

# **DISCRETIONARY REVIEW ANALYSIS**

**HEARING DATE: March 25, 2021** 

Record No.: 2020-010532DRP
Project Address: 1801 Mission Street
Permit Applications: 202010307806

**Zoning:** UMU (Urban Mixed-Use) Zoning District

68-X Height and Bulk District

**Block/Lot:** 3548 / 039

**Project Sponsor:** Stephen Antonaros

2261 Market Street #324 San Francisco, CA 94114

Staff Contact: Richard Sucre – (628) 652-7364

richard.sucre@sfgov.org

**Recommendation:** Do Not Take DR and Approve

## **Project Description**

The Project includes establishment of a limited restaurant use (coffee shop; dba. Creamery Coffee Shop) on the ground floor of a vacant commercial space measuring approximately 1,763 square feet within a newly-constructed seven-story residential building.

## **Site Description and Present Use**

The project site is a corner lot at the southeast intersection of 14<sup>th</sup> Street and Mission Street, which measures 45-ft by 80-ft (or 3,600 square feet (sq ft)). In September 2020, a newly-constructed seven-story with 17 dwelling units and a ground floor commercial space was completed. There are no historic resources on the project site.

## **Surrounding Properties and Neighborhood**

The surrounding properties and adjacent neighborhood is mixed in character. The project site is directly across from the Armory, which is a City Landmark. Adjacent to the subject property on Mission Street is a three-story residential apartment building, which was recently renovated. Adjacent to the subject property on 14<sup>th</sup> Street is a four-story apartment building.

## **Building Permit Notification**

Туре	Required Period	Notification Dates	DR File Date	DR Hearing Date	Filing to Hearing Date
311 Notice	30 days	December 15, 2020 – January 14, 2021	January 14, 2021	March 25, 2021	71 days

## **Hearing Notification**

Type	Required Period	Required Notice Date	Actual Notice Date	Actual Period
Posted Notice	20 days	March 5, 2021	March 5, 2021	20 days
Mailed Notice	20 days	March 5, 2021	March 5, 2021	20 days
Online Notice	20 days	March 5, 2021	March 5, 2021	20 days

### **Public Comment**

	Support	Opposed	No Position
Adjacent neighbor(s)	0	0	0
Other neighbors on the block or directly across the street	0	0	0
Neighborhood groups	0	0	0

#### **Environmental Review**

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15303 (Class 3 – New Construction. Up to three new single-family residences or six dwelling units in one building.

## **DR Requestors**

#### **DR Requestor:**

Ben Terrall, on behalf of the Cultural Action Network, a neighborhood organization



## **DR Requestor's Concerns and Proposed Alternatives**

#### **DR Requestor:**

Is concerned that the Project:

- 1. Provides competition to existing "mom and pop" restaurants and cafes in the local vicinity.
- 2. Contributes to gentrification, which leads to high rents combined with economic pressures due to COVID.
- 3. Is antithetical to the goals of the Mission Area Plan.

#### **Proposed Alternatives:**

1. The Project Sponsor should meet with community-serving organizations and work together to find a use for the space that would meet the needs of the surrounding working class population.

See Attached - Discretionary Review Application, dated January 14, 2021.

## **Project Sponsor's Response to DR Application**

The Department has not received a response to the DR Application from the Project Sponsor.

## **Department Review**

Planning Code Section 843 principally permits new limited restaurants (retail use) on the ground floor in the UMU Zoning District. The proposed coffee shop falls within the Planning Code definition of a limited restaurant, which is defined as:

A Retail Sales and Service Use that serves ready-to-eat foods and/or drinks to customers for consumption on or off the premises, that may or may not have seating. It may include wholesaling, manufacturing, or processing of foods, goods, or commodities on the premises as an Accessory Use as set forth in Sections 204.3 or 703(d), 803.2(d), 803.3(b)(1)(C) and 825(c)(1)(C) depending on the zoning district in which it is located. It includes, but is not limited to, foods provided by sandwich shops, coffee houses, pizzerias, ice cream shops, bakeries, delicatessens, and confectioneries meeting the above characteristics, but is distinct from a Specialty Grocery, Restaurant, and Bar. Within the North Beach SUD, it is also distinct from Specialty Food Manufacturing, as defined in Section 780.3(b). It shall not provide on-site beer and/or wine sales for consumption on the premises, but may sell beer and/or wine for consumption off the premises with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine), if all areas devoted to the display and sale of alcoholic beverages occupy less than 15% of the Occupied Floor Area of the establishment. Such businesses shall operate with the specified conditions in Section 202.2(a)(1).

The current zoning controls do not prohibit new limited restaurant uses on the project site.

**Recommendation:** Do Not Take DR and Approve



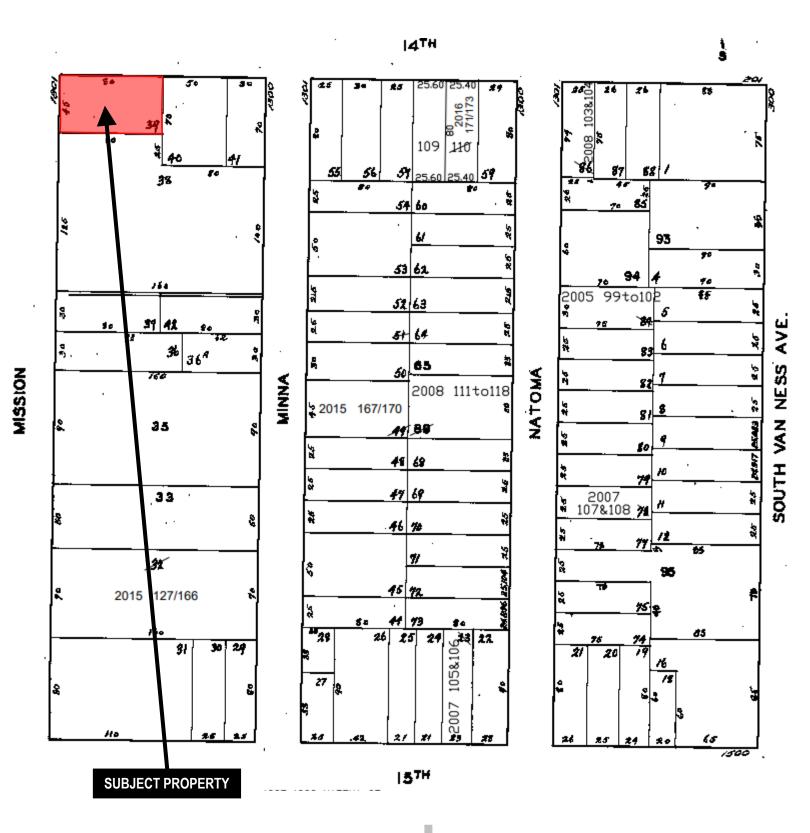
### **Attachments:**

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
CEQA Determination
DR Applications
Project Application
Reduced Plans – 311 Only
Reduced Plans – New Construction



