



EXECUTIVE SUMMARY CONDITIONAL USE

HEARING DATE: JULY 8, 2021

Continued From: June 17, 2021

Record No.: 2019-020611CUA
Project Address: 5114-5116 3rd Street
Zoning: Bayview Neighborhood Commercial District (NCD) Zoning District
40-X Height and Bulk District
Bayview Hunters Point Plan Area
Block/Lot: 5358 / 004
Project Sponsor: Rodrigo Santos
RS Engineering
118 Chattanooga Street
San Francisco, CA 94114
Property Owner: Crawl Walk Run Enterprises LLC
65 Avila Street
San Francisco, CA 94123
Staff Contact: Rich Sucre – (628) 652-7364
Richard.Sucre@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project includes the legalization of the unauthorized demolition of a former dwelling unit located within a legal nonconforming auxiliary structure at the rear of the subject property and the construction of a new 295 square-foot dwelling unit in approximately the same building footprint. The previously-demolished dwelling unit was a 295 square-foot one-bedroom unit built to the rear and side property lines. The replacement dwelling unit is also built to the rear and side property lines and has a kitchen and living area, full bathroom, office, and a small loft area accessible by ladder. The demolished unit was vacant prior to demolition and the new unit is currently occupied by a tenant.

Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 317, to legalize the demolition of a dwelling unit within a legal nonconforming structure in the required rear yard of the subject property and construct a new dwelling unit of a similar size in a similar footprint.

Issues and Other Considerations

- **Public Comment & Outreach.**
 - **Support/Opposition:** The Department has not received any letters in support or in opposition to the Project.
 - **Outreach:** The Sponsor has hosted one meeting within the community, on May 19, 2020. There were no attendees.
- **Tenant History:**
 - **Are any units currently occupied by tenants:**
 - The previously-demolished unit was not occupied by a tenant.
 - **Have Any tenants been evicted within the past 10 years:** No
 - **Have there been any tenant buyouts within the past 10 years:** No
 - See Exhibit J for Eviction History documentation.
- **Design Review Comments:** The Department has determined that the Project generally meets the Urban Design Guidelines.
- **Variance Requests:** Section 134 of the Planning Code requires the subject property to maintain a rear yard of approximately 24 feet 1 inch, or 25% of lot depth. When the legal nonconforming auxiliary structure was demolished, a code-compliant rear yard was created. The replacement structure is located fully within the required rear yard. The Sponsor is seeking a variance to Planning Code Section 134 (Rear Yard).

The Department issued a public notice stating that the Project required a dwelling unit exposure variance; however, upon further review of the project plans, the reconstructed dwelling unit faces onto an open area which is 25-ft wide by 25-ft wide; therefore, this unit faces onto a code-complying open area and is compliant with Planning Code Section 140.

- **African American Arts and Cultural District:** The project site is located within the boundaries of the African American Arts and Cultural District, which was established by the Board of Supervisors in December 2018. This cultural district is renowned for the robust, economically vibrant Black community that is a vital part of San Francisco's cultural tapestry. This cultural district does not possess any land use controls, which would be applicable to the Project.

Environmental Review

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 3 categorical exemption.

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Bayview Hunters Point Area Plan and the Objectives and Policies of the General Plan. The project will result in no net loss of dwelling units and the legalization of an existing condition, with the replacement structure’s height and footprint are similar to that of the previously-demolished legal unit. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Attachments:

- Draft Motion – Conditional Use Authorization with Conditions of Approval (Exhibit A)
- Exhibit B – Plans and Renderings
- Exhibit C – Environmental Determination
- Exhibit D – Maps and Context Photos
- Exhibit E – Eviction History Documentation



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: JULY 8, 2021

Record No.: 2019-020611CUA
Project Address: 5114-5116 3rd Street
Zoning: Bayview Neighborhood Commercial District (NCD) Zoning District
40-X Height and Bulk District
Third Street Special Use District
Block/Lot: 5358 / 004
Project Sponsor: Rodrigo Santos
RS Engineering
118 Chattanooga Street
San Francisco, CA 94114
Property Owner: Crawl Walk Run Enterprises LLC
65 Avila Street
San Francisco, CA 94123
Staff Contact: Rich Sucre – (628) 652-7364
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ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 317 TO LEGALIZE THE UNAUTHORIZED DEMOLITION OF A FORMER DWELLING UNIT LOCATED WITHIN A LEGAL NONCONFORMING AUXILIARY STRUCTURE AT THE REAR OF THE SUBJECT PROPERTY AND ALLOW THE NEW CONSTRUCTION OF A 295 SQUARE-FOOT ONE-BEDROOM DETACHED UNIT BUILT TO THE REAR AND SIDE PROPERTY LINES IN ITS PLACE, LOCATED AT 5114-5116 3RD STREET, LOT 004 IN ASSESSOR'S BLOCK 5358, WITHIN THE BAYVIEW NEIGHBORHOOD COMMERCIAL DISTRICT (NCD) ZONING DISTRICT, THIRD STREET SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On November 4, 2020, Rodrigo Santos of RS Engineering (hereinafter "Project Sponsor") filed Application No. 2019-020611CUA/VAR (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization and Rear Yard and Exposure Variance Application to legalize the unauthorized demolition of a former dwelling unit located within a legal nonconforming auxiliary structure at the rear of the subject property and allow the construction of a 295 square-foot one-bedroom detached unit built to the rear and side property lines in its place (hereinafter "Project") at 5114-5116 3rd Street, Block 5358 Lot 004 (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

On June 17, 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. 2019-020611CUA/VAR. The Commission continued the Project to the public hearing on July 8, 2021.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2019-020611CUA/VAR 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. 2019-020611CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The Project includes the legalization of the unauthorized demolition of a former dwelling unit located within a legal nonconforming auxiliary structure at the rear of the subject property and the construction of a new 295 square-foot dwelling unit in approximately the same building footprint. The previously-demolished dwelling unit was a 295 square-foot one-bedroom unit built to the rear and side property lines. The replacement dwelling unit is also built to the rear and side property lines and has a kitchen and living area, full bathroom, office, and a small loft area accessible by ladder. The demolished unit was vacant prior to demolition and the new unit is currently occupied by a tenant.
- 3. Site Description and Present Use.** The Project is located on an irregularly-shaped lot of approximately 2,107 square feet with approximately 22 feet of frontage along 3rd Street. The Project Site contains two buildings: a two-story mixed-use building with a Restaurant at the ground floor (d.b.a. Word A Café) and a dwelling unit at the second story; and the 295 square-foot detached dwelling unit in the rear yard that was constructed without a building permit and is currently occupied by a tenant.
- 4. Surrounding Properties and Neighborhood.** The Project Site is located within the Bayview NCD Zoning Districts in the Bayview Hunters Point Plan Area. The immediate context is mixed in character with residential, commercial, and institutional uses. Third Street includes one-to-three-story mixed-use development, with residential buildings and mixed-use buildings with commercial at the ground floor. The neighborhood includes two-to-three story residential buildings to the west, one-to-three-story residential and mixed-use properties to the east across Third Street, and additional one-to-three story residential and mixed-use properties to the north and south along Third Street. Dr. Charles R. Drew Elementary School is located two blocks to the west. The project site is located within the boundaries of the Bayview Hunters Point Plan Area. Other zoning districts in the vicinity of the project site include: P (Public), RH-1 (Residential – House, One Family), and RH-2 (Residential – House, Two Family).

The project site is located within the boundaries of the African American Arts and Cultural District, which was established by the Board of Supervisors in December 2018. This cultural district is renowned for the robust, economically vibrant Black community that is a vital part of San Francisco’s cultural tapestry.
- 5. Public Outreach and Comments.** The Department has not received any public correspondence regarding the proposed project. The Sponsor hosted one meeting within the community, on May 19, 2020. There were no attendees.
- 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. Use.** Planning Code Section 737 permits residential uses at a density of one unit per 600 square feet of lot area, or the density permitted in the nearest R District, whichever is greater.

A maximum of four dwelling units is permitted on the property. Prior to the unauthorized demolition of the dwelling unit in the rear auxiliary structure, there were two legal dwelling units on the property. The project will maintain two legal dwelling units on the property with the legalization of the new detached dwelling unit in the rear yard.

- B. Residential Demolition.** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to demolish a residential unit in the Bayview NCD (Neighborhood Commercial) Zoning District. This Code sections establishes criteria that the Planning Commission shall consider in the review of applications for Residential Demolition.

The Project proposes the legalization of the unauthorized demolition of a former legal dwelling unit in a detached auxiliary structure in the rear yard and therefore requires Conditional Use Authorization. The additional criteria specified under Section 317 have been incorporated as findings in Subsection 8 below.

- C. Rear Yard.** Planning Code Section 134 requires a minimum Rear Yard equal to 25% of the lot depth but in no case less than 15 feet, starting at the lowest floor that contains dwelling units.

Prior to the unauthorized demolition of the dwelling unit in the required rear yard, the project had a legally nonconforming rear yard. Upon demolition, a code-compliant rear yard was created. The replacement structure is located fully within the required rear yard. Therefore, the Project is pursuing a rear yard variance.

- D. Usable Open Space.** Planning Code Section 135 requires that the property maintain 80 square feet of open space per unit if private, or 100 square feet of open space per unit if common.

Two dwelling units requires 200 square feet of open space. The Project proposes the maintenance of approximately 675 square-feet of open space between the two structures.

- E. Dwelling Unit Exposure.** Planning Code Section 140 requires that all dwelling units face directly onto a street or other open area meeting the requirements of the planning code.

The unauthorized rear dwelling unit faces an area that is a minimum of 25-ft by 25-ft, which meets the requirements for an open area. Therefore, the Project provides code-complying dwelling unit exposure for the proposed rear unit.

- F. Off-Street Parking.** Planning Code Section 151 does not require a minimum number of off-street parking spaces and permits a maximum of 1.5 parking spaces for each dwelling unit.

The subject property does not have any off-street parking spaces. The Project does not propose any new off-street parking spaces.

- G. Bicycle Parking.** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for each dwelling unit.

The Project proposes one bicycle parking space for the new dwelling unit.

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 size of the new building at the rear is similar in height and bulk to the previously-demolished auxiliary structure. The Project is compliant with the Urban Design Guidelines, albeit modern in appearance. The new rear yard building reaches a maximum height of 16 feet 8 inches above grade and slopes down towards the rear property line. As such, the Project minimizes light and privacy impacts to surrounding properties. The new dwelling unit will maintain the number of housing units on the property without negatively affecting the character of the neighborhood. Overall, the Project is necessary and desirable, and compatible with the surrounding neighborhood. New housing is top priority for the City, and the Project maximizes the potential for new dwelling units.

