

## **EXECUTIVE SUMMARY CONDITIONAL USE**

**HEARING DATE: DECEMBER 2, 2021** 

Record No.: 2018-015061CUA **Project Address:** 1016 Pierce Street

**Zoning:** RM-3 (Residential-Mixed, Medium Density) Zoning District

40-X Height and Bulk District

Block/Lot: 0754/011 **Project Sponsor:** Colin Schmidt

1016 Pierce Street

San Francisco, CA 94115

Same as above **Property Owner:** 

**Staff Contact:** Laura Ajello - (628) 652-7353

laura.ajello@sfgov.org

**Recommendation:** Disapproval

## **Project Description**

The Project proposes to legalize the merger of two residential flats on the second and third floors and add one new Accessory Dwelling Unit at the basement level. The proposed project would authorize the interior modifications and fenestration changes at the side and rear of the building that resulted in the creation of one unit on the second and three floors. No further exterior changes are proposed.

The project includes proposed new work to create an Accessory Dwelling Unit (ADU). The proposed 546 square foot studio ADU would convert living space originally approved in 2014 as an addition to the second-floor level unit. The ADU faces a non-conforming 6-foot-deep rear yard.

## **Required Commission Action**

In order for the Project to proceed with the Department's recommendation, the Commission must disapprove the Conditional Use Authorization, pursuant to Planning Code Sections 209.2, 303 and 317 to allow the legalization of a one dwelling unit removal and addition of an Accessory Dwelling Unit via conversion of basement level living area within the RM-3 Zoning District and the 40-X Height and Bulk District.

## **Issues and Other Considerations**

- Conditional Use Authorization: The proposed project would legalize work done without City permits which resulted in the combination of two dwelling units. The Project eliminates tenant-occupied housing and is not maximizing density (three units are permitted by right based on total lot area). Per the Housing Element of the General Plan, the proposed residential merger does not retain the existing housing by controlling the merger nor does it protect the affordability of the existing housing stock.
- **Residential Merger:** Per Planning Code Section 317, a residential merger is defined as "...the combining of two or more legal Residential Units, resulting in a decrease in the number of Residential Units within a building, or the enlargement of one or more existing units while substantially reducing the size of others by more than 25% of their original floor area, even if the number of units is not reduced."

A 2014 building permit application (#201408153918 approved by Planning over the counter and issued by the Department of Building Inspection on November 5, 2014) has been included in the Commission packet as Exhibit C to show the previous conditions and authorized building layout. This permit added 425 square feet of additional living space to the two-bedroom unit located on the second floor by creating rooms at the basement level. No changes were proposed for the one-bedroom unit located on the third floor. Contrary to this permit, the flats on the second and third floors were merged into and the basement rooms was developed as a separate unit and used as a short-term rental.

## Public Comment & Outreach:

- o **Public Comment**: To date, the Department has received four emailed comments from neighbors in support of the Project because the owners are good neighbors.
- Outreach: The Sponsor was not required to host a pre-application meeting within the community for this project.

## Tenant History:

- o The subject property is entirely owner-occupied. The property owner purchased the building in 2001. No tenants have resided in the unit that was removed since "prior to 2005" per the Dwelling Unit Removal Supplemental Application (Exhibit E).
- o No tenants have been evicted within the past 10 years nor have there been any tenant buyouts within the past 10 years. See Exhibit G for Eviction History documentation.
- **Enforcement History:** A complaint was filed regarding the dwelling unit merger on November 2, 2018. See Exhibit H for the Report of Residential Building Record (3-R Report) and Notice of Violation letter, which contains a detailed case summary timeline.
- **Disapproval:** The Department recommends disapproval of the proposal to legalize the merger of two dwelling units. If the Commission disapproves the Project, the Project Sponsor would be required to restore the existing residence to two dwelling units. Separately from the restoration of the two units, the Project Sponsor could seek to add an additional dwelling unit or ADU to the existing building.

## **Environmental Review**

The Project is not defined as a project under the California Environmental Quality Act Guidelines ("CEQA") Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.



## **Basis for Recommendation**

The Department finds that the Project is, on balance, inconsistent with the Objectives and Policies of the General Plan. The project removes a naturally affordable dwelling unit and does not maximize allowable residential density of the subject property in a time when San Francisco is facing a severe housing shortage. The proposed new studio ADU has no access to conforming open space and has limited access to light and air. The Department does not find the project to be necessary, desirable, and compatible with the surrounding neighborhood, and vicinity.

## **Attachments:**

Draft Motion - Conditional Use Authorization (Exhibit A)

Exhibit B – Project Plans

Exhibit C – Department Approved 2014 Building Permit Plans (showing pre-existing and authorized layout)

Exhibit D – Land Use Data

Exhibit E – Dwelling Unit Merger Application

Exhibit F – Maps and Context Photos

Exhibit G – Eviction History

Exhibit H – 3-R Report and Notice of Violation Dated October 29, 2019





## PLANNING COMMISSION DRAFT MOTION

**HEARING DATE: DECEMBER 2, 2021** 

Record No.: 2018-015061CUA Project Address: 1016 PIERCE STREET

Zoning: RM-3 (Residential-Mixed, Medium Density) Zoning District

40-X Height and Bulk District

Block/Lot: 0754/011 Project Sponsor: Colin Schmidt

1016 Pierce Street

San Francisco, CA 94115

**Property Owner:** Same as above

**Staff Contact:** Laura Ajello – (628) 652-7353

laura.ajello@sfgov.org

ADOPTING FINDINGS RELATING TO THE DISAPPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.2, 303 AND 317 OF THE PLANNING CODE TO LEGALIZE A DWELLING UNIT MERGER OF TWO RESIDENTIAL FLATS AND THE ADDITION OF ONE ACCESSORY DWELLING UNIT TO THE BASEMENT LEVEL AT 1016 PIERCE STREET IN ASSESSOR'S BLOCK 0754, LOT 011 WITHIN THE RM-3 (RESIDENTIAL-MIXED, MEDIUM DENSITY) ZONING DISTRICT AND THE 40-X HEIGHT AND BULK DISTRICT.

### **PREAMBLE**

On December 6, 2019, Colin Schmidt (hereinafter "Project Sponsor") filed Application No. 2018-015061CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to legalize the merger of two residential flats and add one Accessory Dwelling Unit on the basement level (hereinafter "Project") at 1016 Pierce Street, Block 0754 Lot 011 (hereinafter "Project Site").

The Project is not defined as a project under the California Environmental Quality Act Guidelines ("CEQA") Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

On December 2, 2021, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-015061CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2018-015061CUA is located at 49 South Van Ness Avenue, Suite 1400, 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 disapproves the Conditional Use Authorization as requested in Application No. 2018-015061CUA, 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 legalization of a residential merger of two dwelling units into one 2,045 square foot single-family dwelling. The proposed project would authorize interior modifications that resulted in the merger of two dwelling units located on the second and third floors. The project includes proposed new work to create an Accessory Dwelling Unit (ADU). The proposed 546 square foot basement level studio ADU would convert living space originally approved in 2014 as an addition to the second-floor level unit. The ADU faces a non-conforming 6-foot-deep rear yard.
- 3. Site Description and Present Use. The Project is located on 1,298 square foot lot that measures 20 feet by 65 feet. The Project Site contains a three-story residential building with two approximately 1,023 square foot flats. The two dwelling units were merged by the current owner to create a single-family home and ground floor rooms were developed for short-term rental use.
- **4. Surrounding Properties and Neighborhood.** The Project Site is located within the RM-3 Zoning District. The immediate context is mixed in character with residential and institutional uses. The immediate neighborhood includes three-to-four-story residential development. Laurel Apartments is located to the north. Gateway Middle School and Creative Arts School to the west. Other zoning districts in the vicinity of the Project Site include: RM-1, RM-2, RH-2, and P (Public) Zoning Districts.
- **5. Public Outreach and Comments.** The Sponsor was not required to host a pre-application meeting within the community for this project. The Department received four emailed comments from neighbors in support of the Project because the owners are good neighbors.
- **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. Dwelling Unit Density. In the RM-3 Zoning District, pursuant to Planning Code Section 209.2, three dwelling units are principally permitted per lot or one unit per 400 square feet of lot area.
    - As previously configured the subject two-family building was conforming in regard to density. As proposed, the project would legalize the merger of two authorized dwelling units within the building and add a new ADU but would remain in conformity with the Planning Code.
  - **B.** Rear Yard Requirement. Planning Code Section 134 requires the subject property maintain a rear yard equivalent to 25% of the lot depth or 15 feet, whichever is greater.

The subject lot measures 20 feet wide by 65 feet deep. A rear yard measuring 16'-3" is required based on the lot depth. The building encroaches into the rear yard and has a 6'-4" setback from the rear property line. However, the existing building footprint is considered legal nonconforming per Sanborn records and plans on file with the Department of Building Inspection.



- C. Residential Usable Open Space. Accessory Dwelling Units that meet current State Program regulations are not subject to Planning Code requirements for Usable Open Space.
  - The Proposed Accessory Dwelling Unit does not have access to Usable Open Space, which is allowable per current state regulations.
- **D. Dwelling Unit Exposure.** Accessory Dwelling Units that meet current State Program regulations are not subject to Planning Code requirements for Dwelling Unit Exposure.
  - The Proposed Accessory Dwelling Unit faces a non-conforming six-foot-deep rear yard, which is allowable per current state regulations.
- E. Residential Merger Section 317. Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to merge Residential Units. This Code Section establishes a checklist of criteria that delineate the relevant General Plan Policies and Objectives.
  - As the project requires Conditional Use Authorization per the requirements of Section 317, the additional criteria specified under Section 317 have been incorporated as findings as part of this Motion. See Item 8 "Additional Findings pursuant to Section 317" below.
- 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 Project seeks to legalize the unwarranted merger of two dwelling units into one dwelling unit. The resulting single-family building is compatible with the surrounding neighborhood. However, as the merging of the aforementioned units resulted in one larger unit that would be much less affordable, the Project is not considered to be necessary or desirable for the neighborhood or the community. Housing is a top priority for the City and County of San Francisco. The Project would reduce the number of housing units on a project site without maximizing the amount of available residential density—the project site is capable of holding up to three dwelling units per the RM-3 Zoning District.
    - Additionally, the Project proposes converting living area located on the basement level (approved by the Planning Department in 2014 as additional floor area for the two-bedroom dwelling unit on the second floor) into an ADU. The ADU meets current State regulations but is not considered desirable because it lacks access to conforming Open Space and Exposure.
  - 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 Project to legalize work previously completed without permit. The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity.

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
  - The Project does not trigger any off-street parking or loading requirements and would not increase the volume of vehicle traffic to the area.
- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor:
  - The Project would reduce the number of residential units by legalizing construction previously completed without benefit of a permit and would not create any additional noise, glare, dust, or odor.
- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;
  - The Project seeks to legalize construction completed without permit and does not require any additional landscaping, screening, or open space and does not propose any new exterior changes.
- 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 does not comply with all requirements and standards of the Planning Code and is not consistent with objectives and policies of the General Plan as detailed below.
- D. That use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.
  - The Project would remain in conformity with the stated purpose of the RM-3 Zoning District, as the building will retain one residential unit where three residential units are permitted per lot.
- **8.** Residential Merger Section 317(g)(2). This Section also establishes the criteria below for the Planning Commission to consider when reviewing applications to merge residential units under Section 317(g)(2). On balance, the Project does not comply with said criteria in that:
  - A. Whether the removal of the units would eliminate only owner-occupied housing, and if so, for how long the units proposed to be removed have been owner occupied;



The proposed Project would legalize the previous removal of a tenant-occupied unit. The authorized use of the building is two dwelling units per the Residential Building Record Report (3-R). The remaining dwelling unit is occupied by the property owner.

B. Whether removal of the units and the merger with another is intended for owner occupancy;

The merged 2,045 square foot single-family dwelling proposed for legalization is currently owner-occupied.

**C.** That the removal of the unit will remove an affordable housing unit as defined in Section 401 of this Code or housing subject to the Residential Rent Stabilization and Arbitration Ordinance;

Per the Residential Building Record Report (3-R) the original use is unknown, and the authorized use is two-family. The Planning Department assumes that every unit is subject to the Residential Rent Stabilization and Arbitration Ordinance unless we receive information from an appropriate agency or body to the contrary.

**D.** If removal of the unit removes an affordable housing unit as defined in Section 401 of this Code or units subject to the Residential Rent Stabilization and Arbitration Ordinance, whether replacement housing will be provided which is equal or greater in size, number of bedrooms, affordability, and suitability to households with children to the units being removed;

Per the 3-R, the building was legally converted to two-family use in 1936. The current property owner purchased the building in 2001 and merged two dwelling units at an unspecified date. Although Department staff does not have the authority to make the final determination, it is assumed that the units that were merged are subject to the Residential Rent Stabilization and Arbitration Ordinance. The Project does not change the number of bedrooms but reduces the natural affordability of the authorized dwelling units.

The proposed new studio ADU is not considered a replacement unit to the two-bedroom flat that was removed. The ADU per State Program regulations is not subject to Usable Open Space, Dwelling Unit Exposure requirements or the Residential Rent Stabilization and Arbitration Ordinance.

E. How recently the unit being removed was occupied by a tenant or tenants;

The original Planning Department complaint for the dwelling unit merger dates from November 2018. According to the application submittal, the second unit was last rented "prior to 2005." The actual date of the residential merger is not specified. Department staff were able to determine that the property owner rented out the basement level as a short-term rental prior to the Notice of Violation. Basement level rooms were approved under an issued building permit in 2014 (authorized layout) but the permit was not completed by the applicant.

F. Whether the number of bedrooms provided in the merged unit will be equal to or greater than the number of bedrooms in the separate units;



According to the proposed Project plans, the merged unit has three bedrooms (two nested bedrooms on the second floor and one bedroom on the third floor). The proposed ADU has no bedrooms whereas the authorized layout had a two-bedroom unit and a one-bedroom unit with living spaces labeled office and family room. The authorized layout does not contain any nested bedrooms.

**G.** Whether removal of the unit is necessary to correct design or functional deficiencies that cannot be corrected through interior alterations;

The proposed Project is not required to correct design or functional deficiencies with the existing building.

**9. General Plan Compliance.** The Project is, on balance, not consistent with the following Objectives and Policies of the General Plan:

#### **HOUSING ELEMENT**

Objectives and Policies

#### **OBJECTIVE 2:**

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

## Policy 2.2

Retain existing housing by controlling the merger of residential units, except where a merger clearly creates new family housing.

### **OBJECTIVE 3**

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

### **OBJECTIVE 4**

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

Legalization of the merger will officially remove one residential unit from the City's housing stock. The Project merged two dwelling units originally located on the second and third floors into one dwelling unit. The merged three-bedroom unit replaced one one-bedroom and one two-bedroom flats that were naturally affordable because of their sizes and age. The proposed new studio ADU converts basement level rooms approved as an expansion of the second-floor unit in 2014. While technically a unit, an ADU cannot be sold a separate unit and is not subject to rent control. Therefore, the proposed legalization does not retain the former housing unit count, nor does it protect the affordability of the existing housing stock.

- **10. Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does not comply with all of these 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 Site is currently used as a single-family residence and if the Project is denied, it will be required to revert to the former two-family use per the authorized 2014 Department approved building permit layout.

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

The Project does not conserve existing housing or preserve economic diversity because it would legalize the merger of two dwelling units into one dwelling unit and add a new ADU, thus, does not result in any net new housing. Therefore, the proposed project does affect existing housing and the economic diversity of the surrounding neighborhood by legalizing the removal of a rent-controlled dwelling unit without benefit to the larger City.

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

The Project does not comply because it would legalize the merger of two residential flats to create a larger unit that would be less affordable than the legally authorized units, thus reducing the City's supply of affordable housing. The ADU is substandard to the legally permitted layout, as it is located solely on the partially subterranean basement level, lacks usable open space and access to light and air.

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

The Project is not expected to create additional traffic or parking demand as there is no increase in number of units.

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 proposes to legalize the merger and relocation of residential units; 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 conform to the requirements of the San Francisco Building Code.

G. That landmarks and historic buildings be preserved.

The existing circa 1886 building is not located in a historic district but is designated as a historic resource. The proposed dwelling unit merger will not affect the exterior of the building; no exterior changes are proposed.



