

TO: COMMISSION — 144 LAIDLEY Received at CPC Hearing 4/14/22
#2021-007053 CUA

Around 8 am this morning I sent an email to the Commission with a link to the ad when this house sold in 2019.

It can be objectively said this is a really fine home...in fact the ad says "gorgeous home" and it is.

Unlike many ads, it doesn't say "bring your contractor" or as the ad said for 232 Clipper Street which was granted a CUA in 2018, "This property is in seriously deteriorated condition". Unlike 144 Laidley ~~that~~ was a truly sad existing house.

Clipper Street

Today's CUA raises the issue of allowing Demolitions by right as outlined in the Draft Housing Element.

Is this a template that will be necessary and desirable?

This is a 2.555 Million Dollar demolition and will not transform into two 4 Million Dollar spec projects each with an ADU that could likely be "a Potemkin unit" never to be on the market.

Additionally, no site permits have been filed with DBI so there is no way to know the cost of this project particularly with the major excavation required. (2,000 cubic yards)

These are just questions for the Commission and policy makers...I am agnostic on the project, other than the fact that the existing house is undeniably and objectively fine.

Georgia Schutts
4/14/2022

Copy TO: COMMISSION



Received at CPC Hearing 4/14/22
Hunt

I sent an email for General Public Comment on the morning the 11th about Discretionary Review with a screenshot of 2017 email correspondence with former Director of Current Planning Joslin about the number of DR hearings in 2015 to 2016 which shows that DR doesn't really take up and extraordinary and exceptional amount of the Commission's time compared with the importance of DR to the public's participation in the Planning process...a participation which is vital. There are actually what seems like a reasonable number of DR's in a City as complex like San Francisco.

I think Mr. Sider also has some info on this that may be similar numbers on a yearly basis to what Mr. Joslin wrote to me.

Following up on the years 2015 to 2016 here is a project from 2015 and here is a project from today 2022. These are two different Alteration projects even though they look like the same project.

I brought this up last week and in the email for today's General Public Comment I included a pdf with all the details and history about the Demo Calcs for both projects. (4/11 EMAIL TO COMMISSION)

As you prepare to further open up the whole issue of Rezoning as outlined in the Housing Element over the next few years, I respectfully ask the Commission to adjust the Demo Calcs to hopefully temper any further speculation that may be spurred on while the Rezoning Program is underway, mirroring what has occurred over the past 12 years due to the fact that the Commission has never used the legislative authority in Planning Code Section 317 (b) (2) (D).

