



# EXECUTIVE SUMMARY CONDITIONAL USE AUTHORIZATION

**HEARING DATE: SEPTEMBER 9, 2021**

**Record No.:** 2019-001627CUA  
**Project Address:** 459 Clipper Street  
**Zoning:** RH-2 (Residential-House, Two-Family) Zoning District  
40-X Height and Bulk District  
**Block/Lot:** 6555/038A  
**Project Sponsor:** John Kevlin  
Reuben, Junius & Rose, LLP  
One Bush St #600,  
San Francisco, CA 94104  
**Property Owner:** Olga Milan-Howells  
459 Clipper Street  
San Francisco, CA 94114  
**Staff Contact:** Jeff Horn – (628) 652-7366  
[jeffrey.horn@sfgov.org](mailto:jeffrey.horn@sfgov.org)

**Recommendation:** Approval with Conditions

## Project Description

The proposal is for the demolition of an existing 931 square-foot, two-story, single-family residence and the construction of a three-story-over-basement, 6,424-gross-square-foot, two-family residence, which includes a 2,406-square-foot, four-bedroom dwelling unit (Unit 1), a 2,674-square-foot four-bedroom dwelling unit (Unit 2), and a 1,155-square-foot garage providing storage, two vehicle parking spaces and two Class 1 bicycle parking spaces.

## Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization pursuant to Planning Code Sections 209.1, 303 and 317 for the demolition of an existing two-story, single-family residence and the construction of a three-story over basement, two-family residence.

## Issues and Other Considerations

- **Public Comment & Outreach.** Prior to the submittal of the Conditional Use Authorization Application in 2019, the Project Sponsor submitted a Building Permit Application on July 8, 2015 and prior to that submittal conducted and complete a Pre-Application Meeting on November 15, 2014. Over the years since the Pre-Application meeting the Project Sponsor has performed substantial outreach to the adjacent neighbors and others in proximity of the project site to discuss concerns related to the massing and scale of the proposed project in relation to the context of the subject block and the mid-block open space.

Since the noticing of the Project's public hearing, the Department has received 4 letters in support of the project, and one letter in opposition. Members of the public expressing support referenced the Project's ability to provide a compatible residential building to the immediate neighborhood, the net increase of one dwelling unit to the City's housing stock, and inclusion of family-sized units. Additional opposition to the project, mainly the two adjacent neighbors at 449 Clipper Street to the east and 459 Clipper Street to the west, will submit a consolidated letter of opposition to the Commissioner prior to the hearing date.

- **Clipper Street Eligible Historic District:** The subject building and property are not identified as an individual historical resource. Pursuant to CEQA, a Historic Resource Evaluation (HRE) was prepared to evaluate the existing subject building, constructed in 1925, and whether it would meet CEQA section 15064.5 criteria for listing on the California Register or in an adopted local historic register. The subject building and property were determined to be a non-contributor to the eligible Clipper Street Historic District. The proposed project is designed to conform with the Planning Department's Residential Design Guidelines (RDG), which mandate conformity with the neighborhood character. Therefore, the demolition of the non-contributor and the proposed construction that would be RDG compliant would not materially impair the eligible Clipper Street Historic District and its surroundings.

## Environmental Review

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 Categorical Exemption.

## Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. Although the Project includes the demolition of a residential unit, the Project will maximize the use of an underdeveloped lot and will provide one additional dwelling unit to the City's housing stock and would provide new units that are sized to serve families. The Project will provide a density that is compatible the RH-2 Zoning District and a residential building that is compatible with the size, height, and architectural characteristics of the immediate neighborhood. The Department also finds the Project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

## Attachments:

Draft Motion – Conditional Use Authorization  
Exhibit A – Conditions of Approval  
Exhibit B – Plans and Renderings  
Exhibit C – Environmental Determination  
Exhibit D – Land Use Data

Exhibit E – Maps and Context Photos  
Exhibit F– Project Sponsor’s Brief



## PLANNING COMMISSION DRAFT MOTION

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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 317 FOR THE DEMOLITION OF AN EXISTING TWO-STORY, SINGLE FAMILY RESIDENCE AND THE CONSTRUCTION OF A THREE-STORY OVER BASEMENT, TWO-FAMILY RESIDENCE FOR A TOTAL OF TWO DWELLING UNITS, TWO CLASS 1 BICYCLE PARKING SPACES, AND TWO OFF-STREET PARKING SPACES, LOCATED AT 459 Clipper STREET, LOT 038A IN ASSESSOR'S BLOCK 6555, WITHIN THE RH-2 (RESIDENTIAL-HOUSE, TWO-FAMILY) ZONING DISTRICT AND 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

## PREAMBLE

On February 08, 2019, Olga Milan-Howells, now represented by John Kevlin of Reuben, Junius & Rose, LLP (hereinafter "Project Sponsor") filed Conditional Use Authorization Application No. 2019-001627CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for the demolition of an existing two-story, single-family residence and the construction of a three-story-over-basement, two-family residence (hereinafter "Project") at 459 Clipper Street, Block 6555, Lot 038A (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 3 Categorical Exemption.

On September 9, 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. 2019-001627CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2019-001627CUA 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 authorizes the Conditional Use Authorization as requested in Application No. 2019-001627CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The proposal is for the demolition of an existing 931 square-foot, two-story, single-family residence and the construction of a three-story-over-basement, two-family residence. The residential building will be a 6,424-gross-square-foot, two-family dwelling, which includes a 2,406-square-foot, four-bedroom dwelling unit (Unit 1), a 2,674-square-foot four-bedroom dwelling unit (Unit 2), and a 1,155-square-foot garage providing storage, two vehicle parking spaces and two Class 1 bicycle parking spaces.
- 3. Site Description and Present Use.** The approximately 3,420 square foot, upsloping lot is located on the south side of Clipper Street, between Castro and Diamond Streets; Lot 038A of Assessor's Block 6555. The lot has a width of 30 feet and a depth of 114 feet. The property is developed with a two-story, one-bedroom single-family-residence with a detached garage. The subject building, constructed in 1925, is considered to be a non-contributor to the eligible Clipper Street Historic District. According to the Project Sponsor, the subject building is vacant.
- 4. Surrounding Properties and Neighborhood.** The subject property is located within the RH-2 (Residential-House, Two Family) Zoning District, the 40-X Height and Bulk District, and the Noe Valley neighborhood. The RH-2 (Residential-House, Two-Family) is located to the north, east, and west of the subject property. The RH-1 (Residential-House, One-Family) is located to the south of the subject property. The immediate neighborhood is developed with two- to three- story residential developments that mostly contain single-family dwelling units. Directly properties to the east, west, and south of the subject property are developed with mostly with single-family dwelling units.
- 5. Public Outreach and Comments.** Prior to the submittal of the Conditional Use Authorization Application in 2019, the Project Sponsor submitted a Building Permit Application on July 8, 2015 and prior to that submittal conducted and complete a Pre-Application Meeting on November 15, 2014. Over the years since the Pre-Application meeting the Project Sponsor has performed substantial outreach to the adjacent neighbors and others in proximity of the project site to discuss concerns related to the massing and scale of the proposed project in relation to the context of the subject block and the mid-block open space.

Since the noticing of the Project's public hearing, the Department has received 4 letters in support of the project, and one letter in opposition. Members of the public expressing support referenced the Project's ability to provide a compatible residential building to the immediate neighborhood, the net increase of one dwelling unit to the City's housing stock, and inclusion of family-sized units. Additional opposition to the project, mainly the two adjacent neighbors at 449 Clipper Street to the east and 459 Clipper Street to the west, will submit a consolidated letter of opposition to the Commissioner prior to the hearing date.

**6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. Residential Demolition.** Pursuant to Planning Code Section 317(c)(1), any application for a permit that would result in the removal of one or more Residential Units or Unauthorized Units is required to obtain Conditional Use Authorization. "Removal" shall mean, with reference to a Residential or Unauthorized Unit, its Conversion, Demolition, or Merger. Section 317(g)(6) establishes the criteria which the Planning Commission shall consider in the review of applications for Residential Demolition.

*The Project will demolish an existing two-story, single-family residence, and therefore requires the issuance of the listed Conditional Use Authorization pursuant to Planning Code Sections 303 and 317. The additional criteria specified in Sections 317(g)(6) have been incorporated as findings of this motion. See Item No. 8, "Residential Demolition Findings."*

- B. Dwelling Unit Density.** Pursuant to Planning Code Sections 207 and 209.1 properties within the RH-2 Zoning District are principally permitted to contain two dwelling unit per lot area or conditionally permitted to contain one dwelling unit per 1,500 square feet of lot area.

*The Project will construct a three-story-over-basement, two-family dwelling on the 3,420 square foot, which is the principally permitted maximum density.*

- C. Front Setback.** Planning Code Section 132 states that the minimum front setback depth shall be based on the average of adjacent properties or a Legislated Setback and not to be more than 15 feet.

*Both adjacent properties are setback from their respective front property lines by more than 15 feet, therefore the required front setback for the subject property would be the maximum allowed by the Code, 15 feet. The front building wall of the Project is setback the site's required 15 foot front setback. The project includes a protruding garage which is a permitted obstruction per Planning Code Section (PCS) 136(c)(27) due to the existing slope of the area within the required front setback.*

- D. Rear Yard.** Planning Code Section 134 requires that properties within the RH-2 Zoning District maintain a minimum rear yard equal to 45 percent of the lot's depth or the average of the adjacent neighbors, but in no case less than 25% or 15 feet, whichever is greater.

*The Project complies with this requirement. The subject property is required to maintain a rear yard equal to 35 feet 6 inches based on the average depth of the two adjacent buildings. The proposed residential building will not encroach into the subject property's required rear yard.*

- E. Usable Open Space.** Planning Code Section 135 requires that each dwelling unit within the RH-2 Zoning District contain access to a minimum 125 square feet of private usable open space or a minimum 166 square feet of common usable open space.

*The Project will comply with this requirement. Both units have direct access to open space exceeding the minimum amount required for private usable open space.*

- F. Permitted Obstructions.** Planning Code Section 136 allows certain features including architectural

projections, uncovered stairways and decks as permitted obstructions into the required rear yard so long as certain dimensional requirements are met.

*The Project includes a protruding garage within the lot's required front setback, allowed per PCS 136(27) because the lot's average slope within the required front set back exceeds 50 percent.*

- G. **Dwelling Unit Exposure.** Pursuant to Planning Code Section 140, each dwelling unit shall contain a room measuring at minimum 120 square feet in area with required windows (as defined by the Section 504 of the San Francisco Housing Code) that face directly onto one of the following open areas: a public street; a public alley of at least 20 feet in width; a side yard of at least 25 feet in width; or a rear yard meeting the requirements of the Planning Code.

*Both of the proposed dwelling units will contain a room measuring at minimum 120 square feet in area with required windows facing onto Clipper Street and the conforming rear yard.*

- H. **Off-Street Parking.** Pursuant to Planning Code Section 151, no off-street parking spaces are required. However, 1.5 off-street parking spaces are principally permitted per dwelling unit.

*The Project will comply with this requirement. The subject building will contain a maximum of two off-street parking spaces, each dwelling unit will have access to one off-street parking space*

- I. **Residential Bicycle Parking.** Planning Code Section 155.2 requires that one Class 1 bicycle parking space be provided for each dwelling unit. The Class 1 bicycle parking space shall be located in a secure and weather protected location meeting dimensions set in Zoning Administrator Bulletin No. 9 and shall be easily accessible to its residents and not otherwise used for automobile parking or other purposes.

*The subject building will contain a maximum of two Class 1 bicycle parking spaces, each dwelling unit will have access to one bicycle parking space. Therefore, the Project complies with this requirement.*

- J. **Building Height.** Pursuant to Planning Code Section 260 and 261, the subject property is limited to a building height of 40 feet, but height shall be 30 feet at the front setback and shall increase at an angle of 45 degrees toward the rear of the lot until the 40 foot height limit is reached.

*The Project will comply with this requirement. The proposed residential building will measure no more than 40 feet in height, and the building's front wall, which is located at the front setback, has a height of 30 feet, and the height is maintained at 30 feet for the first 15 feet of the building's depth.*

- K. **Child Care Fee.** Planning Code Section 414A requires payment of a child care impact fee for a project that results in one net new dwelling unit.

*The Project will construct two new dwelling units and therefore is subject to the Child Care Fee. The fee will be paid for prior to the issuance of the first construction document.*

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 will provide a development that is necessary, desirable, and compatible with the immediate neighborhood. The Project will maximize the use of a currently underdeveloped property and will provide one additional dwelling unit to the City's housing stock. Furthermore, the Project will provide a use compatible with the RH-2 Zoning District and construct a building that is compatible with the size, density, height, and architectural characteristics of the immediate neighborhood. Most of surrounding buildings are modest-sized single-family dwelling unit, under 40 feet in height, and the upper floor is setback 15 feet from the building's front wall.*

*The proposed project is designed to conform with the Planning Department's Residential Design Guidelines (RDG), which mandate conformity with the neighborhood character. Therefore, the demolition of the non-contributor to an historic district and the proposed construction that would be RDG compliant would not materially impair the eligible historic district and its surroundings.*

*Overall, the Project is proposing to replace and provide an additional dwelling unit, while providing them as upgraded, modern, larger units. The new building is compatible with the neighborhood and zoning and will bring the lot into compliance with the Planning Code and Policies, resulting in a Project that is necessary, desirable, and compatible with the City at-large.*

- 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 will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity. The proposed demolition of an existing two-story, single-family residence and construction of a new three-story over basement, two-family residence will be compatible to the development pattern, density, and height of the immediate neighborhood. The proposed size, shape, and arrangement of the Project will also match that of neighboring structures, and the Project overall will aesthetically enhance the neighborhood.*

- (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 is not expected to impede public transportation, vehicle traffic patterns, or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located approximately less than a block from the 48-24<sup>th</sup> Street bus line and the J-Church MUNI line. The Project will provide a total of two off-street parking spaces and two Class 1 bicycle parking spaces, one for each*

*respective dwelling unit.*

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

*The Project will comply with the City's requirements to minimize noise, glare, dust, odors, or other harmful emissions.*

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

*The proposed Project will provide adequate usable open space, landscaping, and bicycle parking spaces for each dwelling unit. Additionally, the Project will preserve the walkability of the sidewalk directly adjacent to the subject property.*

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

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

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

*The Project is consistent with the stated purpose of the RH-2 (Residential-House, Two Family) Zoning District in that the intended use will be a compatible residential use and the proposed dwelling units will be consistent with the characteristics of the listed Zoning District.*

- 8. Residential Demolition Findings.** Planning Code Section 317(g)(6) establishes criteria for the Planning Commission to consider when reviewing applications for the demolition of a residential unit. On balance, the project complies with said criteria in that:

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

*Based on a review of the Department of Building Inspection's and Planning Department's databases, the subject property has no history of serious continuing Code violations.*

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

*Based on the information available to the Department, the existing subject residential building was maintained in decent, safe, and sanitary conditions.*

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

*The subject building and property are not identified as a historical resource. Pursuant to CEQA, a Historic Resource Evaluation (HRE) was prepared to evaluate the existing subject building, constructed in 1925, whether they would meet CEQA section 15064.5 criteria for listing on the*

*California Register or in an adopted local historic register. The subject building and property were determined to be a non-contributor to the eligible Clipper Street Historic District.*

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

*Given the Historical Resource Evaluation (HRE), the demolition of the subject building will not create significant impacts to a historical resource or the eligible Clipper Street Historic District.*

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

*The Project will not convert rental housing to other forms of tenure or occupancy.*

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

*The existing single-family residence is not a deed-restricted, tax-credit funded affordable housing. The subject building was constructed in 1925 as a single-family residence. Although the Planning Department does not have the authority to make a determination on the applicability of the Rent Ordinance to a subject property, it is the Planning Department's position to assume that single-family homes are not subject to rent regulations, but other provisions of the Residential Rent Stabilization and Arbitration Ordinance (Rent Ordinance) may apply.*

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

*Although the Project will demolish an existing single-family residence, the Project will enhance and reinforce the existing cultural and economic diversity of the immediate neighborhood by providing an additional dwelling unit, thereby maximizing the lot's permitted density. In particular, the proposed residential building will be compatible with the size, density, height, and architectural characteristics of the immediate neighborhood.*

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

*The Project will conserve the existing neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will demolish an existing two-story, single-family residence and construct a three-story over basement, two-family residence within a neighborhood characterized by residential uses and the demolition of the subject building will not create significant impacts to a historical resource or the eligible Clipper Street Historic District.*

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

*The Project will demolish an aged, existing single-family dwelling which is generally considered more affordable than new dwelling units, and therefore the Project will not preserve the relative affordability of existing housing. However, the Project will provide one additional legal dwelling unit, thereby maximizing the lot's permitted density.*

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

*The Project is not subject to Planning Code Section 415, as the Project will construct less than ten dwelling units.*

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

*The Project will develop an underdeveloped property within close proximity to public transportation and provide one additional legal dwelling unit to the City's housing stock.*

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

*The Project will provide one additional family-sized dwelling unit to the City's housing stock.*

- M. Whether the project creates new supportive housing;

*The Project will not create supportive housing.*

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

*The Project will construct a three-story over basement, two-family residence that will be compatible with the development pattern, density, and height of the immediate neighborhood. The proposed new residential building will have features similar to that of other residential buildings within the immediate neighborhood and the demolition of the subject building will not create significant impacts to a historical resource or the eligible Clipper Street Historic District.*

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

*The Project will increase the number of on-site legal dwelling units at the subject property from one to two dwelling units, for a net gain of one legal dwelling unit.*

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

*The Project will increase the number of on-site bedrooms at the subject property from one to eight bedrooms, for a net gain of seven bedrooms.*

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

*The Project will maximize the density of the subject property by providing a two-family residence. The subject property measures approximately 3,420 square feet in area and is located within the RH-2 Zoning District which permits two residential unit per lot and conditionally permit one unit for every 1500 square feet of lot area. Therefore, the subject property is principally permitted two units maximizes the density of the 3,420 square foot lot.*

- R. If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance,

whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.

