



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: MARCH 13, 2014

Date: March 6, 2014
Case No.: **2013.1177CV**
Project Address: **2601 VAN NESS AVENUE**
Zoning: RC-3 (Residential-Commercial, Medium Density) Zoning District
65-A Height and Bulk District
Block/Lot: 0522/002A
Project Sponsor: L. F. George Properties
P.O. Box 424001
San Francisco, CA 94142
Project Architect: Warner Schmalz
Forum Design
1014 Howard Street
San Francisco, CA 94103
Staff Contact: Glenn Cabreros – (415) 558-6169
glenn.cabreros@sfgov.org
Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The project sponsor proposes to construct a 70,900 square foot, 27-unit, 6-story mixed use building with ground floor commercial spaces, a business/professional services use at the second floor and 35 off-street parking spaces within two basement levels. The first two floors of the project propose full lot coverage. Floors three through six, which would be occupied by residential units, are configured as an L-shaped building to create a continuous building wall along the blockfaces of Van Ness Avenue and Filbert Street. Three commercial spaces, each less than 2,500 square feet in area, are proposed at the ground floor facing onto Van Ness Avenue. An approximately 1,000 square foot commercial office space is proposed at the second floor. The residential unit mix would include one one-bedroom unit, eighteen two-bedroom units and eight three-bedroom units.

SITE DESCRIPTION AND PRESENT USE

The project site is currently vacant, having formerly served as an automobile service station. The subject lot, Lot 002A in Assessor's Block 0522, is a corner lot approximately 100 feet (along Van Ness Avenue) by 110 feet deep (along Filbert Street) containing an area of 11,000 square feet.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is a corner lot located at the northwest corner of the intersection of Van Ness Avenue and Filbert Street. The adjacent property to the west is a 15-unit, four-story residential building on Filbert

Street. The adjacent property to the north is a 12-unit, four-story residential building on Van Ness Avenue. The project is located in the RC-3 (Residential, Commercial, Medium Density) Zoning District.

ENVIRONMENTAL REVIEW

On March 4, 2014, the project was exempted from the California Environmental Quality Act (“CEQA”) as a Class 32 Categorical Exemption (State CEQA Guidelines Section 15332) as reviewed under Environmental Review Case No. 2013.1177E.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	February 21, 2014	February 21, 2014	20 days
Posted Notice	20 days	February 21, 2014	February 21, 2014	20 days
Mailed Notice	10 days	March 3, 2014	March 3, 2014	10 days

PUBLIC COMMENT

To date, the Department has not received public comment on the project.

ISSUES AND OTHER CONSIDERATIONS

On October 23, 2003, the Planning Commission approved the following project for the subject property per Motion No. 16681, Case No. 2002.1203C: construction of a 61,400 square foot, 27-unit, 6-story mixed use building with ground floor commercial space and 33 off-street parking spaces located within a basement level. A rear yard variance, Case No. 2002.1203V, was granted by the Zoning Administrator for the project, but the approved project was not constructed. The project sponsor for the project approved by Motion No. 16681 is the same project sponsor for the subject case, Case No. 2013.1177C.

The project sponsor is requesting variances, Case No. 2013.1177V, from the rear yard, permitted obstruction and dwelling unit exposure requirements of the Planning Code. The requested variances will be heard by the Zoning Administrator concurrently with the Conditional Use Hearing for Case No. 2013.1177C.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization, pursuant to Planning Code Sections 209.8, 253, 271 and 303 to allow a business/professional services (commercial office) use above the ground floor, bulk exceptions from the “A” Bulk District and a building height that exceeds 50 feet in the RC (Residential -Commercial) Zoning District.

BASIS FOR RECOMMENDATION

- The project would add 27 dwelling units to the City’s housing stock.

- The project is an appropriate infill on an underdeveloped lot within the Van Ness Avenue corridor.
- The project proposes three ground floor commercial spaces and a business/professional services use at the second floor for future commercial opportunities.
- The project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION: Approval with Conditions
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Attachments:

Parcel Map

Sanborn Map

Zoning Map

Aerial Photographs

Categorical Exemption, March 4, 2014

Inclusionary Affordable Housing Program: Affidavit for Compliance

Motion No. 16681 (March 23, 2003 CU approval)

Previous approved Site Plan and Elevations per Motion No. 16681

Project Sponsor Submittal, including:

- Reduced Plans

- Project Renderings

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| | <input type="checkbox"/> Community Meeting Notice |
| | <input checked="" type="checkbox"/> Housing Documents |
| | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |
| | <input type="checkbox"/> Residential Pipeline |

Exhibits above marked with an "X" are included in this packet

_____ GC

Planner's Initials

KG: G:\Documents\Projects\1423 Polk\2011.0097C - 1423 Polk Street - Exec Sum.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.8, 253, 271 AND 303 OF THE PLANNING CODE TO ALLOW A BUSINESS/PROFESSIONAL SERVICES USE ABOVE THE GROUND FLOOR, BULK EXCEPTIONS FROM THE "A" BULK DISTRICT AND CONSTRUCTION OF A BUILDING OVER 50 FEET IN HEIGHT IN THE RC-3 (RESIDENTIAL, COMMERCIAL, MEDIUM DENSITY) ZONING DISTRICT AND A 65-A HEIGHT AND BULK DISTRICT.

PREAMBLE

On August 28, 2013, the project sponsor made application for Conditional Use Authorization, Case No. 2013.1177C, on the property at 2601 Van Ness Avenue, Lot 002A in Assessor's Block 0522 to construct a 27-unit, 6-story mixed-use building within the RC-3 Zoning District and the 65-A Height and Bulk District.

On January 7, 2014, the project sponsor submitted a variance application, Case No. 2013.1177V, requesting variances from the rear yard, permitted obstruction and dwelling unit exposure requirements of the Planning Code.

On March 13, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014.1177C.

On March 4, 2014, the project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this project, Case No. 2013.1177E.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2014.1177C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is currently vacant, having formerly served as an automobile service station. The subject lot, Lot 002A in Assessor's Block 0522, is a corner lot approximately 100 feet (along Van Ness Avenue) by 110 feet deep (along Filbert Street) containing an area of 11,000 square feet.
3. **Surrounding Properties and Neighborhood.** The project site is a corner lot located at the northwest corner of the intersection of Van Ness Avenue and Filbert Street. The adjacent property to the west is a 15-unit, four-story residential building on Filbert Street. The adjacent property to the north is a 12-unit, four-story residential building on Van Ness Avenue. The project is located in the RC-3 (Residential, Commercial, Medium Density) Zoning District. The RC districts are the highest intensity R districts in the City. The RC-3 District is intended to be similar to the RM-District, predominantly devoted to apartment buildings with many buildings exceeding 40 feet in height. In some cases, additional buildings over that height may be accommodated without disruption of the neighborhood character with supporting commercial spaces. Rear yards need not be at ground level and front setbacks are not required.
4. **Past Actions and Project Description.** On October 23, 2003, the Planning Commission approved the following project for the subject property per Motion No. 16681, Case No. 2002.1203C: construction of a 61,400 square foot, 27-unit, 6-story mixed use building with ground floor commercial space and 33 off-street parking spaces located within a basement level. A rear yard

variance, Case No. 2002.1203V, was granted by the Zoning Administrator for the project, but the approved project was not constructed.

5. **Proposal.** The project proposes to construct a 70,900 square foot, 27-unit, 6-story mixed use building with ground floor commercial spaces, a business/professional services use at the second floor and 35 off-street parking spaces within two basement levels. The first two floors of the project propose full lot coverage. Floors three through six, which would be occupied by residential units, are configured as an L-shaped building to create a continuous building wall along the blockfaces of Van Ness Avenue and Filbert Street. Three commercial spaces, each less than 2,500 square feet in area, are proposed at the ground floor facing onto Van Ness Avenue. An approximately 1,000 square foot commercial office space is proposed at the second floor. The residential unit mix would include one one-bedroom unit, eighteen two-bedroom units and eight three-bedroom units.
6. **Public Comment.** To date, the Department has not received public comment on the project.
7. **Planning Code Compliance:** The Commission finds that the project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Rear Yard Requirement in the RC-3 District.** Planning Code Section 134 states that at the first residential level the minimum rear yard depth shall be equal to 25 percent of the total depth of a lot in which it is situated, but in no case less than 15 feet.

The project proposes a rear yard area at the first residential level; however the project sponsor is seeking a rear yard variance to allow construction of an L-shaped building to maintain a continuous building street frontage along Van Ness Avenue and Filbert Street. Providing a Code-complying rear yard would result in a building gap along Van Ness Avenue or Filbert Street.

- B. **Open Space.** Planning Code Section 135 requires 60 square feet of private open space per unit or 79.8 square feet of common open space per unit.

The project complies with the open space requirements. Four units at the sixth floor are proposed with private roof decks, each with at least 460 square feet of area. The remaining 23 units require 1,835 square feet of common open space, and have access to a 2,170 square foot rear yard area and a 985 square foot common roof deck. Additionally, all of the proposed dwelling units have access to private decks; however some of the proposed decks do not meet the specific provisions per Section 135 to qualify as private open space per the strict reading of the Code.

- C. **Dwelling Unit Exposure.** Planning Code Section 140 requires each dwelling unit to face onto a street or onto a Code-complying rear yard.

As the project is an L-shaped building and requests a variance from the rear yard requirements, six dwelling units that face onto the proposed rear yard would not meet the dwelling unit exposure

requirements. The project sponsor is seeking a dwelling unit exposure variance for the six dwelling units that face onto the modified rear yard.

- D. **Dwelling Unit Density.** Planning Code Section 209.1 allows 1 dwelling unit per 400 square feet of lot area in the RC-3 District.

The dwelling unit density for the subject lot is 27 units, and the project proposes the maximum unit density allowed.

- E. **Business/Professional Services Use above the Ground Floor.** Planning Code Section 209.8 states that a Conditional Use Authorization is required for a Business/Professional Services Use above the ground floor.

The project sponsor requests Conditional Use Authorization to allow a commercial office use above the ground floor.

- F. **Height.** Per Planning Code Section 260, the height limit for the project site is 65 feet.

The project height is proposed at 65 feet as measured from Van Ness Avenue.

- G. **Bulk.** Per Planning Code Section 270, the project is within the "A" Bulk District. The A Bulk District sets maximum building dimensions of a 110-foot length and a 125-foot diagonal dimension for portions of the building over 40 feet in height.

While the project meets the maximum dimension for building length, with the longest portion of the proposed building measuring 109 feet along Filbert Street, the project's diagonal dimension measures 145 feet and exceeds the maximum diagonal dimension of the A Bulk District. As such, a bulk exception is requested as part of the Conditional Use Authorization pursuant to Planning Code 271.

- H. **Parking.** Planning Section 151 of the Planning Code requires at least one parking space for each dwelling unit and off-street parking for every 200 square-feet of occupied floor area, where the occupied floor area exceeds 5,000 square-feet.

At least 27 parking spaces are required for the 27 proposed dwelling units, and the project proposes 35 parking spaces. Two of the 35 spaces are proposed to be car share spaces, although no car share spaces are required by the Planning Code. As the commercial spaces are each proposed with an area of 2,500 square feet or less, commercial parking is not required for the project; however the project sponsor has identified four of the 35 spaces for the proposed commercial uses.

- I. **Bike Parking.** Planning Code Section 155 requires 26 Class 1 bike parking spaces and 7 Class 2 bike parking spaces. Section 155.1 prescribes the locations of such parking spaces – Class 1 parking requires access to bike parking without the use of stairs and in close proximity to a lobby/entry area, while Class 2 parking may be located within the public right-of-way.

The project proposes bike parking in excess of the required amount. The project proposes 33 Class 1 bike parking spaces at the ground floor within close proximity to the main residential lobby and 12 Class 2 parking spaces on the sidewalks along both street frontages.

- J. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, the current percentage requirements apply to projects that consist of ten or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5, the Project must pay the Affordable Housing Fee ("Fee"). This Fee is made payable to the Department of Building Inspection ("DBI") for use by the Mayor's Office of Housing for the purpose of increasing affordable housing citywide.

The project sponsor has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program through payment of the Fee, in an amount to be established by the Mayor's Office of Housing at a rate equivalent to an off-site requirement of 20%. The project sponsor has not selected an alternative to payment of the Fee.

8. **Planning Code Section 271** permits exceptions to the bulk limits in districts other than the C-3 District, subject to the Conditional Use requirements of Section 303 (below). Section 271 requires that the Commission consider certain criteria in granting any exception to the Bulk limits in addition to those criteria required in Section 303. The additional criteria are:
- A. The appearance of bulk in the building, structure or development shall be reduced by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass:
- i. Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;
 - ii. Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;
 - iii. Differences in materials, colors or scales of the facades that produce separate major elements;
 - iv. Compensation for those portions of the building, structure or development that may exceed the bulk limits by corresponding reduction of other portions below the maximum bulk permitted; and
 - v. In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.

The project complies with the maximum length dimension of 110 feet as the longest portion of the proposed building is approximately 109 feet. The project exceeds the maximum diagonal dimension of 125 feet by 20 feet with a proposed diagonal dimension of 145 feet. The maximum diagonal dimension of 145 feet is proposed at the fifth floor. At each subsequent floor, the diagonal dimension is reduced due to side setbacks and shaping, with the diagonal dimension at the upper floor at 134 feet.

The appearance of the proposed bulk is reduced by employing various design techniques, particularly on the street-facing facades. A hierarchy of bay windows that vary in width and height create major variations in the planes of the front facades. The use of balconies creates further depth in the building façade. Along the edges of the project, where the project abuts adjacent residential structures, the massing of the project has been designed to transition to the building scale of the adjacent residential structures. In addition to the massing of the project, the placement and use of various exterior materials, including the glazing proportions at the balconies and windows, further reduce the apparent bulk of the project.

- B. In every case the building, structure or development shall be made compatible with the character and development of the surrounding area by means of all of the following factors:
- i. A silhouette harmonious with natural land-forms and building patterns, including the patterns produced by height limits;
 - ii. Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;
 - iii. Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and
 - iv. Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

The project's bulk would be in keeping with the building scale and massing of other residential buildings on corner lots found on Van Ness Avenue. In general, large corner lots on Van Ness Avenue are occupied by tall, massive buildings (commercial and residential) that match the wide scale of the Avenue and define the street intersections. The L-shaped massing of the proposed building creates continuous building walls along Van Ness Avenue and Filbert Street, which is consistent with the blockface pattern found on each street. In an effort to address the lower-scaled residential development along Filbert Street, the project proposes setbacks at the upper floor, a smaller-scaled bay that is held to the property line and finer window proportions at the southwest corner of the project. The use of exterior materials to create a defined base and a distinct upper body of the building is also similar in character to existing residential buildings on both Van Ness Avenue and Filbert Street.

- C. While the above factors must be present to a considerable degree for any bulk limit to be exceeded, these factors must be present to a greater degree where both the maximum length and the maximum diagonal dimension are to be exceeded than where only one maximum dimension is to be exceeded.

The project's design addresses several criteria listed above; however only the diagonal bulk dimension is exceeded.

9. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

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

The number and mix of residential units and the four proposed commercial spaces are necessary and desirable in addition more dwelling units to the City's housing stock and allowing several opportunities for the diversification of neighborhood-serving commercial uses. The size (height and bulk) of the proposed residential use is in keeping with the intent of the RC-3 District to create dense residential buildings. The project proposes the maximum unit density allowed (27 units) and a mix of one-, two- and three-bedroom units. The dense residential use and the large-scaled building are in keeping with the scale of other residential buildings that are traditionally associated with the Van Ness Avenue corridor. The three proposed commercial uses at the ground floor and the business/professional services use on the second floor is also consistent with the mixed commercial-residential uses found on Van Ness Avenue, in the neighborhood vicinity and, in general, within the RC Districts.

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

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The height and bulk of the proposed building is compatible with the immediate neighborhood. The project has also been designed to address the immediately adjacent residential buildings. Matching side setbacks, which open up to the project's rear yard area, have been provided to correspond to both adjacent lightwells. Portions of the project have been shaped and detailed to address the adjacent existing residential structures.