Georgie Schukard
4/14/2022

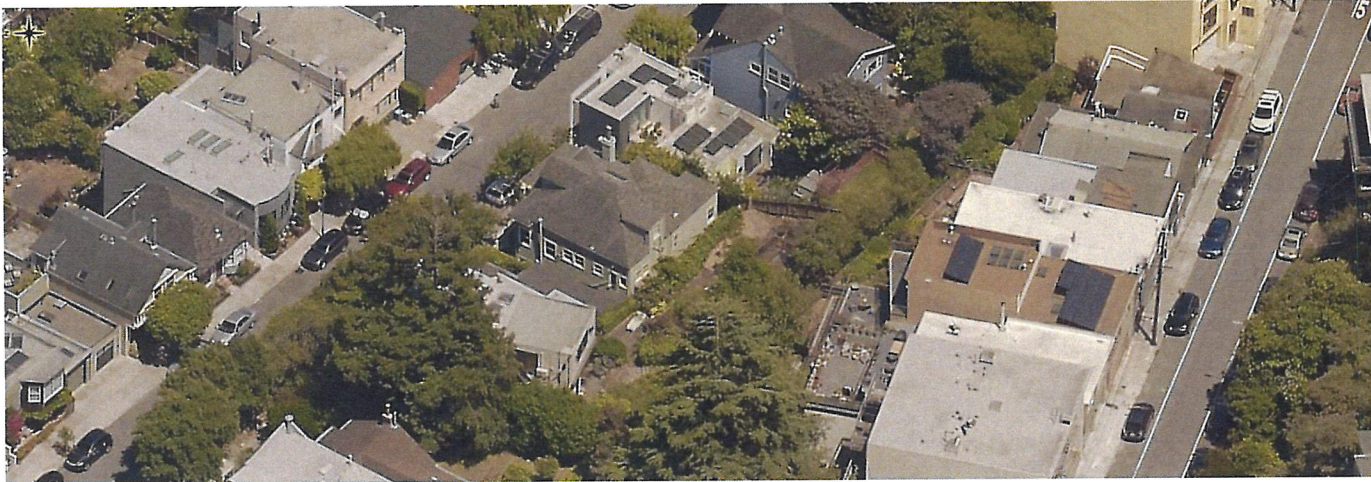
Received at CPC Hearing 7/14/22

PLANNING COMMISSION HEARING PRESENTATION
144 LAIDLEY STREET



MID-BLOCK OPEN SPACE - EXHIBIT 13

AVERAGE SITE SLOPE INCREASE



EXISTING

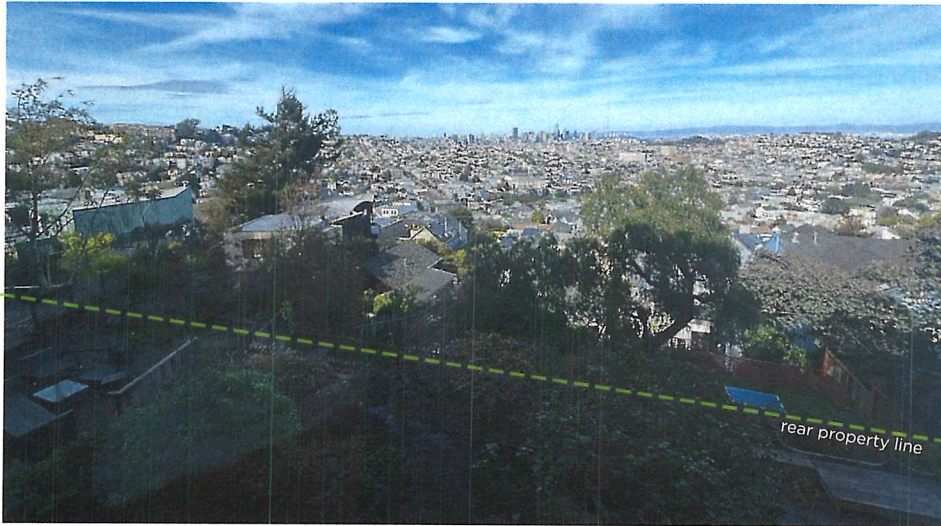