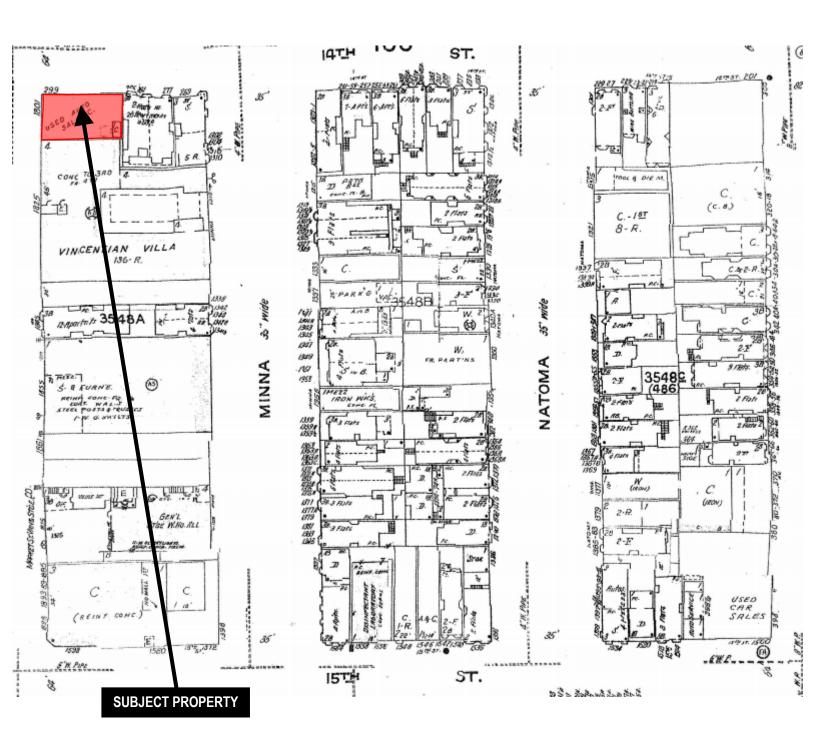
# **Exhibits**

# **Parcel Map**





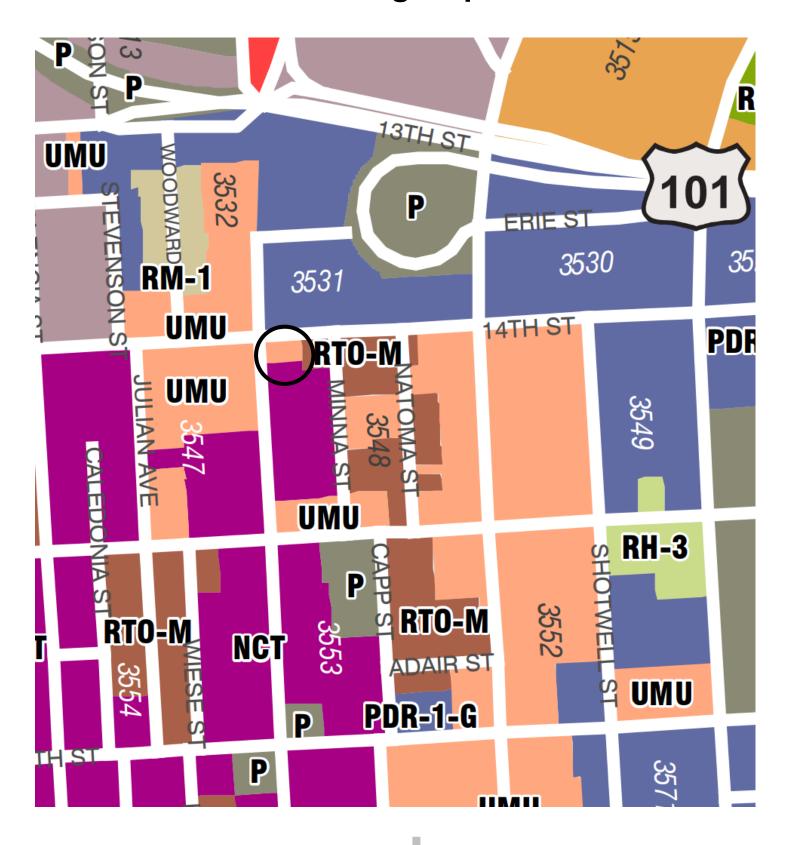
# Sanborn Map\*



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



# **Zoning Map**

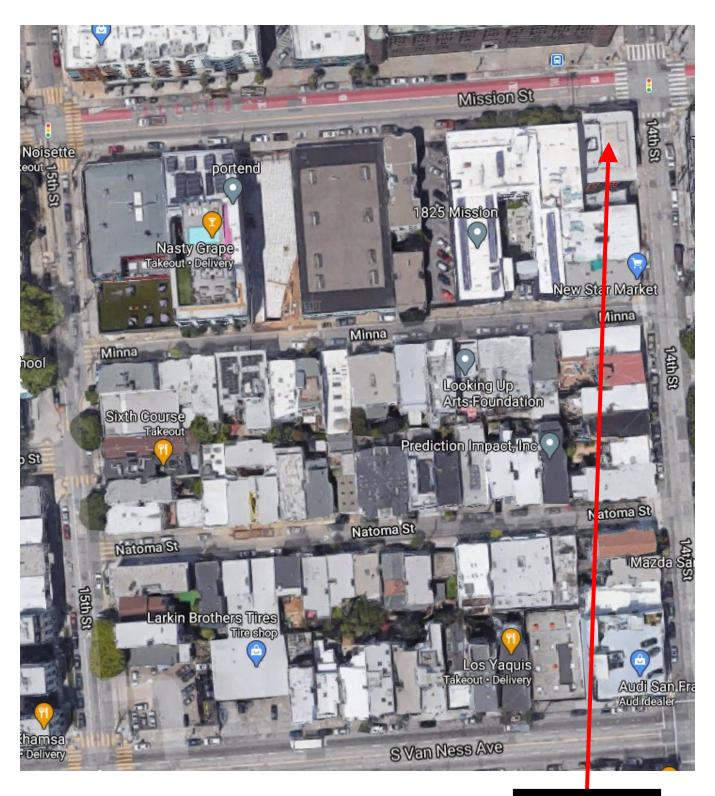






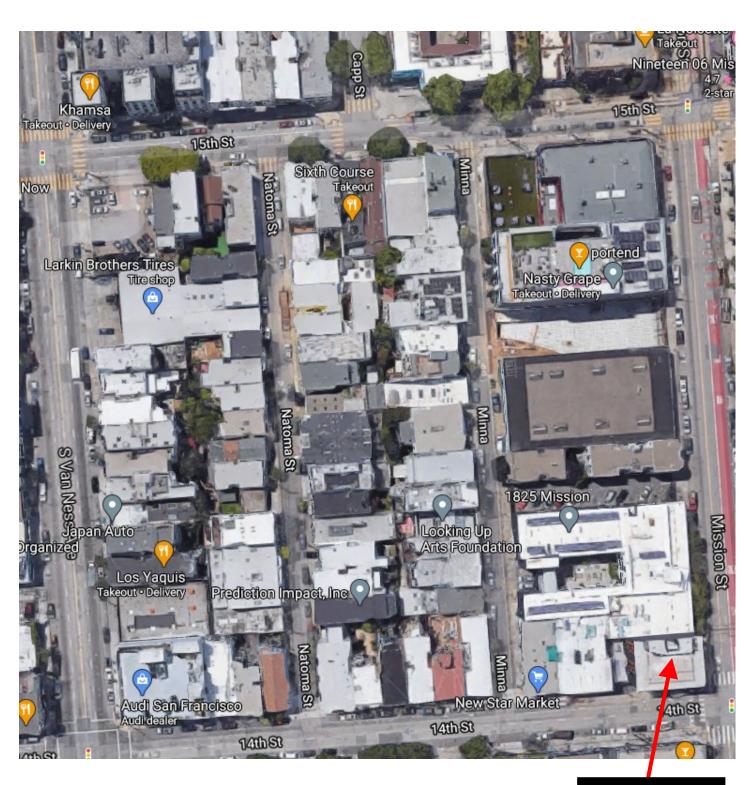
**SUBJECT PROPERTY** 





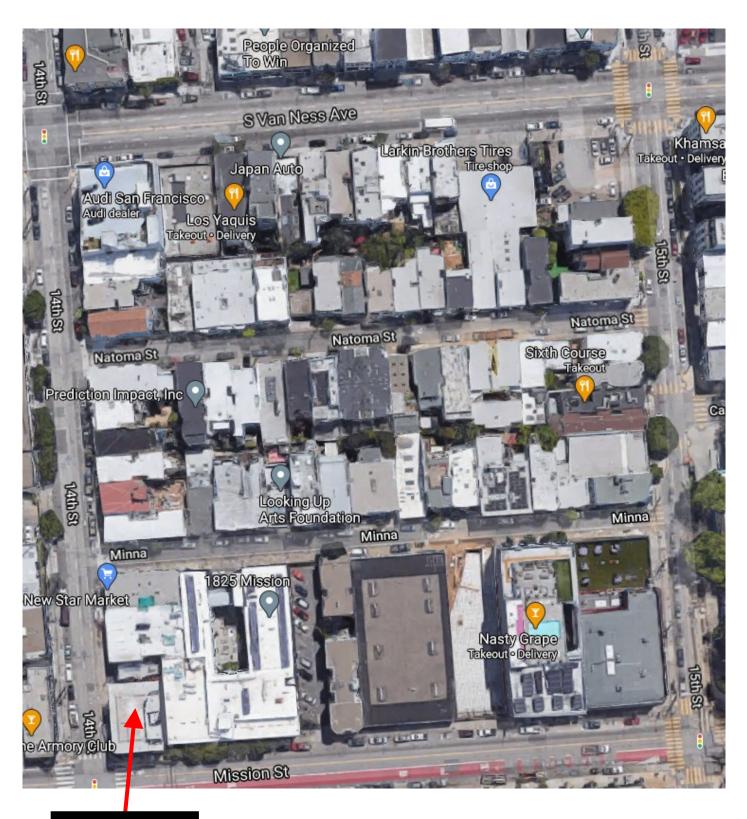
**SUBJECT PROPERTY** 





**SUBJECT PROPERTY** 

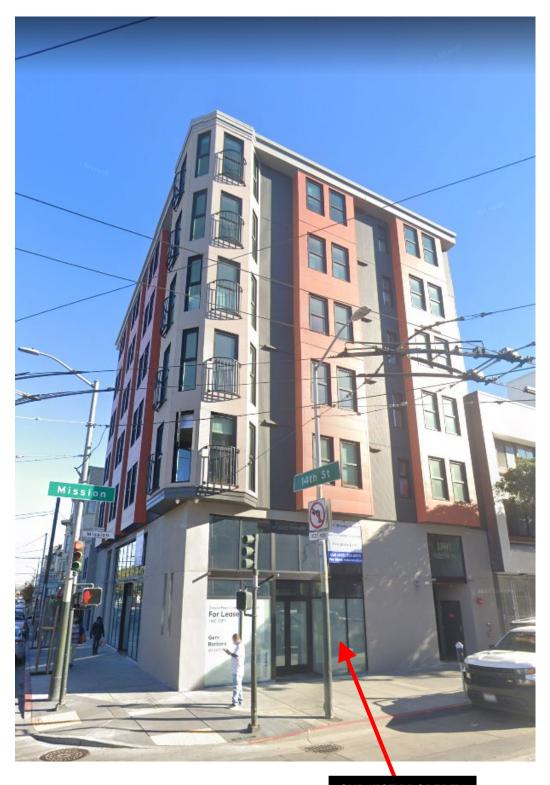




SUBJECT PROPERTY



# **Site Photo**



SUBJECT PROPERTY

49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103 628.652.7600 www.sfplanning.org

# NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **October 30, 2020**, Building Permit Application No. 2020.10.30.7806 was filed for work at the Project Address

Notice Date: 12/15/20 Expiration Date: 1/14/21

#### **PROJECT INFORMATION**

Project Address: 1801 MISSION ST

Cross Streets: **14**<sup>th</sup> **Street**Block / Lot No.: 3548 / 039
Zoning District(s): UMU / 68-X

Record No.: **2020-010532PRJ** 

#### **APPLICANT INFORMATION**

Applicant: Stephen A. Antonaros Address: 2261 Market Street #324 City, State: San Francisco, CA 94114

Telephone: **415-864-2261** 

Email: santonaros@sbcglobal.net

You are receiving this notice as an owner or occupant of property within 150 feet of the proposed project. **You are not required to take any action.** For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request that the Planning Commission review this application at a public hearing for Discretionary Review. Requests for a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown above, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

PROJECT SCOPE	PROJECT FEATURES	Existing	Proposed
☐ Demolition	Building Use:	Vacant	Limited Restaurant
☑ Change of Use	Front Setback:	None	No Change
☐ Rear Addition	Side Setbacks:	None	No Change
☐ New Construction	Building Depth:	80 feet	No Change
☐ Façade Alteration(s)	Rear Yard:	None	No Change
☐ Side Addition	Building Height:	34 feet	No Change
☐ Alteration	Number of Stories:	7	No Change
☐ Front Addition	Number of Dwelling Units	17	No Change
☐ Vertical Addition	Number of Parking Spaces	13	No Change

#### **PROJECT DESCRIPTION**

The project includes establishment of a limited restaurant use (coffee shop) on the ground floor of a vacant commercial space measuring approximately 1,763 square feet within a newly-constructed seven-story residential building.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

To view plans or related documents, visit **sfplanning.org/notices** and search the Project Address listed above.

For more information, please contact Planning Department staff:

Planner: Richard Sucre Telephone: 628-652-7364 Email: Richard.Sucre@sfgov.org

## **General Information About Procedures During COVID-19 Shelter-In-Place Order**

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have specific questions about the proposed project, you should contact the planner listed on the front of this notice. If you have general questions about the Planning Department's review process, contact the Planning counter at the Permit Center via email at <a href="mailto:pic@sfgov.org">pic@sfgov.org</a>.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. **We strongly urge that steps 1 and 2 be taken.** 

- 1. Contact the project Applicant to get more information and to discuss the project's impact on you.
- 2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at <a href="www.communityboards.org">www.communityboards.org</a> for a facilitated. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
- 3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects that conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review ("DR"). If you believe the project warrants Discretionary Review by the Planning Commission, you must file a DR Application prior to the Expiration Date shown on the front of this notice.

To file a DR Application, you must:

- Create an account or be an existing registered user through our Public Portal (<a href="https://aca-ccsf.accela.com/ccsf/Default.aspx">https://aca-ccsf.accela.com/ccsf/Default.aspx</a>).
- 2. Complete the Discretionary Review PDF application (<a href="https://sfplanning.org/resource/drp-application">https://sfplanning.org/resource/drp-application</a>) and email the completed PDF application to

<u>CPC.Intake@sfgov.org</u>. You will receive follow-up instructions via email on how to post payment for the DR Application through our Public Portal.

To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at <a href="https://www.sfplanning.org">www.sfplanning.org</a>. If the project includes multiple building permits, i.e. demolition and new construction, a separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

#### **Board of Appeals**

An appeal of the Planning Commission's decision on a Discretionary Review case may be made to the Board of Appeals within 15 calendar days after the building permit is issued (or denied) by the Department of Building Inspection. The Board of Appeals is accepting appeals via e-mail. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (628) 652-1150.

#### **Environmental Review**

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map at <a href="https://www.sfplanning.org">www.sfplanning.org</a>. An appeal of the decision to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Board of Supervisors at bos.legislation@sfgov.org, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.





49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103 628.652.7600 www.sfplanning.org

# **CEQA Categorical Exemption Determination**

## PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address			Block/Lot(s)	
1801	1801 MISSION ST		3548039	
Case	Case No.		Permit No.	
2020-010532PRJ			202010307806	
_	Idition/ teration	Demolition (requires HRE for Category B Building)	New Construction	
The p	roject includes est	Planning Department approval. ablishment of a limited restaurant use (coffee sho suring approximately 1,763 square feet within a n		
STE	P 1: EXEMPTIO	DN CLASS		
The p	-	ON CLASS etermined to be categorically exempt under th	e California Environmental Quality	
The p	project has been d CEQA).			
The p	oroject has been d CEQA). Class 1 - Existin Class 3 - New C	g Facilities. Interior and exterior alterations; add onstruction. Up to three new single-family residercial/office structures; utility extensions; change of	itions under 10,000 sq. ft.	
The p	Class 1 - Existin  Class 3 - New C building; comme permitted or with  Class 32 - In-Fil 10,000 sq. ft. an (a) The project is policies as well a (b) The proposes substantially sur (c) The project s (d) Approval of the water quality. (e) The site can	g Facilities. Interior and exterior alterations; add onstruction. Up to three new single-family residercial/office structures; utility extensions; change of	ences or six dwelling units in one of use under 10,000 sq. ft. if principally  ore units or additions greater than  gnation and all applicable general plan ions.  ct site of no more than 5 acres  r threatened species.  ets relating to traffic, noise, air quality, or	

#### **STEP 2: CEQA IMPACTS**

#### TO BE COMPLETED BY PROJECT PLANNER

	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
	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?  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).
	<b>Transportation:</b> Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.
	Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.
Com	ments and Planner Signature (optional): Richard Sucre

#### STEP 3: PROPERTY STATUS - HISTORIC RESOURCE

то в	TO BE COMPLETED BY PROJECT PLANNER		
PROPERTY IS ONE OF THE FOLLOWING: (refer to Property Information Map)			
	Category A: Known Historical Resource. GO TO STEP 5.		
	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.		
	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.		
STE	P 4: PROPOSED WORK CHECKLIST		

#### TO BE COMPLETED BY PROJECT PLANNER

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

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

#### TO BE COMPLETED BY PROJECT PLANNER

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

	8. <b>Other work consistent</b> with the Secretary of the Interior Standard Properties (specify or add comments):	andards for the Treatment of Historic
$  \Box $	Troporties (speary or add comments).	
	Other work that would not materially impair a historic district	et (specify or add comments):
	, , , , , , , , , , , , , , , , , , , ,	(4,500)
	(Requires approval by Senior Preservation Planner/Preservation	on Coordinator)
	10. <b>Reclassification of property status</b> . (Requires approval & Planner/Preservation	y Senior Preservation
	Reclassify to Category A	Reclassify to Category C
	a. Per HRER or PTR dated	(attach HRER or PTR)
	b. Other <i>(specify)</i> :	
	Note: If ANY box in STEP 5 above is checked, a Pre	servation Planner MUST sign below.
	Project can proceed with categorical exemption review. The Preservation Planner and can proceed with categorical exemptions.	
Comm	nents (optional):	
Dunne	notion Planner Circulture	
Prese	vation Planner Signature:	
STE	EP 6: CATEGORICAL EXEMPTION DETERMINATION	<b>I</b>
TO	BE COMPLETED BY PROJECT PLANNER	
	No further environmental review is required. The project is There are no unusual circumstances that would result in a	
	effect.	
	Project Approval Action:	Signature:
	Building Permit  If Discretionary Review before the Planning Commission is requested,	Richard Sucre 11/18/2020
	the Discretionary Review hearing is the Approval Action for the project.	11/10/2020
	Once signed or stamped and dated, this document constitutes a categorical e 31of the Administrative Code.	xemption pursuant to CEQA Guidelines and Chapter
	In accordance with Chapter 31 of the San Francisco Administrative Code, an filed within 30 days of the project receiving the approval action.	appeal of an exemption determination can only be
	Please note that other approval actions may be required for the project. Pleas	e contact the assigned planner for these approvals.