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

The Planning Code requires one parking space per unit and allows up to 150 percent of the required amount as-of-right. With 27 dwelling units and 35 parking spaces, the proposed project is adequately parked. The project proposes bike parking for residents of and visitors to the project in excess of the required amount, providing an alternative to driving. The project proposes a garage door along Filbert Street to minimize vehicular conflicts as compared to placing a garage entry on Van Ness Avenue, which serves as a wide transit corridor and U.S. Highway 101.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The proposed uses are consistent with the RC-3 District. Commercial uses allowed in the RC-3 District are similar to those permitted in the NC-3 District, which is a neighborhood commercial district and typically contains neighborhood-serving uses. The nature of the proposed residential and commercial uses is not associated with noxious or offensive emissions.

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

Eleven street trees are proposed along Van Ness Avenue and Filbert Streets. Parking areas are contained within the interior of the proposed building and screened from view by a garage door.

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

The project complies with all relevant requirements and standards of the Planning Code, except for those for which variances have been requested. The project is consistent with objectives and policies of the General Plan as detailed below.

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

HOUSING ELEMENT – ISSUE 1: ADEQUATE SITES

OBJECTIVE 1: IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY’S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

- Policy 1.1 Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

The project proposes a mix of one-, two- and three-bedroom family sized units. The requirements of the Inclusionary Affordable Housing Program are proposed to be met through payment of a fee at a rate equivalent to an off-site requirement of 20%.

HOUSING ELEMENT – ISSUE 6: REMOVE CONSTRAINTS TO THE CONSTRUCTION AND REHABILITATION OF HOUSING

OBJECTIVE 11: SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO’S NEIGHBORHOODS.

- Policy 11.1 Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

- Policy 11.3 Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

- Policy 11.6 Foster a sense of community through architectural design, using features that promote community interaction.

The project design is of a contemporary style, but in keeping with the building patterns, scale and massing of the existing neighborhood character. The project design does replicate previous traditional building styles, but the project relies on the use of bays, window proportions, variation of facade planes and select exterior materials to produce a building that is harmonious with its surroundings. The residential density is comparable to other large apartment/condominium buildings found along Van Ness Avenue. A sense of community is fostered by the project in terms of the location of the residential entry at Filbert Street, the active commercial uses that front onto Van Ness Avenue, the provision of residential balconies and the use of residential-scaled exterior materials.

VAN NESS AVENUE AREA PLAN – LAND USE, SUBAREA 2: BROADWAY TO BAY STREET

OBJECTIVE 2: MAINTAIN THE SCALE, CHARACTER AND DENSITY OF THIS PREDOMINATELY RESIDENTIAL NEIGHBORHOOD.

Policy 2.1: Infill with carefully designed, medium density new housing.

The project is proposed at the maximum dwelling unit density for the RC-3 Zoning District and within a building that is designed to complement the proportions of Van Ness Avenue, while transitioning to the residential uses along Filbert Street.

VAN NESS AVENUE AREA PLAN – URBAN DESIGN

OBJECTIVE 5: ENCOURAGE DEVELOPMENT WHICH REINFORCES TOPOGRAPHY AND URBAN PATTERN, AND DEFINES AND GIVES VARIETY TO THE AVENUE.

Policy 5.2: Encourage a regular street wall and harmonious building forms along the Avenue.

Policy 5.3: Continue the street wall heights as defined by existing significant buildings and promote an adequate enclosure of the Avenue.

Policy 5.5: Encourage full lot development resulting in a maximum number of dwelling units.

The L-shaped building create continuous building walls along Van Ness Avenue and Filbert Street, which is in keeping with the existing blockface pattern found at each street. The height of the project is compatible with other large corner buildings found along the Avenue, which also allows for a mix of family-sized units at the maximum dwelling unit density allowed at the site.

VAN NESS AVENUE AREA PLAN – RESIDENTIAL LIVABILITY

OBJECTIVE 7: PROVIDE SAFE AND ATTRACTIVE ENVIRONMENTS WITHIN EACH MIXED USE DEVELOPMENT.

Policy 1: Ensure safety, security and privacy within new residential developments while encouraging efficient use of common open space areas.

Policy 3: Generally maintain existing open space requirements for residential use. Allow common open space requirements to be met by a variety of recreation and open space features.

Policy 4: Design mixed use developments to create a quiet residential environment with a variety of intimate, personal spaces well insulated from the intrusion of noise from street of commercial activities.

The project is appropriately designed to hold the building street walls along Van Ness Avenue and Filbert Street. The proposed 65-foot tall building is in keeping with the existing building patterns and desired massing and scale along Van Ness Avenue. The L shape of the building allows for an intimate open space area located at the rear of the building that is shielded from the street and commercial activities. In contrast, individual private decks at each dwelling unit as well as common and private roof decks provide residents of the project some variety to open space available for their use.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1: MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1: Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

The project would add 27 units to the City's housing stock in a zoning district that encourages the development of medium-density housing and commercial uses at the lower levels of the building. The number of units and the building size and shape are proposed to create a design that is beneficial to residents and users of the project and also to the urban landscape and existing development patterns.

OBJECTIVE 2: MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1 : Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

The project proposes three ground floor commercial spaces and one business/professional service use at the second floor. The size and number of commercial spaces would promote a variety of uses that would be complimentary to the existing commercial uses in the immediate vicinity.

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

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

As the project site is a vacant lot, existing neighborhood commercial uses would not be removed by the project. The four new commercial spaces provided at the ground floor and second floor of the project are consistent with this policy in promoting resident employment and business ownership.

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

Existing housing and neighborhood character is conserved and protected by the configuration of the project, as the proposed building is designed to complement adjacent residential buildings and the nearby development patterns. The residential uses that abut the rear yard area of the project will not be affected by increased noise, trash, dust, odors and other noxious emissions associated with trash and loading areas, as such uses are contained within the interior of the building. The proposed ground floor commercial spaces are seen as an opportunity to enhance the economic diversity of the immediate neighborhood.

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

No affordable housing is removed for this project. An in-lieu fee will be paid to meet the affordable housing requirement for the project.

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

Per Case No. 2013.1177E, the Class 32 Categorical Exemption prepared for the project indicates that the proposed traffic generated by the project and the proposed parking would not create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

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

The project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

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

The project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not affect the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the project site.

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

The project will have no negative effect on existing parks and open spaces. The project does not have an effect on open spaces.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.1177C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 13, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. _____. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 13, 2014.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: March 13, 2014

EXHIBIT A

AUTHORIZATION

1. This authorization is for a conditional use to allow a building over 50 feet in an RC District, bulk exceptions exceeding the required maximum diagonal dimension of 125 feet and business/professional services use at above the ground floor of a project proposing to construct a 70,900 square foot, 27-unit, 6-story mixed use building with a commercial ground floor and two basement levels containing 35 off-street parking spaces located at 2601 Van Ness Avenue, Lot 002A in Assessor's Block 0522 pursuant to Planning Code Section(s) 209.8, 253, 271 and 303 within the RC-3 (Residential Commercial, Medium Density) District and a 65-A Height and Bulk District; in general conformance with plans, dated _____, and stamped "EXHIBIT B" included in the docket for Case No. 2013.1177C and subject to conditions of approval reviewed and approved by the Commission on _____ under Motion No _____. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

2. Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on _____ under Motion No _____.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

3. The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. ~~XXXXXX~~ shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

4. The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

5. Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

6. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

7. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

8. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

9. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

10. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN

11. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to

Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

12. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

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

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

14. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

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

AFFORDABLE UNITS

15. **Requirement.** Pursuant to Planning Code 415.5, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable percentage for this project is twenty percent (20%).

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.

16. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and the terms of the City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the Mayor's Office of Housing ("MOH") at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing's websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.

As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale or rent.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.

- a. The Project Sponsor must pay the Fee in full sum to the Development Fee Collection Unit at the DBI for use by MOH prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Inclusionary Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.
- b. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.
- c. If project applicant fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law.

PARKING AND TRAFFIC

17. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 34 bicycle parking spaces (27 Class 1 spaces for the residential portion of the Project and 7 Class 1 or 2 spaces for the commercial portion of the Project).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

18. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal

Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

MONITORING

19. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

20. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

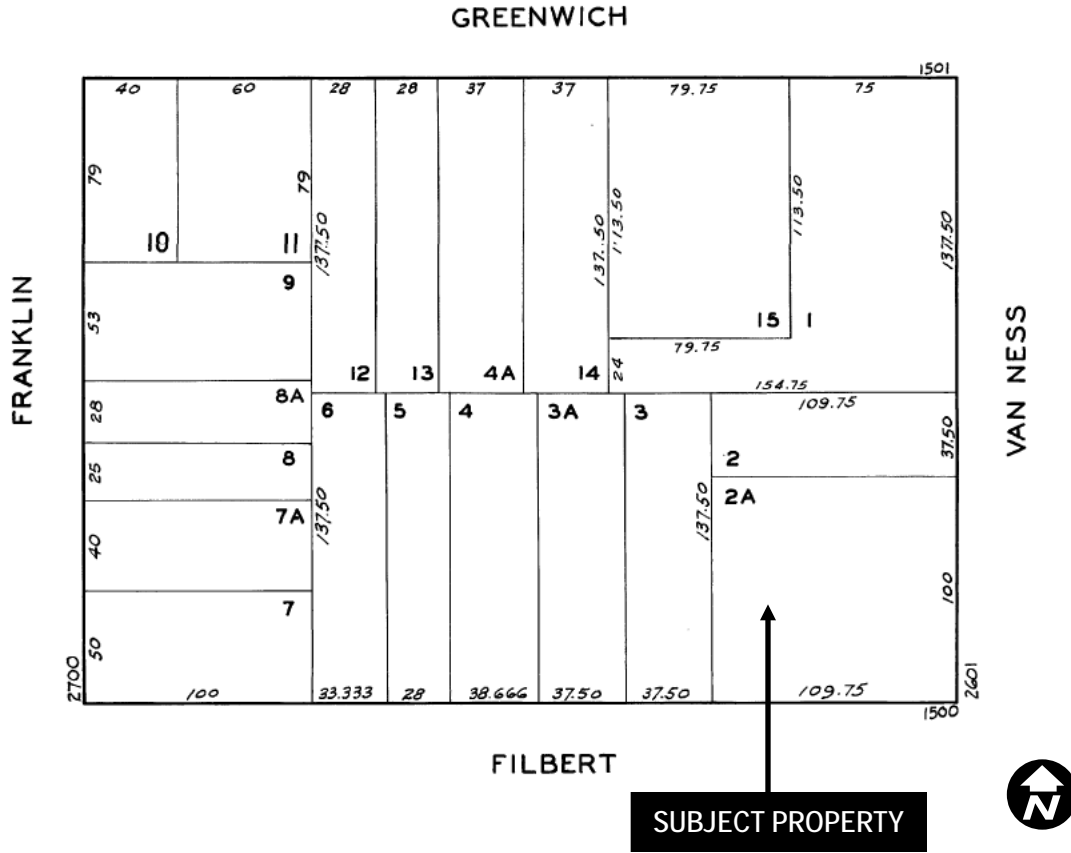
21. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>

22. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

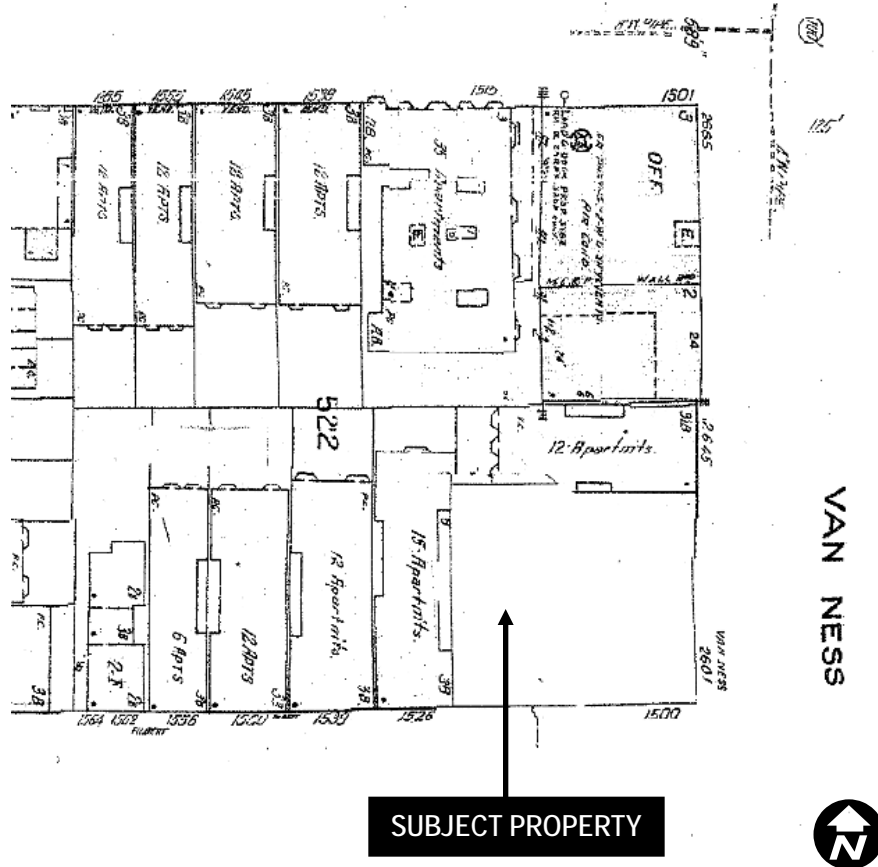
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parcel Map



Conditional Use Hearing
 Case Number 2013.1177CV
 2601 Van Ness Avenue
 Hearing date: March 13, 2014

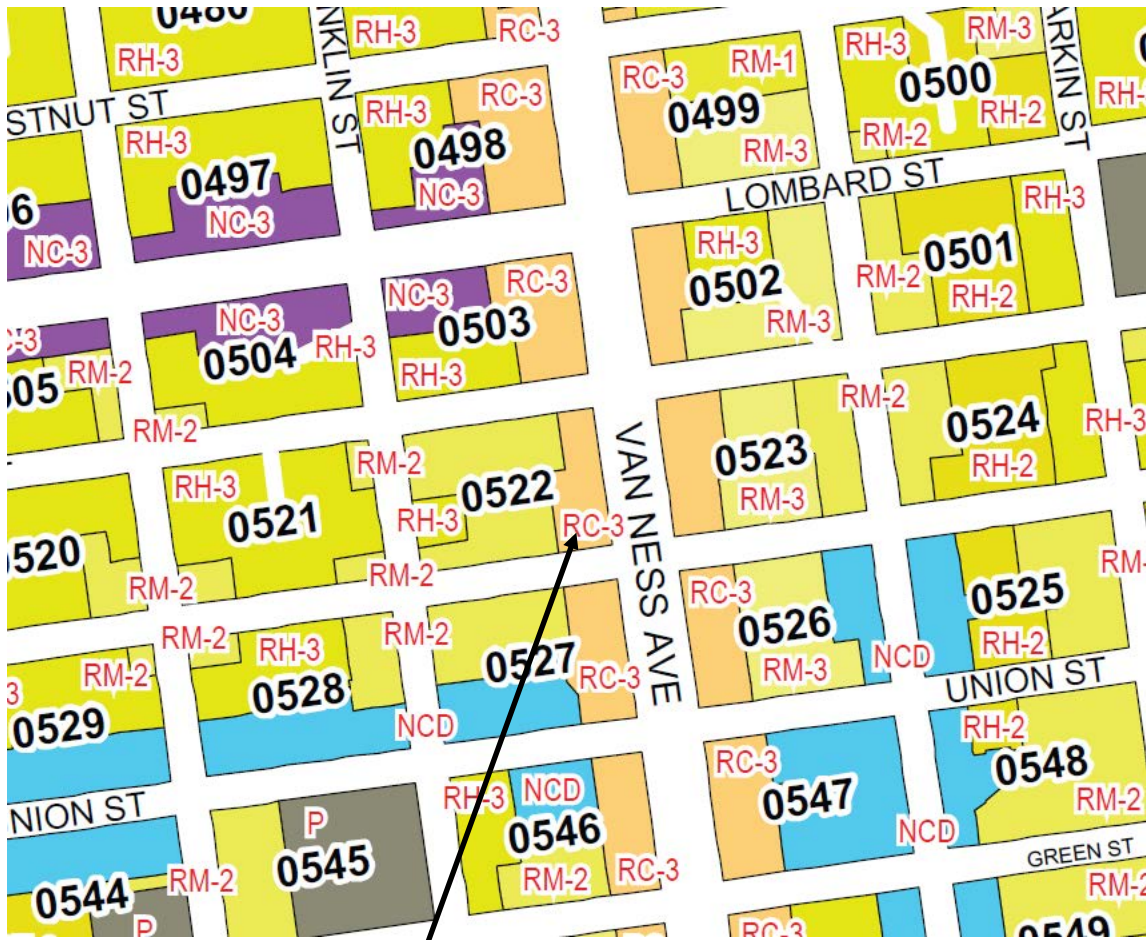
Sanborn Map*



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

Conditional Use Hearing
Case Number 2013.1177CV
2601 Van Ness Avenue
Hearing date: March 13, 2014