ORIGINAL DESIGN WITH FULL PENTHOUSE



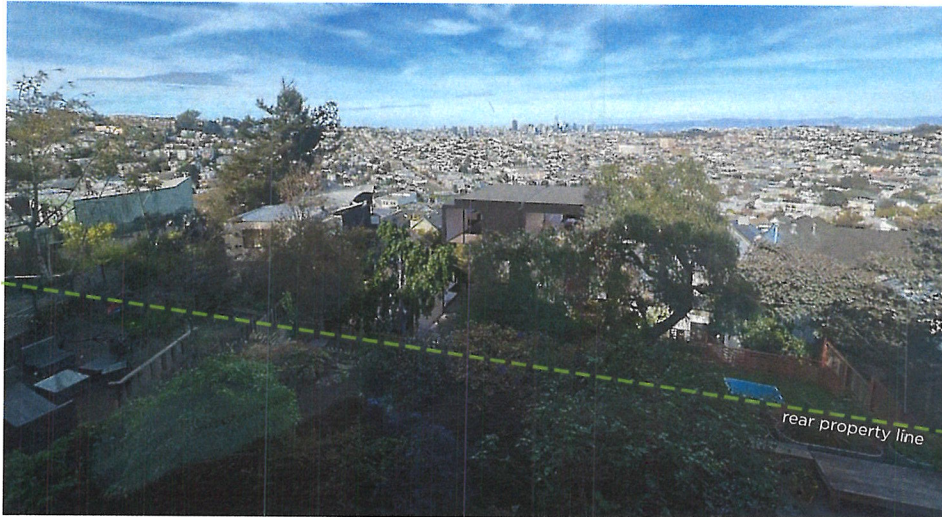
ADJUSTED DESIGN - WITH PENTHOUSE REMOVAL AND NEW STAIR TOWER

REAR YARD AERIAL VIEW - EXHIBIT 03

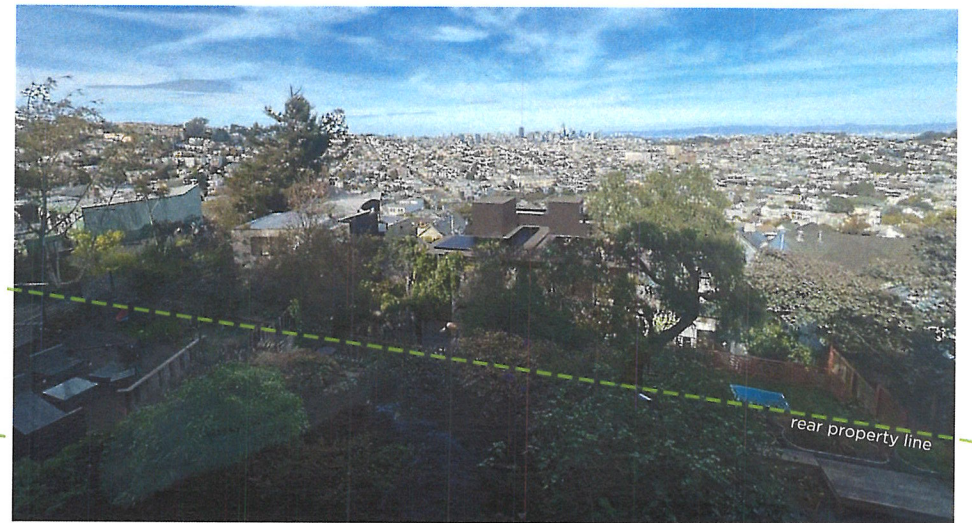


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VIEW TAKEN FROM 47 MIGUEL STREET