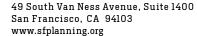
#### STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

#### 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**

Modit	ied Project Description:				
DET	ERMINATION IF PROJECT (	CONSTITUTES SUBSTANTIAL MODIFICATION			
Com	pared to the approved project, w	ould the modified project:			
	Result in expansion of the build	ding envelope, as defined in the Planning Code;			
	Result in the change of use the Sections 311 or 312;	at would require public notice under Planning Code			
	Result in demolition as defined	under Planning Code Section 317 or 19005(f)?			
	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?				
If at I	If at least one of the above boxes is checked, further environmental review is required.				
DET	ERMINATION OF NO SUBSTAI	NTIAL MODIFICATION			
	The proposed modification wo	uld not result in any of the above changes.			
approva website with Ch	al and no additional environmental revie and office and mailed to the applicant,	ons are categorically exempt under CEQA, in accordance with prior project ew is required. This determination shall be posted on the Planning Department City approving entities, and anyone requesting written notice. In accordance soo Administrative Code, an appeal of this determination can be filed within 10			
Plani	ner Name:	Date:			





# **DISCRETIONARY REVIEW PUBLIC (DRP)**

#### APPLICATION PACKET

Pursuant to Planning Code Section 311, the Planning Commission may exercise its power of Discretionary Review over a building permit application.

For questions, you can call the Planning counter at 628.652.7300 or email <u>pic@sfgov.org</u> where planners are able to assist you.

Please read the <u>Discretionary Review Informational Packet</u> carefully before the application form is completed.

#### WHAT TO SUBMIT:

$\square$ Two (2) complete applications signed.
☐ A Letter of Authorization from the DR requestor giving you permission to communicate with the Planning Department on their behalf, if applicable.
☐ Photographs or plans that illustrate your concerns.
$\hfill\Box$ Related covenants or deed restrictions (if any).
☐ A digital copy (CD or USB drive) of the above materials (optional).

# ☐ Payment via check, money order or debit/credit for the total fee amount for this application. (See <u>Fee Schedule</u>).

#### **HOW TO SUBMIT:**

To file your Discretionary Review Public application, please email the completed application to cpc.intake@sfgov.org.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文:如果您希望獲得使用中文填寫這份申請表的幫助,請致電628.652.7550。請注意,規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.



# **DISCRETIONARY REVIEW PUBLIC (DRP)**

## **APPLICATION**

Name: Ben Terrall			
2940 16th Street	Email Address: bterrall@g	mail.com	
S.F. CA. 94103 Address:	Telephone: 415-670-0139	)	
nformation on the Owner of the Pro	perty Being Developed		
Name: 1801 Mission LLC			
Company/Organization:			
1875 Mission Street #103	Email Address: gemma@c	ullinaneco	ncstr
SF, CA 94103 Address:	415-861-9200 Telephone:		
Property Information and Related Ap	plications		
Project Address: 1801 Mission Street			
Block/Lot(s): 3548/039			
Building Permit Application No(s): 20201030780	6		
Sultuing Fermit Application No(s).			
ACTIONS PRIOR TO A DISCRETIONAR			l
		YES	NC
PRIOR ACT			
PRIOR ACT	olicant?		
PRIOR ACT  Have you discussed this project with the permit app	rtment permit review planner? se? (including Community Boards)		

## **DISCRETIONARY REVIEW REQUEST**

In the space below and on seperate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

[Please see attached page for answer to this question.]	

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.

[Please see attached page for answer to this question.]

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

The project sponsor should meet with community-serving organizations and work together to find a use for the space that would meet the needs of the surrounding working-class population.

# **DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT**

Under penalty of perjury the following declarations are made:

		Ben Terrall	
ignature		Name (Printed)	
CAN member	415-670-0139	bterrall@gmail.com	
Relationship to Requestor .e. Attorney, Architect, etc.)	Phone	Email	

By:

Date:

#### **1801 Mission DRP Request**

#### **ANSWER TO QUESTION #1:**

The project's developers are asking for a conversion from retail to limited restaurant use. There are already existing mom and pop restaurants and cafes in the local vicinity that are struggling during this pandemic.

The expected tenant at this newly proposed space is The Creamery Coffee Shop and this new, large, upscale competitor is not what is not what these local businesses need in these already painfully difficult times.

The expected impact would be antithetical to the goals of the Mission Area Plan.

MAP Section 1. Land Use.

"To ensure the mission remains a center for immigrants...this means protecting established areas of residential, commercial, and PDR...and where goods and services are oriented to serve the needs of the community."

Further, the size of the proposed project at 1800 square feet is far larger than can be afforded by neighboring immigrant businesses and only adds to the oversized impact of this new high-end proposal.

#### **ANSWER TO QUESTION #2:**

Mission Area Plan Policy 7.3.3: "Protect and support Latino and other culturally significant local businesses, structures, property and institutions in the Mission."

San Francisco Planning Code Sec. 754. Mission Street Neighborhood Commercial Transit District: "(2) To preserve the contributions of Legacy Businesses to the history and identity of the District;"

Extreme gentrification leading to high rents combined with economic pressures being faced during the COVID-19 pandemic make new, high-end competition the last thing immigrant-owned and/or run cafes in the close vicinity of this project need.

New Star Market is an immigrant owned and run legacy business less than one hundred feet from the proposed site that has served pour-over coffee, breakfast sandwiches, pastries, and lunches at affordable prices for years. This proposed cafe space is very likely to gravely impact New Star Market's business during already difficult times.

There are additional immigrant owned and/or run cafes within one block of the proposed new cafe. Their business would also be adversely affected by a new high-profile eatery which would draw customers who would otherwise frequent the already-established immigrant businesses.



Jan 14, 2021

To Whom It May Concern:

Cultural Action Network authorizes member Ben Terrall to file the attached with the City of San Francisco on our behalf.

Rick Hall, President Cultural Action Network





## PROJECT APPLICATION (PRJ)

A Project Application must be submitted for any Building Permit Application that requires an intake for Planning Department review, including for environmental evaluation or neighborhood notification, or for any project that seeks an entitlement from the Planning Department, such as a Conditional Use Authorization or Variance. For more, see the Project Application Informational Packet.

**Cost for Time and Materials:** Any time and materials exceeding initial fees charged for services provided are subject to billing.

For questions, you can call the Planning counter at 628.652.7300 or email <u>pic@sfgov.org</u> where planners are able to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文:如果您希望獲得使用中文填寫這份申請表的幫助,請致電628.652.7550。請注意,規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

#### **BUILDING PERMIT APPLICATIONS**

#### **HOW TO SUBMIT:**

For projects that do not require an entitlement action by the Planning Department, but require Planning Department review of a Building Permit Application, please present a complete signed Project Application along with the Building Permit Application for intake at <a href="https://sf.gov/apply-building-permit">https://sf.gov/apply-building-permit</a>.

One (1) complete and signed application.

Two (2) hard copy sets of plans that meet the

Department of Building Inspection's submittal

#### WHAT TO SUBMIT:

standards. Please see the Planning Department's
<u>Plan Submittal Guidelines</u> for more information.
A Letter of Authorization from the owner(s) designating an Authorized Agent to communicate with the Planning Department on their behalf.
Pre-Application Meeting materials, if required. See the <u>Pre-Application Meeting Informational</u> Packet for more information.

Note: The applicable fee amount for Building Permit Applications will be assessed and collected at intake by the Department of Building Inspection at the Central Permitting Bureau at 1660 Mission St, Ground Floor.

(See Fee Schedule and/or Calculator).

#### **ENTITLEMENTS**

#### **HOW TO SUBMIT:**

For projects that require an entitlement from the Planning Department (e.g., Conditional Use, Variance), submit a Project Application with any required supplemental applications online at <a href="mailto:sfplanning.org/resource/prj-application">sfplanning.org/resource/prj-application</a>, or to submit in person, submit an <a href="mailto:lntake@sfgov.org">lntake</a>@Request Form to <a href="mailto:CPC.Intake@sfgov.org">CPC.Intake@sfgov.org</a>.

#### WHAT TO SUBMIT:

(PPA) letter.

- One (1) complete and signed PRJ application, or complete online submittal, including the following: An electronic copy (online or USB drive) of plans  $\Box$ formatted to print at 11" x 17". Please see the Department's Plan Submittal Guidelines for more information about the required contents of plan submittals. A Letter of Authorization from the owner(s)  $\Box$ designating an Authorized Agent to communicate with the Planning Department on their behalf. Pre-Application Meeting materials, if required. See the Pre-Application Meeting Informational Packet for more information. Current or historic photograph(s) of the property. All supplemental entitlement applications (e.g., Conditional Use, Variance) and information for environmental review, as indicated in this Project
- ☐ Payment via check, money order or debit/credit card for the total fee amount for all required supplemental applications. (See <u>Fee Schedule and/or Calculator</u>).

Application or in the Preliminary Project Assessment



# PROJECT APPLICATION (PRJ)

## **GENERAL INFORMATION**

Property Information			
ProjectAddress:			
Block/Lot(s):			
Property Owner's Information			
Name:			
Address:		Email Address:	
		Telephone:	
Applicant Information			
Same as above			
Name:			
Company/Organization:			
Address:		Email Address:	
Address.		Telephone:	
Please Select Billing Contact:	Owner	Applicant	Other (see below for details)
Name: Email	:		Phone:
Please Select Primary Project Contact:	Owner	Applicant	Billing
RELATED APPLICATIONS			
<b>Related Building Permit Applic</b>	ations (any a	ctive building per	mits associated with the project)
N/A			
Building Permit Application No(s):			
Related Preliminary Project Asses	ssments (PPA	<b>\</b> )	
N/A			
PPA Application No:	Pi	PA Letter Date:	

## **PROJECT INFORMATION**

## **PROJECT DESCRIPTION:**

Please provide a narrative project description that summarizes the project and its purpose. Please list any required ap	provals
(e.g. Variance) or changes to the Planning Code or Zoning Maps if applicable.	

#### **PROJECT DETAILS:**

Change of Use	New Construct	ion Der	nolition	Facade Alterati	ons RO	N Improve	ements
Additions	Legislative/Zo	ning Changes	Lot Line Adjustm	nent-Subdivisior	Other:		
Residential:	O	00% Affordable	Student Housi	0	 Jnit Legalizatio		
	Inclusionary Housing	Required S	State Density Bor	nus Accesso	ry Dwelling Un	it	
Indicate whether t	he project proposes re	ental or ownersh	ip units: Rei	ntal Units (	Ownership Unit	:s Doi	n't Know
Indicate whether a	Preliminary Housing	Development Ap	plication (SB-33	0) is or has beer	n submitted:	Yes	No
Non-Residential	: Formula Retail	Medical	Cannabis Disper	nsary Toba	cco Parapherna	alia Establ	ishment
	Financial Servi	ce Massage	e Establishment	Other	r:		
Estimated Const	ruction Cost:						

## PROJECT AND LAND USE TABLES

All fields relevant to the project **must be completed** in order for this application to be accepted.