- H. That our parks and open space and their access to sunlight and vistas be protected from development.
  - The proposed project will not affect any existing parks and open spaces. The Project proposes to legalize a dwelling unit merger with no exterior changes.
- **11.** The Project is not consistent with and would not promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would not contribute to the character and stability of the neighborhood and would not constitute a beneficial development.
- **12.** The Commission hereby finds that disapproval of the Conditional Use Authorization would promote the health, safety and welfare of the City.



## **DECISION**

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **DISAPPROVES Conditional Use Authorization Application No. 2018-015061CUA** pursuant to Planning Code Sections 209.2, 303 and 317 to allow the legalization of a dwelling unit merger of a two-bedroom, two-bath dwelling unit located on the second floor with one-bedroom, one bath dwelling third floor unit to create one 2,045 square foot, two-bedroom and two-bath dwelling single-family dwelling and reallocate basement level rooms as a new 546 square foot studio ADU within the RM-3 (Residential, Mixed, Medium Density) Zoning District and the 40-X Height and Bulk District.

**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 December 2, 2021.

Commission Se	ecretary
AYES:	
NAYS:	
ABSENT:	
RECUSE:	
ADOPTED:	December 2, 2021



Jonas P. Ionin

## **Exhibit B**

## **Current project plans**

Conditional Use Authorization Hearing
Case Number 2018-015061CUA
Dwelling Unit Merger
1016 Pierce Street

## **ABBREVIATIONS** AT CENTERLINE NUMBER DEGREE(S) DIAMETER PLUS or MINUS

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HEIGHT
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AIR CONDITIONING
INSULATION
INTERIOR JOINT JOIST KITCHEN KICKPLATE LAMINATED LAMINATED
LOUVER
MAXIMUM
MECHANICAL
MEMBRANE
METAL
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VENEER
VERTICAL
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WATER CLOSET

WITH WATER CLOSET WATER HEATER WATER PROOF WATER RESISTANT

NOT. STATE OF THE PROPERTY OF PANEL REFERENCE REFLECTED REFRIGERATOR REGISTER REINFORCING REQUIRED REVISION ROOM REVISION
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RETAINING WALL
SOLID CORE
STRUCTURAL ENGINEERIN
SECTION
SOUARE FOOT
SHEET
SIMILAR
SKYLIGHT
SPECIFICATION
SOUARE
SOUARE STANDARD
STEEL
STORAGE
STRUCTURAL
SUSPENDED
TO BE DETERMINED
TELEPHONE
TEMPERED
TONGUE & GROOVE
THICKNESS
THRESHOLD
TOP OF
TELEVISION
TYPICAL

### **GENERAL NOTES**

1. ALL DIMENSIONS ARE TO FACE OF FINISH, UNLESS OTHERWISE NOTED.

2. CONTRACTOR SHALL REVIEW ALL PLANS AND SPECIFICATIONS TO COORDINATE WITH EXISTING BUILDING CONDITIONS. ANY VARIANCES AND / OR DISCREPANCIES THAT ARISE IN THE ABOVE REVIEW SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY FOR RESOLUTION.

3. DISCREPANCIES IN DIMENSION OR LAYOUT SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH CONSTRUCTION.

4. DO NOT SCALE DRAWINGS!

5, DESIGN AND CONSTRUCTION SHALL CONFORM TO ALL GOVERNMENT CODES AND ORDINANCES: 2016 CALIFORNIA & SAN FRANCISCO CODES, INCLUDING BUILDING, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, AND PLANNING.

6, ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE APPLIED, INSTALLED, CONNECTED, ERECTED, USED, CLEANED, ADJUSTED, AND CONDITIONED AS DIRECTED BY THE MANUFACTURER UNLESS HEREIN SPECIFIED TO THE CONTRARY.

7. ALL MATERIALS SHALL BE NEW AND UNUSED, UNLESS OTHERWISE NOTED, AND OF THE HIGHEST QUALITY IN EVERY RESPECT. ALL WORK SHALL BE DONE IN A THOROUGH, WORKMANLIKE MANNER COMPLYING WITH ALL APPLICABLE CODES AND ORDINANCES. WORKMANSHIP SHALL BE EQUAL TO THE BEST STANDARDS OF PRACTICE.

8. ALL DIMENSIONS NOTED "VERIFY" SHALL BE CHECKED BY THE CONTRACTOR PRIOR TO CONSTRUCTION AND REPORTED TO THE ARCHITECT.

9. FEATURES OF CONSTRUCTION NOT FULLY SHOWN SHALL BE OF SAME CHARACTER AS SHOWN FOR SIMILAR CONDITIONS.

11. EXHAUST SYSTEM SHALL CONFORM TO ALL GOVERNMENT CODES AND ORDINANCES.

12. MECHANICAL SUBCONTRACTOR SHALL PERFORM ALL TESTING REQUIRED BY CODES.

13. ELECTRICAL AND PLUMBING CONTRACTORS ARE RESPONSIBLE FOR FOR THE FILING OF THEIR OWN PERMITS.

14. THE BUILDING, ITS GROUNDS AND THE NEIGHBORING BUILDINGS, PROPERTIES AND STREET SHALL BE PROTECTED FROM ANY DAMAGE THAT MAY OCCUR DUE TO THIS WORK. ANY DAMAGES THAT OCCUR ARE THE FINANCIAL RESPONSIBILITY OF THE GENERAL CONTRACTOR.

15, ALL WASTE AND REFUSE CAUSED BY THE WORK SHALL BE REMOVED FROM THE PREMISES AND DISPOSED OF BY THE CONTRACTOR. THE PREMISES SHALL BE LEFT CLEAN AND CLEAR TO THE SATISFACTION OF THE ARCHITECT.

16. GENERAL CONTRACTOR GUARANTIES ALL MATERIAL AND WORKMANSHIP FOR A PERIOD OF ONE YEAR AFTER SUBSTANTIAL COMPLETION.

#### CAL GREEN BUILDING STANDARDS CODE

CAL GREEN REQUIRED MEASURES - THE CA GREEN BUILDING CODE (TITLE 24 PART 11) REQUIRES:

1. INDOOR AIR QUALITY MANAGEMENT DURING CONSTRUCTION - DUCT OPENINGS AND AIR DISTRIBUTION COMPONENT OPENINGS MUST COVERED

DURING ALL PHASES OF CONSTRUCTION, TAPE, PLASTIC, SHEET METAL OR OTHER ACCEPTABLE METHODS MAY BE USED TO REDUCE THE AMOUNT OF

WATER, DUST, AND DEBRIS ENTERING THE SYSTEM.

3. INDOOR WATER EFFICIENCY - PLUMBING FIXTURES AND FITTINGS SHALL COMPLY WITH THE FOLLOWING: WATER CLOSETS < 1.28 GAL/FLUSH: URINALS 3. INCLOVE WAITER SPINJENCE 1 - PUBLISHING PALEDINES AND PHI INVESTS SPALE COMPLET WHIT I HER POLLOWING WAITER CLUSES 3 \ \text{LS SAUFLUSH}, VG. 40.5 GALFUSH, VG. 40.5 GALFU

4. BATHROOM EXHAUST FANS - MUST BE ENERGY STAR COMPLIANT, DUCTED TO TERMINATE OUTSIDE THE BUILDING, AND CONTROLLED BY HUMIDISTAT CAPABLE OF ADJUSTMENT BETWEEN RELATIVE HUMIDITY OF LESS THAN 50% TO MAXIMUM OF 80%. HUMIDITY CONTROL MAY BE A SEPARATE COMPONENT FROM THE EXHAUST FAN.

5. LOW-VOC WALL/CEILING PAINTS - CARB VOC LIMITS (CAL GREEN TABLE 4.504.3)

6. LOW-VOC AEROSOL PAINTS AND COATING - MEET BAAQMD VOC LIMITS (REGULATION 8, RULE 49) AND PRODUCT-WEIGHTED MIR LIMITS FOR ROC (CCR TITLE 17. SECTION 94520)

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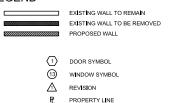
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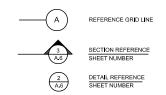
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## **LEGEND**





## PROJECT DATA

OWNER: COLIN SCHMIDT & JENNY GRIEFIN

SAN FRANCISCO, CA 94115 415-377-3887

ARCHITECT: LEVY ART & ARCHITECTURE INC 2501 BRYANT AVE

SAN FRANCISCO, CA 94110

PROJECT ADDRESS:

ASSESSOR'S BLOCK:

ZONING: RM-3 OCCUPANCY. R3

TYPE CONSTRUCTION: V B

ALLOW, BLDG HGT: 3 STORIES PER TABLE 503 OF ALLOW, BLDG AREA: UNLIMITED THE 2016 CBC

NO. OF UNITS: EXISTING = 2 / PROPOSED = 2

#### PROJECT DESCRIPTION:

LEGALIZE RESTORATION OF UPPER FLOORS AS A SINGLE DWELLING AND CREATION OF A NEW ADU AT THE LOWER LEVEL

#### GROSS BUILDING AREA.

CONDITIONED AREA	EX <b>I</b> ST <b>I</b> NG	PROPOSED	
UPPER UNIT: FIRST FLOOR:			
SECOND FLOOR:	59 SF 1007 SF	59 SF 1007 SF	
THIRD FLOOR:	979 SF	979 SF	
UP UN <b>I</b> T TOTAL	2045 SF	2045 SF	
FIRST FLOOR:	546 SF	546 SF	
BLDG TOTAL:	2591	2591	
SHARED SPACES			
TRASH/MECH/STOR	218 SF	218 SF	
BREEZEWAY	133 SF	133 SF	
OUTDOOR OPEN:	252 SF	252 SF	

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PROJECT DATA & NOTES, & SITE PLAN

PRE-EXISTING 1ST & 2ND FLOOR PLANS

**IERCE** 

A1.2 PRE-EXISTING 3RD & ROOF PLANS

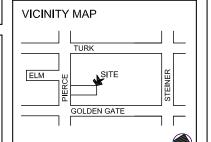
EXISTING 1ST & 2ND FLOOR PLANS

EXISTING 3RD & ROOF PLANS

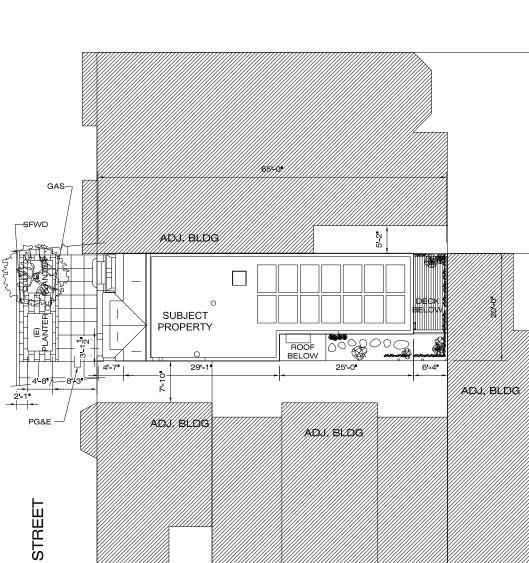
A3.1 PROPOSED 1ST & 2ND FLOOR PLANS

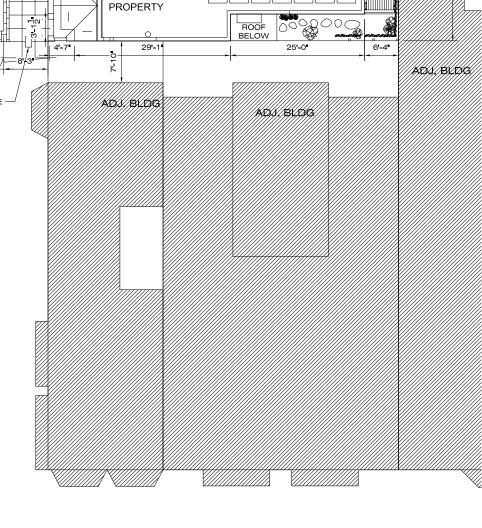
A3.2 PROPOSED 3RD & ROOF PLANS

EXISTING ELEVATIONS A4.2 EXISTING ELEVATIONS

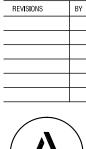


NOT TO SCALE





**EXISTING SITE PLAN** 





 $\mathsf{L} \; \mathsf{E} \; \mathsf{V} \; \mathsf{Y}$ ART + ARCHITECTURE

2501 BRYANT AVE. SAN FRANCISCO, CA 94110

415.641.7320



GRIFFIN RESIDENC

Description TITLE SHEET Date: 3,11,2020 Scale:

AS NOTED Drawn: MA-BB SCHMIDT

## **ABBREVIATIONS** AT CENTERLINE NUMBER DEGREE(S) DIAMETER PLUS or MINUS

BOARD BETWEEN BETWEEN BLOCK BLOCK BLOCK BLOCK BLOCK BLOCK BLOCK CREAMIC CERAMIC CERAMIC CLEAK COUNTER COUNTRACTOR CONTRACTOR CARPET CONTRACTOR CARPET CENTRE BETWEEN BLOCK CARPET CENTRE BETWEEN BLOCK CARPET CENTRACTOR CARPET CENTRACTOR CARPET CENTRE BETWEEN BLOCK CARPET CENTRACTOR CARPET CENTRACTOR CARPET CENTRACTOR CARPET CENTRACTOR CARPET CENTRE BETWEEN BLOCK CARPET CENTRE BETWEEN BLOCK CARPET CENTRE BETWEEN BLOCK CENTRACTOR CARPET CENTRE BETWEEN BLOCK CENTRACTOR CARPET CENTRE BETWEEN BLOCK CENTRACTOR CARPET CENTRE BETWEEN BLOCK CENTRE BLOCK CENTRE

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ALAPRO
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BLDG
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BLK
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BCERC
CLR
CCONT.
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CO

DIAM DN SDRW GREAT STREET STRE 

GAGE
GENERAL CONTRACTOR
GENERAL
GROUND FAULT INTERRUPT
GLASS/GLAZING
GYPSUM
HOLLOW CORE
HEAD HEADEN
HARDWARE
HORIZONTAL
HEIGHT
HEATING VENTILATING
AIR CONDITIONING
INSULATION
INTERIOR JOINT JOIST KITCHEN KICKPLATE LAMINATED LAMINATED
LOUVER
MAXIMUM
MECHANICAL
MEMBRANE
METAL
MANUFACTURE(R)
MINIMUM
MISCELLANEOUS
MOUNTED
MULIJON
NEW NEW NOT IN CONTRACT NUMBER NOT TO SCALE OVERALL ON CENTER OUTSIDE DIAMETER OVERHEAD OPPOSITE PARTICLE BOARD PLASTIC LAMINATE PLYWOOD PANEL

TYPICAL
UNFINISHED
UNLESS OTHERWISE NOTED
VINYL COMPOSITE, TILE
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VERTICAL
VERIFY IN FIELD
WITH
WATER CLOSET

WITH WATER CLOSET WATER HEATER WATER PROOF WATER RESISTANT

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RETAINING WALL
SOLID CORE
STRUCTURAL ENGINEERIN
SECTION
SOUARE FOOT
SHEET
SIMILAR
SKYLIGHT
SPECIFICATION
SOUARE
SOUARE STANDARD
STEEL
STORAGE
STRUCTURAL
SUSPENDED
TO BE DETERMINED
TELEPHONE
TEMPERED
TONGUE & GROOVE
THICKNESS
THRESHOLD
TOP OF
TELEVISION
TYPICAL

### **GENERAL NOTES**

1. ALL DIMENSIONS ARE TO FACE OF FINISH, UNLESS OTHERWISE NOTED.

2. CONTRACTOR SHALL REVIEW ALL PLANS AND SPECIFICATIONS TO COORDINATE WITH EXISTING BUILDING CONDITIONS. ANY VARIANCES AND / OR DISCREPANCIES THAT ARISE IN THE ABOVE REVIEW SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY FOR RESOLUTION.

3. DISCREPANCIES IN DIMENSION OR LAYOUT SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH CONSTRUCTION.

4. DO NOT SCALE DRAWINGS!

5, DESIGN AND CONSTRUCTION SHALL CONFORM TO ALL GOVERNMENT CODES AND ORDINANCES: 2016 CALIFORNIA & SAN FRANCISCO CODES, INCLUDING BUILDING, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, AND PLANNING.

6, ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE APPLIED, INSTALLED, CONNECTED, ERECTED, USED, CLEANED, ADJUSTED, AND CONDITIONED AS DIRECTED BY THE MANUFACTURER UNLESS HEREIN SPECIFIED TO THE CONTRARY.