Zoning Map



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.1177CV
2601 Van Ness Avenue
Hearing date: March 13, 2014

Aerial Photo 1

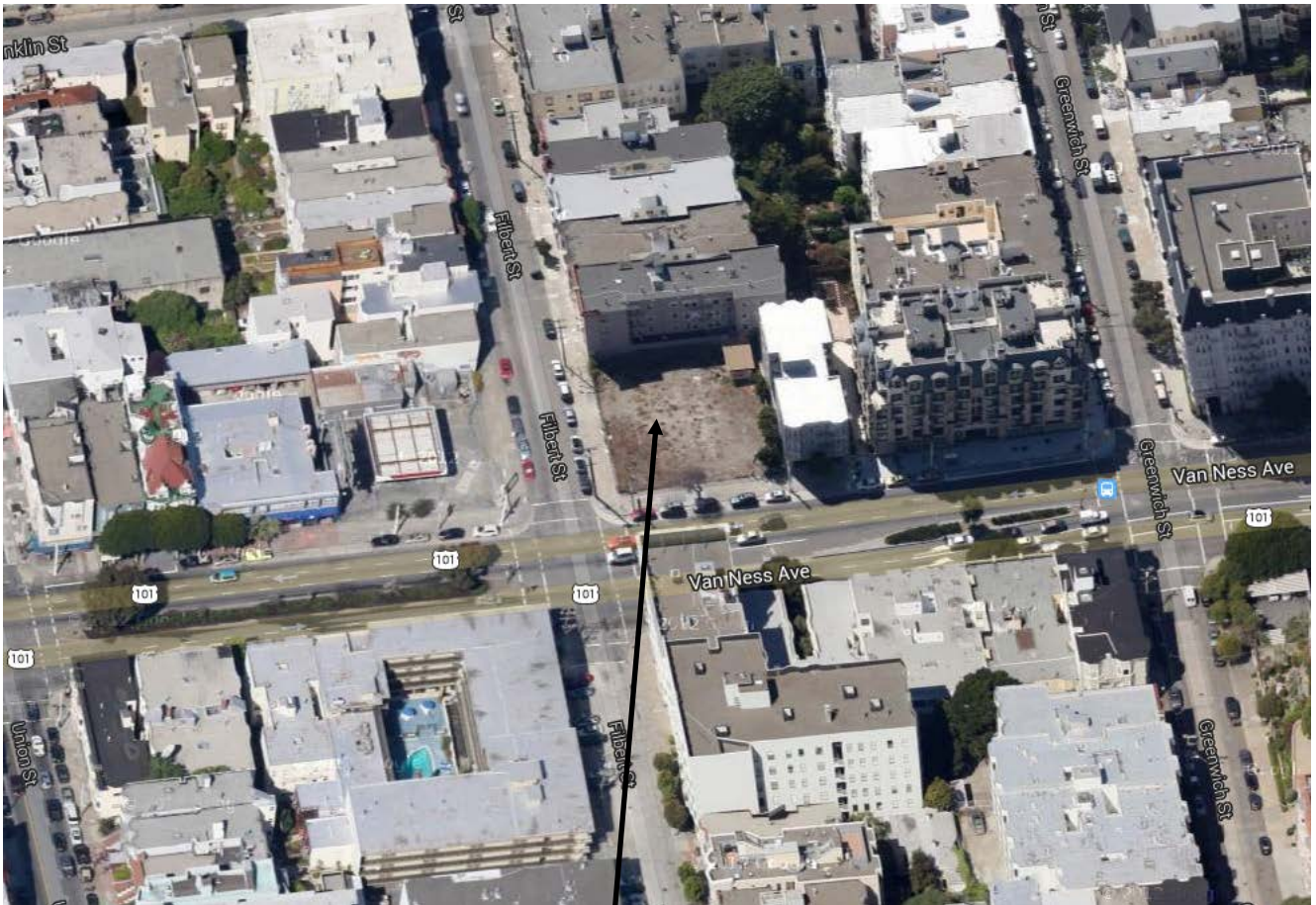


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.1177CV
2601 Van Ness Avenue
Hearing date: March 13, 2014

Aerial Photo 2

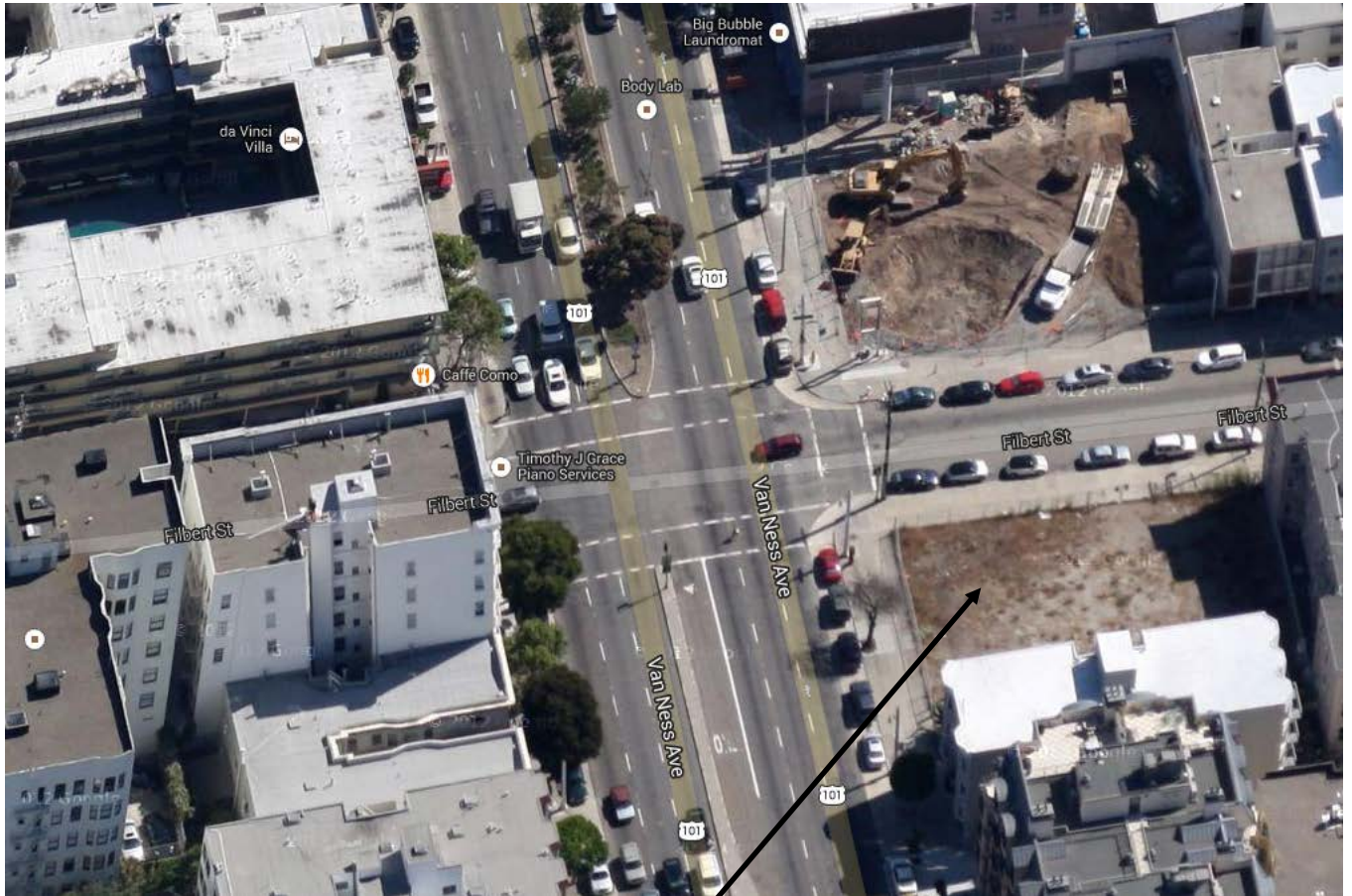


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.1177CV
2601 Van Ness Avenue
Hearing date: March 13, 2014

Aerial Photo 3



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.1177CV
2601 Van Ness Avenue
Hearing date: March 13, 2014

Aerial Photo 4



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.1177CV
2601 Van Ness Avenue
Hearing date: March 13, 2014



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: 2013.1177E
 Project Title: 2601 Van Ness Avenue
 Zoning: RC-3 (Residential-Commercial, Medium Density) District
 65-A Height and Bulk District
 Block/Lot: 0522/002A
 Lot Size: 10,750 square feet
 Project Sponsor: Warner Schmalz – Forum Design, (415) 252-7063
 Staff Contact: Christopher Espiritu – (415) 575-9022
 christopher.espiritu@sfgov.org

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

Reception:
 415.558.6378

Fax:
 415.558.6409

Planning
 Information:
 415.558.6377

PROJECT DESCRIPTION:

The proposed project would include the construction of a new mixed-use building with twenty-seven (27) dwelling units, thirty-five (35) off-street parking spaces in a two-level below grade parking garage, and approximately 7,100 square feet (sq ft) of retail space. The new seven-story residential and commercial building would be approximately 70,912 gross square feet (gsf) and 65-feet tall (68-feet with elevator penthouse and parapets). The project site is currently vacant and is located on the block bounded by Greenwich Street to the north, Filbert Street to the south, Van Ness Avenue to the east, and Franklin Street to the west, in the Marina neighborhood.

EXEMPT STATUS:

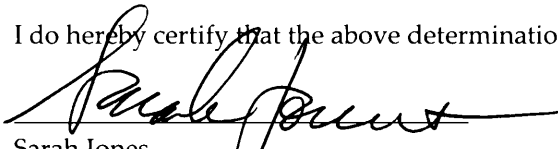
Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332)

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.


 Sarah Jones
 Environmental Review Officer

March 4, 2014
 Date

cc: Warner Schmalz, Project Sponsor
 Glenn Cabreros, Current Planning
 Distribution List

Supervisor Mark Farrell, District 2
 Virna Byrd, M.D.F

PROJECT DESCRIPTION (CONTINUED):

Main access to the dwelling units would be from a ground floor lobby on Filbert Street. A secondary entrance is also located on Filbert Street. Entrance to the ground floor commercial spaces would be located on Van Ness Avenue. Vehicular access to the two-level subsurface parking garage would be located on Filbert Street. The project would include the excavation of approximately 25 feet (8,750 cubic yards) below existing ground for the proposed garage and the installation of a mat foundation and elevator pit.

Project Approvals

The proposed project would require the following approvals:

- **Conditional Use Authorization** (*Planning Commission*). The proposed project would require a conditional use authorization for construction of a building with a height above 40 feet in a residential zone.
- **Variance** (*Zoning Administrator*). The proposed project would not meet code required rear yard, permitted obstruction, and dwelling unit exposure, therefore requiring variances from Planning Code Sections 134, 136 and 140.
- **Site Permit** (*Department of Building Inspection*) (DBI). The proposed project would require approval from DBI for a site permit.

Approval Action: While the proposed project requires multiple approvals, the overall development will be collectively reviewed by the Planning Commission and the Zoning Administrator at a consolidated hearing. Approval Action for the proposed project would be granted through the approval of the conditional use authorization under the Planning Code. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS:

In-Fill Development. CEQA State Guidelines Section 15332, or Class 32, provides an exemption from environmental review for in-fill development projects which meet the following conditions:

- a) *The project is consistent with applicable general plan designations and policies as well as with applicable zoning designations.*

The *San Francisco General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The proposed project would not conflict with any such policy. The proposed project is located within the Residential-Commercial, Medium Density (RC-3) zoning district and a 65-A Height and Bulk District in the Marina neighborhood of San Francisco. The proposed project would introduce a new use to the project site (residential use), but

this use is a permitted use in the RC-3 zoning district. The proposed building would be approximately 65 feet in height. Thus, the proposed building would comply with the 65-A Height and Bulk District. Thus, the proposed project is consistent with all *General Plan* designations and applicable zoning plans and policies.

b) *The development occurs within city limits on a site of less than five acres surrounded by urban uses.*

The approximately 0.25-acre (10,750 sq ft) project site is located within a fully developed area of San Francisco. The surrounding uses near the project site include residential, retail, and other commercial uses. The proposed project, therefore, would be properly characterized as in-fill development of less than five (5) acres, completely surrounded by urban uses.

c) *The project site has no habitat for endangered, rare, or threatened species.*

The project site is within a developed urban area and occupied by a vacant lot that was formerly used as a gas station, with minimal landscaping, including hedges, ground cover, and street trees. Thus, the project site has no value as habitat for rare, threatened, or endangered species.

d) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

Traffic. The project site is located on the west side of Van Ness Avenue, on the block bounded by Greenwich Street to the north, Filbert Street to the south, Van Ness Avenue to the east, and Franklin Street to the west within the Marina neighborhood. As set forth in the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review* (Transportation Guidelines), the Planning Department evaluates traffic conditions for the weekday PM peak period to determine the significance of an adverse environmental impact. Weekday PM peak hour conditions (between the hours of 4 PM to 6 PM) typically represent the worst-case conditions for the local transportation network. Using the Transportation Guidelines, the proposed project at 2601 Van Ness Avenue is anticipated to generate approximately 1,325 daily person trips and approximately of 793 daily vehicle person trips.¹ Table 1, below, shows the project's calculated daily and PM peak hour trip generation by mode split.

¹ *Transportation Impact Analysis Guidelines*, Transportation Calculations. This document is available for public review as part of Case File No. 2013.1177E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

Table 1. Trip Generation and Parking/Loading Demand

Trip Generation Mode Split	Daily Trips	PM Peak Hour Trips
Auto	793	81
Transit	204	28
Walk	285	27
Other	44	5
Total	1,325	141
Vehicle Trips	467	50
Parking Demand	Short Term	Long Term
Parking Spaces	70	9
Loading Demand	Average Hour	Peak Hour
Loading Spaces	0.13	0.17
Source: <i>Transportation Impact Analysis Guidelines, Transportation Calculations.</i>		

As shown in Table 1, total PM peak hour person trips are estimated to be approximately 141 trips for the proposed project. These trips would be distributed among various modes of transportation, including private automobile, carpools, public transit, walking, and other modes. Of the 141 PM peak-hour person-trips, 81 would be vehicle trips, 28 would be transit trips, 27 would be walking trips and 5 would be trips made via other modes of transportation such as bicycling, taxi, or motorcycle.

The approximately 50 PM peak-hour vehicle trips are not anticipated to substantially affect existing levels of service within the project vicinity. The additional vehicles added to the PM peak hour volumes would not have a discernible effect on traffic flow on the existing street network serving the project area. Traffic impacts associated with the proposed project during the PM peak hour would not be a significant increase relative to the existing capacity of the surrounding street system. As such, the proposed project would not result in a significant traffic impact.

Parking. Public Resources Code Section 21099(d), effective January 1, 2014, provides that, “aesthetics and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.” Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area;
- b) The project is on an infill site; and
- c) The project is residential, mixed-use residential, or an employment center.

The proposed project meets each of the above three criteria and thus, this determination does not consider the adequacy of parking in determining the significance of project impacts under CEQA.² The Planning Department acknowledges that parking conditions may be of interest to the public and the decision makers. Therefore, this determination presents a parking demand analysis for informational purposes.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting.

The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous San Francisco General Plan Policies, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e. walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

² San Francisco Planning Department. *Transit-Oriented Infill Project Eligibility Checklist for 2601 Van Ness Avenue*, February 1, 2014. This document is available for review as part of Case File No. 2013.1177E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California 94103.