*The subject building was constructed in 1925 as a single-family residence. Although the Planning Department does not have the authority to make a determination on the applicability of the Rent Ordinance to a subject property, it is the Planning Department's position to assume that single-family homes are not subject to rent regulations, but other provisions of the Residential Rent Stabilization and Arbitration Ordinance (Rent Ordinance) may apply. Nonetheless, the Project will demolish a two-story, three-bedroom, approximately 931 square foot single-family residence and construct a three-story over basement, two-family residence, that provides a total of eight bedrooms.*

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

### HOUSING ELEMENT

#### Objectives and Policies

#### OBJECTIVE 1:

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

##### Policy 1.1

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

##### Policy 1.10

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

#### OBJECTIVE 4:

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

##### Policy 4.1

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

##### Policy 4.4

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

##### Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

Policy 4.6

Encourage an equitable distribution of growth according to infrastructure and site capacity.

**OBJECTIVE 11:**

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

Policy 11.1

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

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

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

Policy 11.4:

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

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

**OBJECTIVE 12:**

**BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.**

Policy 12.2

Consider the proximity of quality of life elements such as open space, childcare, and neighborhood services, when developing new housing units.

**OBJECTIVE 13:**

**PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.**

Policy 13.1

Support “smart” regional growth that locates new housing close to jobs and transit.

**URBAN DESIGN ELEMENT**

Objectives and Policies

**OBJECTIVE 1:**

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

Policy 1.3

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

*The Project will demolish an existing two-story, single-family residence and construct a new three-story over basement, two-family residence within a close proximity to public transportation, commercial corridors, and jobs. Additionally, the Project will increase the City’s housing stock by providing one additional legal dwelling unit while simultaneously enhancing and preserving the immediate neighborhood’s character. Furthermore, the two proposed dwelling units will be developed to meet the needs and necessities of families. The Project will also provide a use compatible the RH-2 Zoning District and neighborhood in that the proposed residential building will be compatible with the size, density, height, and architectural characteristics of the immediate neighborhood. The Project proposes new construction that will reinforce the existing street pattern as the building scale is appropriate for the subject block’s street frontage and will contribute to the neighborhood’s character and will not detract from the eligible Clipper Street Historic District. Furthermore, the proposal maximizes the dwelling unit density of the lot, while bringing the property into full compliance with the requirements of the Planning Code.*

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

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

*The Project will not remove or displace existing neighborhood serving retail uses nor will it impact employment and ownership opportunities of such businesses. The Project site does not contain a neighborhood serving retail use and is currently occupied by a single-family residence. Nonetheless, the Project will introduce new patrons to the area, and therefore, strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.*

- 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 will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will demolish an existing two-story, single-family residence and construct a three-story over basement, two-family residence. The two proposed would each be provided as family friendly dwelling units each with four bedrooms and located in close proximity to amenities (i.e., usable open space, laundry, bicycle parking).*

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

*The Project will not negatively affect the City's supply of affordable housing; no affordable housing units will be removed. Rather, the Project will provide one net dwelling unit to the City's housing stock.*

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

*The Project is not expected to impede public transportation or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located approximately less than a block from the 48-24<sup>th</sup> Street bus line and the J-Church MUNI line. The Project will remove one on-street parking space from the immediate neighborhood but will provide two off-street parking spaces and two Class 1 bicycle parking spaces, one for each respective dwelling unit.*

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

*The Project will not displace any service or industry sectors due to commercial office and will not affect residents' employment and ownership opportunities of industrial and service sector. The subject building is an existing two-story, residential building and the proposed Project will construct a three-story over basement, residential building with a total of two dwelling units.*

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

*The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings. The subject building and property are not identified as a historical resource. Pursuant to CEQA, a Historic Resource Evaluation (HRE) was prepared to evaluate the existing subject building, constructed in 1925, whether they would meet CEQA section 15064.5 criteria for listing on the California Register or in an adopted local historic register. The subject building and property were determined to be a non-contributor to the eligible Clipper Street Historic District.*



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

*The Project will not have impacts on existing parks and opens spaces and their access to sunlight and vistas.*

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

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2019-001627CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated May 5, 2021, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 9, 2021.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: September 9, 2021

## EXHIBIT A

### Authorization

This authorization is for a conditional use to allow the demolition of an existing two-story, single family residence and the construction of a three-story over basement, two family residence located at 459 Clipper Street, Lot 038A of Assessor's Block 6555 pursuant to Planning Code Sections 303 and 317 within the RH-2 (Residential-House, Two Family) Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated May 5, 2021, and stamped "EXHIBIT B" included in the docket for Record No. 2019-001627CUA and subject to conditions of approval reviewed and approved by the Commission on September 9, 2021 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### Recordation of Conditions Of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on March 18, 2021 under Motion No. XXXXXX.

### Printing of Conditions of Approval on Plans

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

### Severability

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

### Changes and Modifications

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

## CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

### Performance

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

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Design – Compliance at Plan Stage

- 6. Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

- 8. Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

## Parking and Traffic

- 9. Bicycle Parking.** The Project shall provide no fewer than two Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 10. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Provisions

- 11. Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

## Monitoring - After Entitlement

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

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Operation

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

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## GENERAL NOTES

GENERAL CONDITIONS: AIA DOCUMENT A201, GENERAL CONDITIONS FOR THE PERFORMANCE OF THE CONTRACT IS HEREBY INCORPORATED INTO THE DRAWINGS AND SHALL BE CONSIDERED AS PART OF THE REQUIREMENTS FOR THE COMPLETION OF THE PROJECT.

EXISTING CONDITIONS: CONDITIONS SHOWN ON THE DRAWINGS ARE AS SHOWN ON THE ORIGINAL DRAWINGS AND AS OBSERVED ON THE SITE, BUT THEIR ACCURACY IS NOT GUARANTEED. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE SITE. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT PRIOR TO PROCEEDING WITH THE WORK. NOTE, DIMENSIONS TAKE PRECEDENCE OVER SCALE OF THE DRAWINGS.

PERMITS: THE CONTRACTOR SHALL OBTAIN AND PAY ALL CITY AND/OR COUNTY FEES RELATING TO PROJECT, EXCEPT THE GENERAL PERMIT, WHICH IS THE RESPONSIBILITY OF THE OWNER AND IS REIMBURSABLE TO THE G.C.

CODES: ALL WORK SHALL BE DONE IN COMPLIANCE WITH ALL APPLICABLE CODES, INCLUDING BUT NOT LIMITED TO: UNIFORM BUILDING CODES, NATIONAL ELECTRIC, MECHANICAL AND PLUMBING CODES, HEALTH DEPARTMENT REGULATIONS, FIRE AND SAFETY CODES, CITY/COUNTY ORDINANCES AND REGULATIONS AND OTHER CODES GOVERNING CONSTRUCTION.

SITE RESPONSIBILITY: IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING HEALTH AND SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. CONTRACTOR TO LIMIT TRAFFIC AND ACCESS TO THOSE AREAS WHERE WORK IS BEING PERFORMED.

CLEAN UP AND REPAIRS: THE CONSTRUCTION SITE SHALL BE MAINTAINED IN AN ORDERLY MANNER AT ALL TIMES WITH ALL DEBRIS REMOVED AT THE END OF EACH DAY. AT THE COMPLETION OF CONSTRUCTION, REMOVE ALL EXCESS MATERIALS AND REFUSE FROM SITE. LEAVE ALL SURFACES WITHIN CONSTRUCTION SITE FREE FROM DUST, DIRT AND STAINS. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY SURFACES OR ITEMS DAMAGED BY CONSTRUCTION TO THE SATISFACTION OF THE ARCHITECT AND THE OWNER.

PATCHING: PROPERLY PREPARE SURFACES FOR RECEIVING THE SPECIFIED FINISHES INCLUDING PATCHING SURFACES ALTERED BY CONSTRUCTION. ON PATCHED AREAS OR AREAS WHERE A FINISH IS NOT SPECIFIED, THE FINISH SHALL MATCH ADJACENT MATERIAL IN CONSTRUCTION, COLOR AND TEXTURE.

ALL WORK NOTED "N.I.C." OR NOT IN CONTRACT IS TO BE ACCOMPLISHED BY A CONTRACTOR OTHER THAN THE GENERAL CONTRACTOR AND IS NOT TO BE PART OF THE WORK.

"ALIGN" AS USED IN THESE DOCUMENTS SHALL MEAN TO ACCURATELY LOCATE FINISH FACES ON THE SAME PLANE.

"TYPICAL" AS USED IN THESE DOCUMENTS SHALL MEAN THAT THE CONDITION IS THE SAME OR REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT, U.O.N.

DETAILS ARE USUALLY KEYED AND NOTED "TYPICAL" ONLY ONCE, WHEN THEY FIRST OCCUR, AND ARE REPRESENTATIVE FOR SIMILAR CONDITIONS THROUGHOUT, U.O.N.

INSTALLATION: ALL ITEMS SPECIFIED SHALL BE INSTALLED AS PER MANUFACTURERS' RECOMMENDATION. ALL OPERATING MANUALS AND GUARANTEES SHALL BE GIVEN TO OWNER.

SCHEDULE: UPON SUBMITTAL OF THE FINAL CONSTRUCTION COSTS, THE CONTRACTOR SHALL ALSO SUBMIT A CONSTRUCTION SCHEDULE INDICATING THE REQUIRED CONSTRUCTION TIME FOR ALL SUB-CONTRACTOR'S WORK AND A COST-BY-TRADE BREAKDOWN FOR USE IN SCHEDULING AND EVALUATING PAY REQUESTS.

SUBSTITUTIONS: SUBSTITUTIONS, REVISIONS OR CHANGES MUST HAVE APPROVAL BY THE ARCHITECT PRIOR TO PROCEEDING WITH THE WORK.

DAMAGE: THE CONTRACTOR SHALL REPAIR OR REPLACE ANY SURFACES OR ITEMS DAMAGED BY CONSTRUCTION TO THE SATISFACTION OF THE ENGINEER OR OWNER.

GUARANTEES: THE CONTRACTOR SHALL GUARANTEE THAT THE PROJECT WILL BE FREE OF DEFECTS OF WORKMANSHIP AND MATERIALS FOR A PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE BY THE OWNER. NO WORK DEFECTIVE IN CONSTRUCTION OR QUALITY OR DEFICIENT IN ANY REQUIREMENT OF THE DRAWINGS OR NOTES WILL BE ACCEPTABLE IN CONSEQUENCE OF THE OWNER'S OR ARCHITECT'S FAILURE TO POINT OUT DEFECTS OR DEFICIENCIES DURING CONSTRUCTION. DEFECTS OF WORKMANSHIP OR MATERIALS REVEALED WITHIN A PERIOD OF ONE YEAR FROM THE ACCEPTANCE SHALL BE REPLACED BY WORK CONFORMING WITH THE INTENT OF THE CONTRACT AT NO COST TO THE OWNER. NO PAYMENT, EITHER PARTIAL OR FINAL, SHALL BE CONSTRUED AS AN ACCEPTANCE OF DEFECTIVE WORK OR IMPROPER MATERIALS.

DEMOLITION: ALL DEMOLITION INDICATED ON PLANS SHALL BE CAREFULLY CUT AND REMOVED IN ORDER TO MINIMIZE DISRUPTION AND DAMAGE OF EXISTING SPACE.

COLUMNS CENTERLINES (ALSO REFERED TO AS GRID LINES) ARE SHOWN FOR DIMENSIONAL PURPOSES. (REFER TO BASE BUILDING DRAWINGS FOR EXACT LOCATIONS).

ALL WORK PERFORMED BY THE CONTRACTOR SHALL CONFORM TO THE EXISTING BUILDING STANDARDS.

## ABBREVIATIONS

A/C	AIR CONDITIONING	FIN.	FINISH
ADJ.	ADJUSTABLE	FL.	FLOOR
A.F.F.	ABOVE FINISH FLR.	FLOUR.	FLOURESCENT
ALUM.	ALUMINUM	F.O.F.	FACE OF FINISH
ALT.	ALTERNATE	F.O.S.	FACE OF STUD
APPROX.	APPROXIMATELY	GA.	GAUGE
ARCH.	ARCHITECTURAL	G.C.	GEN. CONTRACTOR
BLDG.	BUILDING	GYP. BD.	GYP. BOARD
BLKG.	BLOCKING	H.B.	HOSE BIB
BM.	BEAM	H.C.	HANDICAP
CAB.	CABINET	HDWR.	HARDWARE
CL.	CENTER LINE	HP	HIGH POINT
CLG.	CEILING	H.W.	HOT WATER
CLOS.	CLOSET	INSUL.	INSULATION
CLR.	CLEAR	INT.	INTERIOR
COL.	COLUMN	L.P.	LOW POINT
CONC.	CONCRETE	MECH.	MECHANICAL
CONST.	CONSTRUCTION	MTL.	METAL
C.T.	CERAMIC TILE	(N)	NEW
CTR.	CENTER	N.I.C.	NOT IN CONTRACT
DET.	DETAIL	NO.	NUMBER
D.F.	DRINKING FOUNTAIN	O.C.	ON CENTER
DIA.	DIAMETER	OPP.	OPPOSITE
DIM.	DIMENSION	P-LAM	PLASTIC LAMINATE
DN.	DOWN	PLYWD.	PLYWOOD
DR.	DOOR	R.D.	ROOF DRAIN
DWG.	DRAWING	R.O.	ROUGH OPENING
(E)	EXISTING	S.C.	SOLID CORE
EA.	EACH	STOR.	STORAGE
EL.	ELEVATION	SHT.	SHEET
ELEC.	ELECTRICAL	T + G	TONGUE & GROOVE
EQ.	EQUAL	TYP.	TYPICAL
EQUIP.	EQUIPMENT	U.O.N.	UNLESS OTHERWISE
EXP.	EXPANSION		NOTED
EXPOS.	EXPOSED	WD.	WOOD
EXT.	EXTERIOR	W.P.	WATERPROOF
F.D.	FLOOR DRAIN		

## LEGEND

	DOOR TYPE/WINDOW TYPE, SEE SCHEDULE
	SWITCH
	SWITCH (THREE WAY)
	ELECTRICAL OUTLET
	GROUND FAULT INTERRUPT
	LIGHTING FIXTURE (WALL-MOUNT)
	LIGHTING FIXTURE (WALL-MOUNT)
	LIGHTING FIXTURE (RECESSED)
	FLUORESCENT LAMP
	SMOKE DETECTOR 110V W/ BATTERY BACKUP
	TELEPHONE
	EXHAUST FAN
	HEAT REGISTER
BATH.	BATHROOM
CLS.	CLOSET
	STUD WALL @ 16" O.C., U.O.N.
	(N) WALL
	30" HIGH 1-HR FIRE RATED PARAPET
	1-HR WALL

## APPLICABLE BLDG. CODE

- 2013 CALIF. BLDG. CODE & S.F. AMENDMENTS
- 2013 CALIF. MECH. CODE & S.F. AMENDMENTS
- 2013 CALIF. PLUMBING CODE & S.F. AMENDMENTS
- 2013 CALIF. ELECTR. CODE & S.F. AMENDMENTS
- 2013 CALIF. ENERGY CODE
- 2013 CALIF. FIRE CODE & S.F. AMENDMENTS
- 2013 S.F. HOUSING CODE

## SCOPE OF WORK

- NEW CONSTRUCTION OF A DUPLEX
- MECHANICAL, ELECTRICAL, PLUMBING & FIRE SPRINKLER UNDER SEPARATE PERMITS.

## PROJECT DATA

BLOCK: 6555 LOT: 038A  
ZONE: RH-2  
REAR SETBACK: (E) ±53'-9"  
(N) 34'-6"

OCCUPANCY: (E) R-3 (NO CHANGE)

NO. OF RESIDENTIAL UNITS: (E) 1  
(N) 2

NO. OF STORIES: (E) 2 OVER GARAGE  
(N) 3 OVER GARAGE

TYPE OF CONSTRUCTION: V-B W/ FIRE SPRINKLER SYSTEM  
HEIGHT LIMIT: 40'-0" MAX.

<b>BUILDING FLOOR AREA:</b>	
BASEMENT FLOOR	838 S.F.
FIRST FLOOR	1,729 S.F.
SECOND FLOOR	1,738 S.F.
THIRD FLOOR	964 S.F.
<b>TOTAL:</b>	<b>5,269 S.F.</b>

GARAGE/STORAGE: 1,155 S.F.

<b>BUILDING AREA BY UNIT</b>	
UNIT #1	2,406 S.F.
UNIT #2	2,674 S.F.
COMMON AREA (GARAGE/STORAGE/HALL)	1,344 S.F.