7. ALL MATERIALS SHALL BE NEW AND UNUSED, UNLESS OTHERWISE NOTED, AND OF THE HIGHEST QUALITY IN EVERY RESPECT. ALL WORK SHALL BE DONE IN A THOROUGH, WORKMANLIKE MANNER COMPLYING WITH ALL APPLICABLE CODES AND ORDINANCES. WORKMANSHIP SHALL BE EQUAL TO THE BEST STANDARDS OF PRACTICE.

8. ALL DIMENSIONS NOTED "VERIFY" SHALL BE CHECKED BY THE CONTRACTOR PRIOR TO CONSTRUCTION AND REPORTED TO THE ARCHITECT.

9. FEATURES OF CONSTRUCTION NOT FULLY SHOWN SHALL BE OF SAME CHARACTER AS SHOWN FOR SIMILAR CONDITIONS.

11. EXHAUST SYSTEM SHALL CONFORM TO ALL GOVERNMENT CODES AND ORDINANCES.

12. MECHANICAL SUBCONTRACTOR SHALL PERFORM ALL TESTING REQUIRED BY CODES.

13. ELECTRICAL AND PLUMBING CONTRACTORS ARE RESPONSIBLE FOR FOR THE FILING OF THEIR OWN PERMITS.

14. THE BUILDING, ITS GROUNDS AND THE NEIGHBORING BUILDINGS, PROPERTIES AND STREET SHALL BE PROTECTED FROM ANY DAMAGE THAT MAY OCCUR DUE TO THIS WORK. ANY DAMAGES THAT OCCUR ARE THE FINANCIAL RESPONSIBILITY OF THE GENERAL CONTRACTOR.

15, ALL WASTE AND REFUSE CAUSED BY THE WORK SHALL BE REMOVED FROM THE PREMISES AND DISPOSED OF BY THE CONTRACTOR. THE PREMISES SHALL BE LEFT CLEAN AND CLEAR TO THE SATISFACTION OF THE ARCHITECT.

16. GENERAL CONTRACTOR GUARANTIES ALL MATERIAL AND WORKMANSHIP FOR A PERIOD OF ONE YEAR AFTER SUBSTANTIAL COMPLETION.

#### CAL GREEN BUILDING STANDARDS CODE

CAL GREEN REQUIRED MEASURES - THE CA GREEN BUILDING CODE (TITLE 24 PART 11) REQUIRES:

1. INDOOR AIR QUALITY MANAGEMENT DURING CONSTRUCTION - DUCT OPENINGS AND AIR DISTRIBUTION COMPONENT OPENINGS MUST COVERED

DURING ALL PHASES OF CONSTRUCTION, TAPE, PLASTIC, SHEET METAL OR OTHER ACCEPTABLE METHODS MAY BE USED TO REDUCE THE AMOUNT OF

WATER, DUST, AND DEBRIS ENTERING THE SYSTEM.

3. INDOOR WATER EFFICIENCY - PLUMBING FIXTURES AND FITTINGS SHALL COMPLY WITH THE FOLLOWING: WATER CLOSETS < 1.28 GAL/FLUSH: URINALS 3. INCLOVE WAITER SPINJENCE 1 - PUBLISHING PALEDINES AND PHI INVESTS SPALE COMPLET WHIT I HER POLLOWING WAITER CLUSES 3 \ \text{LS SAUFLUSH}, VG. 40.5 GALFUSH, VG. 40.5 GALFU

4. BATHROOM EXHAUST FANS - MUST BE ENERGY STAR COMPLIANT, DUCTED TO TERMINATE OUTSIDE THE BUILDING, AND CONTROLLED BY HUMIDISTAT CAPABLE OF ADJUSTMENT BETWEEN RELATIVE HUMIDITY OF LESS THAN 50% TO MAXIMUM OF 80%. HUMIDITY CONTROL MAY BE A SEPARATE COMPONENT FROM THE EXHAUST FAN.

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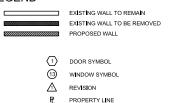
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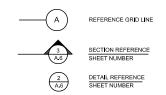
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## **LEGEND**





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OWNER: COLIN SCHMIDT & JENNY GRIEFIN

SAN FRANCISCO, CA 94115 415-377-3887

ARCHITECT: LEVY ART & ARCHITECTURE INC 2501 BRYANT AVE

SAN FRANCISCO, CA 94110

PROJECT ADDRESS:

ASSESSOR'S BLOCK:

ZONING: RM-3 OCCUPANCY. R3

TYPE CONSTRUCTION: V B

ALLOW, BLDG HGT: 3 STORIES PER TABLE 503 OF ALLOW, BLDG AREA: UNLIMITED THE 2016 CBC

NO. OF UNITS: EXISTING = 2 / PROPOSED = 2

#### PROJECT DESCRIPTION:

LEGALIZE RESTORATION OF UPPER FLOORS AS A SINGLE DWELLING AND CREATION OF A NEW ADU AT THE LOWER LEVEL

#### GROSS BUILDING AREA.

CONDITIONED AREA	EX <b>I</b> ST <b>I</b> NG	PROPOSED	
UPPER UNIT: FIRST FLOOR:			
SECOND FLOOR:	59 SF 1007 SF	59 SF 1007 SF	
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TRASH/MECH/STOR	218 SF	218 SF	
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**IERCE** 

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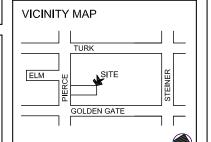
EXISTING 1ST & 2ND FLOOR PLANS

EXISTING 3RD & ROOF PLANS

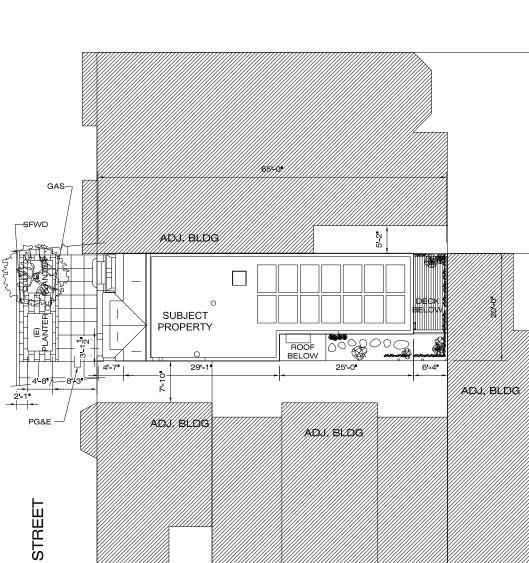
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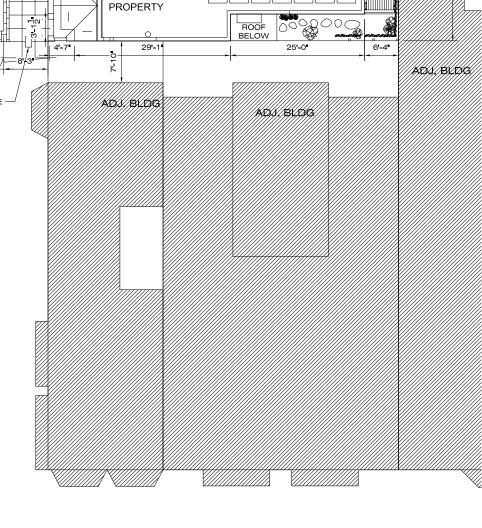
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EXISTING ELEVATIONS A4.2 EXISTING ELEVATIONS

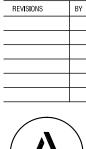


NOT TO SCALE





**EXISTING SITE PLAN** 





 $\mathsf{L} \; \mathsf{E} \; \mathsf{V} \; \mathsf{Y}$ ART + ARCHITECTURE

2501 BRYANT AVE. SAN FRANCISCO, CA 94110

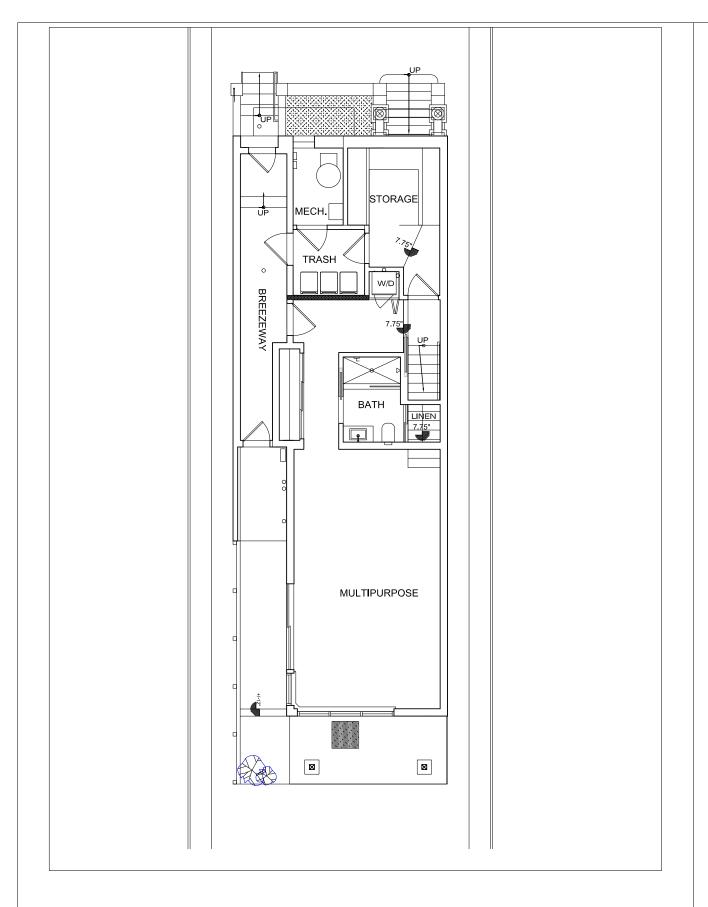
415.641.7320

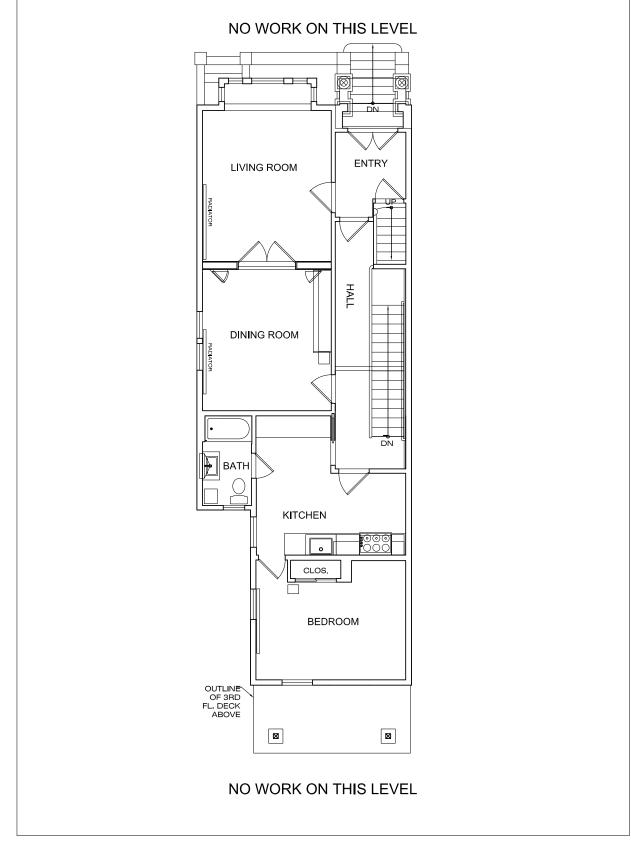


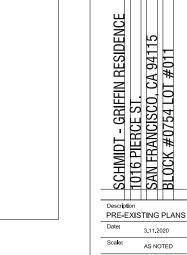
GRIFFIN RESIDENC

Description TITLE SHEET Date: 3,11,2020 Scale:

AS NOTED Drawn: MA-BB SCHMIDT







LEVY ART + ARCHITECTURE

2501 BRYANT AVE. SAN FRANCISCO, CA 94110

415.641.7320 levyaa.com

N

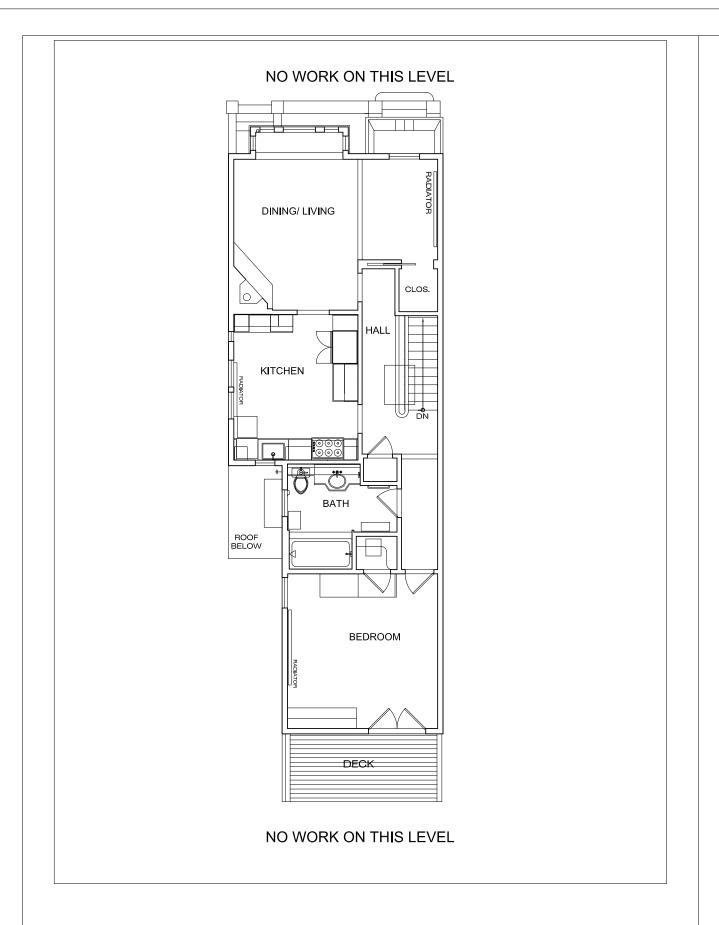
PRE-EXISTING 1ST FLOOR PLAN

1/4" = 1'

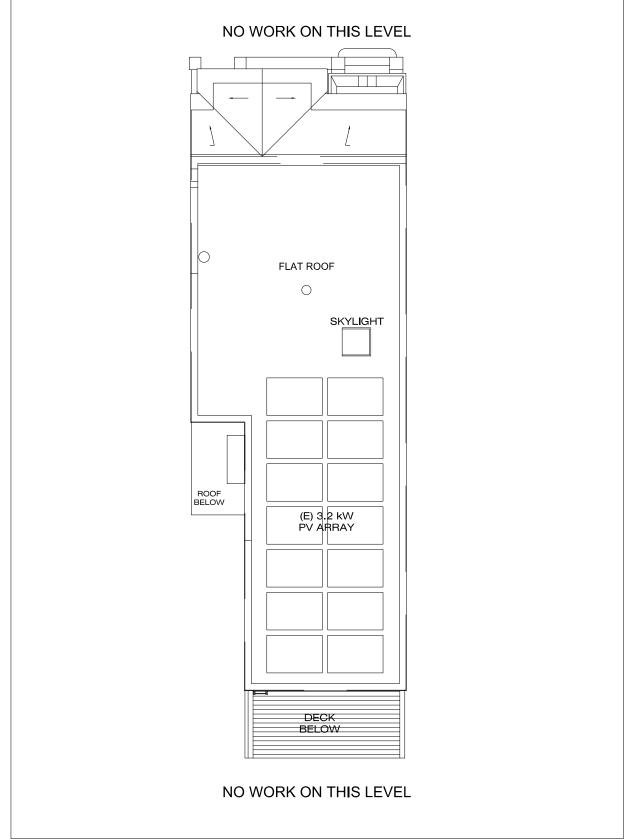
PRE-EXISTING 2ND FLOOR PLAN

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1/4" = 1'