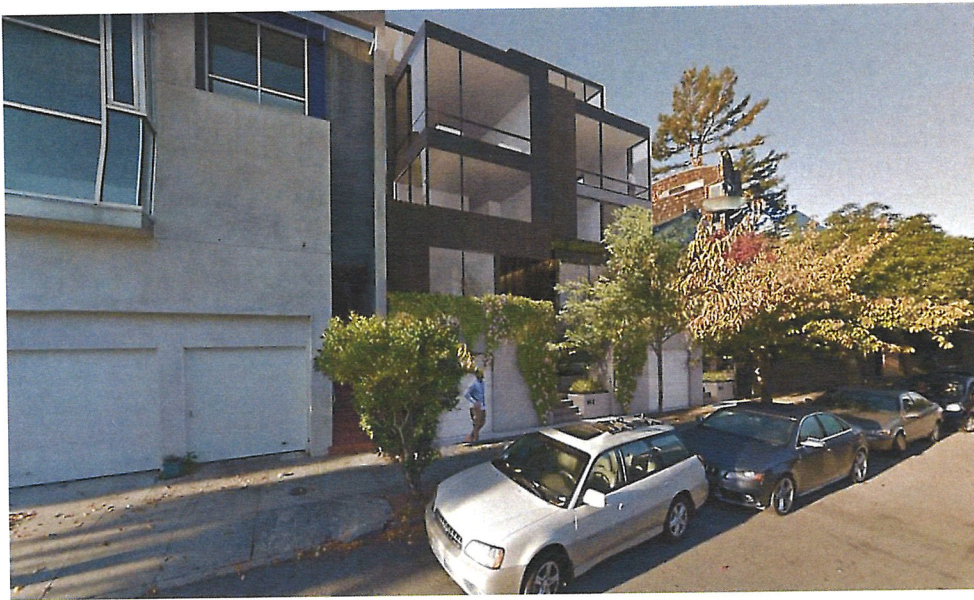
ORIGINAL DESIGN WITH FULL PENTHOUSE



ADJUSTED DESIGN WITH PENTHOUSE REMOVAL AND NEW STAIR TOWER

REAR YARD MASSING CONTEXT - EXHIBIT 07

CONTEXTUAL LAIDLEY STREET VIEW





LAIDLEY STREET VIEW

REAR YARD VIEW

LINE OF WALL
AT REAR
PROPERTY LINE

LINE OF GRADE
AT REAR LOT LINE





CONNECTION BETWEEN INDOOR AND OUTDOOR SPACES





EXECUTIVE SUMMARY CONDITIONAL USE AUTHORIZATION

HEARING DATE: APRIL 14, 2022

Record No.: 2021-007053CUA
Project Address: 144 Laidley Street
Zoning: Residential-House, One-Family (RH-1) Zoning District
40-X Height and Bulk District
Block/Lot: 6665/016
Project Sponsor: Alan Murphy
505 Howard Street, Suite 1000
San Francisco, CA 94105-3204
Property Owner: 144 Laidley St., LLC
San Francisco, CA 94107
Staff Contact: Gabriela Pantoja – (628) 652-7380
Gabriela.Pantoja@sfgov.org

Recommendation: Approval with Conditions

Project Description

The proposal is for the demolition of an existing one-story single family residence, the subdivision of an existing lot into two new substandard lots, and the development of each new lot with a four-story over basement single family residence with an Accessory Dwelling Unit (ADU), for a total of four dwelling units.

Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 121(f), 209.1, 303, and 317 for the demolition of an existing one-story single family residence, the subdivision of an existing lot into two new substandard lots, and the development of each new lot with a four-story over basement single family residence with an Accessory Dwelling Unit (ADU), for a total of four dwelling units within the RH-1 (Residential House, One-Family) Zoning District and 40-X Height and Bulk District.

Issues and Other Considerations

- **Public Comment & Outreach.** The Project Sponsor completed a Pre-Application Meeting on May 5, 2021, prior to the submittal of the listed Conditional Use Authorization Application. Twelve members of the public attended the Pre-Application Meeting. Since the Pre-Application Meeting, the Project Sponsors have continued to engage with the neighborhood and held a second virtual meeting with the neighborhood on February 17, 2022. To date, the Department has one correspondence in opposition of the Project and two correspondences in support of the Project. Members of the public expressing support of the Project state the Project's ability to satisfy previously raised neighborhood concerns and increase the City's housing stock as reasons for their support.
- **Tenant History.** Based on the San Francisco Rent Board's available records, there is no known evidence of any evictions or buyouts at the subject property. See Exhibit G for Eviction History Documentation. ~~According to the Project Sponsor, the existing single family residence is currently occupied by the property owner.~~ According to the Project Sponsor, the existing single-family residence is currently occupied by tenants.

Environmental Review

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

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan and meets all applicable requirements of the Planning Code. The Project will maximize the use of a currently underdeveloped lot and will provide three additional dwelling units to the City's housing stock. Furthermore, the Project will provide a use compatible with the RH-1 Zoning District and construct buildings that are compatible with the size, density, height, and architectural characteristics of the immediate neighborhood. The Department also finds the Project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Attachments:

Draft Motion – Conditional Use Authorization with Conditions of Approval (Exhibit A)
Exhibit B – Plans and Renderings
Exhibit C – Environmental Determination
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F – Project Sponsor Brief
Exhibit G – Eviction History Documentation



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: APRIL 14, 2022

Record No.: 2021-007053CUA
Project Address: 144 Laidley Street
Zoning: Residential-House, One-Family (RH-1) Zoning District
40-X Height and Bulk District
Block/Lot: 6665 / 016
Project Sponsor: Alan Murphy
505 Howard Street, Suite 1000
San Francisco, CA 94105-3204
Property Owner: 144 Laidley St., LLC
San Francisco, CA 94107
Staff Contact: Gabriela Pantoja – (628) 652-7380
Gabriela.Pantoja@sfgov.org