		Existing	Proposed
	Parking GSF		
	Residential GSF		
Use	Retail/Commercial GSF		
	Office GSF		
anc	Industrial-PDR		
	Medical GSF		
ŗra	Visitor GSF		
<b>General Land</b>	CIE (Cultural, Institutional, Educational)		
	Useable Open Space GSF		
	Public Open Space GSF		

	Dwelling Units - Affordable	
	Dwelling Units - Market Rate	
	Dwelling Units - Total	
	Hotel Rooms	
S	Number of Building(s)	
are	Number of Stories	
Features	Parking Spaces	
	Loading Spaces	
Project	Bicycle Spaces	
P	Car Share Spaces	
	Roof Area GSF - Total	
	Living Roof GSF	
	Solar Ready Zone GSF	
	Other:	

	Studio Units	
al	One Bedroom Units	
	Two Bedroom Units	
Residential	Three Bedroom (or +) Units	
esic	Group Housing - Rooms	
e - R	Group Housing - Beds	
Land Use -	SRO Units	
Lan	Micro Units	
	Accessory Dwelling Units For ADUs, list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.	

#### **ENVIRONMENTAL EVALUATION SCREENING FORM**

This form will determine if further environmental review is required.

If you are submitting a Building Permit Application only, please respond to the below questions to the best of your knowledge. You do not need to submit any additional materials at this time, and an environmental planner will contact you with further instructions.

If you are submitting an application for entitlement, please submit the required supplemental applications, technical studies, or other information indicated below along with this Project Application.

Env	vironmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
1a.	General	Estimated construction duration (months):	N/A	
1b.	General	Does the project involve replacement or repair of a building foundation? If yes, please provide the foundation design type (e.g., mat foundation, spread footings, drilled piers, etc.)	Yes No	
1c.	General	Does the project involve a change of use of 10,000 square feet or greater?	Yes No	
2.	Transportation	Does the project involve a child care facility or school with 30 or more students, or a location 1,500 square feet or greater?	Yes No	If yes, submit an Environmental Supplemental- School and Child Care Drop-Off & Pick-Up Management Plan.
3.	Shadow	Would the project result in any construction over 40 feet in height?	Yes No	If yes, an initial review by a shadow expert, including a recommendation as to whether a shadow analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, refer to the shadow discussion in the PPA letter.)  An additional fee for a shadow review may be required.
4a.	Historic Preservation	Would the project involve changes to the front façade or an addition visible from the public right-of-way of a structure built 45 or more years ago or located in a historic district?	Yes No	If yes, submit a complete Historic Resource Determination Supplemental Application. Include all materials required in the application, including a complete record (with copies) of all building permits.
4b.	Historic Preservation	Would the project involve demolition of a structure constructed 45 or more years ago, or a structure located within a historic district?	Yes No	If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with CPC-HRE@sfgov.org.

Please see the <u>Property Information Map</u> or speak with Planning counter staff at the Permit Center to determine if this applies.

Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
5. Archeology 🚷	Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeologically sensitive area or eight (8) feet below grade in a non-archeologically sensitive area?	Yes No	If Yes, provide depth of excavation/disturbance below grade (in feet*):  *Note this includes foundation work
6a. Geology and	Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 25% or greater?  Area of excavation/disturbance (in square feet):  Amount of excavation (in cubic yards):	Yes No	A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project:  The project involves:  excavation of 50 or more cubic yards of soil, or  building expansion greater than 500 square feet outside of the existing building footprint.  A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.
6b. Geology and Soils	Does the project involve a lot split located on a slope equal to or greater than 20 percent?	Yes No	A categorical exemption cannot be issued. Please contact CPC.EPIntake@ sfgov.org, once a Project Application has been submitted.
7. Air Quality	Would the project add new sensitive receptors (residences, schools, child care facilities, hospitals or seniorcare facilities) within an Air Pollutant Exposure Zone?	Yes No	If yes, submit an Article 38 Compliance application with the Department of Public Health.
8a. Hazardous Materials	Is the project site located within the Maher area and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use?	Yes No	If yes, submit a Maher Application Form to the Department of Public Health and submit documentation of Maher enrollment with this Project Application.  Certain projects may be eligible for a waiver from the Maher program. For more information, refer to the Department of Public Health's Environmental Health Division.  Maher enrollment may also be required for other circumstances as determined by Environmental Planning staff.
8b. Hazardous Materials	Would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks?	Yes No	If yes, submit documentation of enrollment in the Maher Program (per above), or a Phase I Environmental Site Assessment prepared by a qualified consultant.

Please see the <u>Property Information Map</u> or speak with Planning counter staff at the Permit Center to determine if this applies.

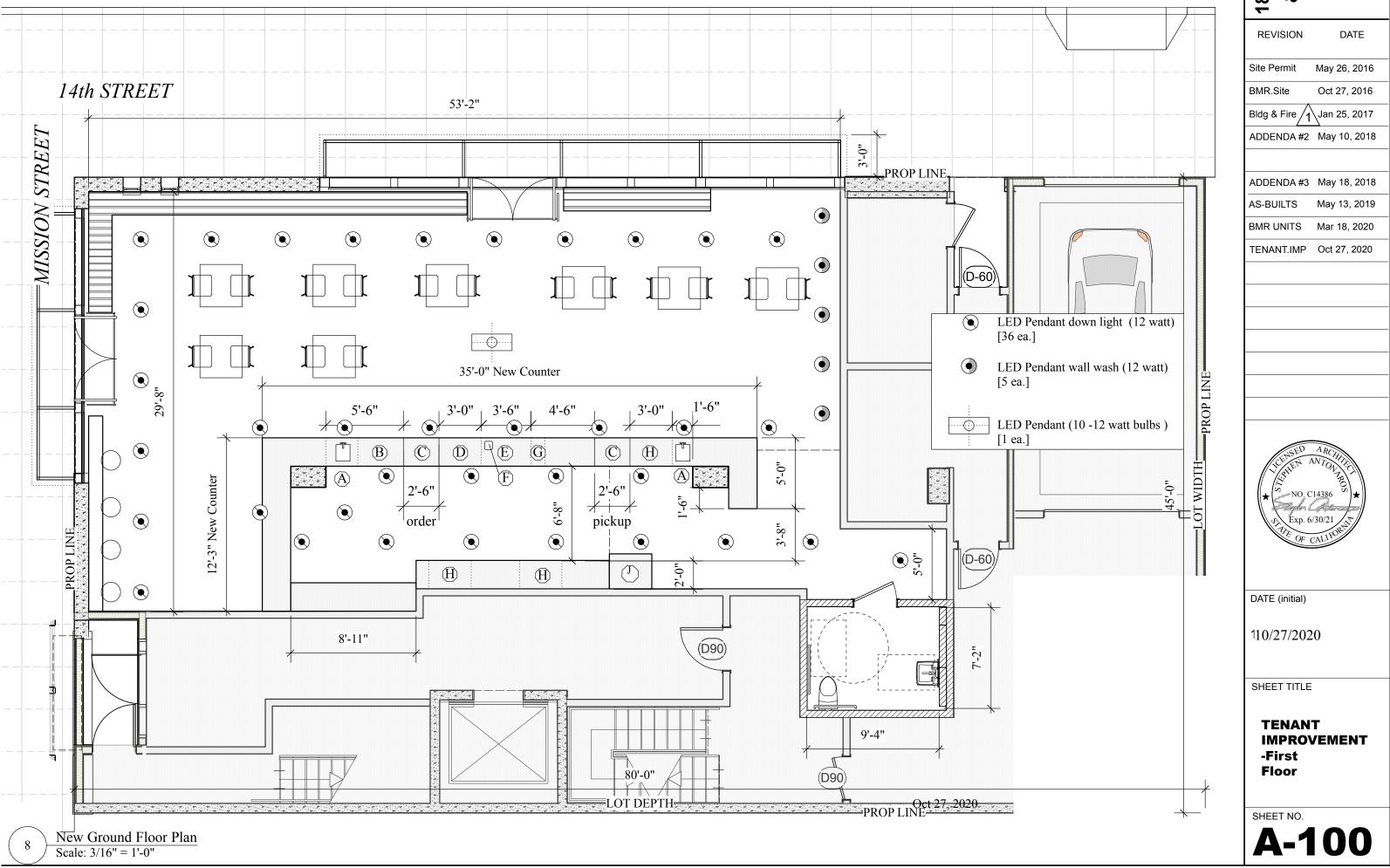
# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

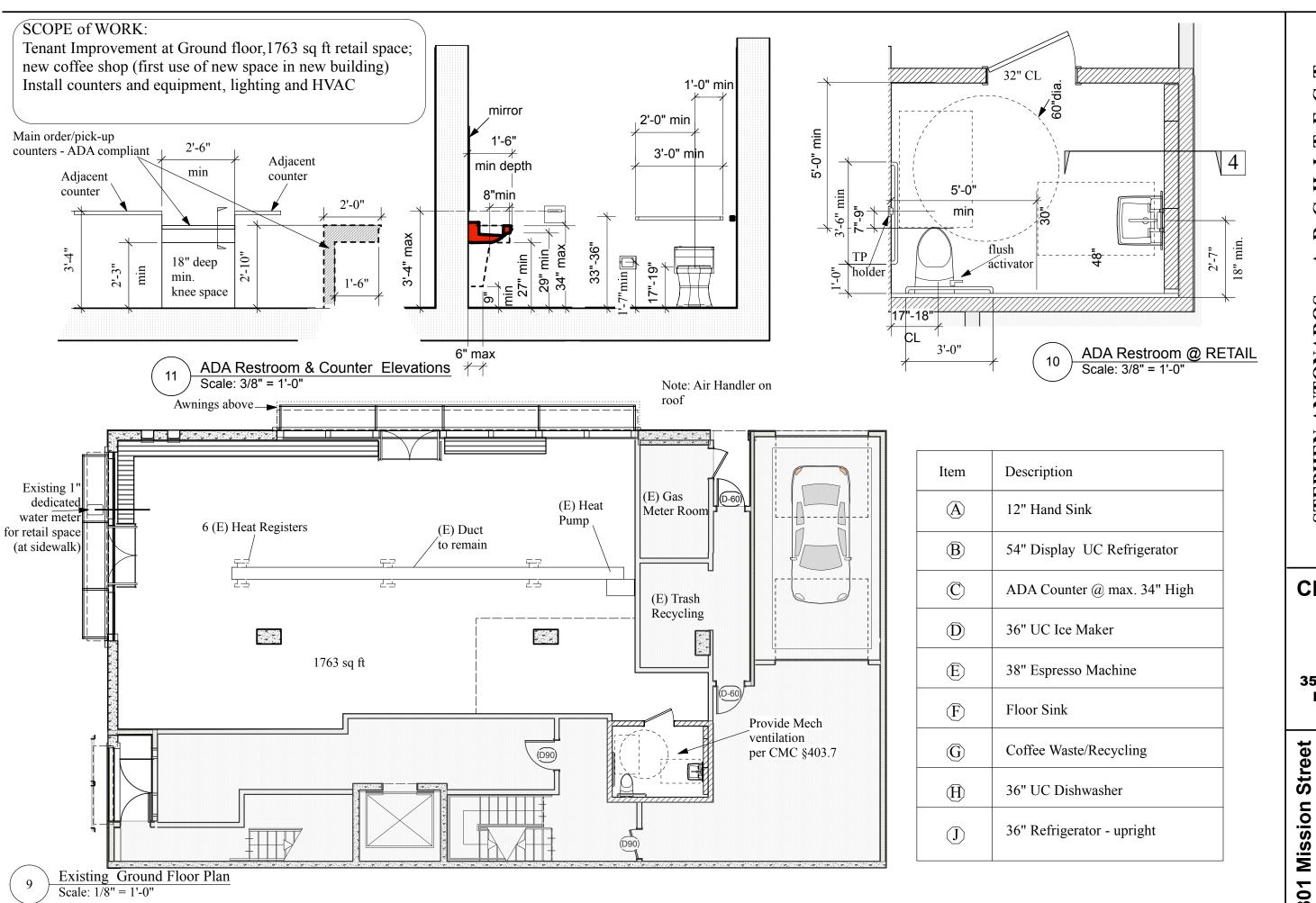
- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) i.e. social security numbers, driver's license numbers, bank accounts have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

Signature		Name (Printed)	
Date			
Relationship to Project (i.e. Owner, Architect, etc.)	Phone	 Email	

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



∞



Scale: 1/8" = 1'-0"

(415) 864 2261

STEPHEN ANTONAROS

www.antonaros.com

2261 Market Street #324 San Francisco, California 94114 santonaros@sbcglobal.net

# **CREAMERY COFFEE SHOP**

3548 Block Lot 039

287 14th Street

APPLICABLE CODES:	CONSTRUCTION
2019 California Building Code,	TYPE: Type 3A over Type I
2019 Mechanical Code,	(Fully Sprinklered)
,	Six Stories over Basement
2019 Plumbing Code,	5 stories Type 3A over 1 story
2019 Electrical Code, and	w/ Mezzanine Type 1
2019 San Francisco Building Code	+ Basement Type 1
2019 Editions of NFPA 13 sprinklers,	6 floors of Occupancy
NFPA 14 for Standpipes, Fire	Sprinkler under Separate Permit
NFPA 72 Fire Alarm,	OCCUPANCY
NFPA 20 Fire Pumps	
1	CLASSIFICATION :
NFPA 24 for sprinkler underground	R-2 / A-2 /B/ S-2

**D.A. CHECKLIST** (p. 1 of 2): The address of the project is: 1801 MISSION STREET

For ALL tenant improvement projects in commercial use spaces, both pages of this checklist are required to be reproduced on the plan set and signed.