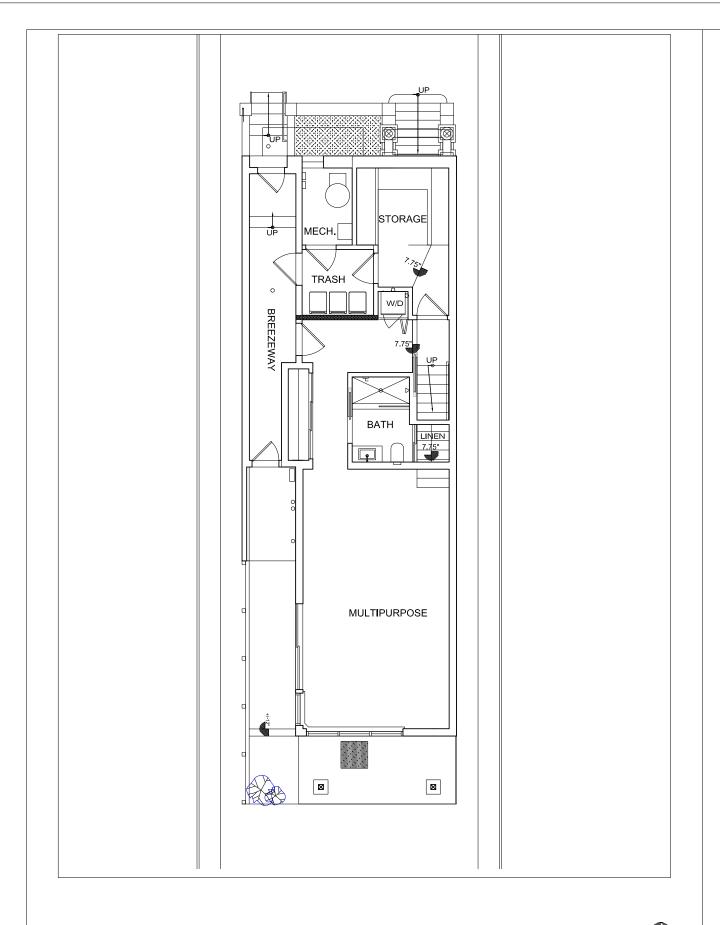


PRE-EXISTING 3RD FLOOR PLAN

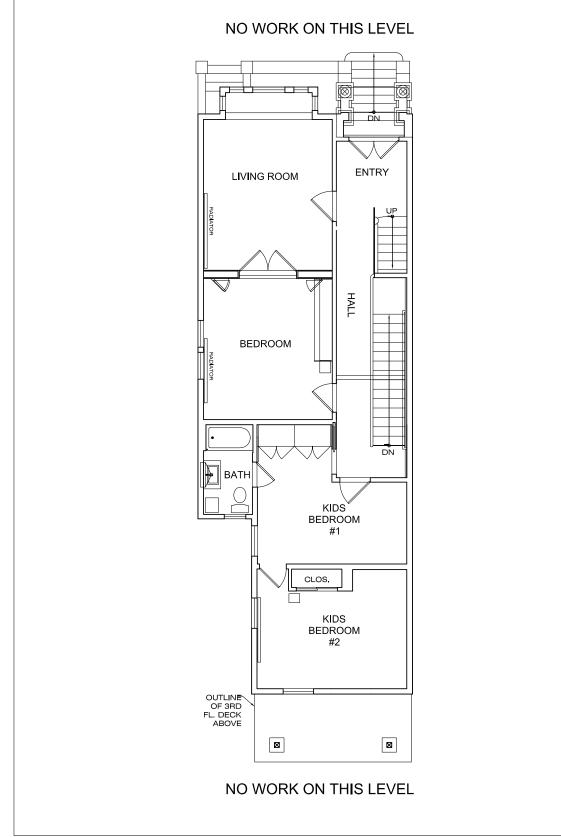


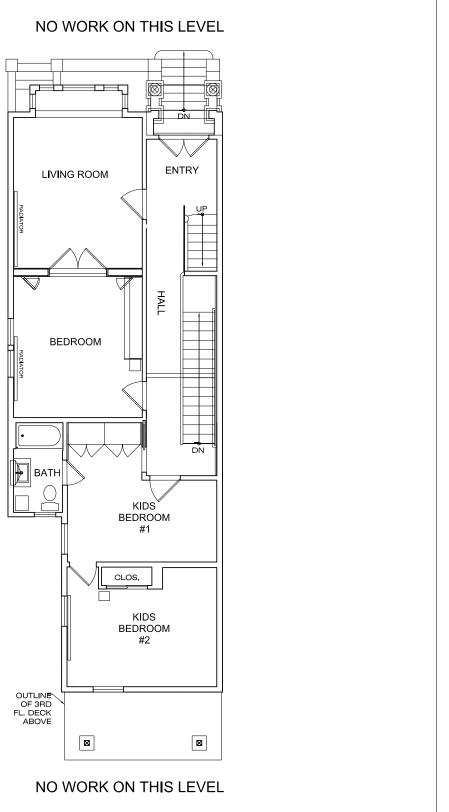


1/4" = 1'



**EXISTING 1ST FLOOR PLAN** 







**EXISTING 2ND FLOOR PLAN** 

1/4" = 1'

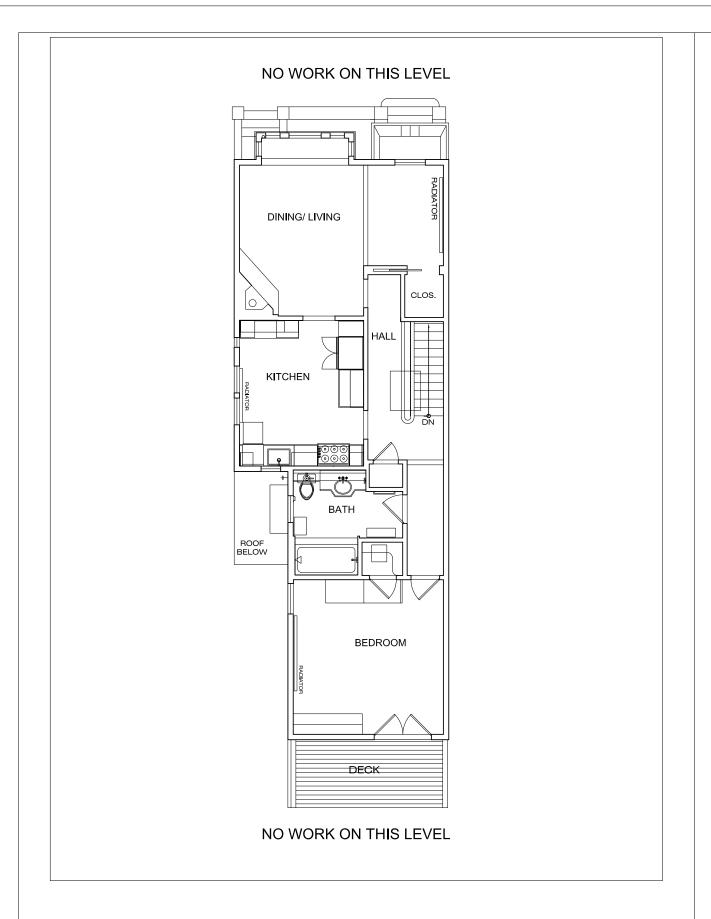
Description
EXISTING PLANS

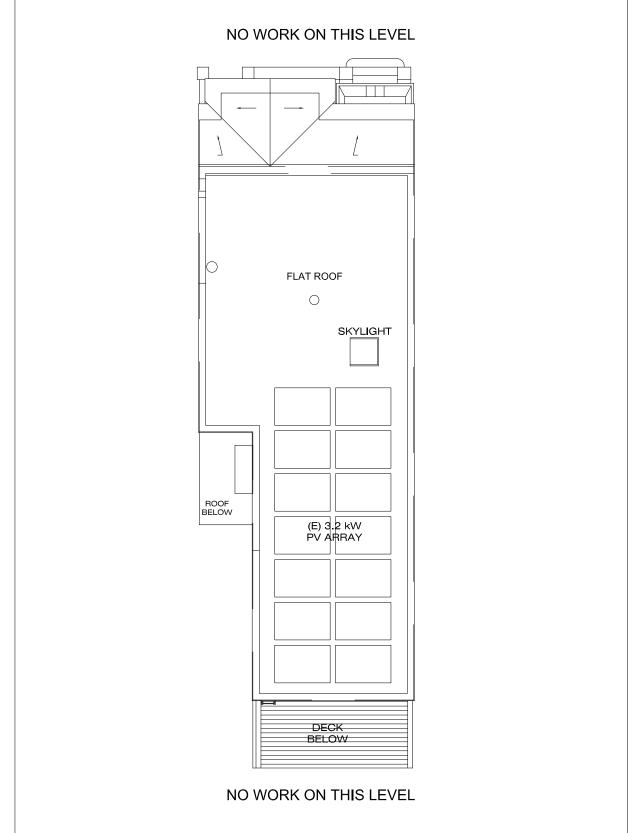
SCHMIDT - GRIFFIN RESIDENCE 1016 PIERCE ST. SAN FRANCISCO, CA 94115 BLOCK #0754 LOT #011

LEVY ART + ARCHITECTURE

2501 BRYANT AVE. SAN FRANCISCO, CA 94110

415.641.7320 levyaa.com





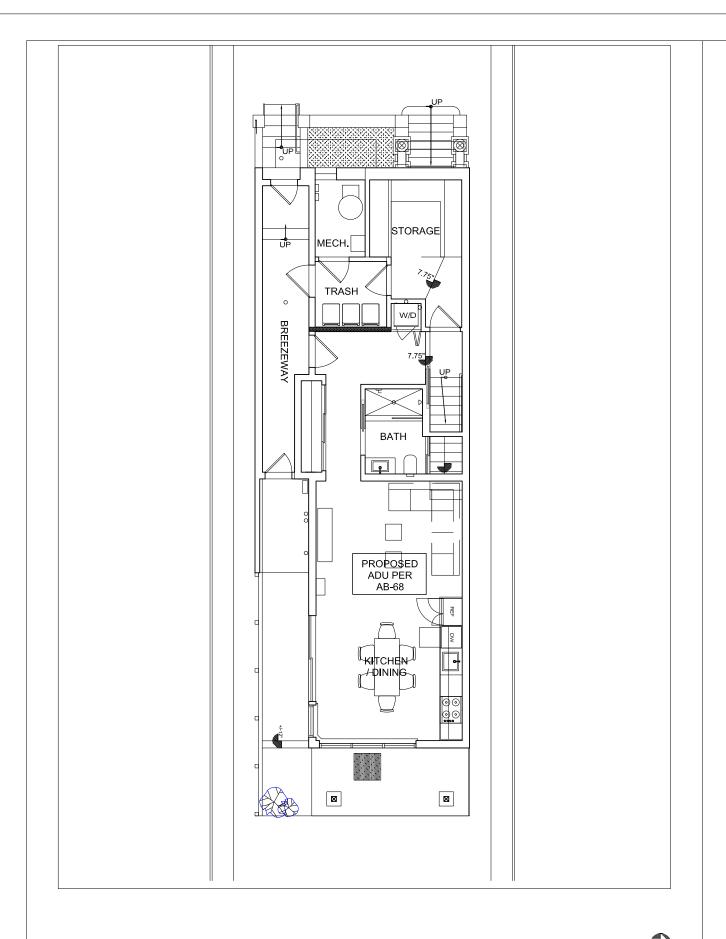


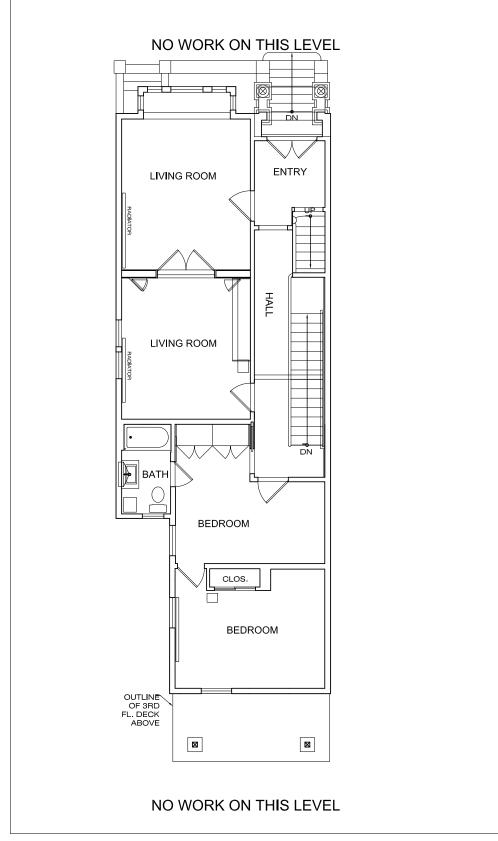


**EXISTING ROOF PLAN** 

1/4" = 1'

Description
EXISTING PLANS





LEVY ART + ARCHITECTURE 2501 BRYANT AVE. SAN FRANCISCO, CA 94110 415.641.7320 levyaa.com

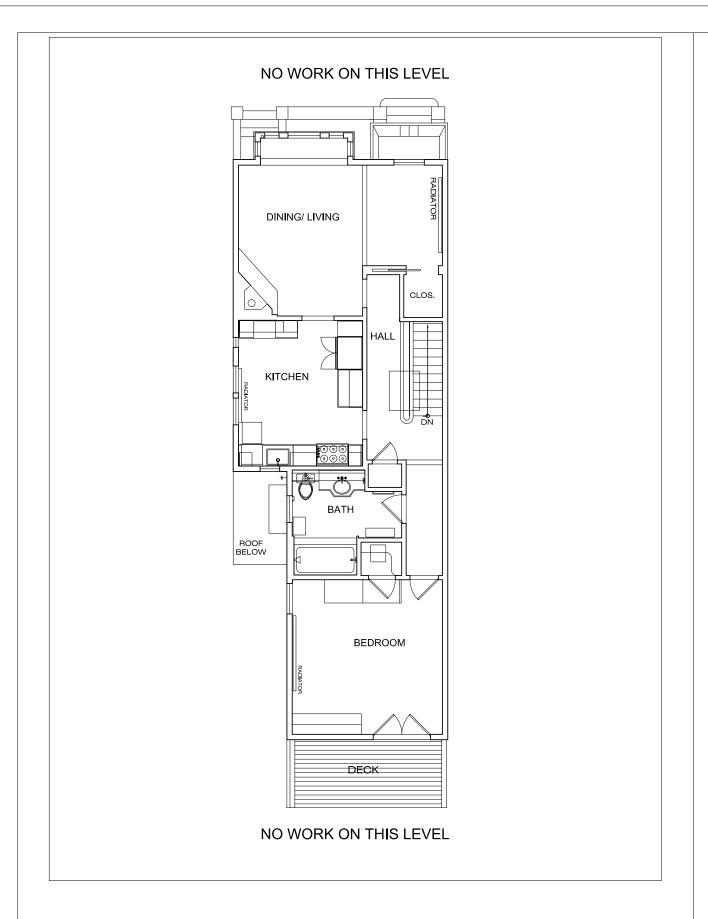
SCHMIDT - GRIFFIN RESIDENCE 1016 PIERCE ST. SAN FRANCISCO, CA 94115 BLOCK #0754 LOT #011

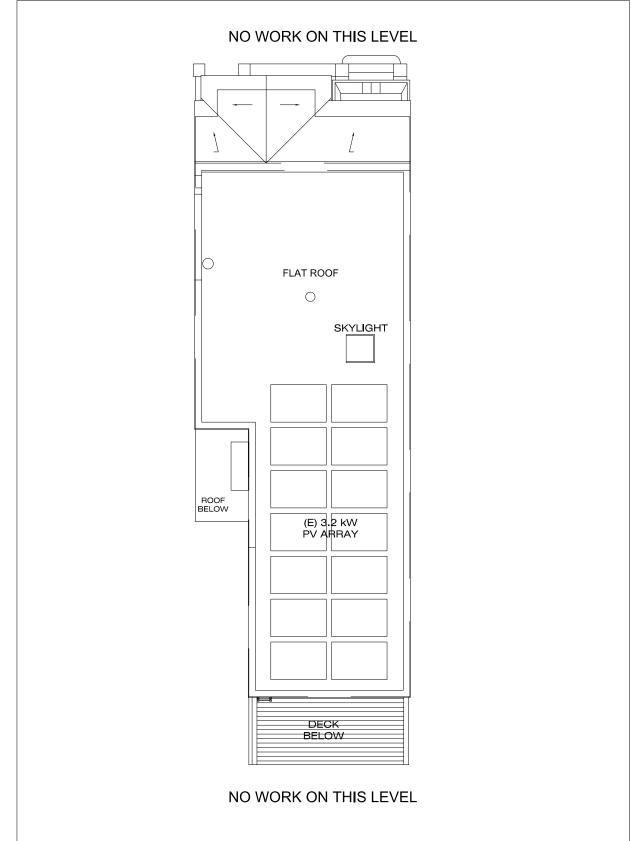
Description PROPOSED PLANS

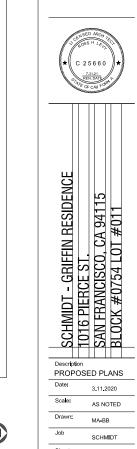
**A3.1** 

PROPOSED 2ND FLOOR PLAN

1/4" = 1'







