



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Full Analysis

HEARING DATE AUGUST 16, 2012

Date: August 9, 2012
Case No.: 2010.1011DD
Project Address: 4334 GEARY BLVD.
Permit Application: 2010.10.04.2197
Zoning: NC-3 (Neighborhood Commercial, Moderate Scale)
40-X Height and Bulk District
Block/Lot: 1439/021
Project Sponsor: Jeremy Paul
Quick Draw Permit Consulting
415-999-9050
jeremy@quickdrawsf.com
Staff Contact: Aaron Starr- (415) 558-6362
aaron.starr@sfgov.org
Recommendation: **Take DR and modify the project**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The proposal is to demolish the existing 2-story, ±4,900 sq. ft. commercial structure and construct a new 3-story, ±9,515 sq. ft., 40' tall dental office. The proposed project received a parking waiver for 19 parking spaces from the Zoning Administrator per Section 161 of the Planning Code. No parking spaces are proposed for this project.

SITE DESCRIPTION AND PRESENT USE

The subject site is located on the north side of Geary Boulevard between 7th and 8th Avenues. The subject property is an L-shaped lot that wraps around the adjacent property to the east. The site is currently occupied by a two-story commercial building; the second story is toward the rear of the lot and is not visible from Geary Blvd. To the west of the subject building is the three-story Star of the Sea Convent, and to the east is a three-story, mixed-use building owned by the DR Requestor.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Inner Richmond Neighborhood between 7th and 8th Avenues. This section of Geary Boulevard primarily consists of three- and four-story apartment and mixed-use commercial buildings. Geary Boulevard is a major transit corridor linking the northwestern part of the city with downtown. MUNI's 38 and 38 Limited Geary bus lines, among the most heavily used transit lines in the city, serve the subject neighborhood.

BUILDING PERMIT APPLICATION NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
312 Notice	30 days	5/14/2012-6/12/2012	6/12/2012	8/16/2012	65 days

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	8/6/2012	8/6/2012	10 days
Mailed Notice	10 days	8/6/2012	8/6/2012	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	-	1	-
Other neighbors on the block or directly across the street	-	-	-
Neighborhood groups	-	-	-

While several neighbors signed a petition stating that they had not been notified of the pre-application meeting, the only stated opposition to the proposed project has come from the DR Requestor, Eva Chao, who owns the mixed-use building at 4328-4330 Geary Boulevard directly to the east of the subject property.

DR REQUESTOR

Michael J. O’Donoghue, (representing Eva Chao property owner of 4328-4330 Geary Boulevard, immediately adjacent to the east of the subject property)

The Planning Department also initiated a Discretionary Review of this project.

DR REQUESTOR’S CONCERNS AND PROPOSED ALTERNATIVES

Staff-Initiated DR

The Department initiated DR because the project sponsor did not comply with staff’s requirement that the two upper stories of the proposed building be reduced in depth at the rear by 20’. The intention behind this is to maintain the connection between the adjacent mixed-use building to the east and the midblock open space. The Project Sponsor did not propose any alternatives for staff’s consideration.

Pursuant to Planning Code Section 712.12, buildings that do not contain residential units are not required to provide rear yard setbacks in NC-3 Zoning Districts; as a result, in this case the proposed structure covers the entire lot at a height of 40', effectively cutting off the adjacent building to the east from the midblock open space. The Department's justification for requiring a 20' deep rear setback at the project's second and third stories comes from the following two items in the General Plan's Urban Design Guidelines found in the Commerce and Industry Element, Policy 6.7, "Promote high quality urban design on commercial streets."

- New development should respect open space corridors in the interior of blocks and not significantly impede access of light and air nor block views of adjacent buildings.
- The height and bulk of new development should be designed to maximize sun access to nearby residential open space, parks, plazas, and major pedestrian corridors.

Michael O'Donoghue's DR Request

Issue #1: The DR Requestor's property line windows will be covered by the proposed development. Because of the building's age and "uniqueness" the property line windows should be protected.

Issue #2: The proposed development will block light and air flow into the DR Requestor's property.

Issue #3: This development will encourage the property owner of 4328 Geary to do the same thing and "encase alive" all the tenants of 4328 Geary.

Issue #4: The project does not propose any parking.

Issue #5: The project sponsor did not provide any information to the DR Requestor over the year-and-a-half this project was at the Planning Department.

Issue #6: The noticing was not done correctly.

Please see the DR Requestor's application for more information. The *Discretionary Review Application* is an attached document.

PROJECT SPONSOR'S RESPONSE

- The project provides a setback at the upper two floors at the L shaped section of the lot, providing adequate connection to the midblock open space for the adjacent apartment building.
- The Department's setback requirement will adversely affect the viability of the project.
- The Department discourages parking along major transit corridors and in Neighborhood Commercial Districts.

Please see the Project sponsor's submittal attached to this document

PROJECT ANALYSIS

Project and Massing

Overall, the Department supports the project as an infill development on an underutilized lot. The massing at the front is consistent with the rest of the blockface helping to create a strong street wall along Geary Boulevard. The proposal includes a transparent storefront, and by not including a garage the project protects the pedestrian realm and right-of-way. However, the proposed massing at the rear of the building is overwhelming and cuts off the adjacent mixed-use building from the midblock open space. The Department finds that the building's mass needs to be reduced at the rear per the General Plan's Urban Design Guidelines.

Property Line Windows

The property line windows on the DR Requestor's property are not protected by the Planning Code or the General Plan, regardless of how long they have been there. The proposed project matches the light wells on the DR Requestor's property, which sufficiently accommodates the adjacent property's need for light and air from the side of the property.

Noticing and Community Outreach

The Department required the project sponsor to re-hold the pre-application meeting because the original meeting was noticed incorrectly and it was not held within one mile of the subject property. Department Staff also encouraged the project sponsor to speak directly with Ms. Chao about her concerns. Ms. Chao has been aware of the proposed project and has contacted staff about her concerns regarding the proposed project ever since the application was submitted. Further, she has viewed the case documents and plans several times.

Ms. Chao spoke to the Case Planner at the Planning Information Counter at least 20 days prior to the expiration date of the 312 Notice. During that interaction, she indicated that she was aware that the project was out for notice and was concerned about how much time she had to file a Discretionary Review request. The Case Planner explained to her how to file a DR and when the noticing period for the project expired. While the noticing labels did not have Ms. Chao's current address, she did have ample time to prepare and file a DR Application. Further, 312 Notices are only deemed "inadequate" if more than 20% of the notices are returned. As of the date of this report, approximately 10% of the notices have been returned. Also, it's the property owner's responsibility to ensure that the address they have on file with the Assessor's office is correct and current.

Parking

Planning Code Section 161 allows the Zoning Administrator to waive minimum parking requirements for projects that are located in Neighborhood Commercial Districts. The intention behind this provision is to protect the pedestrian right-of-way in areas of significant pedestrian traffic and to maintain a vibrant and active street frontage. A parking waiver decision is not appealable; however, the project as a whole is appealable to the Planning Commission (as is the case with this DR Request) and to the Board of Appeals. Please see the Zoning Administrator's decision document for more information on the parking waiver.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt from environmental review, Categorical Exemption, Class 1 and 3 (State CEQA Guidelines Section 15301(l)(3) and 15303(c)).

RESIDENTIAL DESIGN TEAM REVIEW

This project is not located in a Residential District; therefore it is not subject to the Residential Design Guidelines. The project was reviewed by the Department's Urban Design Advisory Team (UDAT), which recommended some façade changes that have been incorporated into the design, and that the building's mass be reduced at the rear.

Under the Commission's pending DR Reform Legislation, this project would be referred to the Commission, as this project involves demolition and new construction.

BASIS FOR RECOMMENDATION

- The Department would support the project if it is revised such that the top two floors of the proposed project are set back 20' from the rear property line to preserve the adjacent mixed-use building's connection to the midblock open space.

RECOMMENDATION: Take DR and Modify the Project.

Attachments:

Block Book Sanborn and Zoning Maps

Aerial Photographs

Section 311 Notice

DR Application

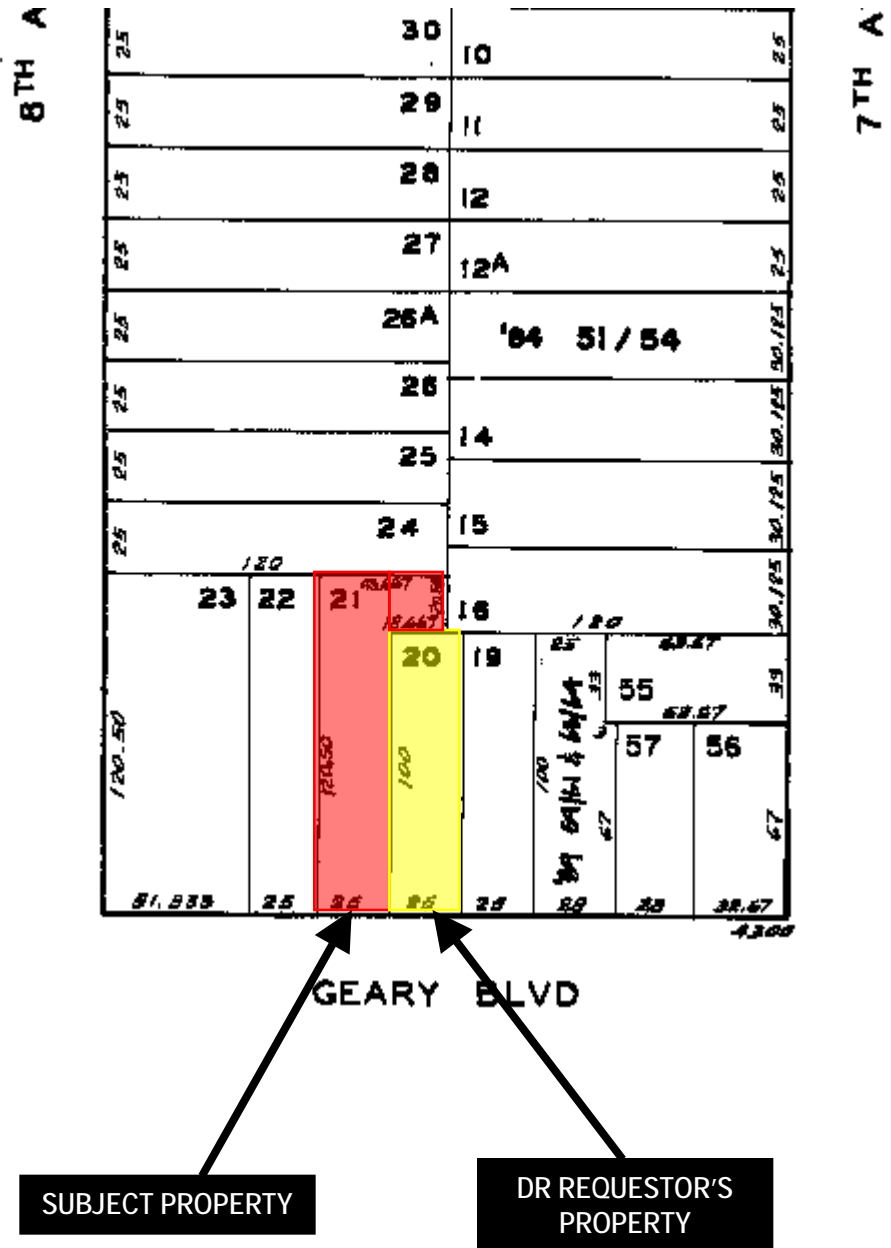
Response to DR Application dated 4/11/2012

Additional Submission from DR Applicant

3-D Rendering, Reduced Plans and Context Photos

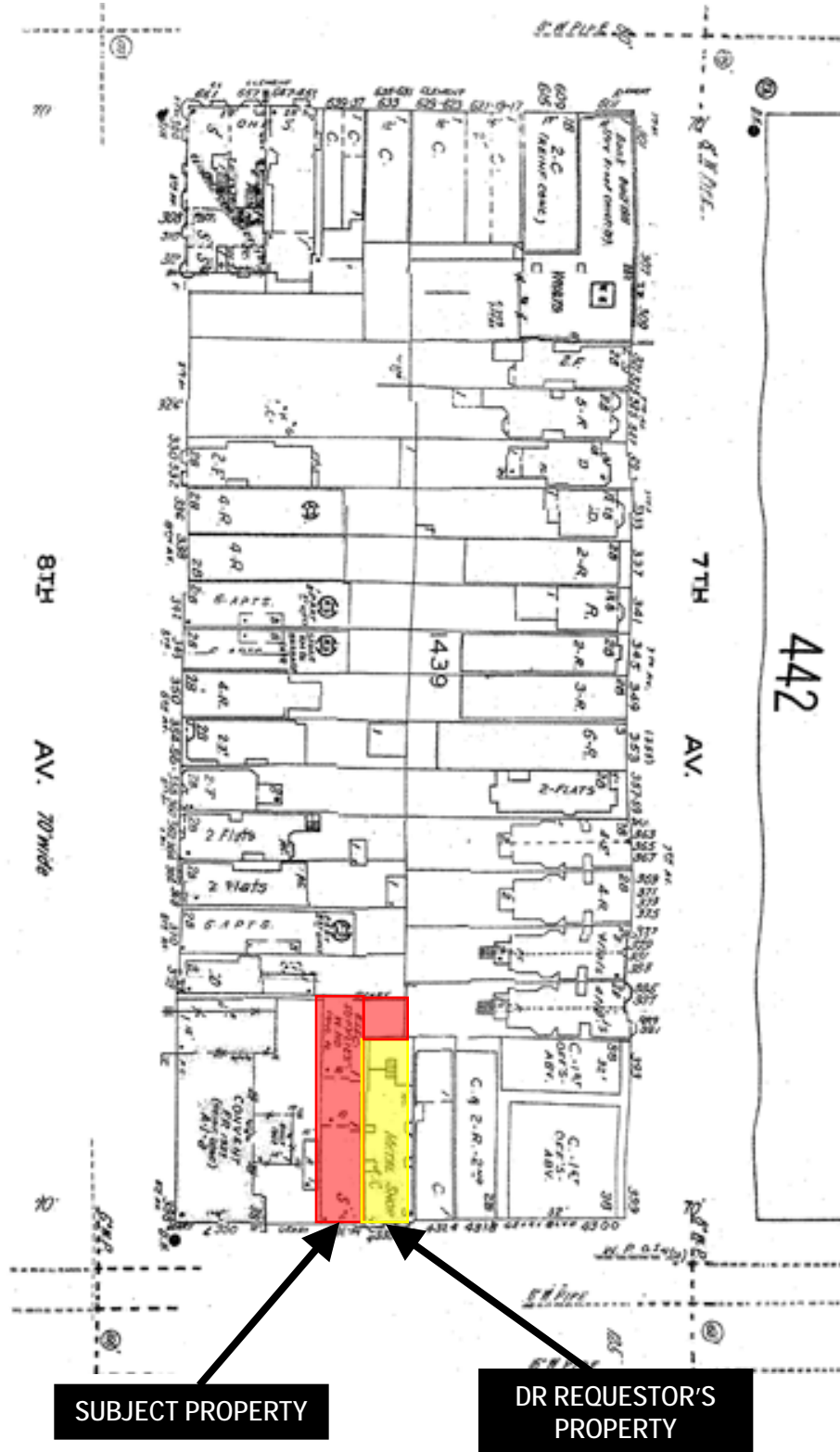
ZA Action Memo- Admin Review of Off-Street Parking Reduction

Parcel Map



Discretionary Review Hearing
 Case Number 2010.1011DD
 Staff and Neighbor Initiated DR
 4334 Geary Blvd.

Sanborn Map*



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



Discretionary Review Hearing
Case Number 2010.1011DD
Staff and Neighbor Initiated DR
4334 Geary Blvd.

Aerial Photo



SUBJECT PROPERTY

DR REQUESTOR'S
PROPERTY

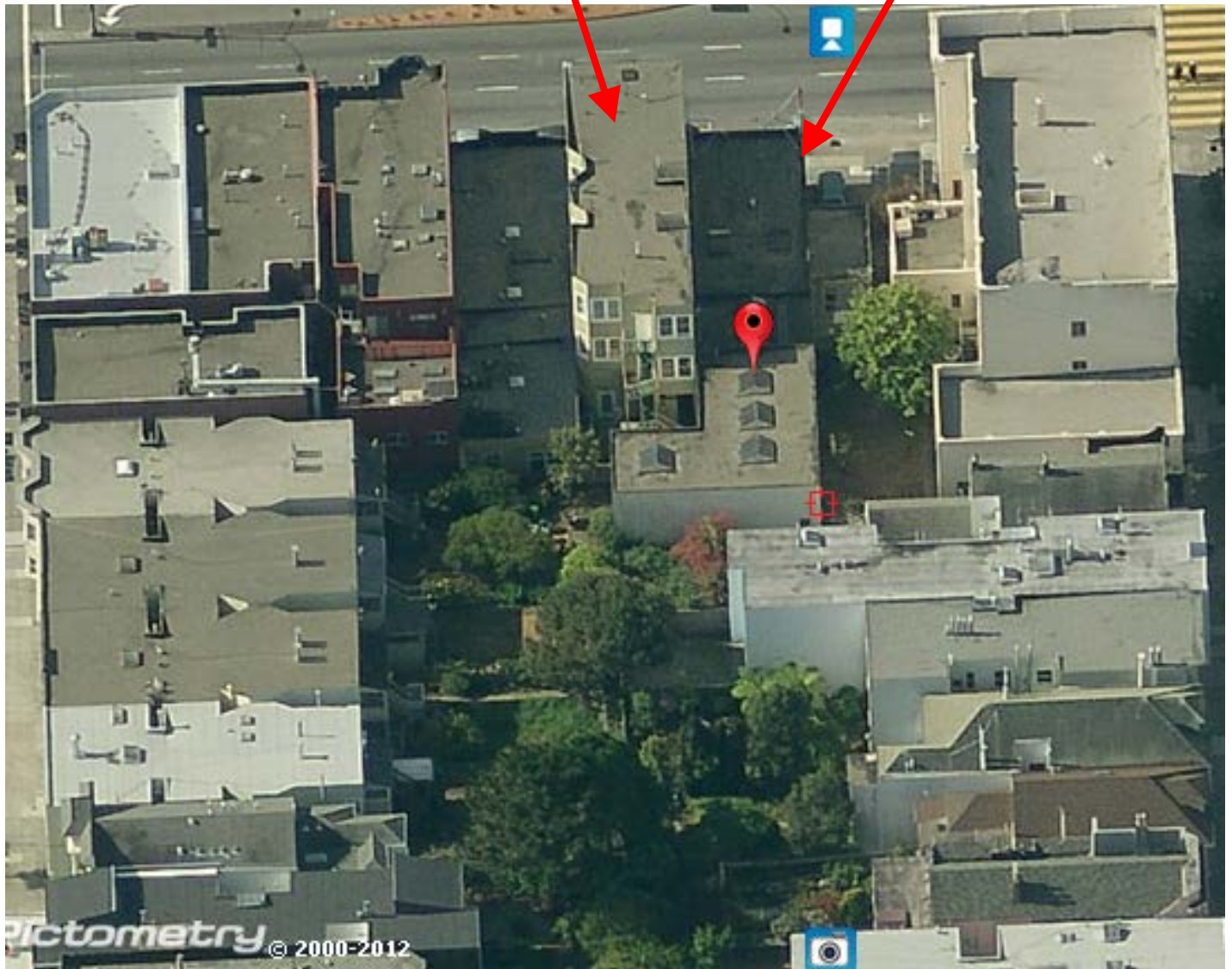


Discretionary Review Hearing
Case Number 2010.1011DD
Staff and Neighbor Initiated DR
4334 Geary Blvd.

Aerial Photo

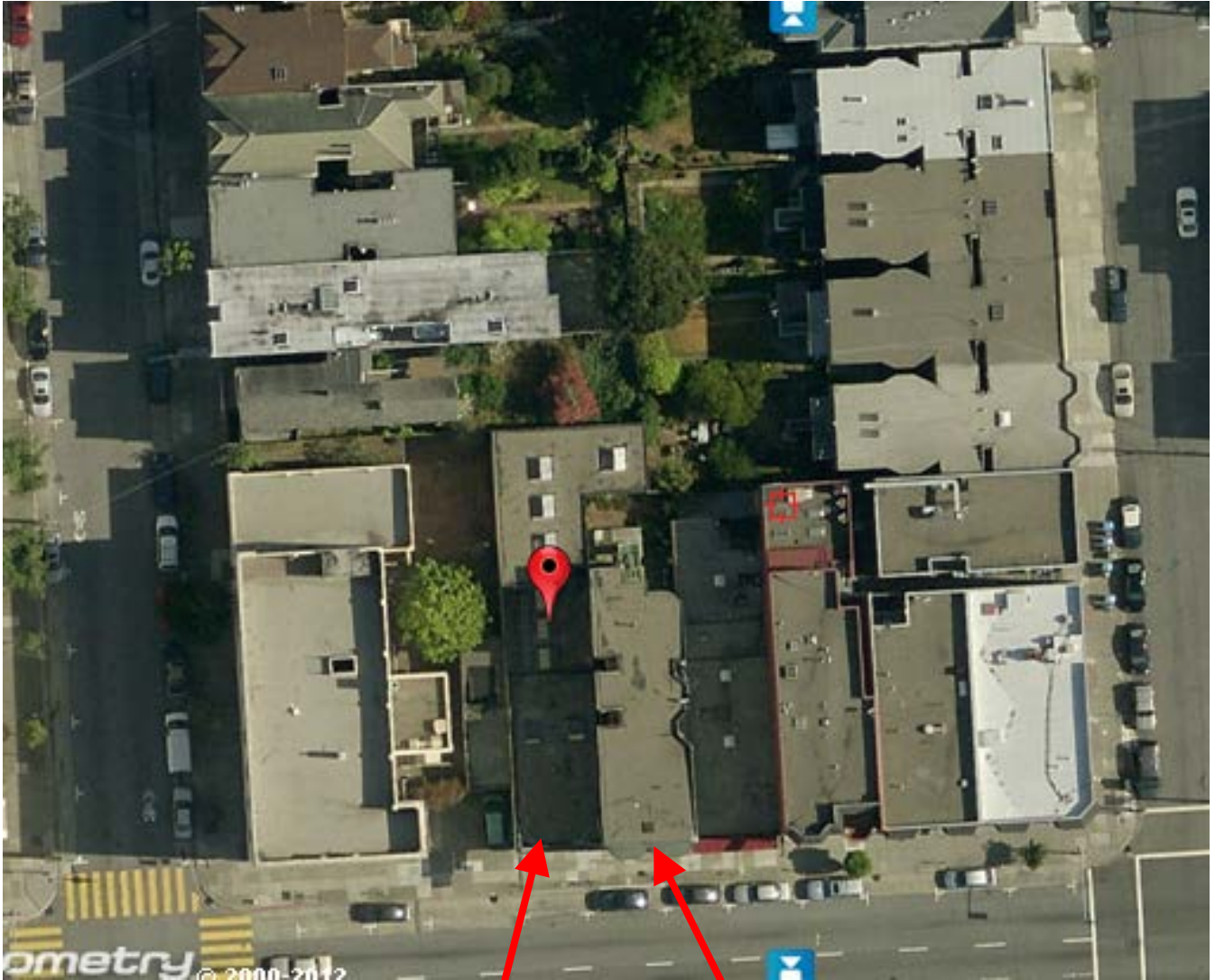
SUBJECT PROPERTY

DR REQUESTOR'S
PROPERTY



Discretionary Review Hearing
Case Number 2010.1011DD
Staff and Neighbor Initiated DR
4334 Geary Blvd.

Aerial Photo



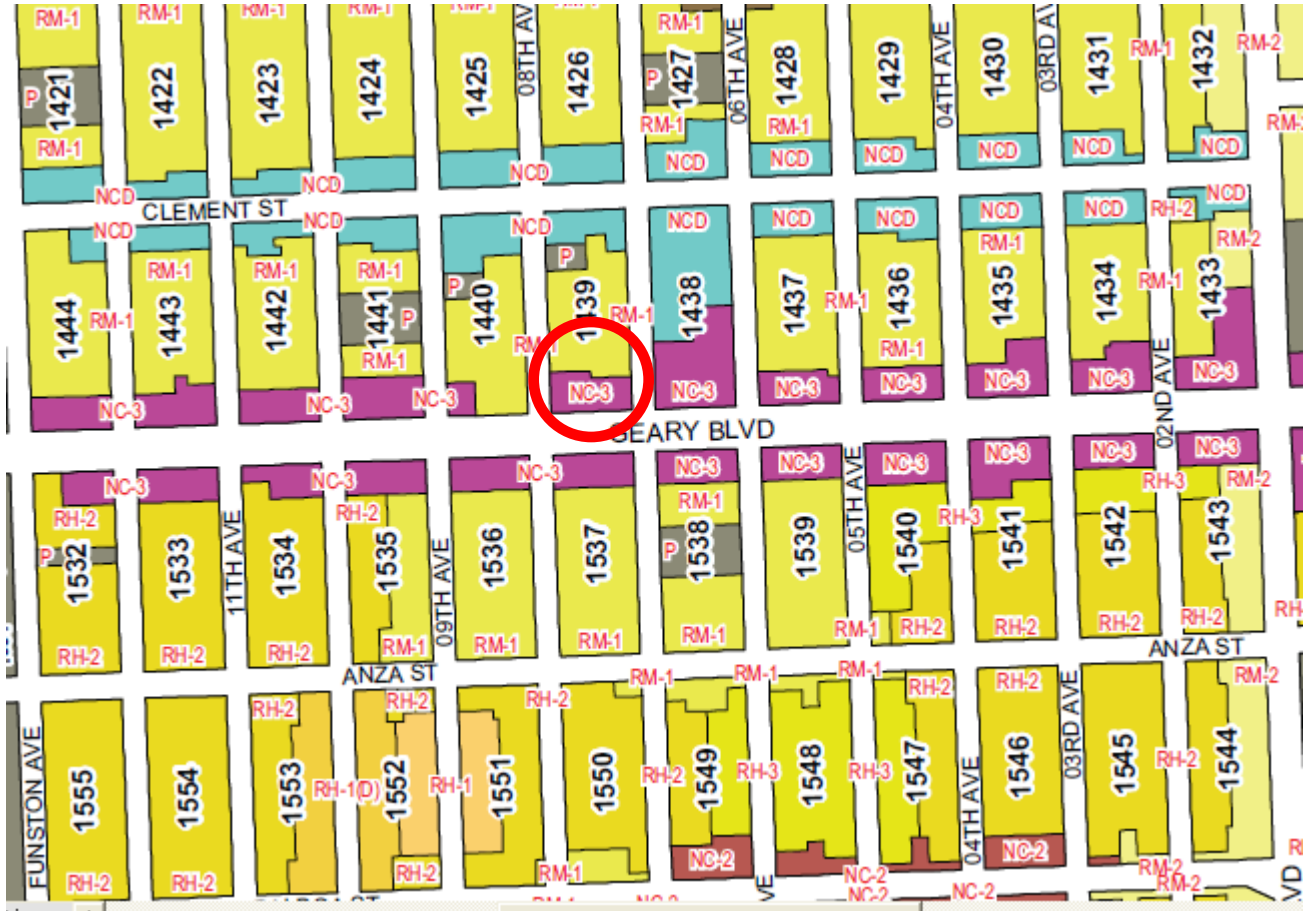
SUBJECT PROPERTY

DR REQUESTOR'S
PROPERTY



Discretionary Review Hearing
Case Number 2010.1011DD
Staff and Neighbor Initiated DR
4334 Geary Blvd.

