



EXECUTIVE SUMMARY CONDITIONAL USE

HEARING DATE: August 26, 2021

Record No.: 2020-009481CUA
Project Address: 4034 20th Street
Zoning: RH-1 (Residential-House, One Family)
40-X Height and Bulk District
Dolores Heights Special Use District
Block/Lot: 3601/016
Project Sponsor: Michael Harris
333 Cumberland Street
San Francisco, CA 94114
Property Owner: Michael Harris, Deborah Harris, and Peter Harris
333 Cumberland Street
San Francisco, CA 94114
Staff Contact: Jeff Horn – (628) 652-7633
jeffrey.horn@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project proposes the demolition of an existing two-story, 2,900 gross-square-foot, three-family-dwelling, a subdivision to create two 2,850 square foot lots, and the construction of two new three-story-over-basement, 35-foot tall, single-family residences, each with an accessory dwelling unit. Proposed Building 4034A is a total of 4,580 gross square feet and contains a 3,145-square-foot three-bedroom unit, a 590-square-foot one-bedroom accessory dwelling unit and a two-vehicle garage with two Class I bicycle parking spaces located at the basement level. Proposed Building 4034B is a total of 4,550 gross square feet and contains a 2,255-square-foot three-bedroom unit, a 1,730-square-foot three-bedroom accessory dwelling unit, and four Class I bicycle parking spaces located along a common corridor at the basement level.

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 demolish the existing three-unit residential building and construct two new two-unit residential buildings.

Issues and Other Considerations

- **Public Comment & Outreach.**

- **Support/Opposition:** To date, Department Staff has received verbal and written correspondence from the adjacent neighbor to the east neighbors on the Project, plus a representative from one community group. Concerns expressed included the loss of the existing structure, and the new buildings' impacts to light and air access to adjacent properties.
- **Outreach:**
 - The Sponsor has hosted a pre-application meeting with the community, on April 30, 2021. Project Sponsors responded to neighbor's comments at this meeting including lack of parking in one building and questions on the height and scale of the new buildings.
 - More recently the sponsor has been in contact with the adjacent neighbor at 4020 20th Street, who have voiced concerns, via email.

- **Tenant History.** Pursuant to a search request with the San Francisco Rent Board and the Sponsor's Dwelling Unit Removal supplemental application, two of the three units have had tenants within the last five years. Unit 1 has not been leased to a tenant for more than 15 years. Unit 2 is currently rented to tenant and the former tenant of Unit 3 accepted a buy-out, on-file with the Rent Board, and vacated the unit in 2020.

The existing and current tenants have submitted letters of non-opposition to the proposed project, included in this report as Exhibit F, and the current tenant in Unit 2 has an agreement with the project sponsor to relocate into a newly constructed accessory dwelling unit located two lots to the west at 4042 20th Street (Permit No. 202006128494 issued on 4/17/2021)*.

- **Rent Control.** Under California Government Code Section 66300 (SB-330), if existing units to be demolished were subject to the City's Rent Ordinance, they are considered as protected units and are subject to replacement and relocation requirements specified in Section 66300(d). Replacement provisions are dependent upon the income levels of the current or previous tenants. Since Unit 1 has been vacant for over five years, it shall be replaced with a rent-controlled unit (Unit 4034B ADU within the proposed project). The income levels for the tenants in Units 2 and 3 are above 80% AMI and can therefore be replaced with rent-controlled units pursuant to Government Code Section 66300. Therefore, Unit 1, 2 and 3 will be replaced will be replaced with rent-controlled units.

The Project will provide replacement units in the following bedroom and square footage totals as presented in **Table 1: Existing and Replacement Units**.

Table 1: Existing and Replacement Units

Existing Units	Existing bedrooms	Existing SF	Occupancy	Proposed Units	Proposed bedrooms	Proposed SF	Occupancy
Unit 1	2	1,260 SF	Vacant since 2005	4034B ADU	3	1,730 SF	Rent Controlled
Unit 2	1 (studio)	430 SF	Tenant to relocate*	4034A ADU	1	590 SF	Rent Controlled
Unit 3	1 (studio)	635 SF	Buyout in 2020	4034B	3	2,255 SF	Rent Controlled
	-	-	-	4034A	3	2,555 SF	No restriction

- **Subdivision:** The Project seeks to subdivide the existing 50 foot wide, 114 foot deep, 5,700 square foot lot into two separate 25 foot wide, 2,850 square foot lots.
- **Dolores Heights Special Use District:** The Project is located within the boundaries of the Dolores Heights Special Use District (SUD). Per Planning Code Section 241, the SUD was adopted to preserve and provide for an established area with a unique character and balance of built and natural environment, with public and private view corridors and panoramas, to conserve existing buildings, plant materials and planted spaces, to prevent unreasonable obstruction of view and light by buildings or plant materials, and to encourage development in context and scale with established character and landscape. There are no additional findings required within the SUD, but additional development controls are provided which include a required minimum rear yard of 45% of the lot depth and a building height maximum of 35 feet. The proposed new buildings comply with the additional provisions of the SUD.

Environmental Review

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 and Class 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 and the Dolores Heights Special Use District. The proposed new buildings are code-complying and designed to be in-keeping with the existing development pattern and neighborhood character along 20th Street. Although the Project includes the demolition of a three-family residence, two new two-unit residential buildings on separate lots will be built in its place, for a net increase in density. 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 (including Historic Resource Assessment)
- Exhibit D – Land Use Data
- Exhibit E – Maps and Context Photos
- Exhibit F – Tenant Non-Opposition Letters



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: AUGUST 26, 2021

Record No.: 2020-009481CUA
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40-X Height and Bulk District
Dolores Heights Special Use District
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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 303 AND 317, TO ALLOW THE DEMOLITION OF AN EXISTING TWO-STORY, 2,900 GROSS-SQUARE-FOOT, THREE-FAMILY-DWELLING AND TO CONSTRUCT TWO NEW THREE-STORY-OVER-BASEMENT ONE-FAMILY DWELLINGS WITH ACCESSORY DWELLING UNITS, EACH TO BE LOCATED ON A NEW 2,850 SQUARE FOOT LOTS CREATED THROUGH THE SUBDIVISION OF THE EXISTING 5,700 SQUARE FOOT (50' X 114') LOT LOCATED AT 4034 20TH STREET, LOT 016 IN ASSESSOR'S BLOCK 3601, WITHIN THE RH-1 (RESIDENTIAL HOUSE, ONE-FAMILY) ZONING DISTRICT, A 40-X HEIGHT AND BULK DISTRICT, AND THE DOLORES HEIGHTS SPECIAL USE DISTRICT AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

On October 20, 2020, Michael Harris of Michael Harris Architecture (hereinafter "Project Sponsor") filed Application 2020-009481CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to allow the demolition of an existing two-story, 2,900 gross-square-foot, three-family dwelling and to construct two new three-story-over-basement one-family dwellings with accessory dwelling units, each to be located on a new lots created through the subdivision of the existing 5,700 square foot (50' x 114') at 4034 20th Street, Block 3601, Lot 016 (hereinafter "Project Site").

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

On June 17, 2021, the San Francisco Planning Commission (hereinafter "Commission") continued Conditional Use Authorization Application No. 2020-009481CUA without a public hearing to the August 26, 2021 hearing.

On August 26, 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. 2020-009481CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2020-009481CUA 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. 2020-009481CUA, 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 proposes the demolition of an existing two-story, 2,900 gross-square foot (SF), three-family-dwelling, a subdivision to create two 2,850 square foot lots, and the construction of two new three-story-over-basement, 35-foot tall, single-family residences, each with an accessory dwelling unit. Proposed Building 4034A is a total of 4,580 gross square feet and contains a 3,145-square-foot three-bedroom unit, a 590-square-foot one-bedroom accessory dwelling unit and a two-vehicle garage with two Class I bicycle parking spaces located at the basement level. Proposed Building 4034B is a total of 4,550 gross square feet and contains a 2,255-square-foot three-bedroom unit, a 1,730-square-foot three-bedroom accessory dwelling unit, and four Class I bicycle parking spaces located along a common corridor at the basement level.

Site Description and Present Use. The Project site is on the north side of 20th Street, between Noe and Sanchez Streets; Lot 016 in Assessor's Block 3601 and is located within the RH-1 (Residential House, One-Family) Zoning District, the Dolores Height Special Use District, and a 40-X Height and Bulk District. 20th Street has a grade separation from the intersection with Noe Street to the east of the property and the street terminates at a cul-de-sac on the eastern end of the street. The 5,700 square foot lot has 50 feet of street frontage and a depth of 114 feet. The lot slopes upward toward the rear, of the lot, which the majority of the lot's slope located within the first 15 feet of the lot's depth. The site is currently developed with a non-complying 2,900 SF, 23-foot tall, three-family dwelling constructed circa 1909. The building contains two studio units at the 1st floor, sized 430 SF and 635 SF, respectively, and the upper floor contains a 1,250 SF 2-bedroom unit. The building is located on the rear half of the existing lot and the front portion contains substantial landscaping and vegetation, obstructing the view of the building from the street.

- 3. Surrounding Properties and Neighborhood.** The subject property is located in the Dolores Heights neighborhood within Supervisor District 8. Parcels within the immediate vicinity consist almost exclusively of residential two- to four-story, one-family dwellings constructed mostly between 1900 and the 1910s, a second period of development between the late 1970s and 1990s, and several more recently constructed buildings. The subject block-face exhibits a great variety of architectural styles, scale and massing. Surrounding zoning districts in the vicinity of the project site include the RH-1 (Residential House, One-Family) and the Dolores Height Special Use District.
- 4. Public Outreach and Comments.** To date, Department Staff has received verbal and written correspondence from the adjacent neighbor to the east neighbors on the Project, plus a representative from one community group. Concerns expressed included the loss of the existing structure, and the new buildings impacts to light and air access.
- 5. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Use.** Per Planning Code Section 209.1, one unit per lot is principally permitted in RH-1 Districts.

The Project proposes to demolish the existing three-family residence, subdivide the lot, and construct two new single-family residences with accessory dwelling units, permitted uses for each lot within an RH-1 Zoning District.

- B. **Residential Demolition.** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to demolish a residential unit in a RH-1 Zoning District. This Code Section establishes criteria that the Planning Commission shall consider in the review of applications for Residential Demolition.

The Project proposes the demolition of an existing three-family residential building and therefore requires Conditional Use Authorization. The additional criteria specified under Section 317 have been incorporated as findings in Subsection 8 below.

- 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.

The adjacent property to the west has a front setback of 8 feet 11 inches and the adjacent property to the east has a front setback of 15 feet 2 inches, which results in a required front setback of 12 feet ½ inch for the subject property, based on the average of the adjacent neighbors. The Project proposes a front setback of 15 feet for both of the new buildings.