## SITE PLAN N.T.S.



## TABLE OF CONTENT

A-1.0	TITLE SHEET
A-1.1	BLOCK FACES, PHOTOS
A-1.2	EXISTING & PROPOSED PLOT PLANS
A-1.3	GREEN BUILDING: SITE PERMIT SUBMITTAL
A-2.0	EXISTING PLANS
A-2.1	EXISTING PLANS
A-2.2	EXISTING FRONT ELEVATION
A-2.3	EXISTING REAR ELEVATION
A-2.4	EXISTING WEST ELEVATION
A-2.5	EXISTING EAST ELEVATION
A-3.0	PROPOSED 1/F & 2/F PLANS
A-3.1	PROPOSED 3/F & 4/F PLANS
A-3.2	PROPOSED ROOF PLAN
A-4.0	PROPOSED FRONT ELEVATION
A-4.1	PROPOSED REAR ELEVATION
A-4.2	PROPOSED EAST ELEVATION
A-4.3	PROPOSED WEST ELEVATION
A-4.4	PROPOSED SECTION AA

## NIE YANG ARCHITECTS

ARCHITECTURE PLANNING  
101 HICKEY BLVD, SUITE A #404  
SOUTH SAN FRANCISCO, CA 94080  
TEL. 415 203 2371  
FAX. 415 354 8389  
EMAIL. NYARCHITECTS@GMAIL.COM

OWNER:  
OLGA MILAN  
459 CLIPPER STREET,  
SAN FRANCISCO,  
CA 94114  
TEL: (415) 756-4455



459 CLIPPER ST.  
SAN FRANCISCO  
CA 94114

NEW  
CONSTRUCTION  
OF A DUPLEX

## SITE PERMIT SET

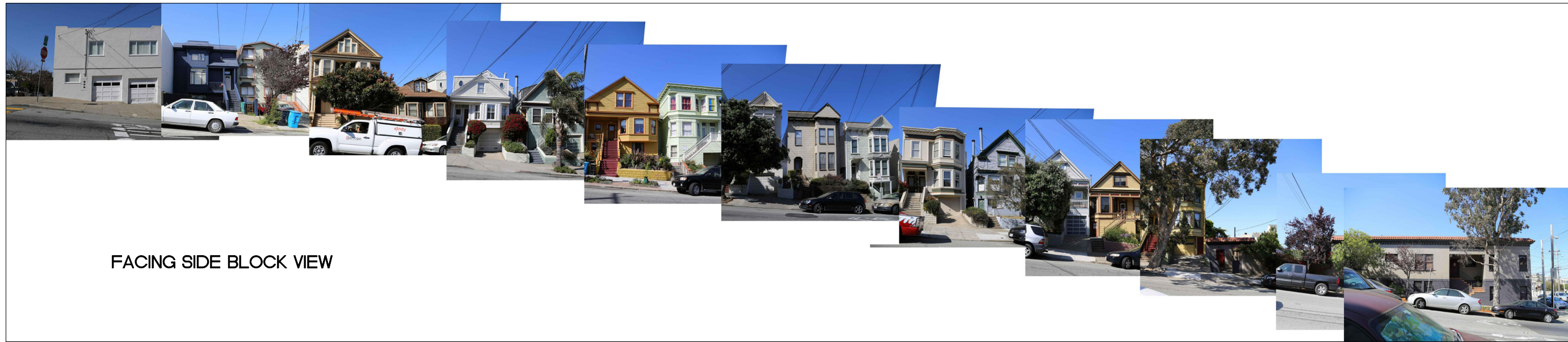
© 2021 NIE YANG ARCHITECTS  
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REVISIONS 2 02/08/2017  
REVISIONS 3 10/09/2018  
REVISIONS 4 10/17/2019  
REVISIONS 5 02/27/2020  
REVISIONS 6 05/05/2021

SCALE  
1/4"=1'-0"  
DATE  
05/05/2021  
JOB NO.  
150203  
SHEET TITLE

TITLE SHEET  
SITE PLAN

SHEET NO.

A1.0



FACING SIDE BLOCK VIEW



SAME SIDE BLOCK VIEW



1



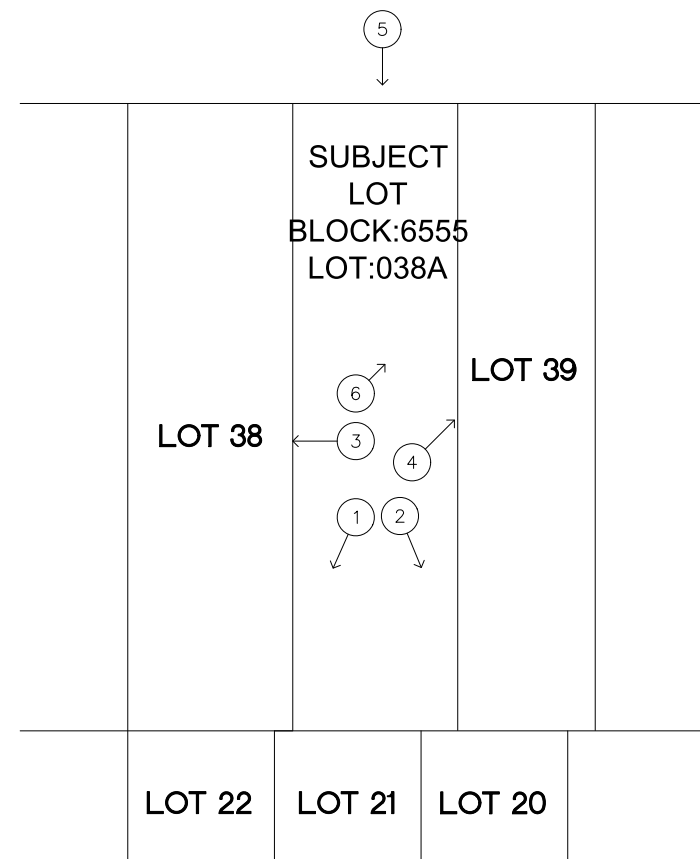
2



3



4



5



6

**NIE YANG ARCHITECTS**  
 ARCHITECTURE PLANNING  
 100 OLD COUNTY ROAD, SUITE 100A  
 BRISBANE, CA 94005  
 TEL: 415 203 2371  
 FAX: 415 354 8389  
 EMAIL: NYARCHITECTS@GMAIL.COM

OWNER:  
 OLGA MILAN  
 459 CLIPPER STREET,  
 SAN FRANCISCO,  
 CA 94114  
 TEL: (415) 756-4455



459 CLIPPER ST.  
 SAN FRANCISCO  
 CA 94114

NEW  
 CONSTRUCTION  
 OF A DUPLEX

**SITE PERMIT SET**

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SCALE  
 N.T.S.  
 DATE  
 05/05/2021  
 JOB NO.  
 150203  
 SHEET TITLE

BLOCK VIEWS  
 PHOTOS

SHEET NO.

A1.1  
 Of 18 Sheets



OWNER:  
**OLGA MILAN**  
 459 CLIPPER STREET,  
 SAN FRANCISCO,  
 CA 94114  
 TEL: (415) 756-4455



459 CLIPPER ST.  
 SAN FRANCISCO  
 CA 94114

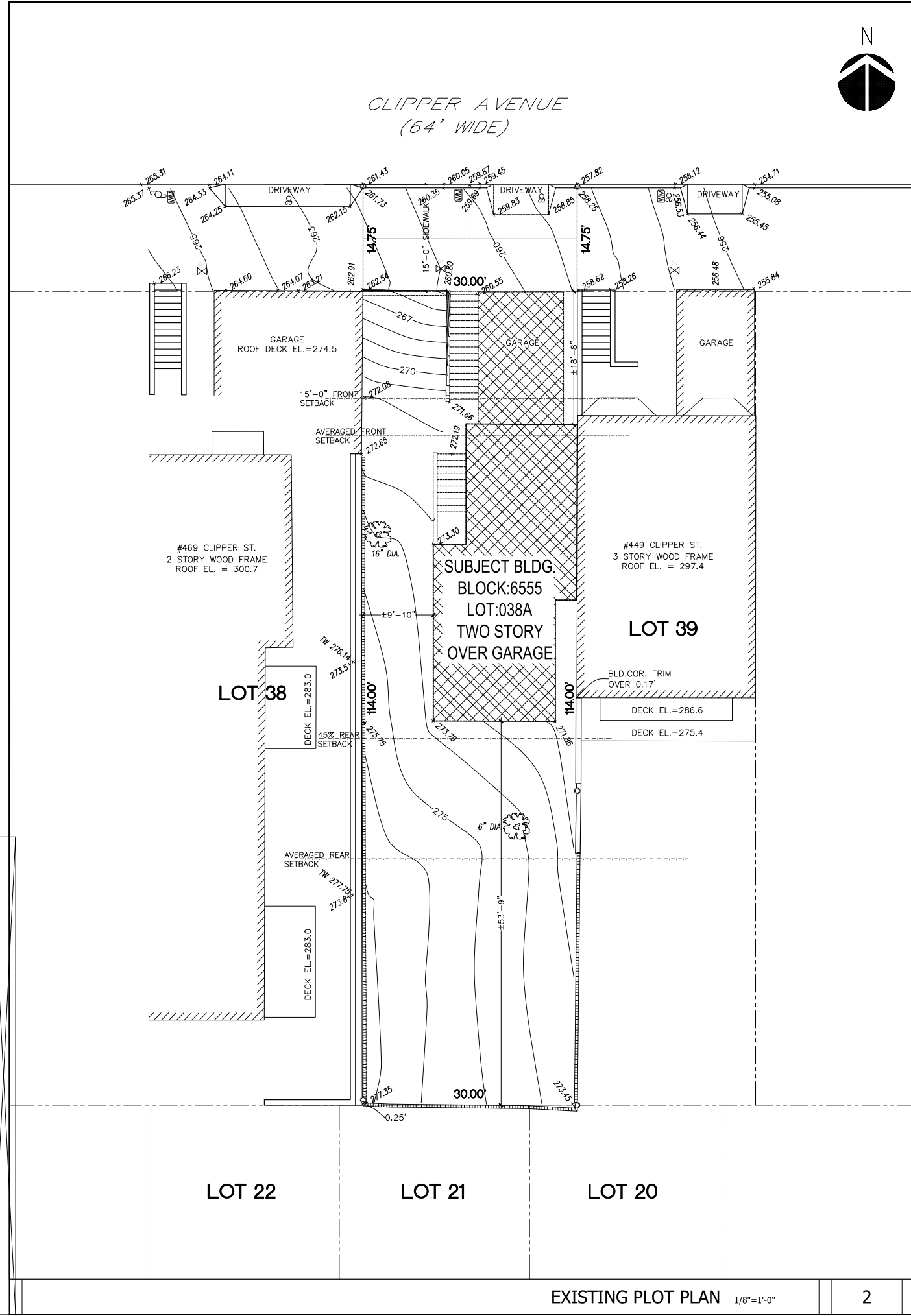
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**SITE PERMIT SET**

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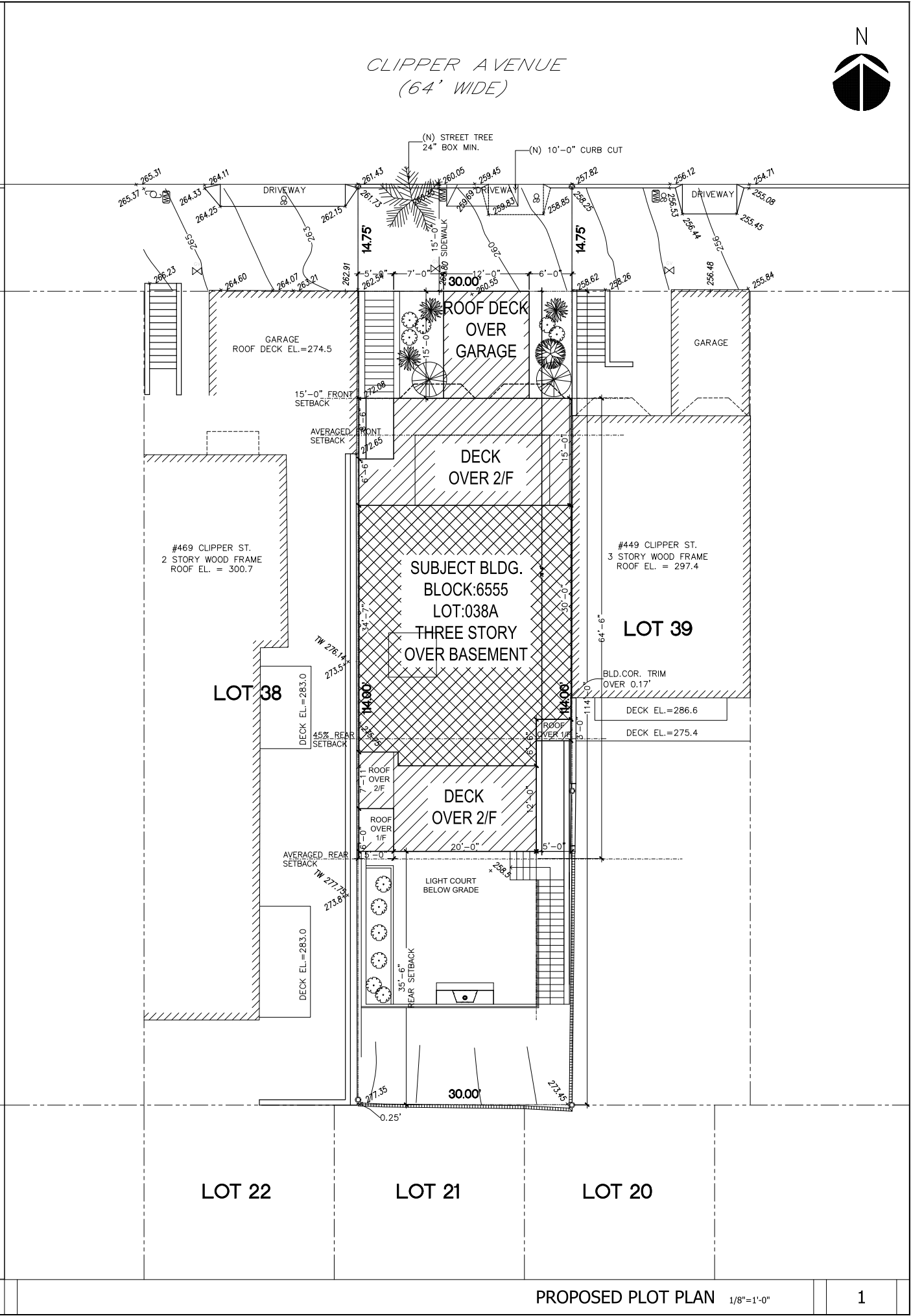
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 DATE  
 05/05/2021  
 JOB NO.  
 150203  
 SHEET TITLE

PLOT PLANS



EXISTING PLOT PLAN 1/8"=1'-0"

2



PROPOSED PLOT PLAN 1/8"=1'-0"

1



**NIE YANG ARCHITECTS**

ARCHITECTURE PLANNING  
101 HICKEY BLVD, SUITE A #404  
SOUTH SAN FRANCISCO, CA 94080  
TEL: 415 203 2371  
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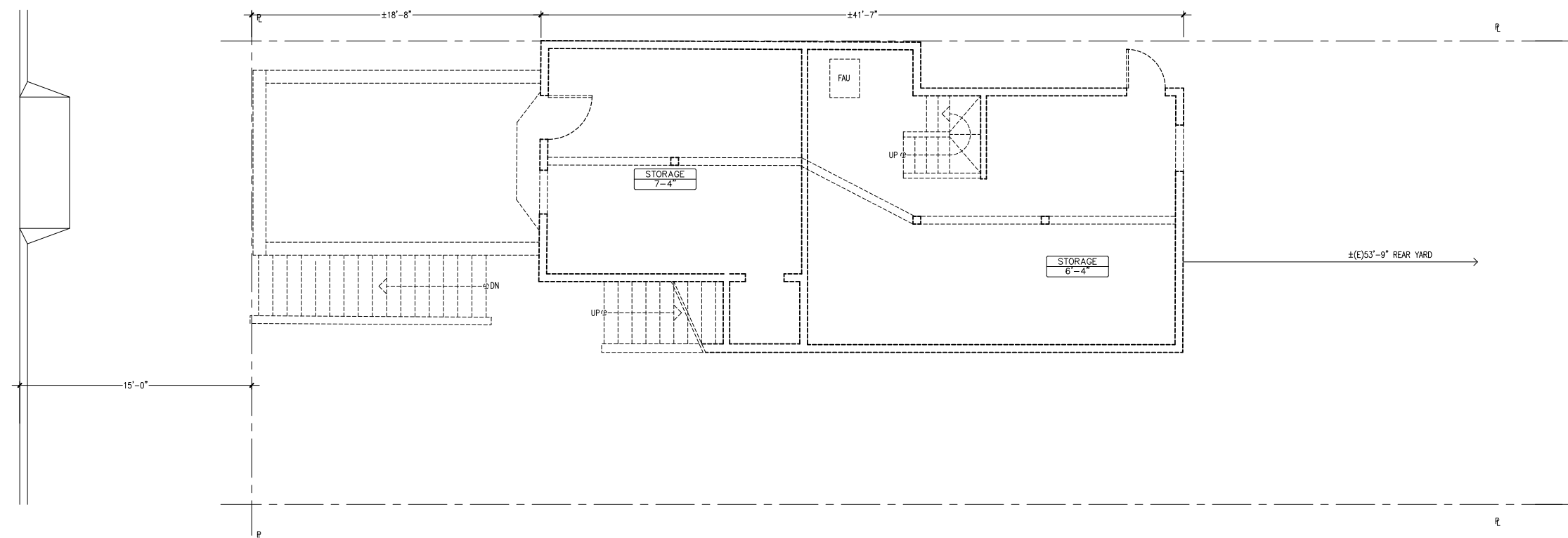
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CA 94114  
TEL: (415) 756-4455