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 121(F), 209.1, 303, AND 317 FOR THE DEMOLITION OF AN EXISTING ONE-STORY SINGLE FAMILY RESIDENCE, THE SUBDIVISION OF AN EXISTING LOT INTO TWO NEW SUBSTANDARD LOTS, AND THE DEVELOPMENT OF EACH NEW LOT WITH A FOUR-STORY OVER BASEMENT SINGLE FAMILY RESIDENCE WITH AN ACCESSORY DWELLING UNIT (ADU) FOR A TOTAL OF FOUR DWELLING UNITS, LOCATED AT 144 LAIDLEY STREET, LOT 016 IN ASSESSOR'S BLOCK 6665, WITHIN THE RH-1 (RESIDENTIAL, HOUSE, ONE-FAMILY) ZONING DISTRICT AND 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On July 14, 2021, Eric Jacobs of GBA Inc. (hereinafter "Project Sponsor") filed Application No. 2021-007053CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to demolish an existing one-story single family residence, subdivide an existing lot into two new substandard lots, and develop each new lot with a new four-story over basement single family residence with an Accessory Dwelling Unit (ADU) for a total of four dwelling units (hereinafter "Project") at 144 Laidley Street, Block 6665 Lot 016 (hereinafter "Project Site").

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

On April 14, 2022, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2021-007053CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2021-007053CUA 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. 2021-007053CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. **The above recitals are accurate and constitute findings of this Commission.**
2. **Project Description.** The proposal is for the demolition of an existing one-story single family residence, subdivision of an existing lot into two new substandard lots, and development of each new lot with a four-story over basement single family residence with an Accessory Dwelling Unit (ADU) for a total of four dwelling units. Each residential building will contain two Class 1 bicycle parking spaces and two off-street parking spaces. Each Accessory Dwelling Unit will have access to a minimum of approximately 142 square feet of private usable open space via a roof deck and each single-family residence will have access to a minimum of approximately 650 square feet of private usable open space via various decks.
3. **Site Description and Present Use.** The approximately 5,372 square foot upsloping lot is located on the west side of Laidley Street, between Miguel and 30th Streets; Lot 016 of Assessor's Block 6665. The property is developed with a one-story single family residence which measures 43 feet 6 inches in length and 38 feet 10 inches in width. The approximately 1,820 square-foot single-family residence is located at the northeast corner of the subject property and occupies approximately 25 percent of the existing property's total area. The subject building, constructed in 1927, is not considered a Historical Resource "Class C" per the California Environmental Quality Act (CEQA). According to the Project Sponsor, the subject building is currently occupied by the property owner-tenants. Prior to the existing tenants, the subject building was owner occupied.
4. **Surrounding Properties and Neighborhood.** The subject property is located within the RH-1 (Residential-House, One Family) Zoning District, the 40-X Height and Bulk District, and Glen Park neighborhood, adjacent to the Diamond Heights, Noe Valley, and Bernal Heights neighborhoods. The RH-1 (Residential-House, One-Family) Zoning District is located to the north, south, and east of the subject property. The RH-2 (Residential-House, Two-Family) Zoning District is located to the west of the subject property. The immediate neighborhood includes one-to-three story residential developments, specifically single-family dwelling units.
5. **Public Outreach and Comments.** The Project Sponsor completed a Pre-Application Meeting on May 5, 2021, prior to the submittal of the listed Conditional Use Authorization Application. Twelve members of the public attended the Pre-Application Meeting. Since the Pre-Application Meeting, the Project Sponsors have continued to engage with the neighborhood and held a second virtual meeting with the neighborhood on February 17, 2022. To date, the Department has one correspondence in opposition of the Project and two correspondences in support of the Project. Members of the public expressing support of the Project state the Project's ability to satisfy previously raised neighborhood concerns and increase the City's housing stock as reasons for their support.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Minimum Lot Width and Area.** Planning Code Section 121 states that all properties within all other

zoning use districts except RH-1 (D) Zoning District shall have a minimum lot width equal to 25 feet and a minimum lot area equal to 2,500 square feet, except that the minimum lot area any lot having its frontage entirely within 125 feet of the intersection of two streets that intersect at an angle of not more than 135 degrees shall be 1,750 square feet. However, the Planning Commission may grant a Conditional Use Authorization for the creation of one or more lots of lesser width to be created, with each lot containing a single-family dwelling and having a lot area of no less than 1,500 square feet, according to the procedures and criteria pursuant to Planning Code Section 303.