- 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 height and bulk of the new detached structure in the rear yard is comparable to the height and bulk of the former demolished structure. It occupies an identical footprint to the previously-demolished structure. The height of the new structure slopes downward towards the rear property line, minimizing the impacts of light and air on the property abutting the subject property to the rear. The building envelope of the main building on the subject property will not be affected by the project.

- (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 Planning Code does not require parking or loading for the new dwelling unit. The proposed use will maintain the number of dwelling units historically on the property and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.

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

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

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

Sufficient open space is provided for both dwelling units on the property. Variances to the Rear Yard and Dwelling Unit Exposure requirements have been requested.

- 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 use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

The Project is consistent with the stated purposed of the Bayview NCD (Neighborhood Commercial) Zoning District in that it proposes the legalization of the new dwelling unit at the rear of the property in the same footprint as the former legally nonconforming detached dwelling unit, with adequate open space for both units.

- 8. Dwelling Unit Removal Findings.** Section 317 of the Planning Code establishes criteria for the Planning Commission to consider when reviewing applications to demolish or convert residential buildings. In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met:

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

Enforcement Case no. 2019-020611ENF has been open on the property since October 29, 2019. The Department of Building Inspection also has an open complaint regarding the demolition of the former dwelling unit and reconstruction of the new unit. state of disrepair. The Project will abate both complaints.

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

The former dwelling unit was maintained in a decent, safe, and sanitary condition according to Department of Building Inspection history. The new dwelling unit appears to also be decent, safe, and in sanitary condition.

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

The property was demolished without benefit of a permit and is not considered to be a historic resource under CEQA. The Department issued a Categorical Exemption for the Project.

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

The existing structure was not a historic resource.

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

The Project Sponsor has indicated that both the former dwelling unit and the new dwelling unit in its place are both rental housing units. The former dwelling unit was vacant prior to demolition and the new dwelling unit is currently occupied by a tenant.

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

The Planning Department cannot definitively determine whether or not the former dwelling unit was subject to the Rent Stabilization and Arbitration Ordinance; this being under the purview of the Rent Board.

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

Although the Project proposes legalization of the unauthorized removal of a dwelling unit, the unit was unoccupied prior to demolition. Further, the new dwelling unit will replace it, maintaining the historically accurate number of dwelling units on the property.

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

The Project conserves neighborhood character with appropriate scale, design, and materials, and improves cultural and economic diversity by legalizing the construction of a detached dwelling unit that is consistent with the Urban Design Guidelines and the provisions of the Bayview NCD (Neighborhood Commercial) Zoning District.

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

The Project legalizes the demolition of an unoccupied dwelling unit. The legalization of the new dwelling unit in its place would preserve the number of units on the property. The additional cost that would be required to rehabilitate the former dwelling unit would potentially have resulted in a unit that is not as affordable as many units built during in the same time period. The Project also results in a new, more modern, and safer dwelling unit that contribute positively to the City's housing stock.

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

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

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

The Project represents the redevelopment of an underutilized parcel within an established neighborhood at a dwelling unit density consistent with the requirements of the Bayview NCD (Neighborhood Commercial) Zoning District.

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

The Project proposes the legalization of the replacement of a studio unit with a one-bedroom unit. As such, the Project does not decrease nor increase the number of family-sized units on-site.

- M. Whether the Project creates new supportive housing;

The Project does 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;

On balance, the overall scale, design, and materials of the proposed buildings are consistent with the block face and compliment the neighborhood character with traditional building materials and a contemporary design.

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

The Project would maintain two dwelling units on the subject property.

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

The former dwelling unit was a studio unit. The proposal includes the creation of a one-bedroom unit.

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

A maximum of four dwelling units is permitted on the property. As such, the Project will not maximize the lot's density but will maintain the historically accurate number of dwelling units on the property.

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

The Planning Department cannot definitively determine whether or not the single-family home is subject to the Rent Stabilization and Arbitration Ordinance; this being under the purview of the Rent Board. The new project will replace the existing studio unit with a one-bedroom dwelling unit.

- 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 1.5

Consider secondary units in community planning processes where there is neighborhood support and when other neighborhood goals can be achieved, especially if that housing is made permanently affordable to lower-income households.

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 2

CONSERVE AND IMPROVE EXISTING STOCK.

Policy 2.1

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

OBJECTIVE 3

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

Policy 3.1

Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

Policy 3.4

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

OBJECTIVE 4

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

Policy 4.4

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

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, child care, and neighborhood services, when developing new housing units.

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.

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

BAYVIEW HUNTERS POINT AREA PLAN

Housing

Objectives and Policies

OBJECTIVE 5

PRESERVE AND ENHANCE EXISTING RESIDENTIAL NEIGHBORHOODS.

Policy 5.1

Preserve and enhance the existing character of residential neighborhoods.

OBJECTIVE 6

ENCOURAGE THE CONSTRUCTION OF NEW AFFORDABLE AND MARKET RATE HOUSING AT LOCATIONS AND DENSITY LEVELS THAT ENHANCE THE OVERALL RESIDENTIAL QUALITY OF BAYVIEW HUNTERS POINT.

Policy 6.2

Develop new multi-family housing in identified mixed use nodes along Third Street concurrent with the economic stabilization of surrounding existing residential neighborhoods.

Policy 6.3

Encourage development of new small-scale affordable housing on infill vacant sites and through addition of second units consistent with the character of existing residential neighborhoods.

Policy 1.2.4

Identify portions of the Mission where it would be appropriate to increase maximum heights for residential development.

The Project proposes to legalize the unauthorized demolition of a former detached dwelling unit in the rear yard of the subject property and the construction of a new dwelling unit in the same footprint and of a comparable height and bulk. The Project will maintain the historically-accurate number of dwelling units on the property in the same general development pattern on the property. While the Project removed a rental housing unit, the new housing unit will maintain the historically accurate number of units on the property and is constructed to higher standards and includes an additional bedroom. The new dwelling unit conforms to the Urban Design Guidelines and is appropriate in terms of materials, scale, and proportions, and massing for the surrounding neighborhood. The Project maintains an adequate mix of housing and commercial activity on Third Street, which is a goal of the Bayview Hunters Point Area Plan. On balance, the Project is consistent with the Objectives and Policies of the General Plan and the Bayview Hunters Point Area Plan.

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 retail use on the site will be maintained. No neighborhood-serving retail uses would be displaced or otherwise adversely affected by the proposal.

- 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 proposes to maintain the number of dwelling units on the project site. The new unit is at a height and scale compatible with the surrounding neighborhoods and is consistent with the Planning Code.

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

The Project will result in the maintenance of two dwelling units on the property, neither of which will be designated as affordable housing units. The property does not currently possess any existing affordable housing units.

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

The Project Site is served by nearby public transportation options. The Project is within walking distance of the 23, 24, 44, 54, KT, and KTBU Muni bus lines. In addition, the Project is within one block six bus stops at the intersection of 3rd Street and Revere Avenue. Future residents would be afforded close proximity to a bus line.

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

The Project does not include commercial office development.

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

The new dwelling unit will be inspected by the Department of Building Inspection and will be required 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.

The Project Site does not contain any City Landmarks or historic buildings.

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

The Project will have no negative impact on existing parks and open space.

- 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. 2019-020611CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated June 4, 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 July 8, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: July 8, 2021

EXHIBIT A

Authorization

This authorization is for a conditional use to legalize the unauthorized demolition of a former dwelling unit located within a legal nonconforming auxiliary structure at the rear of the subject property and the construction of a new 295 square-foot dwelling unit in approximately the same building footprint located at 5114-5116 3rd Street, Block 5358, Lot 004, pursuant to Planning Code Sections 303 and 317 within the Bayview Neighborhood Commercial (NCD) District and a 40-X Height and Bulk District; in general conformance with plans, dated June 4, 2021, and stamped "EXHIBIT B" included in the docket for Record No. 2019-020611CUA and subject to conditions of approval reviewed and approved by the Commission on July 8, 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 July 8, 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

- 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

- 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

- 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

- 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

- 6. Additional Project Authorization.** The Project Sponsor must obtain a Variance from the Rear Yard requirement from the Zoning Administrator pursuant to Planning Code Sections 134 and 305 to allow the addition of a dwelling unit in the required rear yard and satisfy all conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Design – Compliance at Plan Stage

- 7. 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 628.652.7364, www.sfplanning.org

- 8. 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 628.652.7364, www.sfplanning.org

Parking and Traffic

- 9. Bicycle Parking.** The Project shall provide no fewer than **one** 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

Monitoring - After Entitlement

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

REAR COTTAGE RECONSTRUCTION

5116 3RD STREET

SAN FRANCISCO, CA 94124

| REVISIONS | BY |
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P.A.#

APPLICABLE CODES

2019 CALIFORNIA BUILDING CODE WITH LOCAL AMENDMENTS
 2019 CALIFORNIA MECHANICAL CODE WITH LOCAL AMENDMENTS
 2019 CALIFORNIA ELECTRICAL CODE WITH LOCAL AMENDMENTS
 2019 CALIFORNIA PLUMBING CODE WITH LOCAL AMENDMENTS
 2019 GREEN BUILDING CODE WITH LOCAL AMENDMENTS
 2019 CALIFORNIA ENERGY CODE
 2019 CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS
 2019 SAN FRANCISCO HOUSING CODE

FIRE DEPARTMENT NOTES:
 MAINTAIN ALL REQUIRED MEANS OF EGRESS, FIRE SPRINKLERS AND LIFE SAFETY AT ALL TIMES.
 MAINTAIN THE REQUIRED SEPARATION, FIRE RATED CONSTRUCTIONS AND SMOKE BARRIERS.
 SEAL ALL PENETRATIONS WITH APPROVED METHODS AND MATERIALS EQUAL TO EXISTING FIRE RATINGS.
 IF CONSTRUCTION COST EXCEEDS \$50,000, THE BUILDING HAS THREE OR MORE UNITS AND THE BUILDING HAS AN EXISTING FIRE ALARM SYSTEM, THE FIRE ALARM SYSTEM MUST BE UPGRADED TO COMPLY WITH SOUND LEVEL REQUIREMENTS FOR SLEEPING AREAS SET FORTH IN SECTION 18.4.5.1 OF NFPA 72 (2013 EDITION), UNLESS ALREADY COMPLIANT.