459 CLIPPER ST.  
SAN FRANCISCO  
CA 94114

NEW  
CONSTRUCTION  
OF A DUPLEX

CLIPPER STREET

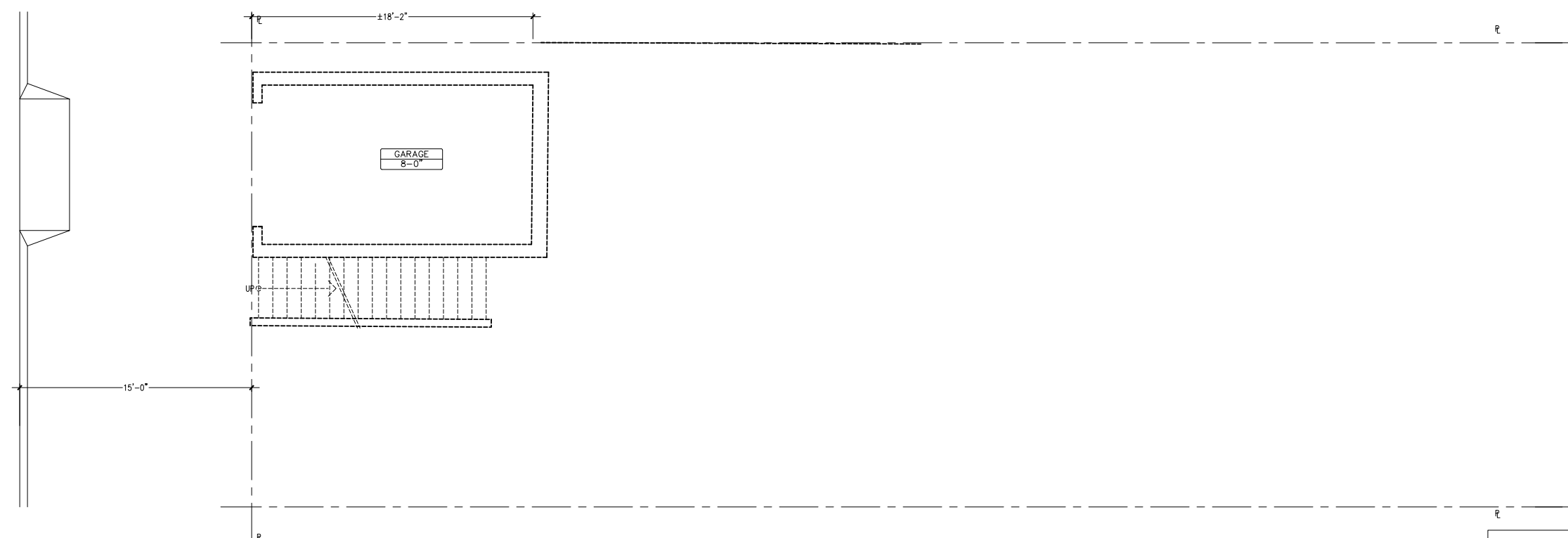


EXISTING BUILDING TO BE DEMOLISHED

EXISTING 1/F PLAN 1/4"=1'-0"

2

CLIPPER STREET



EXISTING BUILDING TO BE DEMOLISHED

EXISTING BAEMENT PLAN 1/4"=1'-0"

1



**SITE PERMIT SET**

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- REVISIONS 1 6/23/2016
- REVISIONS 2 02/08/2017
- REVISIONS 3 10/09/2018
- REVISIONS 4 10/17/2019
- REVISIONS 5 02/27/2020
- REVISIONS 6 05/05/2021

SCALE  
1/4"=1'-0"

DATE  
05/05/2021

JOB NO.  
150203

SHEET TITLE

EXISTING FLOOR PLANS

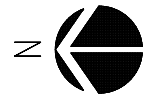
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Of 18 Sheets

OWNER:  
**OLGA MILAN**  
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 SAN FRANCISCO,  
 CA 94114  
 TEL: (415) 756-4455



459 CLIPPER ST.  
 SAN FRANCISCO  
 CA 94114

NEW  
 CONSTRUCTION  
 OF A DUPLEX



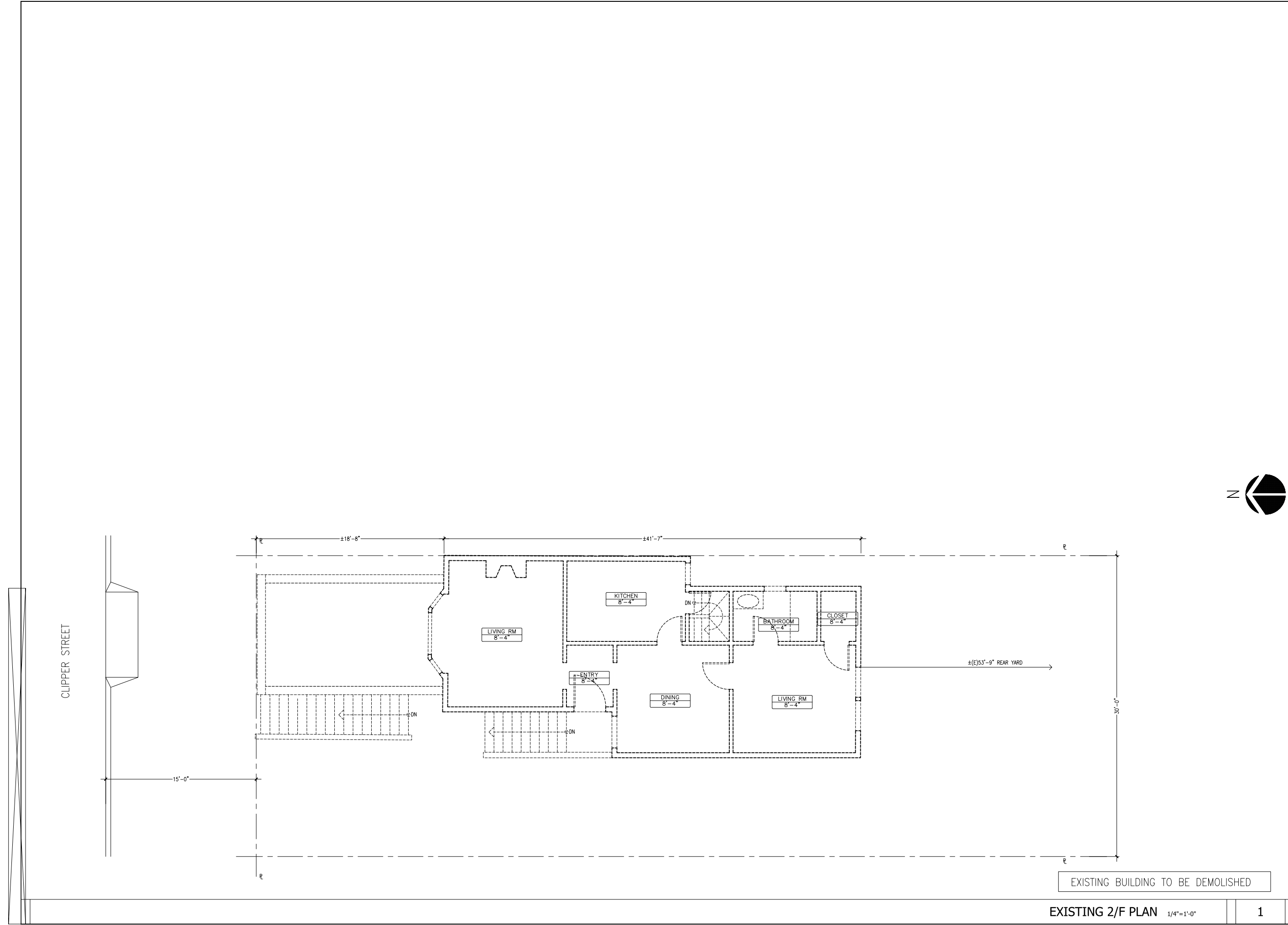
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EXISTING FLOOR PLANS

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EXISTING BUILDING TO BE DEMOLISHED

EXISTING 2/F PLAN 1/4"=1'-0"

1

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 SAN FRANCISCO  
 CA 94114

NEW  
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 OF A DUPLEX

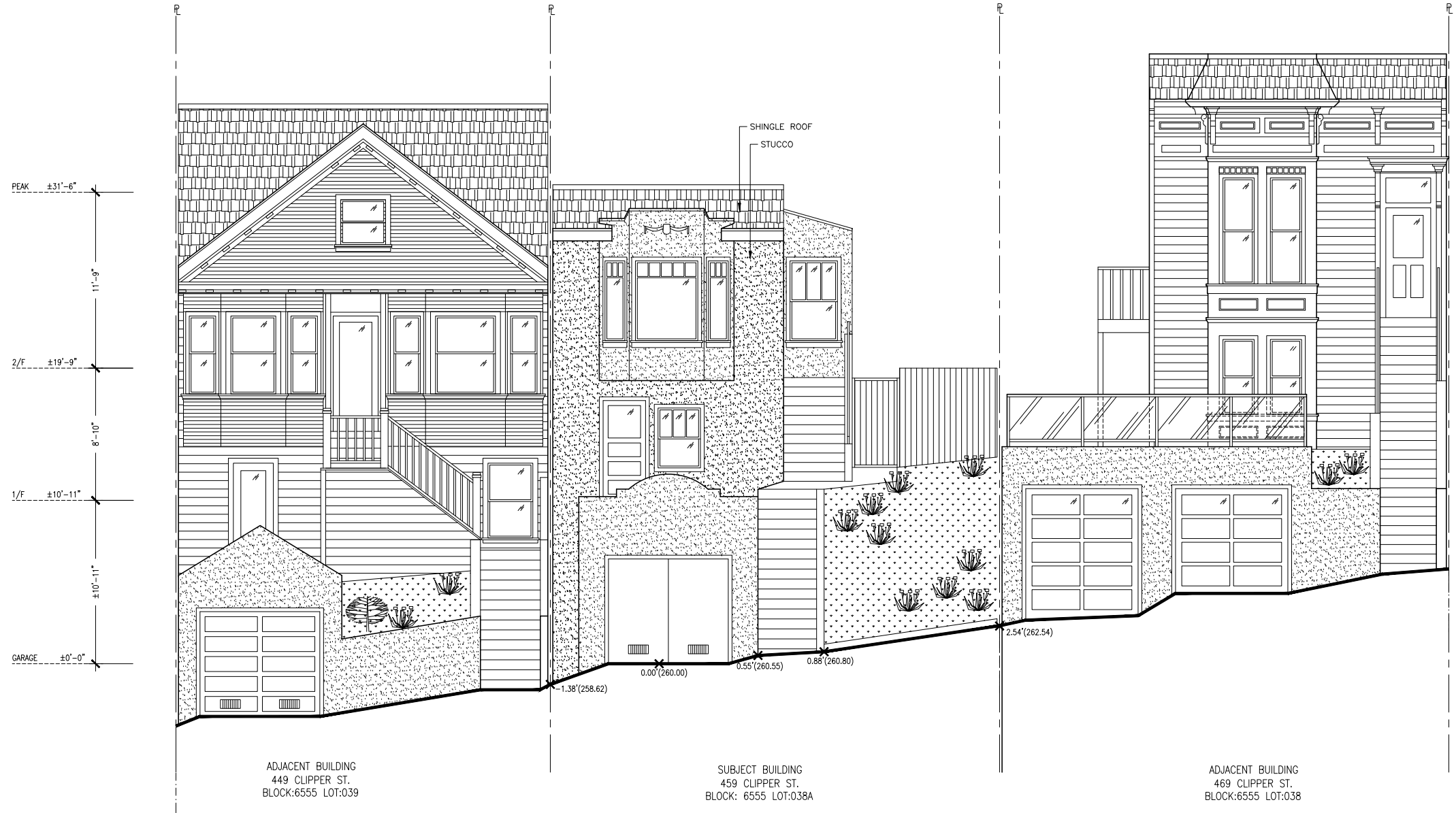
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EXISTING FRONT  
 ELEVATION

SHEET NO.  
**A2.2**  
 Of 18 Sheets



ADJACENT BUILDING  
 449 CLIPPER ST.  
 BLOCK:6555 LOT:039

SUBJECT BUILDING  
 459 CLIPPER ST.  
 BLOCK: 6555 LOT:038A

ADJACENT BUILDING  
 469 CLIPPER ST.  
 BLOCK:6555 LOT:038

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459 CLIPPER ST.  
 SAN FRANCISCO  
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NEW  
 CONSTRUCTION  
 OF A DUPLEX

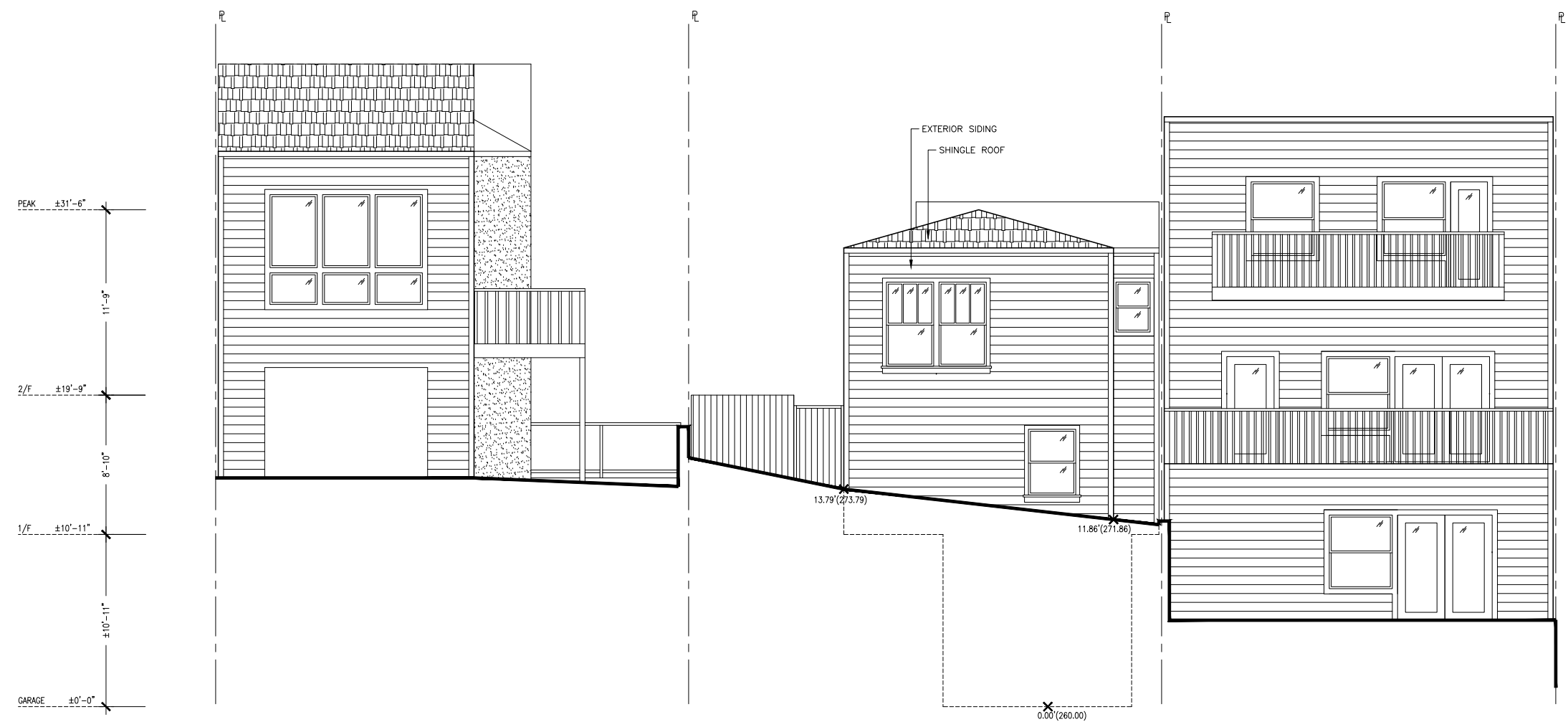
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EXISTING REAR  
 ELEVATION