The parking demand for the new residential and retail uses associated with the proposed project was determined based on the methodology presented in the *Transportation Guidelines*. On an average weekday, the demand for parking would be for 79 spaces. The proposed project would provide 35 off-street spaces in a two-level basement garage. Thus, as proposed, the project would have an unmet parking demand of an estimated 44 spaces. At this location, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces within a reasonable distance of the project vicinity. Additionally, the project site is well served by public transit and bicycle facilities. Therefore, any unmet parking demand associated with the project would not materially affect the overall parking conditions in the project vicinity such that hazardous conditions or significant delays would be created.

Within the RC-3 use district, Planning Code Section 151 requires the provision of one off-street parking space for every dwelling unit, with up to 150 percent of the required number of spaces allowed with conditional use authorization. With the proposed 26 dwelling units, the project would require at least 26 parking spaces. Since the proposed project includes 35 off-street parking spaces (including two car-share spaces), parking requirements under Section 151 would be met. Additionally, the commercial parking requirement is only in effect when the occupied floor area exceeds 5,000 square feet; as the project proposes to include three ground-floor retail spaces at approximately 2,500 sq ft per retail space, parking would not be required to serve the proposed retail spaces.

It should be noted that the Planning Commission has the discretion to adjust the number of on-site parking spaces included in the proposed project, typically at the time that the project entitlements are sought. The Planning Commission may not support the parking ratio proposed. In some cases, particularly when the proposed project is in a transit rich area, the Planning Commission may not support the provision of any off-street parking spaces. This is, in part, owing to the fact that the parking spaces are not 'bundled' with the residential units. In other words, residents would have the option to rent or purchase a parking space, but one would not be automatically provided with the residential unit.

If the project were ultimately approved with no off-street parking spaces, the proposed project would have an unmet demand of 79 spaces. As mentioned above, the unmet parking demand could be accommodated within existing on-street and off-street parking spaces nearby and through alternative modes such as public transit and bicycle facilities. Given that the unmet demand could be met by existing facilities and given that the proposed project site is well-served by transit and bicycle facilities, a reduction in the number of off-street parking spaces associated with the proposed project, even if no off-street spaces are provided, would not result in significant delays or hazardous conditions.

In summary, the proposed project would not result in a substantial parking shortfall that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians.

Noise. An approximate doubling of traffic volumes in the project area would be necessary to produce an increase in ambient noise levels noticeable to most people. As described above, the proposed project would not cause a doubling in traffic volumes with the addition of 26 new dwelling units, and 7,100 sq ft of retail spaces, on the project site. The project's marginal increase to the existing traffic volumes would not cause a noticeable increase in the ambient noise level in the project vicinity. The noise generated by

the proposed new residential and retail uses would be considered common and generally acceptable in an urban area, and would not be considered a significant impact.

A project-specific noise study was prepared for the proposed project at 2601 Van Ness Avenue. The study analyzed the noise environment for the proposed residential units and determined applicable measures to reduce noise-related impacts on the proposed project.³ According to the report, the primary noise source impacting the site is vehicular traffic on Van Ness Avenue. Using available data from the Van Ness Avenue Bus Rapid Transit Project: Final Noise and Vibration Study, the evaluation stated that short-term noise measurements were conducted at the adjacent property at 2645 Van Ness Avenue and estimated traffic noise levels at approximately 75.7 decibels (dBA). Results of the noise evaluation indicated that in order to meet the Building Code indoor decibel requirements (45 dBA), the proposed design would need to incorporate sound-rated materials for the façades with a direct line-of-sight to Van Ness Avenue. The report also provided recommendations on specific noise-rated doors and windows that would be required to meet Building Code standards. The Department of Building Inspection (DBI) would review the final building plans to ensure that the building wall and floor/ceiling assemblies for the residential development meet State standards regarding sound transmission for residents.

During project construction, all diesel and gasoline-powered engines would be equipped with noise-arresting mufflers. Delivery truck trips and construction equipment would generate noise that that may be considered an annoyance by occupants of nearby properties. Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the City Police Code). Section 2907 of the Police Code requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 A-weighted dBA at a distance of 100 feet from the source. Impact tools (such as jackhammers and impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Police Code prohibits construction work between 8:00 p.m. and 7:00 a.m. if the construction noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works. Construction noise impacts related to the project would be temporary and intermittent in nature. Considering the above, the proposed project would not result in a significant impact with respect to noise.

Air Quality. In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂) and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The Bay Area Air Quality Management District (BAAQMD) has established thresholds of significance to determine if projects would violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in

criteria air pollutants within the San Francisco Bay Area Air Basin. To assist lead agencies, the BAAQMD, in their *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria. If a proposed project meets the screening criteria, then the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The proposed project would not exceed criteria air pollutant screening levels for operation or construction.⁴

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but of short-term) adverse effects to human health, including carcinogenic effects. In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone," was identified based on two health-protective criteria: (1) excess cancer risk from the contribution of emissions from all modeled sources greater than 100 per one million population, and/or (2) cumulative PM_{2.5} concentrations greater than 10 micrograms per cubic meter. Land use projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations.

The proposed project is not within an Air Pollutant Exposure Zone. Therefore, the proposed project would result in a less than significant impact with respect to exposing sensitive receptors to substantial levels of air pollution. The proposed project would require construction activities for the approximate 18-month construction phase. However, construction emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to, and comply with, California regulations limiting idling to no more than five minutes,⁵ which would further reduce nearby sensitive receptors exposure to temporary and variable TAC emissions. Therefore, construction period TAC emissions would result in a less than significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

In conclusion, the proposed project would not result in significant air quality impacts.

Water Quality. The proposed project involves the construction of a new seven-story mixed-use building on an existing vacant lot. The proposed project would involve 5,000 square feet or more of the ground surface disturbance (an estimated 20,000 sq ft for a two-level subsurface garage); thus the project would require a Stormwater Control Plan. However, based on the geotechnical investigation prepared for the

³ Walsh, Norris & Associates, *Preliminary Exterior Noise Evaluation-2601 Van Ness Avenue, San Francisco, CA*. This document is on file and available for review as part of Case File No. 2013.1177E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

⁴ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, Updated May 2011. Table 3-1.

⁵ California Code of Regulations, Title 13, Division 3, § 2485.

site, the proposed project would not generate wastewater or result in discharges that would have the potential to degrade water quality or contaminate a public water supply.

The project site is completely covered with impervious surfaces and natural groundwater flow would continue under and around the site. Construction of the proposed project would not increase impervious surface coverage on the site nor reduce infiltration and groundwater recharge. Project-related wastewater and stormwater would flow to the City's combined sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge. Additionally, compliance with the Stormwater Management Ordinance will require the project to maintain or reduce the existing volume and rate of stormwater runoff at the site by retaining runoff onsite, promoting stormwater reuse, and limiting site discharges before entering the combined sewer collection system. Therefore, the proposed project would not substantially alter existing groundwater quality or surface flow conditions, and would not result in significant water quality impacts.

e) The site can be adequately served by all required utilities and public services.

The project site is located in a dense urban area where all public services and utilities are available. The proposed project would be connected with the City's water, electric, and wastewater services. Prior to receiving a building permit, the project would be reviewed by the City to ensure compliance with City and State fire and building code regulations concerning building standards and fire protection. The proposed project would not result in a substantial increase in intensity of use or demand for utilities or public services that would necessitate any expansion of public utilities or public service facilities.

Other Environmental Concerns

Archeological Resources. Factors considered in determining the potential for encountering archeological resources include the location, depth, and amount of excavation proposed, as well as any existing information about known resources in the area. Development of the proposed project would require excavation to a depth of approximately 25 feet below ground surface (bgs) and removal of approximately less than 9,000 cubic yards of soil, for the installation of a two-level basement garage, a mat foundation, and installation of an elevator pit. Due to the proposed excavation work, the Planning Department conducted a study to determine if any archeological resources would be impacted. In a memorandum dated December 20, 2013, Planning Department staff determined that there appear to be no CEQA-significant archeological deposits present at the project site.⁶ The excavation work has the potential to disturb soils; however, based on review of archeological documentation of the affected area and the former presence of underground storage tanks, no CEQA-significant archeological resources are expected within project-affected soils. Therefore, no environmental concerns involving cultural resources would be

⁶ *EP Preliminary Archeological Review: Checklist for 2601 Van Ness Avenue Project*, Allison Vanderslice. Planning Department Staff Archeologist, December 20, 2013. A copy of this document is on file with the Planning Department at 1650 Mission Street, Suite 400 as part of the File No. 2013.1177E.

associated with the proposed project and the project would not result in a significant archeological resource impact.

Geologic and Seismic Hazards. Development of the proposed project would require excavation to a depth of a maximum of 25 feet below ground surface (bgs) and removal of approximately 9,000 cubic yards of soil, for a two-level basement garage, mat foundation, and installation of an elevator pit. A geotechnical report was prepared for the proposed project to characterize the site foundation soils and provide geotechnical parameters for the proposed development.⁷ An update to the geotechnical investigation was prepared to reflect the most recent revisions to the project, including the addition of a two-level basement garage.⁸ The geotechnical investigation involved taking one test boring to a depth of 41.5 feet below ground surface (bgs).⁹ The boring showed that the site is underlain by interlayered firm to very stiff clays, and medium dense silty fine sands and stiff to very stiff sandy clays. Bedrock was not encountered in the borings. Groundwater was encountered in the borings at depths ranging from about 16 to 30 feet bgs.¹⁰

The geotechnical report found low potential for fault rupture, lateral spreading, liquefaction, densification, or landsliding. Based on its San Francisco location, it is likely that the site would experience periodic minor earthquakes and potentially a major (moment magnitude [Mw] greater than 7.1 characteristic) earthquake on one or more of the nearby faults during the life of the proposed development. The closest mapped active fault to the project site is the San Andreas Fault located approximately 8 miles to the southwest. The Working Group for California Earthquake Probabilities estimates a 62 percent probability of an earthquake of Mw 6.7 or greater occurring on one of the major faults in the Bay Area by 2031.¹¹

The project site is not within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act and no known fault or potentially active fault exists on the site. In a seismically active area, such as the San Francisco Bay Area, the possibility exists for future faulting in areas where no faults previously existed. The geotechnical investigation conducted for the project site found no evidence of active faulting on the site and concludes that the risk of surface faulting is low.

⁷ *Geotechnical Investigation, 2601 Van Ness Avenue at Filbert Street, San Francisco, California*, by Earth Investigations Consultants, San Francisco, California, November 30, 1998. This report is on available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Case File No. 2013.1177E.

⁸ *Geotechnical Update, 2601 Van Ness Avenue at Filbert Street, San Francisco, California*, by Earth Investigations Consultants, San Francisco, California, November 21, 2013. This report is on available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Case File No. 2013.1177E.

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ Earthquake probabilities were analyzed by the Working Group for California Earthquake Probabilities, a group assembled by the U.S. Geological Survey, Earthquake Hazards Program. Its analysis is available online for review at <http://quake.usgs.gov/research/seismology/wg02/>.

In addition, the geotechnical investigation examined underlying soils of the project site and concluded that the project site is suitable for the construction of the proposed project. However, during an earthquake at any of the major area faults mentioned above, the project site would experience very strong ground shaking. Strong ground shaking during an earthquake can result in ground failure associated with soil liquefaction,¹² lateral spreading,¹³ cyclic densification, or differential compaction.¹⁴

The project site is not located within an area defined by the Seismic Hazards Zone as delineated by the California Division of Mines and Geology as historically or potentially subject to liquefaction.¹⁵ The geotechnical investigation determined the soils encountered during the borings are not subject to liquefaction. Therefore, it was concluded that there is low potential for liquefaction at the project site. Lateral spreading of lurching is generally caused by liquefaction of marginally stable soils underlying gentle slopes. Because the site has a low potential for liquefaction, it was concluded that the potential for lateral spreading also is low.

Also, the geotechnical investigation found that the proposed two-level basement excavation would encounter confined perched ground water based on the soil samples (borings) drilled on the project site during the investigation. However, since the borings were drilled to depths of up to 41½-feet below the existing ground surface, the investigation determined that the regional ground water table is at a greater depth than the proposed excavation of approximately 25 feet. Therefore, the geotechnical investigation concluded that groundwater pumping would not be required. To manage perched water seepage into the excavation, the geotechnical investigation recommended that the contractor be prepared for removal of accumulated water from seepage by constructing a temporary sump(s) equipped with pump(s). This drainage measure commonly entails excavation of a trench(es) or sloping of the soil surface beneath a 1 to 2 foot thick bed of clean crushed rock on the floor of the excavation to facilitate positive movement of water to the temporary sump/pump system.¹⁶

¹² Liquefaction is a phenomenon in which saturated, cohesionless soil experiences a temporary loss of strength due to the buildup of excess pore water pressure, especially during cyclic loading such as that induced by earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded, fine-grained sand and silt of low plasticity that is relatively free of clay.

¹³ Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. Upon reaching mobilization, the surficial blocks are transported downslope or in the direction of a free face by earthquake and gravitational forces.

¹⁴ Soil compaction, or cyclic densification, is a phenomenon in which non-saturated, cohesionless soil is densified by earthquake vibrations, causing settlement.

¹⁵ CDMG, 2000, State of California Seismic Hazards Zones, City and County of San Francisco, California Division of Mines and Geology. Available at <http://www.conservation.ca.gov/cgs/shzp/Pages/Index.aspx>, Accessed July 1, 2012.

¹⁶ *Geotechnical Memo - Groundwater, 2601 Van Ness Avenue*, by Joel Baldwin, Earth Investigations Consultants, November 21, 2013. This report is on available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Case File No. 2013.1177E.

The proposed project would be required to conform to the San Francisco Building Code, which ensures the safety of all new construction in the City. Decisions about appropriate foundation design and whether additional background studies are required would be considered as part of the Department of Building Inspection (DBI) review process. Background information provided to DBI would provide for the security and stability of adjoining properties as well as the subject property during construction. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through the DBI requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the Building Code. Any changes incorporated into the foundation design required to meet the Building Code standards that are identified as a result of the DBI review process would constitute minor modifications of the project and would not require additional environmental analysis. In light of the above, the proposed project would not result in a significant effect related to seismic and geologic hazards.

Hazards and Hazardous Materials. The proposed project would construct a new, seven-story, mixed-use building on a vacant lot that was previously used as a gas station. In addition, the project would require excavation of approximately twenty feet below ground surface on a site that was determined to have soils with detectable levels of total petroleum hydrocarbons as gasoline (TPH-g) due to the former presence of underground storage tanks. The project site would have potential subsurface chemical contamination, and would therefore be subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to issuance of any building permit.

In compliance with the Maher Ordinance, the project sponsor has submitted a Maher Application to DPH and a Phase I ESA has been prepared to assess the potential for site contamination.¹⁷ Although the Phase I ESA did not identify any recognized environmental conditions at the project site, the evaluation identified a Historical Recognized Environmental Conditions (REC) indicative of the site's closed status as a former Leaking Underground Tank site. Although the site has received regulatory closure, and a Remedial Action Completion Certification was issued by DPH, the ESA recommended a subsurface assessment to comply with SF Building Code Ordinance 106A3.2.4.¹⁸

¹⁷ *Environmental Site Assessment (Phase I ESA) for 2601 Van Ness Avenue, San Francisco, California 94123* by All West Environmental, Inc., July 24, 2013. This report is available for public review at the Planning Department as part of Case File No. 2013.1177E, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

¹⁸ *Remedial Action Completion Certification, Underground Storage Tank (UST) Case, 2601 Van Ness Avenue, LOP Case No. 10091* by Cherie D'Andrea McCalou, Project Director-Hazardous Materials Division, Local Oversight Program, February 2, 1999. This report is

The proposed project would be required to submit a SMP to remediate potential soil contamination described above in accordance with Article 22A of the Health Code. Thus, the proposed project would not result in a significant hazard to the public or environment from contaminated soil and the proposed project would result in a less than significant impact.

Shadow. The proposed project would have a maximum height of approximately 65 feet (68 feet with elevator penthouse and parapets). Section 295 of the Planning Code, adopted in response to Proposition K (passed November 1984) protects certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. Within the project vicinity, the Alice Marble Tennis Courts and the Allyn Park are located within a ¼-mile of the proposed project and are within the jurisdiction of the Recreation and Park Department. Planning Code Section 295 restricts net new shadow on public open spaces under the jurisdiction of, or to be acquired by, the Recreation and Park Commission by any structure exceeding 40 feet unless the Planning Commission, in consultation with the Recreation and Park Commission, finds the impact to be less than significant. Therefore, the Planning Department conducted an initial shadow fan analysis to determine the shadow impact, if any, of the proposed project.