1.	The proposed use of the project is COFFEE SHOP Restaurant, etc.)		(e.g. Retail, Office,
2.	Describe the area of remodel, including which floor:	GROUND FLOOR - Street Level	
	The construction cost of this project <i>excluding</i> disab \$ 80,000 , which is; (check one)	led access upgrades <i>to the path</i> ore than / 🗵 less than the 20	

**4.** Is this a City project and/or does it receive any form *of* public funding? *Check one:* □ Yes / ☒ No Note: If Yes, then see Step 3 on the Instructions page of the Disabled Access Upgrade Compliance Checklist package for additional forms required.

#### Conditions below must be fully documented by accompanying drawings

<b>5.</b> Re	ad ${f A}$ through ${f D}$ below carefully and check the most applicable boxes. Check one box only:
X	A: All existing conditions serving the area of remodel fully comply with access requirements.  No further upgrades are required:  Fill out page 2 of D.A. Checklist
	<b>B:</b> Project Adjusted cost of construction is greater than the current valuation threshold: Fill out and attach page 2 of D.A. Checklist and any other required forms to plans
	C: Project adjusted cost of construction is less than or equal to the current valuation threshold List items that will be upgraded on Form C. All other items shall be checked on page 2 of th D.A. Checklist in the "Not required by code" column.
	D: Proposed project consists entirely of Barrier removal: Fill out and attach Barrier removal form to Plans
	E: <u>Proposed project is</u> minor revision to previously approved permit drawings only. (Note: This shall <u>NOT</u> be used for new or additional work) Provide previously approved permit application here: Description of revision:

CBC chapter 2 section 202 Definitions:

Technically Infeasible. An alteration of a building or a facility, that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

Unreasonable Hardship. When the enforcing agency finds that compliance with the building standard would make the specific work of the project affected by the building standard infeasible, based on an overall evaluation of the following factors:

### INDEX OF DRAWINGS

## ARCHITECTURAL / MECHANICAL

A100 Building Data + ADA form, Details Existing and New Site/Floor Plans Coffee Shop Equip. list; Green Bldg Notes

GS-4 Green Building for Retail

# **GREEN BUILDING NOTES**

#### 1801 Mission Street – Build It Green:

A2.1 Divert 65% C & D, Construction and debris waste from a landfill based on weight (Include Alternative Daily Cover).
A2.2 Divert 65% C & D, Construction and debris waste from a landfill based on weight (Excluding Alternative Daily Cover).
A5. (Mandatory) Construction Environmental Quality Management Plan Including Flush-Out – Protect construction material

from water damage during construction, cover seal ducts,
Clean duct boots if exposed, install paint and such before installing carpets and finishes,
Open windows for min 80 hrs prior to occupancy, use outside air during flush out, or run
Exhaust system min 72 hrs and replace filters after, dust control plan for rehab projects.

B5.2 Plant Trunks, Bases, or Stems centers at Least 36" from the Foundation.

C13. Reduced Light Pollution. Use sensors or timers and down shielding over bare bulb on Outdoor lights.

D1.2 Non-Load Bearing Door and Window Headers Sized for Load.

D3.1 Engineered Beams and Headers.

D3.2 Wood I-Joists or Web Trusses for Floors.

D3.3 Engineered Lumber for Roof Rafters.

D10.1 All Wood Located at Least 12" above soil for pest and rot control.

E5.1 Durable and Fire Resistant Roofing Materials or Assembly Class A Fire rating per ASTM E-108 or UL-790 and

10 yr material 3 yr labor warranty. G1.1 Insulated Hot Water Pipes.

H1.2 Sealed Combustion Water Heater. Direct Vent.

H4. ENERGY STAR Bathroom Fans Per HVI (Home Ventilation) Standards with Air Flow Verified Control by

humidistat at 60% for bathrooms with tub and/or shower, min

50 cfm Intermittent or 25 cfm continuous, min 50 cfm for bathrooms smaller than 50 sf

Between 50 and 100 sf, min 1 cfm/sf, more than 100 sf is 50 cfm per fixture of toilet, Shower or tub. H6.1 Required to meet ASHRAE Standard 62.2-2012 Ventilation Residential Standards Includes whole house

mechanical ventilation, bathroom and kitchen ventilations

For non-certified kitchen fan, min 300 cfm.

K3. Low-VOC Caulks and Adhesives -30 g/L VOCs or less for subfloor adhesive, general, Carpet adhesive,

duct mastic, window and trim caulk, general, bathroom and kitchen

Caulk, tile mastic and fire and acoustic caulk. M1. ENERGY STAR Dishwasher.

M2. CEE Tier 3 Clothes Washer.

M3. Size-Efficient ENERGY STAR Refrigerator 20 CF. M7. Gearless Elevator. (Non-hydraulic) N3.5 Bicycle Storage for Residents.

N3.6 Bicycle Storage for Non-Residents.

N5.1 Residence Entries with Views to Callers.
N5.2 Entrances Visible from Street and/or Other Front Doors. Security Surveillance.

N5.4 Social Gathering Spaces. 50 sf per unit. Court yards, play area, gardens encourages social. N7.1 Universal Design Principles in Units. N7.2 Full-Function Independent Rental Unit.

O2. Pre-Construction Kickoff Meeting with Rater and subcontractors.

O3. Orientation and Training to Occupants-Conduct Educational Walkthroughs. P2.1 Tenant Improvement Requirements for Build-Outs.

P2.2 Commercial Loading Area Separated for Residential Area.

P2.3 Separate Mechanical and Plumbing System for Mixed Use Building.

#### **1801 Mission Street – C-4 Residential Green Form:**

- 100% of mixed debris transported by registered hauler to registered facility for recycling process

- Water Efficient Fixtures - toilets dual flush or 1.28 g per flush, 2 gpm 80 psi showerheads,

1.8 gpm kitchen faucets, 1.5 gpm bathroom faucets

- Low-VOC Paints and Coatings (meet SCAQMD Rule 1113)

- Low VOC Caulks, adhesives and sealants (meet SCABMD Rule 1168)
- Reduce Formaldehyde in interior finish. Meet current CARB Airborne Toxic Control

Measure (ATCM) for composite wood Formaldehyde Limits by Mandatory Compliance Dates

All carpet and 50% resilient floor to be low emitting

Fireplaces and woodstoves install direct-vent or sealed-combustion appliances, US EPA Phase II

Dedicated Bicycle Storage

Duct openings protected and covered during construction

Smart High Efficiency Irrigation System - patio watering

· Energy Star Bathroom exhaust fans on Timer or Humidistat

- 1. The cost of providing access.
- 2. The cost of all construction contemplated.
- 3. The impact of proposed improvements on financial feasibility of the project.
- 4. The nature of the accessibility which would be gained or lost.
- 5. The nature of the use of the facility under construction and its availability to persons with disabilities

The details of any Technical Infeasibility or Unreasonable Hardship shall be recorded and entered into the files of the Department. All Unreasonable Hardships shall be ratified by the AAC.

### **D.A.** CHECKLIST (p. 2 of 2): The address of the project is : 1801 MISSION STREET

#### Check all applicable boxes and specify where on the drawings the details are shown:

						_		
Note: upgrades below are listed in priority based on CBC-11B-202.4, exception 8	Existing Fully Complying	Will be Up-graded to Full Compliance	Equivalent facilitation will provide full access	Compliance is Technically infeasible	Approved in compliance with immediately preceding code	Not required by Code (and/or none existing)	Non-compliant request URH Must be ratified by AAC	Location of detail(s)-include detail no. & drawing sheet (do not leave this part blank!).  Also clarification comments can be written here.
A. One accessible entrance including: approach walk, vertical access, platform (landings), door / gate and hardware for door/gate	X							
B.An accessible route to the area of remodel including:								
Parking/access aisles and curb ramps								
Curb ramps and walks	X							
Corridors, hallways, floors	X							
Ramps elevators, lifts								
C. At least one accessible restroom for each sex or a single unisex restroom_serving the area of remodel.	K							
D. Accessible public pay phone.								
E. Accessible drinking fountains.								
F. Additional accessible elements such as parking, stairways, storage, alarms and signage.								
See the requirements for additional forms listed below	1.	2.	3.	4.	5.	6.	7.	

- No additional forms required
- No additional forms required
- 3. Fill out Request for Approval of Equivalent Facilitation form for each item checked and attach to plan.
- Fill out Request for Approval of Technical Infeasibility form for each item checked and attach to plans.
- Provide details from a set of City approved reference drawings, provide its permit application number and list reference drawing number on plans.
- No additional forms required
- Fill out Request for an Unreasonable Hardship form for each item checked and attach to plan. All UHR must be ratified by the Access Appeals Commission (see UHR form for details)

- Annular spaces around pipes, electric cables, conduits or other openings in plates at exterior walls protected against rodents.
- Concrete slab on grade fndtns have a vapor retarder must have a capillary break
- Provide adequate space and access for storage, collection, loading of compost, recycle and landfill material
- Roofing Warranty 3 yr subcontractor and 20 yr manufacturer warranty
   Meet ASHRAE 62.2 Ventilation Practices for IAQ

- Provide O&M Manual to Building Maintenance Staff
   Design and Install HVAC per ACCA Manual J, D and S or use high efficiency
- Provide construction site stormwater pollution prevention plan & SFPUC Best Management Practice Storm Water Control Plan
  per SFPUC > 5000 sf /Water Efficient Irrigation per SF Water Efficient
- Irrigation Ord. when 1000 sf
- Construction plans indicate how site grading or drainage system will manage surface water flows
- Alternative performance method for water efficiency using 20% reduction in baseline water
- Verify wall and floor framing not exceed 19% moisture content before enclosure and repair as need
- Trained and certified HVAC installer

#### **1801 Mission Street – C-5 Non-Residential Green Form:**

- 1. Divert by registered hauler to registered recycler 100% construction debris.
- 2. Source separate and recycle 10% of construction and demolition debris.
- 3. Provide adequate space and access for storage, collection and loading of compost, recyclables and landfill materials.
  4. Comply with 2013 Title 24 Energy Standards.

- 5. Provide construction site Stormwater Pollution Prevention Plan (CalGreen 5.106.1).
  6. Implement a Stormwater Control Plan per SFPUC Stormwater Guidelines when > = 5000 sf.
  7. Comply with SF Water Efficient Irrigation Ordinance for Landscape when > = 1000 sf.

- 8. Provide bicycle parking > of 5% of parking if any or SF Planning Code Sec. 155.

  9. Meet Cal. Energy Code min for Lighting Zones1-4,w/Backlight/Uplight/GlareRatings meeting CalGreen Table 5.106.8. Exemptions of Califerergy Code Section 147 & Emergency lighting exempt.

  10. Provide water submeters for spaces projected to consume more than 1,000 gal/day.
- 11. Provide Indoor Water Efficiency by reducing use of potable water for new fixtures and fittings per CalGreen Table 5.303.2.2 and 5.303.2.3.