SHEET NO.  
 A2.3  
 Of 18 Sheets



ADJACENT BUILDING  
 469 CLIPPER ST.  
 BLOCK:6555 LOT:038

SUBJECT BUILDING  
 459 CLIPPER ST.  
 BLOCK: 6555 LOT:038A

ADJACENT BUILDING  
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459 CLIPPER ST.  
 SAN FRANCISCO  
 CA 94114

NEW  
 CONSTRUCTION  
 OF A DUPLEX

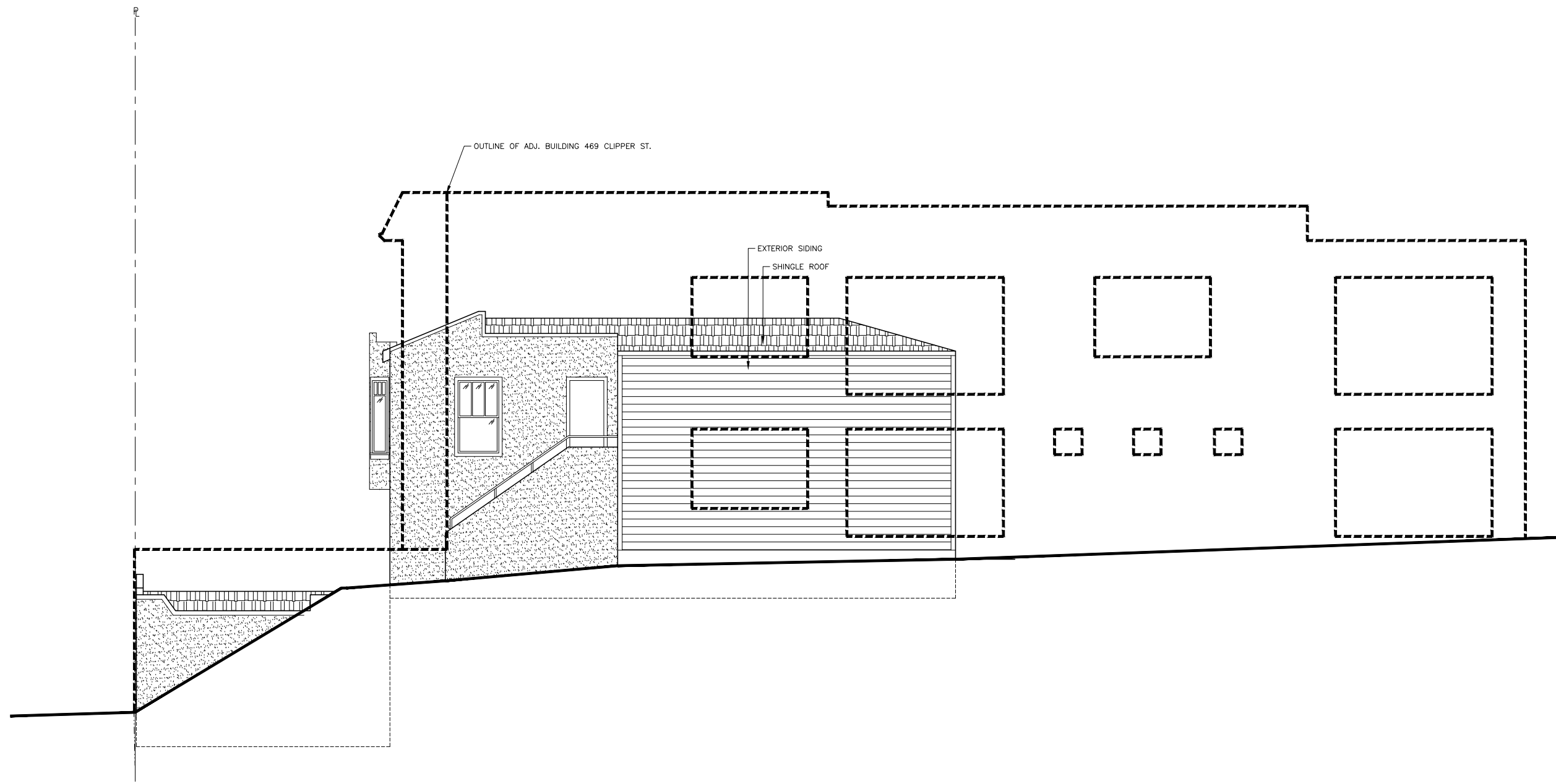
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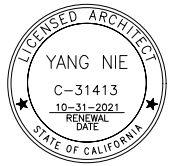
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 JOB NO.  
 150203  
 SHEET TITLE

EXISTING WEST  
 ELEVATION

SHEET NO.  
**A2.4**  
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459 CLIPPER ST.  
 SAN FRANCISCO  
 CA 94114

NEW  
 CONSTRUCTION  
 OF A DUPLEX

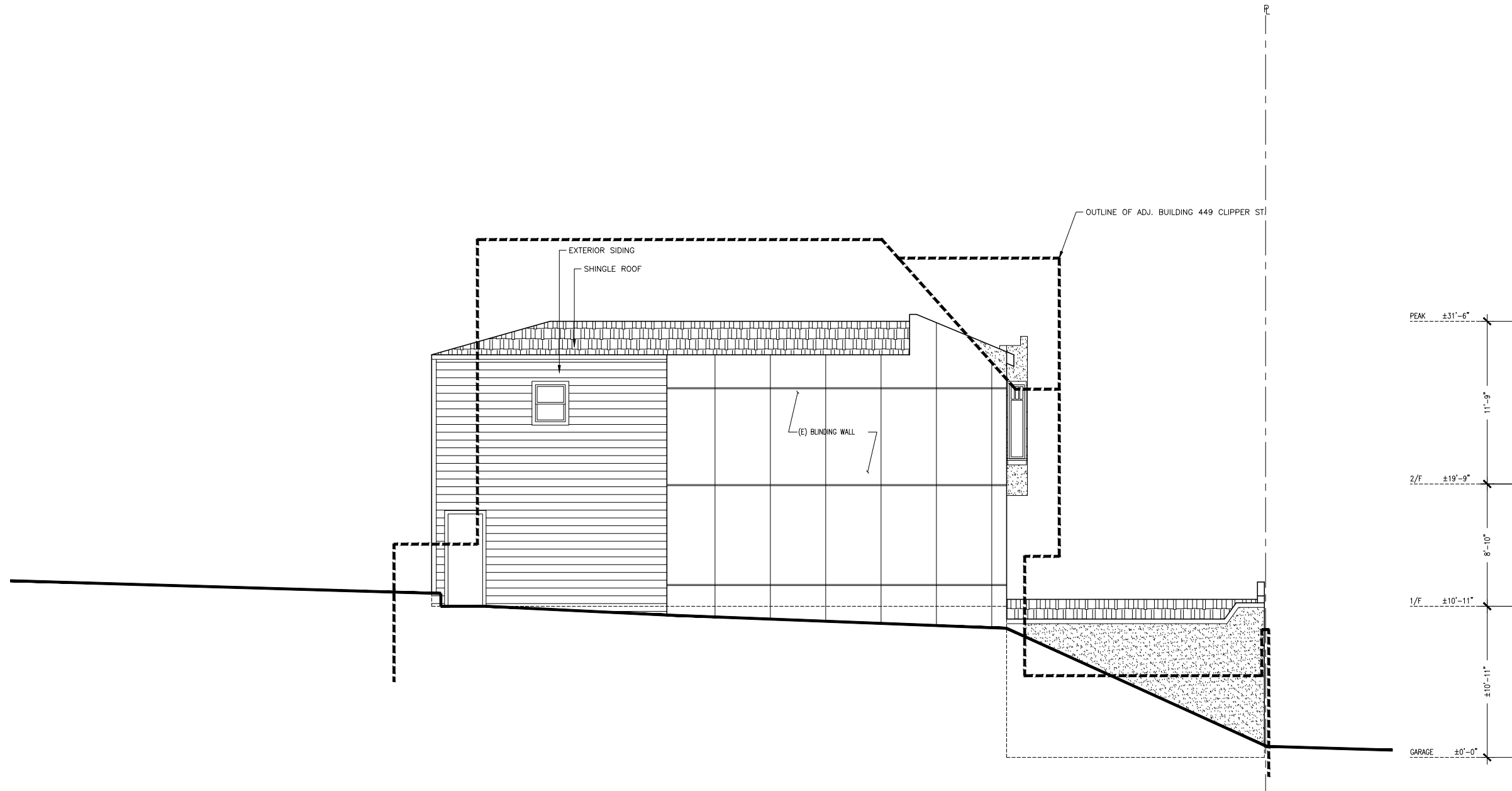
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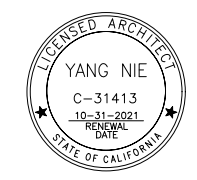
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EXISTING EAST  
 ELEVATION

SHEET NO.  
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 Of 18 Sheets

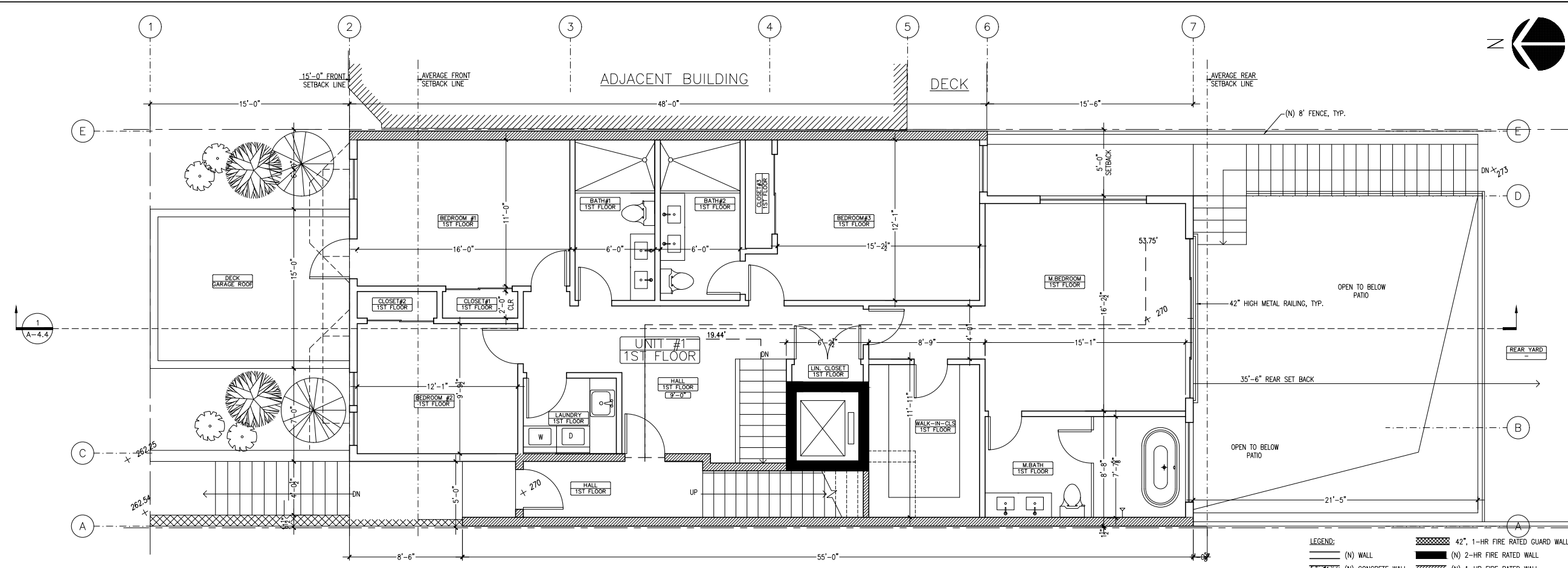


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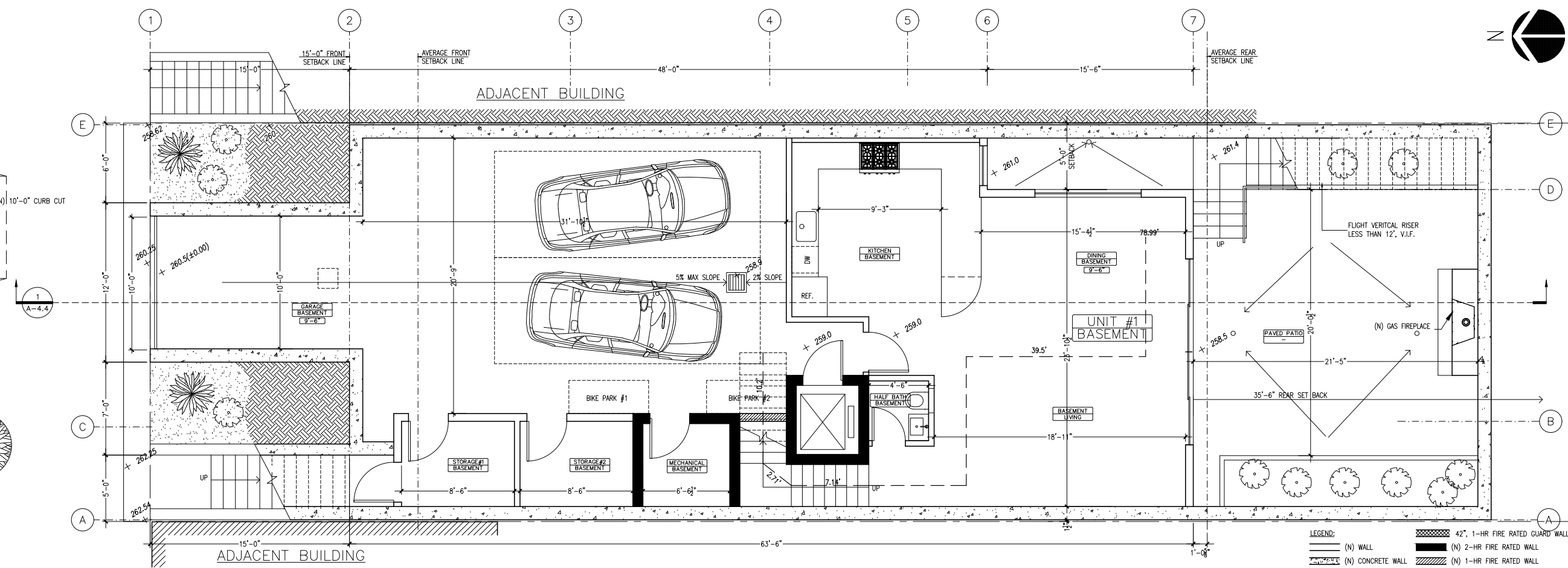
**459 CLIPPER ST.**  
**SAN FRANCISCO**  
**CA 94114**

**NEW CONSTRUCTION OF A DUPLEX**



**LEGEND:**  
 (N) WALL  
 (N) CONCRETE WALL  
 42", 1-HR FIRE RATED GUARD WALL  
 (N) 2-HR FIRE RATED WALL  
 (N) 1-HR FIRE RATED WALL

**PROPOSED 1/F PLAN** 1/4"=1'-0" **2**



**LEGEND:**  
 (N) WALL  
 (N) CONCRETE WALL  
 42", 1-HR FIRE RATED GUARD WALL  
 (N) 2-HR FIRE RATED WALL  
 (N) 1-HR FIRE RATED WALL

**PROPOSED BASEMENT PLAN** 1/4"=1'-0" **1**

**SITE PERMIT SET**

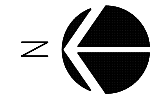
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 SHEET TITLE