The initial shadow fan analysis indicated that the proposed project would not cast any new shadow on Section 295 public open spaces under the jurisdiction of the Recreation and Park Commission. CEQA considers shadow impacts on all properties within, as well as outside, the jurisdiction of the Recreation and Park Commission. No net new shadow will be cast on non-Recreation and Park Commission public open spaces. Based on the above discussion, the proposed project would not result in significant shadow impacts.

Neighborhood Concerns. A “Notification of Project Receiving Environmental Review” was mailed on January 8, 2014, to the owners of properties within 300 feet of the project site, occupants of buildings on and immediately adjacent to the project site, and to interested parties. Overall concerns and issues raised by the public in response to the notice were taken into consideration and incorporated into this Certificate of Determination as appropriate for CEQA analysis. Department Staff received several responses to the notice from residents and property owners from nearby parcels. Respondents requested to receive further environmental review documents and/or expressed concerns regarding the proposed project. Specific inquiries were received regarding timing of the potential construction of the proposed project and the timing of the environmental review. There were no comments regarding physical environmental effects of the proposed project as related to CEQA.

Other concerns were raised regarding the merits of the proposed project and whether neighborhood residents could potentially block the project. However, comments that do not pertain to physical

available for public review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103 as part of Case File No. 2013.1177E.

environmental issues and comments on the merits of the proposed project will be considered in the context of project approval or disapproval, independent of the environmental review process. While local concerns or other planning considerations may be grounds for modifying or denying the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment as addressed in this Certificate of Determination.

CONCLUSION:

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.

Affidavit for Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415

2/27/14
Date

I, WINNIE LAM, do hereby declare as follows:

a. The subject property is located at (address and block/lot):

2601 VAN NESS AVE (AKA 1500 FILBERT) 522/LOT 2A
Address Block / Lot

b. The proposed project at the above address is subject to the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq.

The Planning Case Number and/or Building Permit Number is:

2013.1177 C AND E NONE
Planning Case Number Building Permit Number

This project requires the following approval:

- Planning Commission approval (e.g. Conditional Use Authorization, Large Project Authorization)
 This project is principally permitted.

The Current Planner assigned to my project within the Planning Department is:

GUENN CABREROS
Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

- Yes (if yes, please indicate Tier) _____
 No

This project is exempt from the Inclusionary Affordable Housing Program because:

- This project uses California Debt Limit Allocation Committee (CDLAC) funding.
 This project is 100% affordable.

c. This project will comply with the Inclusionary Affordable Housing Program by:

- Payment of the Affordable Housing Fee prior to the first site or building permit issuance (Planning Code Section 415.5).
 On-site or Off-site Affordable Housing Alternative (Planning Code Sections 415.6 and 416.7).

d. If the project will comply with the Inclusionary Affordable Housing Program through an On-site or Off-site Affordable Housing Alternative, please fill out the following regarding how the project is eligible for an alternative and the accompanying unit mix tables on page 4.

Ownership. All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.

Rental. Exemption from Costa Hawkins Rental Housing Act.² The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:

Direct financial contribution from a public entity.

Development or density bonus or other public form of assistance.

Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

e. The Project Sponsor acknowledges that failure to sell the affordable units as ownership units or to eliminate the on-site or off-site affordable ownership-only units at any time will require the Project Sponsor to:

(1) Inform the Planning Department and the Mayor's Office of Housing and, if applicable, fill out a new affidavit;

(2) Record a new Notice of Special Restrictions; and

(3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

f. The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

g. I am a duly authorized officer or owner of the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on this day in:

MILLBRAE, CA
Location

2/27/14
Date


Signature

WINNIE LAM, PROJECT MANAGER
Name (Print), Title

650-918-6534
Contact Phone Number

cc: Mayor's Office of Housing
Planning Department Case Docket
Historic File, if applicable
Assessor's Office, if applicable

Unit Mix Tables

NUMBER OF ALL UNITS IN PRINCIPAL PROJECT:					
Total Number of Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units
27	0	0	1	18	8

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below:

- On-site Affordable Housing Alternative (Charter Section 16.110 (g) and Planning Code Section 415.6): calculated at 12% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

- Off-site Affordable Housing Alternative (Planning Code Section 415.7): calculated at 20% of the unit total.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)	Number of Market-Rate Units in the Off-site Project			

- Combination of payment of a fee, on-site affordable units, or off-site affordable units with the following distribution:

Indicate what percent of each option would be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.

1. Fee _____ % of affordable housing requirement.

2. On-Site _____ % of affordable housing requirement.

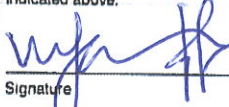
NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

3. Off-Site _____ % of affordable housing requirement.

NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE					
Total Affordable Units	SRO	Studios	One-Bedroom Units	Two-Bedroom Units	Three-Bedroom Units

Area of Dwellings in Principal Project (in sq. feet)	Off-Site Project Address				
Area of Dwellings in Off-Site Project (in sq. feet)					
Off-Site Block/Lot(s)	Motion No. (if applicable)	Number of Market-Rate Units in the Off-site Project			

Affidavit for Compliance with the Inclusionary Affordable Housing Program

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)
Company Name LFG PROPERTIES	Company Name
Print Name of Contact Person WINNIE LAM	Print Name of Contact Person
Address 888 BRANNAN ST. #153-155	Address
City, State, Zip SAN FRANCISCO, CA 94103	City, State, Zip
Phone, Fax 415-918-6534	Phone, Fax
Email winnie@lfgproperties.com	Email
I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.	I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.
	
Signature WINNIE LAM, PROJECT MGR	Signature
Name (Print), Title	Name (Print), Title

SAN FRANCISCO
CITY PLANNING COMMISSION
MOTION NO. 16681

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 253, 271 AND 303, TO ALLOW THE CONSTRUCTION OF A BUILDING GREATER THAN 40 FEET TALL IN AN R DISTRICT, AND THE EXCEEDING OF THE STATED BULK LIMITS OF A 65-A HEIGHT/BULK DISTRICT, FOR A PROPOSED 61,400 SQUARE FOOT 27-UNIT MIXED-USE BUILDING WITH 33 OFF-STREET PARKING SPACES ON A LOT CONTAINING APPROXIMATELY 10,900 SQUARE FEET AT 2601 VAN NESS AVENUE, SOUTHWEST CORNER OF VAN NESS AVENUE AND FILBERT STREET, LOT 002A IN ASSESSOR'S BLOCK 0522, IN AN RC-3 (RESIDENTIAL-COMMERCIAL COMBINED, MEDIUM DENSITY) DISTRICT AND A 65-A HEIGHT AND BULK DISTRICT.

Preamble

On November 26, 2002, Lincoln Lue (hereinafter "Applicant"), agent for owner George Lam of L.F. George Properties (hereinafter "Project Sponsor") made application for Conditional Use authorization (Application No. 2002.1203C) on the property at **2601 Van Ness Avenue, Lot 002A in Block 0522** (hereinafter "Subject Property") to construct a 27-unit over commercial mixed use building within RC-3 District, and a 65-A Height and Bulk District, in general conformity with the plans dated November 26, 2002, on file with the Department in the docket for Case No. 2003.1203C and labeled "EXHIBIT B".

On November 26, 2002, the Applicant also submitted application for Variance from the rear yard requirements of Planning Code, **Case No. 2002.1203V**.

On **October 23, 2003**, the San Francisco Planning Commission (hereinafter "Commission") and conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2002.1203CV at which the Commission reviewed and discussed the findings prepared for its review.

On March 6, 1998 the Project Sponsor received a letter of "Environmental Clearance for Redevelopment" from the San Francisco Department of Public Health Local Oversight Program stating that the site had been properly remediated from its former use as a gas station, and the site was cleared for redevelopment.

On December 17, 1998, the project received environmental clearance from MEA in the form of a letter declaring the proposed project to be within the previously certified "program" EIR

prepared for the Van Ness Area Plan, and therefore would not create any new significant environmental impacts.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

Findings

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

1. The project is located in an RC-3 (Residential-Commercial Combined, Moderate Scale) District and a 65-A Height/Bulk District. The RC districts are the highest intensity R districts in the City. RC-3 Districts are intended to be similar to RM-3 Districts, predominantly devoted to apartment building with many buildings exceed 40 feet in height, and in some cases additional buildings over that height may be accommodated without disruption of the neighborhood character, with supporting commercial uses. Open spaces are smaller than in other R districts, but decks and balconies are used to advantage for many units. Rear yards need not be at ground level and front setbacks are not required.
2. On November 26, 2002, Lincoln Lue (hereinafter "Applicant"), agent for owner George Lam of L.F. George Properties (hereinafter "Project Sponsor") made application for Conditional Use authorization (Application No. 2002.1203C) on the property at 2601 Van Ness Avenue, Lot 002A in Block 0522 (hereinafter "Subject Property") to construct a 27-unit over commercial mixed use building within RC-3 District, and a 65-A Height and Bulk District, in general conformity with the plans dated November 26, 2002, on file with the Department in the docket for Case No. 2003.1203C and labeled "EXHIBIT B".
3. The project site is presently vacant, having formerly served as a service station. The previously extant underground fuel storage tanks have been properly removed and the process documented, and the site has been cleared by the Department of Public Health for redevelopment. The site is currently unpaved and serves as a Christmas tree lot during the holiday season.
4. The proposal is to construct an approximately 61,400 square foot, 6-story, 27-unit residential structure with ground floor commercial space and 33 off-street parking spaces located at and below grade within the structure.
5. Section 209.1 of the Code states that the maximum allowable residential density in an RC-3 District is one dwelling unit per 400 square feet of lot area. The subject lot contains 10,972 square feet of lot area, resulting in a maximum permitted residential density of 27 units.
6. Section 253 of the Code states that where the Zoning prescribes a height limit of greater than 40 feet, any building or structure exceeding 40 feet shall be permitted only upon approval by

the Planning Commission according to the procedures for Conditional Use approval per Section 303 of the Code.

7. Section 270 of the Code sets allowable limits to the maximum plan dimensions of buildings (otherwise known as “Bulk Limits”) in all Districts other than the C-3 District.

Comment: The proposed project lies within a 65-A Height and Bulk District. The project as proposed has a maximum length of approximately 110 feet and a maximum diagonal dimension of approximately 144 feet. The proposal exceeds the permitted maximum diagonal length of 125 feet by 19 feet, but falls within the permitted 110-foot maximum length, and within the 65-foot height limit. The portion of the building in excess of the bulk limits is the northernmost approximately 30 feet of the top two stories as viewed from Van Ness Avenue.

8. Section 271 of the Code permits exceptions to the bulk limits in districts other than the C-3 District, subject to the Conditional Use requirements of Section 303 (below). Section 271 requires that the Commission consider certain standards and criteria in granting any exception to the Bulk limits in addition to those required in Section 303. The additional standards are:

1) The appearance of bulk in the building, structure or development shall be reduced by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass:

(A) Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;

Comment: The proposed structure is held 6 feet back from Van Ness Avenue at all upper floors to allow for bay windows. Bay windows would not otherwise be allowed, as CalTrans does not allow any encroachment into the air rights above State Route 101 (Van Ness Avenue). The bay windows help modulate a long, tall façade by both projecting toward the street, and projecting up past the cornice line.

(B) Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;

(C) Differences in materials, colors or scales of the facades that produce separate major elements;

Comment: The lower two floors of the structure comprise a podium and mezzanine level that have a distinctly different design which responds to the ground-floor commercial space contained within. The upper 5 floors have a distinctly more residential design that terminates in a varied cornice line.

(D) Compensation for those portions of the building, structure or development that may exceed the bulk limits by corresponding reduction of other portions below the

maximum bulk permitted; and

Comment: The proposed structure is voluntarily held 6 feet back from Van Ness Avenue at all upper floors, reducing the impact of the façade along Van Ness Avenue, and allowing for the use of overhanging bay windows on the Van Ness Avenue façade.

- (E) In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.

Comment: Not Applicable

- 2) In every case the building, structure or development shall be made compatible with the character and development of the surrounding area by means of all of the following factors:

- (A) A silhouette harmonious with natural land-forms and building patterns, including the patterns produced by height limits

Comment: The proposed project is located on a prominent corner lot and in close proximity to other higher density residential structures. While the proposal is taller than either adjoining structure, the proposal falls within the allowed height limit for the District.

- (B) Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;

Comment: As stated above there exist several other medium- to high-density residential structures on prominent corner lots in the vicinity. While the subject property is 2-3 stories taller than either adjoining structure, this condition is common in the surrounding blocks and not out of character with the District.

- (C) Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and

Comment: The proposal incorporates a darker gray stucco/textured cement base, with lighter stucco on the upper residential floors. Nearby larger residential buildings are typically off-white or lighter colors and of masonry construction, some with darker masonry bases. Nearby smaller residential structures tend to be of both wood and masonry construction, also with darker lower stories.

- (D) Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

Comment: The project sponsor has worked with the department to produce several ground-floor commercial spaces in a configuration and size conducive to neighborhood serving retail uses. The majority of the ground floor façade is an inviting shop front glass treatment, with a large 'atrium' entrance to the residential units on the Filbert Street elevation. Required

off-street parking has been put below-grade and to the rear of the ground floor, resulting in a very small parking presence on Filbert Street and retaining the maximum number of on-street spaces. In addition, the project sponsor has limited access to the below-grade parking to one entrance/exit off of Filbert Street, minimizing traffic/MUINI conflicts on Van Ness Avenue.

- 3) While the above factors must be present to a considerable degree for any bulk limit to be exceeded, these factors must be present to a greater degree where both the maximum length and the maximum diagonal dimension are to be exceeded than where only one maximum dimension is to be exceeded.

Comment: Only the maximum diagonal dimension is proposed to be exceeded, by approximately 19 feet.

9. Section 134 of the Code states that rear yards in an RC-3 shall be provided at the lowest story containing a dwelling unit, and at each succeeding level or story of the building. Section 134 further states that the minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building is situated.

Comment: The proposal is to build to the full depth of the lot at the basement and first floor levels, with setbacks and a lightwell at the upper 5 residential floors of the property to allow adequate light & air to neighboring properties. The configuration of the rear yard as proposed will require a Variance from the Planning Code, to allow for a full-lot-frontage plan which provides an equivalent rear yard at the rear corner of the property similar to that allowed on corner properties in NC Districts. The proposed rear yard is approximately 20% of the lot area. The Variance will be before the Zoning Administrator following the Conditional Use hearing.

10. Section 143 of the Code requires that one street tree be installed for every 20' of lot frontage and for each remaining fraction of 10' or more of street frontage, where a new building is proposed, or a project proposes to add more than 20% new gross floor area to a building.

Comment: The proposal will require the installation of ten street trees (five on Van Ness and five on Filbert), with their final approval and location verified by the Department of Public Works (DPW). If the DPW determines that there is insufficient sidewalk width, or the location of a tree or trees will interfere with underground utilities, the tree may be relocated, or this requirement may be waived in whole or in part.

11. Section 151 of the Code requires one off-street parking space per residential unit. Section 151 further requires off-street parking for commercial or retail space, where that space generally exceeds 5,000 square feet.

Comment: The residential component of the project has an off-street parking requirement of 27 spaces. The retail/commercial component, because it is less than 5,000 square feet, has no off-street parking requirement. The proposal includes 33 off-street parking spaces, including 1 handicapped space. Of the 6 parking spaces exceeding the minimum

requirement, a minimum of 2 shall be made available for the “City CarShare Program,” if feasible, as determined by the Planning Department and City CarShare, leaving 4 additional non-required parking spaces (described below). The nearest City CarShare parking space is located at the Lombard Street garage at Lombard and Fillmore, and City CarShare has stated that two spaces (called “pods”) at this location would significantly help the CarShare program.

The 27 required parking spaces shall be made available to buyers or renters (depending on whether the building is ultimately a condominium or rental development) as a separate “add-on” option for purchase or rent, rather than having the a parking space bundled with each unit, which would lead to higher purchase prices or rental rates for buyers or renters who would not necessarily need any parking. However, the proposed parking spaces shall only be sold or rented to, and used by, residents of the proposed Project, with the exception of the 2 CarShare spaces and the additional, non-required 4 parking spaces, which, at the project sponsor’s discretion, may be used by a lessee/proprietor of one of the Project’s 5 proposed retail units or the City CarShare Program.