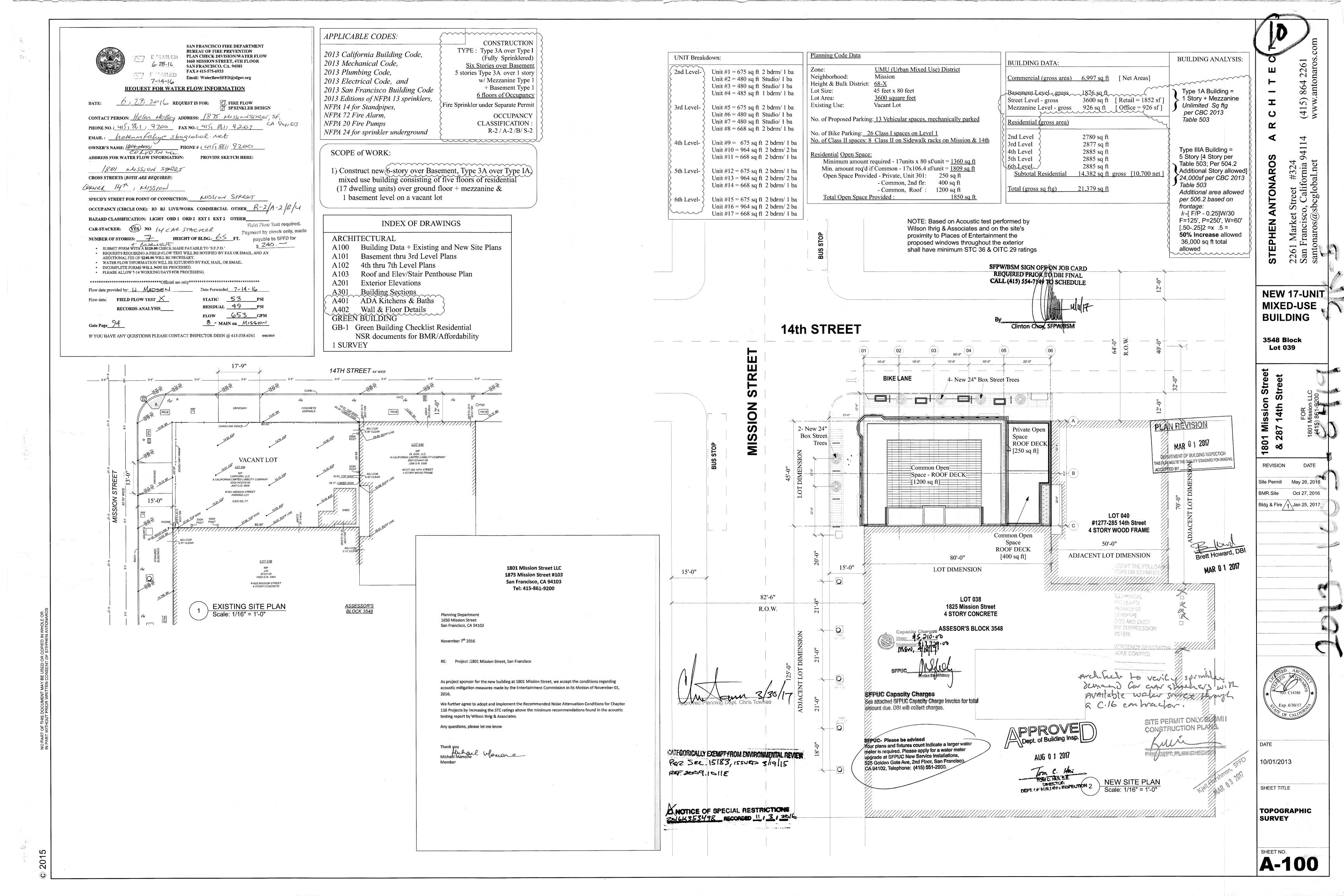
  See table on C-5 Form for Indoor Water Efficiency.
- 12. Perform new building equipment and HVAC commissioning to be included in design

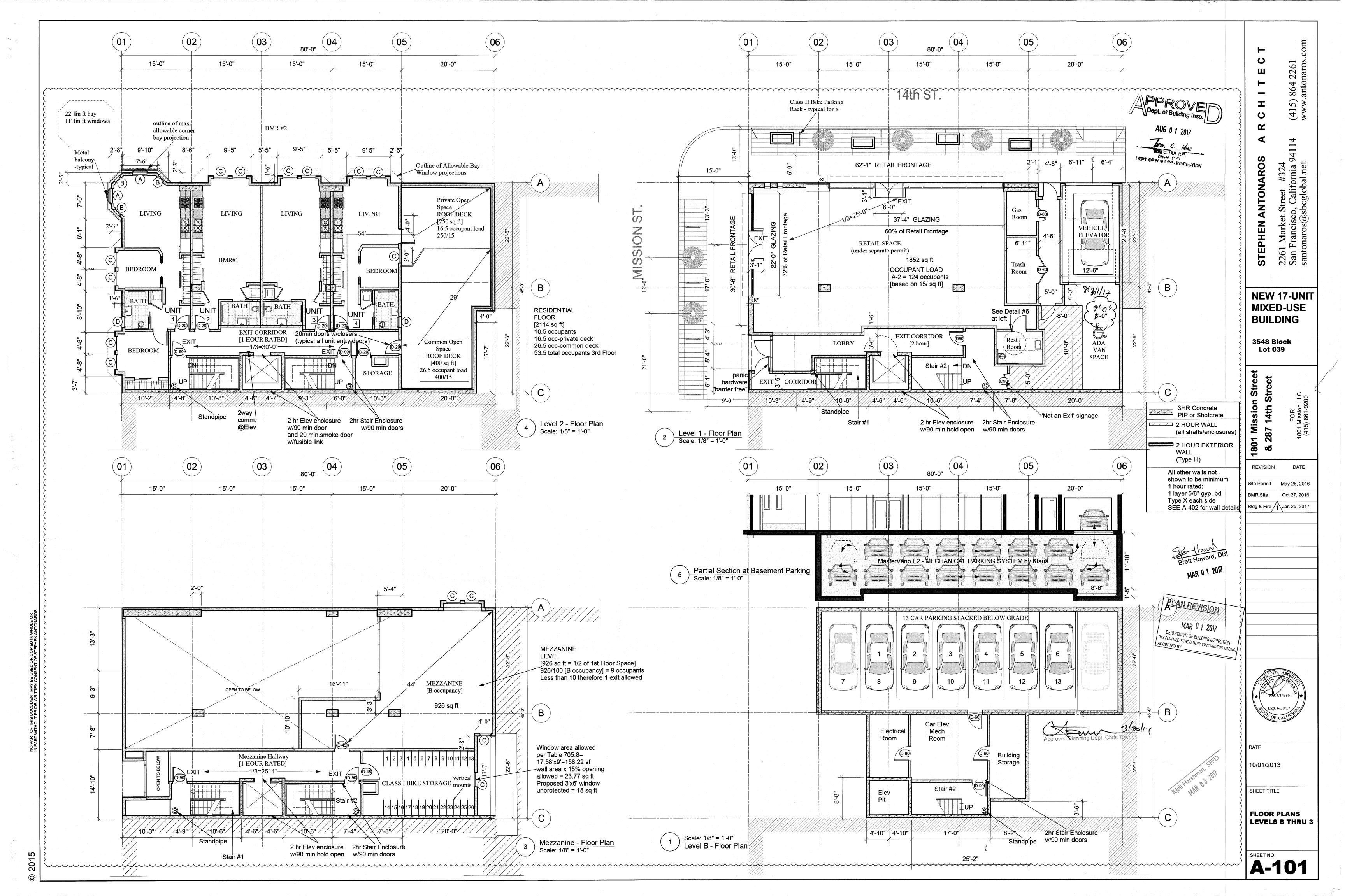
- Perform new building equipment and HVAC commissioning to be included in design and Construction of the project to verify building systems and components meet the owner's Project requirements.
   Protect HVAC System by limited use or install MERV-8 filters during construction & replace after.
   Adhesives, Sealants and Caulks comply with VOC limits in SCAQMD Rule 1168 VOC Limit and CA Code of Regulation Title 17 for Aerosol Adhesives.
   Paints and coatings comply with VOC limits in the Air Resources Board Architectural Coatings Suggested Control Measure and California Code of Regulations Title 17 for aerosol paints.
   Carpet: meet one of the following, Carpet and Rug Institute Green Label Plus Program CA Dept of Public Health VOC (Spec 01350) NSF/ANSI 140 Gold Level Scientific Certified Sustainable Choices or CA Collaborative High Performance Schools EQ 2.2 And Cushion meet Carpet and Rug Institute Green Label And indoor carpet adhesive+pad < 50g/L VO Content</li> meet Carpet and Rug Institute Green Label. And indoor carpet adhesive+pad <50g/L VO Content.
- 17. Composite Wood: Hardwood, particleboard, medium density fiberboard products for interior xand exterior shall comply with CARB Air Toxics Control Measure for
  - Composite Wood. CalGreen Table 5.504.4.5.
- 18. Resilient floor system, 80% comply with:

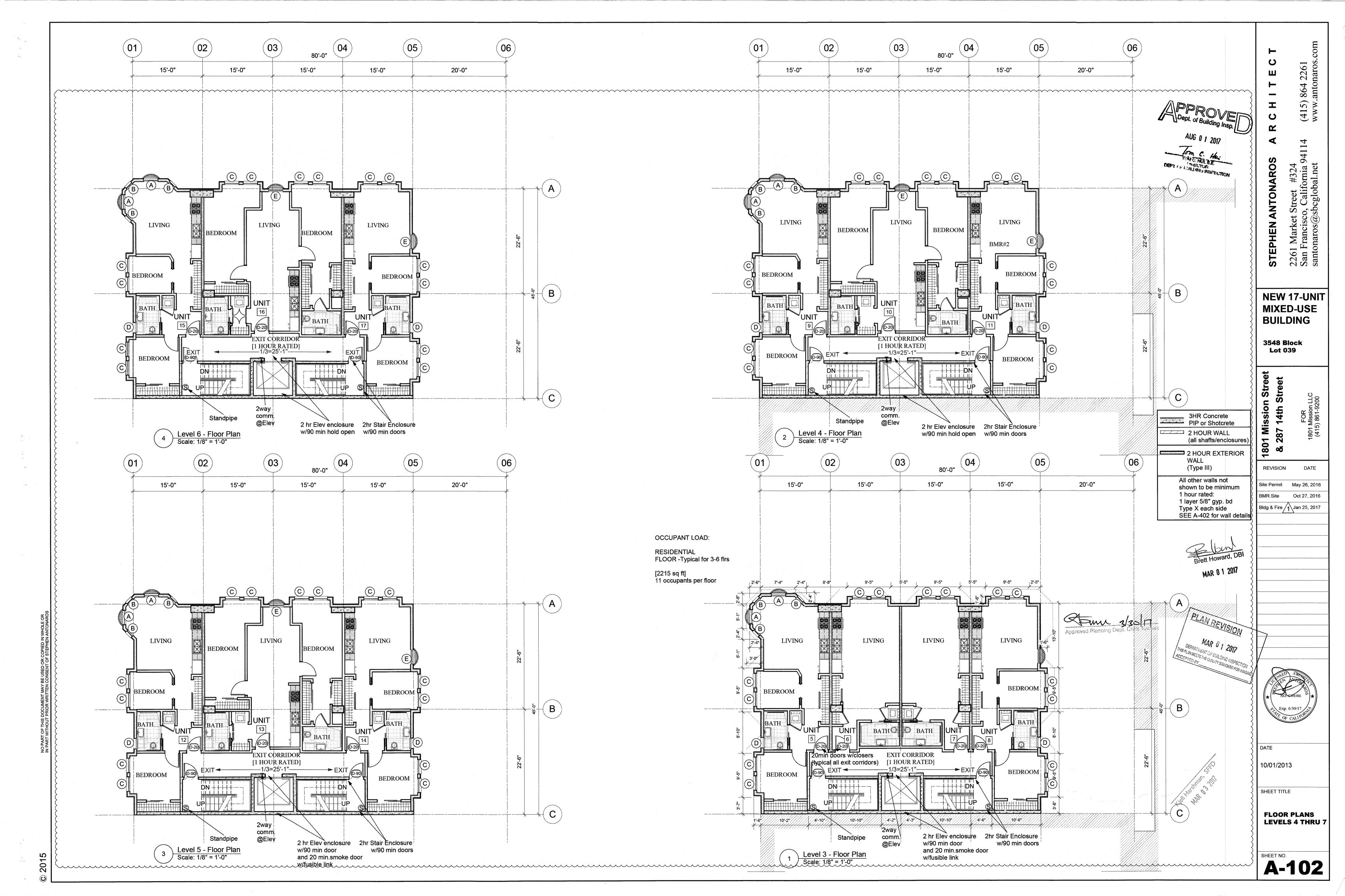
  1) FloorScore program certified by (RFCI) Resilient floor Covering Institute.
  2) VOC limits and testing of California Department of Public Health 2010 test std.
  - 3) Collaborative for High Performance Schools(CHPS) EQ2.2 or Database.
- 4) Greenguard Children & Schools Program per California Department of Public Health.