Zoning Map



Discretionary Review Hearing
Case Number 2010.1011DD
Staff and Neighbor Initiated DR
4334 Geary Blvd.



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 312)

On **October 4, 2010**, the Applicant named below filed Building Permit Application Nos. **2010.10.28.3939** (Demolition) and **2010.10.04.2197** (New Construction) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Santos & Urrutia Structural Engineers	Project Address:	4334 Geary Blvd.
Address:	2451 Harrison Street	Cross Streets:	7th and 8th Avenues
City, State:	San Francisco, CA 94110	Assessor's Block /Lot No.:	1439/021
Telephone:	(415) 642-7722	Zoning Districts:	NC-3 /40-X

Under San Francisco Planning Code Section 311, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If your concerns are unresolved, you can request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, 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.

PROJECT SCOPE		
<input checked="" type="checkbox"/> DEMOLITION	and/or	<input checked="" type="checkbox"/> NEW CONSTRUCTION or <input type="checkbox"/> ALTERATION
<input type="checkbox"/> VERTICAL EXTENSION		<input type="checkbox"/> CHANGE # OF DWELLING UNITS <input type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input type="checkbox"/> HORIZ. EXTENSION (SIDE) <input type="checkbox"/> HORIZ. EXTENSION (REAR)

PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
BUILDING USE	Commercial	Dental Offices
FRONT SETBACK	None	No Change
SIDE SETBACKS	None	No Change
BUILDING DEPTH	120'	No Change
REAR YARD	none	No Change
HEIGHT OF BUILDING	18'	40'
NUMBER OF STORIES	2	3
NUMBER OF OFF-STREET PARKING SPACES	0	No Change

PROJECT DESCRIPTION

The proposal is to demolish the existing 2-story, ±4,900 sq. ft. commercial structure and construct a new 3-story, ±9,515 sq. ft., 40' tall dental office. The Planning Department determined that the proposed structure does not comply with the City's Urban Design Guidelines with regard to the building's impact on the midblock open space. As a result, the Planning Department is bringing the proposal to the Planning Commission as a Staff Initiated Discretionary Review (DR). A DR hearing has been tentatively scheduled for June 14, 2012, Case #2010.1011D. Separate DRs can still be filed by members of the public.

PLANNER'S NAME: **Aaron Starr**

PHONE NUMBER: **(415) 558-6362** DATE OF THIS NOTICE: _____

EMAIL: **Aaron.starr@sfgov.org** EXPIRATION DATE: _____

APPLICATION FOR Discretionary Review Application

1. Owner/Applicant Information

DR APPLICANT'S NAME: MICHAEL JOSEPH O'DONOGHUE		
DR APPLICANT'S ADDRESS: 1527 McAllister Street	ZIP CODE: 94115	TELEPHONE: (415) 939-9422

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: YAN KALIKA		
ADDRESS: 3412 GEARY BLVD. S.F.	ZIP CODE:	TELEPHONE: (415) 672-0917

CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS: /	ZIP CODE: /	TELEPHONE: () /
E-MAIL ADDRESS: /		

2. Location and Classification

STREET ADDRESS OF PROJECT: 4334 GEARY BLVD.		ZIP CODE: 94118
CROSS STREETS: 7TH AND 8TH AVENUE		

ASSESSORS BLOCK/LOT: 1439/021	LOT DIMENSIONS: 120x ²⁵ / ₃₄	LOT AREA (SQ FT): 3406	ZONING DISTRICT: NC-3	HEIGHT/BULK DISTRICT: 40'-X
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3. Project Description

Please check all that apply

Change of Use Change of Hours New Construction Alterations Demolition Other Additions to Building: Rear Front Height Side Yard

Present or Previous Use: GROUND FLOOR RETAIL

Proposed Use: DENTAL MEDICAL CONDOMINIUM BUILDING

Building Permit Application No. 2010.10.04.2197

Date Filed: 10/4/10

RECEIVED

JUN 12 2012

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
P I C

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

Discretionary Review Request

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

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. 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.

SEE ATTACHED -

RESERVE THE RIGHT TO SUPPLEMENT

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 adversely affected, please state who would be affected, and how:

SEE ATTACHED - RESERVING THE RIGHT TO SUPPLEMENT

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?

SEE ATTACHED - RESERVING THE RIGHT TO SUPPLEMENT

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: The other information or applications may be required.

Signature: Michael Joseph O'Donoghue

Date: June 12, 2012

Print name, and indicate whether owner, or authorized agent:

MICHAEL JOSEPH O'DONOGHUE
~~Owner~~

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input type="checkbox"/>

NOTES:

Required Material.

Optional Material.

Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Dear Commissioners:

As designed architecturally the 12 unit SRO structure at 4328 Geary Blvd., built in 1908, remains today a very rare and very unique building; unique and rare since several of the apartments feature lot line windows, windows which today are prohibited in new structures but which in 1908 and for sometime subsequent to then were legal.

Commissioners, if the proposed dental condo development for 4334 Geary Blvd. is allowed to proceed in its present configuration it would eviscerate the natural light and air inflows to those tenants residing in units 5, 6 and 12 at the 4328 Geary Blvd. building. And this evisceration would be as high as 99% of the daily use of the natural light and it would also reduce to toxic levels the air inflows.

Since all the bathrooms are shared and located in the western portion of the 4328 Geary building, this impact to the quality of life inflow would also impact negatively all the remaining tenants of the other 9 units.

Likewise Commissioners, should this build-out be allowed in its present form it would set a dangerous precedent that will no doubt induce the present owner of the Eastern-adjacent one story structure at 4326 Geary Blvd. to do the same. This would encase alive all the tenants at 4328 Geary Blvd. in a tomb of no light, no air. Commissioners, it is just astounding and mind-boggling that the planning staff reviewers ignored not just the outcome but also never in fact analyzed such. Worse, they also issued a categorical exemption as part of what was a misguided as well as incomplete analysis.

Commissioners, what was most surprising however was the exemption that the 19 required mandated parking spaces were exempted. Not only did we not have a variance hearing on this exemption, but the ruling of the zoning administrator is now purportedly unappealable. Also, Commissioners, it should be noted that it is clear fiction to state that children visiting a dentist will take a bus.

Commissioners, due to the time constraints presented by Planning's defective notices, we did not have the opportunity to file a more complete discretionary review request.

Commissioners, it is outrageous that after a year and a half of interaction with the project sponsor -- a year and half during which we were unable to obtain any material information about this project until now and even then because of the imperfections in the noticed staff initiated DR -- we only had approximately 20 days to prepare our opposition response. Obviously, we will be augmenting our DR request with more material in the future weeks.



SAN FRANCISCO PLANNING DEPARTMENT

RESPONSE TO DISCRETIONARY REVIEW

Case No.: _____
Building Permit No.: 2010.10.04.2197
Address: 4334 Geary Blvd.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Sponsor's Name: Ed Romanov.

Telephone No.: 415.642.7722

(for Planning Department to contact)

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)

Existing structure is a vacant 2-storey full lot coverage vacant building. The proposed design allows for a new medical office with a 10ft set-back from east of property-line on the 2nd level and 3rd level. The 10ft set back on the upper level helps to mitigate mid block open space conditions.

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes. Indicate whether the changes were made before filing your application with the City or after filing the application.

City discourages new curb cut on buildings fronting Geary Boulevard. Project sponsor has agreed and filed an 'off-street' parking variance to address this.
Project design will provide matching lightwell with adjacent neighboring properties to accommodate existing lightwell conditions.

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

City's request to set-back the rear of the building will adversely affect the viability of the proposed medical office use.

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

4. Please supply the following information about the proposed project and the existing improvements on the property.

<u>Number of</u>	<u>Existing</u>	<u>Proposed</u>
Dwelling units (only one kitchen per unit -additional kitchens count as additional units)	<u>0</u>	<u>0</u>
Occupied stories (all levels with habitable rooms) ...	<u>2</u>	<u>3</u>
Basement levels (may include garage or windowless storage rooms)	<u>0</u>	<u>0</u>
Parking spaces (Off-Street)	<u>0</u>	<u>0</u>
Bedrooms	<u>NA</u>	<u>NA</u>
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas....	<u>6790 sqft.</u>	<u>8855 sqft.</u>
Height	<u>15 ft</u>	<u>35 ft.</u>
Building Depth	<u>Approx 120 ft</u>	<u>120 ft.</u>
Most recent rent received (if any)	<u>NA</u>	<u>NA</u>
Projected rents after completion of project	<u>~</u>	<u>\$2 psft.</u>
Current value of property	<u>\$500,000</u>	<u>\$2,000,000</u>
Projected value (sale price) after completion of project (if known)	<u>Unknown</u>	<u>Unknown</u>

I attest that the above information is true to the best of my knowledge.

Rodrigo Santos

Signature

4/11/12

Date

Rodrigo Santos (Engineer)

Name (please print)

Authorized Agent.

QUICKDRAW

PERMIT CONSULTING

1325 California Street
San Francisco, CA 94109
www.quickdrawsf.com
415.552.1888

President Rodney Fong
San Francisco Planning Commission
1650 Mission St., Fourth floor
San Francisco, CA 94103

RESPONSE TO REQUEST DISCRETIONARY REVIEW

Project Address: 4334 GEARY BOULEVARD
Case Number: 2010.1011DD
Building Permit App: 2010.10.04.2179
Project Sponsor's Name: Dr. Yan Kulika
Smile For A Lifetime Foundation
Image Orthodontics

Dear President Fong and Honorable Commissioners:

For more than a decade the City and County of San Francisco has been taking steps to create new vitality on the Geary Boulevard commercial corridor. The portion of the Boulevard from 6th Avenue out to Park Presidio has needed particular attention, as pedestrian activity has continued to decline and commercial vacancy has increased in this otherwise heavily trafficked area of the inner Richmond District. The Planning Commission has devoted considerable effort in this regard with transit preferential measures and policies encouraging pedestrian friendly sidewalks and development.

The "Lite House" lighting store closed down at 4334 Geary back in 2008, since then there has been little new activity to bring San Franciscans to this block - either to work or to spend. One of the few new businesses to come in is the new Thai massage parlor next door at 4330 Geary.

Dr. Kulika purchased the "Lite House" building after an exhaustive search of the

Richmond for the right location for his new concept. Outside of the major medical / dental buildings of Union Square there are few dedicated multidisciplinary oral health centers in San Francisco. Dr. Kulika seeks to bring together a dental practice, pediatric dentistry, an endodontic, periodontic and orthodontic practice, and a new permanent San Francisco home for the nonprofit **Smile for a Lifetime Foundation** together in one location in the western portion of the city.

Smile for a Lifetime Foundation is a charitable non-profit organization that provides orthodontic care to individuals who may not have the resources to acquire assistance.

Launched in 2008, **Smile for a Lifetime Foundation** serves young individuals with financial challenges, special situations, and significant orthodontic needs. The Foundation sponsors the dental health and orthodontic care of hundreds of worthy young patients each year.

Smile for a Lifetime Foundation, San Francisco Chapter was founded and sponsored by Dr. Kulika, and has a local Board of Directors who chooses patients to be treated by the Foundation (Exhibit 1 - California Assembly Proclamation and program information).

Young people who have been selected to participate in the program are now required to visit dental offices in the Mission District then proceed to orthodontic facilities far across town. As with all patients who do not rely on automobiles for transport, traveling from location to location for care can be a significant hardship; this is especially true for working people and students. The new combined facility at 4334 Geary Blvd. will help to resolve this problem.

ZONING PROVISIONS

As 4334 Geary Blvd is an “L” shaped parcel of nearly 4000 square feet in an **NC-3** Zoning District, this location has the necessary space for the combined medical/dental office Dr. Kulika proposes.

**PLANNING CODE SEC. 712.1. NC-3
– MODERATE-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.**

NC-3 Districts are intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes.

NC-3 Districts include some of the longest linear commercial streets in the City, some of which have continuous retail development for many blocks. Large-scale lots and buildings and wide streets distinguish the districts from smaller-scaled commercial streets, although the districts may include small as well as moderately scaled lots. Buildings typically range in height from two to four stories with occasional taller structures.

NC-3 building standards permit moderately large commercial uses and buildings

The original building design proposed to demolish the existing two-story 4900 square-foot commercial structure and construct a new building with four stories of offices.

Responding to input from neighbors the project was scaled back and an agreement was signed with the adjacent neighbor Ms. Chao, the DR requestor, for a new building with three-stories of offices (Exhibit 2).

Working in careful consultation with professionals specializing in healthcare facility design, the project proposed in the subject Building Permit Application can exactly fulfill the programmatic intent of this development. The offices will not be as spacious or flexible as Dr. Kulika had hoped, but the goal of a multidisciplinary oral care center can be achieved.

28 employees will come to work at the new 4334 Geary facility at fully staffed offices of an oral surgeon, a pediatric dentist, a general care dentist, an endodontist and support staff for ***Smiles for a Lifetime Foundation***. More than half of these employees will be new local hires, and most of the existing staff of the specialists moving to 4334 Geary are San Francisco residents and taxpayers.

This project cannot succeed without sufficient space for these healthcare providers to function and serve local patients. Further reductions in usable space, beyond the concessions already made, seriously threaten the viability of this very worthwhile undertaking.

Staff Initiated Discretionary Review

The Planning Department staff Urban Design Advisory Team (UDAT) made recommendations in three specific areas on this project. Regarding exterior architectural design very specific fenestration and façade detail recommendations were made which have been fully adopted and incorporated. Regarding ground-floor commercial space and street frontage UDAT recommended increasing the height of the ground-floor to a minimum of 14 feet; the ground floor as proposed has been increased to 17 feet in height.

The UDAT review also stated that “to preserve the enjoyment of the neighboring residential midblock open space, UDAT recommends setting back the upper stories 20 feet from the rear property line.” We believe that the current building design complies with this recommendation without further modification for the following reasons:

- The upper story, has been removed from this proposal;
- The second and third story have been set back significantly (10.7 feet) from the east property line adjacent to the rear yard of neighboring residential dwellings;
- The existing two-story structure covers the entire lot at approximately 18 feet above grade at the rear; and
- The new structure will not significantly diminish “enjoyment of the neighboring residential midblock open space.” We have studied and modeled this question in great detail (Exhibit 3) and have concluded that the NC-3 building standards for “moderately large commercial buildings and uses ” (sec 712) cannot be achieved without some impact on the open space. The change in impact resulting from the proposed healthcare building vis-à-vis the currently existing structure is modest, and the changes if the proposed building is modified as recommended by staff is not significantly different. Please take a moment to study the modeling we have attached as Exhibit 3.

No doubt there will be a change in impact on open space resulting from a new building, however the impact to the new building in loss of patient care offices will be very significant, with very little noticeable benefit to adjacent open space should UDAT recommendations be adopted by the Planning Commission.

Neighbors Request for Discretionary Review

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved?

The project team has acted in good faith and made respectful and responsive modifications to our project for the benefit of this DR requester. The fourth floor of offices were eliminated from the project at Ms. Chao's request, and Dr. Kulika gives up substantial functionality as a result. Corresponding light wells have been provided in excess of the minimum required by code to provide sufficient light and air to the adjacent dwellings.

Recognizing the significance of a new building next door to the DR requester and her tenants, Dr. Kulika has provided an incomparably thorough study of the impact on available light at the rear of 4328 Geary (Exhibit 3). And it is clear that while there will be impacts on available light, the DR requester's claim of "loss as high as 99%" is somewhat exaggerated. In fact maximum loss of light will be closer to 30% and typical loss of light will be below 15%.

While any loss of light to a residence is unfortunate, in an NC-3 district, zoned for heavier commercial use, accommodations must be made for the needs and development goals of the city, in this case healthcare and jobs.

The DR requester also opposes this project because no offstreet parking is provided with this new dental office building on Geary Blvd. The statement is made "*that it is clear fiction to state that children visiting a dentist will take a bus*". Well Commissioners, please don't tell my sons that they are fictional characters because they take the bus to the

dentist; please, I don't wish to battle my preteen savant about the value of good fiction (*nor about the reality of the 38 Stockton!*).

At the risk of usurping the writing style of the DR request - the only "clear fiction" about parking is that this building should dedicate critical space to cars rather than to patients, **that** is fiction - bad 20th century fiction.

This project should be approved as proposed because it is a reasonably designed response to the need for jobs and healthcare in San Francisco, and is sufficiently respectful of surrounding buildings.

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes indicate whether the changes were made before filing your application with the City or after filing the application.

We have reduced the size of the project to the point where it cannot be further reduced and still be economically viable as a multidisciplinary oral care facility. We are well within the buildable area of this lot. We have eliminated a story, we have pulled in from the rear. We have made changes both before and after filing this application.

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

Out in the neighborhoods, beyond the high-priced medical office buildings at 450 Sutter

and 490 Post, it is difficult for San Franciscans to find a group of dental professionals in diverse specialties who can coordinate care in the same facility. Dr. Yan Kulika has put everything into providing such care to the Inner Richmond. He has the oral surgeons and dentists lined up who will collaborate with him to provide Union Square level services way out on Geary Boulevard.

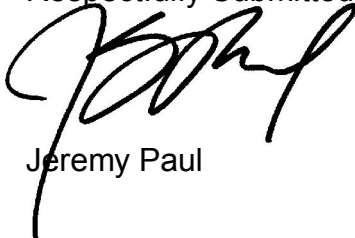
Dr. Kulika wants all his young patients, whether they are enrolled as **Smiles for a Lifetime** clients or just coming down from Roosevelt Middle School a few blocks away, Dr. Kulika wants all his patients to get all their appointments done in one trip.

If he has a patient in an examining room that may need surgery, or braces, or an extraction, he wants his professional colleagues to consult with them the same day, in the same building.

To realize this goal Dr. Kulika must have the quality infrastructure to support and sustain such practices. The new building at 4334 Geary Boulevard has been designed specifically for this purpose, and the doctors, hygienists, technicians and front office staff to keep it working will all require quality workspace. The NC-3 is the perfect zone for this scale of undertaking, and this part of the Richmond District will be fortunate to have them there.

Please approve this project without further modification.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'JP', is written over the typed name 'Jeremy Paul'.

Jeremy Paul

EXHIBITS

1. ***Smile for a Lifetime Foundation***
California Legislature Certificate of Recognition
Program information

2. Written agreement with neighbor / DR Requester at 4328 Geary to
remove 4th Floor from plans and provide skylights at 4328 Geary

Record of neighborhood meetings

3. Access to Light Study: Existing Conditions
 Windows Identification
 Vertical Sky Component Comparison
 Solar Reflection Analysis
 Total Visible Sky Comparison
 Shadow Range Comparison

GENERAL NOTES:

INTENT OF DOCUMENTS:

It is the intent of these Contract Documents to establish a high quality of material and workmanship, but not necessarily to note and call for every last item of work to be done. Any item not specifically covered but deemed necessary for satisfactory completion of the work shall be accomplished by the Contractor in a manner consistent with the quality of the work without additional cost to the Owner. All materials and methods of installation shall be in accordance with industry standards and manufacturers recommendations.

A. All materials and workmanship shall conform to the requirements of the following codes and regulations and any other local and state laws and regulations:

- San Francisco Building Code 2007 Edition
- San Francisco Fire Code 2007 Edition
- San Francisco Plumbing Code 2007 Edition
- San Francisco Electrical Code 2007 Edition
- San Francisco Mechanical Code 2007 Edition

Verify all existing conditions and dimensions at the project site. Notify the Architect and/or Engineer of any discrepancies before beginning construction.

B. Provide adequate and proper shoring and bracing to maintain safe conditions at all times. The contractor shall be solely responsible for providing adequate shoring and bracing as required for protection of life and property during the construction of the project.

C. At all times the Contractor shall be solely and completely responsible for all conditions at the jobsite, including safety of persons and property, and all necessary independent engineering reviews of these conditions.

The Architects jobsite reviews are not intended nor shall they be construed to include a review of the adequacy of the contractors safety measures.

D. Unless otherwise shown or noted, all typical details shall used where applicable. E. All details shall be construed typical at similar conditions.

F. All Drawing conflicts shall be brought to the attention of the Architect and/or Consulting Engineer for clarification before work proceeds.

G. The Contractor shall supply all labor, materials, equipment and services, including water and power, necessary for the proper execution of the work shown on these drawings. All materials shall be new and workmanship shall be good quality. All workman and subcontractors shall be skilled in their trade. Any inspections, special or otherwise, that are required by the building codes, local buling departments, on these plans shall be done by an independent inspection company.

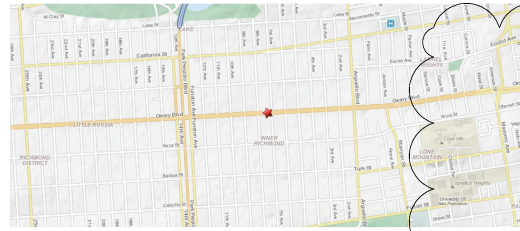
H. Finishes: Replace patch, repair and refinish all existing surfaces affected by the new work. All new finishes shall match the adjacent surface. all surfaces shall align.

I. The General Contractor shall visit the site and familiarize themselves with the existing site conditions prior to finalizing of any proposal to the owner. The general Contractor shall be responsible to inform the owner or Architect of potential existing conditions that need to be addressed and or modified in order to complete the work as herein described in these Drawings.

J. The General Contractor shall be responsible for all means and methods of construction including but not limited to leveling, shimming, and blocking. The General Contractor shall make specific note of such items that can not be known prior to the commencement of construction.

