/Lot(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>378 8th Avenue</td>
<td>1439024</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Permit No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-006299ENV</td>
<td>201912139480</td>
</tr>
</tbody>
</table>

- [ ] Addition/Alteration
- [ ] Demolition (requires HRE for Category B Building)
- [ ] New Construction

**Project description for Planning Department approval.**

The project sponsor proposes the demolition of an existing three-story, single-family residence and the construction of a three-story, two-unit, residential building with two off-street parking spaces at the ground floor. The new building would be approximately 6,402 square feet in size. The project would require approximately two feet of excavation below ground surface. The project includes a roof deck.

### STEP 1: EXEMPTION CLASS

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).

<table>
<thead>
<tr>
<th>Class 1 - Existing Facilities</th>
<th>Interior and exterior alterations; additions under 10,000 sq. ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class 3 - New Construction</td>
<td>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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Class 32 - In-Fill Development</th>
<th>New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(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.</td>
<td></td>
</tr>
<tr>
<td>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</td>
<td></td>
</tr>
<tr>
<td>(c) The project site has no value as habitat for endangered rare or threatened species.</td>
<td></td>
</tr>
<tr>
<td>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</td>
<td></td>
</tr>
<tr>
<td>(e) The site can be adequately served by all required utilities and public services.</td>
<td></td>
</tr>
</tbody>
</table>

FOR ENVIRONMENTAL PLANNING USE ONLY

Class _____
### STEP 2: CEQA IMPACTS
**TO BE COMPLETED BY PROJECT PLANNER**

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Air Quality</strong>:</td>
<td>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 &gt; CEQA Catex Determination Layers &gt; Air Pollution Exposure Zone)</td>
</tr>
</tbody>
</table>
| **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 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).* |
| **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? |
| **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) |
| **Subdivision/Lot Line Adjustment**: | Does the project 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. |
| **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. |
| **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. |
| **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. |

**Comments and Planner Signature (optional):**  
Don Lewis  
The project sponsor enrolled in the Maher Program on 3/2/2020 with the health department.
**STEP 3: PROPERTY STATUS - HISTORIC RESOURCE**

**TO BE COMPLETED BY PROJECT PLANNER**

**PROPERTY IS ONE OF THE FOLLOWING:** (refer to Property Information Map)

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Go To Step</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category A</td>
<td>Known Historical Resource.</td>
<td>5.</td>
</tr>
<tr>
<td>Category B</td>
<td>Potential Historical Resource (over 45 years of age).</td>
<td>4.</td>
</tr>
<tr>
<td>Category C</td>
<td>Not a Historical Resource or Not Age Eligible (under 45 years of age).</td>
<td>6.</td>
</tr>
</tbody>
</table>

**STEP 4: PROPOSED WORK CHECKLIST**

**TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Change of use and new construction. Tenant improvements not included.</td>
</tr>
<tr>
<td>2</td>
<td>Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.</td>
</tr>
<tr>
<td>3</td>
<td>Window replacement that meets the Department’s Window Replacement Standards. Does not include storefront window alterations.</td>
</tr>
<tr>
<td>4</td>
<td>Garage work. A new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.</td>
</tr>
<tr>
<td>5</td>
<td>Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.</td>
</tr>
<tr>
<td>6</td>
<td>Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.</td>
</tr>
<tr>
<td>7</td>
<td>Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dormer Windows.</td>
</tr>
<tr>
<td>8</td>
<td>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.</td>
</tr>
</tbody>
</table>

**Note:** Project Planner must check box below before proceeding.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Project is not listed. GO TO STEP 5.</td>
</tr>
<tr>
<td></td>
<td>Project does not conform to the scopes of work. GO TO STEP 5.</td>
</tr>
<tr>
<td></td>
<td>Project involves four or more work descriptions. GO TO STEP 5.</td>
</tr>
<tr>
<td></td>
<td>Project involves less than four work descriptions. GO TO STEP 6.</td>
</tr>
</tbody>
</table>

**STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW**

**TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.

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

8. **Other work consistent** with the Secretary of the Interior Standards for the Treatment of Historic Properties *(specify or add comments):*

9. **Other work** that would not materially impair a historic district *(specify or add comments):*

*(Requires approval by Senior Preservation Planner/Preservation Coordinator)*

10. **Reclassification of property status.** *(Requires approval by Senior Preservation Planner/Preservation Coordinator)*

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reclassify to Category A</td>
<td>Reclassify to Category C</td>
</tr>
<tr>
<td>a.</td>
<td>Per HRER or PTR dated</td>
<td><em>(attach HRER or PTR)</em></td>
</tr>
<tr>
<td>b.</td>
<td>Other <em>(specify):</em></td>
<td></td>
</tr>
</tbody>
</table>

*Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.*

- **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:** Don Lewis

---

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION**

**TO BE COMPLETED BY PROJECT PLANNER**

- **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.