PROJECT INFO

OWNER: KATHLEEN ANDERSON

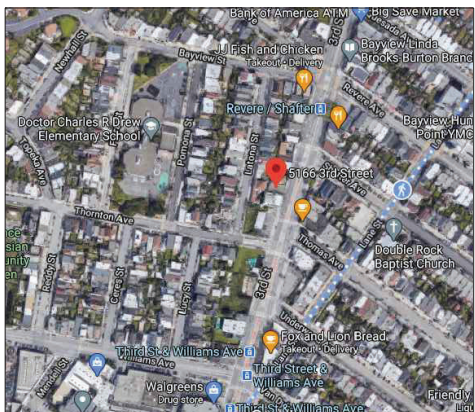
PROJECT CONTACT: RS ENGINEERING SF
 RODRIGO SANTOS
 118 CHATTANOOGA ST,
 SAN FRANCISCO, CA 94114
 (415) 601-0641

BUILDING USE:
 RESIDENTIAL/COMMERCIAL

BUILDING INFO:
 BLOCK: 5358
 LOT: 004
 OCCUPANCY: B & R-3

TYPE OF CONSTRUCTION: V-B
NUMBER OF STORIES: 2
NUMBER OF DWELLING UNITS: 1 DWELLING + COMMERCIAL + REAR COTTAGE
REAR COTTAGE FOOT PRINT: 295 SQ FT

AERIAL VIEW



SCOPE OF WORK

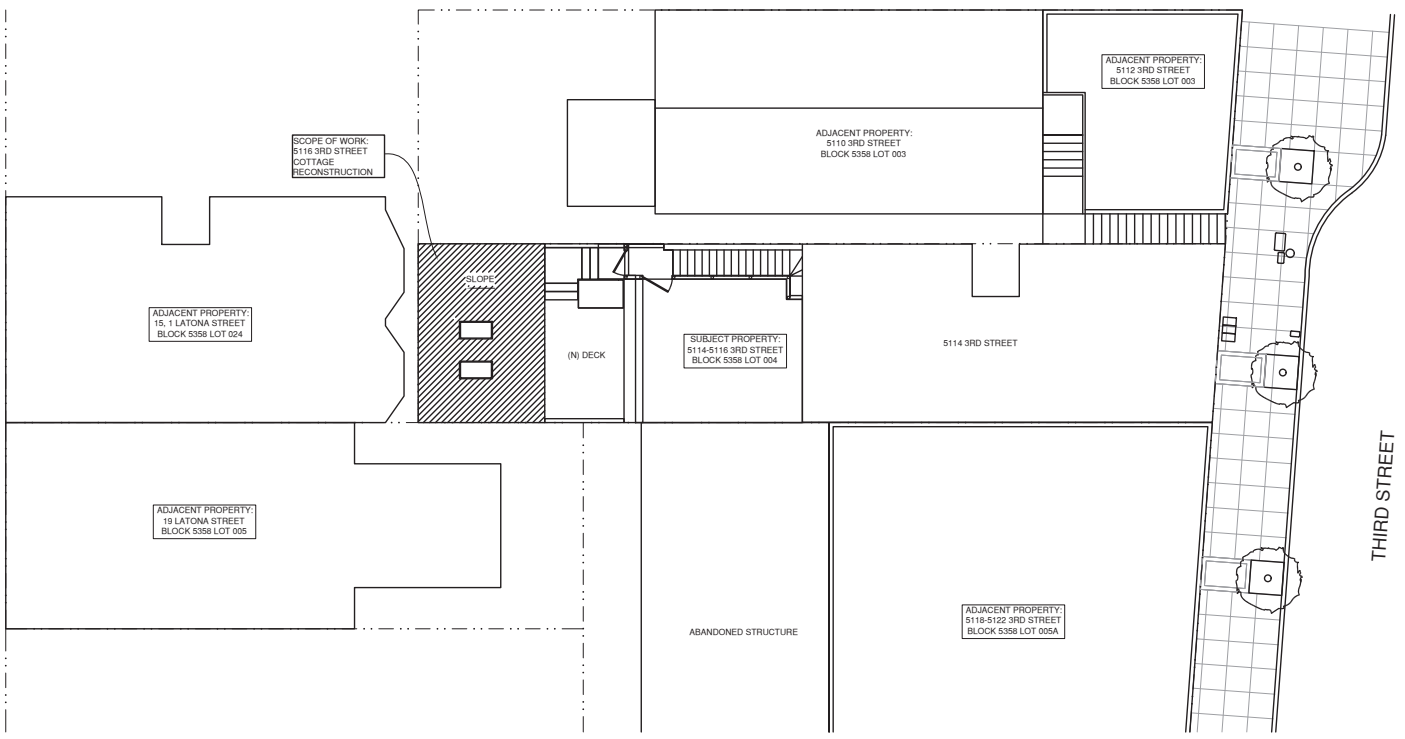
CORRECTIVE ACTION TO COMPLY WITH N.O.V. # 20199581
 RECONSTRUCT UNPERMITTED DEMOLITION OF EXISTING REAR COTTAGE

SHEET INDEX

- A0 TITLE SHEET, DRAWING INDEX, GENERAL INFO AND SITE PLAN
- A1.0 PRIOR TO DEMOLITION SITE PLAN, PICTURES
- A1.1 EXISTING, AS BUILT, AND PROPOSED SITE PLAN
- A1.2 EXISTING REAR COTTAGE PRIOR TO DEMO
- A1.3 EXISTING REAR COTTAGE PRIOR TO DEMO ELEVATIONS
- A2 PROPOSED LOFT LEVEL PLAN, PROPOSED FLOOR PLAN
- A3 PROPOSED ELEVATION AND SECTION
- S1.0 TITLE SHEET
- S1.1A TYPICAL WOOD DETAILS
- S1.1B TYPICAL WOOD DETAILS
- S1.2A TYPICAL CONCRETE DETAILS
- S2 ROOF FRAMING PLAN, FLOOR FRAMING AND FOUNDATION PLAN, FOUNDATION AND STRUCTURAL DETAILS

DRAWING SYMBOLS

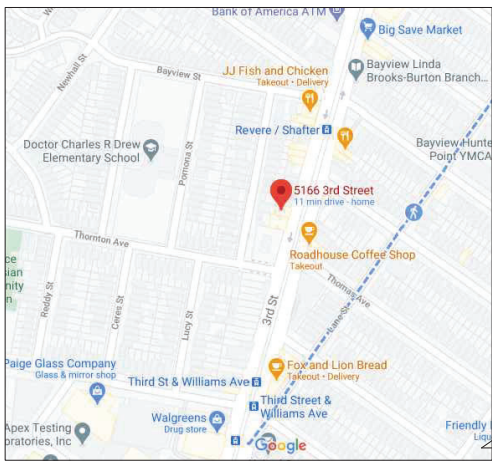
- BUILDING ELEVATION TAG
- BUILDING SECTION TAG
- WINDOW / STOREFRONT TAG
- DETAIL TAG
- KEY NOTE
- DOOR TAG



SITE PLAN

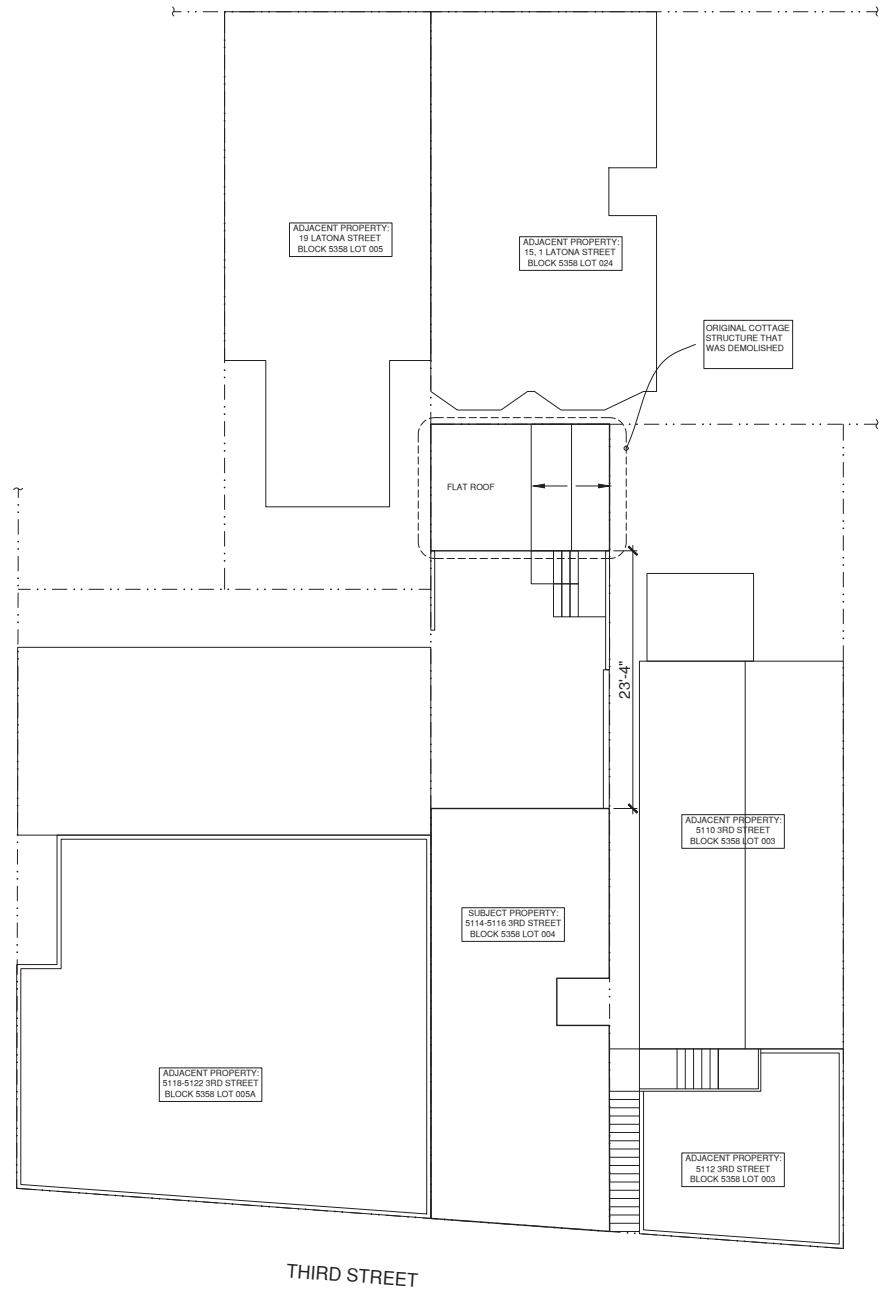
SCALE: 3/32"=1'-0"