- D. **Landscaping and Permeability.** Planning Code Section 132(g) requires that for projects involving the construction of a new building, the addition of a new dwelling unit, garage, or additional parking; at least 20% of the required front setback area be and remain unpaved and devoted to plant material, including the use of climate appropriate plant material. Section 132(h) requires that the front setback area be at least 50% permeable so as to increase stormwater infiltration. The permeable surface may be inclusive of the area counted towards the landscaping requirement; provided, however, that turf pavers or similar planted hardscapes shall be counted only toward the permeable surface requirement and not the landscape requirement.

The Project complies with Section 132 and provides the required landscaping permeable areas within the required front setback of each of the new lot..

- E. **Rear Yard.** Planning Code Section 134 requires a rear yard equal to 25 percent of the total depth, at grade and above, for properties containing dwelling units in RH-1 Zoning Districts. The project is located within the Dolores Heights Special Use District which further reduces the required rear yard to 45 percent of lot depth.

Both proposed building provides a rear yard of 51 feet 3 inches, equivalent to 45% of each lot's 114 foot depth, thus, the Project provides a code-compliant rear yard.

- F. **Useable Open Space.** In the RH-1 Zoning District, Planning Code Section 135 requires 300 square feet of useable open space for each dwelling unit if all private open space and of 400 square feet of common usable open space for two dwelling units.

The Project contains two dwelling units on each lot. The lower and upper unit both have access to the 706 square feet of basement level common open space in the rear yard, while the upper units have exclusive access to the 849 square feet of private open space amongst the level 1 roof deck and upper roof decks.

- G. **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 proposed rear patio deck on the western lot does not exceed 3 feet above the existing grade, and the upper unit of each building will receive access to the rear yard via an uncovered circular staircase extending no more than six feet into the required rear yard, which are permitted obstructions per Planning Code Sections 136(c)(14) and 136(c)(24).

- H. **Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street or public alley at least 30 feet in width, a side yard at least 25 feet in width, a rear yard meeting the requirements of the Code or other open area that meets minimum requirements for area and horizontal dimensions.

Each dwelling unit has direct exposure onto both the public street and a Code-compliant rear yard.

- I. **Street Frontages.** Section 144 of the Planning Code requires that no more than one-third of the width of the ground story along the front lot line, or along a street side lot line, or along a building wall that is setback from any such lot line, shall be devoted to entrances to off-street parking, except that in no event shall a lot be limited by this requirement to a single such entrance of less than ten feet in width.

Building 4034A proposes a Code-complying garage door with a width of 8 feet.

- J. **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 space for each dwelling unit.

Building 4034A will provide two (2) off-street parking spaces. No parking is proposed at Building 4034B.

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

The Project proposes two Class 1 bicycle parking spaces with Building 4034A and four Class 1 bicycle parking spaces within Building 4034B.

- L. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 40-X Height and Bulk District, with a 35-foot height limit per the RH-1 District.

Planning Code Section 261(c)(1)(B) limits height to 30 feet at the front setback, then at such setback shall increase at an angle of 45 degrees to a maximum height of 35 feet. Both buildings are Code-compliant with regard to height as they are 30 feet in height above grade at the front walls (which is

behind the front setback), and within a 45% angle reach a height of 35 feet above grade at the tallest point of the sawtooth shaped roofs.

- M. **Residential Child-Care Impact Fee.** Planning Code Section 411 is applicable to any residential development that results in at least one new residential unit.

The Project includes approximately 9,130 gross square feet of newly constructed residential use. This use is subject to Residential Child-Care Impact Fee, as outlined in Planning Code Section 411A. This fee must be paid prior to the issuance of the building permit application.

- N. **Dolores Height Special Use District.** Planning Code Section 241 adopted to preserve and provide for an established area with a unique character and balance of built and natural environment, with public and private view corridors and panoramas, to conserve existing buildings, plant materials and planted spaces, to prevent unreasonable obstruction of view and light by buildings or plant materials, and to encourage development in context and scale with established character and landscape. There are no additional findings required within the SUD, but additional development controls are provided which include a required minimum rear yard of 45% of the lot depth and a building height maximum of 35 feet.

The proposed new buildings provide rear yards equal to 45% of lot depth and do not exceed 35 feet in height, therefore the buildings comply with the additional provisions of the SUD.

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

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

The size of the two proposed three-story-over-basement two-unit buildings are in-keeping with other residential properties in the neighborhood. The property is compliant with the Planning Code and the Residential Design Guidelines and contributes to the mixed visual character of the neighborhood. The Project results in two buildings with a size, shape, and height that is appropriate for the neighborhood context.

Under California Government Code section 66300 (SB-330), if existing units to be demolished were subject to the City's Rent Ordinance, they are considered as protected units and are subject to replacement and relocation requirements specified in section 66300(d). Replacement provisions are dependent upon the income levels of the current or previous tenants. Since Unit 1 has been vacant for over five years, it shall be replaced with a rent-controlled unit. The income levels for the tenants in Units 2 and 3 are above 80% AMI and therefore may be replaced with rent-controlled units. Units 1, 2, and 3 will be replaced with rent-controlled 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 proposed buildings will be similar in size to the existing adjacent buildings. The adjacent westerly property developed with a one-story garage with a partial 2nd floor that is connected to 4042 20th Street, a three-story, two-unit, flat roofed residential building. The adjacent easterly property is a two-story-over-garage single-family home with a shallow pitched-roof located on a double-wide lot. The subject property's front setback is approximately 15 feet and provides a transition between the two buildings. The location of the proposed buildings will allow for a Code-complying rear yards that will contribute to the midblock open space and retain a sense of privacy for adjacent neighbors.

- (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 vehicle parking, however the proposed garage of building 4034A is designed to accommodate the two off-street parking spaces and two Class 1 bicycle parking spaces. No vehicle parking and four Class 1 bicycle parking spaces are proposed at Building 4034B.

- (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 has been provided for both properties, and includes the rear yard, front setback, and front decks. The front setback has been appropriately landscaped.

- 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 Dolores Heights Special Use District, 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 Use District.

The Project is consistent with the stated purposed of RH-1 Zoning District in that it proposes two

Code-compliant single-family residential buildings, each with accessory dwelling units within a residentially-zoned district.

7. Residential Demolition 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 pursuant to Section 317(g)(6):

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

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

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

The existing building appears to be in decent, safe, and sanitary condition with an original construction date circa 1909.

- c) Whether the property is an "historical resource" under CEQA;

Although the existing building is more than 50 years old, a review of supplemental information resulted in a determination that the property is not a historical resource.

- d) Whether the removal of the resource will have a substantial adverse impact under CEQA;

The existing building is not a historical resource and its removal will not have any substantial adverse impacts under CEQA.

- e) Whether the Project converts rental housing to other forms of tenure or occupancy;

Pursuant to a search request with the San Francisco Rent Board and the Sponsor's Dwelling Unit Removal supplemental application, two of the three units have had tenants within the last five years. Unit 1 has not been leased to a tenant for more than 15 years. Unit 2 is currently rented to a tenant and the former tenant of Unit 3 accepted a buy-out, on-file with the Rent Board, and vacated the unit in August of 2020. The existing tenant in Unit 2 has an agreement with the project sponsor to relocate into a newly constructed accessory dwelling unit located two lots to the west at 4042 20th Street (Permit No. 202006128494 issued on 4/17/2021).

The replacement project will provide three of the four units as rent-controlled units, and the net new unit will be owner-occupied.

- f) Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

The Planning Department cannot definitively determine whether the three-family home is subject to the Rent Stabilization and Arbitration Ordinance; this being under the purview of the Rent Board. However, pursuant to SB 330, the Project Sponsor is willing to offer to impose a restriction on the Project such that the three of the new units will be subject to the Rent Stabilization and Arbitration Ordinance.

Under California Government Code Section 66300 (SB-330), if existing units to be demolished were subject to the City's Rent Ordinance, they are considered as protected units and are subject to replacement and relocation requirements specified in Section 66300(d). Replacement provisions are dependent upon the income levels of the current or previous tenants. Since Unit 1 has been vacant for over five years, it shall be replaced with a rent-controlled unit. The income levels for the tenants in Units 2 and 3 are above 80% AMI and can be replaced with rent-controlled units. Therefore, Unit 1, 2 and 3 will be replaced with rent-controlled unit.

- g) Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

Although the Project proposes the demolition of a three-family dwelling, the Project will provide a net gain of one housing unit, an increase in the number of family-sized units, and a gain of six bedrooms in total at the project site. The Project will be consistent with the density and development pattern as it will provide two three-story-over-basement two-unit residential buildings in a neighborhood that is a comprised of two- and three-story one- and two-family dwellings.

- 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 constructing two family-sized dwellings each with accessory dwelling units that are consistent with the Residential Design Guidelines, the Dolores Heights Special Use District and the provisions of the RH-1 Zoning District.

- i) Whether the Project protects the relative affordability of existing housing;

The Project removes three dwelling units, including two studios and a two-bedroom unit from a building constructed in 1909, which is generally considered more affordable than more recently constructed units. However, the Project results in three rent-controlled units and one additional unit of housing that on-balance contribute positively to the relative affordability of 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. However, pursuant to SB 330, three of the newly constructed units will be subject to the Rent Stabilization and Arbitration Ordinance.

- k) Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

The Project represents the redevelopment on a parcel within an established neighborhood at a dwelling unit density consistent with the requirements of the RH-1 Zoning District.

- l) Whether the project increases the number of family-sized units on-site;

The Project proposes opportunities for family-sized housing on-site by constructing three dwelling units that contain three bedrooms.

- 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;

The Project would replace a non-complying building located at the rear of the existing large lot, and will subdivide the lot and provide two new residential buildings on standard 25-foot wide lots. On balance, the overall scale, design, and materials of the proposed building is 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 replace the existing three-family dwelling with two two-unit residential buildings, a net increase in the number of units on the project site.

- p) Whether the Project increases the number of on-site bedrooms.

The existing three-family unit contains two studio units and one two-bedroom units, a total of four bedrooms. The proposed project would provide three 3-bedroom units and one 1-bedroom units, for a total of 10 bedrooms, and net increase of six bedrooms to the site.

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

The Project will maximize the allowed density on-site by providing a single-family home with an accessory dwelling unit on each of the subdivided lots.

- 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 the three-family home is subject to the Rent Stabilization and Arbitration Ordinance; this being under the purview of the Rent Board. However, pursuant to SB 330, the Project Sponsors are willing to impose a restriction on the Project such that three of the newly constructed units will be subject to the Rent Stabilization and Arbitration Ordinance.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

Policy 1.10

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

OBJECTIVE 4

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

Policy 4.1

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

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.

The Project proposes demolition of a sound residential structure containing a non-complying two-story three-family dwelling. However, the Project will provide two new buildings that will contain two dwelling units and thus will result in a net increase of housing, and an increase in 3-bedroom family-sized units. The Project will include bicycle parking, and the subject property is located within close proximity of public transit. The proposed new construction conforms to the Residential Design Guidelines and is appropriate in terms of materials, scale, proportions, and massing for the surrounding 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 mixed character. Furthermore, the proposal maximizes the dwelling unit density for each new lot, while bringing the property into full compliance with the requirements of the Planning Code.