LEVY ART + ARCHITECTURE

2501 BRYANT AVE. SAN FRANCISCO, CA 94110

415.641.7320 levyaa.com

PROPOSED 3RD FLOOR PLAN

1/4" = 1'

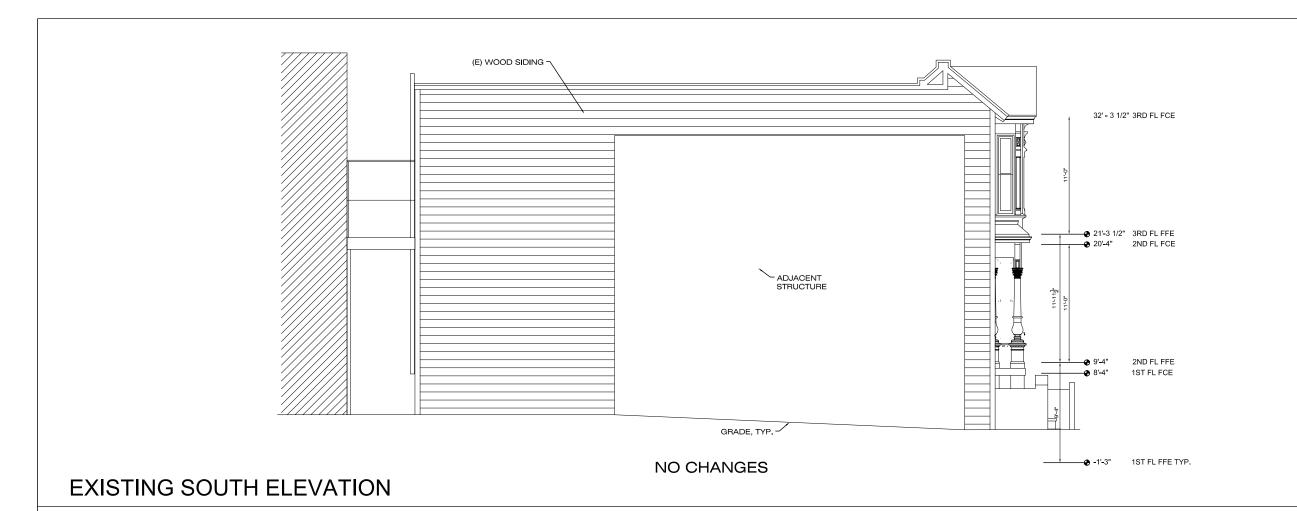
PROPOSED ROOF PLAN

1/4" = 1'

SCHMIDT

13.2



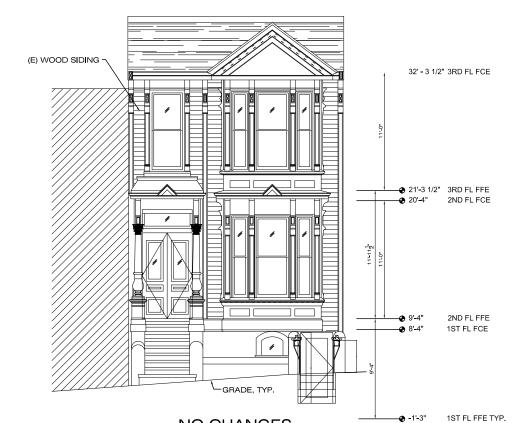






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**NO CHANGES** 

EXISTING WEST (FRONT) ELEVATION



SCHMIDT - GRIFFIN RESIDENCE

1016 PIERCE ST.

SAN FRANCISCO, CA 94115

BLOCK #0754 LOT #011

Scale: AS NOTED
Drawn: MA-BB
Job SCHMIDT
Sheet

A4.2

## **Exhibit C**

**Copy of Approved 2014 Building Permit Plans** (showing pre-existing and authorized layout)

Conditional Use Authorization Hearing
Case Number 2018-015061CUA
Dwelling Unit Merger
1016 Pierce Street

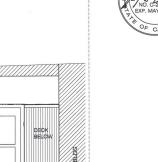
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## **Pierce Ground Floor**

## 1016 Pierce Street San Francisco, CA 94115

2014/08/11 Building Permit Set

ADV BLDG



BOOR

BRIDGES

ARCHITECTURE

921 Larkin Street

415 241 7160

415 241 7164

San Francisco, CA 94109

FLAT ROOF O PER MSE PERMIT # ADJ BLDG

PPROVE [

NOV 5 - 2014

SPECIAL INSPECTIONS AND TESTS ARE REQUIRED AS PER BUILDING CODE SECTION 1701

AUG 15 2014 ISSUE 2014/08/11 Building Permit Set

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PROJECT Pierce Ground Floor

San Francisco, CA 94115

CONTACT Bonnie Bridges - 415 241 7161

RECEIVED

APPROVED

5. Caltagina 8/15/14

SEP 3 0 2014

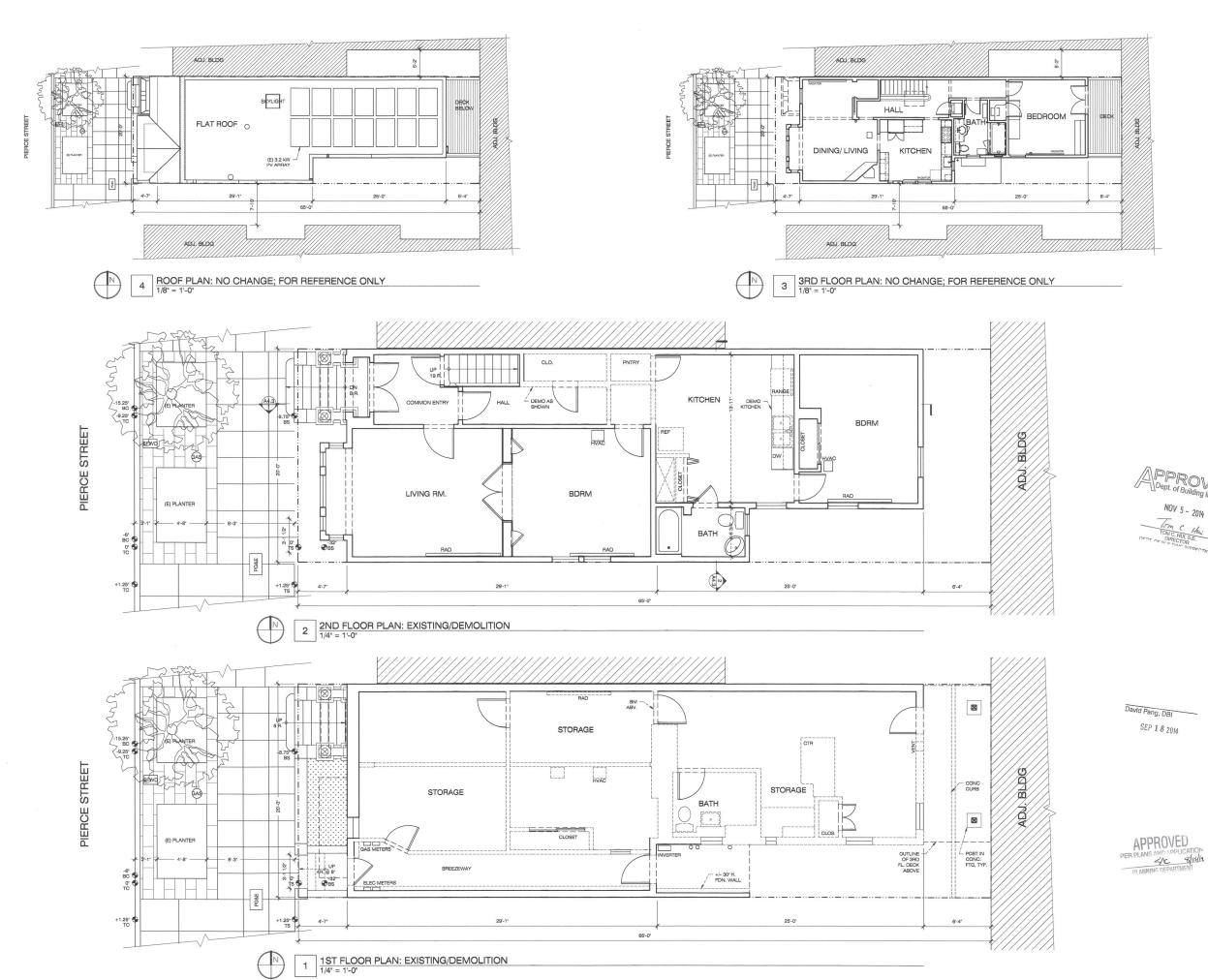
Jeff Lai, DBI

DPW/BSM SIGN OFF ON JOB CARD REQUIRED PRIOR TO DBI FINAL CALL 554-7149 TO SCHEDULE

Grace Lau, DPW/BSM

SUBJECT TO ALL CONDITIONS OF DPW/BSM:
Minor Encroachment Permit: 14MSE-0369 Special Sidewalk Permit

By: Shace & an 11/5/14



BOOR BRIDGES ARCHITECTURE

921 Larkin Street San Francisco, CA 94109

415 241 7160 415 241 7164 boorbridges.com



RECEIVED AUG 15 2014

DEPT. OF BUILDING INSPECTION THIS PLAN MEETS THE QUALITY STANDARD FOR DIGITIZING ACCEPTED.

David Pang, DBI SEP 1 8 2014

2014/08/11 Building Permit Set

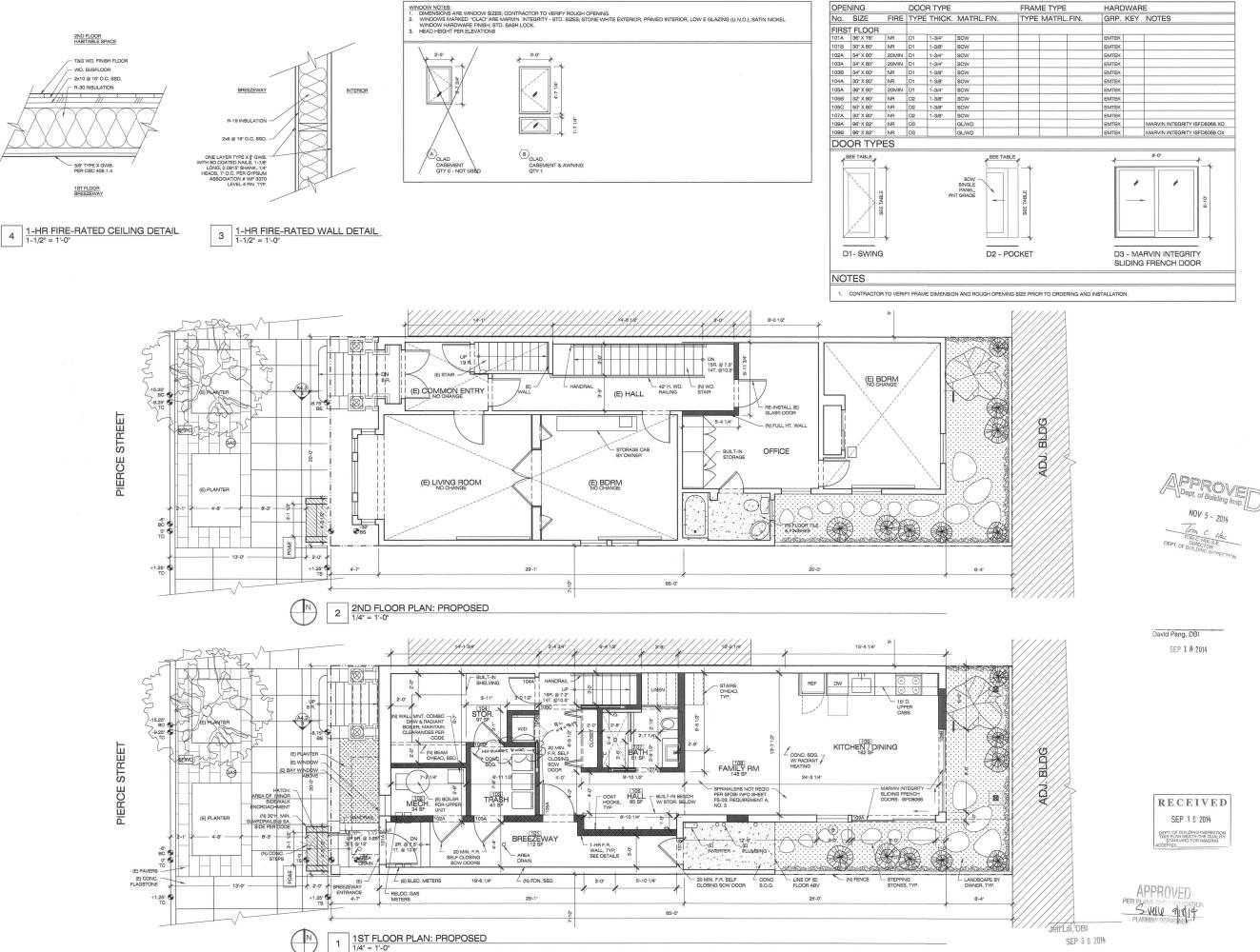
PROJECT Pierce Ground Floor 1016 Pierce Street San Francisco, CA 94115

**NUMBER** 201419

CONTACT Bonnie Bridges - 415 241 7161

FLOOR PLANS: EXISTING / DEMOLITION

A2.1



DOOR SCHEDULE

DOOR TYPE

FIRE TYPE THICK. MATRL.FIN.

FRAME TYPE

TYPE MATRL.FIN.

HARDWARE

GRP. KEY NOTES

OPENING

No. SIZE

WINDOW SCHEDULE

BOOR BRIDGES

921 Larkin Street San Francisco, CA 94109 TEL FAX

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PROJECT Pierce Ground Floor 1016 Pierce Street

San Francisco, CA 94115

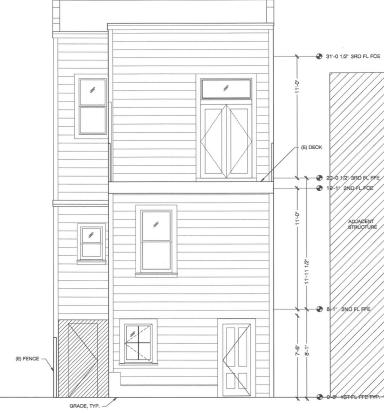
**NUMBER** 201419

CONTACT Bonnie Bridges - 415 241 7161

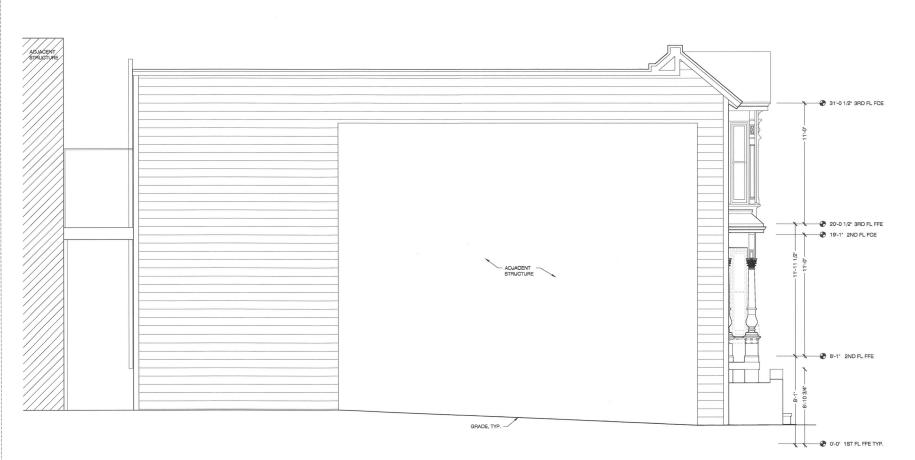
1ST & 2ND FLOOR PLANS: PROPOSED

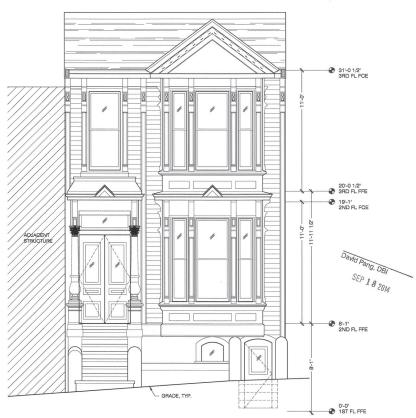
A2.2





2 EXISTING EAST (REAR) ELEVATION
1/4" = 1'-0"





APPRUVELI PER PLANS AND APPLICATION SINC 8/15/44
PLANNING DEPARTMENT

4 EXISTING WEST (FRONT) ELEVATION
1/4" = 1'-0"



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RECEIVED AUG 15 2014

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PROJECT Pierce Ground Floor

San Francisco, CA 94115

NUMBER 201419

CONTACT Bonnie Bridges - 415 241 7161

EXTERIOR ELEVTIONS: EXISTING

A4.1

3 EXISTING SOUTH ELEVATION
1/4" = 1'-0"

1 EXISTING NORTH ELEVATION
1/4" = 1'-0"



B O O R
BRIDGES

921 Larkin Street San Francisco, CA 94109 415 241 7160

TEL 415 241 7160 FAX 415 241 7164 www boorbridges.com



Dept. of Building Insp.