VICINITY MAP



REAR COTTAGE RECONSTRUCTION
5116 3RD STREET
SAN FRANCISCO, CALIFORNIA
 TITLE SHEET, DRAWING INDEX, SCOPE OF WORK

| | |
|--------------|------------|
| Date: | 06/04/2021 |
| Scale: | AS SHOWN |
| Drawn By: | RS |
| Job No: | 2020-025 |
| Sheet | A0 |
| of 13 Sheets | |



PRIOR TO DEMOLITION SITE PLAN

SCALE: 3/32" = 1'-0"



PRIOR TO DEMOLITION PICTURES

| REVISIONS | BY |
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118 Chattanooga Street
San Francisco, CA 94114
415.601.0641

RS
Engineering

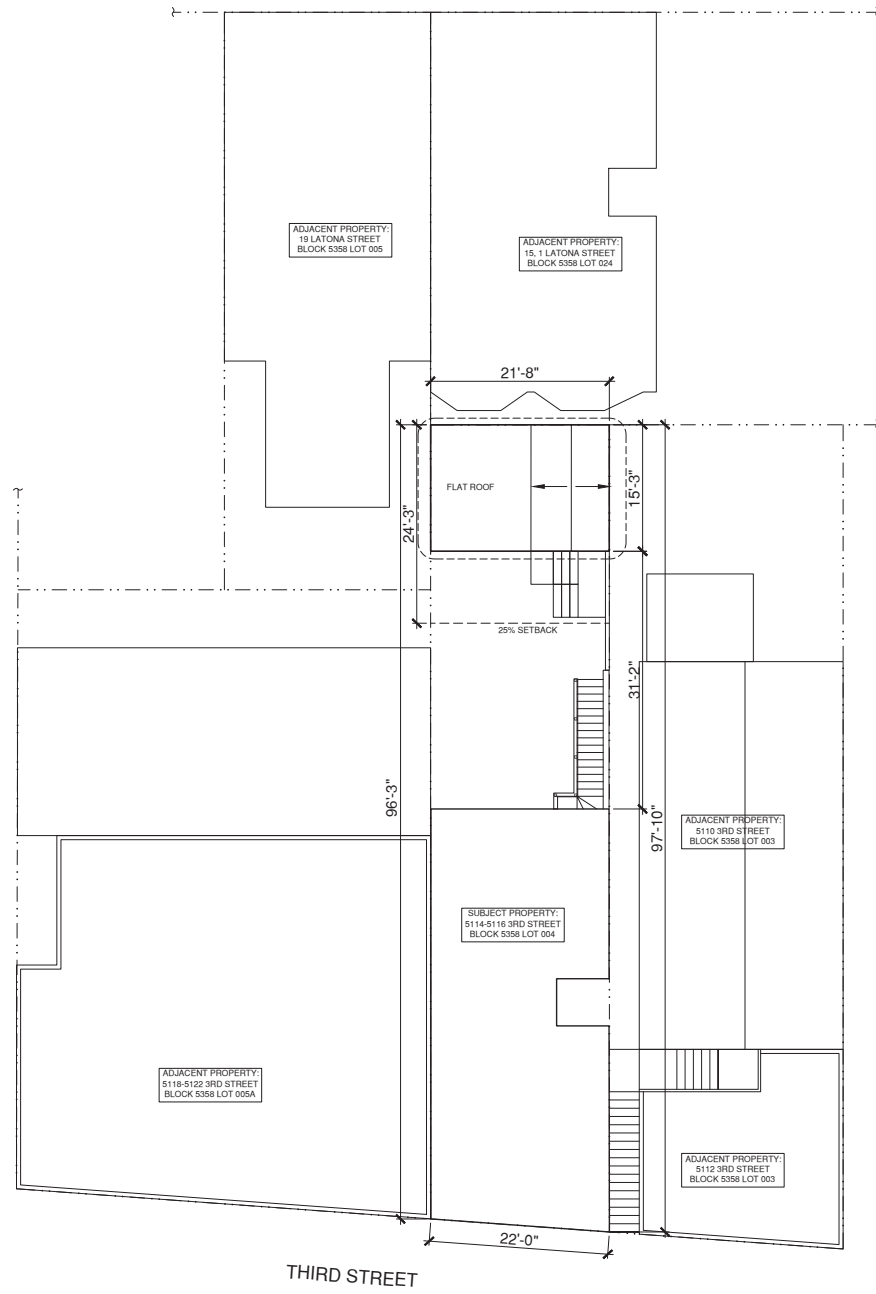


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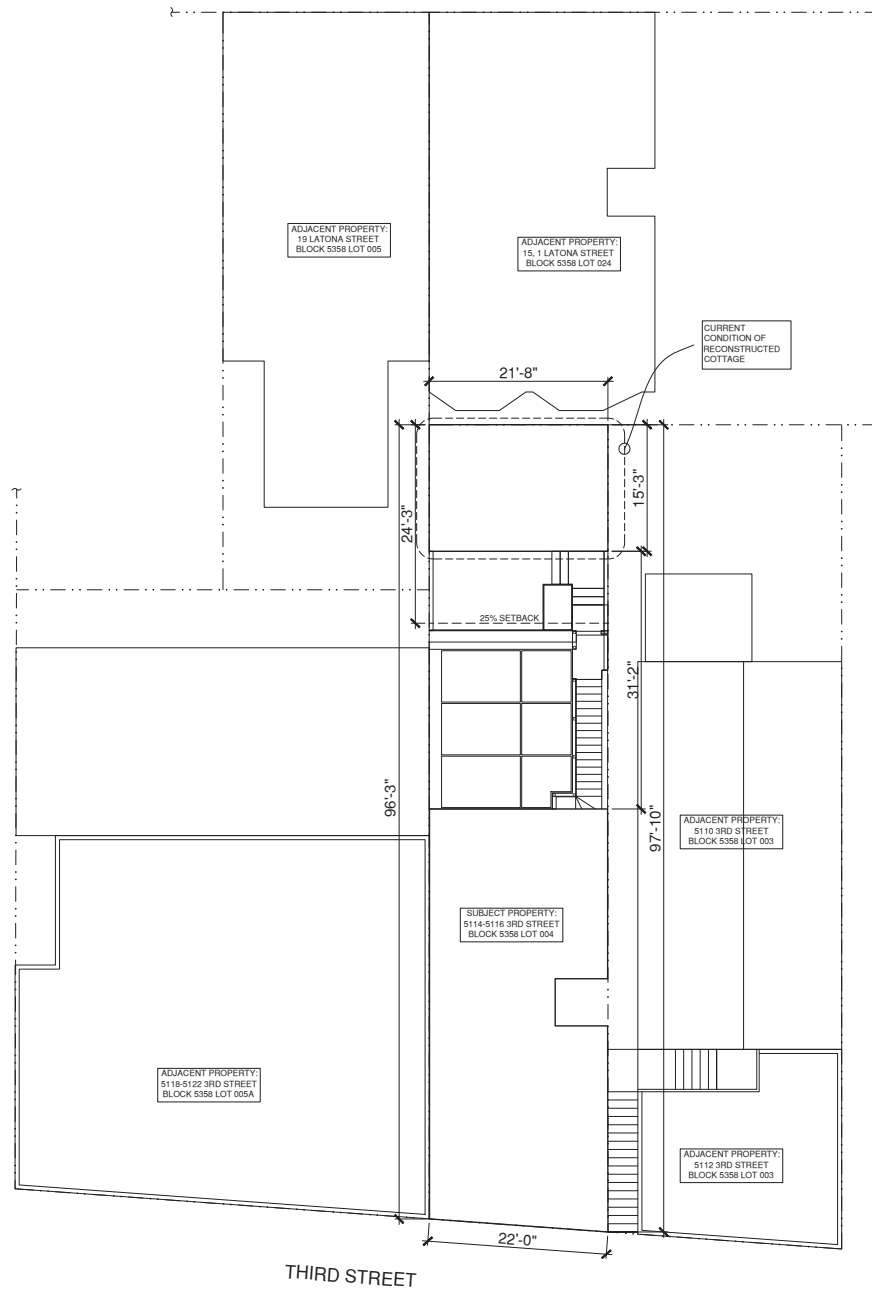
REAR COTTAGE RECONSTRUCTION
5116 3RD STREET
SAN FRANCISCO, CALIFORNIA

PRIOR TO DEMOLITION SITE PLAN AND PICTURES

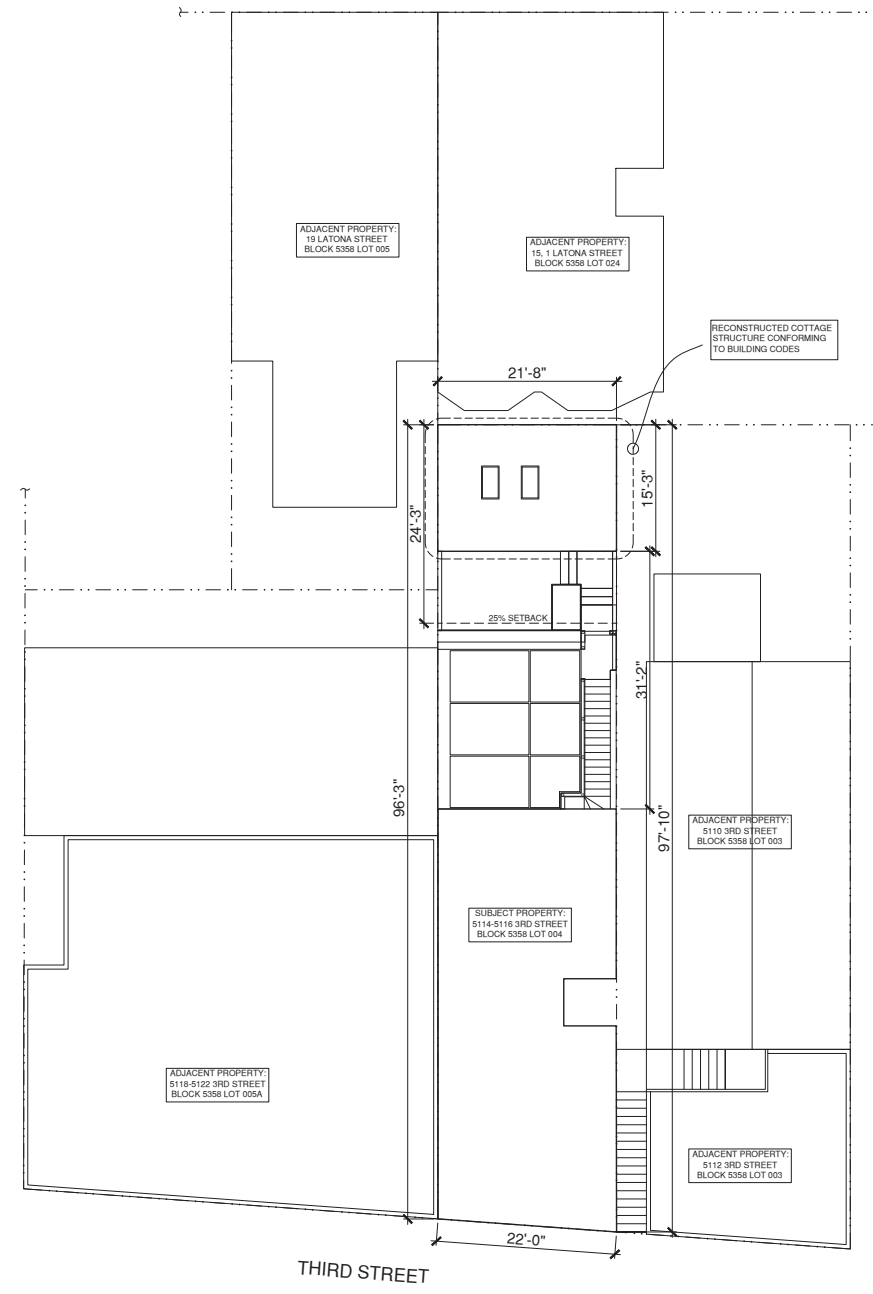
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| Date: | 06/04/2021 |
| Scale: | 1/4" = 1'-0" |
| Drawn By: | RS |
| Job No: | 2020-025 |
| Sheet | A1.0 |
| Of 13 Sheets | |