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

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

The project site does not possess any neighborhood-serving retail uses. Existing neighborhood-serving retail uses would not 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.

While the existing three-family dwelling is proposed to be demolished, the Project will provide one net new dwelling unit and in total will provide a variety of unit types with three 3-bedroom units and one 1-bedroom unit. The Project includes building heights and scale compatible with the surrounding neighborhoods and is consistent with the Planning Code and the Dolores Heights Special Use District.

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

The Project does not currently possess any existing affordable housing. Pursuant to Government Code 66300, three of the four proposed units will be subject to rent-control.

- 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. Specifically, the property is located within ¼ mile of the following MUNI lines: 24, 33, 35 and J Train. The Project will provide a total of two off-street automobile spaces which is the principally permitted amount and six Class 1 bicycle spaces.

- 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 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.

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 not have negative impact on existing parks and open space.

- 10.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 11.** The Commission hereby finds that approval of the Conditional Use 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. 2020-009481CUA**, subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated May 15, 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 August 26, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: August 26, 2021

EXHIBIT A

Authorization

This authorization is for a conditional use to allow the demolition of an existing two-story, 2,900 gross-square-foot, three-family dwelling and to construct two new three-story-over-basement one-family dwellings with accessory dwelling units, each to be located on a new lots created through the subdivision of the existing 5,700 square foot (50' x 114') at 4034 20th Street, Block 3601 Lots 016, pursuant to Planning Code Sections 303 and 317 within the RH-1 Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated May 15, 2021, and stamped "EXHIBIT B" included in the docket for Record No. 2020-009481CUA and subject to conditions of approval reviewed and approved by the Commission on August 26, 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 August 26, 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

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 628.652.7314, 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 628.652.7314, www.sfplanning.org

- 8. Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

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

- 9. Landscaping.** Pursuant to Planning Code Section 132, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that 50% of the front setback areas shall be surfaced in permeable materials and further, that 20% of the front setback areas shall be landscaped with approved plant species. The size and specie of plant materials and the nature of the permeable surface shall be as approved by the Department of Public Works.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, www.sfplanning.org

Parking and Traffic

- 10. Bicycle Parking.** The Project shall provide no fewer than two (2) Class 1 bicycle parking spaces for each building 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

- 11. Parking Maximum.** Pursuant to Planning Code Section 151, the Project shall provide no more than three (3) off-street parking spaces at each building.

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

- 12. 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

Provisions

- 13. 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 628.652.7314 www.sfplanning.org

Monitoring - After Entitlement

- 14. 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

- 15. 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

Operation

- 16. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works,

628.271.2000, www.sfpublishworks.org

- 17. 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

- 18. Replacement Units.** As required by California Government Code section 66300(d), three of the four proposed units shall be subject to the City's Rent Ordinance, Administrative Code Chapter 37, and the Project Sponsor shall record a restriction on the property records that these three units shall be subject to the City's Rent Ordinance and shall comply with all applicable provisions of Chapter 37 and California Government Code section 66300(d).

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

- 19. Relocation Payments.** Where relocation benefits are required by state or local law, the amount of relocation payments to be provided shall be the applicable amount as published by the San Francisco Residential Rent Stabilization and Arbitration Board. Current relocation payment requirements and amounts can be found on the Rent Board website: sfrb.org/forms-center.

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

- 20. Right of First Refusal and Right to Remain in Unit.** Where a right of first refusal to a comparable unit in the replacement project is required by State law, the project sponsor shall provide such right to occupants consistent with those requirements. (See California Government Code Section 66300.)

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

No. / Date	Issue And Revision	By
15 MAY 2021		

Prepared By: _____

Project Name _____

Graphic Scale _____
Project Number _____

Sheet Description _____

Ref. North _____

Sheet Number _____

A0.10
All drawings and written material appearing herein constitute original and unpublished work of the designer and may not be duplicated, used or disclosed without written consent of the designer.



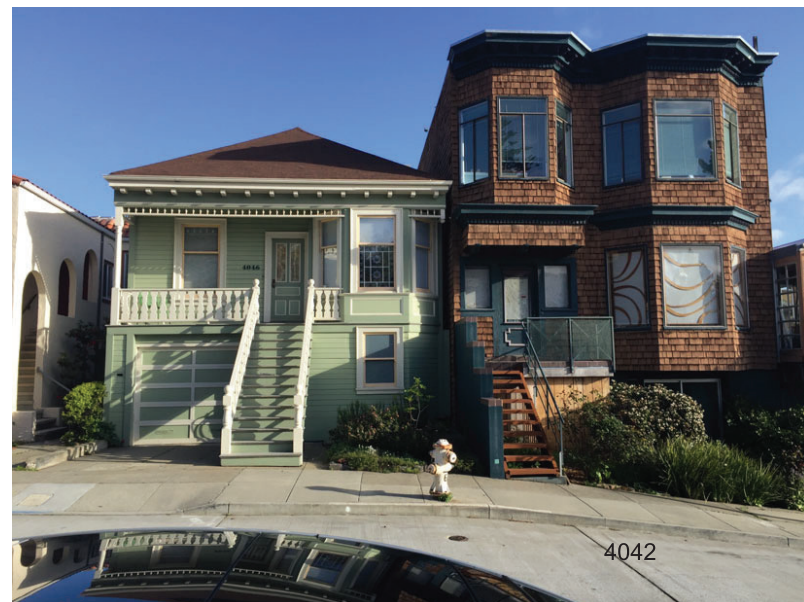
4034-SOUTH-WEST



4034-SOUTH



4034-SOUTH-EAST



NORTH SIDE OF 20TH ST



SOUTH SIDE OF 20TH ST



Prepared By:

Project Name

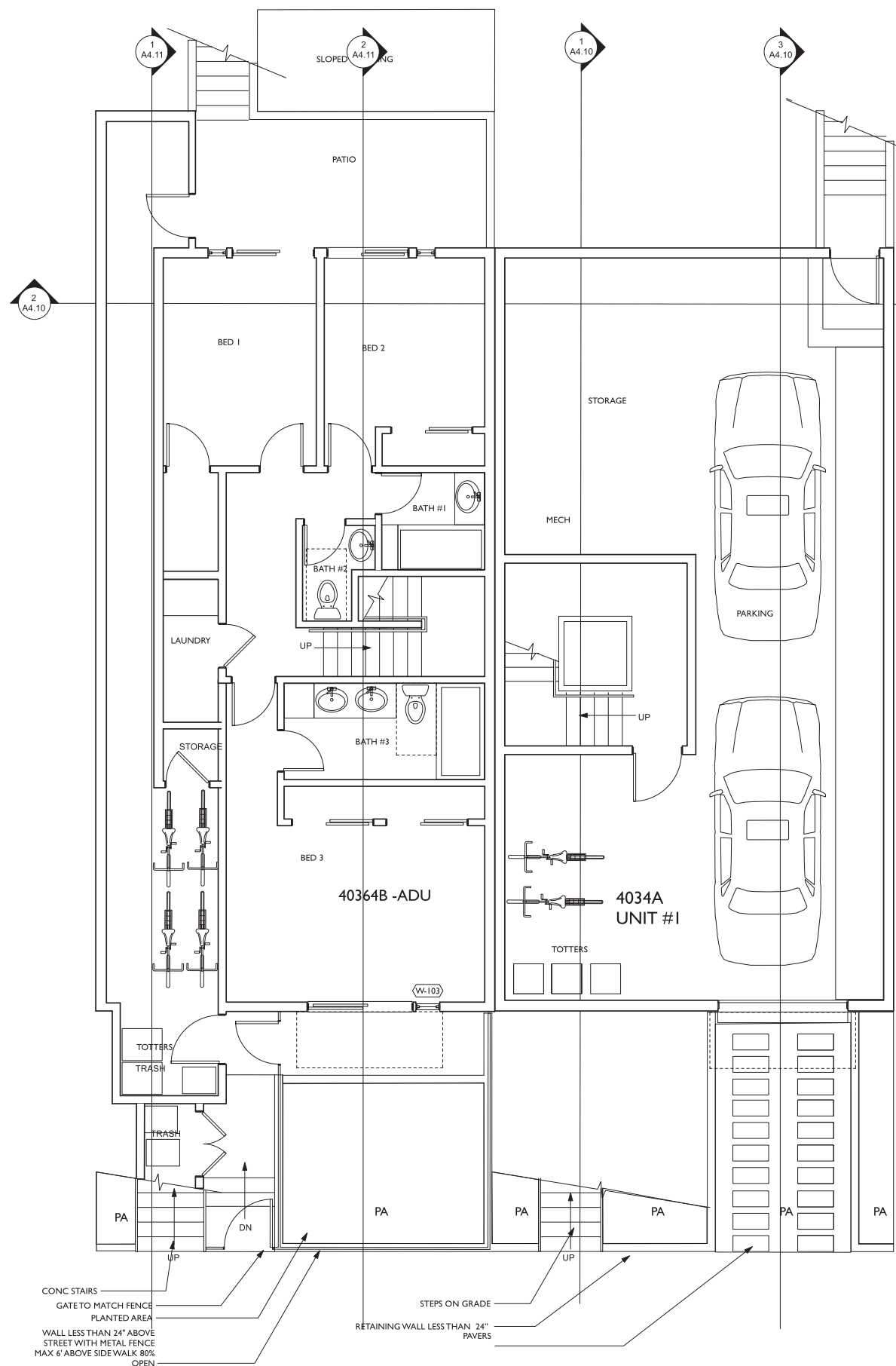
Graphic Scale Project Number

Sheet Description
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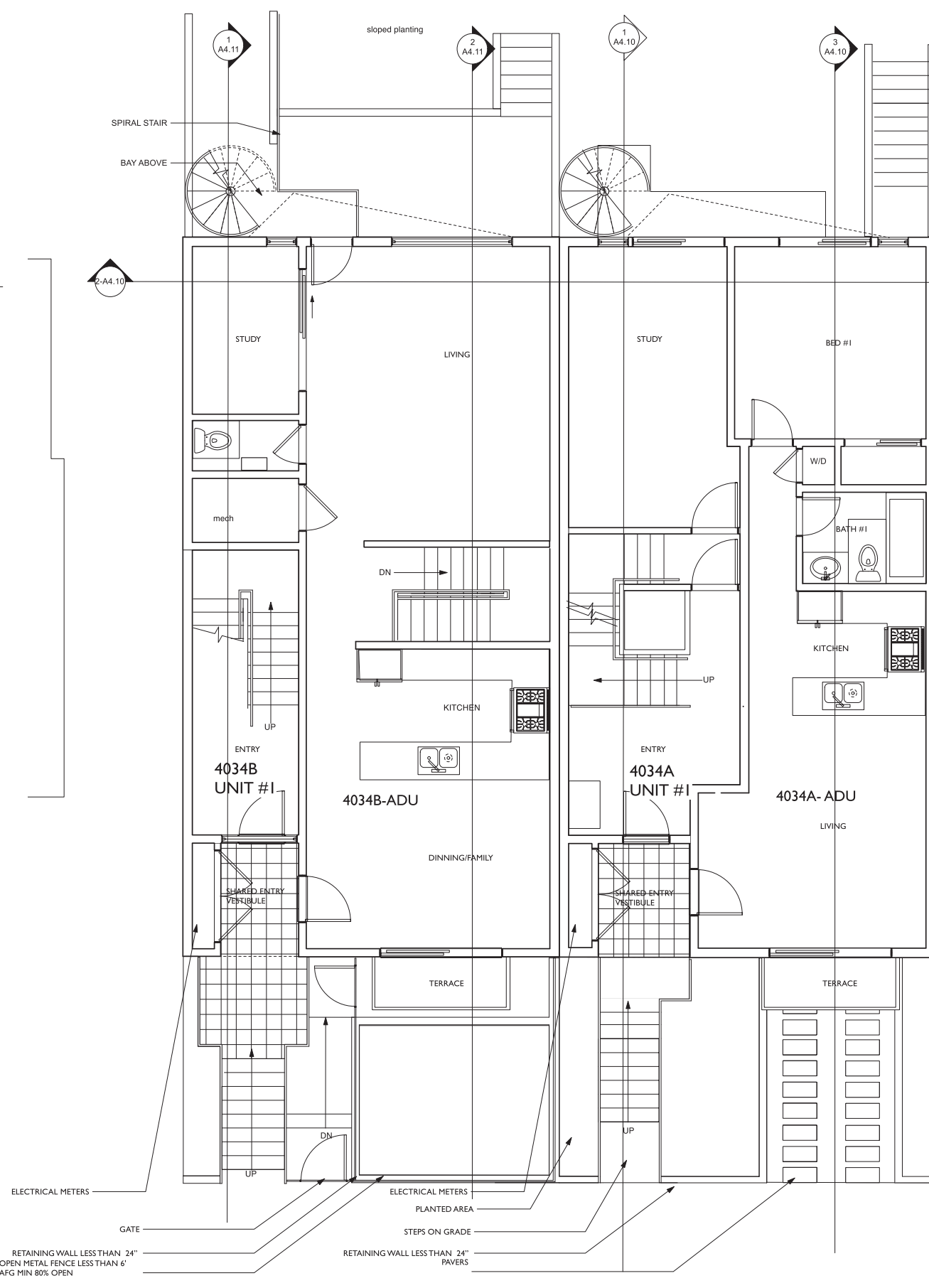
Ref. North Sheet Number

A2.10

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1 BASEMENT LEVEL
1/4"=1'-0"



2 FIRST FLOOR
1/4"=1'-0"

20TH ST

20TH ST

No. / Date	Issue And Revision	By
15 MAY 2021		

Prepared By:

Project Name _____

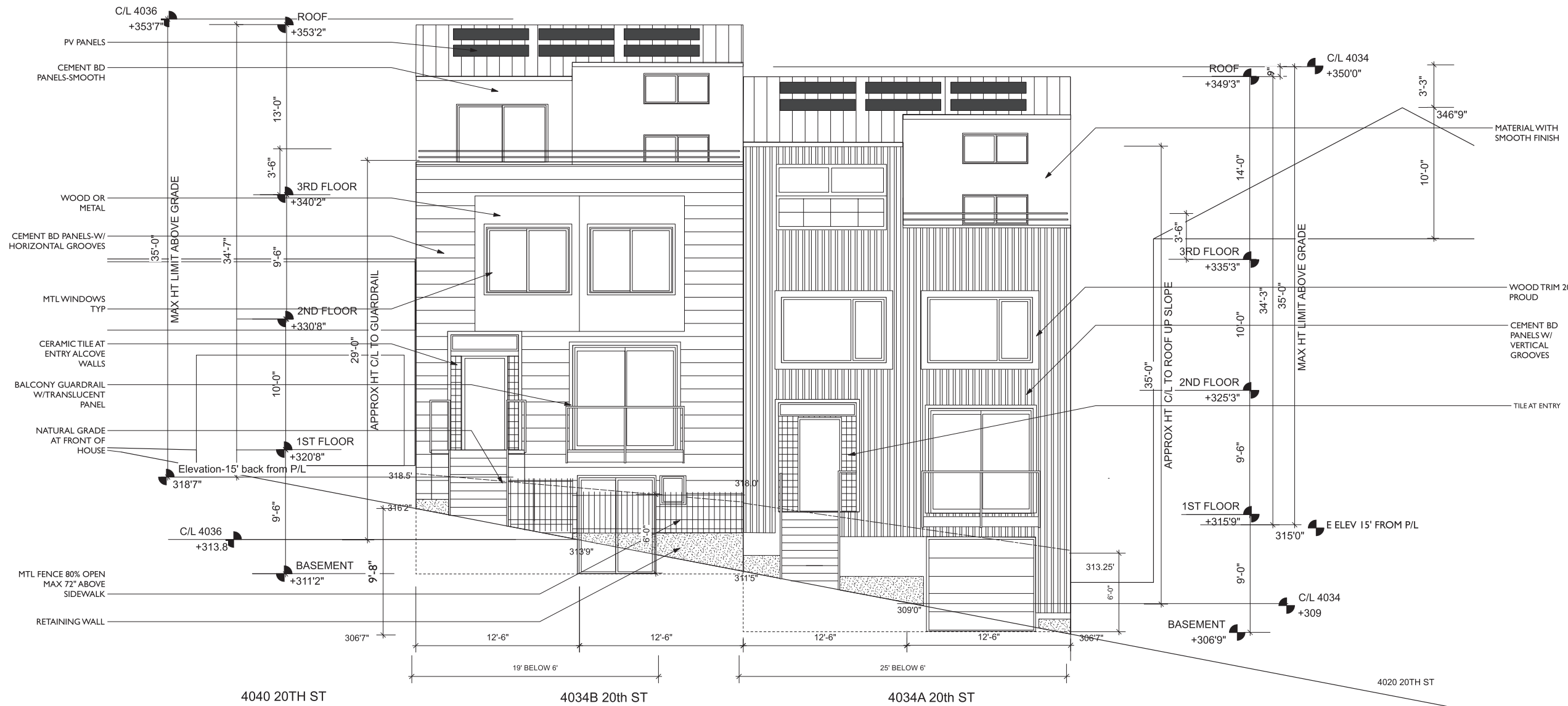
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ELEVATIONS-
-SOUTH & NORTH-

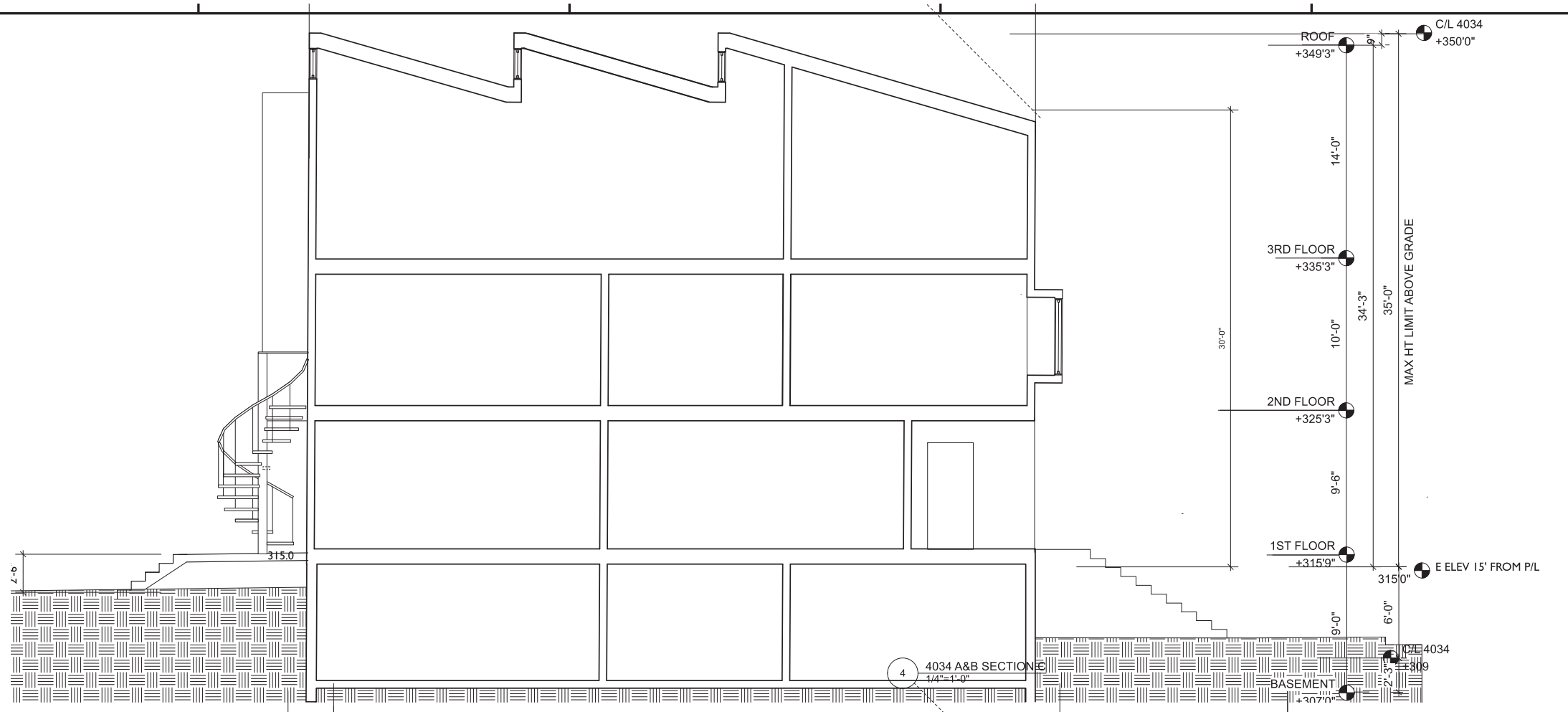
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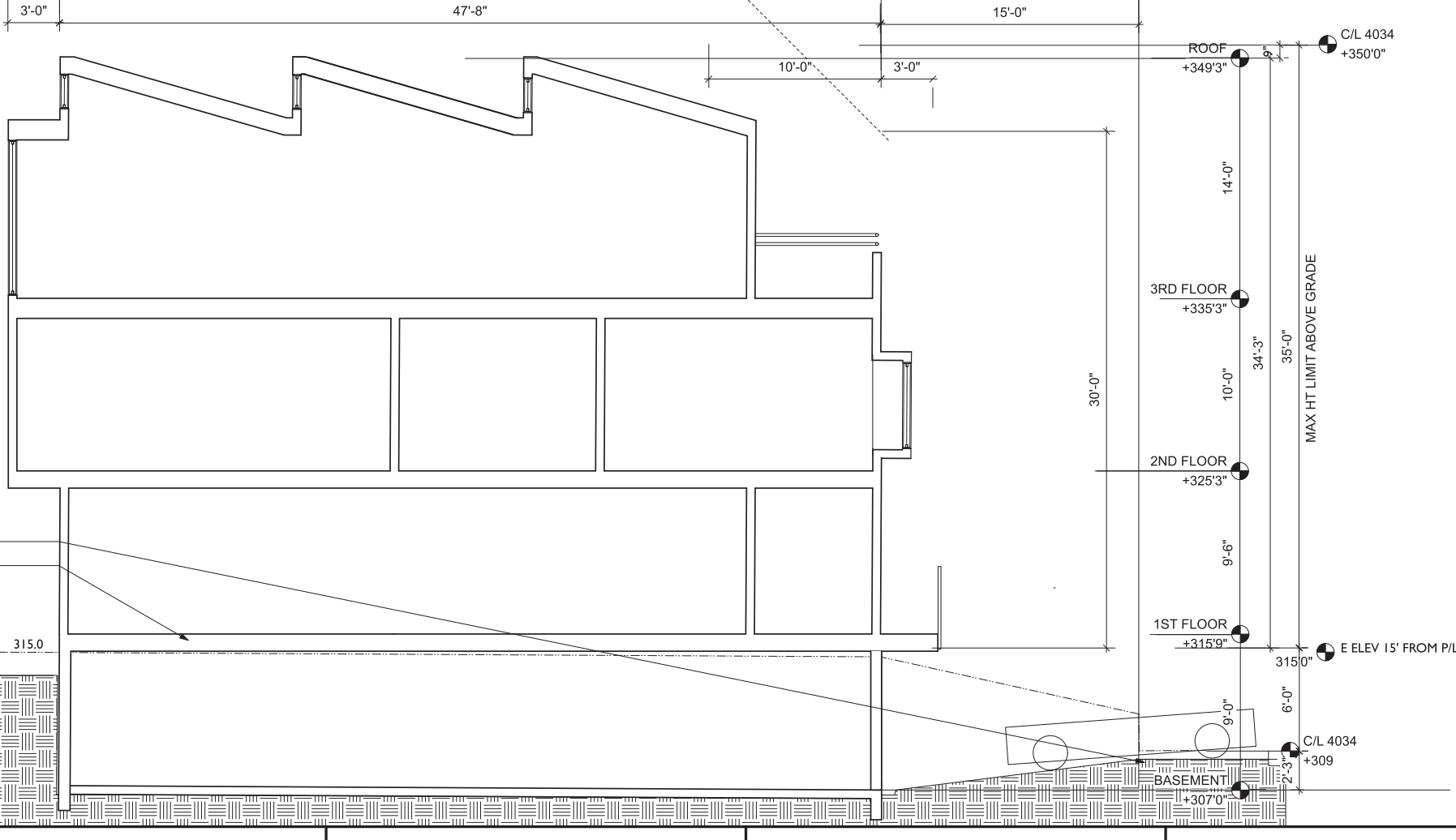
All drawings and written material appearing herein constitute original and unpublished work of the designer and may not be duplicated, used or disclosed without written consent of the designer.