The Project includes the subdivision of an existing approximately 5,372 square foot lot, which currently contains a single-family residence, into two new lots with lot widths less than 25 feet. As such, the proposed lots will have lot areas that do not qualify towards the required lot area of at minimum 2,500 square feet. Only that lot area with a width of 25 feet or greater may be considered towards a lot's required area. Therefore, the Project requires the issuance of a Conditional Use Authorization pursuant to Planning Code Section 303.

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

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

- C. **Residential Use and Density.** Planning Code Section 209.1 states that properties within the RH-1 Zoning District are principally permitted to contain one dwelling unit per lot. However, a Conditional Use Authorization may be granted pursuant to Planning Code Section 303 for the construction of one dwelling unit per 3,000 square feet of lot area, with no more than three units per lot.

The Project will comply with this requirement. The Project will subdivide an existing lot into two new lots and develop each lot with a single-family residence with an Accessory Dwelling Unit pursuant to Planning Code Section and California Government Code Section 65852.2(a) through (d).

- D. **Rear Yard.** Planning Code Section 134 requires that properties within the RH-1 Zoning District maintain a minimum rear yard equal to 30% of the lot's depth, but in no case less than 15 feet.

The Project will subdivide an existing lot into two new lots and develop each lot with a single-family dwelling unit with an Accessory Dwelling Unit. Each development will provide a rear yard equal to 30 percent of the lot's depth, but in no case less than 15 feet. Therefore, the Project will comply with this requirement.

- E. **Front Setback.** Planning Code Section 132 requires that properties within the RH-1 Zoning District maintain a front setback equal to the average of adjacent properties' front setbacks, but in no case

shall the required setback be greater than 15 feet. Furthermore, Section 132 requires that at minimum 20 percent of such required front setback remain unpaved and devoted to plan material and at minimum 50 percent of such required front setback be composed of a permeable surface so as to increase the stormwater infiltration.

The Project complies with this requirement. The Project will subdivide the subject lot into two new lots and construct both residential buildings outside of each respective lot's required front setback. Further, each front setback will include landscaping equal to 20 percent of the subject property's front setback area and permeable surfaces equal to 50 percent of the property's front setback area.

- F. **Useable Open Space.** Planning Code Section 135 requires that each dwelling unit within the RH-1 Zoning District contain access to at minimum 300 square feet of private usable open space or at minimum 400 square feet of common usable open space.

The Project will comply with this requirement. Each single-family residence will contain access to a minimum of 650 square feet of private usable open space. Each Accessory Dwelling Unit will have access to at least 142 square feet of private usable open space. However, Accessory Dwelling Units are exempt from the usable open space requirements pursuant to the Planning Code and Government Code Section 65852.2(a) through (d).

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

The Project complies with this requirement. All proposed dwelling units will contain a room measuring at minimum 120 square feet in area with required windows facing onto either Laidley Street, a public street, or a code compliant rear yard pursuant to Planning Code Section 134.

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

The Project complies with this requirement. A total of four off-street vehicle parking spaces are proposed.

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

Each dwelling unit will have access to one Class 1 bicycle parking space within the building's ground floor. Therefore, the Project complies with this requirement.

- J. **Accessory Dwelling Unit.** Pursuant to Planning Code and California Government Code Section

65852.2(a) through (d), Accessory Dwelling Units (ADU) are permitted in areas zoned to allow single-family or multifamily dwelling residential use.

The Project will comply with this requirement. The Project will construct two new single-family residences with an Accessory Dwelling Unit in each. The Accessory Dwelling Units will comply with Planning Code and Government Code Section 65852.2(a) through (d).

- K. **Building Height.** Pursuant to Planning Code Section 260 and 261, the subject property is limited to a building height of 40 feet in height.

The Project will demolish an existing single-family residence and construct two new four-story over basement, single-family residences with an Accessory Dwelling Unit. Each residential building will be less than 40 feet in height. Therefore, the Project complies with this requirement.