<table>
<thead>
<tr>
<th>Project Approval Action: Planning Commission Hearing</th>
<th>Signature: Don Lewis</th>
</tr>
</thead>
<tbody>
<tr>
<td>If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</td>
<td>03/03/2020</td>
</tr>
</tbody>
</table>

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.
### TO BE COMPLETED BY PROJECT PLANNER

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT**

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**

<table>
<thead>
<tr>
<th>Project Address (If different than front page)</th>
<th>Block/Lot(s) (If different than front page)</th>
</tr>
</thead>
<tbody>
<tr>
<td>378 8th Avenue</td>
<td>1439/024</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Previous Building Permit No.</th>
<th>New Building Permit No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-006299PRJ</td>
<td>201912139480</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Plans Dated</th>
<th>Previous Approval Action</th>
<th>New Approval Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Commission Hearing</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Modified Project Description:**

**DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION**

Compared to the approved project, would the modified project:

- [ ] Result in expansion of the building envelope, as defined in the Planning Code;
- [ ] Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
- [ ] Result in demolition as defined under Planning Code Section 317 or 19005(f)?
- [ ] Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?

If at least one of the above boxes is checked, further environmental review is required.

**DETERMINATION OF NO SUBSTANTIAL MODIFICATION**

- [ ] The proposed modification 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.

<table>
<thead>
<tr>
<th>Planner Name:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This page intentionally left blank.
## Land Use Information

**PROJECT ADDRESS:** 378 08TH AVE  
**RECORD NO.:** 2018-006299CUA

<table>
<thead>
<tr>
<th></th>
<th>EXISTING</th>
<th>PROPOSED</th>
<th>NET NEW</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GROSS SQUARE FOOTAGE (GSF)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking GSF</td>
<td>1043 SF</td>
<td>817</td>
<td>-226</td>
</tr>
<tr>
<td>Residential GSF</td>
<td>1252</td>
<td>4793</td>
<td>+2541</td>
</tr>
<tr>
<td>Retail/Commercial GSF</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Office GSF</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Industrial/PDR GSF</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Medical GSF</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Visitor GSF</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>CIE GSF</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Usable Open Space</td>
<td>1350</td>
<td>974</td>
<td>-376</td>
</tr>
<tr>
<td>Public Open Space</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Other (Common)</td>
<td>0</td>
<td>524</td>
<td>524</td>
</tr>
<tr>
<td><strong>TOTAL GSF</strong></td>
<td>4245</td>
<td>-1108</td>
<td>2013</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>EXISTING</th>
<th>NET NEW</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PROJECT FEATURES (Units or Amounts)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dwelling Units - Affordable</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Dwelling Units - Market Rate</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Dwelling Units - Total</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Hotel Rooms</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Number of Buildings</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Number of Stories</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Loading Spaces</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Bicycle Spaces</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Car Share Spaces</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Other ( )</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>EXISTING</td>
<td>PROPOSED</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>----------</td>
<td>----------</td>
</tr>
<tr>
<td><strong>LAND USE - RESIDENTIAL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Studio Units</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>One Bedroom Units</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Two Bedroom Units</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Three Bedroom (or +) Units</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Group Housing - Rooms</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Group Housing - Beds</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>SRO Units</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Micro Units</td>
<td>N/A</td>
<td>0</td>
</tr>
<tr>
<td>Accessory Dwelling Units</td>
<td>N/A</td>
<td>0</td>
</tr>
</tbody>
</table>
Parcel Map

CLEMENT

SUBJECT PROPERTY

GEARY BLVD

Conditional Use Authorization Hearing
Case Number 2018-006299CUA
378 8th Avenue
Exhibit E
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Conditional Use Authorization Hearing
Case Number 2018-006299CUA
378 8th Avenue
February 20, 2020

To: Planning Commissioners

Submitted by: Cassandra Mettling-Davis, AIA

Re: Project Narrative for 2018-006299CUA
378 8TH Avenue
Proposed Two-unit residential building

My clients, Steven and Rita Lau, are proposing to replace this single family home with a new two unit building. Both units are family sized. Their intention is to move into the ground floor of Unit #1 and their son or daughter would occupy the second floor of Unit #1. Unit #2 could be a rental. Access to usable open space is provided to Unit #1 via the rear yard. The fourth floor roof deck is a private roof deck serving the open space requirement for Unit #2.