**PROPOSED FLOOR PLANS**

SHEET NO.  
**A3.0**  
 5 Of 18 Sheets



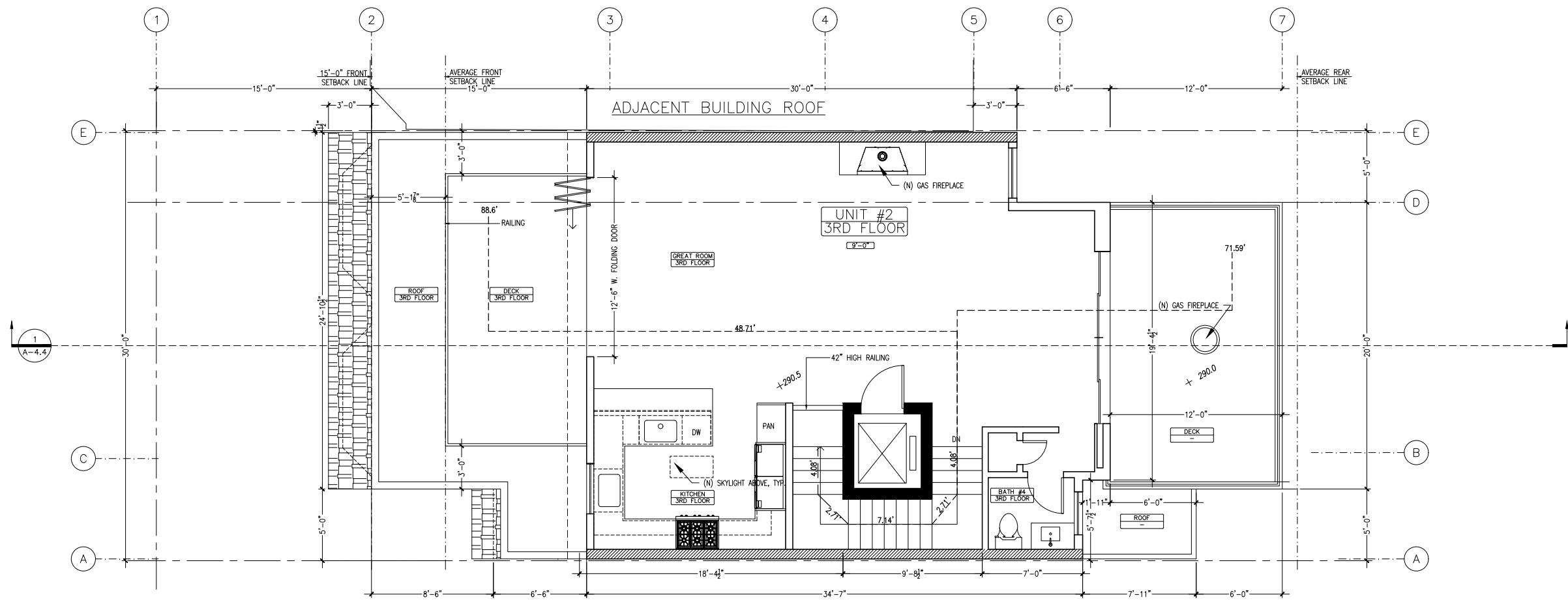


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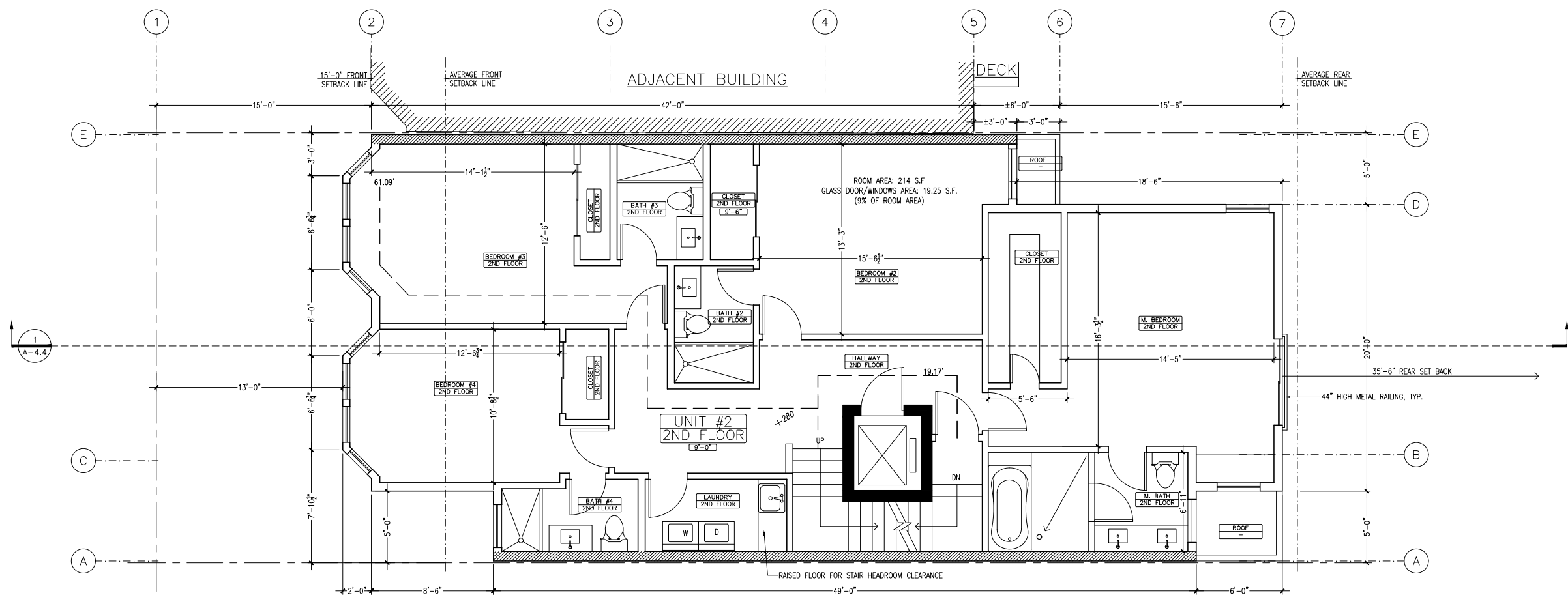
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 CA 94114

NEW  
 CONSTRUCTION  
 OF A DUPLEX



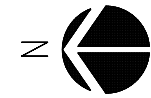
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  - (N) 2-HR FIRE RATED WALL
  - (N) 1-HR FIRE RATED WALL
  - (N) CONCRETE WALL

PROPOSED 3/F PLAN 1/4"=1'-0" 2



- LEGEND:
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  - 42", 1-HR FIRE RATED GUARD WALL
  - (N) 2-HR FIRE RATED WALL
  - (N) 1-HR FIRE RATED WALL
  - (N) CONCRETE WALL

PROPOSED 2/F PLAN 1/4"=1'-0" 1



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PROPOSED FLOOR PLANS



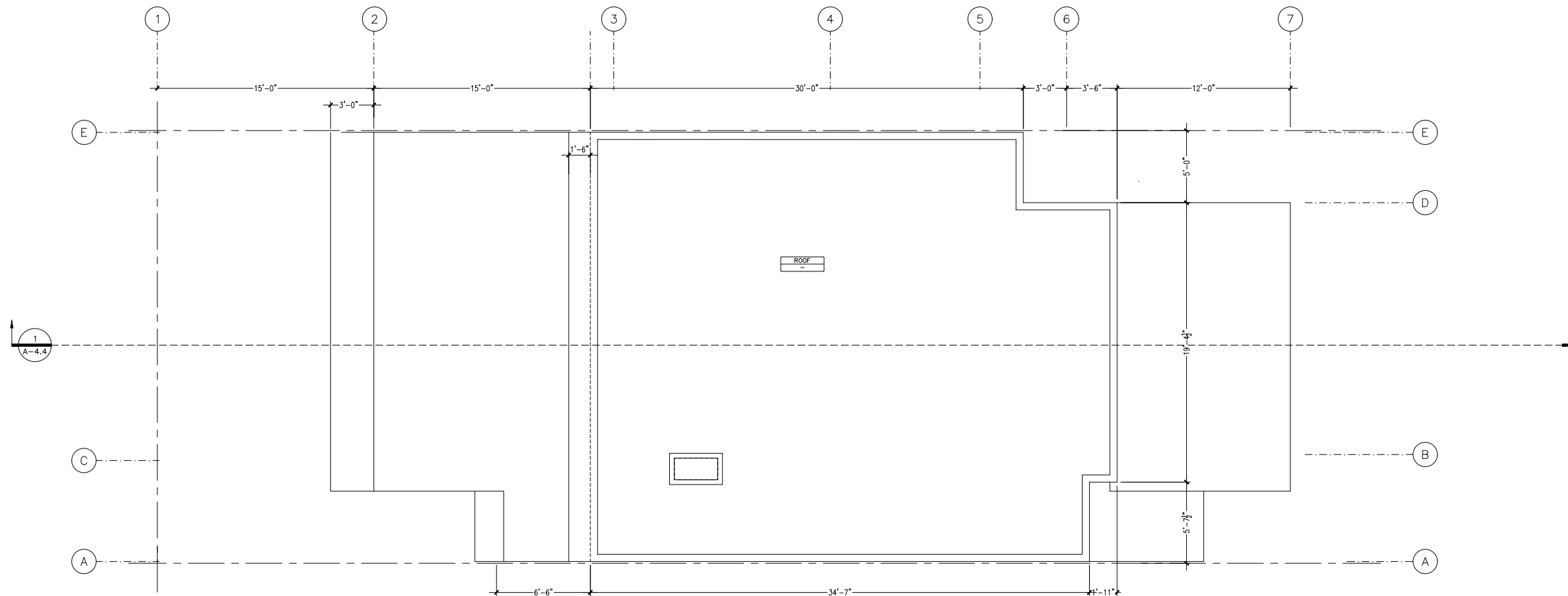
**NIE YANG ARCHITECTS**  
 ARCHITECTURE PLANNING  
 101 HICKEY BLVD, SUITE A #404  
 SOUTH SAN FRANCISCO, CA 94080  
 TEL: 415 203 2371  
 FAX: 415 354 9389  
 EMAIL: NYARCHITECTS@GMAIL.COM

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459 CLIPPER ST.  
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NEW  
 CONSTRUCTION  
 OF A DUPLEX



PROPOSED ROOF PLAN 1/4"=1'-0"

2

**SITE PERMIT SET**

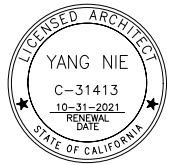
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PROPOSED ROOF PLAN

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 7 Of 18 Sheets

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**459 CLIPPER ST.  
 SAN FRANCISCO  
 CA 94114**

**NEW  
 CONSTRUCTION  
 OF A DUPLEX**

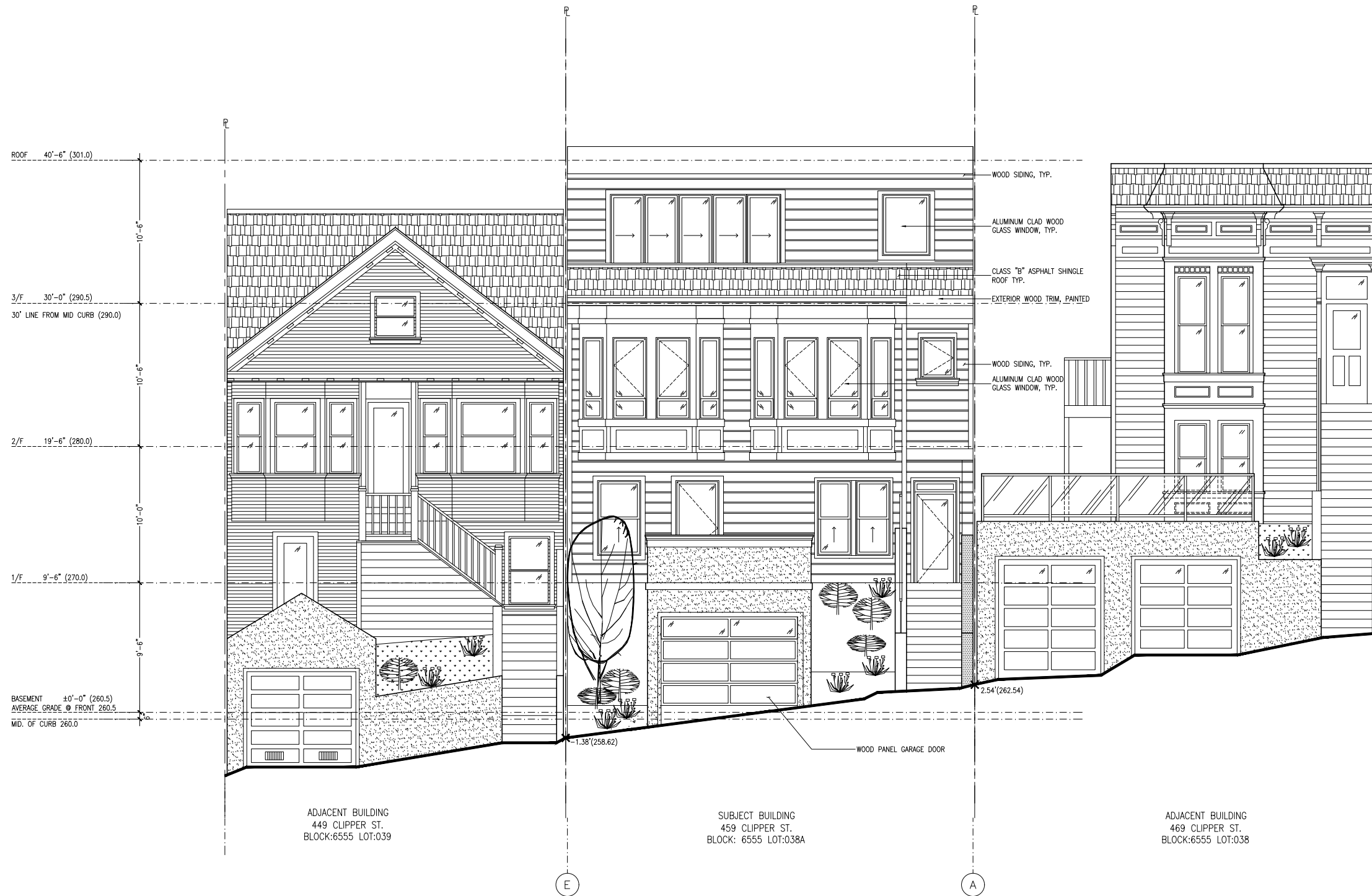
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 DATE  
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 150203  
 SHEET TITLE

PROPOSED FRONT  
 ELEVATION

SHEET NO.  
**A4.0**  
 Of 18 Sheets



ADJACENT BUILDING  
 449 CLIPPER ST.  
 BLOCK:6555 LOT:039

SUBJECT BUILDING  
 459 CLIPPER ST.  
 BLOCK: 6555 LOT:038A

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 SAN FRANCISCO  
 CA 94114

NEW  
 CONSTRUCTION  
 OF A DUPLEX

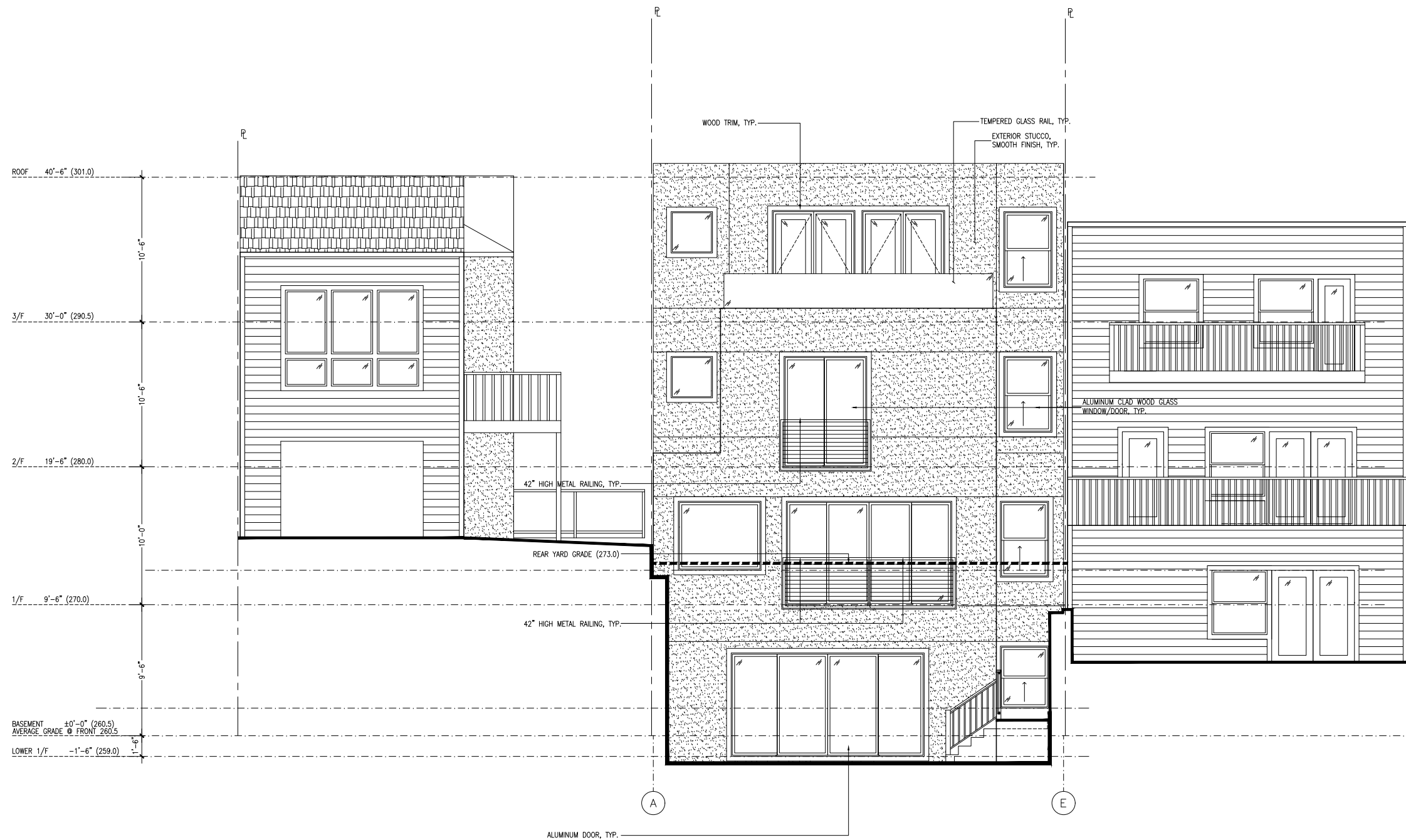
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SHEET NO.  
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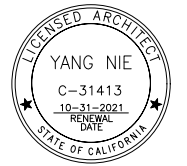