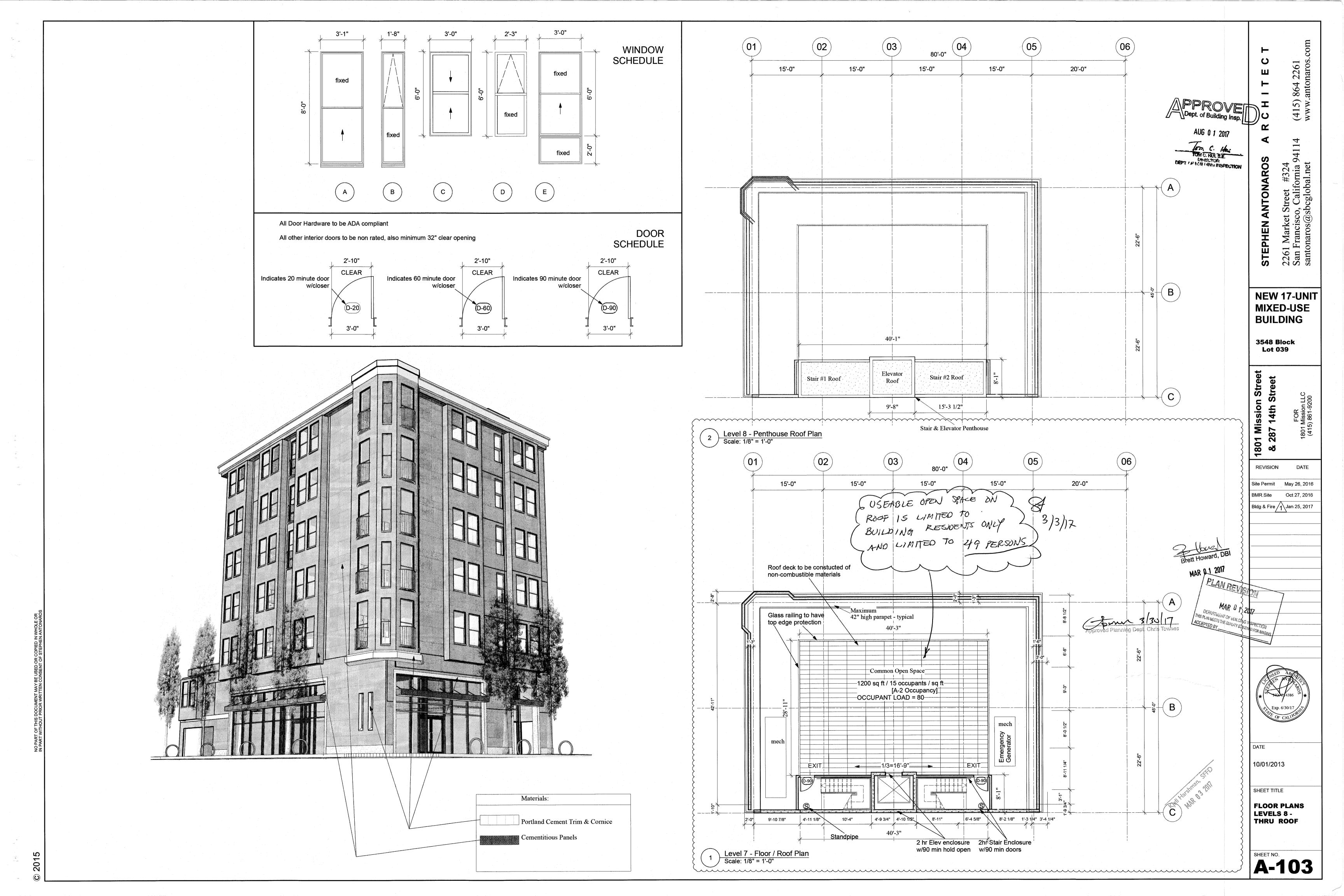
  19. Provide Prohibited Smoking Sign for within 25 feet of building entrance, outdoor air intake, and operable windows.
- 20. Provide MERV-8 min filters at mechanical ventilation of regularly occupied spaces.
- 21. Provide Acoustical Control at walls and roof-ceilings STC-50, exterior
- windows STC 30, party walls and floor-ceilings STC 40. 22. Do not install any equipment using CFCs and Halons.

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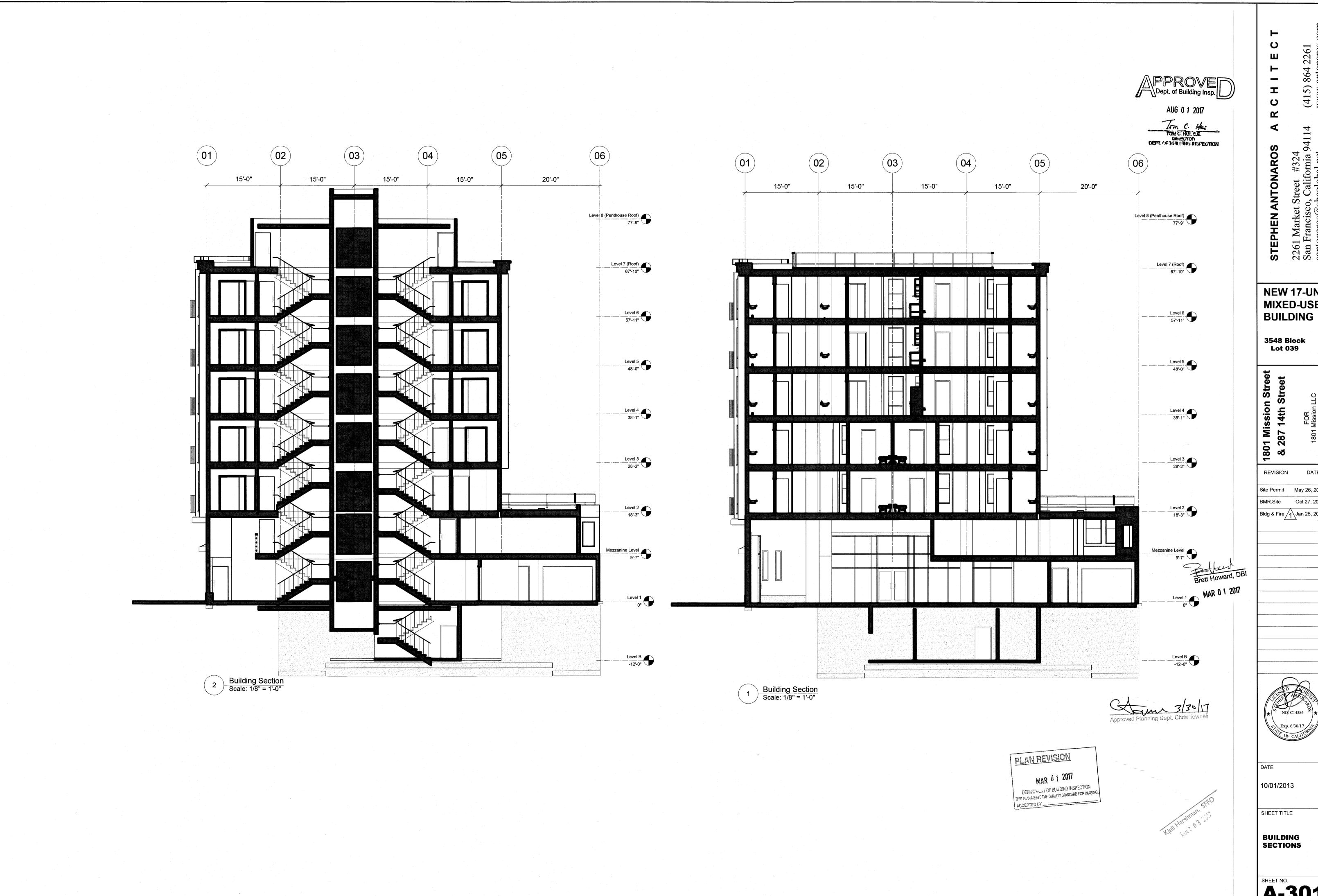












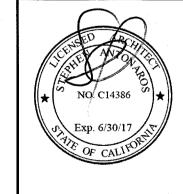
2015

(415) 864 2261 www.antonaros.o

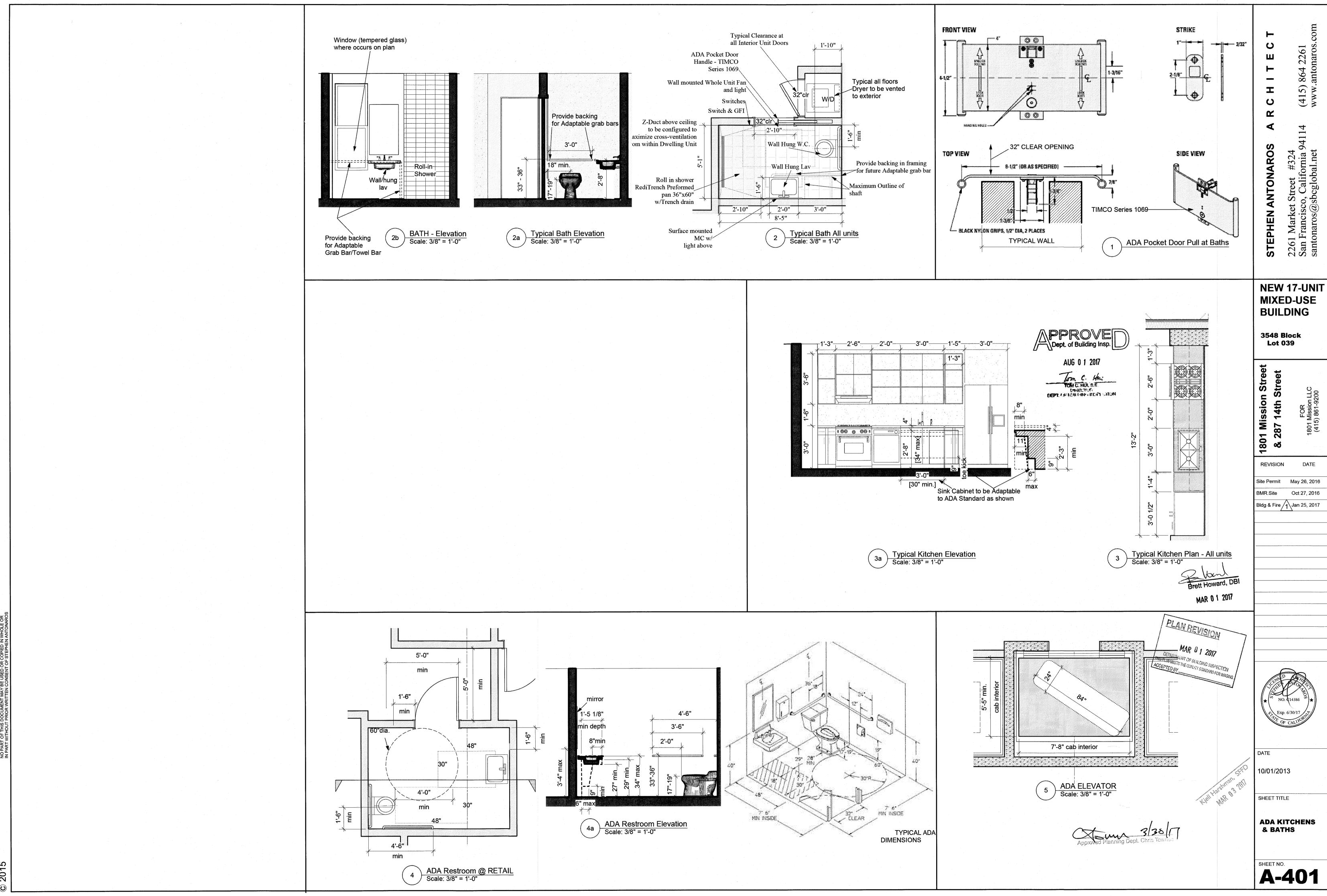
2261 Market Street #324 San Francisco, California 94114 santonaros@sbcglobal.net