PRIOR TO DEMOLITION SITE PLAN
SCALE: 3/32" = 1'-0"



EXISTING SITE PLAN
SCALE: 3/32" = 1'-0"



PROPOSED SITE PLAN
SCALE: 3/32" = 1'-0"



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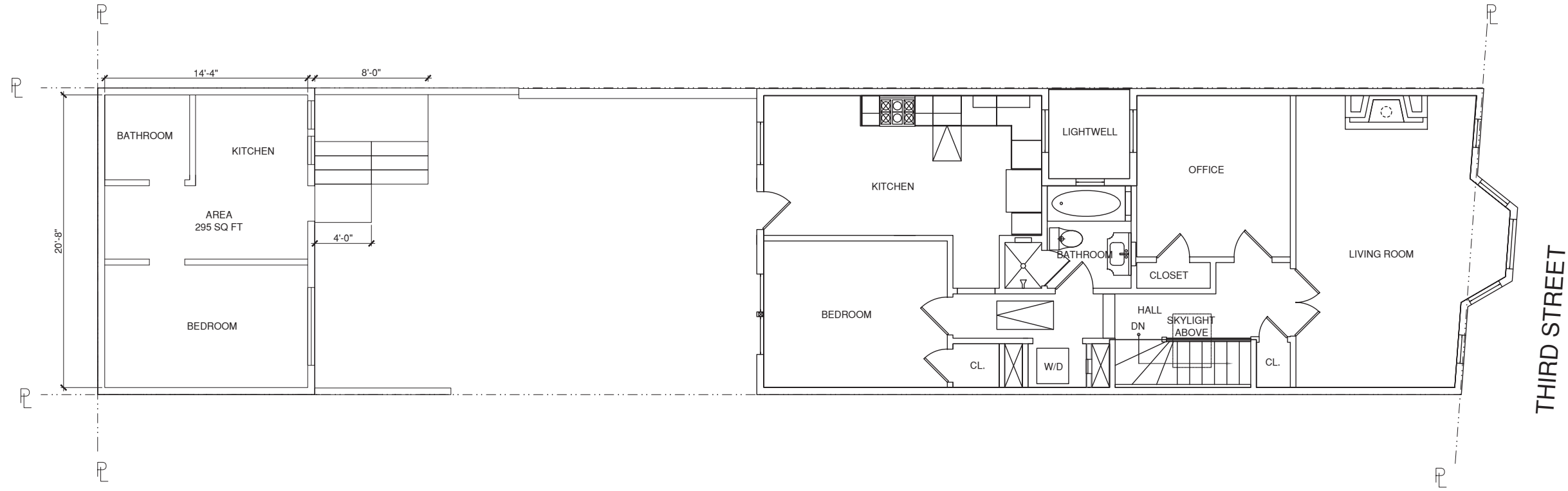
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REAR COTTAGE RECONSTRUCTION
5116 3RD STREET
SAN FRANCISCO, CALIFORNIA
APPROVED, EXISTING AND PROPOSED SITE PLAN

| | |
|--------------|--------------|
| Date: | 06/04/2021 |
| Scale: | 1/4" = 1'-0" |
| Drawn By: | RS |
| Job No: | 2020-025 |
| Sheet | A1.1 |
| of 13 Sheets | |



THIRD STREET

EXISTING REAR COTTAGE PRIOR TO DEMOLITION PLAN

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



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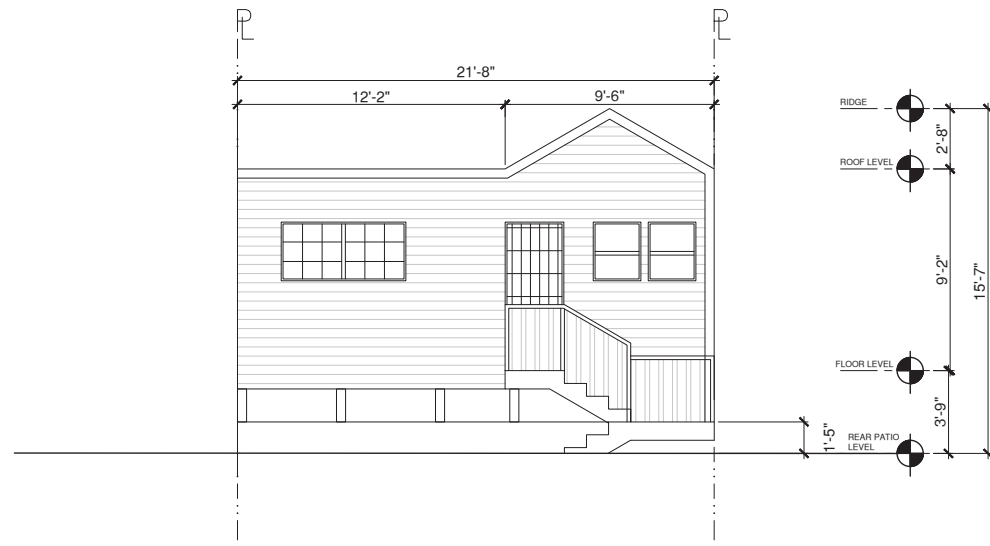


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REAR COTTAGE RECONSTRUCTION
5116 3RD STREET
SAN FRANCISCO, CALIFORNIA

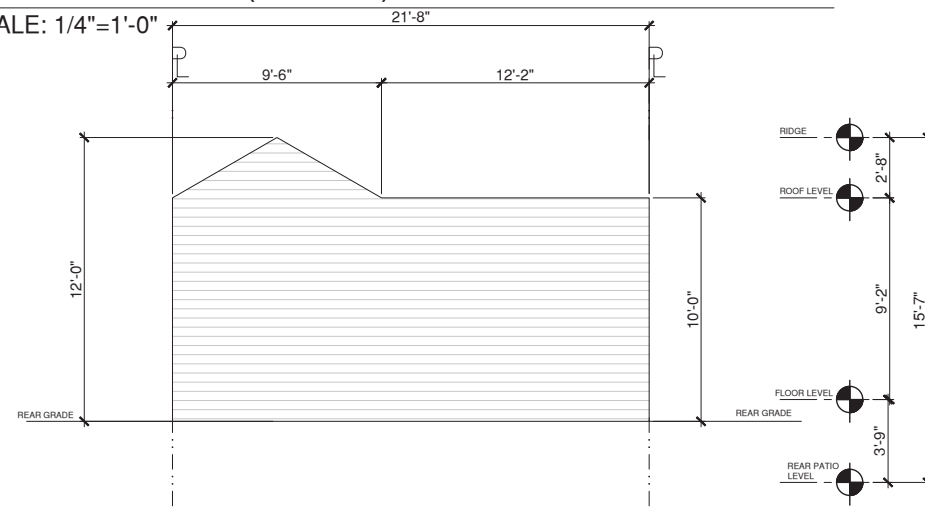
EXISTING REAR COTTAGE PRIOR TO DEMOLITION PLAN

| | |
|--------------|------------|
| Date: | 06/04/2021 |
| Scale: | 1/4"=1'-0" |
| Drawn By: | RS |
| Job No: | 2020-025 |
| Sheet | A1.2 |
| Of 13 Sheets | |