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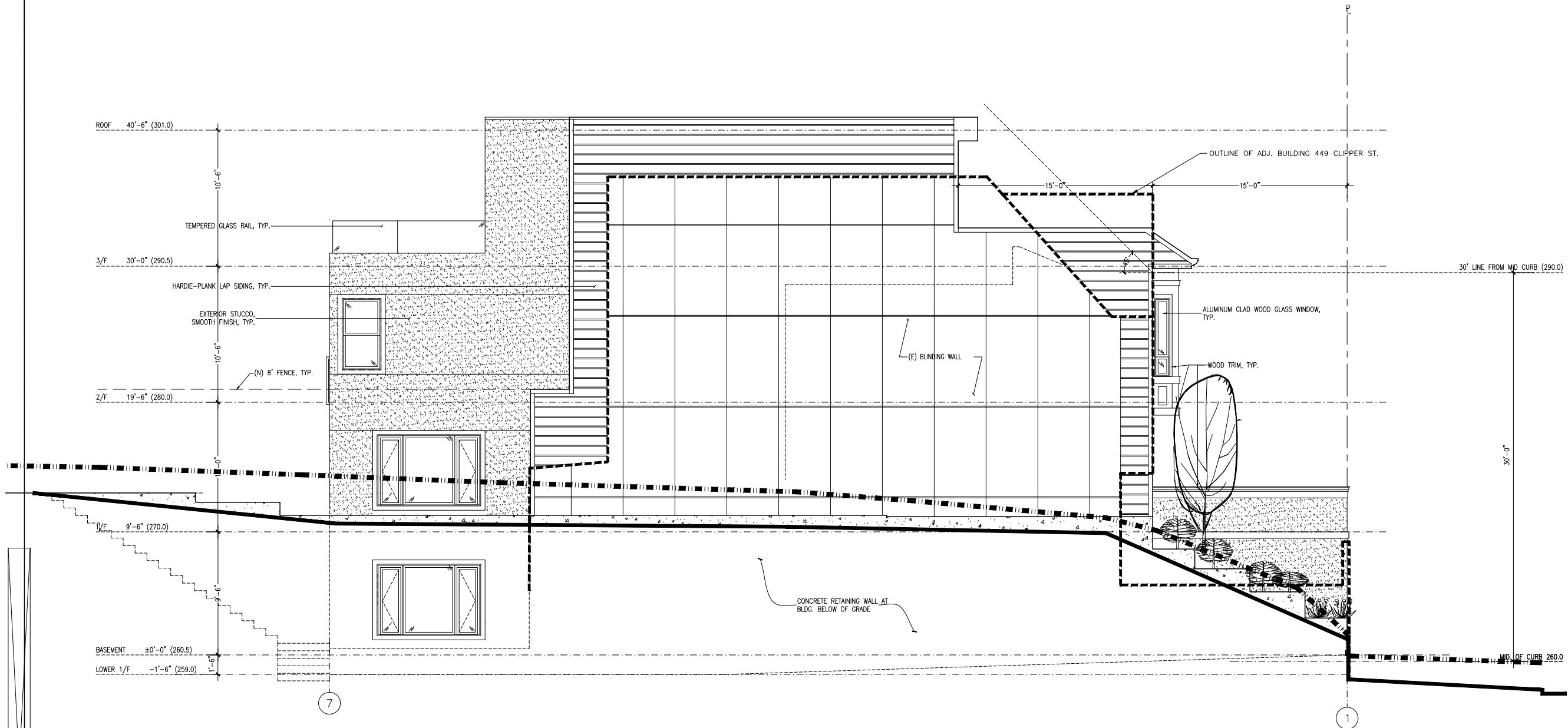
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PROPOSED EAST  
 ELEVATION

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 CA 94114

NEW  
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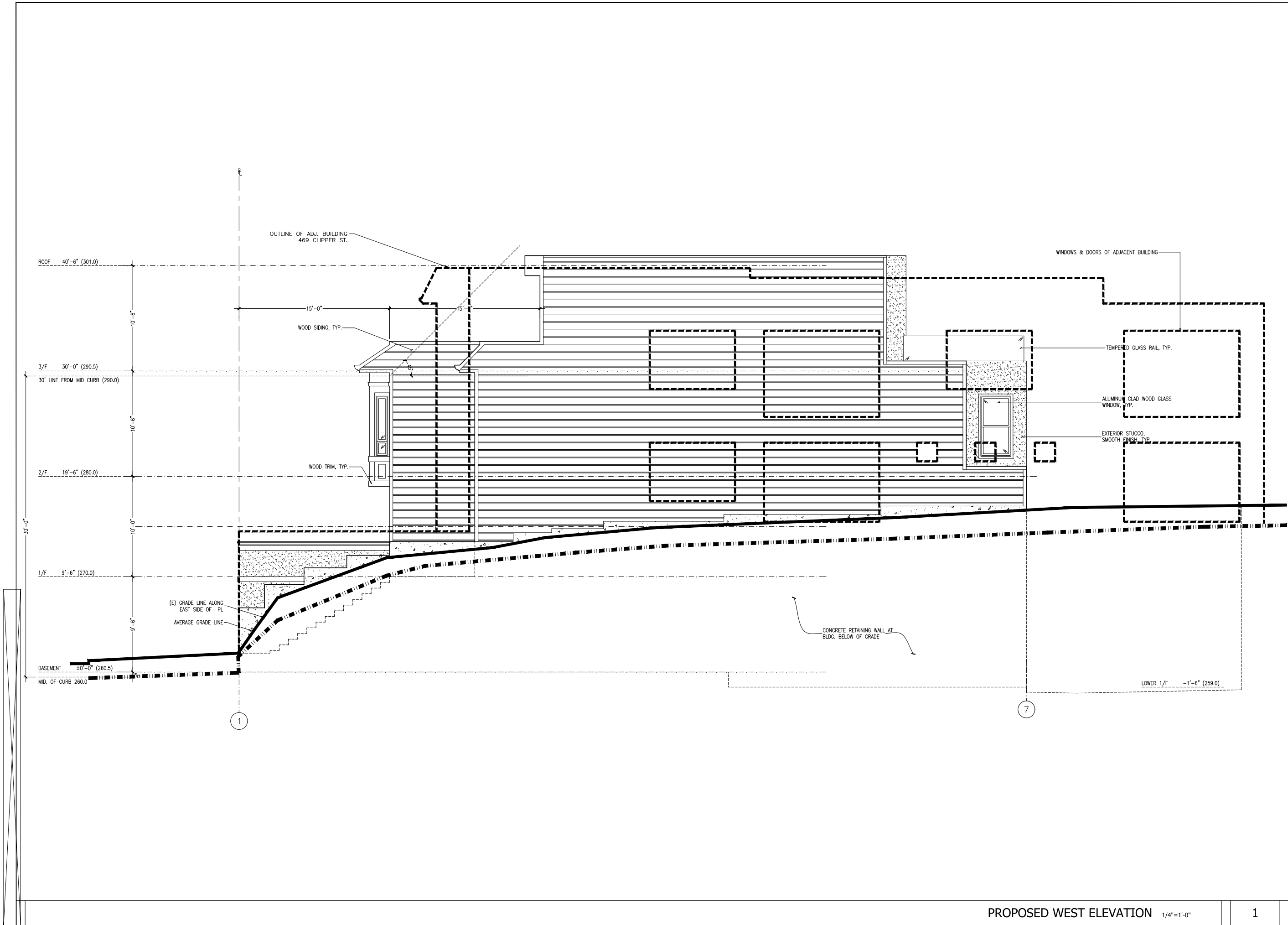
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 SHEET TITLE

PROPOSED WEST  
 ELEVATION

SHEET NO.

A4.3



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 SAN FRANCISCO,  
 CA 94114  
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 SAN FRANCISCO  
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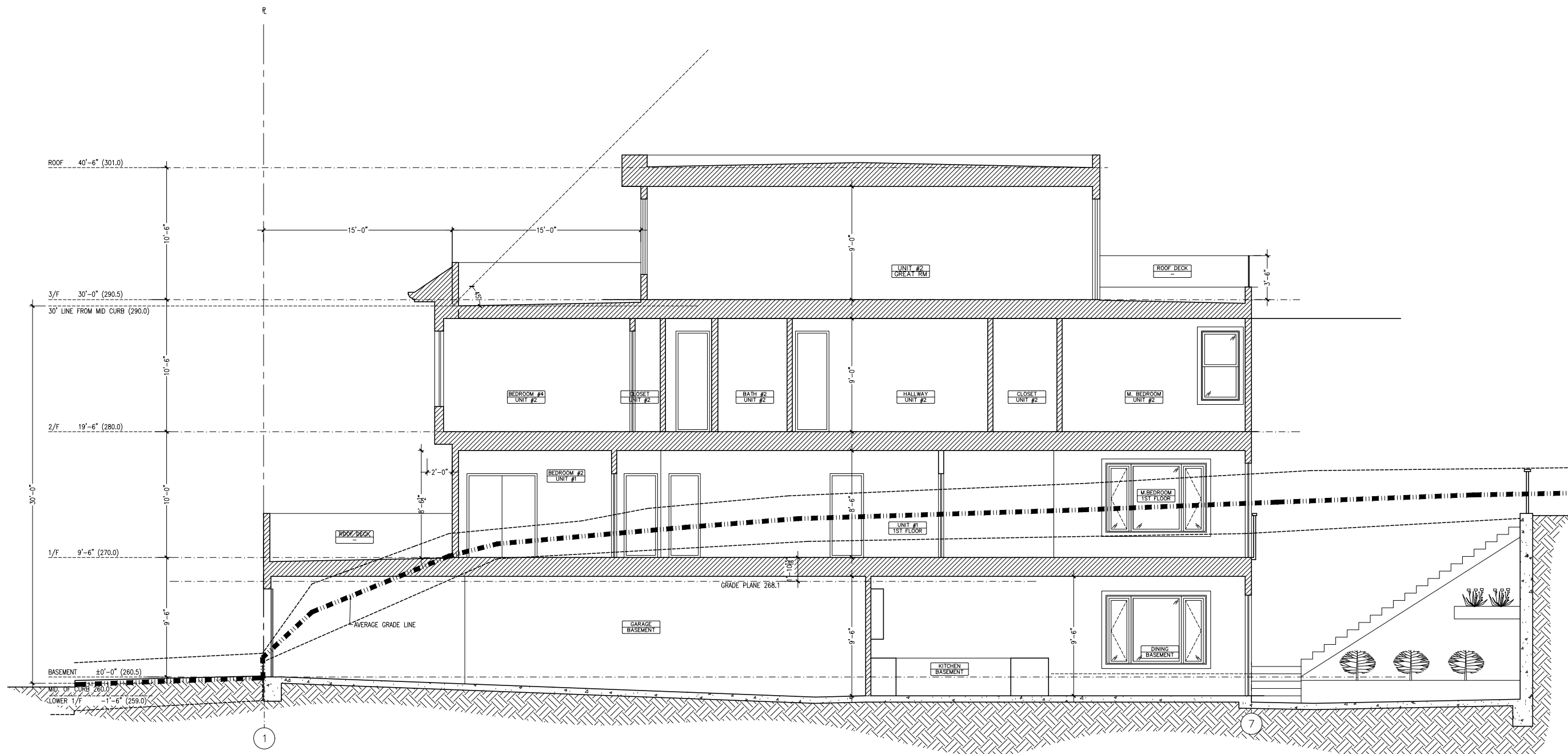
NEW  
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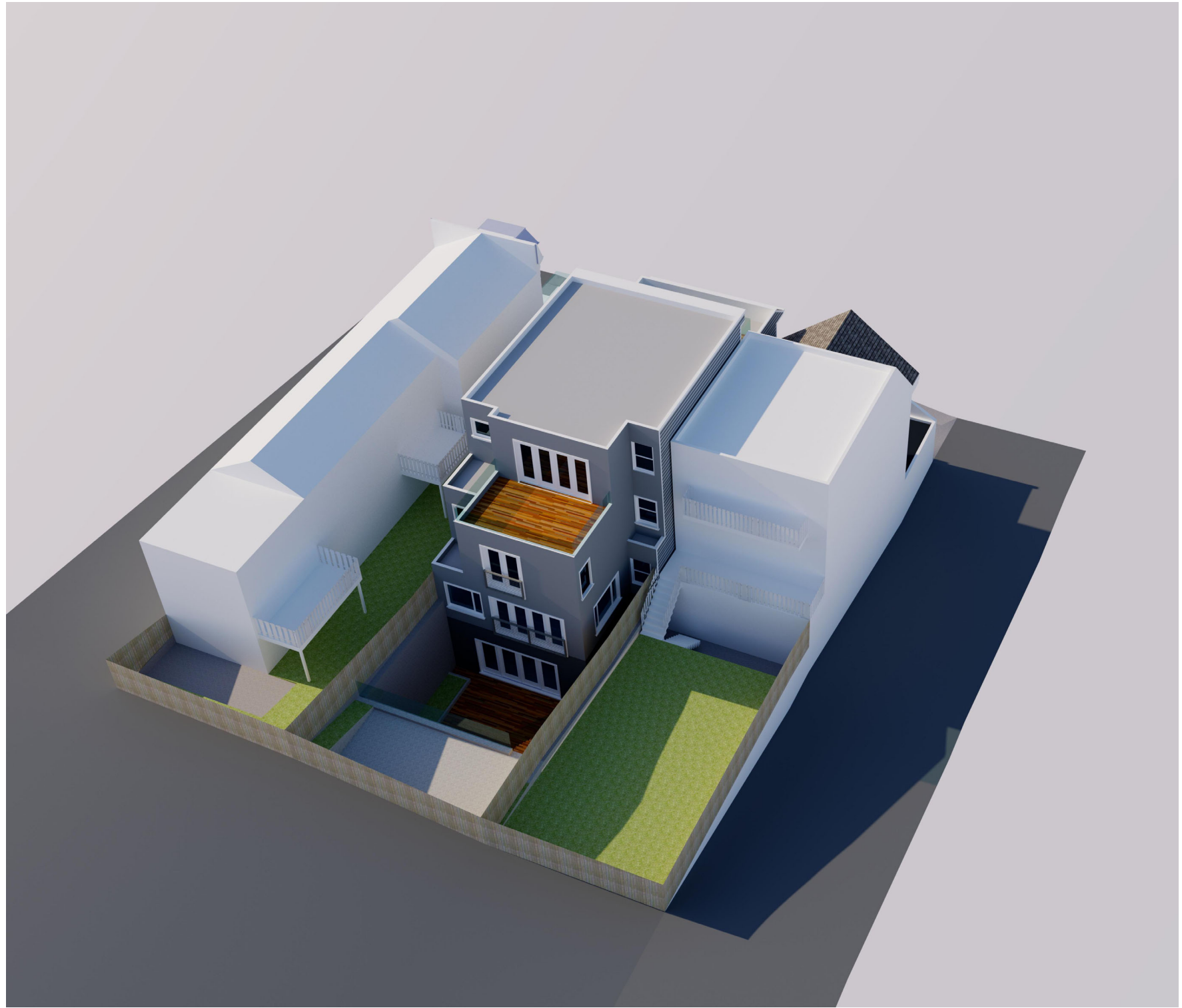
PROPOSED  
 SECTION AA





**459 Clipper St.,  
San Francisco**







# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
459 Clipper Street		6555/038A	
Case No.	Permit No.	Plans Dated	
2014.0950E		1/4/14	
<input checked="" type="checkbox"/> Addition/ Alteration	<input checked="" type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Demolition of single-family home and new construction of single-family home.			

### STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

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

### STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b>	
<input type="checkbox"/>	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<input type="checkbox"/>	<b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>
<input checked="" type="checkbox"/>	<b>Soil Disturbance/Modification:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	<b>Noise:</b> Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, or grading on a lot with a slope average of 20% or more? <i>Exceptions: do not check box for work performed on a previously developed portion of site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <b>If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, grading –including excavation and fill on a landslide zone – as identified in the San Francisco General Plan? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1000 sq ft, shoring, underpinning, retaining wall work, or grading on a lot in a liquefaction zone? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required</b>
<input type="checkbox"/>	<b>Serpentine Rock:</b> Does the project involve any excavation on a property containing serpentine rock? <i>Exceptions: do not check box for stairs, patio, deck, retaining walls, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Serpentine)
<b>*If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required, unless reviewed by an Environmental Planner.</b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>
Comments and Planner Signature (optional): Jean Poling Archeo Clearance.	

Digitally signed by Jean Poling  
DN: cn=Jean Poling, o=City Planning, ou=Environmental  
Planning, email=Jean.Poling@sfplanning.org, c=US  
Date: 2014.11.11 10:58:00 -0800

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

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

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

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

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

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

<input type="checkbox"/>	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input checked="" type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments): Per PTR form dated 7/16/2014 (see attached) <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> <u>ma or</u>
<input type="checkbox"/>	10. <b>Reclassification of property status</b> to Category C. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> a. Per HRER dated: _____ <i>(attach HRER)</i> b. Other <i>(specify)</i> :
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
Comments <i>(optional)</i> :	
Preservation Planner Signature: Allison K. Vanderslice <small>Digitally signed by Allison K. Vanderslice DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Environmental Planning, cn=Allison K. Vanderslice, email=Allison.Vanderslice@sfgov.org Date: 2014.11.19 11:02:55 -0800</small>	

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

<input type="checkbox"/>	<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either <i>(check all that apply)</i> : <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>
<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA.</b>
Planner Name: Allison Vanderslice  Project Approval Action: <b>Building Permit</b> *If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature:  <b>Allison K. Vanderslice</b>  <small>Digitally signed by Allison K. Vanderslice DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Environmental Planning, cn=Allison K. Vanderslice, email=Allison.Vanderslice@sfgov.org Date: 2014.11.19 11:02:55 -0800</small>
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.	

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

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

**PROPERTY INFORMATION/PROJECT DESCRIPTION**

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

**DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION**

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

**DETERMINATION OF NO SUBSTANTIAL MODIFICATION**

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



# SAN FRANCISCO PLANNING DEPARTMENT

## PRESERVATION TEAM REVIEW FORM

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

<b>Preservation Team Meeting Date:</b> 7/16/2014	<b>Date of Form Completion</b> 7/16/2014
--	--

<b>PROJECT INFORMATION:</b>		
<b>Planner:</b> Allison Vanderslice	<b>Address:</b> 459 Clipper Street	
<b>Block/Lot:</b> 6555/038A	<b>Cross Streets:</b> Diamond and Castro Streets	
<b>CEQA Category:</b> B	<b>Art. 10/11:</b>	<b>BPA/Case No.:</b> 2014.0950E

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

<b>DATE OF PLANS UNDER REVIEW:</b> 05/16/2014
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<b>PROJECT ISSUES:</b>	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes: The proposed project consists of demolition of a one-story-over-basement single-family home and garage building constructed in 1925 and the construction of a three-story-over-basement single-family residence. A Historical Evaluation Report (HRE) by Tim Kelley Consulting (dated October 2013) for 459 Clipper Street was submitted by the project sponsor to aid this review.	