1 NORTH ELEVATIONS
1/4"=1'-0"



2 4034A SECTION A
1/4"=1'-0"



1 4034A SECTION B
1/4"=1'-0"

No. / Date	Issue And Revision	By
15 MAY 2021		

Prepared By:

Project Name

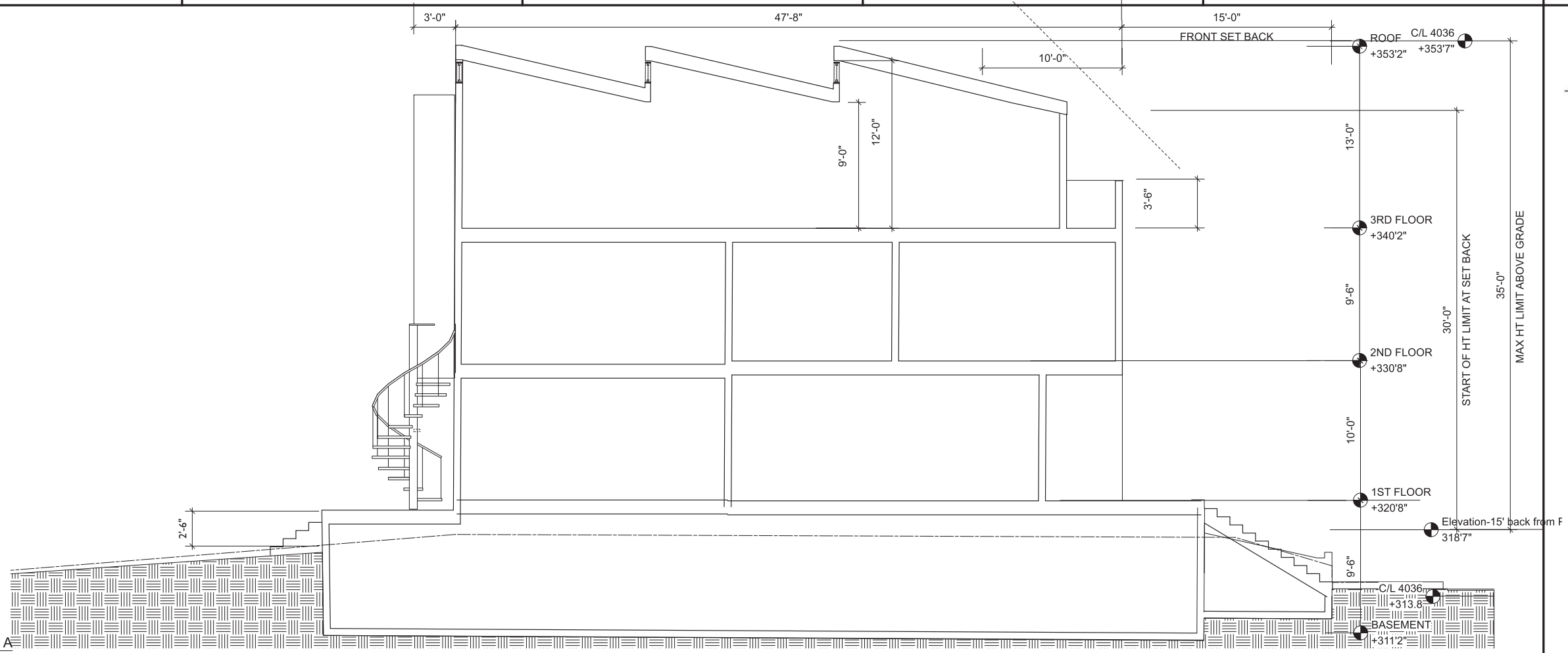
Project Number

Sheet Description
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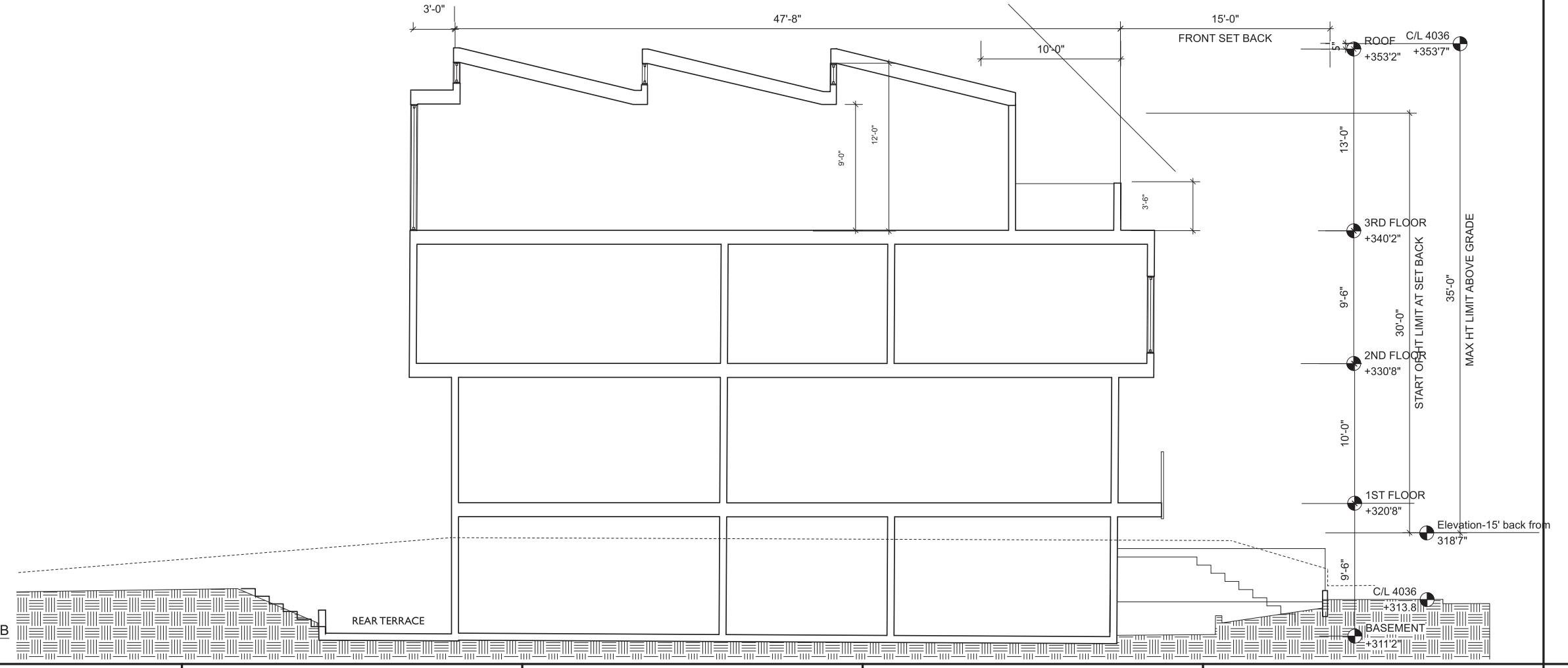
Sheet Number

A4.10
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3 4034B SECTION A
1/4"=1'-0"



1 4034B SECTION B
1/4"=1'-0"