NOV 5 - 2014

NOV 5 - 2014

DEPT. OF BUILDING MISSECTION

RECEIVED

AUG 15 2014

DEPT. OF BUILDING INSPECTION

THIS PLAN MEETS INSPECTION

THIS PLAN MEETS INSPECTION

STANDARD FOR DIGITIZING

ACCEPTED.

ISSUE 2014/08/11 Building Permit Set

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PROJECT Pierce Ground Floor

1016 Pierce Street San Francisco, CA 94115

NUMBER 201419

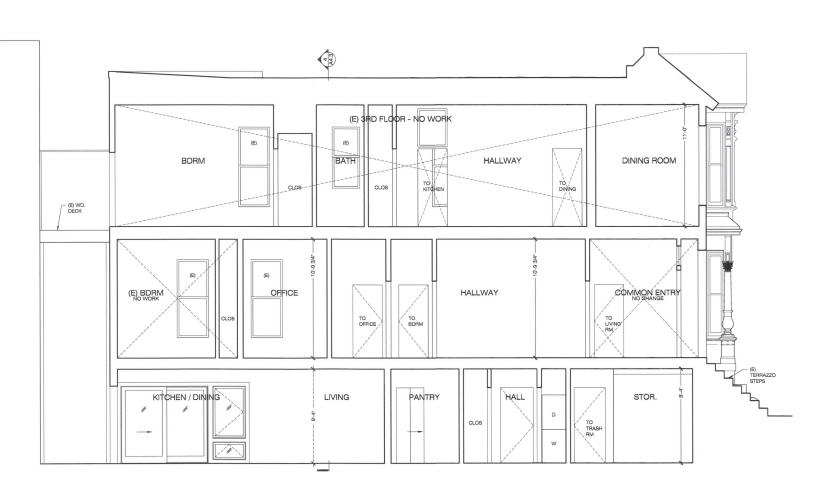
CONTACT Bonnie Bridges - 415 241 7161

EXTERIOR ELEVTIONS: PROPOSED

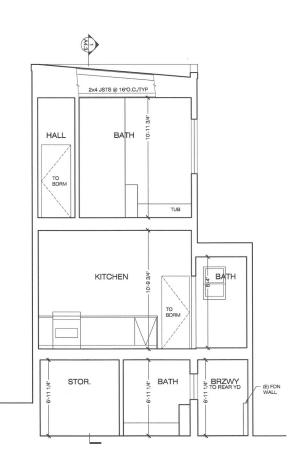
A4.2



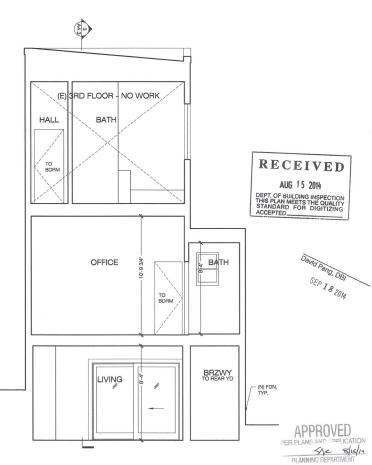
1 EXISTING SECTION LOOKING SOUTH



3 PROPOSED SECTION LOOKING SOUTH



2 EXISTING SECTION LOOKING EAST 1/4" = 1'-0"



PROPOSED SECTION LOOKING EAST 1/4" = 1'-0"



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PROJECT Pierce Ground Floor 1016 Pierce Street

San Francisco, CA 94115 NUMBER 201419

CONTACT Bonnie Bridges - 415 241 7161

SECTIONS: EXISTING & PROPOSED A4-3

## **Exhibit D**

Conditional Use Authorization Hearing
Case Number 2018-015061CUA
Dwelling Unit Merger
1016 Pierce Street

## **PROJECT AND LAND USE TABLES**

		Existing	Proposed
	Parking GSF	0	0
	Residential GSF	2045	2045
e e	Retail/Commercial GSF		
d Use	Office GSF		
ane	Industrial-PDR		
	Medical GSF		
General Land	Visitor GSF		
ပြ CIE (Cult	cural, Institutional, Educational)		
	Useable Open Space GSF	254	254
	Public Open Space GSF		
	Dwelling Units - Affordable		
	Dwelling Units - Market Rate	2	1
	Dwelling Units - Total	2	1
es	Hotel Rooms		
itur	Number of Building(s)	1	1
Fe	Number of Stories	3	3
Project Features	Parking Spaces	0	0
Pro	Loading Spaces		
	Bicycle Spaces	0	0
	Car Share Spaces	0	0
Other:			
	Studio Units	0	
	One Bedroom Units	2	0
<u>e</u>	Two Bedroom Units	0	0
dent	Three Bedroom (or +) Units	0	1
Use - Residentia	Group Housing - Rooms		
90	Group Housing - Beds		
	SRO Units		
Land	Micro Units		
(e.g. stu	Accessory Dwelling Units Us, list all ADUs and include unit type dio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.	0	1 Studio 546sq ft

## **Exhibit E**

Conditional Use Authorization Hearing
Case Number 2018-015061CUA
Dwelling Unit Merger
1016 Pierce Street



# DWELLING UNIT REMOVAL: MERGER, CONVERSION OR DEMOLITION

## **SUPPLEMENTAL APPLICATION**

Property Information  Project Address: 1016 Pierce Street					Block/Lot(s): 0754011				
rioject Au	uless.					DIOCI	(/LOT(S):		
Project	Details								
		LINITS			FVICTING		DDOD	OCED.	NET CHANGE
		UNITS		J. I. I	EXISTING	1:	PROP 1	OSED:	NET CHANGE:
		Owne	er-occupied Renta	Units:	0		1		+1
				I Units:	2		2		0
Units subject to Rent Control:					0		1		+1
			Vacan	t Units:					
					E.V.G.		5565	0650	NET CHANGE
		EDROOMS			EXISTING 2	ı <b>:</b>	9 <b>ROP</b>	OSED:	NET CHANGE:
Owner-occupied Bedrooms:  Rental Bedrooms:				0		3 1		+1	
Total Bedrooms:					2		4		+1
Bedrooms subject to Rent Control:			0		1		+1		
Jnit Sp	ecific In	formation	on						
	UNIT NO.	NO. OF BEDROOMS	GSF		OCCUPAN	CY			ADDITIONAL CRITERIA (check all that apply)
existing	a	1			OWNER OCCUPIED		RENTAL	ELLI	S ACT UVACANT RENT CONTROL
PROPOSED		2			OWNER OCCUPIED		RENTAL		
EXISTING	b	1			OWNER OCCUPIED		RENTAL	ELLI	S ACT VACANT RENT CONTROL
PROPOSED		1			OWNER OCCUPIED		RENTAL		
EXISTING					OWNER OCCUPIED		RENTAL	ELLI	S ACT VACANT RENT CONTROL
PROPOSED	С	1			OWNER OCCUPIED		RENTAL		

## **RESIDENTIAL MERGER**

### (SUPPLEMENTAL INFORMATION)

Pursuant to Planning Code Section 317(c), any application that would result in the removal of one or more residential units or unauthorized units is required to obtain a Conditional Use Authorization. In addition to filing a Conditional Use Authorization application, this Dwelling Unit Removal application, along with responses to the specific conditional use criteria listed below, as described in Planning Code Section 317(g)(2), must be submitted to the Planning Department.

Please note that pursuant to Planning Code Section 317(g)(2), the Planning Commission shall not approve an application for residential merger if any tenant has been evicted pursuant to Administrative Code Sections 37.9(a) (9) through 37.9(a)(14) where the tenant was served with a notice of eviction after December 10, 2013 if the notice was served within 10 years prior to filing the application for merger. Additionally, the Planning Commission shall not approve an application for residential merger if any tenant has been evicted pursuant to Administrative Code Section 37.9(a)(8) where the tenant was served with a notice of eviction after December 10, 2013 if the notice was served within five (5) years prior to filing the application for merger.

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

DWE	LLING UNIT MERGER CRITERIA:	YES	NO
1	Does the removal of the unit(s) eliminate only owner-occupied housing?  If yes, for how long was the unit(s) proposed for removal owner-occupied?	•	
	months or years (check one)		
2	Is the removal of the unit(s) and the merger with another intended for owner occupancy?	<b>'</b>	
3	Will the removal of the unit(s) remove an affordable housing unit as defined in Section 401 of the Planning Code or housing subject to the Rent Stabilization and Arbitration Ordinance?		<b>'</b>
	If yes, will replacement housing be provided which is equal or greater in size, number of bedrooms, affordability, and suitability to households with children to the units being removed?  YES NO		
4	If the unit(s) proposed for removal was occupied by a tenant or tenants, please specify the date of when it was last occupied:		
	Prior to 2005		
5	Will the number of bedrooms provided in the merged unit be equal to or greater than the number of bedrooms in the separate units?	<b>'</b>	
6	Is the removal of the unit(s) necessary to correct design or functional deficiencies that cannot be corrected through interior alterations?	<b>'</b>	
	If the merger does not involve an unauthorixed unit, what is the appraised value of the least expensive unit to be merged?		
7	Unappraised		
	Please include an attachment of the appraisal dated within six months of filing this application.		

# RESIDENTIAL CONVERSION (SUPPLEMENTAL INORMATION)

Pursuant to Planning Code Section 317(g) (3), the conversion of residential dwelling units to a non-residential use is required to obtain a Conditional Use Authorization.

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

Please answer the following questions to inform the Planning Commission as to how the project does or does not meet the following criteria:

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

## **DWELLING UNIT DEMOLITION**

## (SUPPLEMENTAL INFORMATION)

Pursuant to Planning Code Section 317(d), residential demolition is subject to a Conditional Use Authorization or will qualify for administrative approval.

Administrative approval only applies to:

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

Please see the Department's website under Publications for "Dwelling Unit Removal: Current Numerical Values" and the "Zoning Controls on Dwelling Unit Removal Implementation" documents..

The Planning Commission will consider the following criteria in the review of residential demolitions Please answer the following questions to inform the Planning Commission as to how the project does or does not meet the following criteria, as described in Planning Code Section 317(g)(5):

EXIST	TING VALUE AND SOUNDNESS	YES	NO
1	Is the value of the existing land and structure of the single-family dwelling affordable or financially accessible housing (below the 80% average price of single-family homes in San Francisco, as determined by a credible appraisal within six months)?		
	If no, submittal of a credible appraisal dated within the past six months is required with the application or if administrative approval (as outlined above) is being sought.		
2	Has the housing been found to be unsound at the 50% threshold (applicable to one- and two-family dwellings)?		
3	Is the property free of a history of serious, continuing code violations?		
4	Has the housing been maintained in a decent, safe, and sanitary condition?		
5	Is the property a historical resource under CEQA?		
REN	ITAL PROTECTION	YES	NO
REN 6	TAL PROTECTION  Does the Project convert rental housing to other forms of tenure or occupancy?	YES	NO
		YES	NO
6 7	Does the Project convert rental housing to other forms of tenure or occupancy?  Does the Project remove rental units subject to the Rent Stabilization and Arbitration	YES	NO NO
6 7	Does the Project convert rental housing to other forms of tenure or occupancy?  Does the Project remove rental units subject to the Rent Stabilization and Arbitration Ordinance or affordable housing?		
6 7 PRIC	Does the Project convert rental housing to other forms of tenure or occupancy?  Does the Project remove rental units subject to the Rent Stabilization and Arbitration Ordinance or affordable housing?  DORITY POLICIES  Does the Project conserve existing housing to preserve cultural and economic		
6 7 PRIC 8	Does the Project convert rental housing to other forms of tenure or occupancy?  Does the Project remove rental units subject to the Rent Stabilization and Arbitration Ordinance or affordable housing?  DRITY POLICIES  Does the Project conserve existing housing to preserve cultural and economic neighborhood diversity?  Does the Project conserve neighborhood character to preserve neighborhood cultural		

# **RESIDENTIAL DEMOLITION**

## (SUPPLEMENTAL INFORMATION CONTINUED)

REPL	ACEMENT STRUCTURE	YES	NO
12	Does the Project locate in-fill housing on appropriate sites in established neighborhoods?		
13	Does the Project increase the number of family-sized units on-site?		
14	Does the Project create new supportive housing?		
15	Is the Project of superb architectural and urban design, meeting all relevant design guidelines, to enhance the existing neighborhood character?		
16	Does the Project increase the number of on-site dwelling units?		
17	Does the Project increase the number of on-site bedrooms?		
18	Does the Project maximize density on the subject lot?		
19	If the building is not subject to Rent Stabilization and Arbitration Ordinance or affordable housing, will the Project replace all of the exiting units with new dwelling units of similar size and with the same number of bedrooms?		

# **REMOVAL OF UNAUTHORIZED UNIT(S)**

## (SUPPLEMENTAL INFORMATION)

The Planning Commission will consider the following criteria in the review of applications for removal of unauthorized units, pursuant to Planning Code Section 317 (g)(6). Please fill out answers to the criteria below:

DWE	LLING UNIT REMOVAL OF UNAUTHORIZED UNIT(S) CRITERIA:	YES	NO
1	Is it financially feasible to legalize the unauthorized unit(s)?		
	If no, please provide the cost to legalize the unauthorized unit(s)		
	What is the apprised value of the building with the unauthorized unit(s)?		
2			
	Please include an attachment of the appraisal dated within six months of filing this application.		
3	What is the appraised value of the building with the unit(s) legalized?		
	Please include an attachment of the appraisal dated within six months of filing this application.		

# **APPLICANT'S AFFIDAVIT**

Under penalty of perjury the following declarations are made:

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

Par	h	Jeremy Paul	
Signature	<i>-</i>	Name (Printed)	
agent	415-552-1888	jeremy@quickdrawsf.com	
Relationship to Project (i.e. Owner, Architect, etc.)	Phone	- Emai <b>l</b>	_

# **APPLICANT'S SITE VISIT CONSENT FORM**

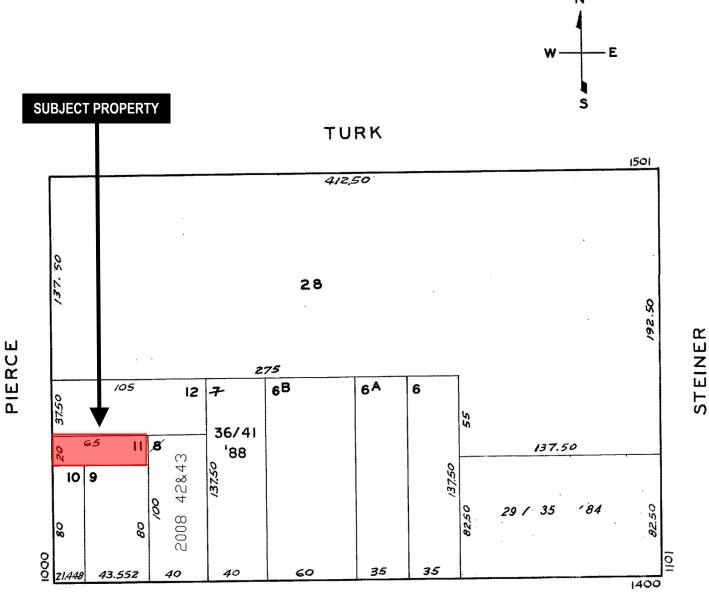
I herby authorize City and County of San Francisco Planning staff to conduct a site visit of this property, making all portions of the interior and exterior accessible.