<b>PRESERVATION TEAM REVIEW:</b>				
<b>Historic Resource Present</b>		<input checked="" type="radio"/> Yes	<input type="radio"/> No *	<input type="radio"/> N/A
Individual		Historic District/Context		
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:		Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:		
Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Criterion 2 - Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 - Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 3 - Architecture:	<input checked="" type="radio"/> Yes <input type="radio"/> No	
Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Period of Significance:	n/a	Period of Significance:	1890-1914	
		<input type="radio"/> Contributor <input checked="" type="radio"/> Non-Contributor		

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

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

<b>PRESERVATION TEAM COMMENTS:</b>
<p>Based on the HRE completed for the subject property and additional research by Department staff, the subject property at 459 Clipper Street is not an individual historical resource under CEQA. The property is a non-contributor to an eligible historic district.</p> <p>Constructed in 1925, the buildings were built after the development of the Noe Valley neighborhood and subject buildings do not appear to be associated with significant events or trends in the local area or San Francisco generally. Therefore, the subject property is not significant under Criterion 1. Based on the HRE, no significant persons are associated with the property and the subject property is not significant under Criterion 2. The subject buildings are not a distinguished example of a style, type, region or method of construction. The buildings were constructed by local builder James Arnott &amp; Sons and do not represent the work of a master. Therefore, the subject property is not significant under Criterion 3. The subject buildings are not significant under Criterion 4, since this significance criteria typically applies to rare construction types when involving the built environment. The subject buildings are not an example of a rare construction type.</p> <p>The Department previously identified an eligible historic district that includes the subject block (see HRE for Case 2011.1354E dated 4/12/2012). The district was found to be significant under Criterion 3 due to a high concentration of cohesive vernacular Victorian and Edwardian residences that includes a collection of residence with Queen Anne detailing. The period of significance (POS) for the eligible district is 1890-1914. While a formal survey has not been completed, suggested boundaries are the subject block between Diamond and Castro streets and Diamond Street between Clipper and 26th streets. Character-defining features for the district are the following: asymmetrical facade with entrance stairs and recessed landing area, front retaining wall and stepped/terrace yard, detached buildings with side setbacks, low building height consisting of one- to two-stories, shaped roof form consisting primarily of front-facing gables, wood horizontal board or shingle cladding, and double-hung windows. The subject property is a non-contributor as it was constructed outside of the POS.</p> <p>The proposed project design would be required to conform with the Planning Department's Residential Design Guidelines (RDG), which mandate conformity with the neighborhood character. Therefore, the demolition of the non-contributor and the proposed construction that would be RDG compliant would not materially impair the eligible historic district and its surroundings such that it does not retain those physical characteristics outlined above that justify its eligibility for listing.</p>

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	8-1-2014



# PART I HISTORICAL RESOURCE EVALUATION

459 CLIPPER STREET

SAN FRANCISCO, CALIFORNIA



TIM KELLEY CONSULTING, LLC

HISTORICAL RESOURCES

2912 DIAMOND STREET #330

SAN FRANCISCO, CA 94131

415.337-5824

TIM@TIMKELLEYCONSULTING.COM



# LAND USE INFORMATION

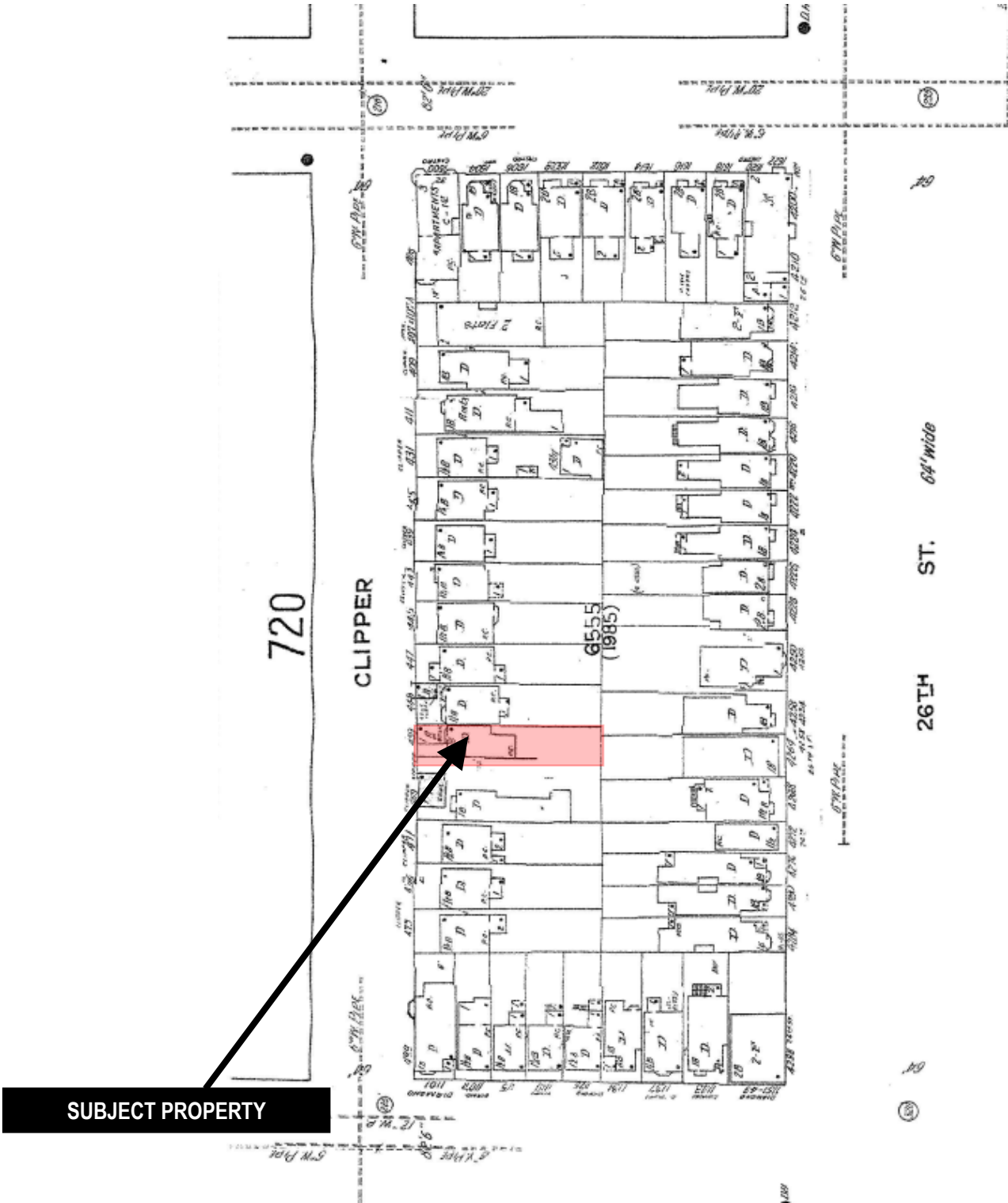
PROJECT ADDRESS: 459 CLIPPER ST  
RECORD NO.: 2019-001627CUA

	EXISTING	PROPOSED	NET NEW
<b>GROSS SQUARE FOOTAGE (GSF)</b>			
Parking GSF			
Residential GSF	931	6,242	5,311
Retail/Commercial GSF			
Office GSF			
Industrial/PDR GSF <i>Production, Distribution, &amp; Repair</i>			
Medical GSF			
Visitor GSF			
CIE GSF			
Usable Open Space			
Public Open Space			
Other ( )			
<b>TOTAL GSF</b>	<b>931</b>	<b>6,242</b>	<b>5,311</b>
	<b>EXISTING</b>	<b>NET NEW</b>	<b>TOTALS</b>
<b>PROJECT FEATURES (Units or Amounts)</b>			
Dwelling Units - Affordable			
Dwelling Units - Market Rate	1	1	2
Dwelling Units - Total	1	1	2
Hotel Rooms			
Number of Buildings	1	0	1
Number of Stories	2	3 with basement/garage	2
Parking Spaces	1	1	2
Loading Spaces			
Bicycle Spaces			
Car Share Spaces			
Other ( )			

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



# Sanborn Map\*



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



Conditional Use Authorization  
Case File No. 2019-001627CUA  
Residential Demolition  
459 Clipper Street

# Aerial Photo



**SUBJECT PROPERTY**



Conditional Use Authorization  
Case File No. 2019-001627CUA  
Residential Demolition  
459 Clipper Street

# Aerial Photo



**SUBJECT PROPERTY**



Conditional Use Authorization  
Case File No. 2019-001627CUA  
Residential Demolition  
459 Clipper Street

# Aerial Photo



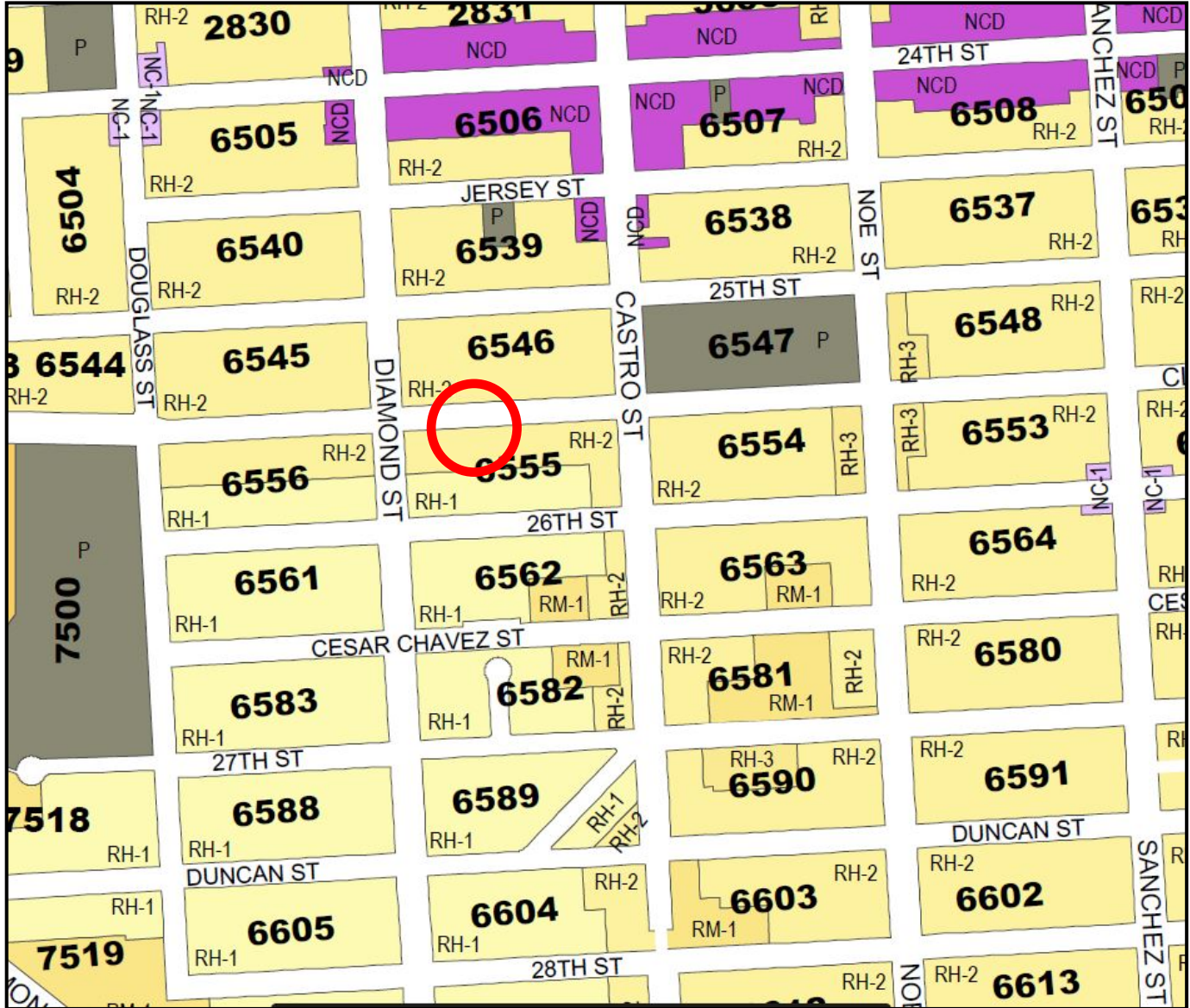
**SUBJECT PROPERTY**



Conditional Use Authorization  
Case File No. 2019-001627CUA  
Residential Demolition  
459 Clipper Street



# Zoning Map



Conditional Use Authorization  
Case File No. 2019-001627CUA  
Residential Demolition  
459 Clipper Street

# Site Photo- Street view



# Site Photo- Building view



# REUBEN, JUNIUS & ROSE, LLP

John Kevlin  
jkevin@reubenlaw.com

September 1, 2021

**Delivered by Email (Jeffrey.horn@sfgov.org)**

Joel Koppel, Commission President  
San Francisco Planning Commission  
49 South Van Ness Ave, Suite 1400  
San Francisco, CA 94103

**Re: 459 Clipper Street**  
**Planning Case Number: 2019-001627CUA**  
**Hearing Date: September 9, 2021**  
**Our File No.: 11861.01**

Dear President Koppel and Commissioners:

This office represents Olga Milan-Howells (the “Project Sponsor”), the Sponsor of the project at 459 Clipper Street (the “Property”), which is located in the Noe Valley neighborhood between Diamond and Castro Streets. The Project, which proposes the demolition of an uninhabitable, vacant, undersized single-family home and the new construction of a duplex, requires a Conditional Use Authorization (“CUA”) for the demolition of the existing dwelling unit. The Project will ultimately replace a single 1-bedroom residential dwelling unit with two 4-bedroom dwelling units, resulting in a net increase of one dwelling unit and a total count of eight bedrooms. The Project supports various City policies by increasing the number of available family-sized housing units, while implementing a design that considers the existing neighborhood character and the needs of nearby properties. We look forward to presenting this Project to the Commission on September 9th.

## **A. Project Description**

The Project proposes the demolition of the existing one bedroom, two-story-over basement single-family home. In its place, the Project will build a new construction duplex consisting of 5,080 square feet of residential floor area, roughly split evenly between the two units. The Project’s proposal for two family-sized units takes advantage of the Property’s slightly larger-than-average lot to build desirable in-fill housing and expand the City’s housing inventory within a well-established neighborhood. Further, the Project is designed to comport with the character and scale of the existing neighborhood and takes various measures to balance the Project’s goals with the interests of adjacent neighbors.

The Property is located in the RH-2 Zoning District and 40-X Height and Bulk District, which allows for the construction of a two-unit residential structure up to 40 feet tall with front setback and rear yard requirements governed by the existing structures on adjacent properties.

There are also no side yard or side setback requirements in the District. However, instead of pursuing these development maximums, the Project seeks to respect the existing scale of the neighborhood and attentively considers the needs of its neighbors by proposing a thoughtful design that achieves a balanced development through setbacks, mass-reduction techniques, and other modifications, as follows:

- Front of building. In order to reduce the apparent mass of the Project, the third story is setback 15 feet behind the front setback line (for a total of 30 feet of setback from the street property line). The result is that the structure will be shorter than both its immediate neighbors when viewed at the street.
- Rear of building. The Project only proposes construction of the first and second story out to the rear yard line, and the third story will be setback more than 12 feet from the required rear yard. This arrangement conserves the interior block pattern and provides open air and light access to the Project and nearby properties.
- Privacy, light and air of neighbors. The Project also takes a number of steps to respect the privacy and extant arrangement of the adjacent properties. To the east, the Project will maintain a side setback of five feet for the portion of the new building extending beyond the neighbor's rear wall, to respect protect privacy and preserve light and air reaching the rear of 449 Clipper Street. There will also be no windows on the Project's eastside that are directly adjacent to the existing structure at 449 Clipper. To the west, the structure at 469 Clipper Street occupies almost the entire depth of the lot with a significant 10-14 foot separation between it and the Property. The Project's additional rear yard setback at the third floor further preserves light and air reaching the westside neighbor's major picture windows. Finally, the Project will limit the number of side windows facing the west property to only one, which has been carefully placed to avoid adjacency to the neighbors' existing windows and respect the mutual privacy of all properties.

Finally, the rear of the Property and its neighbors face towards the south, meaning that the Project creates very limited shading at the rear of its neighbors.

### **C. Community and Neighborhood Outreach**

The project sponsor held its pre-app meeting with the neighborhood in 2014 and reduced the depth of the proposed building before it was even filed with the Planning Department. The sponsor has had extensive communications with the neighborhood since that time. Building height and depth has been further reduced during this process and the project sponsor erected story poles for the project to demonstrate the massing to the neighbors. In response to all of the changes made during this process, Planning Department staff is now in support of the project and many neighbors' concerns have been allayed.

**D. Conclusion**

The Project proposes a thoughtful design that will increase the availability of family-sized housing in the City on an underutilized lot. The Project will bring the Property much more in conformance with the development of the surrounding neighborhood than what exists today. The Project gives great regard to the needs of its neighbors and suggests multiple features to help reduce the impact of new development and to preserve the character, scale, and livability of the neighborhood. We look forward to presenting this Project to you on September 9th.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**



John Kevlin

cc: Kathrin Moore, Commission Vice-President  
Deland Chan, Commissioner  
Sue Diamond, Commissioner  
Frank S. Fung, Commissioner  
Theresa Imperial, Commissioner  
Rachael Tanner, Commissioner  
Jeff Horn, Project Planner