No.	Date	Issue And Revision	By
15	MAY	2021	

Prepared By: _____

Project Name: _____

Graphic Scale: _____

Project Number: _____

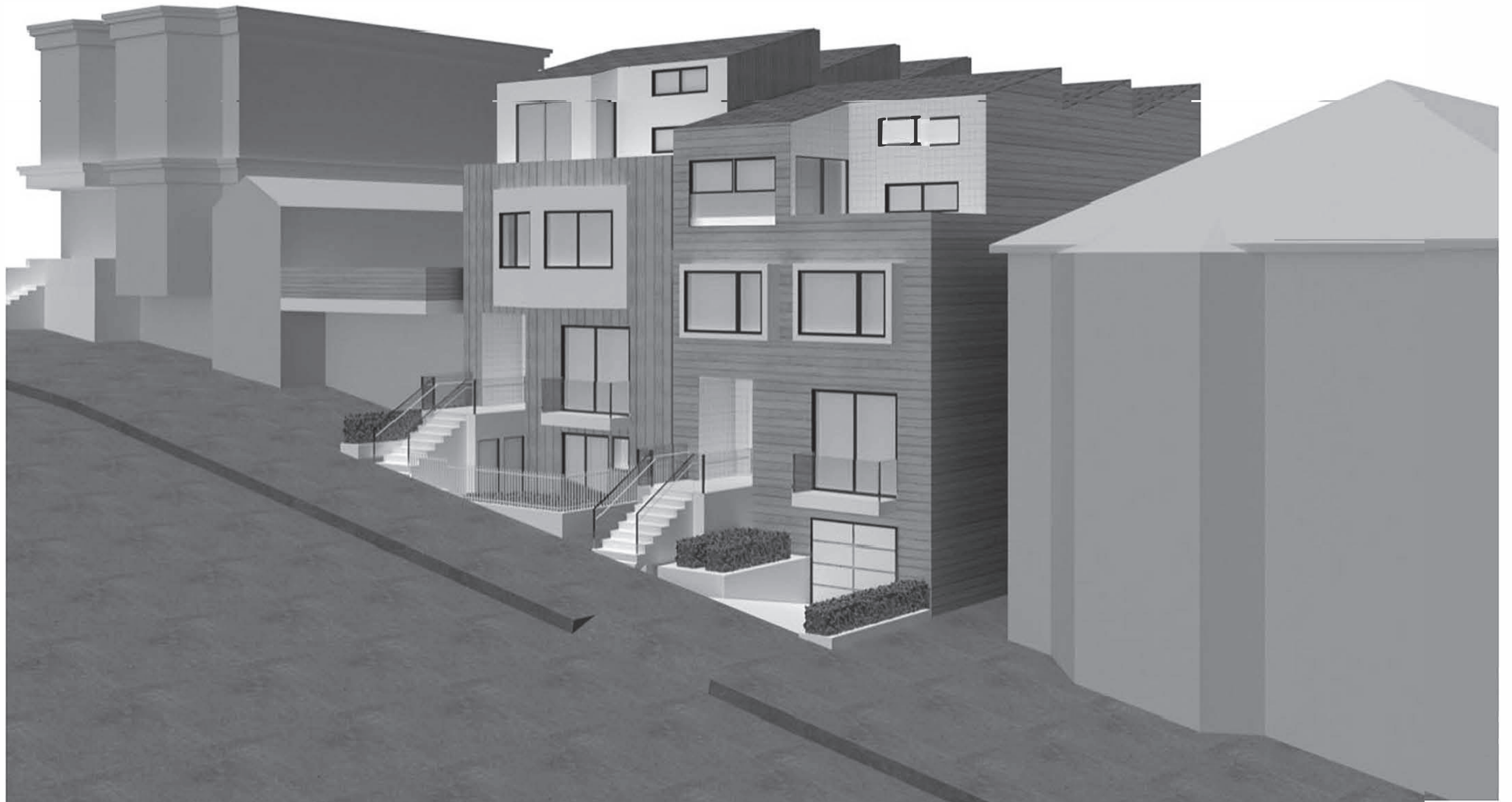
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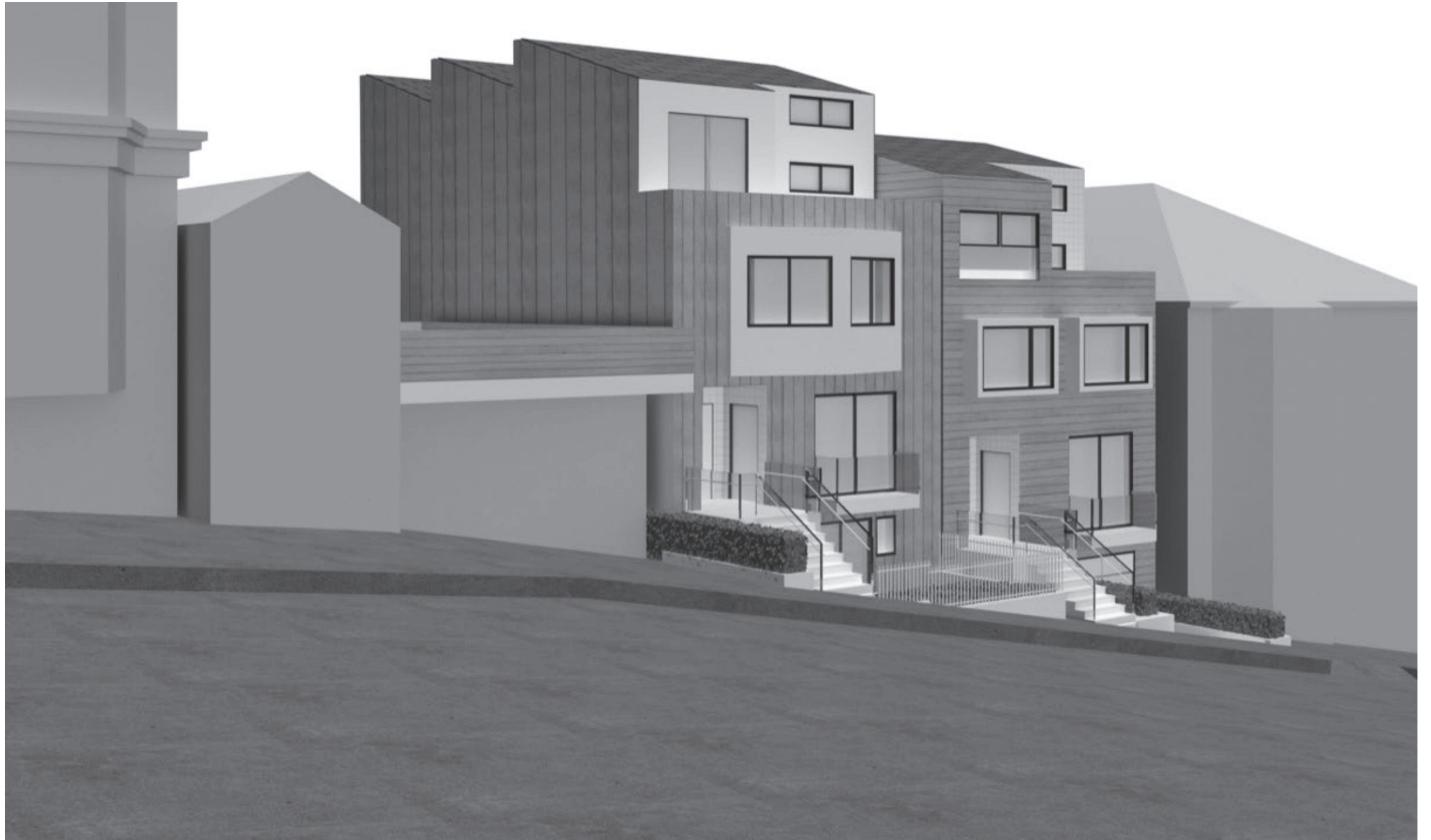
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A4.11

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CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
4034 20th Street		3601016
Case No.		Permit No.
2020-009481ENV		
<input type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input checked="" type="checkbox"/> New Construction
<p>Project description for Planning Department approval. The project proposes to demolish the existing two-story, 3-unit, residential building, perform a lot split, and construct two residential buildings. Each of the residential buildings would be three stories with basement and would contain two residential units with two off-street parking spaces.</p>		

STEP 1: EXEMPTION CLASS

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

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p>Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?</p> <p>Note that a categorical exemption shall not be issued for a project located on the Cortese List if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</p>
<input type="checkbox"/>	<p>Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?</p>
<input checked="" type="checkbox"/>	<p>Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional): Don Lewis</p> <p>Planning department staff archeologist cleared the project with no effects on 12/17/2020.</p>	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to <i>Property Information Map</i>)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input checked="" 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 type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PROJECT PLANNER

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

<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i>
<input type="checkbox"/>	10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation)</i> <input type="checkbox"/> Reclassify to Category A a. Per HRER or PTR dated b. Other <i>(specify)</i> : <input type="checkbox"/> Reclassify to Category C <i>(attach HRER or PTR)</i>
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature:	

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

<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Planning Commission Hearing	Signature: Don Lewis
		12/17/2020
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the approval action.</p> <p>Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</p>		

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.

MODIFIED PROJECT DESCRIPTION

Modified Project Description:

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

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

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

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

- | | |
|--------------------------|---|
| <input type="checkbox"/> | The proposed modification would not result in any of the above changes. |
|--------------------------|---|

If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.

Planner Name:

Date:



HISTORIC RESOURCE ASSESSMENT

Project Address: 4034 20th Street
Record Number: 2020-006350GEN
Date: October 5, 2020
To: Michael Harris
From: Marcelle Boudreaux, Principal Planner, Survey and Designations,
Gretel Gunther, Preservation Planner, Planning Department
CPC.HRA@sfgov.org

The Historic Resource Assessment (HRA) provides preliminary feedback from the Planning Department regarding whether a property is eligible for listing on the National Register of Historic Places (NRHP) and/or California Register of Historical Resources (CRHR) before any development applications are filed. This preliminary assessment provides property owners with information about the eligibility of their property in advance of the Citywide Cultural Resource Survey, which is a multi-year, phased effort, and in advance of preparation and submittal of a project application. This process shall only be undertaken at the request of a property owner, or their authorized agent, and is not required in advance of any future applications with the Department.

The HRA represents a preliminary assessment of the subject property's potential historical significance based on the information available at time of assessment and is not a formal determination pursuant to the California Environmental Quality Act (CEQA). This assessment is subject to change during evaluation of the property and surrounding neighborhood as part of the Citywide Cultural Resources Survey or if new information becomes available during subsequent review of a project application. In some cases, the assessment may be inconclusive pending additional information as part of a formal determination pursuant to CEQA.

Please be advised that the HRA does not constitute an application for development with the Planning Department. This HRA does not represent a complete review of any proposed project, does not grant a project approval of any kind, does not exempt any subsequent project from review under the California Environmental Quality Act (CEQA), and does not supersede any required Planning Department approvals.

You may contact us with any questions you may have about this HRA or the HRA process. Please email to CPC.HRA@sfgov.org.