BUILDING SHALL BE FIRE SPRINKLERED WORK BY SEPERATE PERMIT

BUILDING TO BE ADA COMPLIANT



VICINITY MAP

DRAWING INDEX:

- A 1.01 SITE AND ROOF PLAN, GENERAL NOTES, AND DRAWING INDEX
- A 1.02 SITE AND ROOF PLAN
- A 1.03 ADA DETAILS
- A 2.01 FLOOR PLANS EXISTING
- A 2.02 FLOOR PLANS NEW
- 3.01 EXTERIOR ELEVATIONS EXISTING
- 3.02 EXTERIOR ELEVATIONS NEW
- 3.03 EXTERIOR ELEVATIONS ADJACENT BUILDINGS
- CIVIL SURVEY

PROJECT INFORMATION:

ZONING: NC-3

OCCUPANCY R-3
 PROPOSED USE: MEDICAL OFFICE BUILDING
 BUILDING SHELL CONSTRUCTION ONLY
 NO TENANT DEVELOPMENT THIS PERMIT

CONSTRUCTION TYPE: 5-A
 3 FLOORS

OCCUPANCY: B

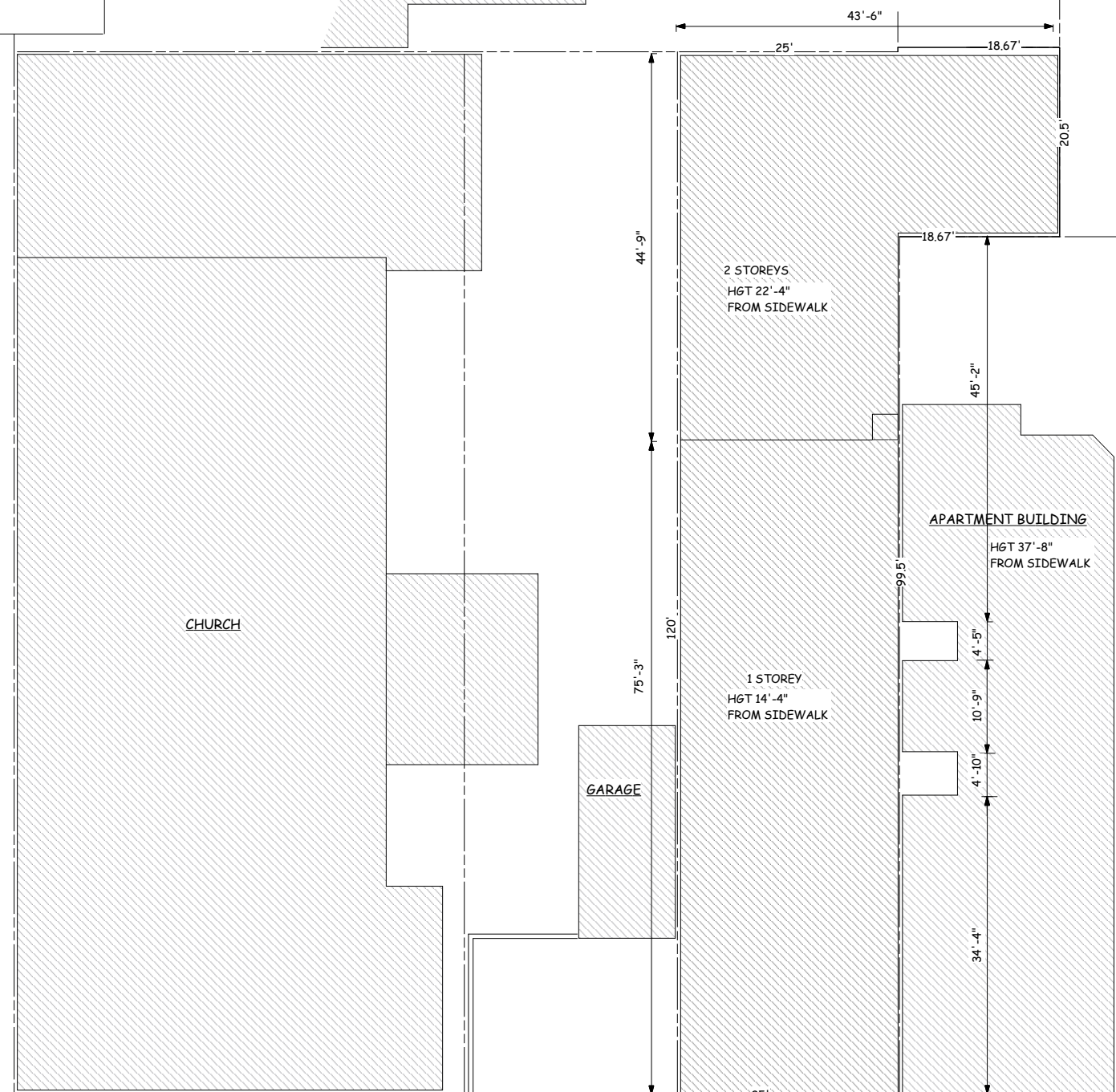
BLOCK 1439 -LOT 021

SCOPE OF WORK:
 CONSTRUCT NEW MEDICAL OFFICE BUILDING
 ADA RESTROOMS EACH FLOOR
 ADA ELEVATOR

LAND 3,406 SQ FTX3.6 =12,261 SQ FT ALLOWAABLE

ACTUAL: 9,515 SQ FT

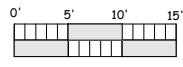
2



GEARY BLVD

EXISTING SITE AND ROOF PLAN

1/8"=1'-0"



GRAPHIC SCALE

WILLIAM PASHELINSKY ARCHITECT
 1937 HAYES STREET
 SAN FRANCISCO, CA 94117
 415 379 3676

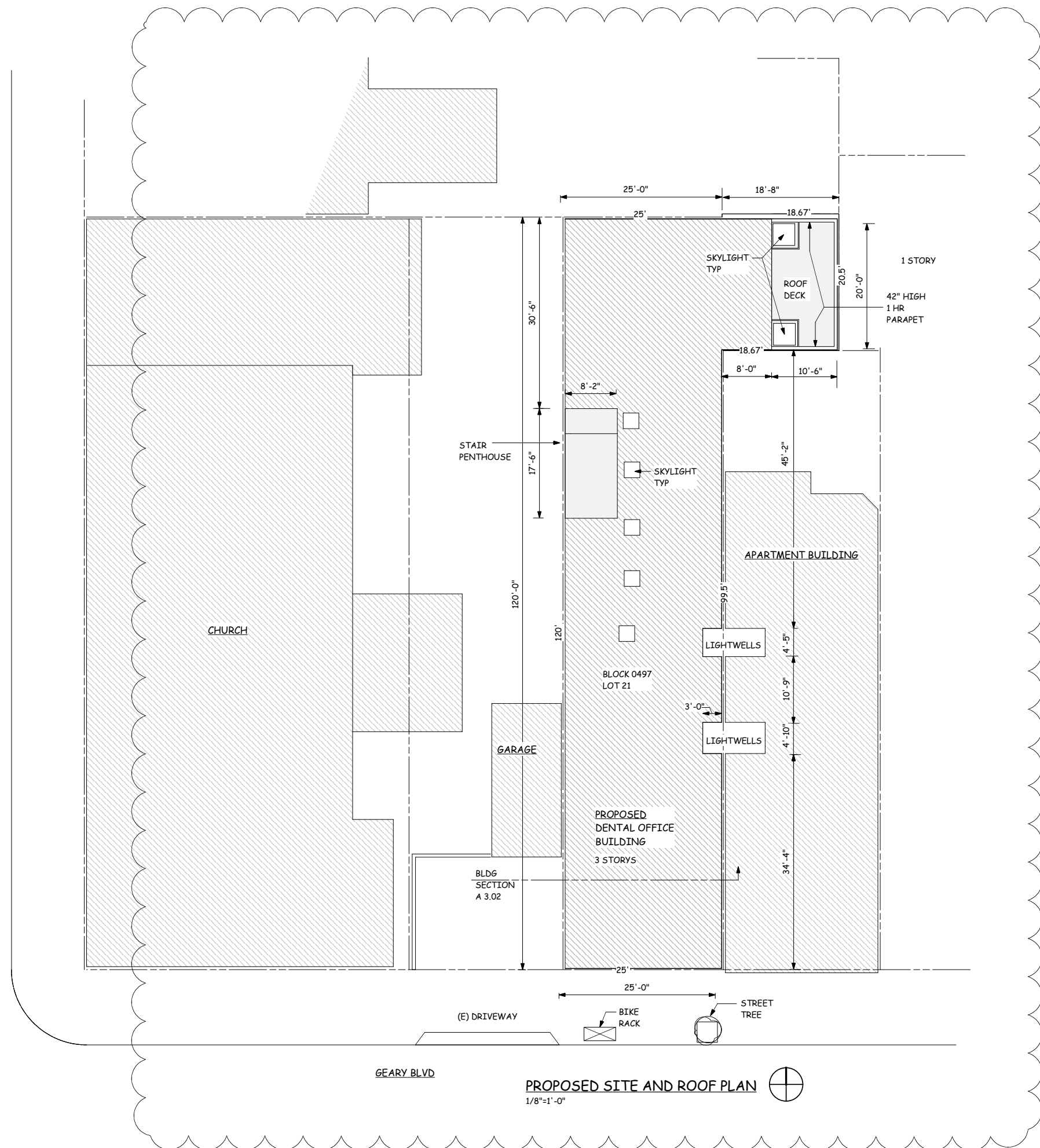
NEW OFFICE BUILDING
 4334 GEARY BLVD.
 SAN FRANCISCO, CA.

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS AS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF WILLIAM PASHELINSKY ARCHITECT AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH THIS SPECIFIC PROJECT. NONE OF THESE IDEAS, DESIGNS, ARRANGEMENTS OF PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF WILLIAM PASHELINSKY ARCHITECT

NO.	DATE	DESCRIPTION
1	09/21/11	REVISION
2	02/08/12	REVISION
3	08/02/12	REVISION
4	08/07/12	REVISION

PROJECT NO. 2010.28
 SHEET

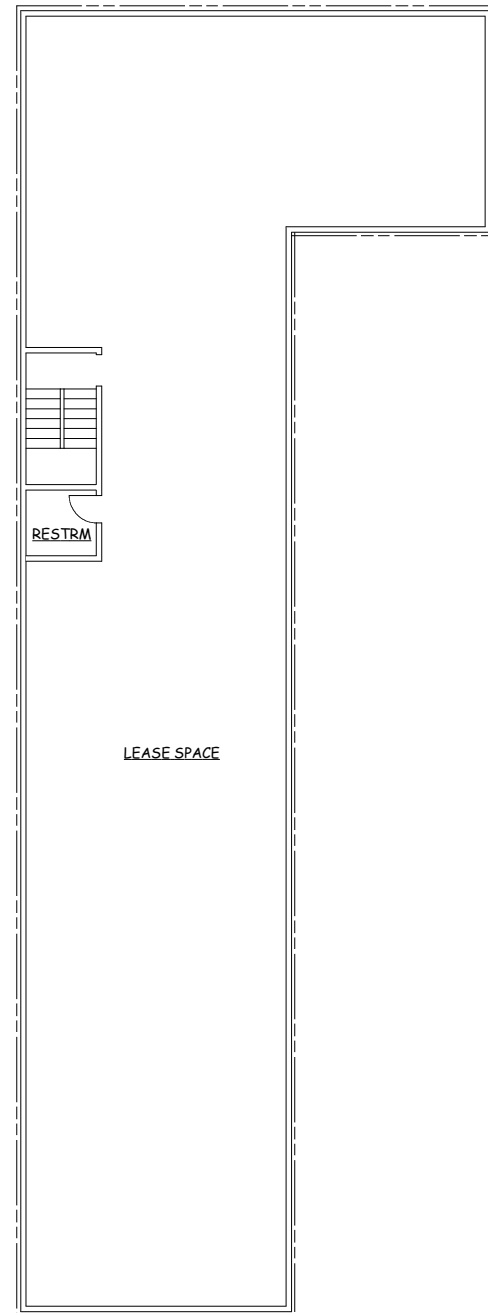
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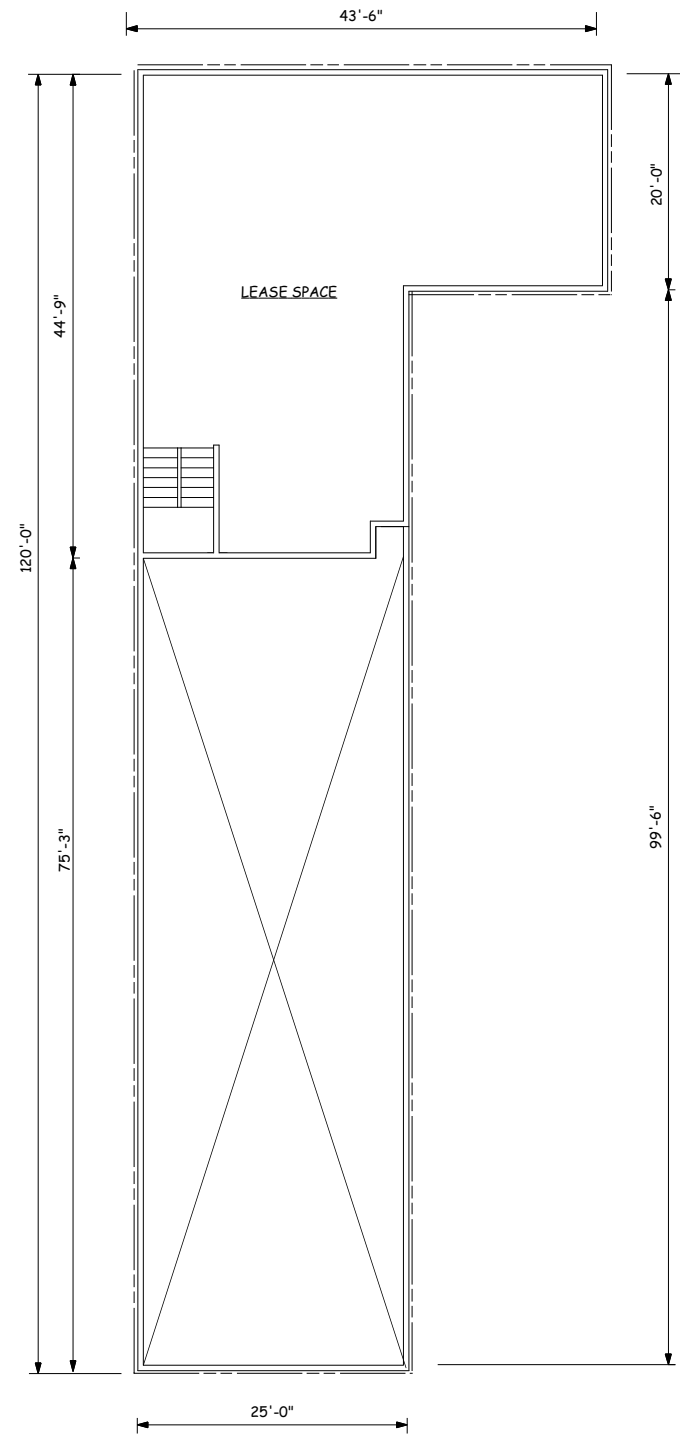
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4	08/07/12	REVISION

PROJECT NO. 2010.28
 SHEET



1ST FLOOR PLAN (E)
1/8"=1'-0"

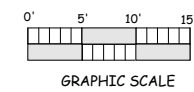
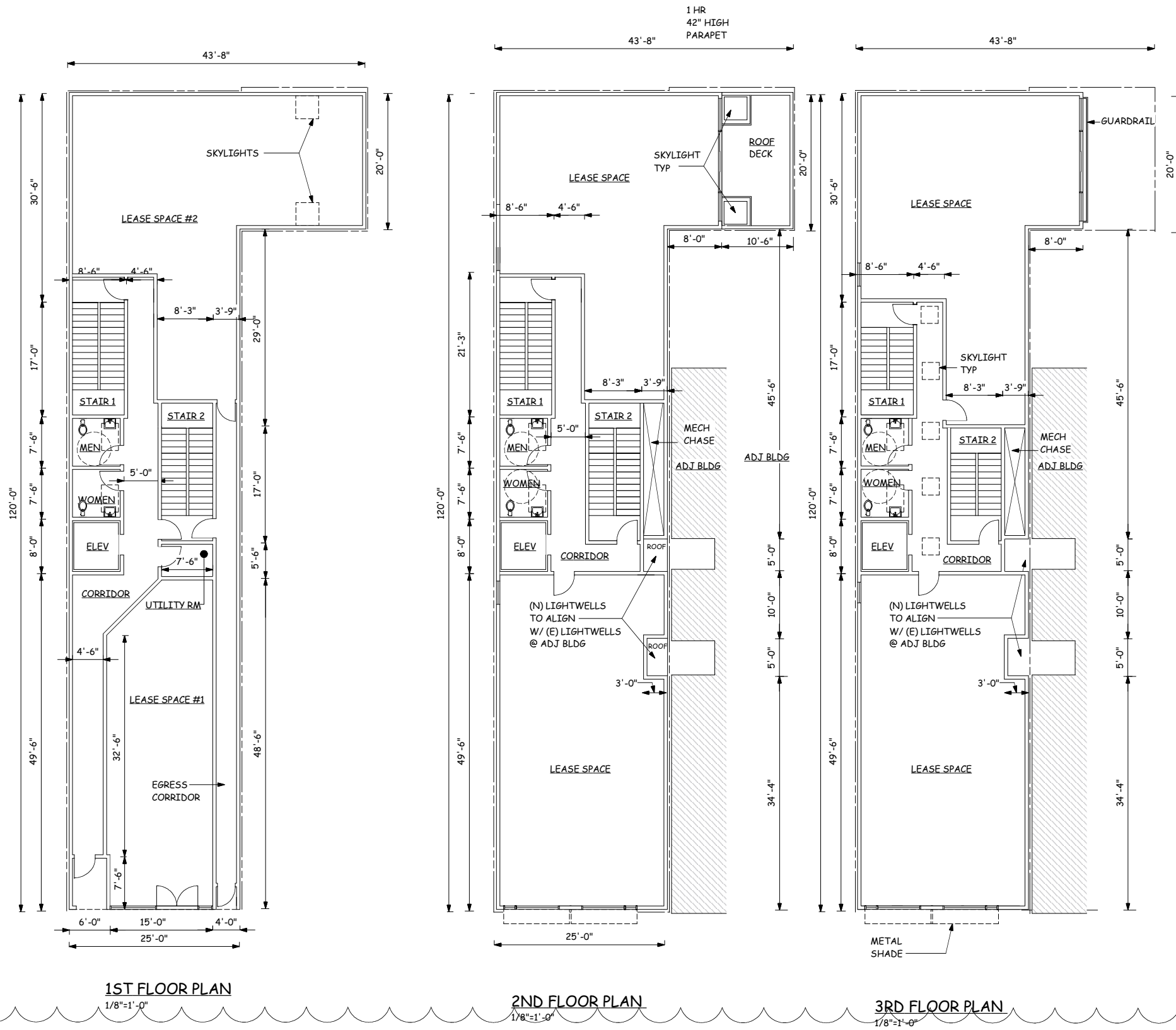


2ND FLOOR PLAN (E)
1/8"=1'-0"

4

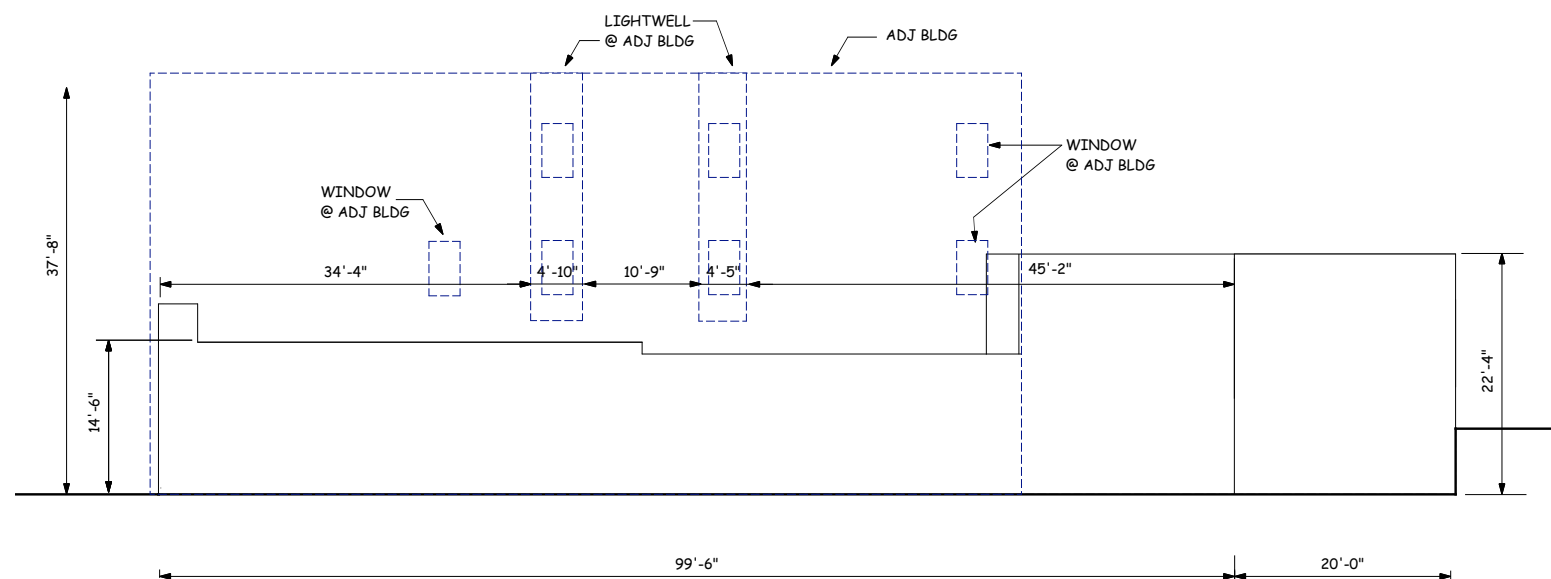
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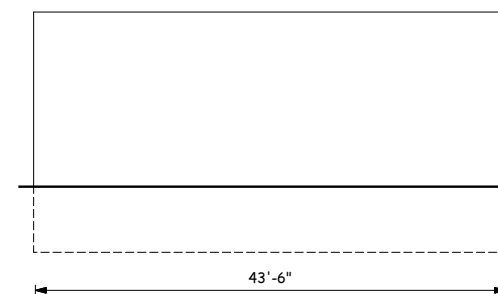
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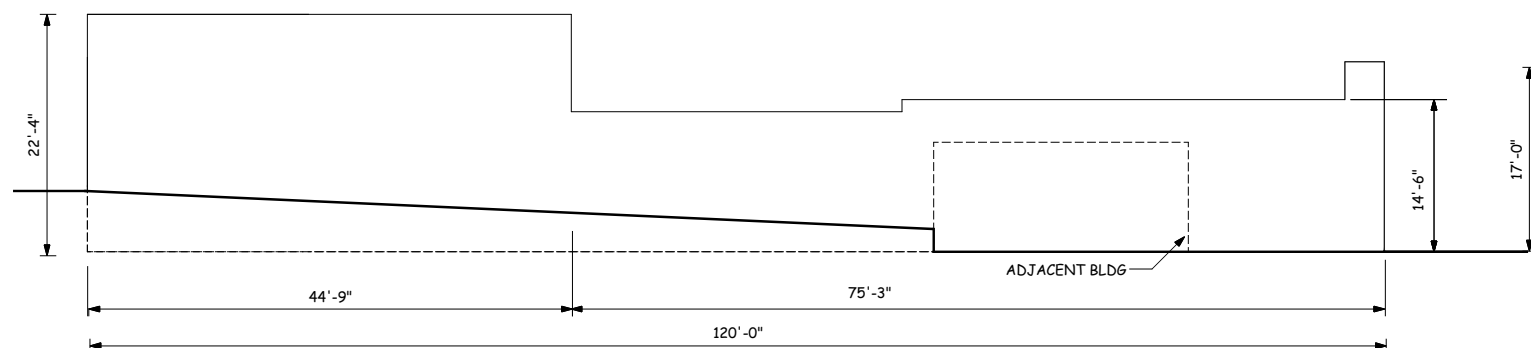


EAST ELEVATION (E)
 1/4"=1'-0"

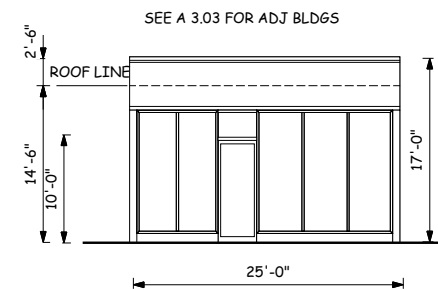
NOTE: ALL HEIGHTS
 BASED ON SURVEY
 BY AMERICAN
 LAND SURVEYORS



NORTH ELEVATION (E)
 1/4"=1'-0"

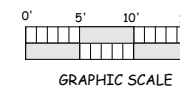


WEST ELEVATION (E)
 1/4"=1'-0"