When sold “unbundled,” no dwelling unit shall have at its disposal more than 3 parking spaces nor shall any such parking space be subsequently sublet for any reason.

12. Section 253 of the Code states that, in R Districts, wherever a height limit of more than 40 feet is prescribed by the height and bulk district in which the property is located, any building or structure exceeding 40 feet in height shall be permitted only upon conditional use approval as described in Section 303.
13. Section 295 of the Code also known as the “Sunlight Ordinance,” requires a shadow study of every proposed structure over 40 feet to determine whether the project will create any new shadow impacts upon properties protected by the Sunlight Ordinance.

Comment: A shadow fan was developed (Case No. 1998.716K) based on the drawings submitted with the application, and the fan indicated that there could be no shadow impact from the proposed project onto any property protected by the Ordinance.

14. Section 303(c) of the Code sets forth criteria that must be met before the Commission may authorize a Conditional Use. For the proposal under consideration, the Conditional Use findings must address 1) the construction of a building over 40 feet in height in an RC-3 District, 2) a structure which exceeds the maximum allowable diagonal dimension (bulk limit) of 125 feet at and above 40 feet. This project complies with the relevant criteria of Section 303(c) in that it that the facts presented establish:
 - 1) That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community;

Comment: The project is located within an RC-3 (Residential-Commercial Combined, Medium-Density) District and a 65-A Height/Bulk District. The RC districts are the highest

intensity R districts in the City, and the RC-3 District is intended to be similar to RM-3 Districts (“predominantly devoted to apartment buildings... many buildings exceed 40 feet in height, and in some cases additional buildings over that height may be accommodated without disruption of the neighborhood character. Open spaces are smaller, but decks and balconies are used to advantage for many units...”) with supporting commercial uses. Rear yards need not be at ground level and front setbacks are not required.

The proposed 65-foot tall, 27-unit over commercial structure is well suited to the subject lot. Located along the busy transit corridor of Van Ness Avenue, and only 2 blocks from Lombard Street, the district is characterized by larger apartment buildings with some ground floor commercial uses. The proposal will bring a much stronger ground floor retail/commercial presence to the district where there currently exists a vacant lot across from a gas station. The high number of occupants in the immediate blocks ensures that a range of retail uses will be supportable in the proposed spaces, which are around 1,000 square feet each.

Though the retail/commercial space does not trigger a parking requirement (being slightly below the 5,000 square foot threshold), the applicant has proposed to provide several spaces in excess of that required for the residential units above (33 where 27 are required). Staff will require that at least two of the additional spaces be made available to the City CarShare program if feasible, and the remaining 4 additional spaces should be made available to employees or patrons of the retail/commercial spaces. Parking access is from Filbert Street, and only a single, modest curb cut is proposed.

2) That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

(A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

Comment: The subject lot is approximately 100 feet by 110 feet, and is of adequate area to allow for the proposed 27-unit apartment building. The applicant has proposed an “L-shaped” arrangement to allow for continuous street frontage along both Van Ness Avenue and Filbert Street. The arrangement will require a Variance from the Planning Code to allow a portion of the building to occupy the required rear yard, but staff believes that supplying the rear yard at the rear corner of the lot (as is done on corner lots in NC Districts) provides a superior design and maximizes the public benefit of continuous ground floor retail/commercial space. While the proposed arrangement will cover six lot line windows on an adjoining property, and obscure several windows located in neighboring lightwells, the windows in question have enjoyed a unique position overlooking a vacant lot and enjoy no special protections against reasonable development on the lot.

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

Comment: The project lies along a heavily traveled transit corridor, and the site has access to many transit options, most notably MUNI bus service. The project supplies the Code-required minimum number of parking spaces plus 6 additional spaces. Two of the additional spaces will be made available, if feasible, to the City CarShare program. The additional 4 spaces shall be rented or sold to the owners/lessees of the commercial spaces for their use or the use of their patrons. All parking is accessed through a single ingress/egress located on Filbert Street, as far away from the intersection with Van Ness Avenue as is possible on this lot. The Van Ness Area Plan (VNAP) EIR, certified in December 1987, anticipated a more intense use of the site than is currently contemplated, and foresaw no adverse traffic impacts from such a project.

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

Comment: The project shall not incorporate mirrored glass, and shall comply with all City Codes concerning noise, glare, dust, and odor. Air handling units shall be located on the roof of the building where their noise impacts will be minimal on the surrounding properties.

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

Comment: The project shall provide the required one street tree for every 20 feet of street frontage, for a total of 10 trees in the public right-of-way. Planter box elements have been proposed for both the Van Ness Avenue and Filbert Street facades. All parking will be contained within the project site and will be completely screened from view. All project lighting shall be downcast and oriented in such a way as to minimize upward spread and light pollution.

- 3) That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

15. Section 315 of the Code describes the City's Inclusionary Housing requirement. The number of below-market-rate (BMR) units required depends upon whether the affordable units are being provided on-site, off-site, or through payment of in lieu fees or the project applicant may choose a combination of two or three of the options. The project applicant shall make a final determination prior to issuance of the site/building permit for the approved project.

Comment: The project sponsor has indicated that they will satisfy the Inclusionary Housing Requirement with an on-site provision of 3 Below Market Rate (BMR) units, corresponding to a 12% BMR requirement for projects requiring Conditional Use authorization. Staff has reviewed the proposed plans and recommends that units 7, 13, and 16 be designated the BMR units, as they represent a fair sample of unit types present in the project. See Condition of Approval B.

16. Sections 316 through 316.8 of the Planning Code set forth provisions with respect to Conditional Use application, filing fees, reviews, public hearing and the appeals process. This project has received proper mailed and posted notification.
17. The Project would affirmatively promote, be consistent with, and would not adversely affect the San Francisco General Plan (also called the Master Plan), including, among others, the following objectives and policies:

The **Residence Element** contains the following relevant Objectives and Policies:

OBJECTIVE 1 TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT GROWTH

POLICY 1.1

Promote development of permanently affordable housing on surplus, underused and vacant public lands.

Comment: The proposed 27-unit mixed-use building will include 3 permanently affordable ("Below Market Rate" or BMR) units. The project will occupy a currently vacant lot. The Van Ness Corridor is called out in the General Plan as a "Housing Opportunity Area."

POLICY 1.4

Locate infill housing on appropriate sites in established neighborhoods.

Comment: The currently vacant lot is a prime location for medium-to-high density residential infill because of its proximity to Van Ness Avenue and the existing pattern of higher density residential development in the area. The General Plan further states that a density of approximately 91 DU/Acre is "Appropriate for the more intensively developed northeastern part of the city, for major transit corridors such as Van Ness Avenue..." including RC-3 Districts that are considered "Moderately High Density." The current proposal results in a density of approximately 108 DU/Acre.

OBJECTIVE 2

TO INCREASE THE SUPPLY OF HOUSING WITHOUT OVERCROWDING OR ADVERSELY AFFECTING THE PREVAILING CHARACTER OF EXISTING NEIGHBORHOODS.

POLICY 2.2

Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are permanently affordable to lower income households.

Comment: The proposal lies within the highly trafficked Van Ness Corridor, one of the City's most vibrant linear residential/neighborhood commercial districts. Increased density in compliance with the RC-3 zoning will not have harmful effects on the area, and will result in a project that provides three permanently affordable dwelling units.

OBJECTIVE 7
TO INCREASE LAND AND IMPROVE BUILDING RESOURCES FOR PERMANENTLY AFFORDABLE HOUSING.

POLICY 7.2
Include affordable units in larger housing projects.

Comment: Per Section 315 of the Planning Code the project will include a 12% requirement of affordable (BMR) units. In this 27-unit project, three affordable units will be provided.

The **Commerce and Industry Element** contains the following relevant Objective and Policy:

OBJECTIVE 1
MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

POLICY 1.1
Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

Comment: The proposal utilizes a currently vacant lot to provide much needed market-rate and below market rate (BMR) housing in an area of the City that can adequately absorb such housing at the proposed height, bulk and density without substantial undesirable consequences. In fact, the production of continuous ground floor retail/commercial frontage is felt to be a considerable benefit to the City, and a marked improvement over the currently vacant lot.

OBJECTIVE 6: MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

POLICY 6.9: Regulate uses so that traffic impacts and parking problems are minimized.

Comment: The Project complies with the City's policy to maintain continuous commercial frontage at the street level. The Project's design is consistent with the scale and orientation of the surrounding buildings, including several larger residential structures. Continuous commercial frontage improves pedestrian accessibility and enhances the physical cohesiveness of the district. As the proposal meets the Code requirement for off-street parking, the project should not increase traffic congestion or parking problems. The Project's design includes a below-grade parking garage, and includes a minimum of two spaces for the City CarShare program.

The **Urban Design Element** of the General Plan contains the following relevant Objective and Policies:

OBJECTIVE 3, MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

POLICY 3.5: Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

Comment: The height of the proposal is consistent with the height and character of existing nearby development.

OBJECTIVE 4, IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

POLICY 4.14: Remove and obscure distracting and cluttering elements.

Comment: The San Francisco General Plan states “[n]o other element in the street environment is more disrupting than exposed parking.” Though not legally used as a parking lot, the existing vacant lot does not contribute positively to the character of the neighborhood. The new structure (with below-grade off-street parking) will visually enhance the character of Van Ness Avenue and Filbert Street.

18. The Project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- a) Existing neighborhood-serving commercial uses are preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

Surrounding neighborhood-serving commercial uses will be positively enhanced by the creation of 27 residential units and 5 additional commercial units.

- b) Existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Project result in a 27-unit residential structure with a variety of housing types, ranging from 1 bedroom, 1 bath units of approximately 850 square feet to 3 bedroom, 3 bath units of approximately 1910 square feet, allowing for a range of economic diversity. In addition, three of the units will be set aside as affordable (BMR) units available for below market rate. The size and intensity of the project have precedent in this neighborhood, including several large apartment structures within the surrounding blocks.

- c) The City's supply of affordable housing be preserved and enhanced;

As required by Section 315 of the Code, three of the units will be set aside as affordable (BMR) units available for below market rate.

- d) Commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

Code-compliant parking will be provided for the residences. Access will be gained along Filbert Street, away from the intersection of Van Ness Avenue. The project is well-served by public transit along the Van Ness corridor and the proposed residential and commercial uses will not have a significant impact on the public transit service in the area. Off-street parking spaced in excess of those required by the dwelling units shall be made available to City CarShare and to the retail/commercial tenants and their patrons (See Condition of Approval E)

- e) A diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposal increases residential ownership opportunities, and the approximately 5,000 square feet of retail/commercial space will provide employment opportunities to City residents.

- f) That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The new building will comply with all applicable Codes and seismic standards for new construction.

- g) That landmarks and historic buildings be preserved; and,

There are no existing landmarks or historic buildings on the site. The site is not within any historic districts established under Article 10 of the Code.

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

The proposal will not impact public parks or open spaces or access to sunlight or vistas as there are no such public parks or public open spaces near this site. A shadow fan has been produced as required by Section 295 of the Code, confirming that no protected properties could be impacted by shadows from this development.

16. The Commission hereby finds that approval of the requested Conditional Use Authorization promotes the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2002.1203C** subject to the following conditions attached hereto as EXHIBIT A which is incorporated by reference as though fully set forth.

I hereby certify that the foregoing Motion was ADOPTED by the City Planning Commission at its regular meeting on **October 23, 2003**.

Linda Avery
Commission Secretary

AYES: S. Lee, B. Lee, Hughes, Feldstein
NAYS: None
ABSENT: Boyd, Bradford-Bell
ABSTAINING: Antonini
ADOPTED: October 23, 2003

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PLANNING COMMISSION

Inclusionary Housing

EXHIBIT A

CONDITIONS OF APPROVAL

The conditional use authorization herein is for the creation of a building greater than 40 feet in an R District and for the exceeding of the stated bulk limits of the Code, for the creation of a 27-unit residential building with approximately 4,900 square feet of ground floor commercial space, within an RC-3 District and 65-A Height/Bulk District, in general conformity with the plans dated November 26, 2002, on file with the Department in the docket for Case #2002.1203C (labeled EXHIBIT B), reviewed and approved by the Commission on October 23, 2003.

GENERAL CONDITIONS:

A. The Approved Project

1. The conditional use authorization herein is for the creation of a mixed use structure within an RC-3 District, in general conformity with the plans dated November 26, 2002, on file with the Department in the docket for Case #2002.0497C (labeled EXHIBIT B), reviewed and approved by the Commission on October 23, 2003. The structure will contain 27 residential dwelling units, 5 retail/commercial units and 33 off-street parking spaces.
2. Where air conditioning units are to be located on the roof of the building, they are to be located as far away from nearby residential properties as possible (generally toward Van Ness Avenue). Said units are to be screened from view to the maximum extent possible.
3. As recommended by the Department of Public Health Local Oversight Program, the new construction shall use a "liner" (e.g. visqueen plastic sheeting layered beneath the building foundations) to prevent vapor migration from the remediated soil and further reduce any potential risk to human health.
4. The approved project contains 5 ground-floor commercial units. While the units may be combined or divided as desired by the project sponsor, no retail unit shall be created which exceeds 2,500 gross square feet of floor area except upon approval of a new conditional use authorization.

B. Affordable Housing

1. Under Section 315 of the Planning Code, the project is subject to the Inclusionary Housing requirement. The number of below-market-rate (BMR) units required depends upon whether the affordable units are being provided on-site, off-site, or through payment of in lieu fees or the project applicant may choose a combination of two or three of the options. The project applicant shall make a final determination prior to issuance of the site/building permit for the approved project.
 - A. If this requirement is being met on-site, the Applicant shall designate a total of 12 (twelve) percent of the dwelling units as affordable [Below Market Rate (hereinafter "BMR")] units to be constructed as part of the Project. This equals **3** of the **27** dwellings currently proposed.
 - B. If this requirement is being met off-site, the Applicant shall designate a total of 17 (seventeen) percent of the dwelling units as affordable [Below Market Rate (hereinafter "BMR")] units to be constructed as part of the Project, This equals 5 of the 27 units.
 - C. The Project Sponsor may elect a payment of an in-lieu fee which shall be determined according to the procedures set forth in Section 315.6 of the Planning Code to satisfy the requirements of Inclusionary Housing requirement. The in lieu fee shall be paid to the Treasurer for use by the Mayor's Office of Housing for the purpose of constructing on an alternative site. The amount of the fee shall take into account the number of units required by the project applicant to meet the off-site housing development and the affordability gap as identified in the "Jobs Housing Nexus Analysis: prepared by Keyser Marston Associates, Inc. in June 1997 for the Maximum Annual Rent or Maximum Purchase Price for the equivalent unit sizes.
 - D. Compliance through a combination of the above methods per Planning Code Section 315.4(e)3. Project sponsor can provide any combination of construction of on-site units as provided in 315.4, off-site units as provided in Section 315.5, or payment of an in lieu fee as provide in Section 315.6, provided that the project sponsor constructs or pays the fee at the appropriate percentage or fee level required for that option.
 - E. If applicable, BMR units shall be designated on the building plans prior to approval of any building permit. BMR units shall (1) reflect the unit size mix of the market rate units, (2) shall be constructed and marketed concurrently with the construction and sale of the market rate units, and (3) shall be of comparable quality and materials as the market rate units in the project. The project proposes 27 dwelling units, of which 6 are proposed to be 1-bedroom, 15 are proposed to be 2-bedroom, and 6 are proposed to be 3-bedroom. If

constructed on-site, the units shall be those units designated in the approved plans as units 7,13, and 16, or as designated by the Zoning Administrator. If provided off-site, three of the units shall be 1-bedroom; two of the units shall be 2-bedroom. All BMR units, whether provided on- or off-site, shall be equal to the market rate units in quality of construction and finish materials.