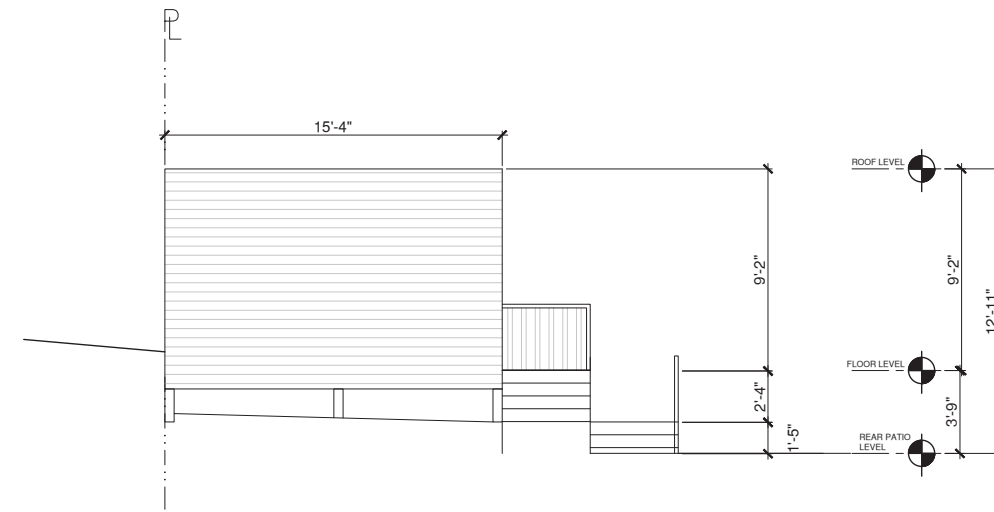
EXISTING EAST (FRONT) ELEVATION

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

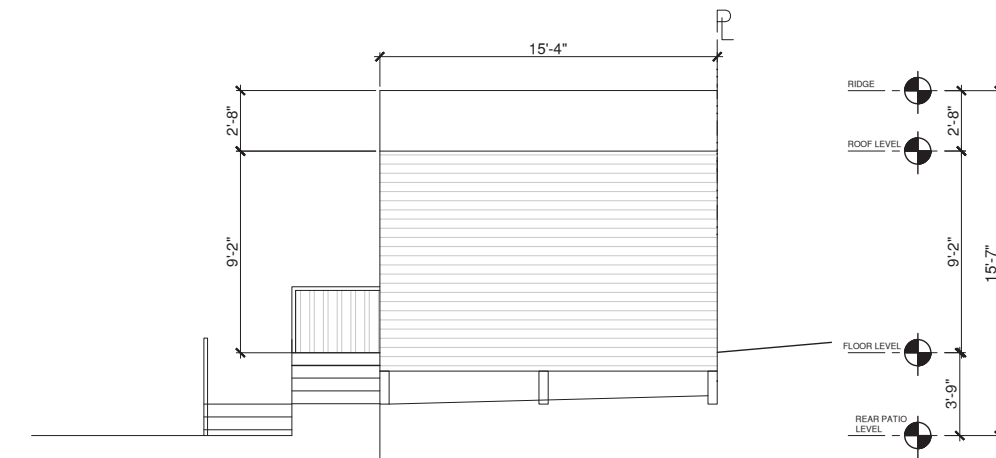


EXISTING WEST (REAR) ELEVATION

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



EXISTING SOUTH (SIDE) ELEVATION



EXISTING NORTH (SIDE) ELEVATION

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

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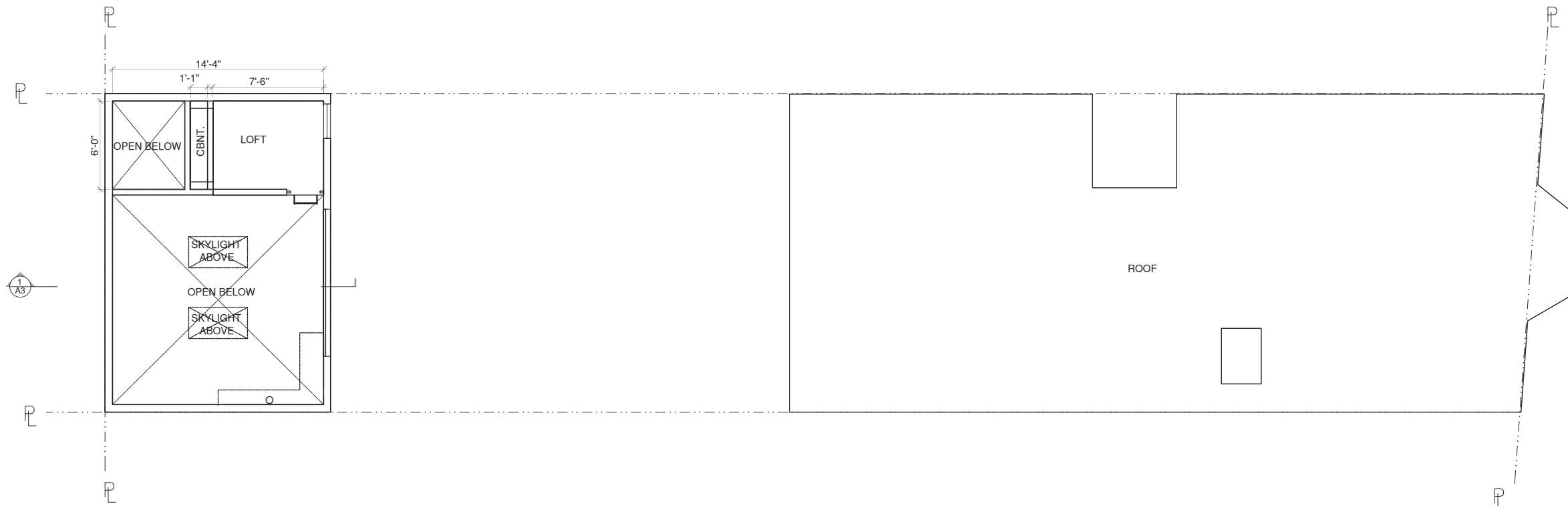


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REAR COTTAGE RECONSTRUCTION
5116 3RD STREET
SAN FRANCISCO, CALIFORNIA

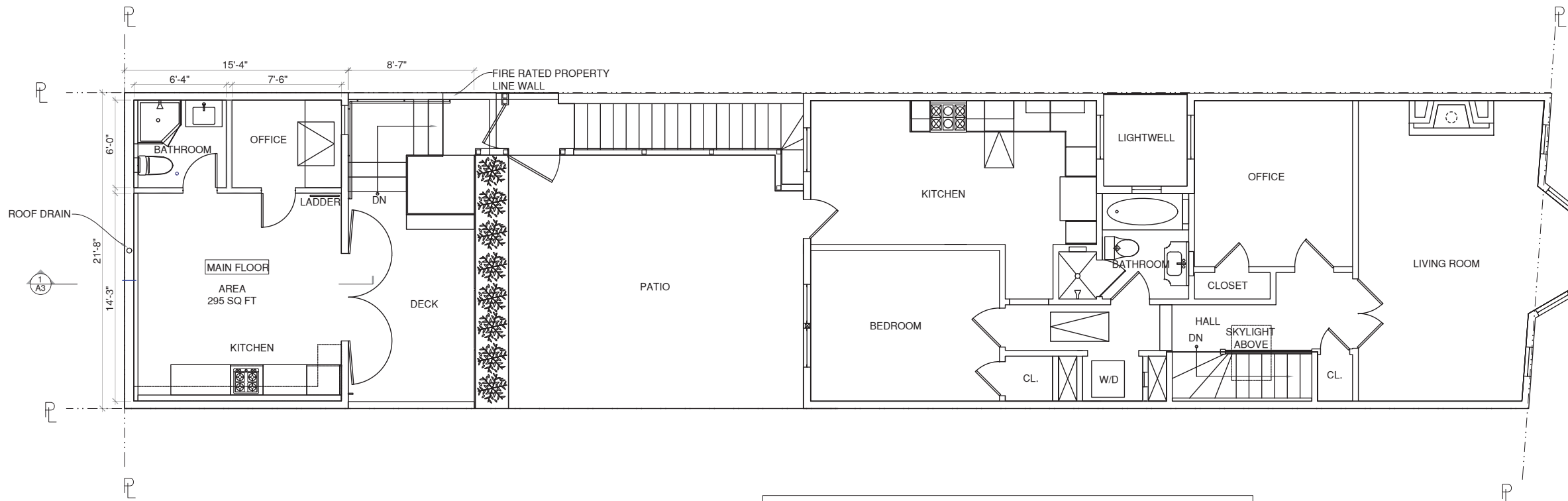
EXISTING REAR COTTAGE PRIOR TO DEMOLITION ELEVATIONS

| | |
|--------------|------------|
| Date: | 06/04/2021 |
| Scale: | 1/4"=1'-0" |
| Drawn By: | RS |
| Job No: | 2020-025 |
| Sheet | A1.3 |
| Of 13 Sheets | |



PROPOSED LOFT LEVEL PLAN

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



PROPOSED FLOOR PLAN

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



NOTES:

- REAR COTTAGE WILL BE LINKED TO THE EXISTING RESIDENTIAL UNIT AT THE FRONT OF THE LOT FACING THIRD STREET.
- REAR COTTAGE WILL SHARE THE SAME STREET ACCESS WITH THE EXISTING RESIDENTIAL UNIT CURRENTLY FACING THIRD STREET.

THIRD STREET

THIRD STREET

| REVISIONS | BY |
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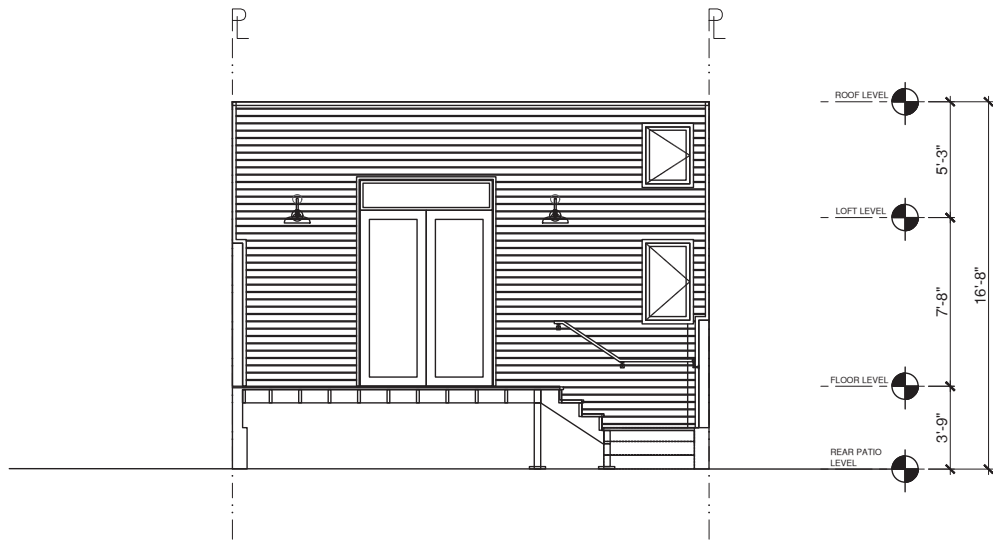
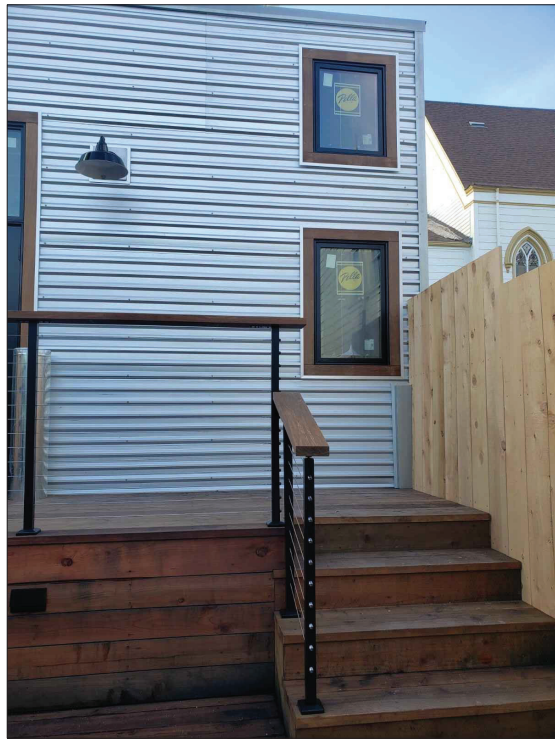