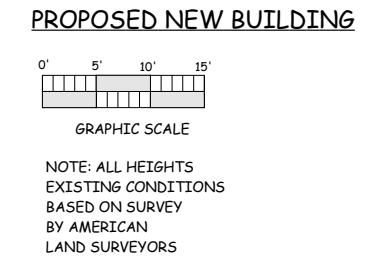
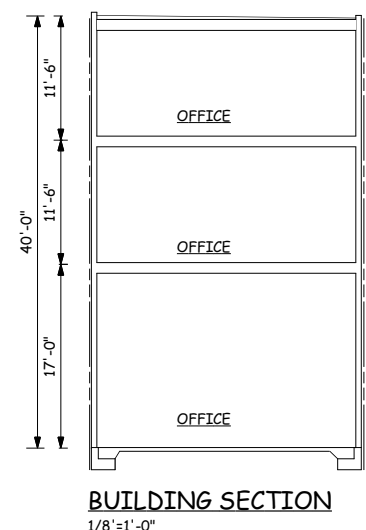
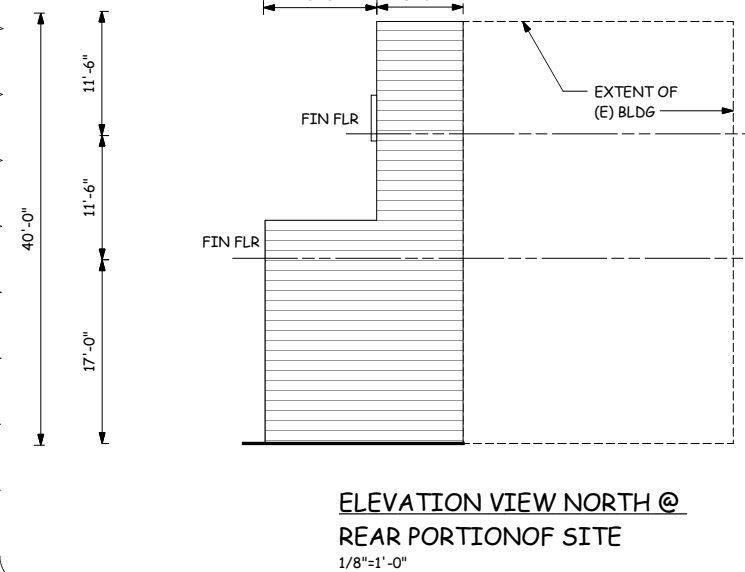
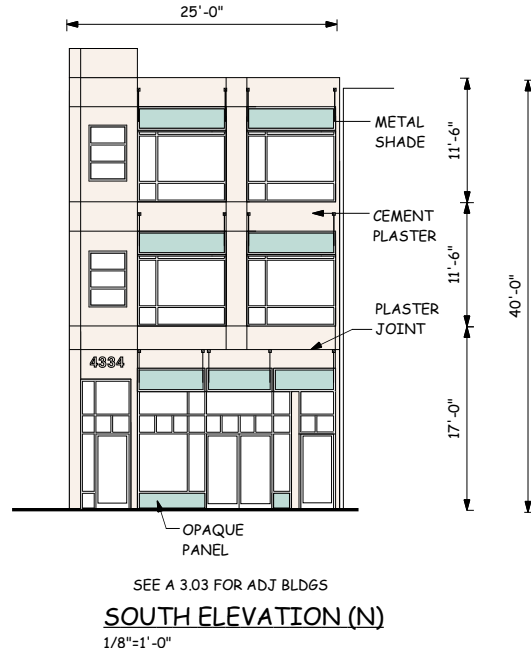
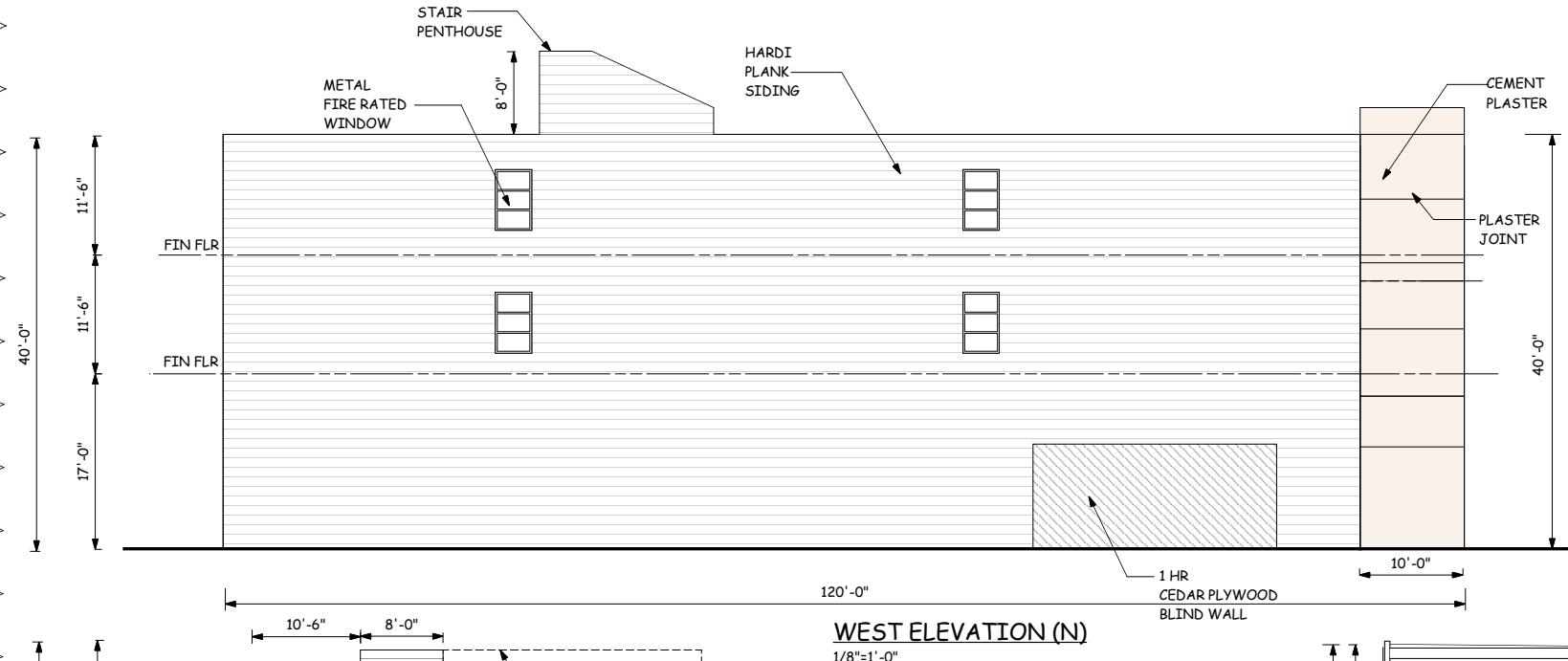
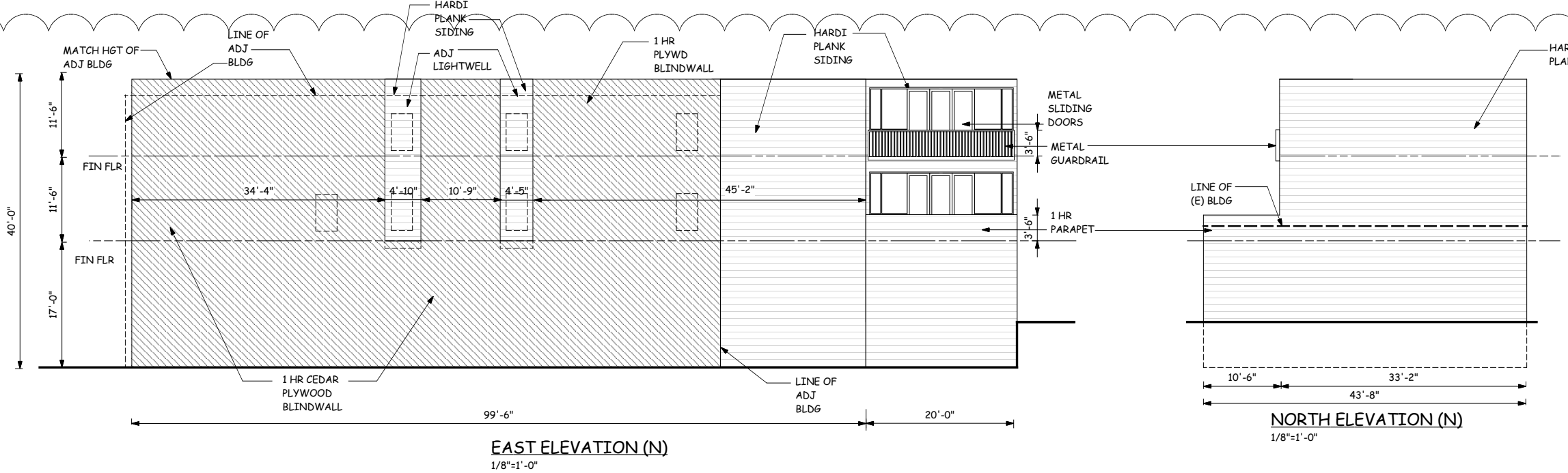
SOUTH ELEVATION (E)
 1/4"=1'-0"

ELEVATION EXISTING BUILDING



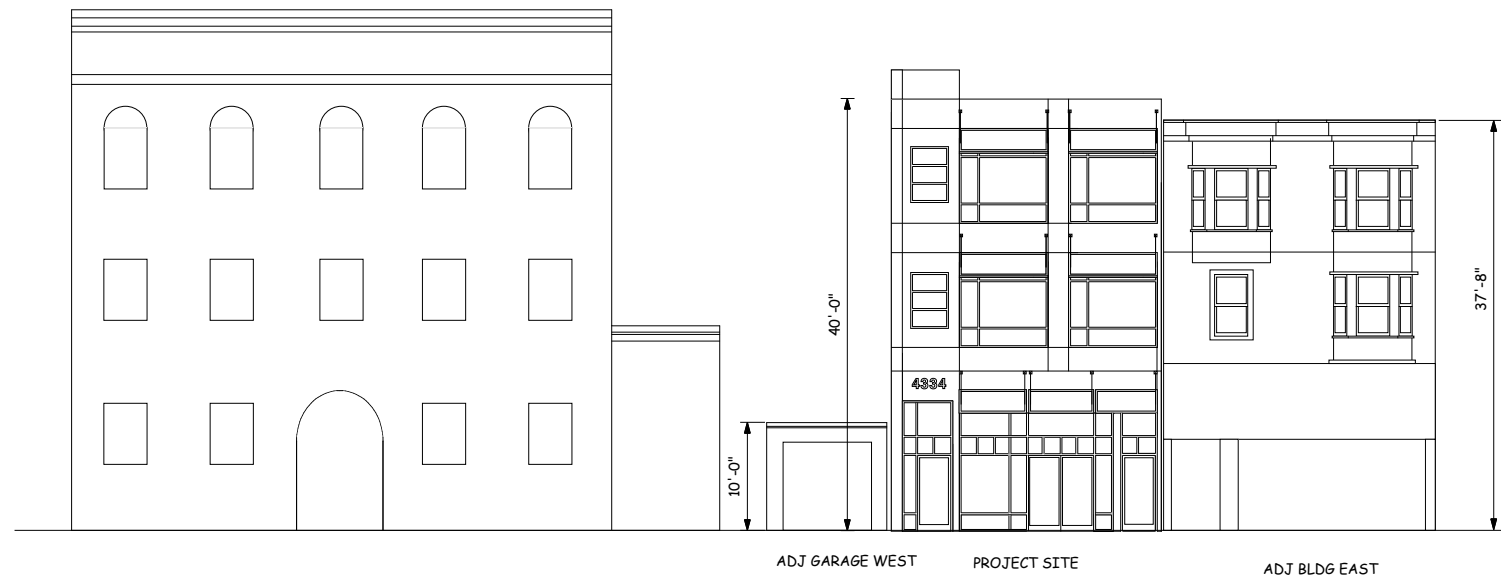
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4	08/07/12	REVISION

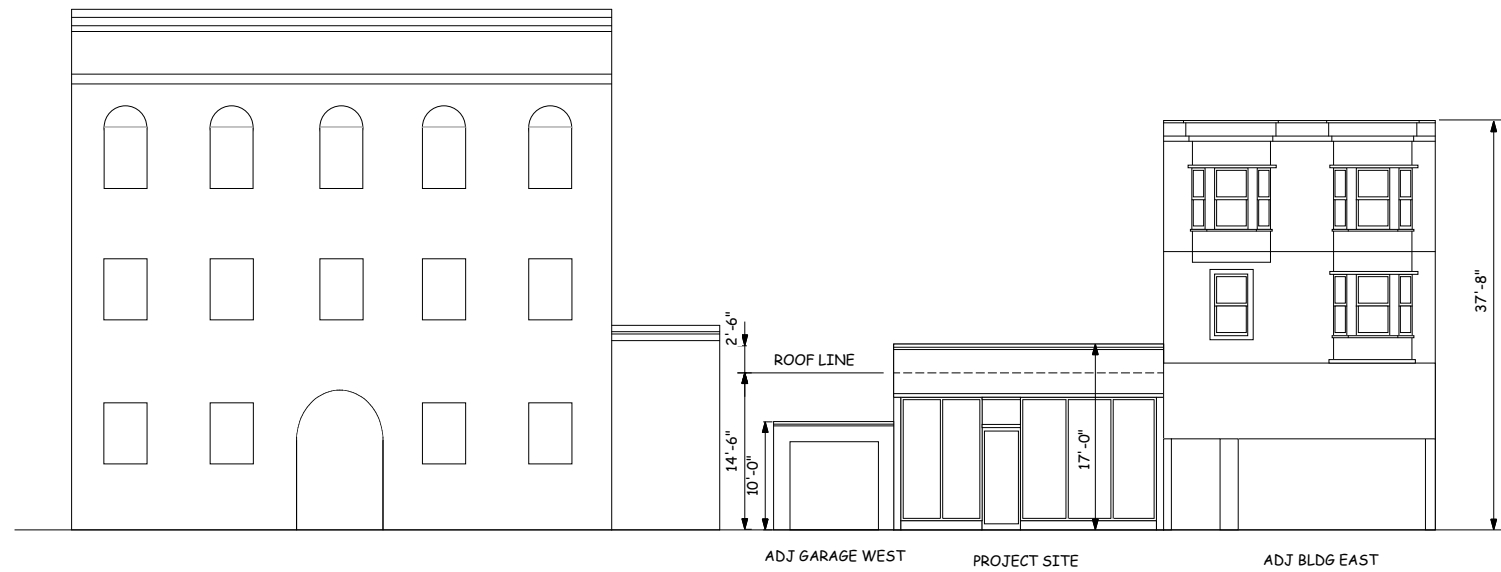


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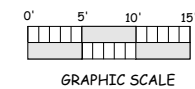


SOUTH ELEVATION (N)
1/8"=1'-0"



SOUTH ELEVATION (E)
1/8"=1'-0"

NOTE: ALL HEIGHTS
EXISTING CONDITIONS
BASED ON SURVEY
BY AMERICAN
LAND SURVEYORS



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2	02/08/12	REVISION
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Assembly

CERTIFICATE OF RECOGNITION

YAN KALIKA

CHILDREN CHARITY ENGAGEMENT RECOGNITION

Honoring unwavering dedication to the health and well-being of California children and families through the creation and sponsorship of the San Francisco Chapter of Smile for a Lifetime Foundation; and steadfast action as a distinguished orthodontic specialist who generously devotes his time, energy, and resources to provide orthodontic care to individuals who may not otherwise have the opportunity to acquire assistance; thus benefitting all the people of the City & County of San Francisco & the State of California.



Assemblywoman

Fiona Ma

Speaker pro Tempore

Presented February 21, 2012



Helpful guidelines in applying for braces through Smile for a Lifetime Foundation:

- Applicant questionnaire must be handwritten and answered by the applicant.
- Applicant must be a resident of the greater San Francisco area.
- Applicant must have a significant aesthetic need for braces.
- *Applicant must demonstrate financial need.
- Applicant must be between 11 to 18 years old (For further questions please contact your local Smile for a Lifetime Chapter)
- Applicant must be a currently enrolled student
- Applicant should demonstrate a positive attitude
- Applicant must agree to follow the treatment plan and demonstrate the ability and commitment to make all appointments on time
- Applicant is encouraged to display involvement and leadership in extracurricular activities
- **Two Letters of Recommendation are mandatory.** Please do not submit more than two letters, and limit each reference letter to one page each. Please type or print clearly with black ink (no pencil). Letters of Recommendation may be written by anyone- family, friends, teachers/coaches, counselors, dentists, etc.

Only one of the two letters may be written by a friend or family members.

- A clear **5x7 head shot with full smile & teeth showing must be included** with application.
- The application, letters of reference and pictures will not be returned and will become property of Smile for a Lifetime Foundation.
- Applications will be reviewed on a biannual basis
- Application are received on an ongoing basis
- Each applicant will be notified of approval or denial after the end of each selection process.
- Return the completed application, applicant questionnaire, dentist recommendation letters of recommendation and photo together in one packet to:

Jeanette Obaldia
Image Orthodontics 3412 Geary Blvd
San Francisco, CA 94118
415-752-0654
Jeanette@imageorthodontics.com

**Applicants who qualify and are accepted for treatment may be required to submit proof of income i.e. W-2 (s), copy of income tax return, copy of past 3 pay stubs and/or other sources of income.*

****Applications that do not meet these criteria will be considered incomplete and will not be voted on by our Board of Directors.*



About Us

Mission Statement

At Smile for a Lifetime Foundation it is our mission to create self-confidence, inspire hope, and change the lives of children in our communities in a dramatic way. The gift of a smile can do all this for a deserving, underserved individual who, in turn, can use this gift to better themselves and their community.

What We Do

Smile for a Lifetime Foundation is a charitable non-profit organization that provides orthodontic care to individuals who may not have the opportunity to acquire assistance.



To subscribe to our **E-Newsletter**,
Click here..

Launched in 2008, Smile for a Lifetime Foundation aims to reach individuals with financial challenges, special situations, and orthodontic needs. The Foundation sponsors the orthodontic care of hundreds of patients each year.

Smile for a Lifetime Foundation has participating orthodontists throughout the US. Each chapter has its own local Board of Directors who chooses patients to be treated by the Foundation.

4565 Hilton Parkway | Suite 203 | Colorado Springs, CO 80907

info@S4L.org

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Welcome to Smile For A Lifetime Orthodontic Foundation

Smile for a Lifetime Foundation is a non-profit, charitable organization comprised of local chapters throughout the country that provides quality orthodontic treatment for patients who may not have the opportunity to achieve a beautiful, straight smile without financial assistance.

The Smile for Life Foundation helps equip orthodontists with the resources necessary to help develop a local Board of Directors that will specifically select individuals for orthodontic treatment.

At Smile for a Lifetime Foundation, it is our mission to create self-confidence, inspire hope, and change the lives of children in our communities in a dramatic way. The gift of a smile can do all this for a deserving, underserved individual who, in turn, can use this gift to better themselves and their community.

To subscribe to our **E-Newsletter**,
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ATTACHMENT A

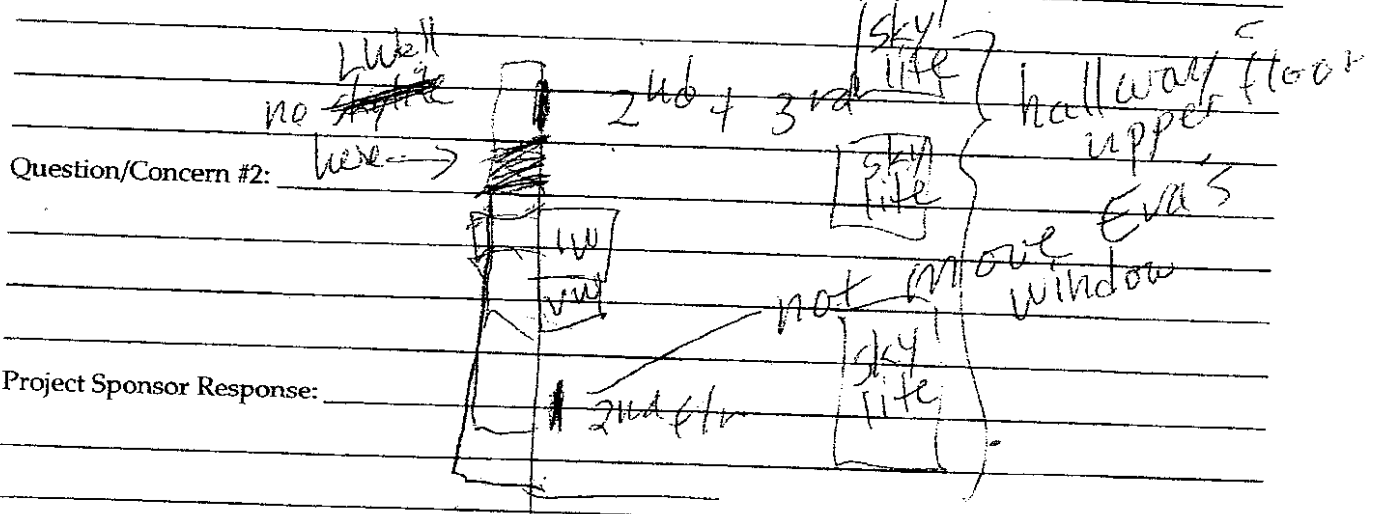
Summary of discussion from the Pre-Application Meeting

Meeting Date: 08/09/2011
 Meeting Time: _____
 Meeting Address: _____
 Project Address: _____
 Property Owner Name: _____
 Project Sponsor/Representative: _____

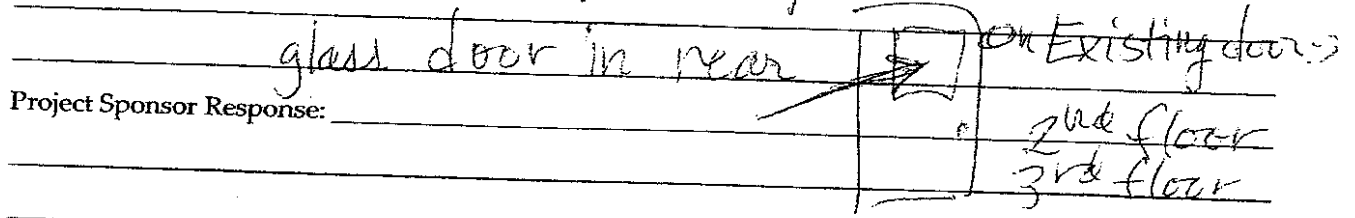
Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group): front
 1) 35 feet tall finished height 4' parapet match Eva's
 2) skylights:
side lot 2nd-3rd Floor (back/rear) windows Eva's

Project Sponsor Response: 2nd floor front window



Question/Concern #2: front P
Mansard cut roof not vertical
X'd roof



Question/Concern #3: Eva Chao
Dr Kalika

Date: Aug 4, 2011
2:50pm

William Pashelinsky
Architect
1937 Hayes Street
San Francisco, California 94117
(415) 379 3676
Email billpash@gmail.com

4334 Geary Blvd. Community outreach time line.

9-10-10 First Meeting:

Original Pre-application meeting took place at Architects office at 1937 Hayes Street, which is less than one mile from the proposed site. There was no response from anyone. Aaron Starr after receiving Eva Chao's phone call requested we re-due the meeting at a location at or near the site.

6-28-11 Second Meeting:

Community outreach meeting at 4420 Geary Blvd. Star of Sea Church meeting room. Met with next door neighbor Eva Chao owner 4330 Geary Blvd. Apartment Building and her representative Joe O'Donahue, Representatives for Star of Sea Church (Archdiocese of San Francisco). Concern for impact of light on 4330 Geary Blvd. and parking.

08-04-11 Third Meeting:

Pre-application meeting and community outreach held at Richmond Branch of the San Francisco Public Library, 351 9th Ave.

Attendees included several residential and commercial neighbors, Eva Chao, Cheryl Shultz of the Planning Association of the Richmond (PAR), representatives of the Archdiocese of San Francisco, and Jacob McGoldrick, former San Francisco Supervisor.

Dr. Yan Kalika and Mr. Edward Romanov the owners were present as well as Project Architect William Pashelinsky and Structural Engineer Rodrigo Santos.

The main concern of the neighbors was the concern for parking and traffic to be generated by the proposed dental offices. The neighbor to the east Eva Chao was concerned about the impact of the building on light and ventilation.

It was agreed upon with the neighbors to reduce the building from 4 to 3 stories with a reduction of approximately 25% of the building square footage. A separate agreement was made with Eva Chao to reduce the height of the building and to enlarge the length of the already proposed light well. It was also agreed to provide skylights to 4330 Geary Blvd. (See Attachment A).

08-29-11 Forth Meeting:

Community outreach meeting was held at 4334 Geary Blvd. project site. Attendees included commercial and residential neighbors including members of the Archdiocese and Eva Chao. Several tenants who had been left off the original pre-application list sent for the August 4th meeting were notified of this meeting by certified mail.

Mr. Pashelinsky and Mr. Romanov were present.

Concerns were similar to those previously listed.

The modified plans were presented showing the reduction from 4 to 3 floors. And a reduction from 12,256 sq. ft. to 9,515 sq. ft. The neighbors were concerned requirement for a parking variance. The architect noted that this variance was not required if a parking reduction application was approved.

09-22-11 Fifth Meeting:

Community outreach meeting at the Richmond Branch of the San Francisco Public Library.

Attendees included Eva Chao, Joe O'Donahue, members of the San Francisco Archdiocese,
And Cheryl Shultz of PAR.

Dr. Yan Kalika and Mr. Edward Romanov the owners were present as well as Project Architect William Pashelinsky and Structural Engineer Rodrigo Santos.

The concerns were similar to those as stated previously.

Mr. O'Donhue stated that a variance was required to eliminate or reduce parking requirements and that there was no such thing as the parking reduction. Ms. Eva Chao requested the building be kept to 2 floors.

A parking study was presented showing that with ADA required standards for parking as well as safety issues of the code only 3 parking spaces would be available if constructed below grade. A significant portion of the 1st floor would also be taken by the driveway ramp (See Attachment B).