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

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

The Project will provide a development that is necessary, desirable, and compatible with the immediate neighborhood. The Project will maximize the use of a currently underdeveloped lot and will provide three additional dwelling units to the City's housing stock. Furthermore, the Project will provide a use compatible with the RH-1 Zoning District and construct buildings that are compatible with the size, density, height, and architectural characteristics of the immediate neighborhood. Most of surrounding buildings are modest in sized single-family dwelling units under 40 feet in height, similar to the proposed residential buildings in the proposed Project.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. The proposed subdivision, demolition and construction of two new single-family residences with Accessory Dwelling Units will be compatible to the development pattern, density, and height of the immediate neighborhood. The new residential buildings will have features similar to that of single-family dwelling units on the subject block and immediate neighborhood. In particular, the buildings will contain an elevated main entrance and a garage door at the front of each dwelling, with living space on the upper floor(s). These building elements are consistent with the prevailing residential pattern

of the nearby neighborhood.

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Project is not expected to affect the accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of off-street parking spaces and loading spaces. The Project will construct two new standard curb cuts along Laidley Street and provide four new off-street vehicle parking spaces, one for each new dwelling unit. The number of available on-street vehicle parking spaces is not expected to be altered significantly. Additionally, the Project site is well served by public transit. The subject property is located approximately half a mile from the J Muni and two blocks from the intersection of Fairmount and Whitney Streets which is served by the 36-bus line.

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

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

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

The Project will provide usable open space, pedestrian walkways, landscaping, permeable surfaces, and trees at the development site. Appropriate lighting, fencing, and buffers are incorporated into the design that will enhance privacy and help transition between the immediate neighborhood and proposed development. Additionally, the Project will configure the development to provide access to and screen all off-street parking spaces appropriately.

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

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

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

The Project is consistent with the stated purpose of the RH-1 (Residential-House, One Family) Zoning District in that the intended use will be a compatible residential use and the proposed dwelling units will be consistent with the characteristics of the listed Zoning District.

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

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

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

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

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

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

The subject building and property is not identified as a historical resource. Pursuant to CEQA, a Historical Resource Evaluation (HRE) was completed and the subject building and property were determined to not be eligible for listing in the California Register under any criteria, individually or as part of a historic district.

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

Given the completed Historical Resource Evaluation, the demolition of the subject building will not create significant impacts to a historical resource.

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

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

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

The Project will demolish an existing one-story, single-family residence. Single-family residences located on lots with no other residential structures and- no rental history prior to January 1, 1996 are generally not subject to price controls under the Rent Ordinance. However, single family residences rented are subject to -the remaining portions of the Residential Rent Stabilization and Arbitration Ordinance. There is no evidence that the existing single family residence was subject to price controls under the Rent Ordinance. The subject dwelling unit and property is currently owner occupied occupied by tenants and- t There is no evidence of it being a the property being a rental property prior to 1996-.

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

Although the Project will demolish an existing single-family dwelling unit, the Project will enhance and reinforce the existing cultural and economic diversity of the immediate neighborhood by providing three additional dwelling units. In particular, the proposed residential buildings will be compatible with the development pattern, size, density, and height of the immediate neighborhood.

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

The Project will conserve the existing neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will demolish an existing one-story, single-family residence and construct two new four-story over basements, single-family residences with Accessory Dwelling Units within a neighborhood characterized by residential uses.

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

The Project will demolish an aged, existing single-family residence which is generally considered more affordable than new dwelling units, and therefore the Project will not preserve the relative affordability of existing housing. However, the Project will provide three additional dwelling units to the City's housing stock including two Accessory Dwelling Units.

- J. Whether the project increases the number of permanently affordable units as governed by Section [415](#);

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

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

The Glen Park neighborhood is an established residential neighborhood. The Project has been designed to be compatible with the scale and development pattern of the established neighborhood character.

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

The Project will provide two family-sized dwelling units to the City's housing stock, in addition to two Accessory Dwelling Units.

- M. Whether the project creates new supportive housing;

The Project will not create supportive housing.

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

The Project will be responsive to the scale, development pattern, and architectural expression of the immediate neighborhood. The Project will demolish an existing single family residence and construct two new four-story over basement, single-family residences with Accessory Dwelling Units that will compliment the existing neighborhood character with a design that is contemporary but contextual.

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

The Project will increase the number of on-site dwelling units at the subject property from one to four units.