	Appl	Jeremy Paul	
Signature		Name (Printed)	
12/5/19			
Date			

For Department Use Only Application received by Planning Department:	
By:	Date:

# **Exhibit F**

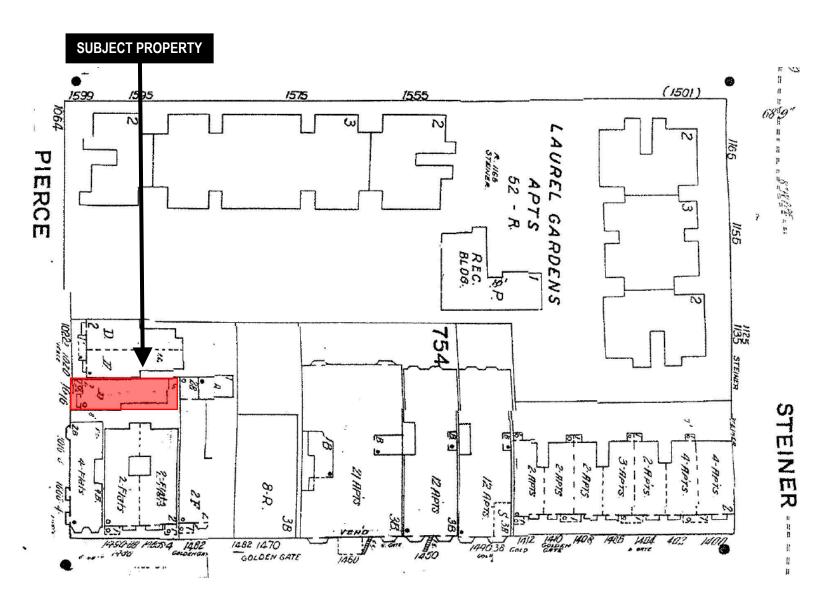
# **Parcel Map**



GOLDEN GATE AVE.



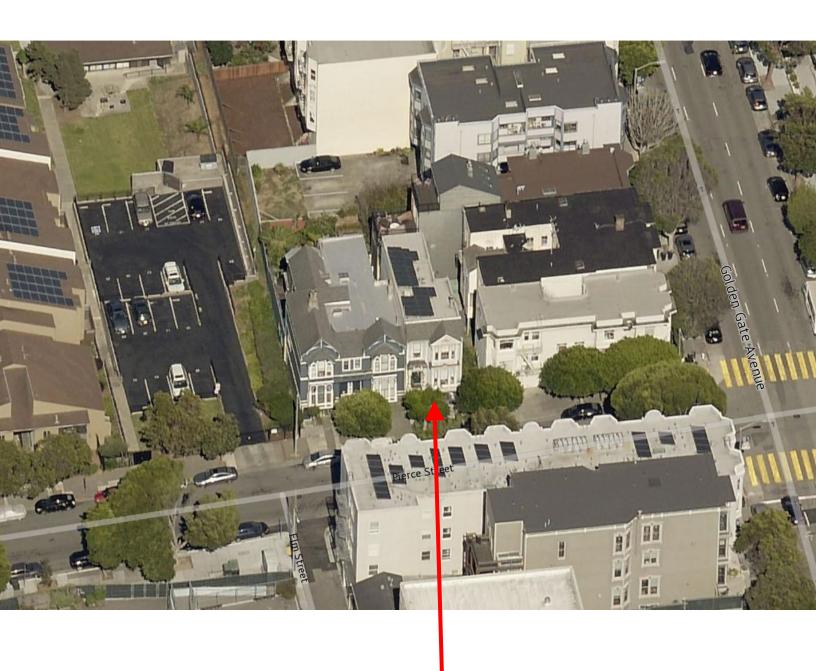
# Sanborn Map\*



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



# **Aerial Photo – View 1**

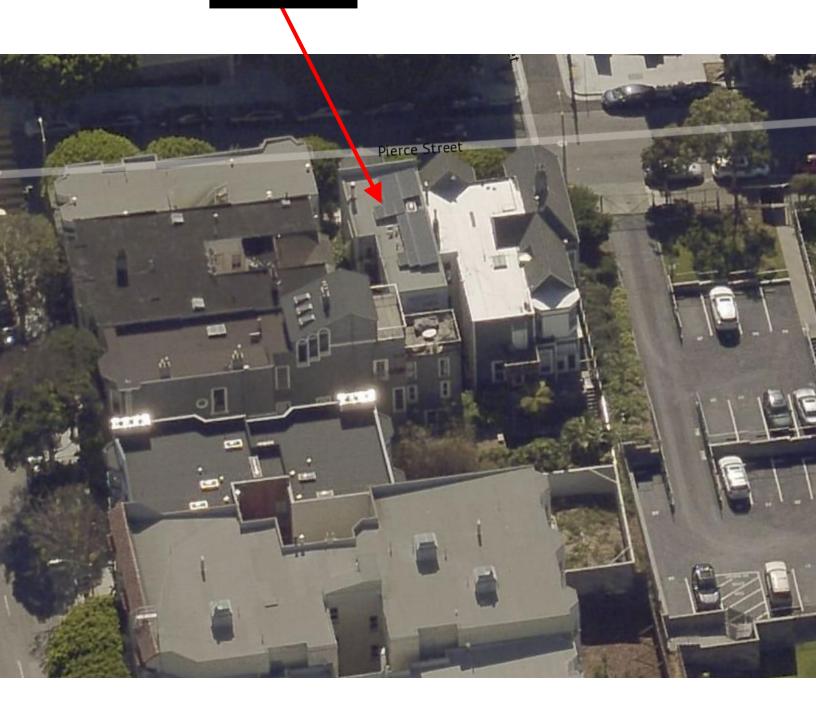


SUBJECT PROPERTY

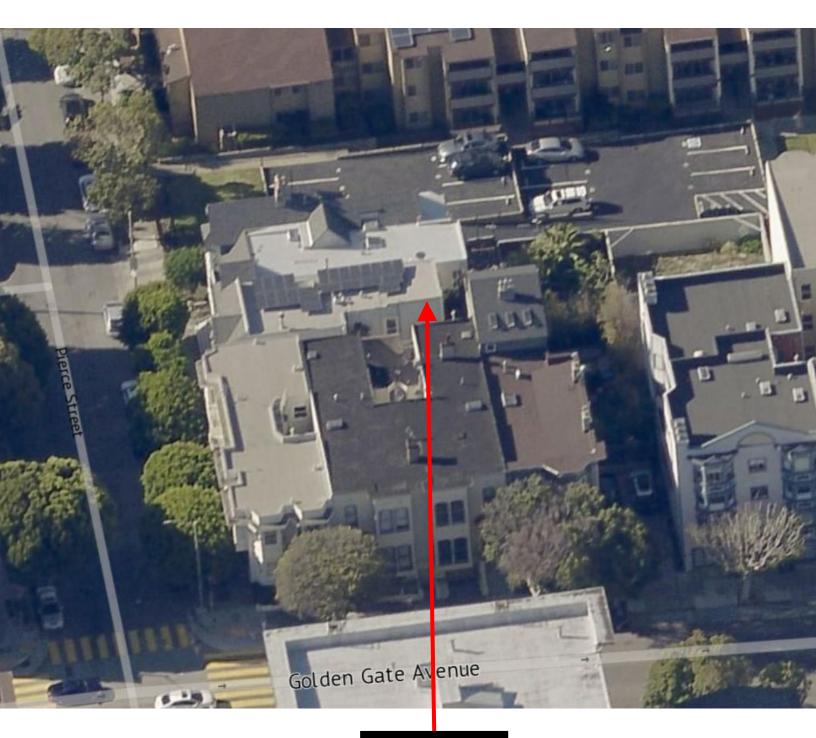


# **Aerial Photo - View 2**

SUBJECT PROPERTY



# **Aerial Photo – View 3**



SUBJECT PROPERTY



# **Zoning Map**





# **Site Photo**



# **Exhibit G**

# Rent Board Response to Request for Planning **Department Records Search**

1016

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 on 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:

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 might not be accurate. It does not represent a determination by the Rent Board of the number of units at the property.

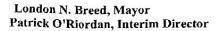
Signed:

Van Lam

Dated: 7-2-20

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

# **Exhibit H**





## Report of Residential Building Record (3R)

(Housing Code Section 351(a))

BEWARE: This report describes the current legal use of this property as compiled from records of City Departments. There has been no physical examination of the property itself. This record contains no history of any plumbing or electrical permits. The report makes no representation that the property is in compliance with the law. Any occupancy or use of the property other than that listed as authorized in this report may be illegal and subject to removal or abatement, and should be reviewed with the Planning Department and the Department of Building Inspection. Errors or omissions in this report shall not bind or stop the City from enforcing any and all building and zoning codes against the seller, buyer and any subsequent owner. The preparation or delivery of this report shall not impose any liability on the City for any errors or omissions contained in said report, nor shall the City bear any liability not otherwise imposed by law.

# Address of Building 1016 PIERCE ST

Block 0754

Lot 011

#### Other Addresses

- 1. A. Present authorized Occupancy or use: TWO FAMILY DWELLING
  - B. Is this building classified as a residential condominium? Yes No 🗸
  - C. Does this building contain any Residential Hotel Guest Rooms as defined in Chap. 41, S.F. Admin. Code? Yes No 🗸

2. Zoning district in which located: RM-3

- 3. Building Code Occupancy Classification R-3

- 4. Do Records of the Planning Department reveal an expiration date for any non-conforming use of this property? Yes No ✓
  If Yes, what date? The zoning for this property may have changed. Call Planning Department, (628) 652-7300, for the current status.
- 5. Building Construction Date (Completed Date): UNKNOWN
- 6. Original Occupancy or Use: UNKNOWN

7. Construction, conversion or alteration permits issued, if any:

Application #	Permit #	Issue Date	Type of Work Done	Status
26381	26381	Oct 21, 1909	SHINGLE THE FRONT PART OF ROOF	N
80429	80429	Feb 14, 1918	TEAR OUT WOODEN STEPS AND BUTTRESS AND BUILD NEW STEPS OF TERRAZZO AND INSTALL STONE BUTTRESS. ALSO CHANGE MINOR PARTITION AND WINDOW FRAMES	N
17613	18805	Mar 23, 1936	CONVERT FROM ONE TO TWO FAMILY DWELLING	С
323470	289091	Dec 21, 1965	REPAIR FIRE DAMAGE	С
418533	375476	Mar 30, 1973	RAISED APPROXIMATELY SIXTEEN FEET OF FOUNDATION. RELOCATE LOWER UNIT BATHROOM DOOR. REPLACE LOWER UNIT BATHROOM SUBFLOOR. REPLACE S STUDWALL ON LOWER BATHROOM. REPAIR REAR STAIRS AND PROVIDE PIERS	х
432039	375476	Mar 18, 1974	RAISED APPROXIMATELY SIXTEEN FEET OF FOUNDATION. RELOCATE LOWER UNIT BATHROOM DOOR. REPLACE LOWER UNIT BATHROOM SUBFLOOR, REPLACE S STUDWALL ON LOWER BATHROOM. REPAIR REAR STAIRS AND PROVIDE PIERS	х
462392	412925	Jul 30, 1976	LEGALIZE WORK DONE AS PER REDEVELOPMENT RECOMMENDATION	С
201009070357	1221311	Sep 15, 2010	KITCHEN REMODEL ON SECOND FLOOR. DEMOLISH EXISTING CABINETRY FINISHES AND PANTRY. MOVE ONE EXISTING FRAMED OPENING IN NON BEARING WALL. INSTALL ONE NEW WINDOW, NOT VISIBLE FROM STREET INSTALL NEW CABINETRY, FINISHES, PLUMBING AND ELECTRICAL FOR KITCHEN	
201009231539	1221979	Sep 24, 2010	REROOFING	С
201105065527	1237332	May 06, 2011	BATHROOM REMODEL ON LEVEL TWO	C
201408153918	1340901	Nov 05, 2014	FOUNDATION REPLACEMENT - REMODEL FIRST (GROUND) FLOOR FROM BASEMENT INTO HABITABLE CONDITIONED SPACE INCLUDING ONE BATH, ONE FAMILY ROOM AND RELOCATION KITCHEN FROM SECOND FLOOR;	Y

Records Management Division 49 South Van Ness Avenue, Suite 400 - San Francisco CA 94103 Office (628) 652-3420 - dbi.records3R@sfgov.org - www.sfdbi.org/rmd Department of Building Inspection 49 South Van Ness Avenue, Suite 400 San Francisco CA 94103 - (628) 652-3420 Report of Residential Record (3R) Page 2

Address of Building 1016 PIERCE ST

Block 0754

Lot 011

#### Other Addresses

Application #	Permit #	Issue Date	Type of Work Done	Status
201507070778	1363016	Jul 14, 2015	NEW INTERNAL STAIR FROM FIRST FLOOR TO SECOND FLOOR; NO CHANGES TO THIRD FLOOR OR ROOF, MODIFY EXISTING FRONT ENTRY TO FIRST FLOOR  REVISION TO PREVIOUSLY APPROVED APPLICATION #201408153918 FOR FIELD CONDITIONS. COMPLY WITH COMPLAINT #201555922, REVISED DETAL AT NORTH PROPERTY LINE. EXCAVATIONS TO EXTEND 1'-0" BELOW NEIGHBOR'S FOUNDATION, THEREFORE EXCAVATIONS TO BE SLOPED AWAY FROM PROPERTY LINE TO PROTECT NEIGHBOR'S BUILDING	I
8. A. Is there an active B. Is this property of	Franchise Ta	x Board Referra	al on file? Yes ceedings for code violations? Yes	No ✓
<ol><li>Number of residenti</li></ol>	al structures of	property? 1	Yes	No 🗸
10. A. Has an energy is			es ✓ No B. If yes has a proof of compliance has in your	
11. A. Is the building in B. If yes, has the r	n the Mandato equired upgradated within the	ry Earthquake le work been co	Retrofit of Wood Frame Puilding Property 2 7	1

Date of Issuance: 18 OCT 2021

Date of Expiration: 18 OCT 2022

By:

BETTY LEE

Report No: 202110126852

Patty Herrera, Manager Records Management Division

THIS REPORT IS VALID FOR ONE YEAR ONLY.

The law requires that, prior to the consummation of the sale or exchange of this property, the seller must deliver this report to the buyer and the buyer must sign it.

(For Explanation of terminology, see attached)

**Records Management Division** 49 South Van Ness Avenue, Suite 400 - San Francisco CA 94103 Office (628) 652-3420 - dbi.records3R@sfgov.org - www.sfdbi.org/rmd

# **EXPLANATION OF TERMS USED IN REPORT OF RESIDENTIAL RECORDS (3R REPORT)**

Residential Building: A residential building is a building or a portion thereof containing one or more dwelling units but not including hotels containing 30 or more guest rooms, or motels.

- Present Authorized Occupancy or Use: Number of units presently found to be legal based on the building permits on file. If the Department is unable to establish the authorized occupancy of the building based on permits on file "UNKNOWN" will be indicated.
- Condominiums: Refers to the type of ownership of the building.