ACCESS TO LIGHT STUDY

4334 GEARY BLVD
AUGUST 2012





EXISTING CONDITIONS - GEARY BLVD



EXISTING CONDITIONS - NORTH FACADE



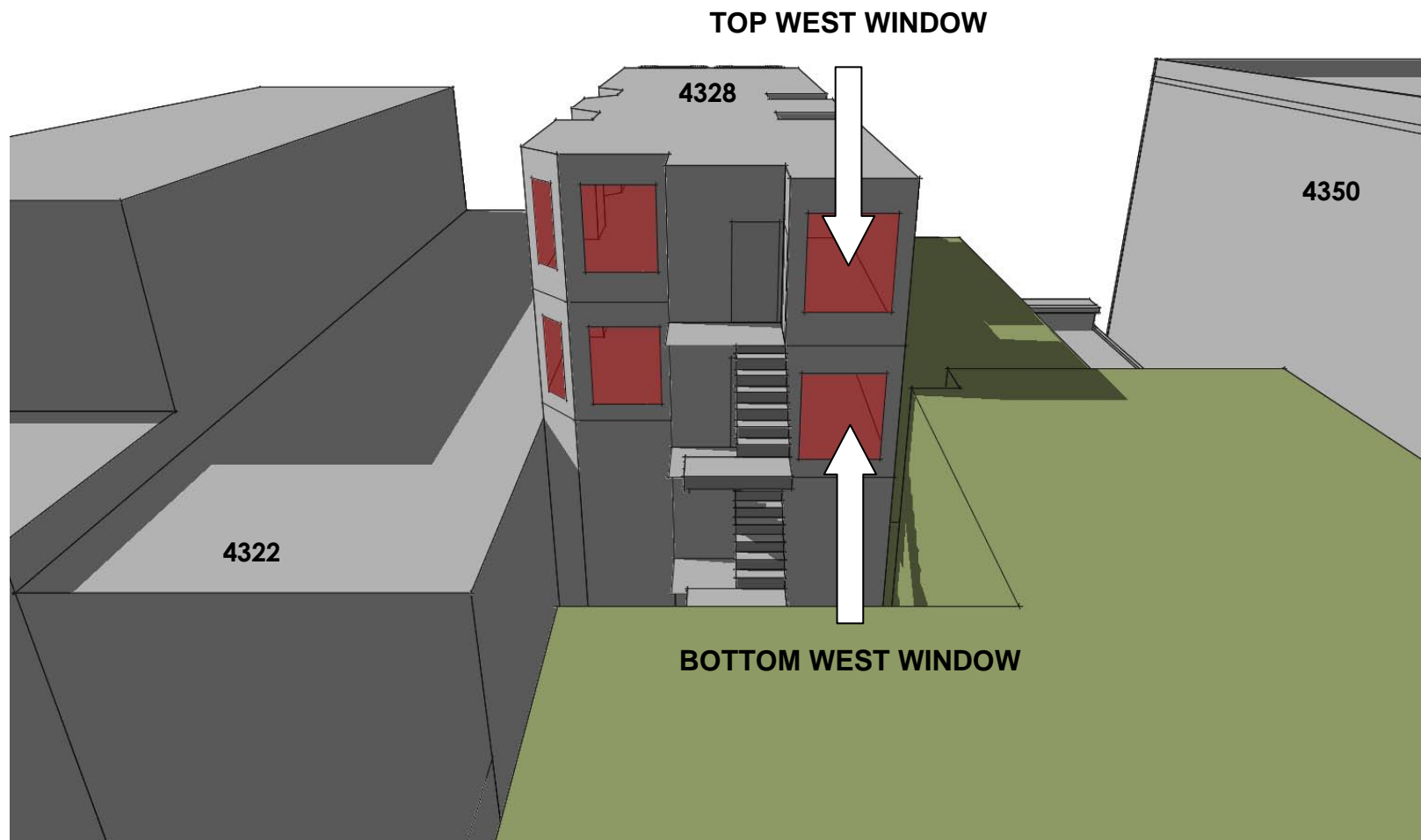
EXISTING CONDITIONS - EAST



EXISTING CONDITIONS - WEST



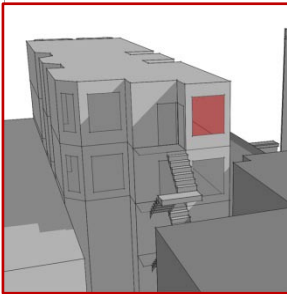
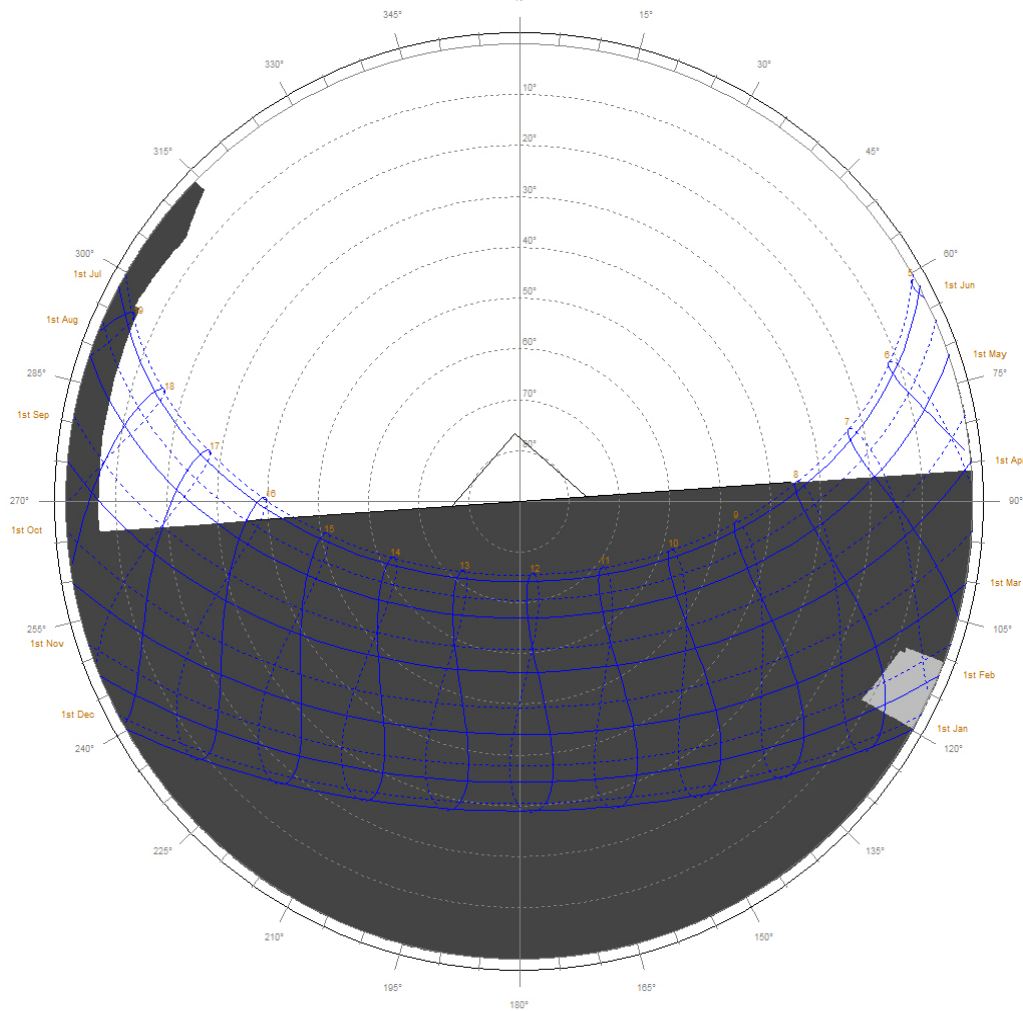
EXISTING CONDITIONS - ADJACENT NORTH PROPERTY



WINDOWS IDENTIFICATION

Equidistant Projection
Location: 37.6°, -122.4°
Obj 2426 Orientation: -4.0°, 0.0°

39.7% Vertical Sky Component (visible skylight on vertical surface)



TOP WEST WINDOW VSC FOR EXISTING CONDITIONS - MAXIMUM 40%



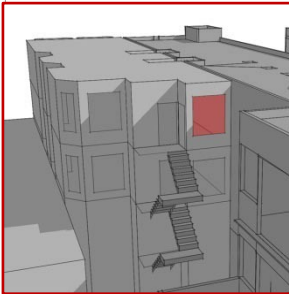
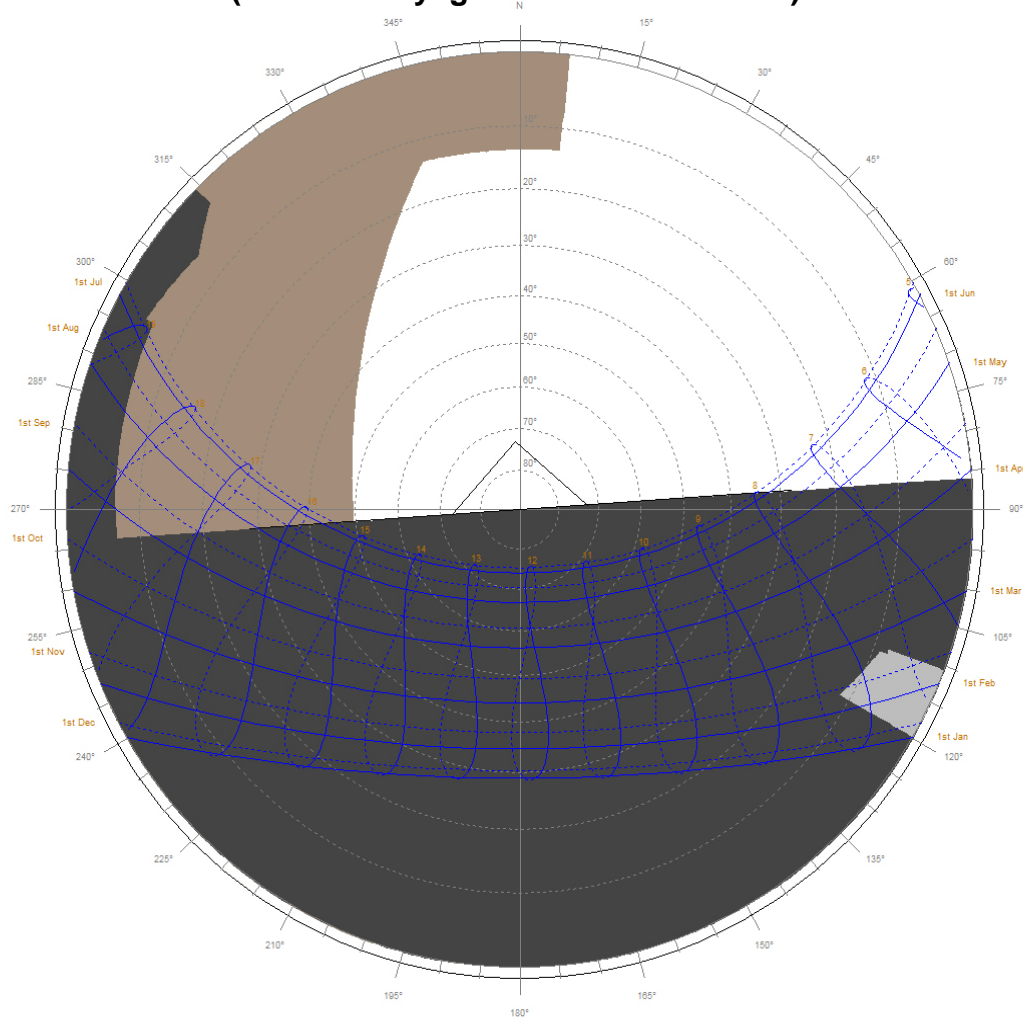
BACK OF WINDOW (INTERIOR)



PROPOSED PROJECT

Stereographic Diagram
Location: 37.6°, -122.4°
Obj 2426 Orientation: -4.0°, 0.0°

30.1% Vertical Sky Component (%visible skylight on vertical surface)

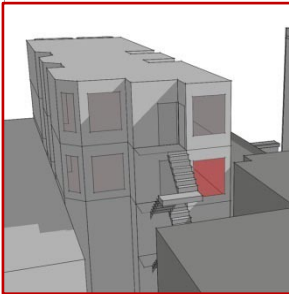
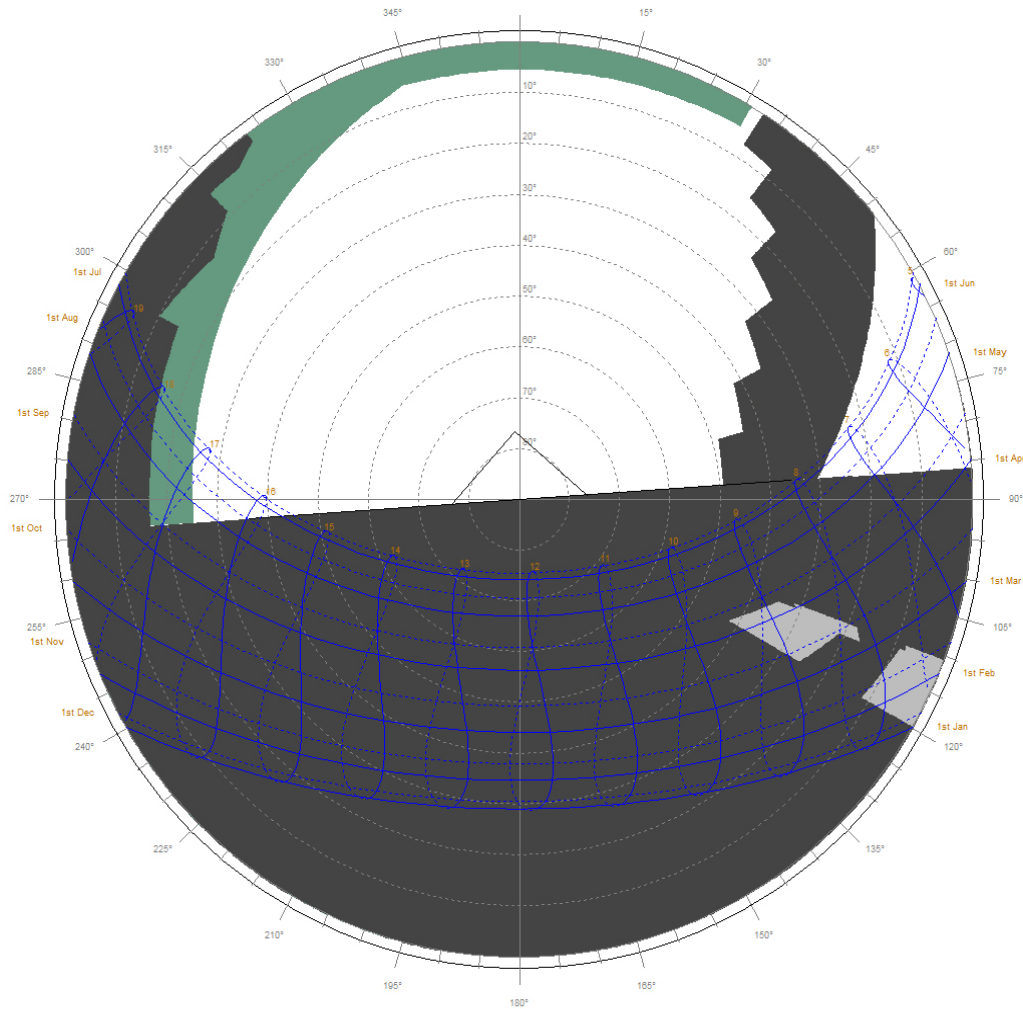


TOP WEST WINDOW VSC FOR PROPOSED CONDITIONS - MAXIMUM 40%

■ BACK OF WINDOW (INTERIOR) ■ PROPOSED PROJECT

Equidistant Projection
Location: 37.6°, -122.4°
Obj 2427 Orientation: -4.0°, 0.0°

31.0% Vertical Sky Component (%visible skylight on vertical surface)

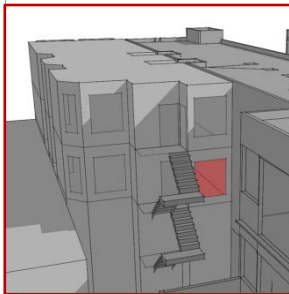
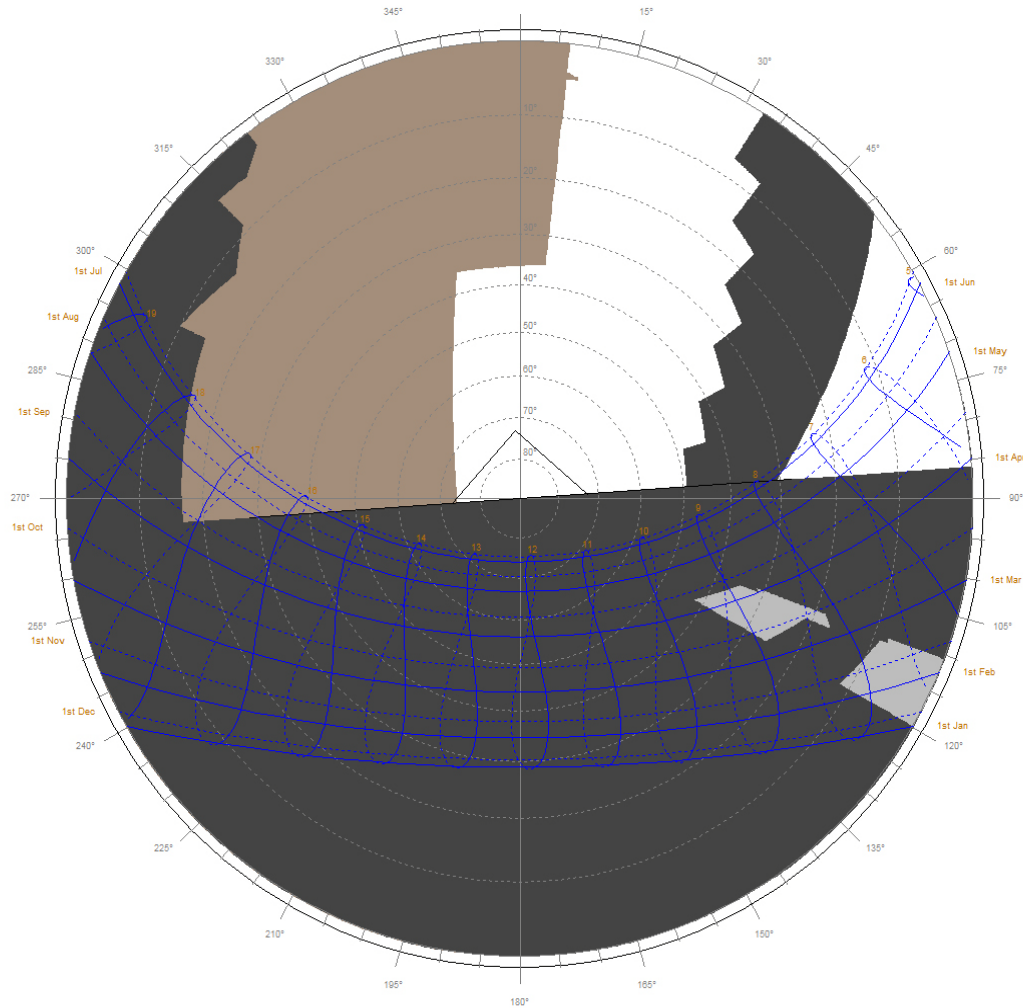


BOTTOM WEST WINDOW VSC FOR EXISTING CONDITIONS - MAXIMUM 40%

■ BACK OF WINDOW (INTERIOR) ■ PROPOSED PROJECT

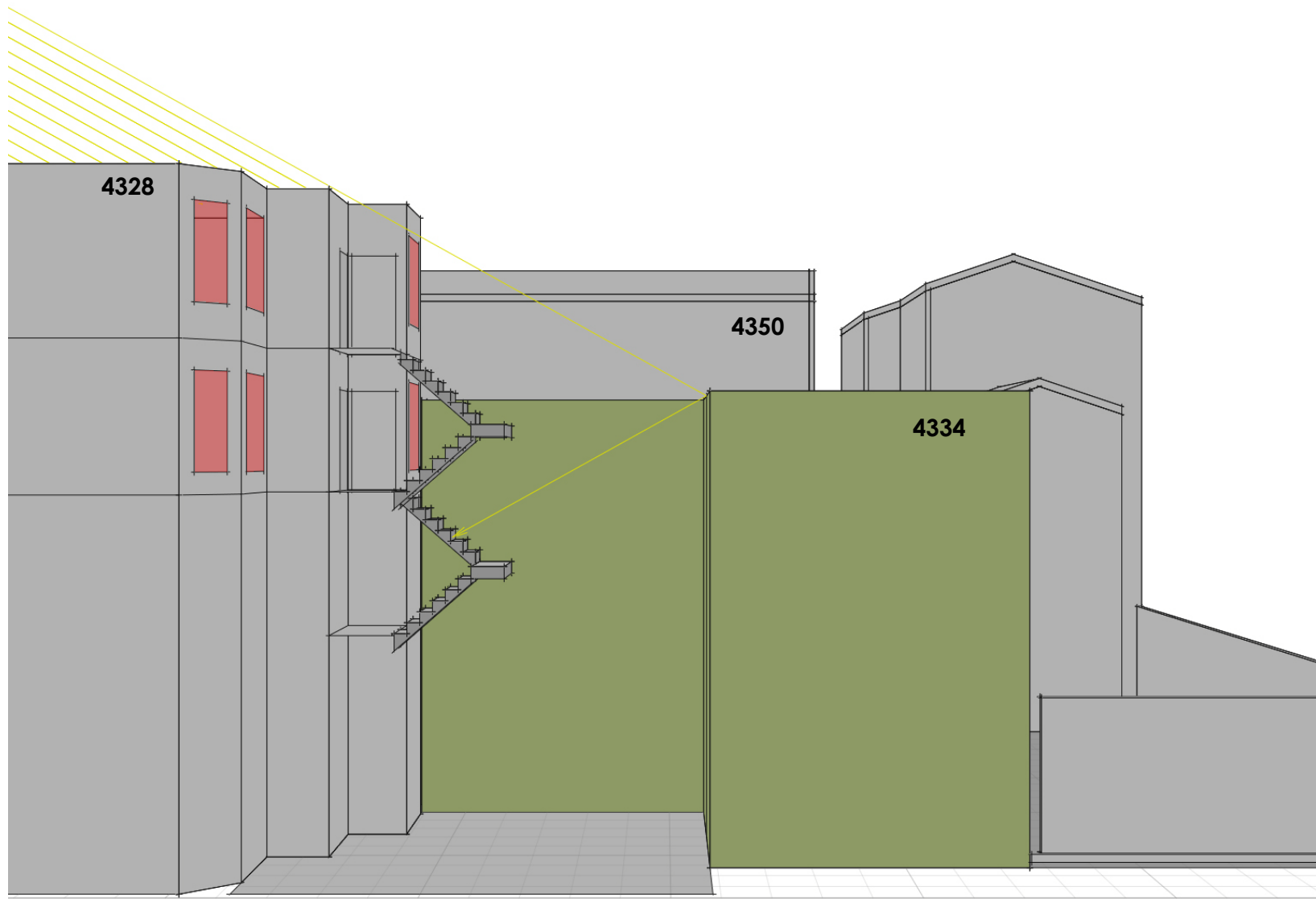
Stereographic Diagram
Location: 37.6°, -122.4°
Obj 2427 Orientation: -4.0°, 0.0°

17.8% Vertical Sky Component (%visible skylight on vertical surface)