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

The Project will increase the number of on-site bedrooms at the subject property. The property is currently developed with a one-story, single-family residence that contains three bedrooms. The Project will develop the site with two new residential buildings with a total of eight bedrooms. Each building will contain four bedrooms.

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

The Project will maximize the density of the subject property. The subject property measures approximately 5,372 square feet in area and is located within the RH-1 Zoning District which permits one dwelling unit per lot. The Project will subdivide the existing lot into two new substandard lots and develop each lot with a single-family residence with an Accessory Dwelling Unit for a total of four units.

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

The existing single-family residence is currently ~~owner occupied~~occupied by tenants; and there is no evidence that ~~the property was a rental property prior to 1996, and therefore is not subject to the~~it was ~~subject to~~ price controls under the Rent Ordinance. ~~There is no evidence of it being a rental property.~~ Nonetheless, the Project will demolish a one-story, three-bedroom, approximately 1, 820 square foot single-family residence and construct two new four-story over basement, four-bedroom, approximately 3,800 square foot single-family residence with studio Accessory Dwelling Units.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

Policy 1.10

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

OBJECTIVE 4:

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

Policy 4.1

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

Policy 4.4

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

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 13:

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

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

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.3

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

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6

Respect the character of older development nearby in the design of buildings.

The Project will subdivide an existing underdeveloped lot into two new lots at a location within a close proximity to public transportation, commercial corridors, and jobs. Additionally, the Project will increase the City's housing stock by providing three additional dwelling units. Furthermore, the two additional dwelling units will be developed to meet the needs and necessities of families. The Project will also provide a use compatible the RH-1 Zoning District and neighborhood in that the proposed residential buildings will be compatible with the size, density, height, and architectural characteristics of the immediate neighborhood. Most of surrounding buildings are modest in sized single-family dwelling units under 40 feet in height, similar to the proposed single-family dwelling units in the listed Project.

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

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

The proposal will not remove or displace an existing neighborhood serving retail uses. The Project site does not contain an existing neighborhood serving retail use, rather the site is utilized and occupied by a residential use.

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

The Project will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will demolish an existing single family residence and construct two new complying residential buildings.

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

The Project will not affect the City's supply of affordable housing; no affordable housing will be removed. The Project site is currently occupied by an existing single-family residence which will be demolished.

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

The Project is not expected to impede public transportation or overburden the immediate neighborhood's existing on-street availability; the Project site is well served by public transit. The subject property is located approximately half a mile from the J-Muni line and two blocks from the intersection of Fairmount and Whitney Streets which is served by the 36-bus line. Additionally, the Project will construct two new standard curb cuts along Laidley Street and provide four new off-street parking spaces, one for each dwelling unit.

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

The Project will not displace any service or industry sectors due to commercial office and will not affect residents' employment and ownership opportunities of industrial and service sector

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

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

- G. That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

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

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

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2021-007053CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated April 1, 2022 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 April 14, 2022.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: April 14, 2022

EXHIBIT A

Authorization

This authorization is for a conditional use to allow the demolition of an existing one-story single family residence, the subdivision of an existing lot into two new substandard lots, and the development of each new lot with a new four-story over basement single family residence with an Accessory Dwelling Unit (ADU) for a total of four dwelling units located at 144 Laidley Street, Block 6665, Lot 016, pursuant to Planning Code Sections 121(f), 209.1, 303, and 317 within the RH-1 Zoning District and 40-X Height and Bulk District; in general conformance with plans, dated April 1, 2022, and stamped "EXHIBIT B" included in the docket for Record No. 2021-007053CUA and subject to conditions of approval reviewed and approved by the Commission on April 14, 2022 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 April 14, 2022 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 628.652.7380, 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 628.652.7380, 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. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, www.sfplanning.org

10. **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 628.652.7380, www.sfplanning.org

Parking and Traffic

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

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

- 12. Parking Maximum.** Pursuant to Planning Code Section 151, the Project shall provide no more than four (4) off-street parking spaces.

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

- 13. 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

- 14. 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 628.652.7380, www.sfplanning.org

Monitoring - After Entitlement

- 15. 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

- 16. 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

- 17. 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

- 18. 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