



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Action DRA-0291

HEARING DATE: SEPTEMBER 6, 2012

Date: September 20, 2012
Case No.: 2012.0723D
Project Address: 1050-1058 VALENCIA STREET (AKA 1 HILL STREET)
Building Permit: 2010.12.27.7436 & 2010.12.27.7437
Zoning: Valencia St NCT (Neighborhood Commercial Transit) Zoning District
55-X Height and Bulk District
Block/Lot: 3617/008
Project Sponsor: Stephen Antonaros
2261 Market Street, Ste. 324
San Francisco, CA 94114
DR Requestor: Liberty Hill Neighborhood Association
c/o Risa Teitelbaum
3288 21st Street
San Francisco, CA 94110
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

ADOPTING FINDINGS RELATED TO TAKING DISCRETIONARY REVIEW OF CASE NO. 2012.0723D AND THE APPROVAL OF BUILDING PERMIT APPLICATION NOS. 2010.12.27.7436 & 2010.12.27.7437 PROPOSING DEMOLITION OF AN EXISTING ONE-STORY COMMERCIAL BUILDING AND NEW CONSTRUCTION OF A FIVE-STORY MIXED-USE BUILDING WITH TWELVE DWELLING UNITS AND A GROUND FLOOR COMMERCIAL WITHIN THE VALENCIA ST NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT AND A 55-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 29, 2010, Stephen Antonaros filed for Building Permit Application Nos. 2010.12.27.7436 & 2010.12.27.7437 proposing demolition of the existing one-story commercial building and construction of a five-story mixed-use building within the Valencia St NCT (Neighborhood Commercial Transit) Zoning District and a 55-X Height and Bulk District.

On June 4, 2012, the Liberty Hill Neighborhood Association (hereinafter "Discretionary Review (DR) Requestor") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2012.0723D) of Building Permit Application Nos. 2010.12.27.7436 & 2010.12.27.7437.

On February 20, 2010, a Preliminary Mitigated Negative Declaration for the Project was prepared by the Planning Department and published for public review.

On September 23, 2010, an Amended and Finalized Mitigated Negative Declaration for the Project was published.

On September 30, 2010, the Planning Commission reviewed and considered the Mitigated Negative Declaration (MND) and found that the contents of said report and the procedures through which the MND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

As determined by the Planning Department, nothing about the proposed project as revised or its surrounding circumstances have changed in a way to require additional environmental review.

On September 6, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2012.0723D.

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.

ACTION

The Commission hereby takes Discretionary Review requested in Application No. 2012.0723D and approves Building Permit Application Nos. 2010.12.27.7436 & 2010.12.27.7437 subject to the following conditions:

1. **Refine Bay Windows.** The Project Sponsor shall continue to work with Department staff to refine the design of the bay windows. The Project Sponsor should consider rectangular or square bay windows in the project refinements.
2. **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 with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator 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.
3. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

4. **Construction Hours.** The Project Sponsor shall limit the hours of construction to:
 - 7am to 6pm: Monday to Friday,
 - 7am to 1pm: Saturday.
 - No construction activities would occur on Sundays.
5. **Encourage Outreach to Adjacent Neighbor (Marsh Theater).** The Commission encourages the Project Sponsor to conduct additional outreach with the adjacent neighbor, the Marsh Theater, and to address issues associated with drainage, ventilation, light and sound attenuation.
6. **Encourage Refinement of Building Mass along Hill Street.** The Commission encourages the Project Sponsor to work with Department staff to refine the building mass and encourage a step down along Hill Street, but still maintain the number of dwelling units contained within the proposed project.

BASIS FOR RECOMMENDATION

The reasons that the Commission took the action described above include:

1. There are extraordinary or exceptional circumstances in the case. The DR Requestor and their supporters demonstrated during the public hearing that project refinements were necessary to better integrate the project into the surrounding neighborhood and address the concerns of the adjacent theater.
2. The Commission determined modifications to the project were necessary and they instructed staff to approve the project per plans marked Exhibit A on file with the Planning Department with modification listed above.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is issued. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

I hereby certify that the Planning Commission did take Discretionary Review and approved the building permits with conditions as reference in this action memo on September 6, 2012.

Linda D. Avery
Commission Secretary

AYES: Commissioners Antonini, Borden, Fong, Hillis, Moore, Sugaya and Wu

NAYS:

ABSENT:

ADOPTED: September 6, 2012