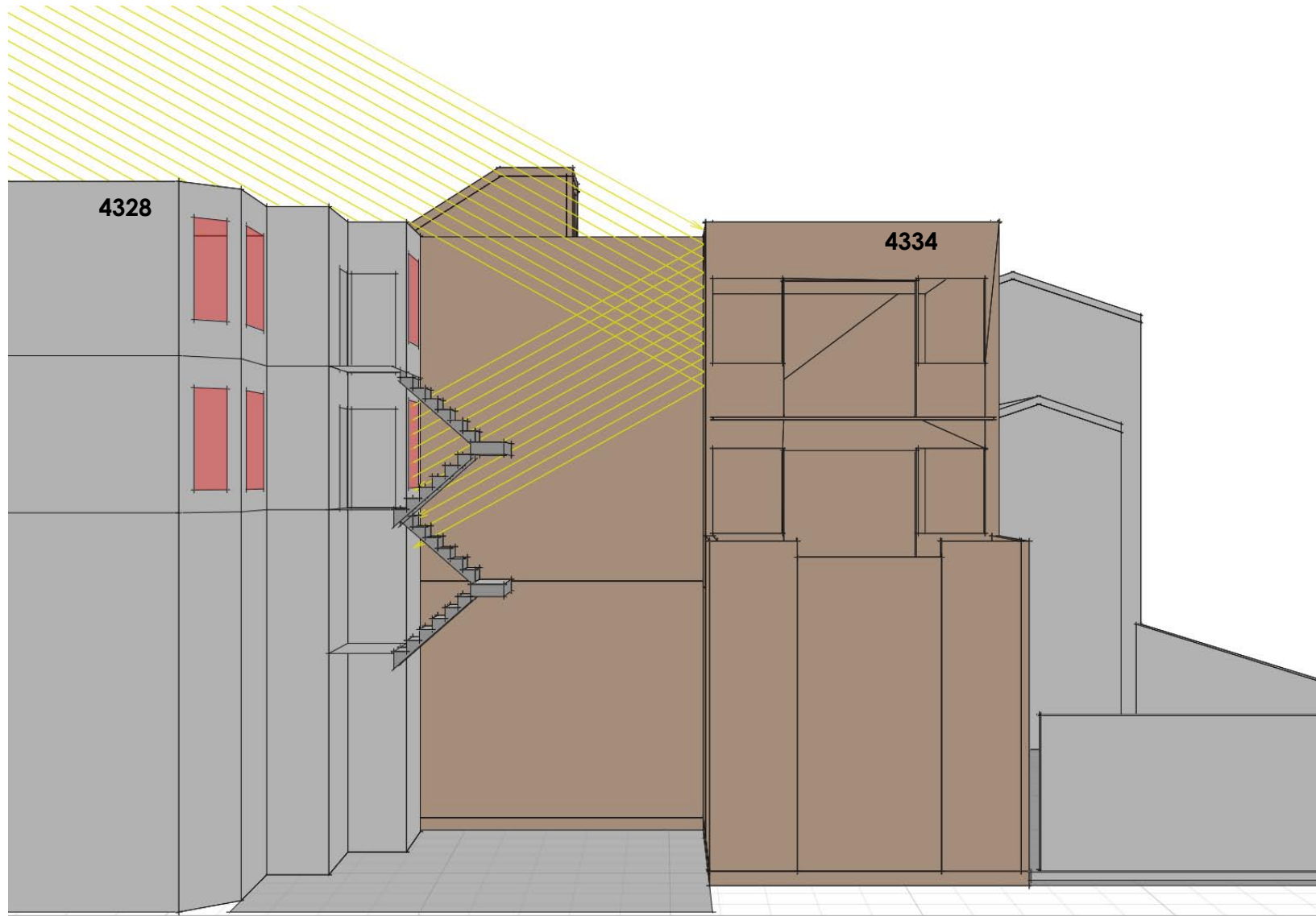


BOTTOM WEST WINDOW VSC FOR PROPOSED CONDITIONS - MAXIMUM 40%

■ BACK OF WINDOW (INTERIOR) ■ PROPOSED PROJECT

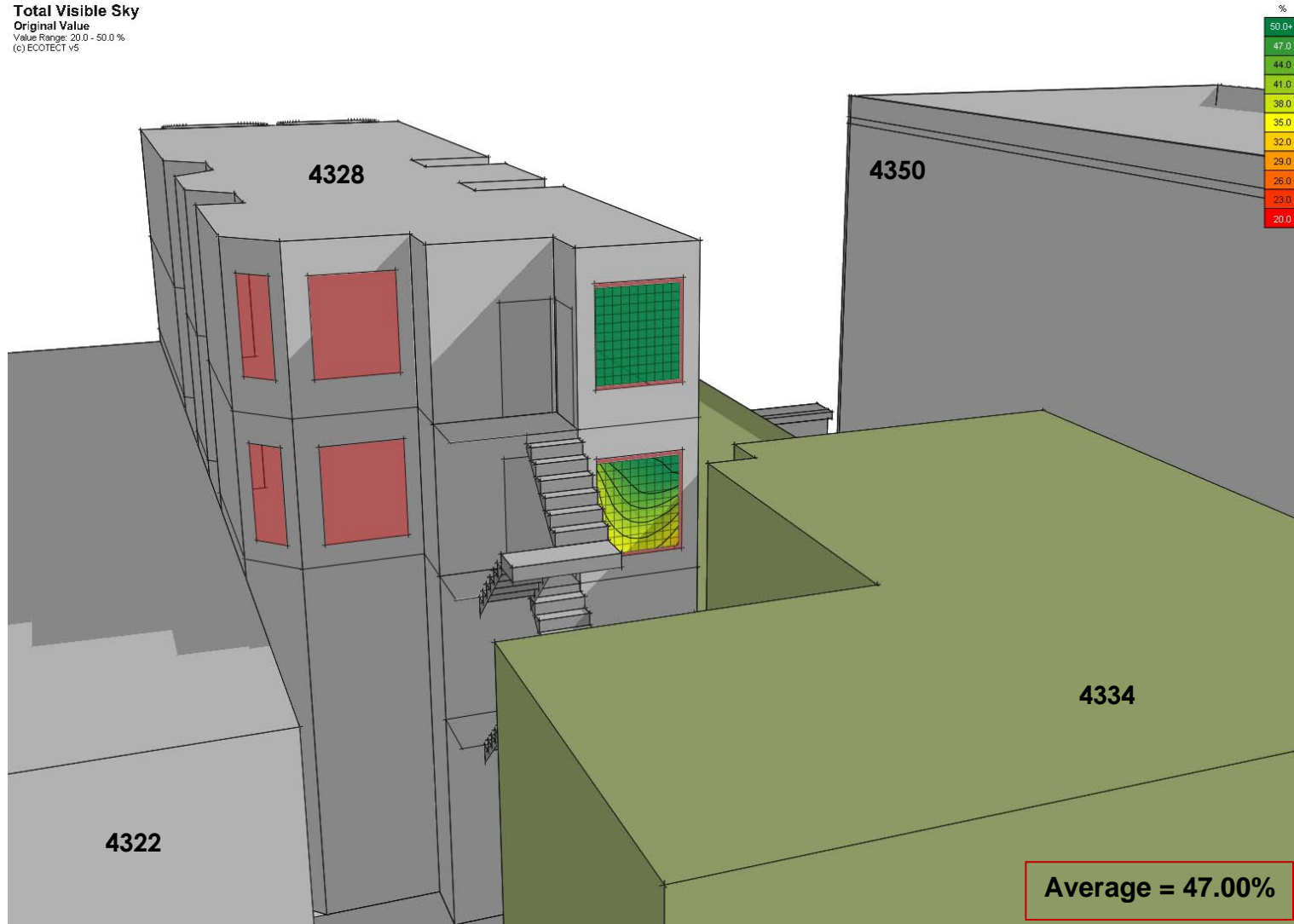


SOLAR REFLECTION FOR EXISTING CONDITIONS ON DECEMBER 21st NOON



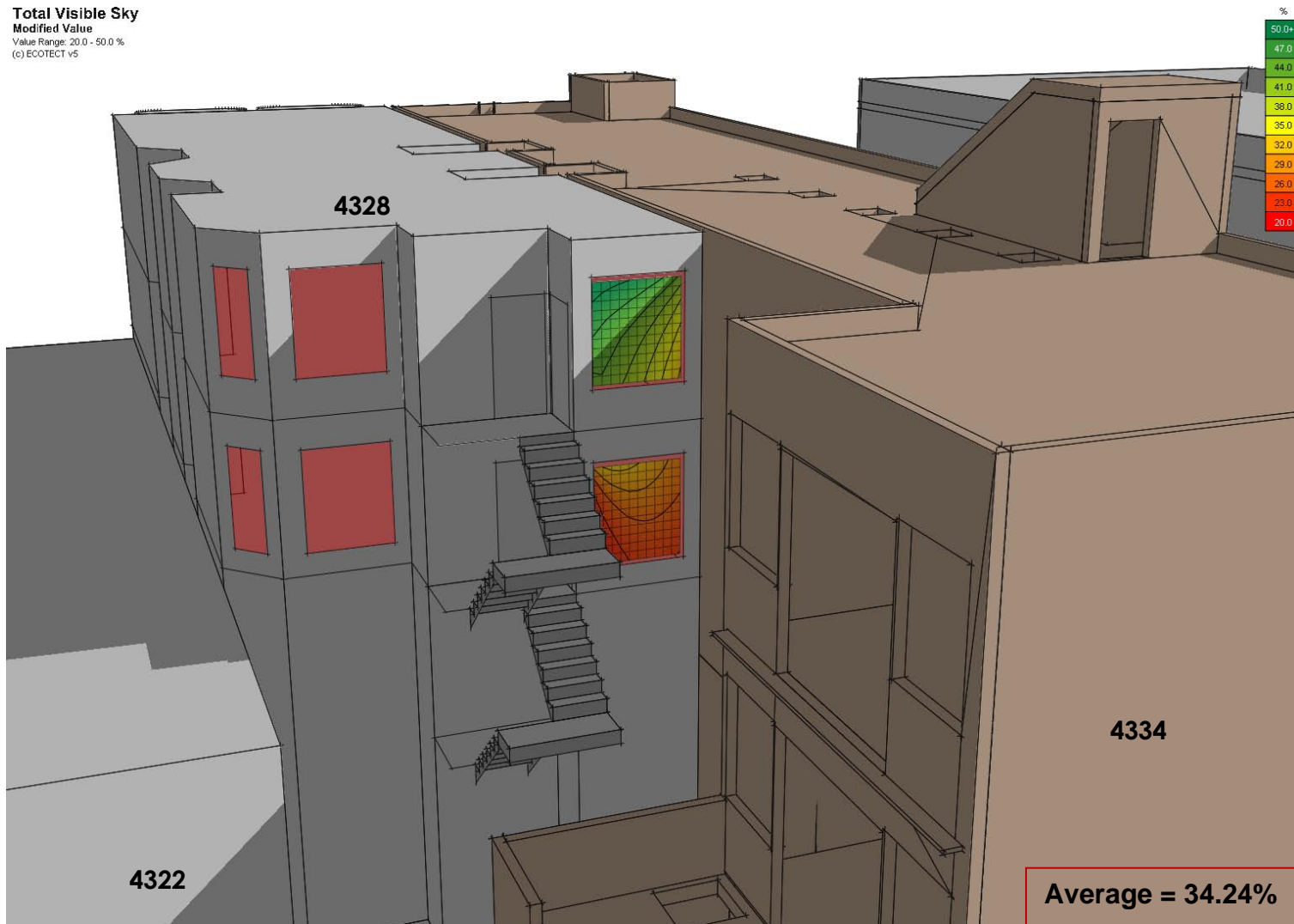
SOLAR REFLECTION FOR PROPOSED CONDITIONS ON DECEMBER 21st NOON

Total Visible Sky
Original Value
Value Range: 20.0 - 50.0 %
(c) ECOTECH v5



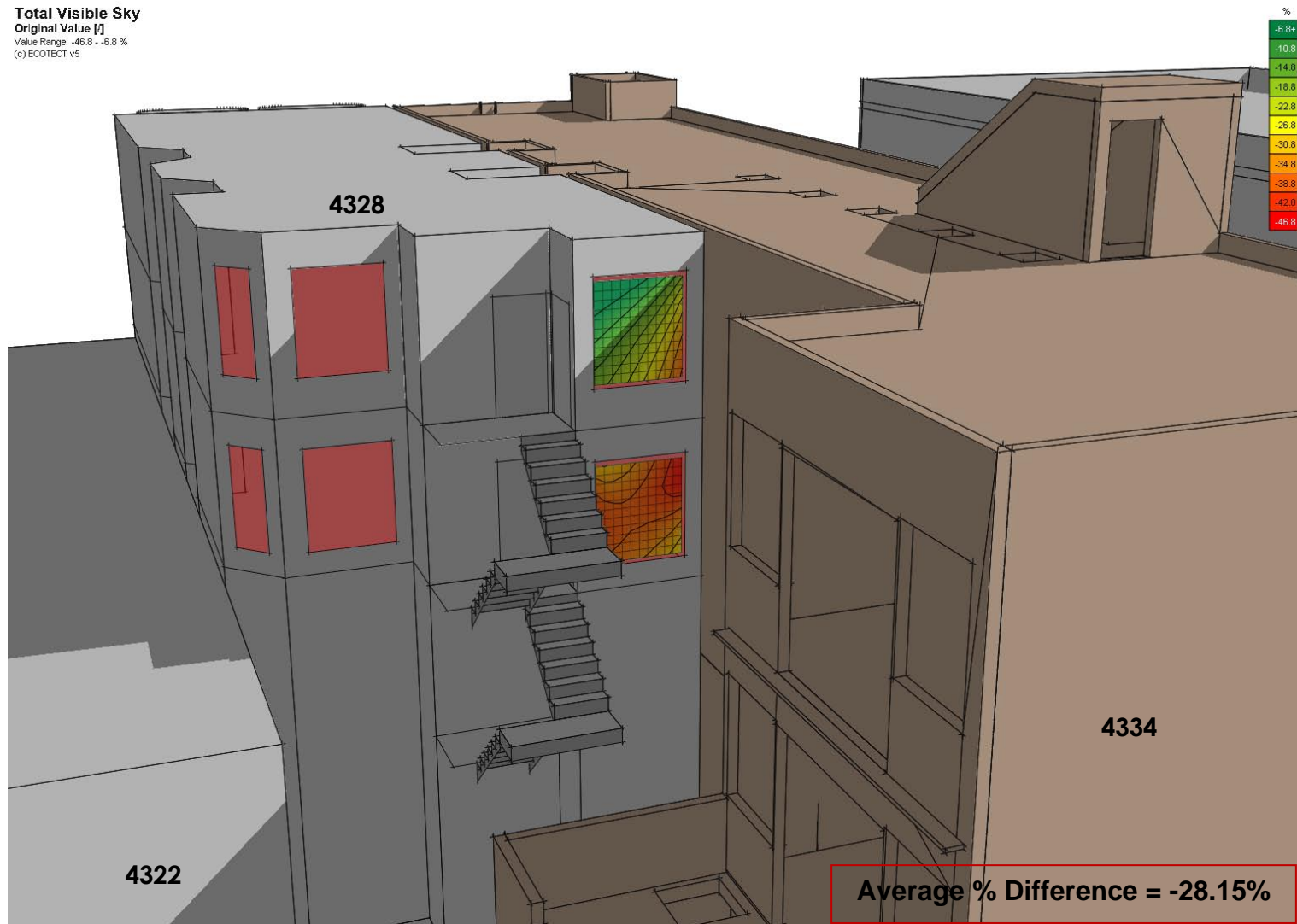
% VISIBLE SKY ON WINDOWS FOR EXISTING CONDITIONS

Total Visible Sky
Modified Value
Value Range: 20.0 - 50.0 %
(c) ECOTECT v5

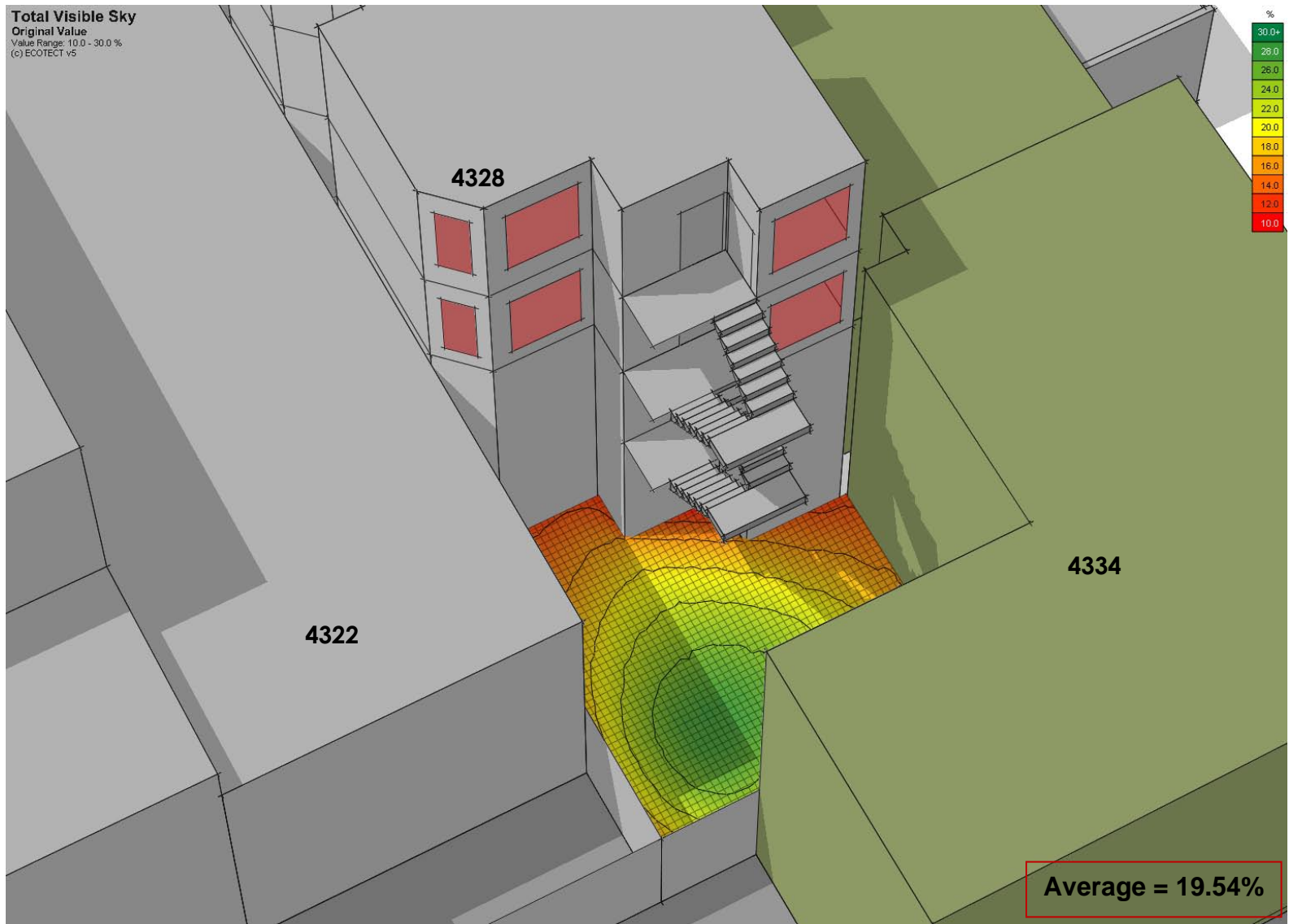


% VISIBLE SKY ON WINDOWS FOR PROPOSED CONDITIONS

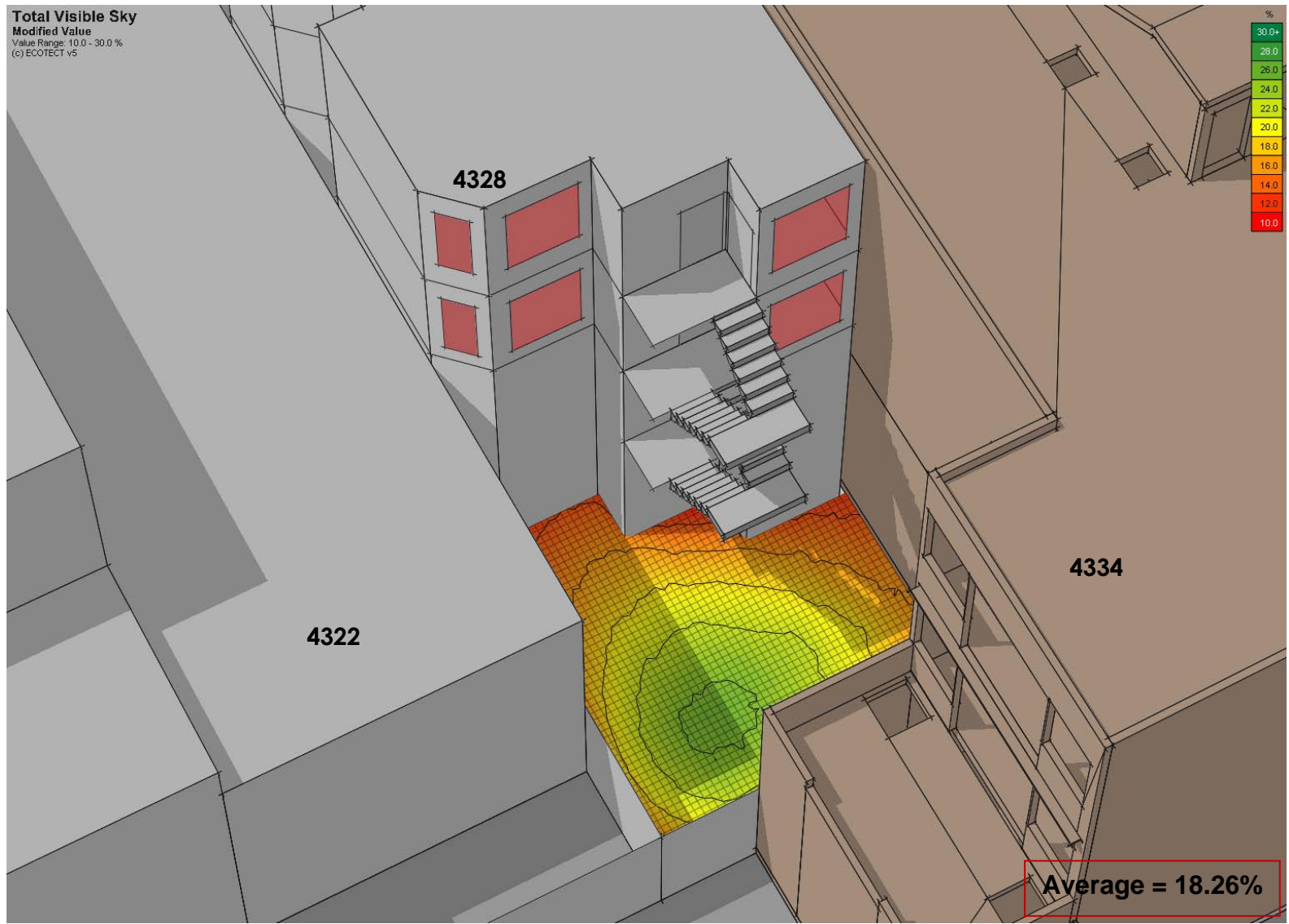
Total Visible Sky
Original Value [1]
Value Range: -46.8 - -6.8 %
(c) ECOTECT v5



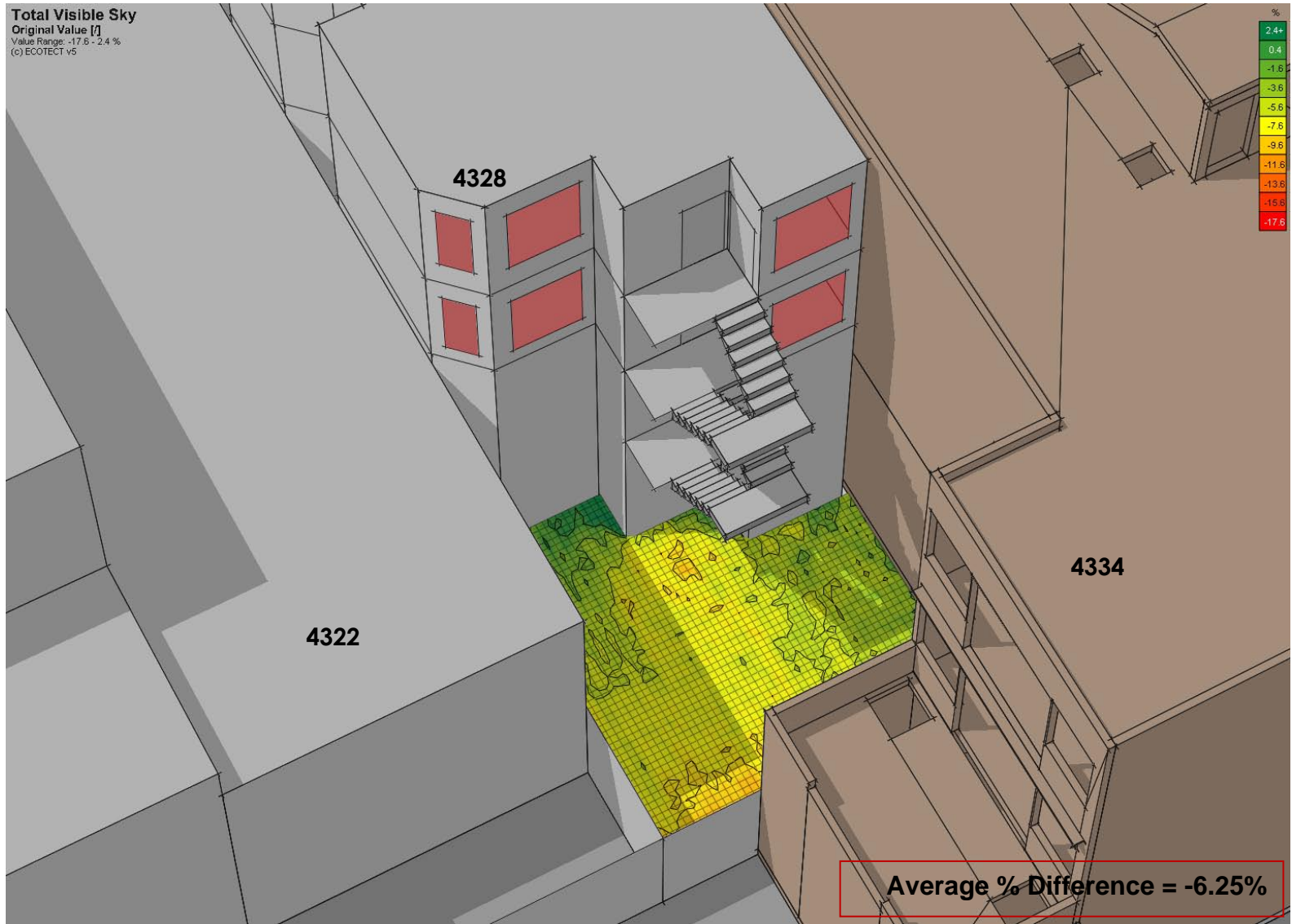
DIFFERENCE % VISIBLE SKY ON WINDOWS FOR EXISITING / PROPOSED CONDITIONS



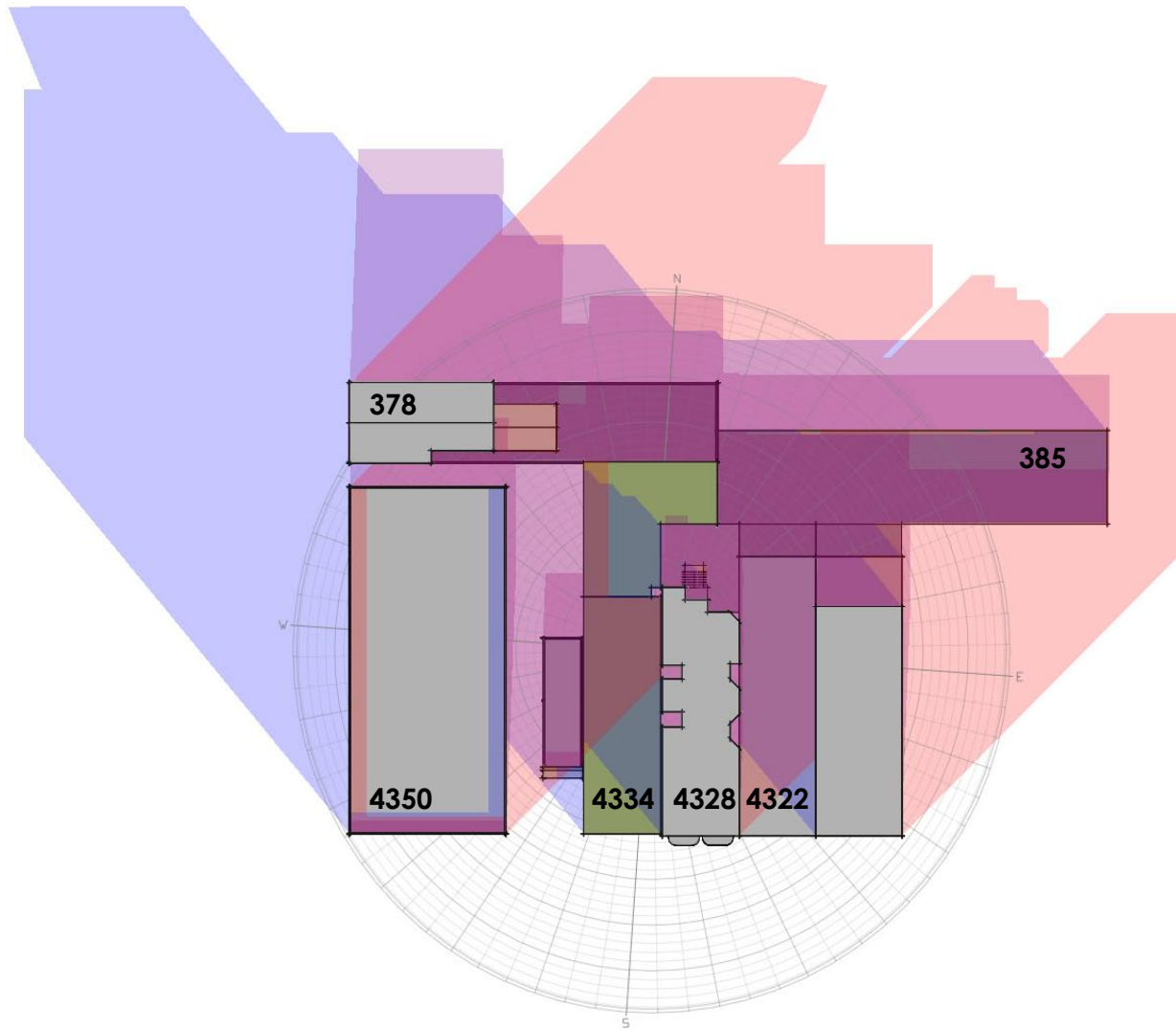
% VISIBLE SKY ON BACK YARD FOR EXISITING CONDITIONS