(Public Use) district

MB-O MB-CI

MB-H

MB-CF

MB-OS

- Residential Hotel Guest Rooms: Certain hotels are regulated as to use and occupancy if they contain Residential Guest Rooms. Call Housing Inspection Services at (628) 652-3700 for information.
- Zoning District: The main uses of property permitted by the Planning Code in each zoning district are as follows:

DI	(Public Use) district
RH-1(D)	(House, One-Family, Detached Dwellings) district
RH-1	
RH-1(S) RH-2	(House, One-Family with Minor Second Links and Allers
RH-3	( issued in the langer of the
RM-1	(House, Three-Family) district
	(Mixed Residential, Low Density) district
RM-2	(Mixed Residential, Moderate Density) district
RM-3	(Mixed Residential, Medium Density) district
RM-4	(Mixed Residential, High Density) district
RC-1	(Residential-Commercial Combined Low Density) district
RC-2	(Incoluential-Commercial Combined Moderate Density) district
RC-3	(Nestuerital-Commercial Combined Medium Density) district
RC-4	(Nesidential-Commercial Combined High Density) district
C-1	(veignborrood Shopping) district
C-2	(Community Business) district
C-3-0	(Downtown Office) district
C-3-R	(Downtown Retail) district
C-3-G	(Downtown General Commercial) district
C-3-S	(Downtown Support) district
C-M	(Heavy-Commercial) district
M-1	(Light Industrial) district
M-2	(Heavy Industrial) district
NC-1	(Neighborhood Commercial Cluster) district
NC-2	(Small-Scale Neighborhood Commercial) district
NC-3	(Moderate-Scale Neighborhood Commercial) district
NC-5	(Neighborhood Commercial Shopping Center) district
Chinatown	Mixed Used Districts
CCB	(Chinatown Community Business) district
(CR/NC	(Chinatown Residential/Neighborhood Commercial) district
CRV	(Chinatown Visitor Retail) district
	larket Mixed Use Districts
MUR	Mixed Use Residential district
RED	(Residential Enclave) district
SPD	(South Park) district
RSD	(Residential Service) district
SLR	(Service/Light Industrial/Residential) district
SLI	(Service/Light Industrial) district
SSO	(Service/Secondary Office) district
1000	ay Districts
MB-R-1	(Mission Bay Lower Density Residential) district
MB-R-2	(Mission Bay moderate Density Residential) dietrict
MB-R-3	(Mission Bay High Density Residential) district
MB-NC-2	(Mission Bay Small Scale Neighborhood Commercial) district
MB-NC-3	(Mission Bay Moderate Scale Neighborhood Commercial) district
MB-NC-S	(Mission Bay Neighborhood Commercial Shopping Center) district
MR-O	(Mission Bay Office) district

All buildings are subject to certain standards concerning dwelling unit density, lot coverage, off street parking, building height and bulk, etc., which vary according to zoning district. Call the Planning Department at (415) 558-6377 or go to their website at http://www.sf-planning.org/ for additional information.

(Mission Bay Commercial-Industrial) district

(Mission Bay Community Facilities) district

(Mission Bay Open Space) district

(Mission Bay Office) district

(Mission Bay Hotel) district

**Building Code Occupancy Classification: Present** classification of building in accordance with Building Code reference

Class I Institutional Class B Business

Class R-1 Residential - Transient Hotels & Motels

Class R-2 Residential - Apartments and Condominiums with

3 or more units, Residential Hotels

Class R-3 1 or 2 family dwellings, including housekeeping rooms

- Non-conforming Use: When a use is located in a district preceding the one for which the use is first listed above, this may indicate illegal status or legal non-conforming status. Any date at which legal non-conforming status is scheduled to expire will be stated on the face of this report. You are advised to inquire in these cases and in any other questionable cases at the Zoning Division of the Planning Department at (415) 558-6377.
- Building Construction Date: The year the building was constructed.
- Original Occupancy or Use: The number of residential unit(s) when the building was constructed.
- Permit Application: Shows all issued building permit applications for this property, the date issued and the description of work

Status: It indicates the status of the permit application:

C = COMPLETED The work has been completed

X = EXPIRED The permit has expired (work not

started or not completed)

1 = ISSUED Permit has been issued

N = NO INFO No information available at DB1 R = REINSTATED The permit has been reinstated S = SUSPENDED

The permit has been suspended **CFC** Certificate of Final Completion

FD Family Dwelling LIV/WK Live-Work

HK Housekeeping

- 8A. Franchise Tax Board Referral: The City will advise the State Franchise Tax Board to deny all deductions being claimed on income property by an owner, when that owner fails to comply in a timely manner with a notice(s) of violation issued by the Department of Building Inspection. For additional information please call Housing Inspection Services at (628) 652-3700
- 8B. Abatement Proceedings: The legal action taken to have a property brought into code compliance. This includes holding hearings, recording orders of abatement against the property, and City Attorney action. The City may also perform the work and place a lien against the property. Call Housing Inspection Services at (628) 652-3700 or Code Enforcement at (628) 652-3730 for additional information.
- Number of residential structures on property: The number of legal residential structures on one lot.
- Energy Conservation Ordinance: Compliance with this ordinance is required before an owner sells a property. Questions should be directed to Housing Inspection Services at (628) 652-3700.

#### Additional Terms

BRI Bureau of Building Inspection BFP Bureau of Fire Prevention

Division of Apartment and Hotel Inspections DAHI

DCP Department of City Planning

Emergency Work Only **EWO** 

Federal Assisted Code Enforcement FACE PCD Property Conservation Division RAP

Rapid Assistance Program **SFFD** San Francisco Fire Department

UR Urban Renewal

P:\FORMS\3R\Terms Used In 3R October 2019.doc

## NOTICE OF VIOLATION

October 29, 2019

**Property Owner** 

Colin E Schmidt/Jennifer L Griffin 2014 1016 Pierce St

San Francisco, CA 94115

Site Address:

1016 Pierce Street

Assessor's Block/Lot:

0754/011

**Zoning District:** 

RM-3, Residential, Mixed, Medium Density

**Complaint Number:** 

2018-015061ENF

**Code Violation:** 

Section 317, Dwelling Unit Merger without Conditional Use Authorization

1650 Mission St. Suite 400

San Francisco, CA 94103-2479

415.558.6378

415.558.6409

Reception:

**Planning** 

Information: 415.558.6377

**Administrative Penalty:** 

Up to \$250 Each Day of Violation

Response Due: Staff Contact:

Within 15 days from the date of this Notice Ada Tan, (415) 558-6354, ada.tan@sfgov.org

The Planning Department has determined that the above referenced property is in violation of the Planning Code. As the owner of the subject property, you are a responsible party to bring the above property into compliance with the Planning Code. Details of the violation are discussed below:

### **DESCRIPTION OF VIOLATION**

Our records indicate that the subject property is currently authorized as a two-family dwelling designed as two full floor flats. The violation pertains to the Residential Merger of these two flats into a single-family dwelling unit without the benefit of a Conditional Use Authorization, as required by Planning Code Section 317(c)(1).

Pursuant to Planning Code Section 317(b)(7), a "Residential Merger" shall mean the combining of two or more Residential or Unauthorized Units, resulting in a decrease in the number of Residential Units and Unauthorized Units within a building, or the enlargement of one or more existing units while substantially reducing the size of others by more than 25% of their original floor area, even if the number of units is not reduced. The merging of the two units has resulted in the loss of one independent dwelling unit, which constitutes as a violation of the Planning Code.

Pursuant to Planning Code Section 171, structures and land in any zoning district shall be used only for the purposes listed in the Planning Code as permitted in that district, and in accordance with the regulations established for that district. Further, pursuant to Planning Code Section 174, every condition, stipulation, special restriction, and other limitation under the Planning Code shall be complied with in the development and use of land and structures. Failure to comply with any Planning Code provision constitutes a violation of the Planning Code and is subject to an enforcement process under Code Section 176.

### TIMELINE OF INVESTIGATION

On November 6, 2018, Planning Department staff (Tina Tam and Erika Jackson) conducted a site visit and confirmed the violation. The original two flats were combined and the ground floor space is being used as a separate unit with direct access to the street.

On January 22, 2019, you submitted your Conditional Use Application, however, your application was deemed incomplete.

On January 25, 2019, Planner Technician (Keisha Calmese) sent an email to Jeremy Paul (Consultant) with Permit Consulting requesting additional documentation to complete your application submission. The Planning Department never received a response with the missing documents. As a result, your application was removed from the active project list on March 7, 2019.

On April 16, 2019, the Planning Department sent you a Notice of Enforcement informing you about the violation and the abatement process. In that notice, you were advised to take corrective actions and provide evidence of compliance to the Planning Department within fifteen (15) days from April 16, 2019. You did not respond to this notice.

### HOW TO CORRECT THE VIOLATION

The Planning Department requires that you immediately proceed to abate the violation by:

- 1) File a Building Permit application to restore the building to its previous condition as a two-family dwelling with full floor flats, or
- 2) Re-submit your Conditional Use Authorization Application with all the required materials. If the Conditional Use Authorization is granted, you will also need to obtain a building permit

Should you wish to legalize the ground floor unit as a separate and third dwelling unit on the property, please visit the ADU (Accessory Dwelling Unit) Counter at 1660 Mission Street. The responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Please provide evidence such as an approved building permit, dimensioned plans, photos, etc. A site visit may also be required to verify compliance.

Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: www.sfgov.org/dbi, regarding the Building Permit Application process. Please visit the Planning Information Counter located at the first floor of 1660 Mission Street, telephone: (415) 558-6377, or website: www.sfplanning.org for any questions regarding the planning process.

### TIMELINE TO RESPOND

The responsible party has fifteen (15) days from the date of this notice to either;

- 1) Correct the violation as noted above; or
- 2) Appeal this Notice of Violation as noted below.

The corrective actions shall be taken as early as possible. Please contact the enforcement staff as noted above to submit evidence of correction. Any unreasonable delays in abatement of the violation in the timeline set forth above will result in both the accrual of administrative penalties and further enforcement action by the Planning Department.

### **APPEAL PROCESSES**

If the responsible party believes that this order to remove violation of the Planning Code is an abuse of discretion by the Zoning Administrator, the following appeal processes are available <u>within fifteen</u> (15) days from the date of this notice:

- 1) The responsible party may request a Zoning Administrator Hearing under Planning Code Section 176 to show cause why this Notice of Violation is issued in error and should be rescinded by submitting the Request for Zoning Administrator Hearing Form and supporting evidence to the Planning Department. The Zoning Administrator shall render a decision on the Notice of Violation within 30 days of such hearing. The responsible party may appeal the Zoning Administrator's decision to the Board of Appeals within 15 days from the date of the decision.
- 2) The responsible or any interested party may waive the right to a Zoning Administrator Hearing and proceed directly to appeal the Notice of Violation to the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, CA 94103, telephone: (415) 575-6880, website: <a href="https://www.sfgov.org/bdappeal">www.sfgov.org/bdappeal</a>. The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation continues unabated, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

### **ADMINISTRATIVE PENALTIES**

If any responsible party does not request any appeal process and does not take corrective action to abate the violation within the 15-day time limit as noted above, this Notice of Violation will become final. Beginning on the following day, administrative penalties of up to \$250 per day to the responsible party will start to accrue for each day the violation continues unabated. The penalty amount shall be paid within 30 days from the issuance date of a Notice of Penalty. After 30 days, the Planning Department may forward the matter to the Bureau of Delinquent Revenue for collection as authorized by Article V, Section 10.39 of the San Francisco Administrative Code. Please note that you will also be required to pay 25% commission on the penalty amount for the BDR services. Please be advised that payment of penalty does not excuse failure to correct the violation or bar further enforcement action. Additional penalties will continue to accrue until a corrective action is taken to abate the violation.

## **ENFORCEMENT TIME AND MATERIALS FEE**

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting the Planning Code violations. Accordingly, the responsible party is currently subject to a fee of \$1618.01 for 'Time and Materials' costs associated with the Code Enforcement investigation. Please submit a check payable to 'San Francisco Planning Department' for Code Enforcement within 15 days from the date of this notice. Additional fees will continue to

accrue until the violation is abated. This fee is separate from the administrative penalties described above and is not appealable.

### OTHER APPLICATIONS UNDER CONSIDERATION

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. You may contact the enforcement planner as noted above for any questions.

Sincerely,

Tina Tam

Acting Zoning Administrator

Enc.: Notice of Enforcement, dated April 16, 2019

Cc: Jeremy Paul, Permit Consulting, 584 Castro Street, San Francisco, CA 94114

## NOTICE OF ENFORCEMENT

1650 Mission St. Suite 400 San Francisco,

CA 94103-2479 Reception:

415.558.6378

415.558.6409

Planning Information: 415.558.6377

April 16, 2019

**Property Owner** 

Colin E Schmidt/Jennifer L Griffin 2014 1016 Pierce Street San Francisco, CA 94115

Site Address:

1016 Pierce Street

Assessor's Block/Lot:

0754/011

**Zoning District:** 

RM-3, Residential-Mixed, Medium Density

**Complaint Number:** 

2018-015061ENF

**Code Violation:** 

Section 171; Compliance of Uses

Section 207.3; Unauthorized Dwelling Unit

Administrative Penalty:

Up to \$250 Each Day of Violation

Response Due:

Within 15 days from the date of this Notice

**Staff Contact:** 

David Brosky, (415) 575-8727 / david.brosky@sfgov.org

The Planning Department has received a complaint that a Planning Code violation exists at 1016 Pierce Street (the "subject property") that needs to be resolved. As the owner of the subject property, you are the responsible party. The purpose of this notice is to inform you about the Planning Code Enforcement process so you can take appropriate action to bring your property into compliance with the Planning Code. Details of the violation are discussed below:

### **DESCRIPTION OF VIOLATION**

The violation pertains to the unauthorized dwelling unit located at the subject property. Planning Code Section 317, defines an unauthorized dwelling unit as "one or more rooms within a building that have been used, without the benefit of a building permit, as a separate and distinct living or sleeping space independent from residential units on the same property."

Pursuant to Planning Code Section 171 structures and land in any zoning district shall be used only for the purposes listed in this Code as permitted in that district, and in accordance with the regulations established for that district. Further, pursuant to Planning Code Section 174, every condition, stipulation, special restriction, and other limitation under the Planning Code shall be complied with in the development and use of land and structures. Failure to comply with any of Planning Code provisions constitutes a violation of Planning Code and is subject to enforcement process under Code Section 176.

#### HOW TO CORRECT THE VIOLATION

The Planning Department requires that you immediately proceed to abate the violation by making a good faith effort to file and complete a Building Permit Application to legalize the unit through the Unit Legalization Program or the Accessory Dwelling Unit Program, OR applying for and obtaining a Conditional Use Application to remove the unauthorized dwelling unit.

The Conditional Use Authorization Application is available from the Planning Department's website at http://www.sf-planning.org. If the Conditional Use Authorization is granted, you will also need to obtain a Building Permit.

The responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated. Please provide evidence including approved plans A site visit may also be required to verify compliance.

Please contact the Department of Building Inspection (DBI), 1660 Mission Street, San Francisco, CA 94103, telephone: (415) 558-6088, website: www.sfgov.org/dbi, regarding the Building Permit Application process. Please visit the Planning Information Counter located at the first floor of 1660 Mission Street or website: www.sf-planning.org for any questions regarding the planning process.

#### TIMELINE TO RESPOND

The responsible party has <u>fifteen (15)</u> days from the date of this notice to contact the staff planner noted at the top of this notice and submit evidence to demonstrate that the corrective actions have been taken to bring the subject property into compliance with the Planning Code. A site visit may also be required to verify the authorized use at the above property. The corrective actions shall be taken as early as possible. Any unreasonable delays in abatement of the violation may result in further enforcement action by the Planning Department.

### PENALTIES AND APPEAL RIGHTS

Failure to respond to this notice by abating the violation or demonstrating compliance with the Planning Code <u>within fifteen (15) days from the date of this notice</u> will result in issuance of a <u>Notice</u> <u>of Violation</u> by the Zoning Administrator. Administrative penalties of up to <u>\$250 per day</u> will also be assessed to the responsible party for each day the violation continues thereafter. The Notice of Violation provides appeal processes noted below.

- 1) Request for Zoning Administrator Hearing. The Zoning Administrator's decision is appealable to the Board of Appeals.
- 2) Appeal of the Notice of Violation to the Board of Appeals. The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation exists, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

### **ENFORCEMENT TIME AND MATERIALS FEE**

Pursuant to Planning Code Section 350(g)(1), the Planning Department shall charge for 'Time and Materials' to recover the cost of correcting Planning Code violations and violations of Planning Commission and Planning Department's Conditions of Approval. Accordingly, the responsible party may be subject to an amount of \$1,395.00 plus any additional accrued time and materials cost for Code Enforcement investigation and abatement of violation. This fee is separate from the administrative penalties as noted above and is not appealable.

### OTHER APPLICATIONS UNDER CONSIDERATION

The Planning Department requires that any pending violations be resolved prior to the approval and issuance of any new applications that you may wish to pursue in the future. Therefore, any applications not related to abatement of the violation on the subject property will be placed on hold until the violation is corrected. We want to assist you in ensuring that the subject property is in full compliance with the Planning Code. You may contact the enforcement planner as noted above for any questions.