Site Details

Address:	4034 20 th Street
Block/ Lot(s):	3601/016
Parcel Area:	5,697 sq. ft.
Zoning District(s):	RH-1 (Residential-House, One Family) Dolores Heights Special Use District
Height/ Bulk District(s):	40-X
Plan Area:	None
Current Historic Resource Status:	Category B
Previous Survey(s):	None

Property Description/History

Date of Construction:	ca. 1899-1914
Location on lot:	Rear
Number of Structures on Lot:	1
Architect/ Builder:	unknown
Architectural Style:	Vernacular, Mission Revival
Building Description:	<p>The building at 4034 20th Street is a detached, two-story residence located at the rear of a double-wide lot. The subject building is not visible from the public right-of-way due to extensive vegetation. The building exhibits some characteristics of the Mission Revival style but is primarily vernacular in its architectural expression. Limited Mission Revival characteristics on the subject building include a simplified Mission-style parapet, stucco cladding, overhanging eaves, coping, and a faux arch entryway. The primary façade is arranged into two bays and clad in stucco. On the front façade there is a total of four sets of three side-by-side-by-side double-hung, divided-light wood windows with ogee lugs. On the front of the building there is also a decorative wood pent roof, supported by wood eaves, clad in metal and red asphalt shingles. Decorative features on the building include a single ornamental crest at the center of the façade. Within the primary entry vestibule, capped by a stucco arch, are three divided light wood doors, one for each of the three units. The eastern and northern façades are both clad in horizontal wood siding, while the western façade is clad in wood shingles. The fenestration and wood window framing appears original on the front and side facades, though many of the original wood windows have been replaced with aluminum systems, particularly on the side facades.</p> <p>The building has undergone permitted alteration since the 1950s. Building permit records show that in 1956 the subject property weathered a significant windstorm which required a new roof, plastering, hardwood floors, and painting. In 1967, building permit records indicate a room at the rear had its roof removed to create a new deck. Most recently, in 1979, there was a permit to replace broken sheet rock and repair dry rot damage. Under the same permit, new shingles and replacement windows were installed.</p>
Notable Owners/Residents	Records show that none of the property owners or occupants of the building are important to the local, state or national history.

Surrounding Neighborhood Context and Description

Subject Property architectural style is consistent with immediately surrounding properties	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The subject property is vernacular in style and exhibits limited characteristics of the Mission Revival style. It is not architecturally consistent with the immediately surrounding properties, which differ in style.
Subject Property is part of an architecturally cohesive block face	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The surrounding block is not architecturally cohesive and includes single-family buildings constructed at varying times.
Subject Block has consistent dates of construction	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Though the properties immediately neighboring the subject property were constructed around the same time as the subject property, the rest of the properties on the subject block were constructed anywhere from 1885 to 2012.
Subject Block has extensive modification	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Many of the buildings on the subject block, including those of an older vintage, have had extensive modification, including the addition of garages, window replacement, and general façade alteration.

Historic Resource Assessment

Individual	Historic District/ Context
<p>Appears individually eligible for inclusion on National and/or California Register under one or more of the following Criteria:</p> <p>Criterion A/1- Events: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion B/2- Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion C/3- Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion D/4- Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Potential Period of Significance: _____</p>	<p>Appears eligible for inclusion in a National and/or California Register eligible Historic District under one or more of the following Criteria:</p> <p>Criterion A/1- Events: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion B/2- Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion C/3- Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Criterion D/4- Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Potential Period of Significance: _____</p> <p><input type="checkbox"/> Contributor <input type="checkbox"/> Non-Contributor</p>
Historic Resource Assessment	Category C (No Historic Resource)

Appears Ineligible

According to the information provided by the applicant and accessed by the Planning Department, the subject property does not appear eligible for individual listing in the NRHP or CRHR under any Criterion.

4034 20th Street is located in the Dolores Heights neighborhood. The neighborhood developed primarily between ca. 1880 - 1915 (Sanborn Maps) and was nearly built out by 1938 (1938 aerial photos). The area of Dolores Heights in which the subject block is located, roughly bounded by Noe, Church, 19th and 21st Streets, developed slightly later, after 1900, and more slowly than other areas of Dolores Heights (Sanborn Maps). This pattern is most likely attributed to the area's steep and rugged topography. Flatter areas of Dolores Heights bordering neighboring Noe and Eureka Valleys, including west of Noe Street, north of 19th Street, and south of 21st Street, followed a similar timeframe and pattern of development as Noe and Eureka Valleys. By 1950, the subject block was almost entirely built out, with only a couple of vacant lots remaining (Sanborn Maps). From the 1970s through the late 1990s, several of the buildings on the subject and opposite block were demolished and replaced with new buildings. Additionally, the remaining vacant lots were infilled with new, large single-family homes.

The subject property first appears on the 1914 Sanborn Map as a single dwelling at the rear of the subject lot as 4034-4044 20th Street. The subject property was not an especially early dwelling on the block and does not appear to have been integral to the development of the Dolores Heights neighborhood. The subject property was built at some point between 1899 and 1914, based on Sanborn Maps. According to the San Francisco City Assessor's data, the property was built in 1910, but this date could not be confirmed through other data sources. The subject property possesses limited characteristics of the Mission Revival style of architecture but is eclectic in style overall. It does not possess characteristics elevating it to the best or highest example of Mission Revival architecture. A builder or architect for the building has not been identified. No known owners or occupants of the property appear to be associated with any historic events. There is no evidence at this time to suggest that the subject building and property at 4034 20th Street are eligible for individual listing on the NRHP or the CRHR.

Based on historic Sanborn and Assessor Maps, the area of Dolores Heights in which the subject block is located is distinct from other areas of Dolores Heights not only due to its geography and later period of development, but also due to its pattern of large and double-wide lots. Large lot sizes guided the development of the subject and surrounding blocks over time, leading to a distinct pattern of large, detached buildings with significant front setbacks. Further, this pattern has been reinforced through the Dolores Heights Special Use District, which seeks to "encourage development in context and scale with established character and landscape."¹ While this pattern is consistent throughout the subject and surrounding blocks, the buildings themselves were constructed over a protracted period of time, and do not represent any distinct period of development or architectural style. The surrounding blocks were initially developed ca. 1900 – 1950 with single-family dwellings, some of which have since been replaced with contemporary construction, including several properties on the subject block face. In 2009, the Department determined a property at 4021 20th Street a contributor to a potential historic district². Although no boundaries were identified, the potential district focuses on late 19th-century Victorian styles. Further analysis on that district is beyond the scope of this assessment, however, and the subject property would not be a contributor to that potential district due to its general date of construction, architectural style and siting.

¹ San Francisco Planning Code Section 241 - Dolores Heights Special Use District.

² 4021 20th Street Historic Resource Evaluation Response (HRER) ([2008.1230E](#)). San Francisco Planning Department. 2009.

What Does This Mean

The assessment of the property provided herein will be reflected on the Department's Property Information Map and shall be referenced by Department staff during review of any subsequent project application. If the subject property appears eligible individually or is located within a historic district that appears eligible, then the property will be assumed to be a historic resource for purposes of Department review of project applications. If the subject property does not appear eligible individually and is not located within a historic district that appears eligible, then it would not be considered a historic resource. This preliminary assessment is subject to change during evaluation of the property and surrounding neighborhood as part of the Citywide Cultural Resources Survey or if new information becomes available during subsequent review of a project application.

Photograph



4034 20th Street
CC: Michael Harris



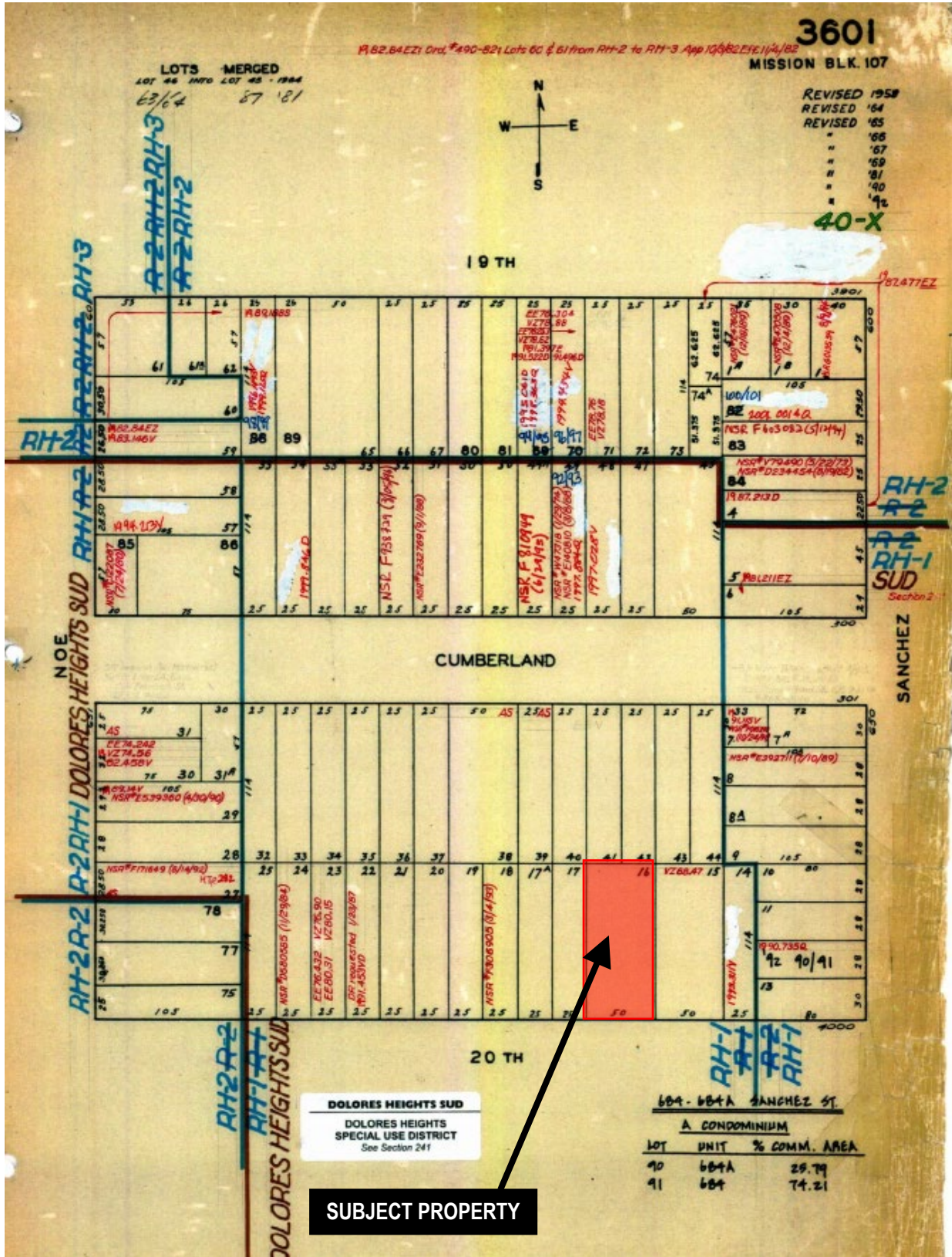
LAND USE INFORMATION

PROJECT ADDRESS: 4034 20TH STREET
RECORD NO.: 2020-009481CUA

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF			
Residential GSF	2,900	9,130	6,230
Retail/Commercial GSF			
Office GSF			
Industrial/PDR GSF <i>Production, Distribution, & Repair</i>			
Medical GSF			
Visitor GSF			
CIE GSF			
Usable Open Space			
Public Open Space			
Other ()			
TOTAL GSF	2,900	9,130	6,230
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable			
Dwelling Units - Market Rate	3 (rent-controlled)	4 (3 rent-controlled)	1
Dwelling Units - Total	3	4	1
Hotel Rooms			
Number of Buildings	1	2	1
Number of Stories	2	3 over basement	1
Parking Spaces	0	2	2
Loading Spaces			
Bicycle Spaces	0	6	6
Car Share Spaces			
Other ()			