- F. All BMR rental units shall be rented or sold to qualifying households, as defined in the terms of the Affordable Housing Monitoring Procedures Manual (hereinafter "Procedures Manual") published and adopted by Resolution No. 13405 on September 10, 1992 by the Planning Commission, and as set forth in the Inclusionary Affordable Housing Program legislation and Section 315.8 (a) of the Planning Code.
- G. If the units in the building are made available as rental units, the BMR unit shall be rented to qualifying households, as defined in the Affordable Housing Monitoring Procedures Manual (hereinafter "Procedures Manual") published and adopted by Resolution 13405 on September 10, 1992 by the Planning Commission, whose gross annual income, adjusted for household size, does not exceed sixty (60) percent of the median income for the San Francisco Principal Metropolitan Statistical Area (PMSA). The percentage of median income specified herein shall be the maximum income for qualifying households and the basis for base rent for BMR units. Base rent for such units, together with the utility allowance as described in the Procedures Manual, shall not exceed thirty (30) percent of sixty (60) percent of such median income adjusted annually for permitted rent increases as described in the Procedures Manual, for a period of fifty (50) years from the date of initial rental of the BMR unit. The owner of the BMR unit may apply to the City Planning Commission to modify this condition to permit conversion of a BMR rental unit to an affordable condominium ownership unit pursuant to the requirements of the Procedures Manual, provided that such unit shall be governed by the sale and resale procedures outlined in the Procedures Manual.
- H. If the units in the building are offered for sale, the BMR unit shall be sold to first time home buyer households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed one hundred (100) percent of the median income for the San Francisco Principal Metropolitan Statistical Area (PMSA). The initial sales price of such units shall be calculated according to the Procedures Manual based on such percentage of median income. This restriction shall apply for a fifty (50) year period from the date of the initial sale of the BMR unit.
- I. The Applicant shall administer the marketing and reporting procedures, including the payment of administrative fees to the monitoring agency if such fees are authorized by ordinance, according to the procedures established in the Procedures Manual or as otherwise provided by law.

- J. If the units are provided for sale, the sale and resale of the BMR unit shall satisfy the marketing, sales, reporting and monitoring procedures, including the payment of administrative fees to the monitoring agency if such a fee is authorized by ordinance, according to the procedures established in the Procedures Manual.
- K. The definitions, procedures and requirements for BMR units are set forth in the Procedures Manual, attached as Exhibit C. Terms used in these Conditions of Approval and not otherwise defined shall have the meanings set forth in the Procedures Manual.
- L. The definitions, procedures and requirements for BMR units set forth in the Procedures Manual, are incorporated herein as Conditions of Approval. Terms used in these Conditions of Approval and not otherwise defined shall have the meanings set forth in the Procedures Manual.
- M. Prior to issuance of any building permit for the project (including any building permit issued for any partial phase of the project), the Project Sponsor shall have designated the BMR units in accordance with Items A, B and E above;
- N. Prior to issuance of the Building Permit, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval and identifies the BMR units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to the Mayor's Office of Housing or its successor (MOH), the monitoring agency for the BMR units.

C. Landscaping

- 1. The proposed plans shall include street trees as required by Section 143 of the Planning Code.
- 2. The Project Sponsor shall plant and maintain said trees and maintain them in as healthy a condition as is reasonably possible.

D. Lighting

- 1. All Project lighting shall be directed onto the Project Site and immediately surrounding sidewalk area only, minimizing upward spillage of light and other light pollution.

E. Parking

- 1. The proposal includes 33 off-street parking spaces, including 1 handicapped space. 27 parking spaces are required by the Planning Code. Of the 6 parking spaces exceeding the minimum requirement, a minimum of 2 shall be made available for the

“City CarShare Program,” if feasible, as determined by the Planning Department and City CarShare, leaving 4 additional non-required parking spaces (described below).

2. The 27 Required parking spaces shall be made available to buyers or renters (depending on whether the building is ultimately a condominium or rental development) as a separate “add-on” option for purchase or rent, rather than having the a parking space bundled with each unit.
3. The proposed parking spaces shall only be sold or rented to, and used by, residents of the proposed Project, with the exception of the 2 CarShare spaces and the additional, non-required 4 parking spaces, which, at the project sponsor’s discretion, may be used by a lessee/proprietor of one of the Project’s 5 proposed retail units or the City CarShare Program.
4. When sold or rented “unbundled,” no dwelling unit shall have at its disposal more than 3 parking spaces nor shall any such parking space be subsequently sublet for any reason.

F. Signage

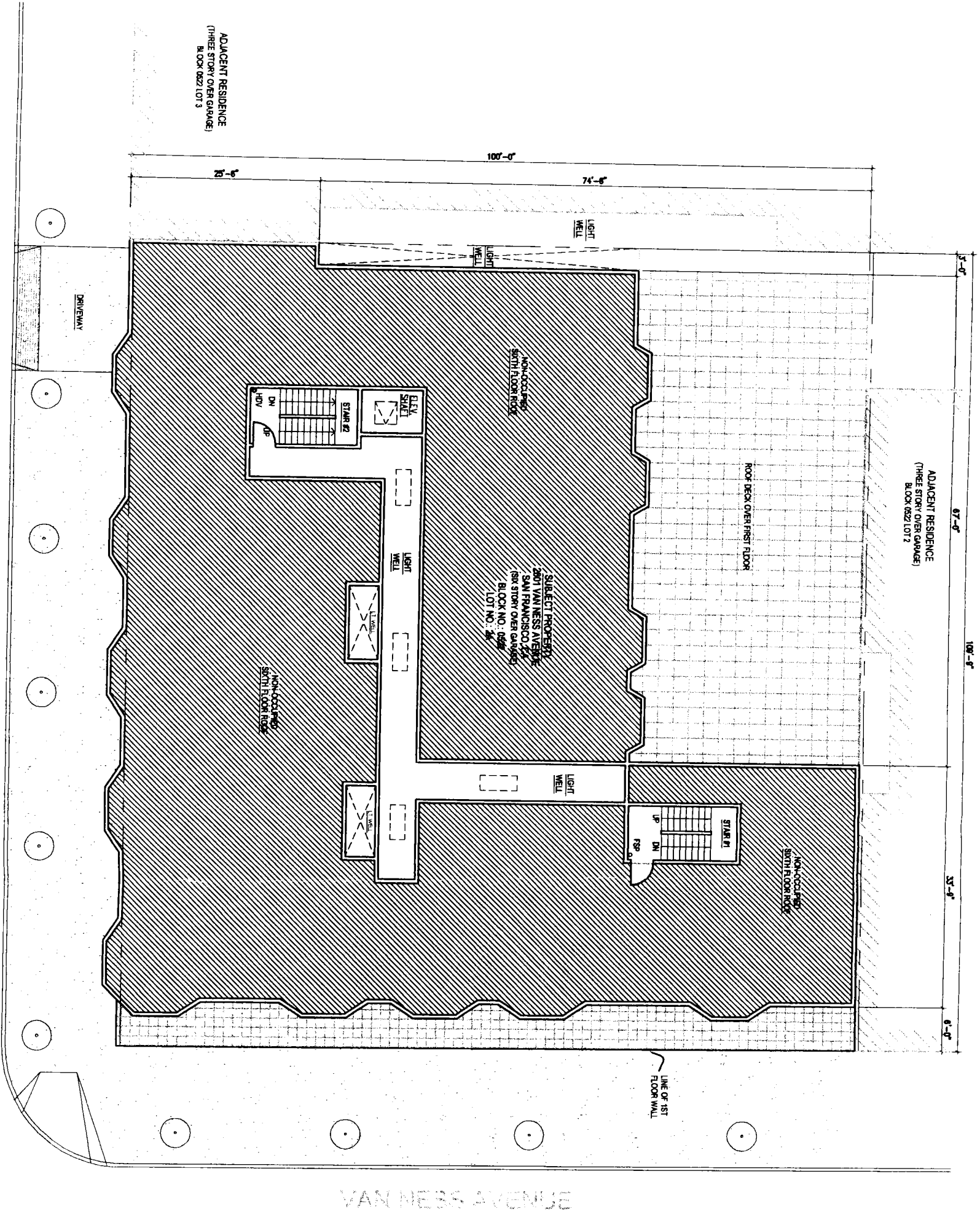
1. Project signage shall be consistent with the controls of Article 6 of the Code.

G. Performance

1. The Project Sponsor shall obtain a building permit for this project within three (3) years from the date of this conditional use authorization or the approval by the San Francisco Board of Supervisors, and construction shall thereafter be pursued diligently to completion or the said authorization/approval shall be deemed null and void.
2. This authorization may be extended at the discretion of the Zoning Administrator only where the failure to issue a building or site permit to construct the Project is delayed by a City agency or a state agency, or by legal challenges.
3. The Project Sponsor shall advise the Department of any proposed modification to the Project, which would result in any deviation from the plans, as approved in this Motion, dated November 11, 2002 (labeled EXHIBIT B).
4. The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to neighbors related to the operation of this project. The name and telephone number of the community liaison shall be reported to the Zoning Administrator.
5. Should implementation of this Project result in complaints from neighborhood residents which are not resolved by the Project Sponsor and are subsequently reported to the Zoning Administrator and found to be in violation of the Planning

Code and/or the specific Conditions of Approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall report such complaints to the Planning Commission which may thereafter hold a public hearing on the matter in accordance with the hearing notification and conduct procedures as set forth in Sections 174, 306.3 and 306.4 of the Code to consider revocation of this Conditional Use Authorization.

6. Should the monitoring of Conditions of Approval contained in Exhibit A of this Motion be required, the Project Sponsor or successors shall pay fees as established in Planning Code Section 351(e)(1).
7. Failure to comply with any of the Conditions of Approval shall constitute a violation of the Planning Code, enforceable by the Zoning Administrator.
8. Prior to the issuance of a Building or Site Permit, the Zoning Administrator shall approve and order the recordation of a notice in the Official Records with the Office of the Recorder of the City and County of San Francisco, which notice shall state that construction of the project has been authorized by and is subject to the conditions of this Motion. From time to time, after the recordation of such notice, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied.



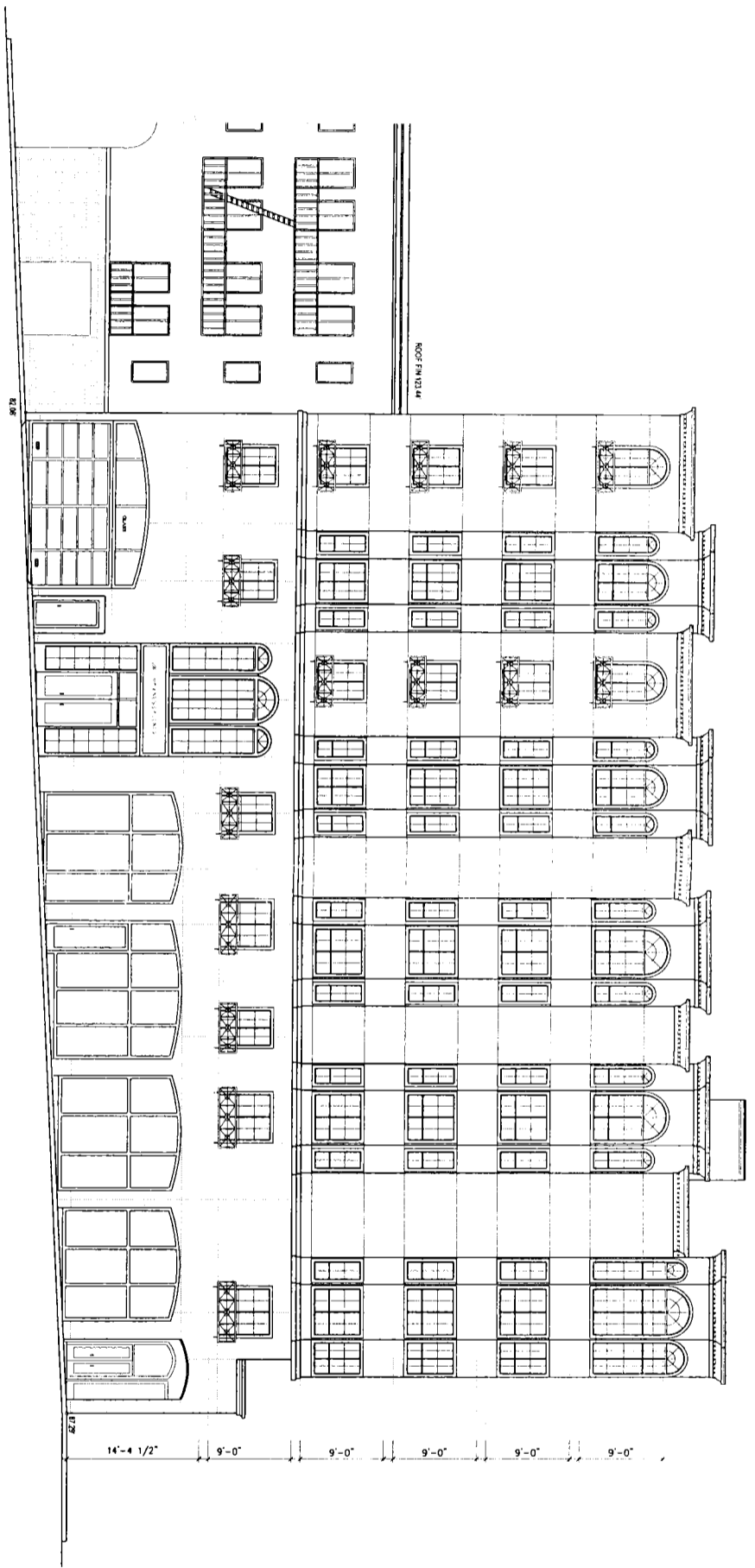
1 SITE PLAN
A2
1/8" = 1'-0"



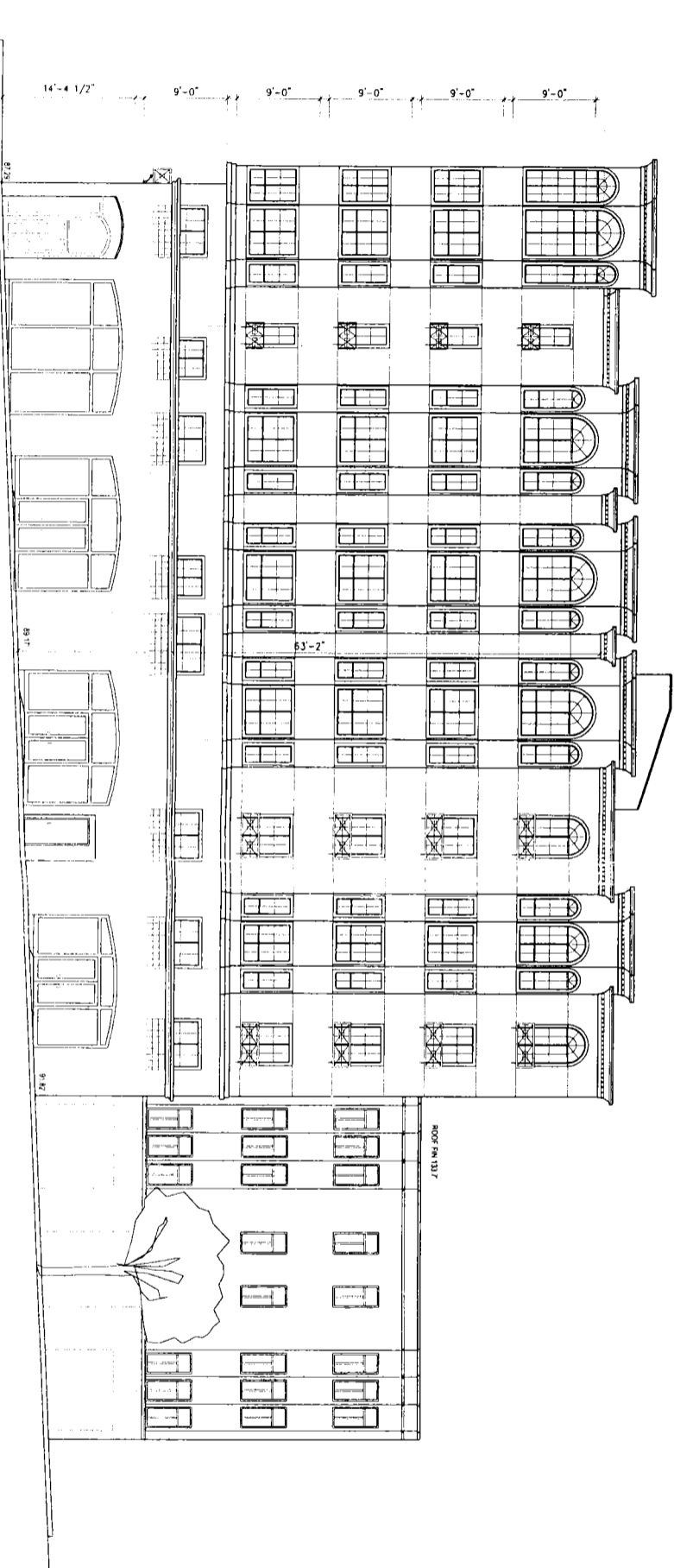
PREVIOUS APPROVAL PER MOTION # 16681

SCALE: 1/8" = 1'-0" DATE:	REVISIONS:	SITE/ROOF PLAN	 LINCOLN LUE ASSOCIATES ARCHITECTS 1567 33RD AVENUE, SAN FRANCISCO, CA 94122 TEL: (415) 665-5623 FAX: (415) 664-9062	A RESIDENTIAL & COMMERCIAL DEVELOPMENT AT: 2601 VAN NESS AVENUE SAN FRANCISCO, CA 94109 PH: (415) 863-0888
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CASE NO. 2002.1203C




1
A10
1/8" = 1'-0"
ELEVATION AT FILBERT STREET



1
A10
1/8" = 1'-0"
ELEVATION AT VAN NESS AVENUE

PREVIOUS APPROVAL PER MOTION # 16681

SHEET NO. A10 OF 15 SHEETS	DATE NOV 26, 2002 SCALE: 1/8" = 1'-0"	REVISIONS EXTERIOR ELEVATIONS	 LINCOLN LUE ASSOCIATES ARCHITECTS 1567 33RD AVENUE, SAN FRANCISCO, CA 94122 TEL: (415) 665-5623 FAX: (415) 664-9062	A RESIDENTIAL & COMMERCIAL DEVELOPMENT AT: 2601 VAN NESS AVENUE SAN FRANCISCO, CA 94109 PH: (415) 863-0888
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CASE NO. 2002.1203C

2601 VAN NESS AVENUE

("1500 FILBERT ST.")