% VISIBLE SKY ON BACK YARD FOR PROPOSED CONDITIONS



DIFFERENCE % VISIBLE SKY ON BACK YARD FOR EXISITING / PROPOSED CONDITIONS



SHADOW RANGE FOR EXISTING CONDITIONS ON WINTER SOLSTICE



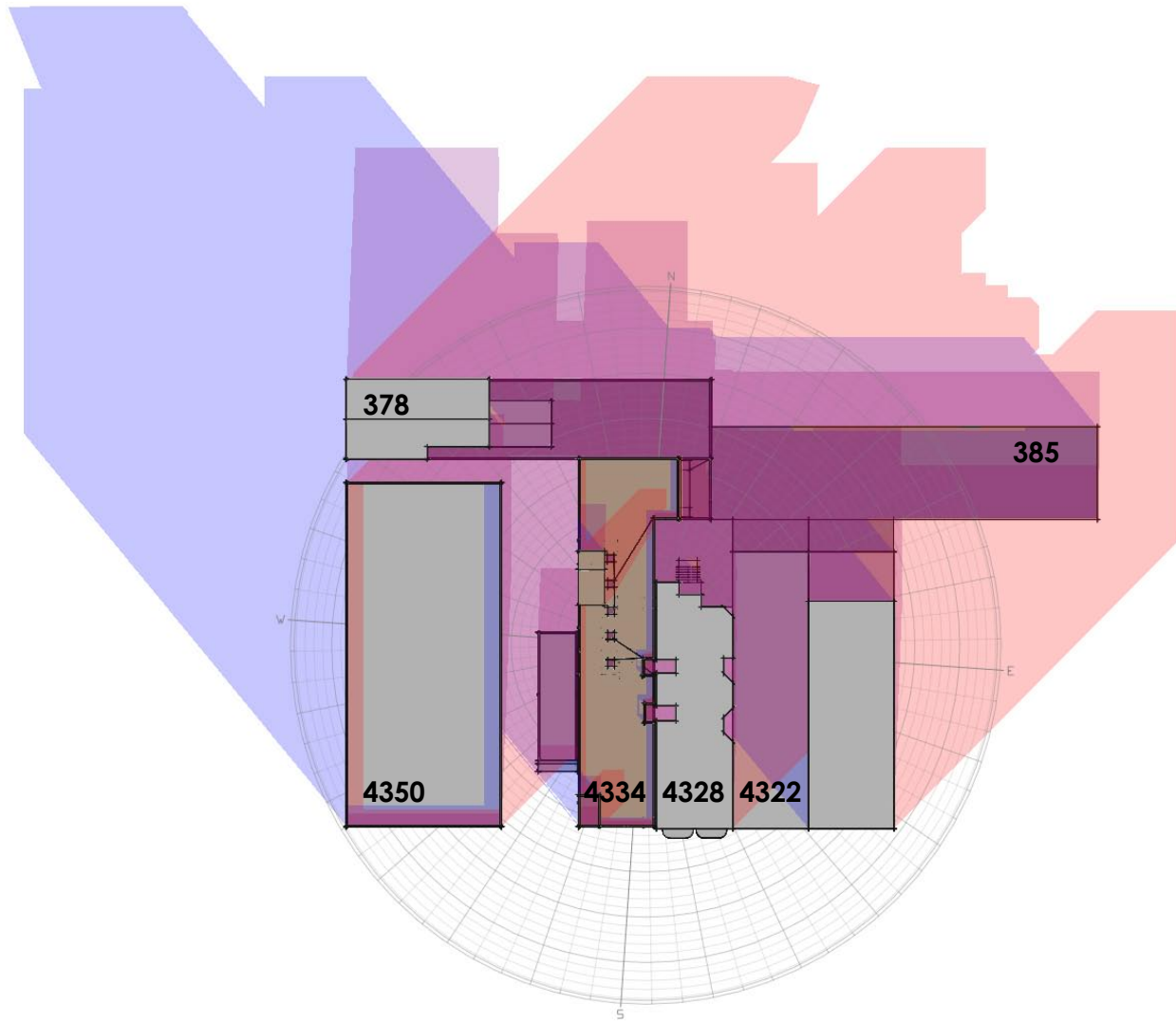
9:00 AM



12:00 NOON



3:00 PM



SHADOW RANGE FOR PROPOSED CONDITIONS ON WINTER SOLSTICE



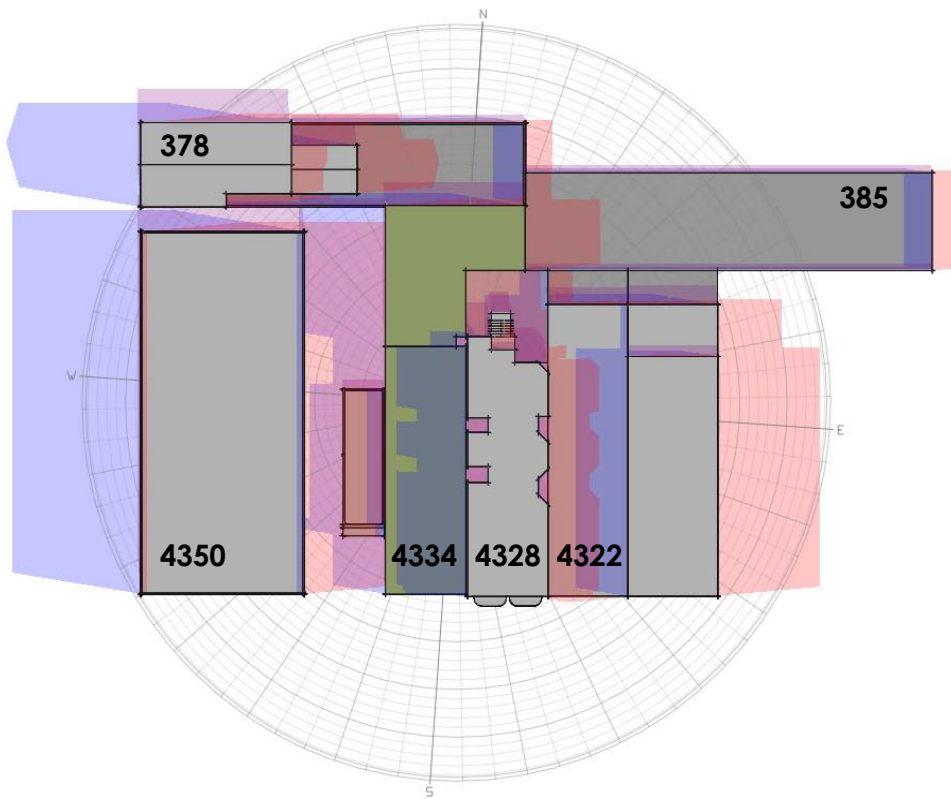
9:00 AM



12:00 NOON



3:00 PM



SHADOW RANGE FOR EXISTING CONDITIONS ON SUMMER SOLSTICE



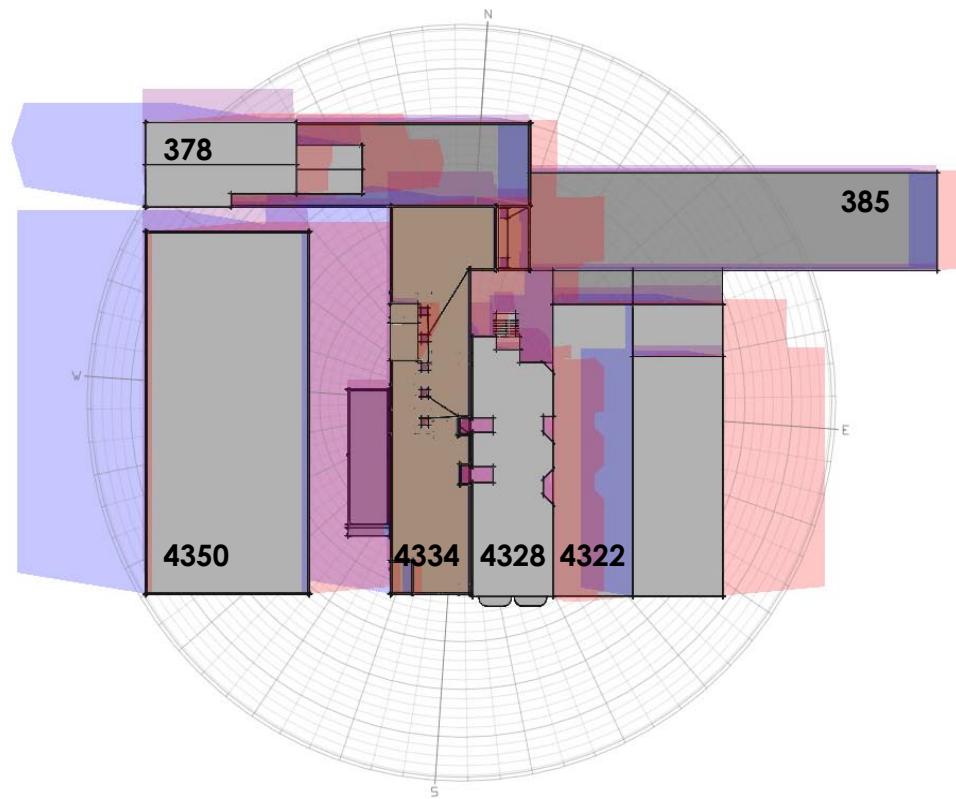
9:00 AM



12:00 NOON



3:00 PM



SHADOW RANGE FOR PROPOSED CONDITIONS ON SUMMER SOLSTICE





9TH AVE. & 4450 GEARY BLVD



4444-4442 GEARY BLVD



4420 GEARY BLVD



4410 GEARY BLVD



8TH AVE. & 4410 GEARY BLVD



4350 GEARY BLVD



4340 GEARY BLVD



4334 - 4328 GEARY BLVD



4322 - 4324 - 4312 GEARY BLVD



4300 GEARY BLVD & 7TH AVE.



7TH AVE. & 4250 GEARY BLVD



4228 GEARY BLVD



4224 - 4200 GEARY BLVD



4200 GEARY BLVD & 6TH AVE.



6TH AVE. & 4201 GEARY BLVD



4215 - 4221 GEARY BLVD



4225 - 4233 - 4239 GEARY BLVD



4249 GEARY BLVD & 7TH AVE.



4301- 4319 GEARY BLVD



402 8TH AVE.



402 8TH AVE. & 8TH AVE.



401 8TH AVE. - 4411 GEARY BLVD



4419 GEARY BLVD



4455 GEARY BLVD & 9TH AVE.



Rodney Fong, President
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

August 7, 2012

**RE: 4334 Geary Boulevard--NC-3 -NEIGHBORHOOD COM. MOD. SCALE
Hearing Date: August 16, 2012—Staff and Neighbor Discretionary Review
Opposition to Project and in Support of Discretionary Review Request**

President Fong and Commissions:

Introduction

My office represents the adjacent neighbors and DR Requestor Eva Chao who previously lived next door immediately east of the subject site at 4328-4330 Geary Street. Ms. Chao now manages the property, which is a twelve unit SRO building. Her father and brother still live at the site.

The lot configuration is unusual in that the subject lot literally wraps around the DR Requestors lot (Exhibit 1). The lot is presently fully covered with a one/two story building. The proposed project is for full lot coverage at forty feet in height. Because the neighboring property is a residential hotel at the top two floors, and not an office building and not retail use, the project will have a devastating impact on the residents, their health and quality of life. These Single Room Occupancy (SRO) units desperately depend on the west facing light wells and three lot line windows for ventilation, light and air. (See Exhibit 2). The proposed project does not even “match” the light wells and makes no accommodation at all for the historic, legal lot line windows.

Although the staff initiated DR is a step in the right direction, DR Requestor asserts that as a policy matter, the City and the Department must take design steps to save and help retain the habitability of these units. This is an extraordinary and exceptional case as evidenced by the Staff of the Department bringing a DR before the Commission, however, the rear setback proposed by Staff does not go nearly far enough to ameliorate the impacts on these low-income, elderly and disabled tenants and to preserve these units for future generations.

The Plans Are Not Code Compliant and Omit Basic Mandatory Information

The most cursory review of the plans which were mailed to the neighbors as part of the mandatory public notification process under Planning Code Section 312 reveals that the plans are not code compliant and neglect to provide the most basic and mandatory information. They have an odd one-dimensional child-like look and feel and omit much of the most elementary information. The Commission should reject these plans outright

as they have in so many other cases where the plans do not provide the code-required information. (See 312 Notification and Plans attached as Exhibit 3)

For example, Sheet A-3.03 showing the existing and proposed south elevations, which is the Geary Street frontage; there are no dimensions on any of the buildings, either existing or proposed! Section 312 requires that public notification *shall* include such dimensions:

“It shall include a description of the proposal compared to any existing improvements on the site with dimensions of the basic features, elevations and site plan of the proposed project including the position of any adjacent buildings, exterior dimensions and finishes....” (Section 312 (d) (2)).

The description of the project states it will “match” the height of the adjacent building (the DR Requestor) but this Geary Street elevation shows the new building as several feet taller than the neighboring building. We do not believe that Eva Chao’s building is 40’ feet tall since it is only three stories. Accordingly, a proposed project at 40’ feet tall would not “match” her building. The placement of dimensions on adjacent buildings at the façade has long been a mandatory requirement because it is the only way to put the proposed new building in perspective with its surrounding---this proposed building and the existing streetscape buildings are merely “floating” in undefined space. I have never seen the street facades for any project go out to the public without any dimensions.

The side elevations(A-3.02) are not much better and are simply inaccurate and again omit crucial information. The southern single lot line window on Ms. Chao’s building (Unit 6) is incorrectly positioned and the light wells on Eva’s building are not correctly drawn. Please review the attached photo (Exhibit 2) and you will see that the window is not nearly so close to the light well as shown on the drawings and the light wells are not above the window as shown. Both light wells continue below the window and the northern most light well is several feet lower than the window. Further, the building to the west is depicted at roughly half its actual size on the side elevation, an obvious error and omission. The impacts of the proposed project are hidden by this lack of detail and accuracy.

Further, the drawing labeled “Elevation View North @ Rear Portion of Site” (A-3.02) is completely inaccurate and makes no sense. It shows “Extent of Existing Building” at 40’ feet in height. This is simply wrong. No portion of the building is currently at 40 feet and the rear of the building is depicted inaccurately. No “existing” site elevations are presented.

Finally, and perhaps most important, no “existing” site/roof plan is included in the 312 notification or any of the plans sent to the public. I reviewed several 312 notifications sent to the adjacent neighbors and not one provided an existing site plan.(Exhibit 3 is the public packet) The *proposed* site and roof plan for the new building (which is not labeled as such) is reproduced twice in each notification packet, but no existing site plan is provided anywhere.(A-1.02?—the sheet numbers are obscured from both copies in the plans) This is another glaring error that again makes it nearly impossible to correctly

judge the “before” and “after” affects of the project. An “existing” site plan *must* be provided and dimensions *must* be included on the subject building and the adjacent buildings.

On August 5, we requested that the plans to be corrected amended and re-circulated but that request was rejected by the Department---we were informed that it was “close enough.” Absent these basic requirements, the notice mandates of the Code have not been met and the neighbors cannot correctly judge this proposed project. The Dept should have required these plans to be amended to provide the proper code mandated plans and descriptions and not unfairly show up at the hearing with amended and corrected plans. (which is what we anticipate) which were not sent to the public.

SRO Housing is Protected by Code and Policy and is the Most Important and Endangered Housing in San Francisco—Almost Nonexistent on the West Side

The adjacent residential hotel is a true single room occupancy residential hotel and one of the rare examples of such housing on the west side of the City. Six units on each floor share a communal bath and shower. Most units have a small ‘kitchenette.’ The hallway runs the length of the building and the tenants must traverse if many times per day to get to the showers and bathroom. These wide hallways are essentially part of each residents’ unit and are an informal gathering place. These halls are currently flooded with sunlight



and fresh air from the light wells and lot line windows on the Westside of the building which faces the subject site. Without some type of affirmative mitigation and alteration of the proposed project, this essential housing will be rendered nearly uninhabitable by the proposed project.

The adjacent neighbors, some elderly and very long-term neighbors who also join with the DR Requestor opposing the Project and asking this Commission for help include:

		<u>AGE</u>	<u>LENGTH</u>	<u>Move-In</u>	<u>Occupation</u>
Unit 1	Braden McGraw	41	(6.5 years)	Feb. 1, 2006	Lab assist
Unit 2	Melina Valencia	33	(2.5 years)	Apr. 3, 2010	EPA
Unit 3	Austin Gajewski	21	(2 months)	June 1, 2012	Student
Unit 4	Clinton Chao-(Brother)	48	(8 years)	2004	Unemployed
Unit 5	Michael Endrusick	30	(3 months)	May 1, 2012	Grocer
Unit 6	George Fenov	40+	(13 years)	June 14, 1999	Unemployed

(Units 1-6 are on the second floor with 2 small shared bathrooms)

Unit 7	Lareda Arguello	60+	(over 30 years) before 1982	Disabled
Unit 8	Billy Chao(Father)	81	(6 years) 2007	Retired
Unit 9	Bob Saba	71	(over 30 years) before 1982	Retired
Unit 10	Hoang Dinh The	65+	(over 30 years) before 1982	Retired
Unit 11	Eva Azrilian	36	(3 years) Oct. 14, 2009	Seasonal
Unit 12	David Lemon	47+	(10 years) July 1, 2002	Grocer

(Units 7-12 are on the third floor with 2 small shared bathrooms)

This is very efficient and “green” housing with numerous people living in a small space. Because the bathrooms are used by all units on each floor, there is moisture build-up that will not dissipate without strong source of ventilation which the building currently enjoys from the windows. The developers’ plan to provide only small (½ the size) of the current light wells will make the situation impossible to prevent mold growth, without the necessary differential air pressure changes in order for air to flow naturally.



Wide Communal Hallways And Two Large Light Wells Make the Building Light/Airy

Currently the angle of incidence for the west facing windows of the Chao building is close to 90 degrees for westerly breezes and so they are ideally suited for ventilation (this really depends on the exact wind direction and the effect of nearby structures like the church). The effect of the proposed building will be to completely eliminate these windows effectiveness, and in fact it will likely cause a small under pressure to develop at the top of the light-well for moderate to strong breezes. The loss of light is obvious,

less obvious is the near complete loss of ventilation for the building and the 12 units next door. The full force of these impacts will be presented at the hearing.

The Proposed Project Violates the Many Housing Policies Protecting SRO's

Chapter 41 of the San Francisco Administrative Code was instituted to enforce one of the General Plan's highest priority policies, *That the City's supply of affordable housing be preserved and enhanced*. As noted above, many of the residents of the neighboring building are elderly and disabled; all are low income. San Francisco's entire housing policy has as its centerpiece the protection and preservation of such housing and the tenants occupying the housing. Administrative Code Section 41.2 sets for the "purpose" of the Chapter:

“

It is the purpose of this ordinance to benefit the general public by minimizing adverse impact on the housing supply and on displaced low income, elderly, and disabled persons resulting from the loss of residential hotel units through their conversion and demolition. This is to be accomplished by establishing the status of residential hotel units, by regulating the demolition and conversion of residential hotel units to other uses, and by appropriate administrative and judicial remedies”

In the years 1979-1980, the Board of Supervisors found there was a "housing emergency" in San Francisco, especially among the elderly, disabled and low income households in the City. The specific findings of the Board are codified at Section 41.3:

“The Board of Supervisors finds that:

(a) There is a severe shortage of decent, safe, sanitary and affordable rental housing in the City and County of San Francisco and this shortage affects most severely the elderly, the disabled and low-income persons.

(b) The people of the City and County of San Francisco, cognizant of the housing shortage of San Francisco, on November 4, 1980, adopted a declaration of policy to increase the city's housing supply by 20,000 units.

(c) Many of the elderly, disabled and low-income persons and households reside in residential hotel units.

(d) A study prepared by the Department of City Planning estimated that there were only 26,884 residential hotel units in the City in December of 1979, a decrease of 6,098 such units from 1975. Since enactment of this Chapter, residential hotel units have continued to decrease, at a slower rate: in 1981, there were 20,466 residential hotel units as defined by this Chapter; in 1988, there were 18,723 residential hotel units, a decrease of 1,743 over a period of 7 years. The decrease is caused by vacation, conversion or demolition of residential hotel units. Continued vacation, conversion or demolition of

residential hotel units will aggravate the existing shortage of affordable, safe and sanitary housing in the City and County of San Francisco.

(e) As a result of the removal of residential hotel units from the rental housing market, a housing emergency exists within the City and County of San Francisco for its elderly, disabled and low-income households.

(f) Residential hotel units are endangered housing resources and must be protected.

(g) The Board of Supervisors and the Mayor of the City and County of San Francisco recognized this housing emergency and enacted an ordinance which established a moratorium on the demolition or conversion of residential hotel units to any other use. The moratorium ordinance became effective on November 21, 1979.

(h) The conversion of residential hotel units affects those persons who are least able to cope with displacement in San Francisco's housing market.

Approving a project that degrades or makes such housing uninhabitable is directly contrary to the City's most important housing policies and it is the over-arching task of this Commission and this Commission is directly charged with upholding and furthering those policies. One cannot "enhance" SRO housing by removing its access to light and air and by placing a permanent shadow on the resident of that housing.

A Different Design is Needed to Reduce Impacts on the SRO Units and the Developers Agreed to a Much Larger Set Back for the Windows and Light Wells

Obviously, the Neighbors support the Departments' request that this Commission take Discretionary Review of this project and add a rear yard setback to the design. However, that setback does little to ameliorate the direct impacts of the wall that will be built directly adjacent to the lot line windows and the light wells if the project is approved as proposed. Further, at the community meeting last year, the developers agreed to a design which provided much larger setbacks and access to light and air flow.

Suggested design changes include the following:

1. Create a rear yard. This will open up light at least to the rear of the neighboring building and will also provide benefit to all of the surrounding neighbors in the mid block open space.
2. Create a larger and deeper light well that runs the length of the east side of the proposed new building to encompass the light wells and the lot line windows. (Exhibit 4-New Proposal from DR Requestor) This new light well could be broken up into two parts as well.
3. Create deeper matching light wells opposite the existing light wells on the DR Requestors building and create light wells for the lot line windows.

This proposed new light well and setback design from the DR Requestor is almost identical to what the developers proposed to Ms. Chao at the community meeting on August 4, 2011. The developer drew out a sketch of a light well set back six feet from the shared property line and which ran the length of the building in a north south direction far enough to include the lot line windows. Attached hereto as Exhibit 5 is a copy of the agreement reached at the community meeting and which was *signed by the parties*. Following that time, the developer immediately started back peddling and disavowing the agreement and wanted to reduce the depth and the length of the light well. The proposed plan does not 'match' the light wells in depth and does not provide *any* accommodation at all for the lot line windows.

Conclusion

On behalf of the DR Requestor and the neighbors, we request that the Commission make small changes to the design of the Project. In addition to the changes requested by staff, *match* the adjacent buildings' light wells. Expand the length and depth of the light well to include the lot line windows or create two expanded light wells that include those windows. Reduce the new roof height and add a slope towards the neighbors. The design of the only full lot build out on the block should at least ameliorate the impacts of that build out and protect and preserve the SRO housing next door..

Very Truly Yours,

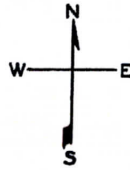


Stephen M. Williams

EXHIBIT 1

Lot 41 merged into lot 38/40 - '1942"
 " 243 " " " - '1944"
 " 18 " " " - '51
 " 21A " " " - '51
 " 17 " " " - '84
 lot 4 into lots 67 to 69 for 2008 roll

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 CITY & COUNTY ASSESSOR 1995

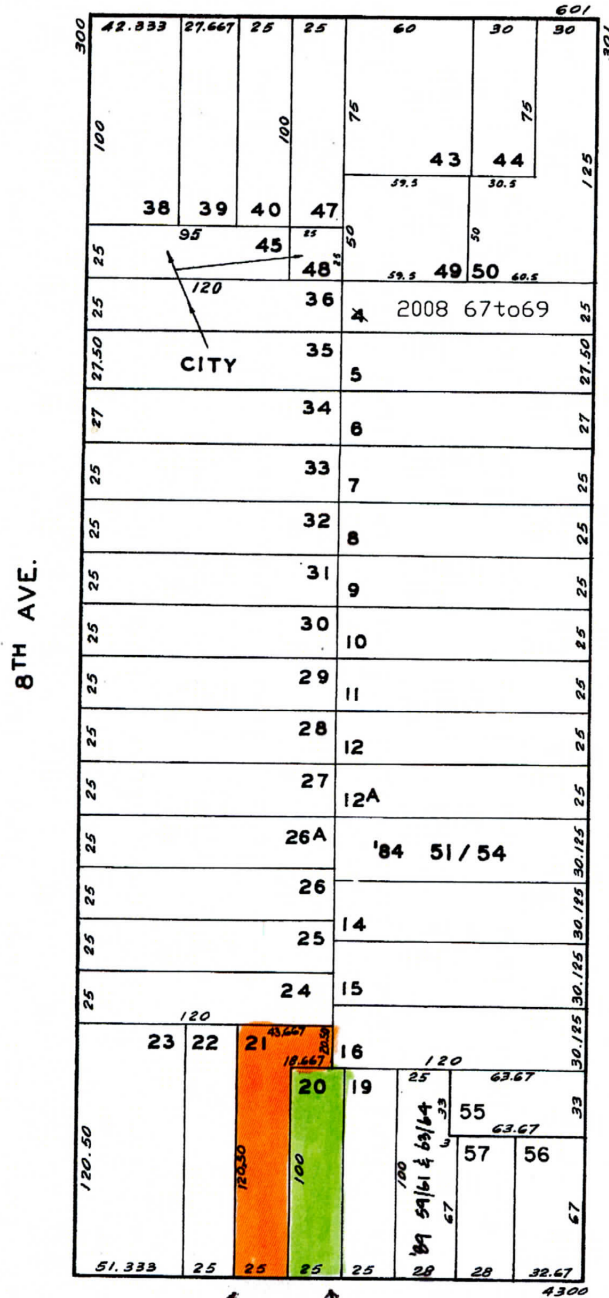


1439

RICHMOND BLK. 188

REVISED '58
 " '66
 " '84
 " '87
 Revised 2008

CLEMENT



↑ GEARY BLVD
 Subject Site DR Requestor

361-367 7TH AVE.