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REAR COTTAGE RECONSTRUCTION
5116 3RD STREET
SAN FRANCISCO, CALIFORNIA

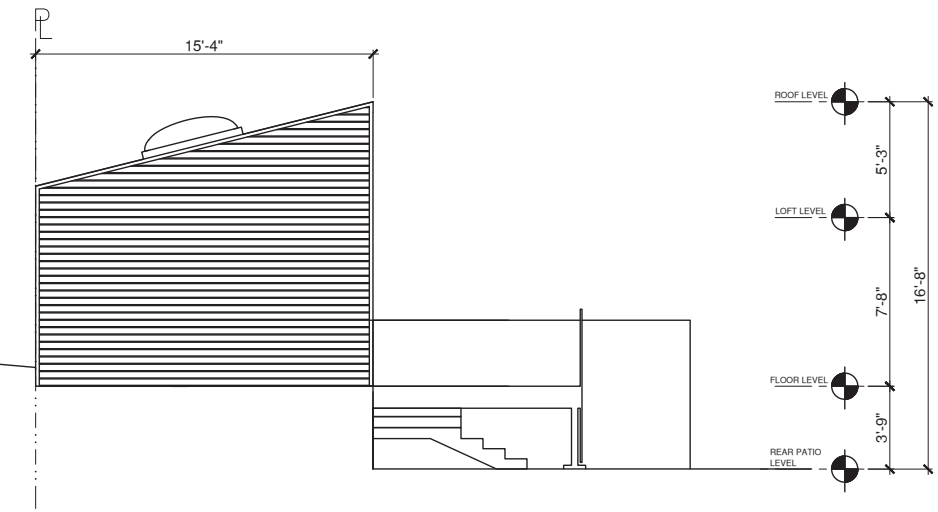
EXISTING SITE PLAN, AS-BUILT SITE PLAN, PROPOSED SITE PLAN

| | |
|--------------|------------|
| Date: | 06/04/2021 |
| Scale: | 1/4"=1'-0" |
| Drawn By: | RS |
| Job No: | 2020-025 |
| Sheet | A2 |
| Of 13 Sheets | |



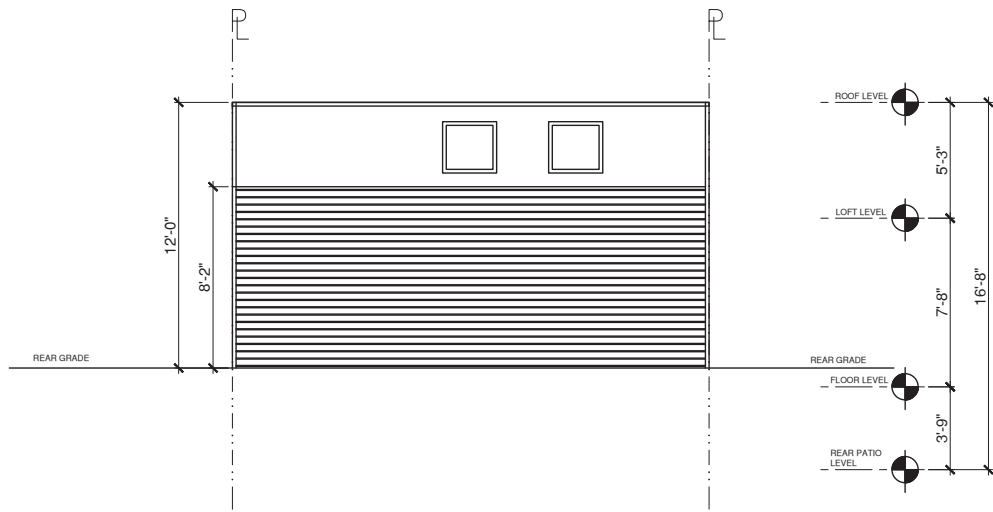
EAST (FRONT) ELEVATION

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



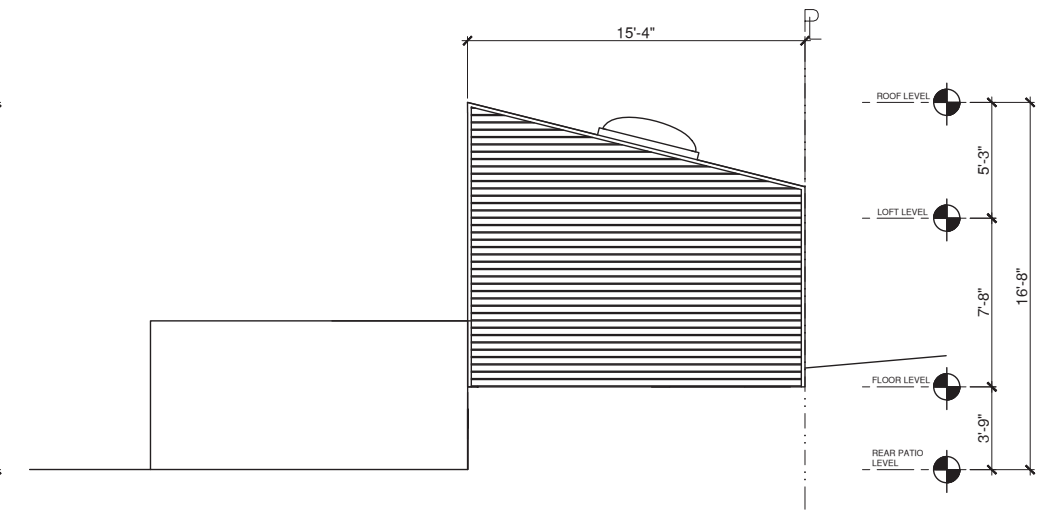
SOUTH (SIDE) ELEVATION

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



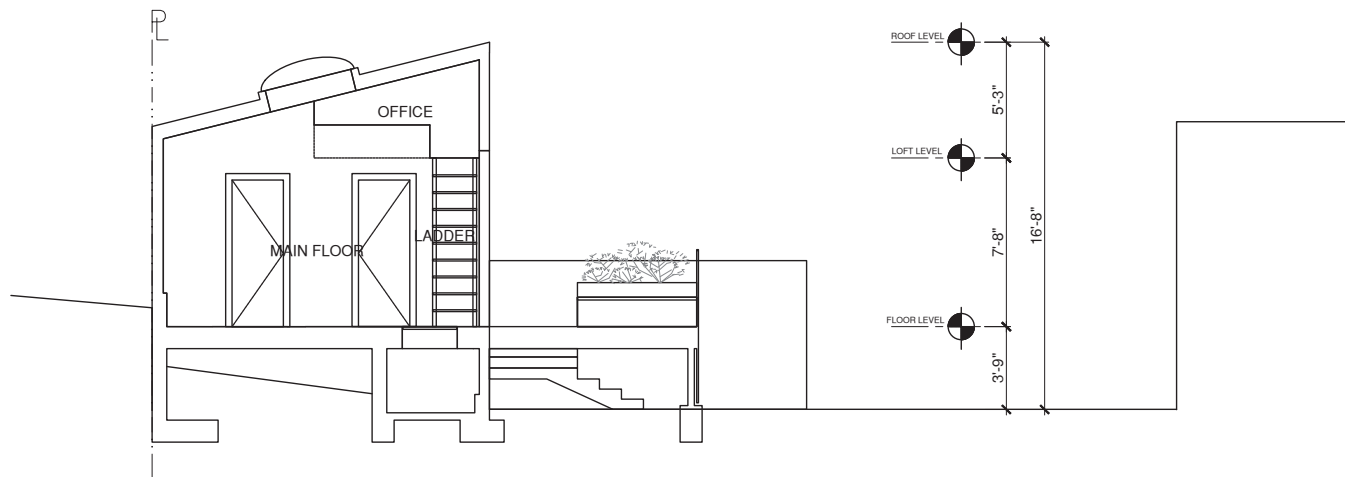
WEST (REAR) ELEVATION

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



NORTH (SIDE) ELEVATION

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



SECTION 1

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

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REAR COTTAGE RECONSTRUCTION
5116 3RD STREET
SAN FRANCISCO, CALIFORNIA

EAST, SOUTH, WEST, NORTH ELEVATIONS AND SECTION 1

| | |
|--------------|------------|
| Date: | 06/04/2021 |
| Scale: | 1/4"=1'-0" |
| Drawn By: | RS |
| Job No: | 2020-025 |
| Sheet | A3 |
| Of 13 Sheets | |



CEQA Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

| | | |
|---|--|---|
| Project Address | | Block/Lot(s) |
| 5114-5116 3rd St | | 5358004 |
| Case No. | | Permit No. |
| 2019-020611PRJ | | 202008212344 |
| <input type="checkbox"/> Addition/ Alteration | <input checked="" type="checkbox"/> Demolition (requires HRE for Category B Building) | <input checked="" type="checkbox"/> New Construction |
| <p>Project description for Planning Department approval.</p> <p>The Project includes the legalization of the unauthorized demolition of a former dwelling unit located within a legal nonconforming auxiliary structure at the rear of the subject property and the construction of a new 295 square-foot dwelling unit in approximately the same building footprint. The previously-demolished dwelling unit was a 295 square-foot one-bedroom unit built to the rear and side property lines. The replacement dwelling unit is also built to the rear and side property lines and has a kitchen and living area, full bathroom, office, and a small loft area accessible by ladder. The demolished unit was vacant prior to demolition and the new unit is currently occupied by a tenant.</p> | | |

STEP 1: EXEMPTION TYPE

| | |
|--|---|
| The project has been determined to be exempt under the California Environmental Quality Act (CEQA). | |
| <input type="checkbox"/> | Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft. |
| <input checked="" type="checkbox"/> | Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU. |
| <input type="checkbox"/> | <p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p> |
| <input type="checkbox"/> | Other _____ |
| <input type="checkbox"/> | Common Sense Exemption (CEQA Guidelines section 15061(b)(3)). It can be seen with certainty that there is no possibility of a significant effect on the environment. |