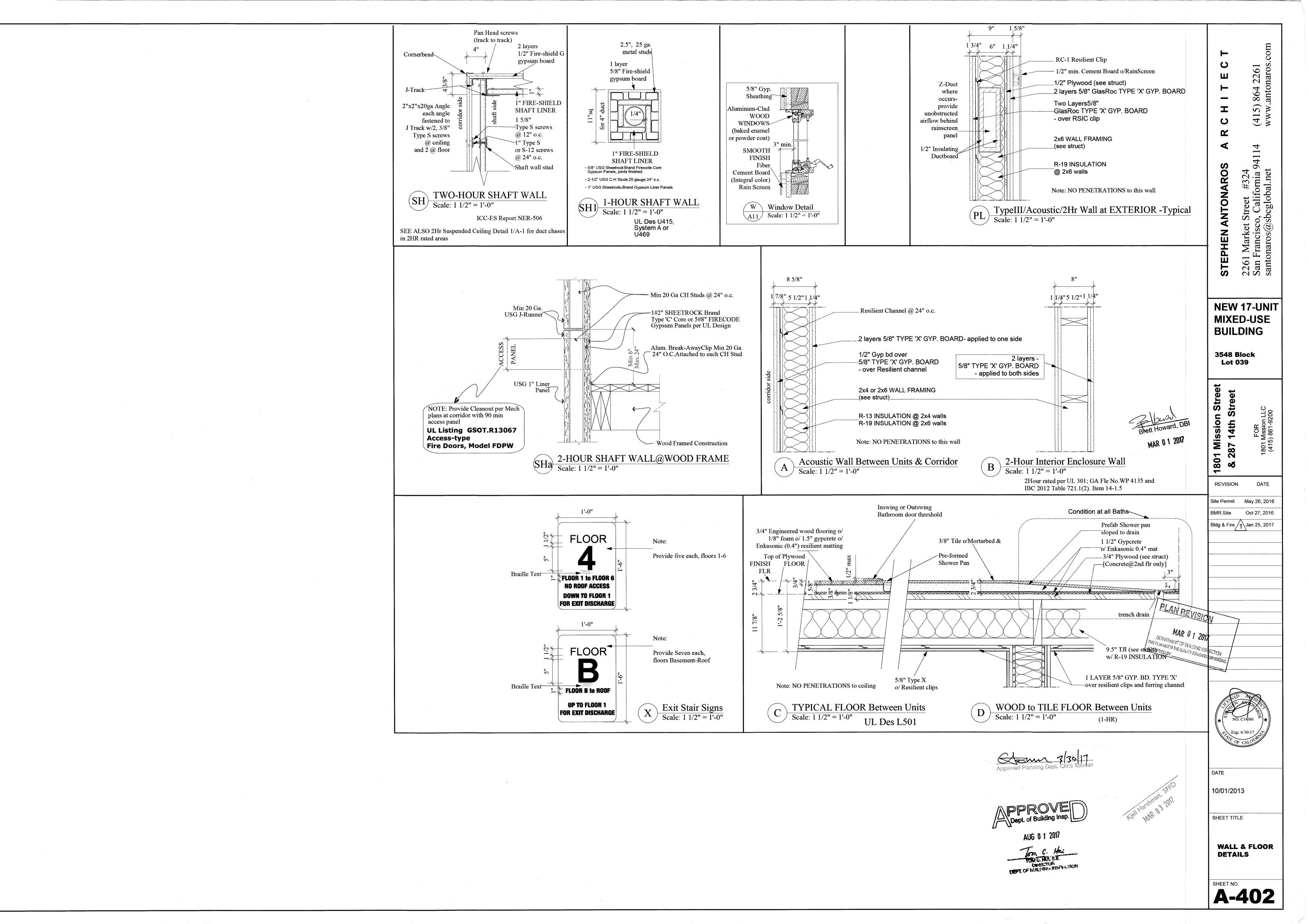
**NEW 17-UNIT** MIXED-USE

Site Permit May 26, 2016 Oct 27, 2016 Bldg & Fire 1 Jan 25, 2017



SHEET NO. **A-301** 





# **BASIC INFORMATION:**

These facts, plus the primary occupancy, determine which requirements apply. For details, see AB 093 Attachment A Table 1.

Project Name 1801 MISSION STREET	Block/Lot 3548 / 039	Address 1801 MISSION STREET
Gross Building Area 21,309 sq ft	Primary Occupancy R-2	Design Professional/Applicant: Sign & Date Stephen Antonaros
# of Dwelling Units Seventeen	Height to highest occupied floor 58 feet	Number of occupied floors SIX

Seventeen	eight to highest occup	58
ALL PROJECTS, AS APPLI	CABLE	
Construction activity stormwater pollution prevention and site runoff controls - Provide a construction site Stormwater Pollution Prevention Plan and implement SFPUC Best Management Practices.	<	
Stormwater Control Plan: Projects disturbing ≥ 5,000 square feet must implement a Stormwater Control Plan meeting SFPUC Stormwater Design Guidelines	<	
Water Efficient Irrigation - Projects that include ≥1,000 square feet of new or modified landscape must comply with the SFPUC Water Efficient Irrigati	on (	

Recycl	ing by Occup	<mark>oants -</mark> Pr	ovide ad	equate spa	ace
	ual access for stable, recycla	<b>O</b> /			•
	strative Bulleti				
	,				

**Construction Waste Management** - Comply with

the San Francisco Construction & Demolition

# **GREENPOINT RATED PROJECTS**

	LUES ROLLET III DE SAN LE LETRE
Proposing a GreenPoint Rated Project (Indicate at right by checking the box.)	
Base number of required Greenpoints:	75
Adjustment for retention / demolition of historic features / building:	
Final number of required points (base number +/-adjustment)	
GreenPoint Rated (i.e. meets all prerequisites)	<
Energy Efficiency: Demonstrate a 15% energy use reduction compared to 2008 California Energy Code, Title 24, Part 6.	<
Meet all California Green Building Standards Code requirements (CalGreen measures for residential projects have been integrated into the GreenPoint Rated system.)	<

# **Notes**

Ordinance

Debris Ordinance

1) New residential projects of 75' or greater must use the "New Residential High-Rise" column. New residential projects with >3 occupied floors and less than 7t feet to the highest occupied floor may choose to apply the LEED for Homes Mid-Rise rating system; if so, you must use the "new Residential Mid-Rise" column.

2) LEED for Homes Mid-Rise projects must meet the "Silver" standard, including all prerequisites. The number of points required to achieve Silver depends on unit size. See LEED for Homes Mid-Rise Rating System to confirm the base number of points required.

3) Requirements for additions or alterations apply to applications received on or after July 1, 2012.

NOVEMBER 09, 2016 NOVEMBER 09, 2016	
17-UNIT BUILDING	****
970ject Name 3548/039	
Block/Lot 1801 Mission	
Address	
RESIDENTIAL - R-2 Occupancy Primary Occupancy	
17-Unit Residentia Mixed Use Building	
# of Dwelling Units 68'	
Height to highest occupied floor	
Summary of Green Building Requirements:	
Rating Requirement: Number of GreenPoints required (includes prerequisites)	75
Adjustment for retention / demolition of historic features / building:	
Final number of required points (base number +/- adjustment)	75
Construction activity stormwater pollution prevention and site runoff controls	
Stormwater Control Plan: Projects distrubing ≥ 5,000 square feet must implement a Stormwater Control Plan meeting SFPUC Stormwater Design Guidelines	
Water Efficient Irrigation - Projects that include ≥ 1,000 square feet of new or modified landscape must comply with the SFPUC Water Efficient Irrigation Ordinance.	
Meet all California Green Building Standards Code requirements (CalGreen measures for residential projects have been integrated into the GreenPoint Rated system.)	X
	complia:
Verification of compliance will be provided by the Green Building C Professional of Record:  Stephen Antonaros	omplia.
Professional of Record:	Complia
Professional of Record: Stephen Antonaros  Name Stephen Antonaros	complia
Professional of Record: Stephen Antonaros  Name Stephen Antonaros Architect	complia
Professional of Record:  Stephen Antonaros  Name Stephen Antonaros Architect  Firm C-14386  Architectural or Engineering License  D I am a Certified GreenPoint Rater	complia
Professional of Record: Stephen Antonaros Name Stephen Antonaros Architect Firm C-14386 Architectural or Engineering License	complia
Professional of Record:  Stephen Antonaros  Name Stephen Antonaros Architect  Firm C-14386  Architectural or Engineering License  I am a Certified GreenPoint Rater I am NOT a Certified GreenPoint Rater GreenPoint Rated Projects Completed:  If the above licensed professional is not a Certified GreenPoint Rater, additional signature	
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Professional of Record:  Stephen Antonaros  Name Stephen Antonaros  Architect  Firm C-14386  Architectural or Engineering License  I am a Certified GreenPoint Rater I am NOT a Certified GreenPoint Rater GreenPoint Rated Projects Completed:  If the above licensed professional is not a Certified GreenPoint Rater, additional signature GreenPoint Rater is required:  Green Point Rater - Name (Print) & Contact Phone No  Sign & Date November 09, 2016 415-864-2261  To the best of my knowledge, it is my professional opinion the Green Building requirements of the state of the stat	by a Cerline City of or to revie enty reflect
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# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY And When Recorded Mail To: CONFORMED COPY of document recorded Name: 1801 Mission LLC 11/03/2016,2016K353498 Address: 1875 Mission Street, #103 SAN FRANCISCO ASSESSOR-RECORDER

I (We) 1801 Mission LLC , the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows: (or see attached sheet marked "Exhibit A" on which property is more fully described)

(Space Above This Line For Recorder's Use)

See EXHIBIT "A" ATTACHED

BEING Assessor's Block 3548, Lot 039, hereby give notice that there are special restrictions on the use of said properly under Part II, Chapter II of the San Francisco Municipal Code (Planning Code)

Said Restrictions consist of conditions attached to the approval of Building Permit Application No. 2013.1003.8419 by the Planning Department and are conditions that had to be so attached in order that said application could be approved under the Planning Code.

The plans filed with the present application indicate that the proposed project at 1801 Mission Street includes new construction of a 7-story, 68-foot tall, 17-dwelling unit mixed-use building with 1,420 square feet of retail, 1,049 square feet of office space, 13 off-street parking spaces, 26 Class 1 and 8 Class 2 bicycle parking spaces.

The restrictions and conditions of which notice is hereby given are:

Number of Required Units, Pursuant to Planning Code Section 415.6, the Project is required to provide 14.4% of the proposed dwelling units as affordable to qualifying households. The Project contains 17 units, therefore, 2 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 2 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development

Page 1 of 6

# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- f. The Project Sponsor has demonstrated that it is aligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415 to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
- g. If the Project Sponsor falls to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco, except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

	(Signature)			(Printed Name)		
	Dated: // (Month, D	ay) , 20	at	(City)	, Cali	orn
						iis.
	(Signature)  Dated:			(Printed Name)	, Calii	
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Page 4 of 6

# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500,
- 2. Unit Mix. The Project contains 5 one-bedroom and 12 two-bedroom units; therefore, the required affordable unit mix is 1 one-bedroom and 1 two-bedroom. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.si-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500,
- 3. Unit Location. The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit. For information about compliance, contact the Case Planner, Planning Department at 415-558-5378. www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500,
- 4. Phasing. If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than fourteen and four-tenths percent (14.4%) of the each phase's total number of dwelling units as on-site affordable units.
- For information about compliance, contact the Case Planner, Planning Department at 415-558-6378. www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500.
- 5. Duration. Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org
- 6. Other Conditions. The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual") The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the

Page 2 of 6

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

Each signature must be acknowledged by a notary public before recordation; add Notary

Public Certification(s) and Official Notarial Seal(s).

U:\CTownes\Documents\NSRs\BUILDING PERMITS\NSR\_1801 Mission St (Affordability).doc

# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

MOTE AND THE PART OF THE PART

- http://sf-planning.org/Modules/ShowDocument.asox7documentid=4451. As provided in the Inclusionary Afterdable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.
- For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500,
- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed. completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Planning Code and Procedures Manual.
- b. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households, as defined in the Procedures Manual. The affordable unit shall be affordable to low-income households, as defined in the Planning Code and Procedures Manual. The initial sales price of such units shall be calculated according to the Procedures Manual Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.

Page 3 of 6

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, COUNTY OF RANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS: BEGINNING at the point of intersection of the Southerly line of 14th Street and the Easterly line by Street; running thence Southerly, along said line of Mission Street, 45 feet, thence at a right angle Easterly 66 By feet, thence at a right angle Northerly 45 feet to the Southerly line of 14th Street; thence at a right angle Westerly, along said line of 14th Street, 80 feet to the point of beginning. BEING part of Mission Block No. 31

Commission # 2074192 Notary Public - California

My Comm. Expires Jul 11, 2018

EXKIBIT "A"

APN: Lot 039, Block 3548

# **ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or State of California San Francisco

WITNESS my hand and official seal

On November 2nd 2016

personally appeared Michael J. Mamone who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Page 5 of 6



10/01/2013 SHEET TITLE

GP-1

**ANTONAROS** 

STEPHEN

**NEW 17-UNIT** 

**MIXED-USE** 

**BUILDING** 

3548 Block

Lot 039

801

Site Permit May 26, 2016

BMR.Site Oct 27, 2016

Bldg & Fire /1\Jan 25, 2017