A CONDOMINIUM

LOT NO.	UNIT NO.	% COMMON AREA
51	361	25.27
52	363	25.27
53	365	25.39
54	367	24.07

4312-4318 GEARY BLVD.

A CONDOMINIUM

LOT	UNIT	% COMM. AREA
59	4312	37.95
60	201	21.94
61	202	12.65
*		
63	301	16.00
64	302	11.46

NOTE: * LOT # SKIPPED

EXHIBIT 2

SUBJECT SITE TO BE BUILT TO 40 FEET

ADJACENT 12 UNIT SRO BUILDING

LOT LINE WINDOW UNIT

LIGHT WELLS EACH HAVE TWO SETS OF FIVE WINDOWS

LOT LINE WINDOWS FOR UNITS 12 & 5

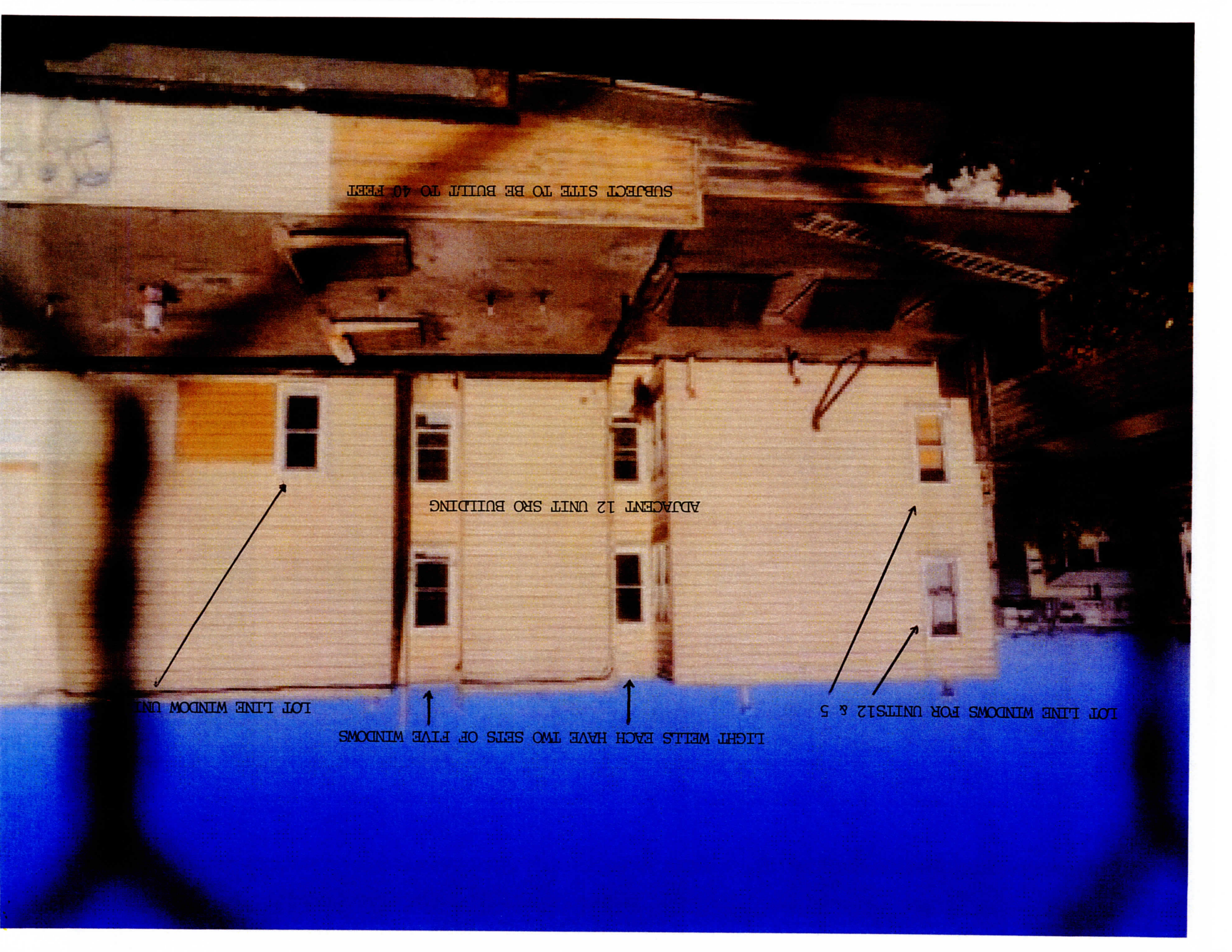


EXHIBIT 3



THE PLANNING DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO
1650 Mission Street, Suite 400
San Francisco, CA 94103



NW
WEINRICHTER WOODSON
402 8TH AV #206
SAN FRANCISCO CA 94118-3057



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400

NOTICE OF BUILDING PERMIT APPLICATION

On October 4, 2010, the Applicant named below filed Building Permit Application 2010.10.04.2197 (New Construction) with the City and County of San Francisco.

CONTACT INFORMATION

Applicant:	Santos & Urrutia Structural Engineers	Project:
Address:	2451 Harrison Street	Cross
City, State:	San Francisco, CA 94110	Asses
Telephone:	(415) 642-7722	Zoning

Under San Francisco Planning Code Section 311, you, as a property owner, are being notified of this Building Permit Application. You are invited to express your views regarding the proposed work, or to express concerns about the project. Your comments should be filed as soon as possible. If your concerns are unresolved, the Planning Department has discretionary powers to review this application at a public hearing. A public hearing must be held during the 30-day review period, prior to the close of business day if that date is on a week-end or a legal holiday. If no Review is requested, the project will be approved by the Planning Department after the Expiration Date.

PROJECT TYPE

- | | | |
|---|--------|---|
| <input checked="" type="checkbox"/> DEMOLITION | and/or | <input checked="" type="checkbox"/> NEW CONSTRUCTION |
| <input type="checkbox"/> VERTICAL EXTENSION | | <input type="checkbox"/> CHANGE # OF FLOORS |
| <input type="checkbox"/> HORIZ. EXTENSION (FRONT) | | <input type="checkbox"/> HORIZ. EXTENSION (SIDE/REAR) |

PROJECT FEATURES

PROJECT FEATURES	EXISTING
BUILDING USE	Comm
FRONT SETBACK	None
SIDE SETBACKS	None
BUILDING DEPTH	120'
REAR YARD	none
HEIGHT OF BUILDING	18'
NUMBER OF STORIES	2
NUMBER OF OFF-STREET PARKING SPACES	0

PROJECT DESCRIPTION

The proposal is to demolish the existing 2-story, ±4,900 sq. ft. commercial building at 2451 Harrison Street. The Planning Department determined that the project is consistent with the Urban Design Guidelines with regard to the building's impact on the street. The Planning Commission hearing has been tentatively scheduled for June 14, 2012, Case #2010.10.04.2197.

PLANNER'S NAME: Aaron Starr
 PHONE NUMBER: (415) 558-6362
 EMAIL: Aaron.starr@sfgov.org



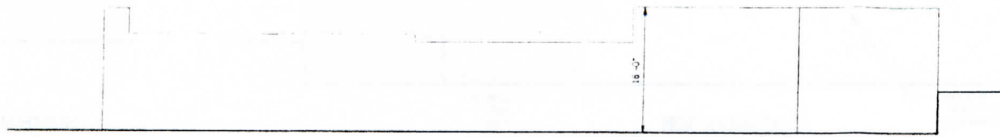
PROJECT SITE

SOUTH ELEVATION (N)
1/8" = 1'-0"



PROJECT SITE

SOUTH ELEVATION (E)
1/8" = 1'-0"



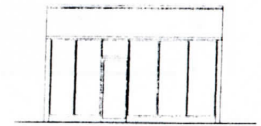
EAST ELEVATION
1/4" = 1'-0"



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

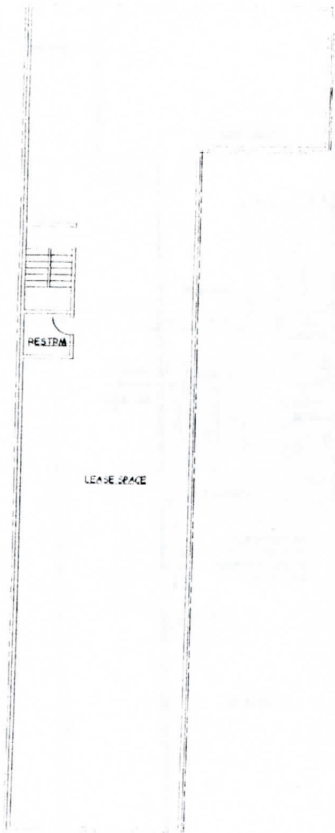


WEST ELEVATION
1/4" = 1'-0"

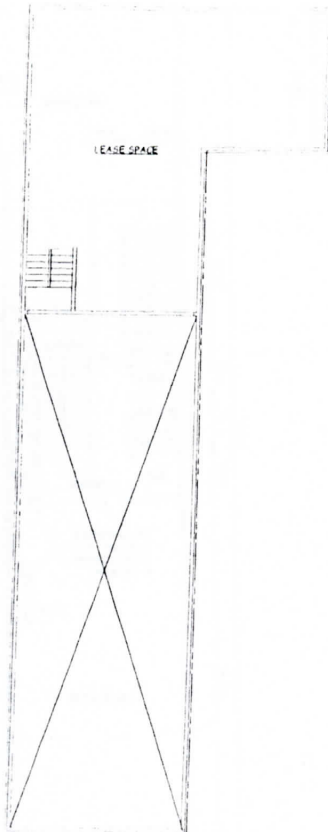


SOUTH ELEVATION
1/4" = 1'-0"

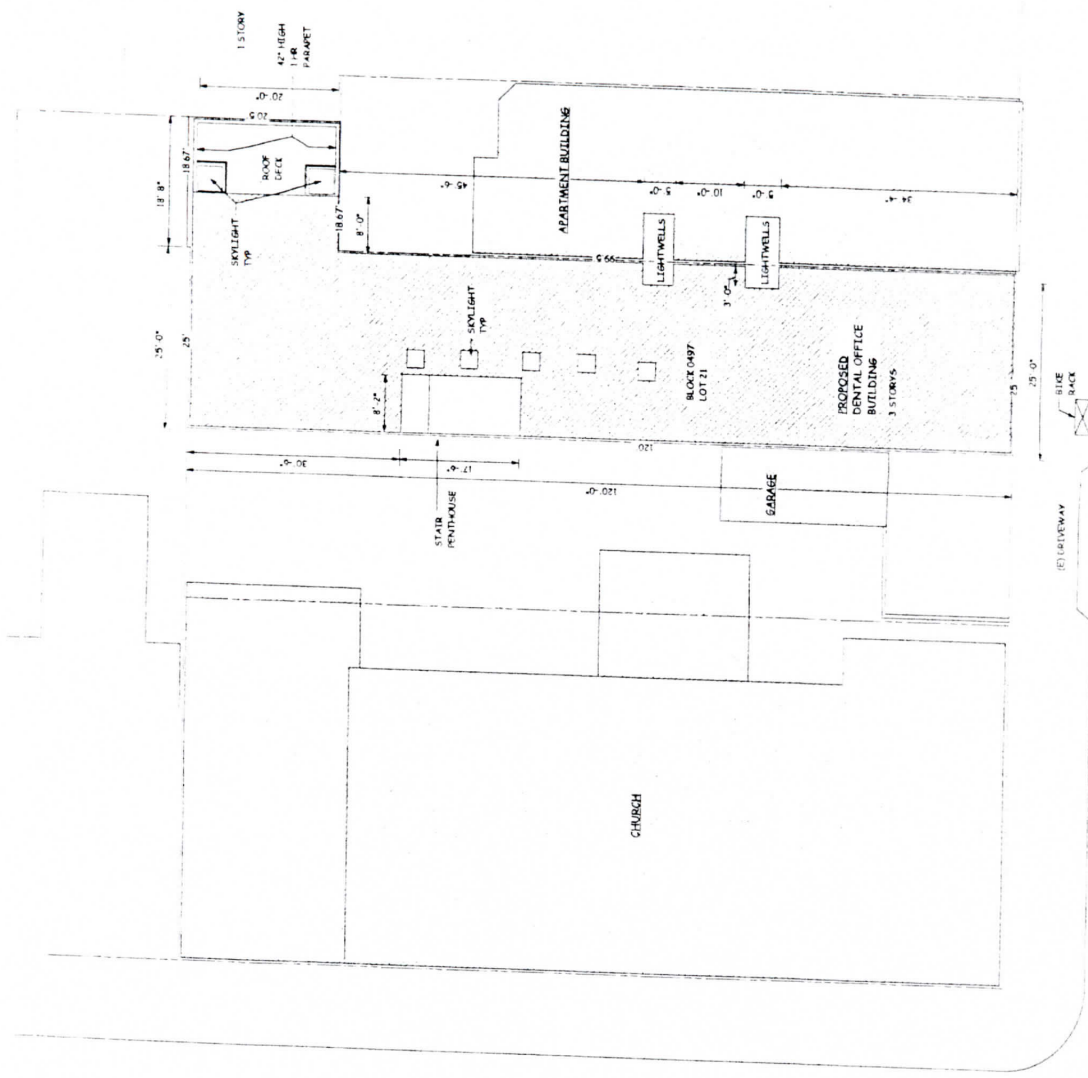
ELEVATION EXISTING BUILDING



1ST FLOOR PLAN (E)
1/8" = 1'-0"



2ND FLOOR PLAN (E)
1/8" = 1'-0"



GEARY BLVD

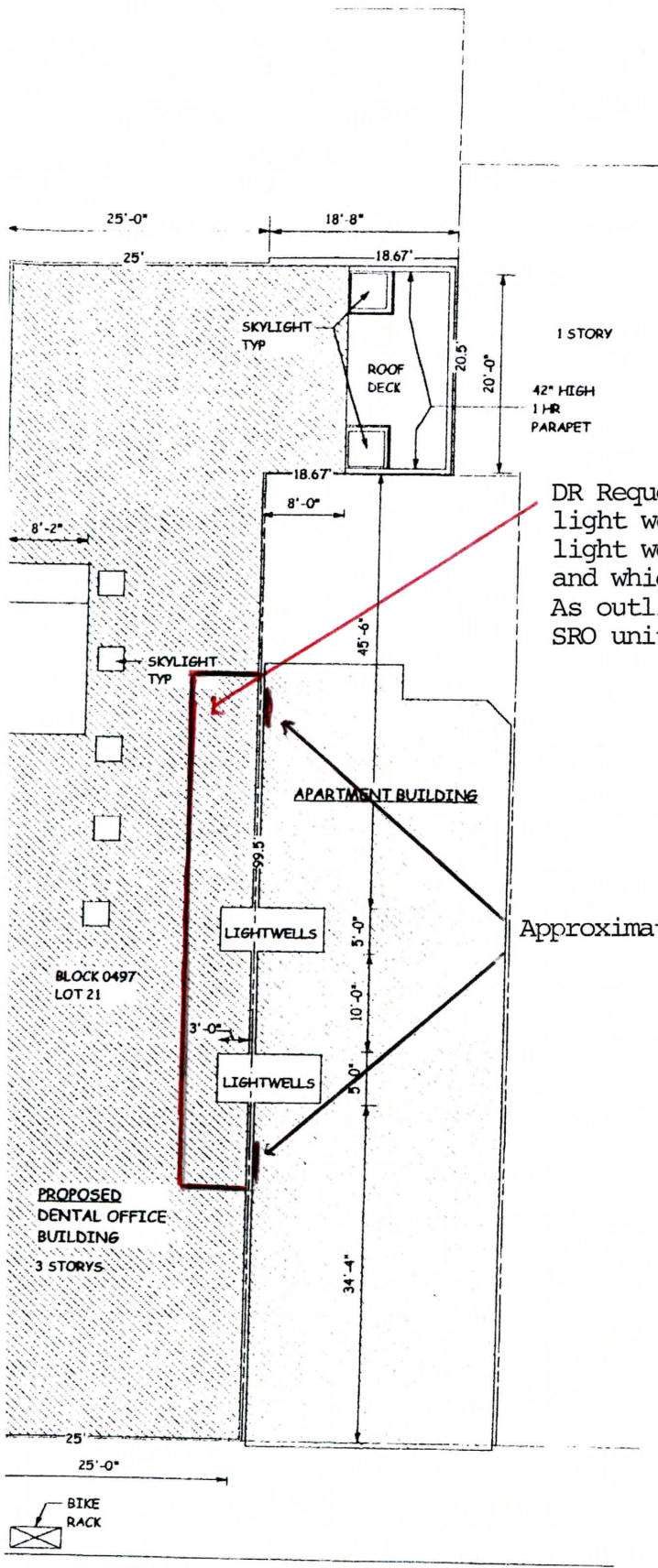
SITE AND ROOF PLAN
1/8" = 1'-0"



EXHIBIT 4

NEW OFFICE BUILDING

434 GEARY BLVD
SAN FRANCISCO, CA



DR Requestor suggests a newly designed light well that matches the depth of the light wells on DR Requestor's building and which includes the lot line windows. As outlined in red, this would help the SRO units retain some light and air.

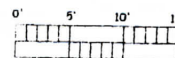
Approximate location of lot line windows

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS AS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF WILLIAM PASHELINSKY ARCHITECT AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH THIS SPECIFIC PROJECT. NONE OF THESE IDEAS, DESIGNS, ARRANGEMENTS OF PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF WILLIAM PASHELINSKY ARCHITECT.

NO.	DATE	DESCRIPTION
1	09/21/11	REVISION
2	02/08/12	REVISION

SITE AND ROOF PLAN

1/8"=1'-0"



GRAPHIC SCALE

EXHIBIT 5

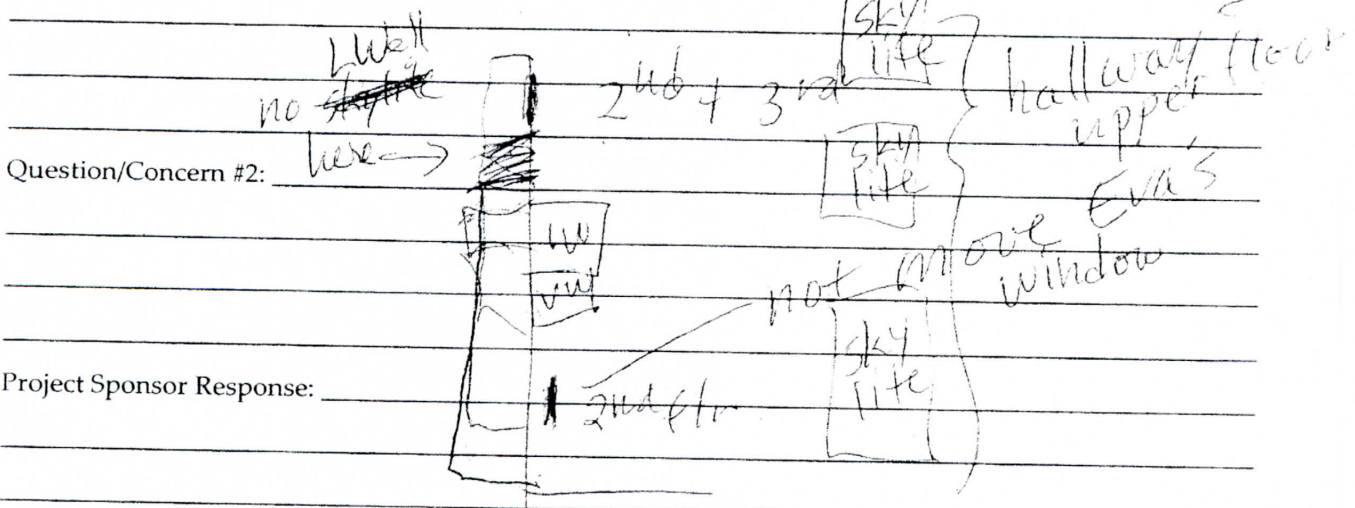
Summary of discussion from the Pre-Application Meeting

Meeting Date: _____
 Meeting Time: _____
 Meeting Address: _____
 Project Address: _____
 Property Owner Name: _____
 Project Sponsor/Representative: _____

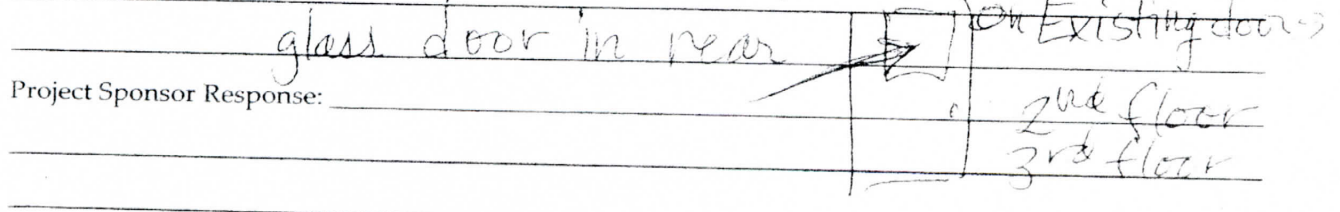
Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group): front
 1) 35 feet tall finished height 4 parapet match Eva's bldg
 2) skylights:
side lot 2nd-3rd Floor (back/rear) windows Eva's

Project Sponsor Response: 2nd Floor front window



Question/Concern #2: front
 Mansard cut roof not vertical
 3'd roof



Question/Concern #3: Eva Chao
Dr Kalika

Date: Aug 4, 2011
 3:50pm



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

Zoning Administrator Action Memo Administrative Review of Off-Street Parking Reduction

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: May 29, 2012
Permit No.: **2010.10.04.2197**
Project Address: **4334 GEAR BLVD.**
Zoning: NC-3 (Neighborhood Commercial, Moderate Scale)
40-X Height and Bulk District
Block/Lot: 1439/021
Project Sponsors: Santos & Urrutia Structural Engineers
2451 Harrison Street
San Francisco, CA 94110
(415) 642-7722
Staff Contact: Aaron Starr – (415) 558-6362
aaron.starr@sfgov.org

PROJECT DESCRIPTION

The proposal is to demolish the existing 2-story, ±4,900 gross square foot commercial structure and construct a new 3-story, ±9,515 gross square foot (approximately 6,000 sq. ft. of occupied floor area), 40' tall dental office with ground floor commercial. For dental offices, the Planning Code requires 1 parking space for each 300 sq. ft. of occupied floor area. For general retail, the Planning Code requires 1 parking space for every 500 sq. ft. of occupied floor area. Based on the occupied floor area for the proposed project and the intended uses of the building, the proposed project would require 19 parking spaces. The subject property is zoned NC-3 (Neighborhood Commercial, Moderate Scale) and located on the north side of Geary Boulevard between 7th and 8th Avenues.

ACTION

Planning Code Sections 161(j) and 307(i) allow the Zoning Administrator to reduce off-street parking requirements in NC and RC Districts. The Zoning Administrator reviewed the criteria set forth under Planning Code Section 307(i) and has **AUTHORIZED ADMINISTRATIVE APPROVAL** that the proposed project meets the criteria for the elimination of 19 off-street parking spaces on the Project Site.

FINDINGS

The Zoning Administrator took the action described above because the proposal meets the six off-street parking criteria outlined in Planning Code Section 307(i) as follows:

1. The reduction in the parking requirement is justified by the reasonable anticipated auto usage by residents of and visitors to the Project.

The proposed project is intended to primarily serve the immediate neighborhood; therefore, most visitors will be walking, biking or taking public transportation. Visitors that do drive will be able to use the metered parking along Geary Boulevard.

2. The reduction in the parking requirement will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity.

Elimination of the parking spaces would not be detrimental to the neighborhood since there is on-street parking on the subject and opposite blocks. In addition, the elimination of the parking space will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity since the area is well served by public transit.

3. The minimization of conflict of vehicular and pedestrian movements.

Pedestrian safety will be enhanced to the extent that a vehicle will not transverse the sidewalk on Geary Boulevard to access a garage on the property and traffic flow will not be impeded by a vehicle entering the roadway from the property.

4. The availability of transportation modes other than the automobile.

The subject property is located along MUNI's 38 and 38 Limited Geary bus line, one of the most heavily used transit lines in the city. With direct access to Downtown and other parts of the Richmond as well as numerous transfer options, the subject site is well served by transit. The subject property is also within 2 blocks of the 1, 2, 44 and 31 MUNI bus lines.

5. The pattern of land use and character of development in the vicinity.

The neighborhood features a mix of residential and commercial uses, many of which include no off-street parking. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes. Approval of this exemption from the off-street parking requirement will allow the proposed project to maintain an active ground floor commercial use improving the pedestrian experience along Geary Boulevard and encouraging additional foot traffic in the area.

6. Such other criteria as the Zoning Administrator deems appropriate in the circumstances of the particular case.

The Zoning Administrator determined that no additional criteria are required for consideration in the circumstances of the particular case.

The review of an off-street parking reduction requested under Sections 161(j) and 307(i) shall be conducted as part of, and incorporated into, a related building permit application or other required project authorizations. The Zoning Administrator's action is not appealable separately from the related Building Permit Application or other required project authorizations associated with the subject project. For more information on those appeal processes, please contact the staff planner listed above.

**Zoning Administrator Action Memo
Administrative Review of Off-Street Parking Reduction
May 29, 2012**

**PERMIT NO. 2010.10.04.2197
4334 Geary Blvd.**

cc: Zoning Administrator Files