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

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

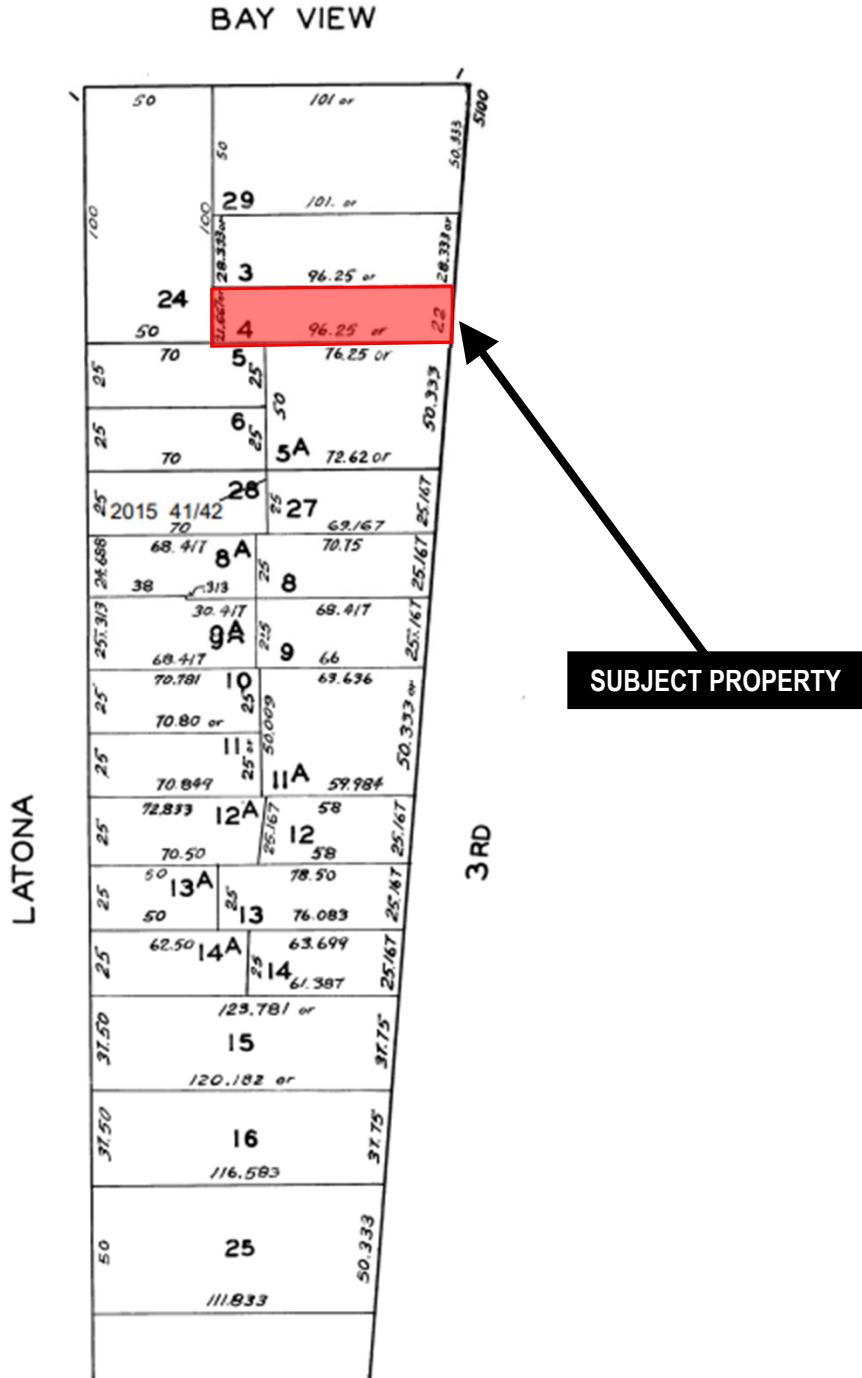
**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

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

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

| | | | |
|---|--|---|--|
| Check all that apply to the project. | | | |
| <input checked="" type="checkbox"/> | <p>1. Reclassification of property status. (Attach HRER Part I)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other (specify): Property was demolished without benefit of a permit. No resource to analyze. </td> <td style="width: 50%; border: none;"> <input checked="" type="checkbox"/> Reclassify to Category C (No further historic review) </td> </tr> </table> | <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other (specify): Property was demolished without benefit of a permit. No resource to analyze. | <input checked="" type="checkbox"/> Reclassify to Category C (No further historic review) |
| <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other (specify): Property was demolished without benefit of a permit. No resource to analyze. | <input checked="" type="checkbox"/> Reclassify to Category C (No further historic review) | | |
| <input type="checkbox"/> | 2. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. | | |
| <input type="checkbox"/> | 3. Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features. | | |
| <input type="checkbox"/> | 4. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character. | | |
| <input type="checkbox"/> | 5. Façade/storefront alterations that do not remove, alter, or obscure character-defining features. | | |

Parcel Map



SUBJECT PROPERTY



Conditional Use Authorization & Variance
 Record No. 2019-020611CUA/VAR
 5114-5116 3rd Street

Sanborn Map*



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



Conditional Use Authorization & Variance
Record No. 2019-020611CUA/VAR
5114-5116 3rd Street

Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization & Variance
Record No. 2019-020611CUA/VAR
5114-5116 3rd Street

Aerial Photo – View 2

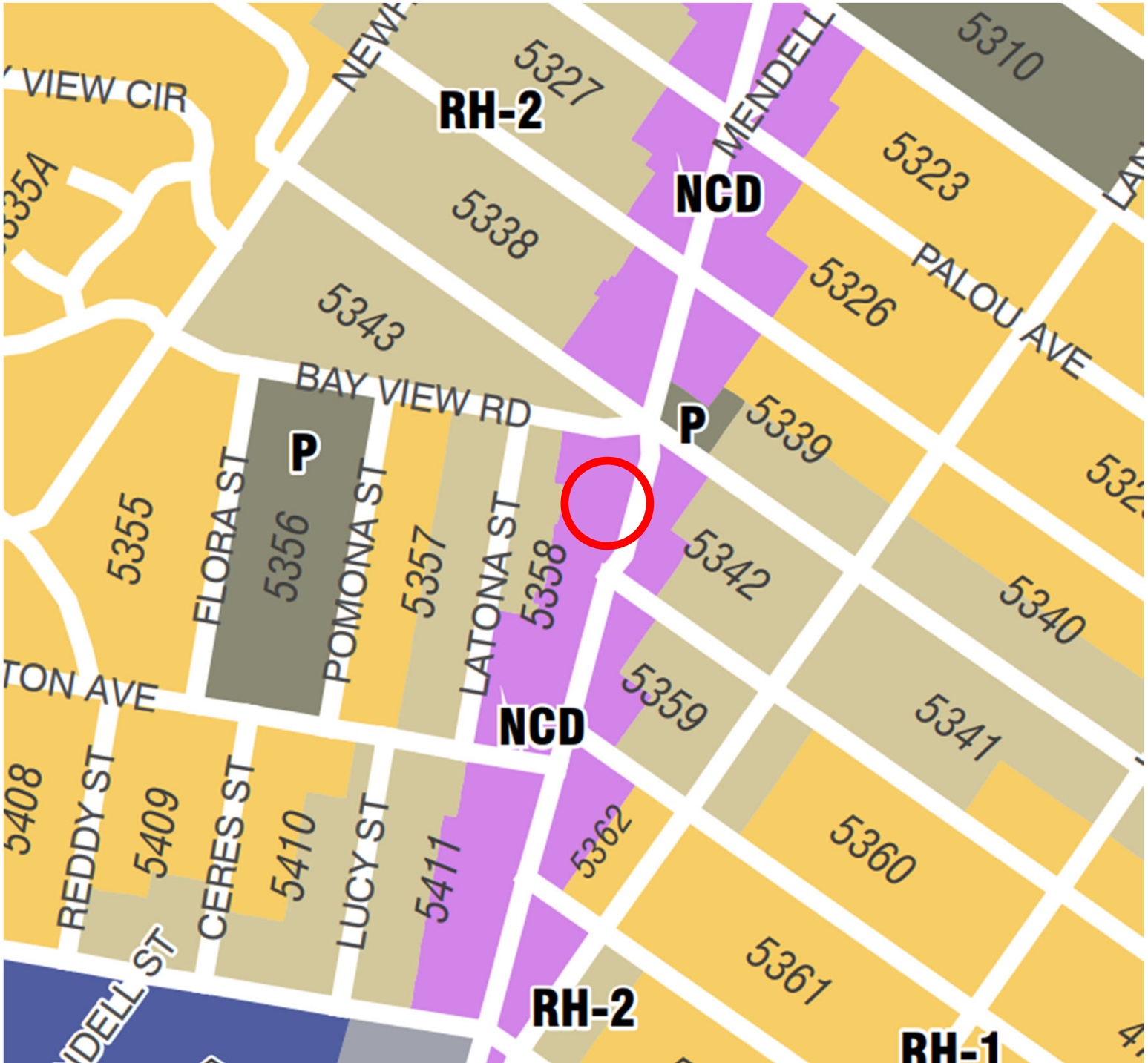


SUBJECT PROPERTY



Conditional Use Authorization & Variance
Record No. 2019-020611CUA/VAR
5114-5116 3rd Street

Zoning Map



Conditional Use Authorization & Variance
Record No. 2019-020611CUA/VAR
5114-5116 3rd Street

Site Photo



SUBJECT PROPERTY

Conditional Use Authorization & Variance
Record No. 2019-020611CUA/VAR
5114-5116 3rd Street

Rent Board Response to Request from Planning Department for Eviction History Documentation

Re: 5114-5116 3rd Street

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

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

- 12/10/13
- 03/13/14
- 10 years prior to the following date: _____

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

- 12/10/13
- 03/13/14
- 10 years prior to the following date: _____
 - o See attached documents.

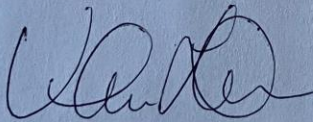
~~There are no other~~ Rent Board records evidencing an eviction after:

- 12/10/13
- 03/13/14
- 10 years prior to the following date: _____

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

- 12/10/13
- 03/13/14
- 10 years prior to the following date: _____
 - o See attached documents.

Signed:



Dated:

6-4-21

Van Lam
Citizens Complaint Officer

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