	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	2	0	-2
One Bedroom Units	0	1	1
Two Bedroom Units	1	0	-1
Three Bedroom (or +) Units	0	3	3
Group Housing - Rooms			
Group Housing - Beds			
SRO Units			
Micro Units			
Accessory Dwelling Units		2 (included above)	2 (included above)

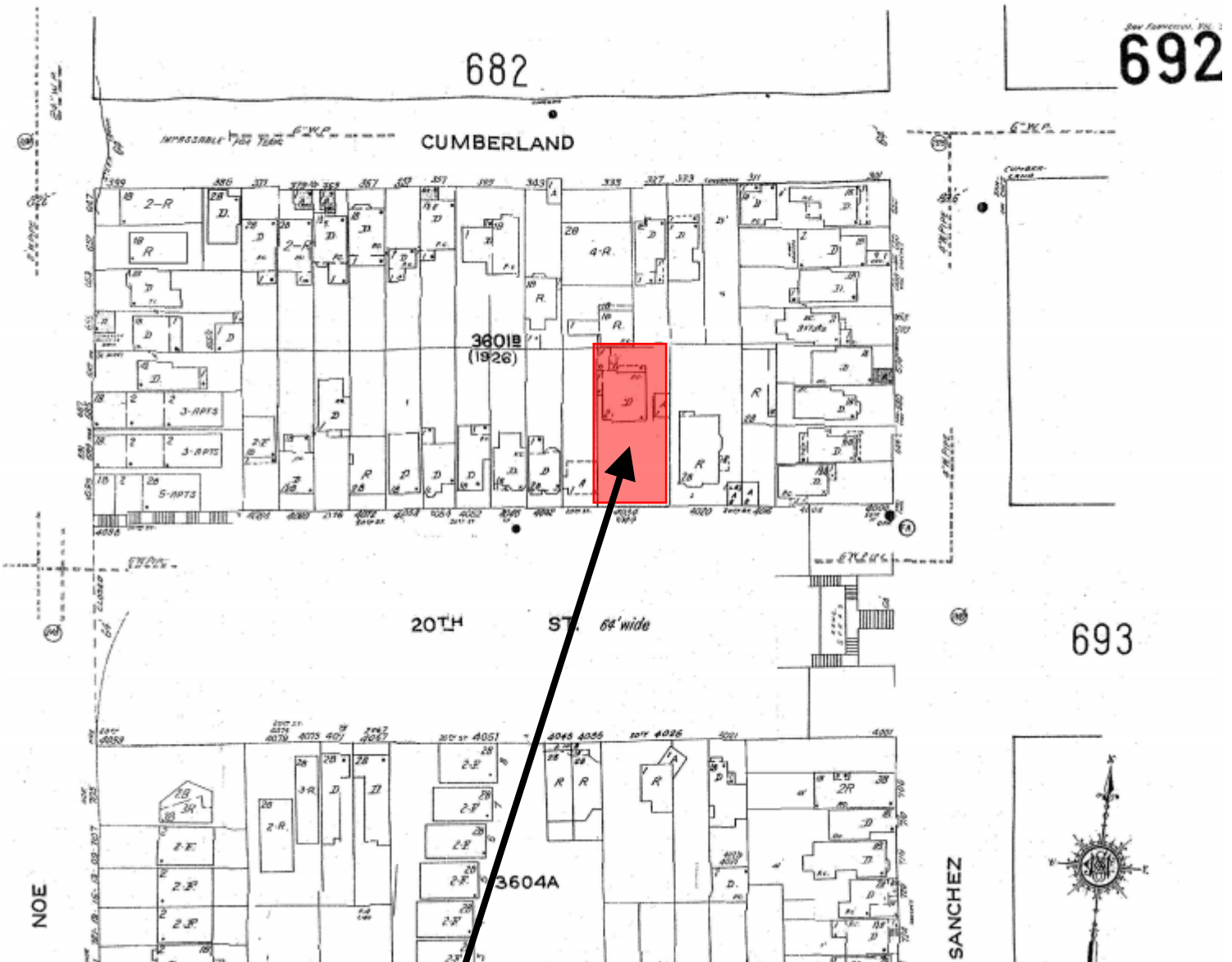
Parcel Map



Conditional Use Authorization
 Case Number 2020-009481CUA
 Residential Demolition
 4034 20th Street

Sanborn Map*

THESE SANBORN MAPS ARE DATED TO THE MID 1990 S
USE ONLY FOR HISTORICAL CONTEXT



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

SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2020-009481CUA
Residential Demolition
4034 20th Street

Aerial Photo – View 1



SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2020-009481CUA
Residential Demolition
4034 20th Street

Aerial Photo – View 2



SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2020-009481CUA
Residential Demolition
4034 20th Street

Aerial Photo – View 3

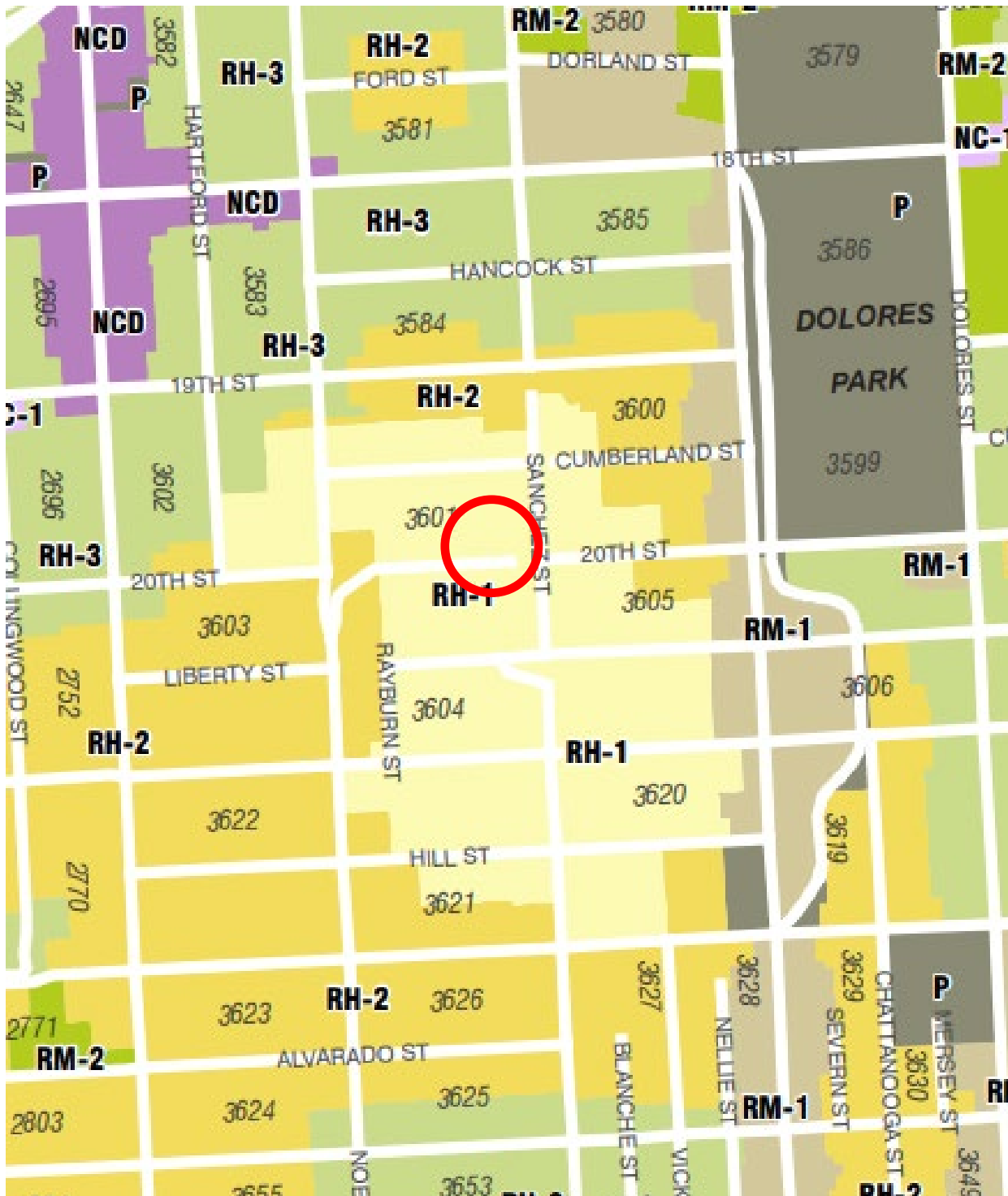


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2020-009481CUA
Residential Demolition
4034 20th Street

Zoning Map



Conditional Use Authorization
Case Number 2020-009481CUA
Residential Demolition
4034 20th Street

Site Photo



Conditional Use Authorization
Case Number 2020-009481CUA
Residential Demolition
4034 20th Street

Site Photo



Conditional Use Authorization
Case Number 2020-009481CUA
Residential Demolition
4034 20th Street

Site Photo



Conditional Use Authorization
Case Number 2020-009481CUA
Residential Demolition
4034 20th Street

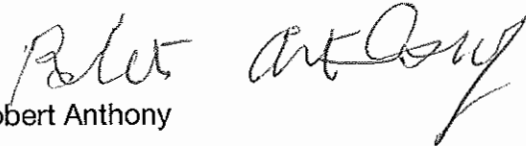
June 5, 2021

RE 4034 20th St, San Francisco CA 94114
#2020-009481EEC / 2020-009481CUA

To whom it may concern,

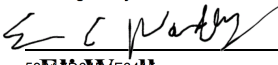
I am an existing tenant at 4034 20th St, and I am in contract to be the future tenant of a new ADU located at 4042 20th St (202006128494) which has the same owner. I do not oppose the approval of this project and I am, in fact in support of it. The new ADU will improve my use and enjoyment of housing because unlike my current housing this will not require stairs to access, and it will have features like grab bars in the bathroom.

Very truly yours.


Robert Anthony

-- Attachment D --

I, Eli Wadley, write this letter to express my approval for the project located at 4034 20th Street, San Francisco, CA 94114 (“the Property”). I am a former tenant at the property, and specifically at 4034 20th Street, lower right unit (“the Premises”). I voluntarily vacated the Premises pursuant to a Buyout Agreement. I was advised by counsel in the negotiations of the Buyout Agreement, and I understand that it complied in full with the Buyout Ordinance (San Francisco Rent Ordinance, §37.9E).

DocuSigned by:

53A1061456
Eli Wadley