The building has been designed to be compatible with the scale of other buildings on this block and in this area, which are predominately two stories over garage. We have recessed the front entry way and the floors above to emphasize the entrance and provide articulation at the façade. Use of different materials provides contrast and texture, providing visual interest. Smooth textured stucco and an angled bay reflect the traditional forms and materials of the neighborhood. These are balanced with the modern features of smooth cement panels with recessed seams and natural wood siding. Blended together the design and materials distinguish this building in a subtle manner.

Development of this property has been the owners’ intent since they purchased it more than 20 years ago. The design of the building is driven by the owners desire to be with their children as they advance toward older age. Mobility issues require that they reside in the ground floor unit that does not have stairs and use an interior stair lift to access the second floor.

The planning department has suggested that this lower unit be designed as a separate unit, and that we consider adding a fourth floor with a fourth unit to maximize the density of this property. If we were to have more than two units, the occupancy of the building would change from R3 to R2. In terms of the building code this would change the requirements in many ways. For instance, three significant changes are:

1) (CBC Section 1030) Emergency escape and rescue openings are required for all bedrooms. Without a 50’ minimum depth rear yard, R-2 occupancies cannot have emergency rescue windows at the rear wall unless the building is of Type III construction. Type III construction would require non-combustible construction at the exterior walls (vs. standard 1 hour rated wood construction for Type V). This raises the cost of construction considerably.
In some cases the DBI may allow a rated corridor from the rear yard to the public right of way. For recent projects, the DBI has not been allowing this separate rated "rescue" corridor to be shared with the access corridor to a rear unit, thus reducing the usable width of the ground floor unit to less than 17' (for a 25' wide property). This makes adding a ground floor unit with rooms of adequate widths and access to light, air and emergency egress awkward and problematic.

2) In R-2 occupancies, roof decks must have two exits. The CBC Table 1006.3.2.(1) allows a fourth story roof deck to have one exit for R3 occupancies.

3) When buildings have more than 2 units, CBC Chapter 11a Housing Access applies. While making at least one unit adaptable for disabled access is possible, the disabled parking requirement states that a van accessible parking space must be provided with a dimension of 17' wide and 18' long. This space may barely fit into our proposed garage area but if a separate rated corridor is required for emergency rescue access, it would not fit in most 25' wide properties, when considering the widths needed for the access corridor to the ground floor unit and the stair.

Adding a fourth floor and/or fourth unit is not feasible for these same reasons.

The owners are not deep pocket developers trying to maximize profit on this project. Building a 4 story building and the additional requirements to accommodate this occupancy change is beyond their budget.
February 25, 2020

To: Laura Ajello, Planner

Submitted by: Cassandra Mettling-Davis, AIA

Re: Tenant Information for 378-8th Avenue
    #2018-006299CUA

The property at 378-8th Avenue is currently vacant. It has been vacant since about October 1st, 2019, when the tenants moved out of their own accord. No evictions have taken place on this property in the 20 years that Steven and Rita Lau have been owners.

At this time, the owners intend to move into one of the units. The second unit is intended to be a rental.
Planning Department Request for Eviction History Documentation

(Date) January 15, 2020

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

RE: Address of Permit Work: 378 8th Ave
Assessor’s Block/Lot: 1439/024
BPA # / Case #: 2018-006299CUA

Project Type

☐ Merger – Planning Code Section 317
☐ Enlargement / Alteration / Reconstruction – Planning Code Section 181
☐ Legalization of Existing Dwelling Unit – Planning Code Section 207.3
☐ Accessory Dwelling Unit Planning – Planning Code Section 207(c)(4)

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

☐ 12/10/13: for projects subject to Planning code 317(e)4 or 181(c)3
   (Search records for eviction notices under 37.9(a)(8) through (14)

☐ 3/13/14: for projects subject to Planning Code Section 207.3
   (Search records for evictions notices under 37.9(a)(8) through (14)

☒ 10 years prior to the following date: April 12, 2019
   (Search records for eviction notices under 37.9(a)(9) through (14) (10 years) and under
   37.9(a)(8) (5 years)

Sincerely,
Laura Ajello
Planner

cc: Jennifer Rakowski- Rent Board Supervisor
Rent Board Response to Request from Planning Department for Eviction History Documentation

Re: 378 8th Ave.

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

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

- [ ] 12/10/13
- [ ] 03/13/14
- [x] 10 years prior to the following date: 4-12-19

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

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

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

- [ ] 12/10/13
- [ ] 03/13/14
- [x] 10 years prior to the following date: 4-12-19

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

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

Signed: [Signature]

Dated: 1-15-20

Van Lam
Citizens Complaint Officer

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