PLANNING SUMMARY COMPARISON			
	APPLN YEAR 2002	NEW APPLICATION	COMMENTS
ZONING	NC-2	RC-3	
BLOCK & LOT	522 / 2A	522 / 2A	
LOT SIZE	10,750 SQ. FT.	10,750 SQ. FT.	
PROPOSED USE	RESID. / COMMERC.	RESID. / COMMERC.	
REQ'D REAR YARD	2,687.5 SQ. FT. (25%)	2,687.5 SQ. FT. (25%)	
PROPOSED REAR YARD	2,300.5 SQ. FT. (21.39%)	2,170 SQ. FT. (20%)	REAR YARD VARIANCE & EXPOSURE VARIANCE REQUIRED
REQ'D PRIVATE OPEN SPACE	1,620 SQ. FT. REQ'D	1,620 SQ. FT. REQ'D	
REQ'D COMMON OPEN SPACE	-	160 SQ. FT. REQ'D	
PROPOSED PRIVATE OPEN SPACE	-	4,215 SQ. FT.	
PROPOSED COMMON OPEN SPACE	2170 SQ. FT.	1,860 SQ. FT.	
BLDG HEIGHT	65	65	
NO. OF STORIES	6	7	
NO. OF UNITS	27	27	NEW APPLICATION INCLUDES
CAR PARKING COUNT	33	35	2 CAR SHARE SPACES
BICYCLE PARKING CLASS I	-	33	
BICYCLE PARKING CLASS II	-	12	
GROSS SQ. FOOTAGE AREAS			
PARKING	14,673 SQ. FT.	20,000 SQ. FT.	
RESIDENTIAL	41,718 SQ. FT.	43,025 SQ. FT.	NEW APPLICATION INCLUDES 4
COMMERCIAL	4,546 SQ. FT.	8,155 SQ. FT.	SEPARATE COMMERCIAL SPACES

NEW APPLICATION PROPOSED OPEN SPACE AREA SUMMARY

LEVEL	PRIVATE	COMMON
1ST FLOOR	/	/
2ND FLOOR	/	/
3RD FLOOR	917 SQ. FT.	875 SQ. FT.
4TH FLOOR	306 SQ. FT.	/
5TH FLOOR	306 SQ. FT.	/
6TH FLOOR	306 SQ. FT.	/
7TH FLOOR	200 SQ. FT.	/
ROOF	2,180 SQ. FT.	985 SQ. FT.
TOTAL	4,215 SQ. FT.	1,860 SQ. FT.
GRAND TOTAL	6,075 SQ. FT.	

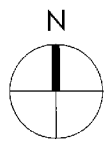
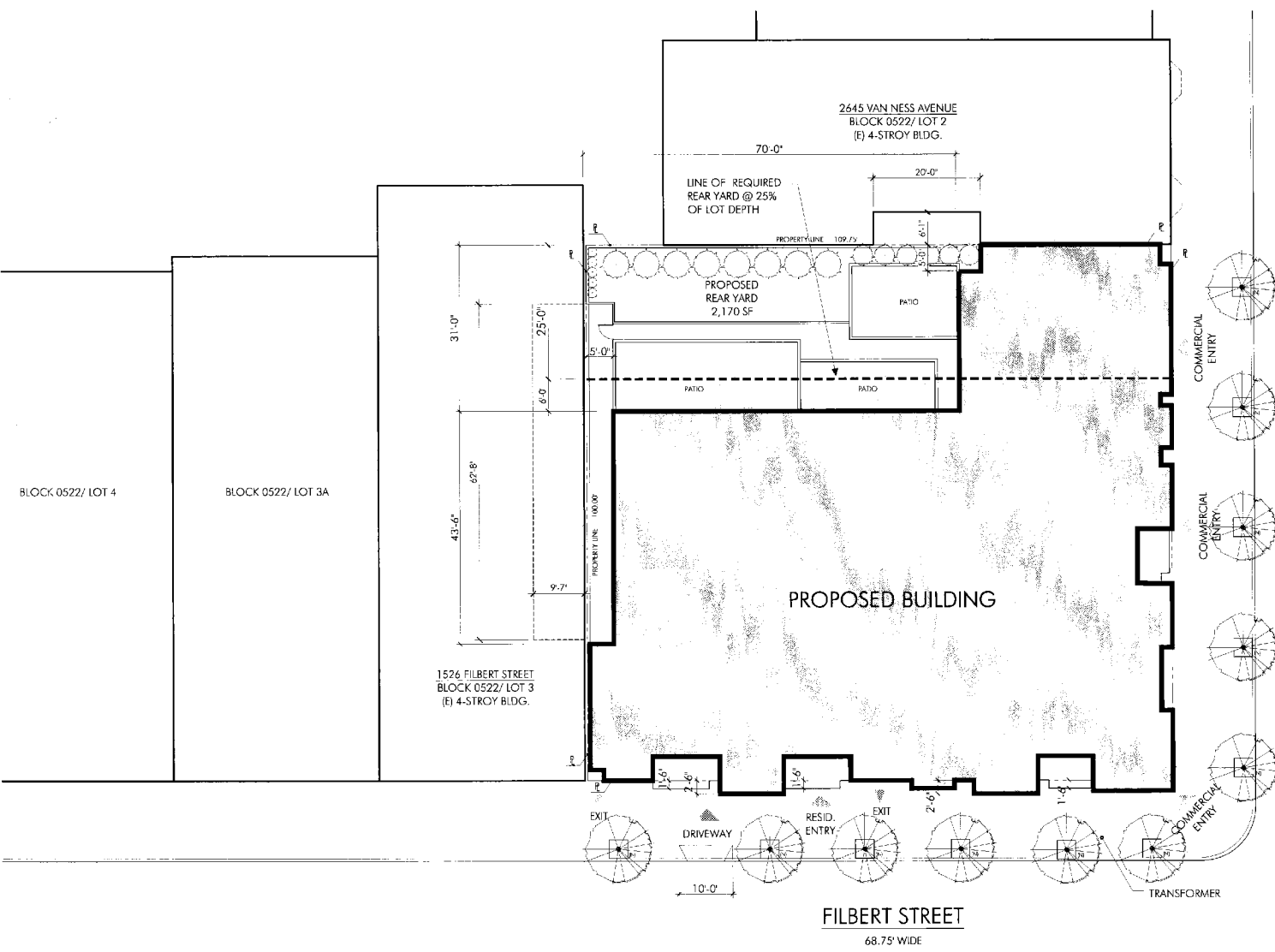
NEW APPLICATION PROPOSED UNIT MIX

UNIT TYPE	UNIT TYPE COUNT	% OF TOTAL NO. OF UNITS
1-BEDROOM	1	3%
2-BEDROOM	18	67%
3-BEDROOM	8	30%

2601 VAN NESS AVENUE
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ARCHITECTS



SITE PLAN

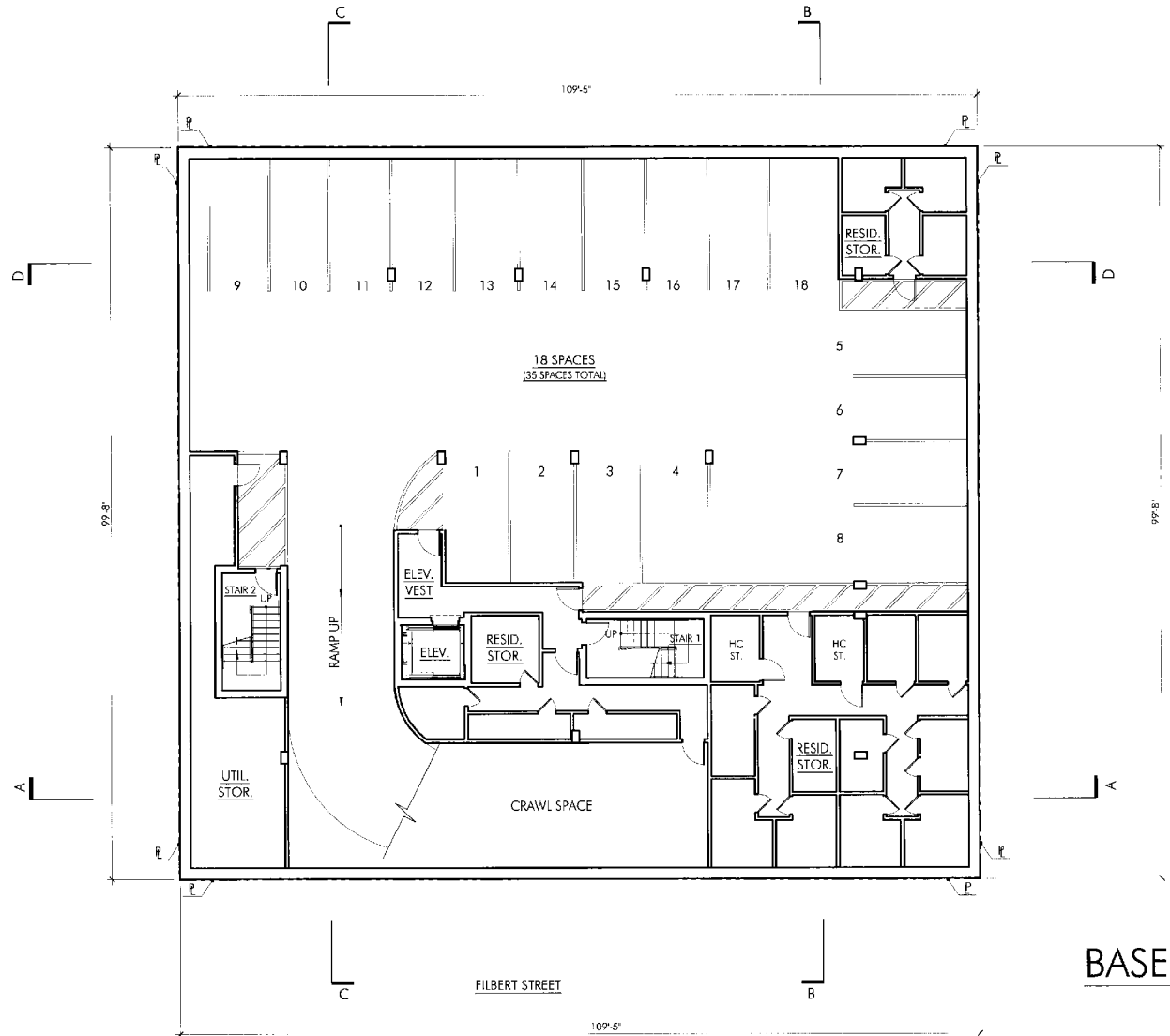
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SCALE: 1" = 20'-0"
 0 5' 10' 20' 40'

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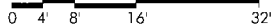


BASEMENT PLAN 2

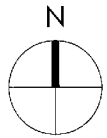
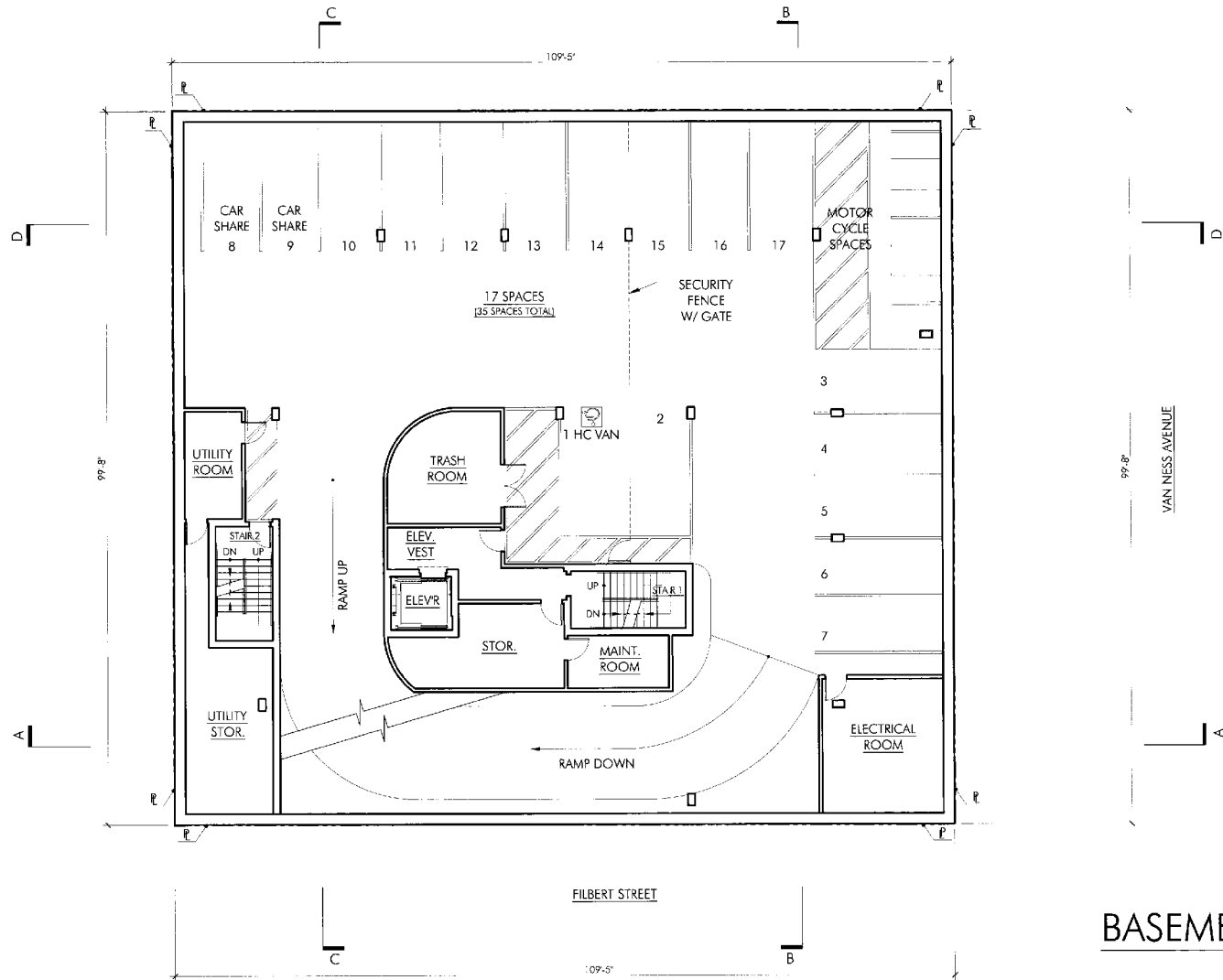
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SCALE: 1" = 16'-0"



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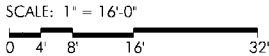


BASEMENT PLAN 1

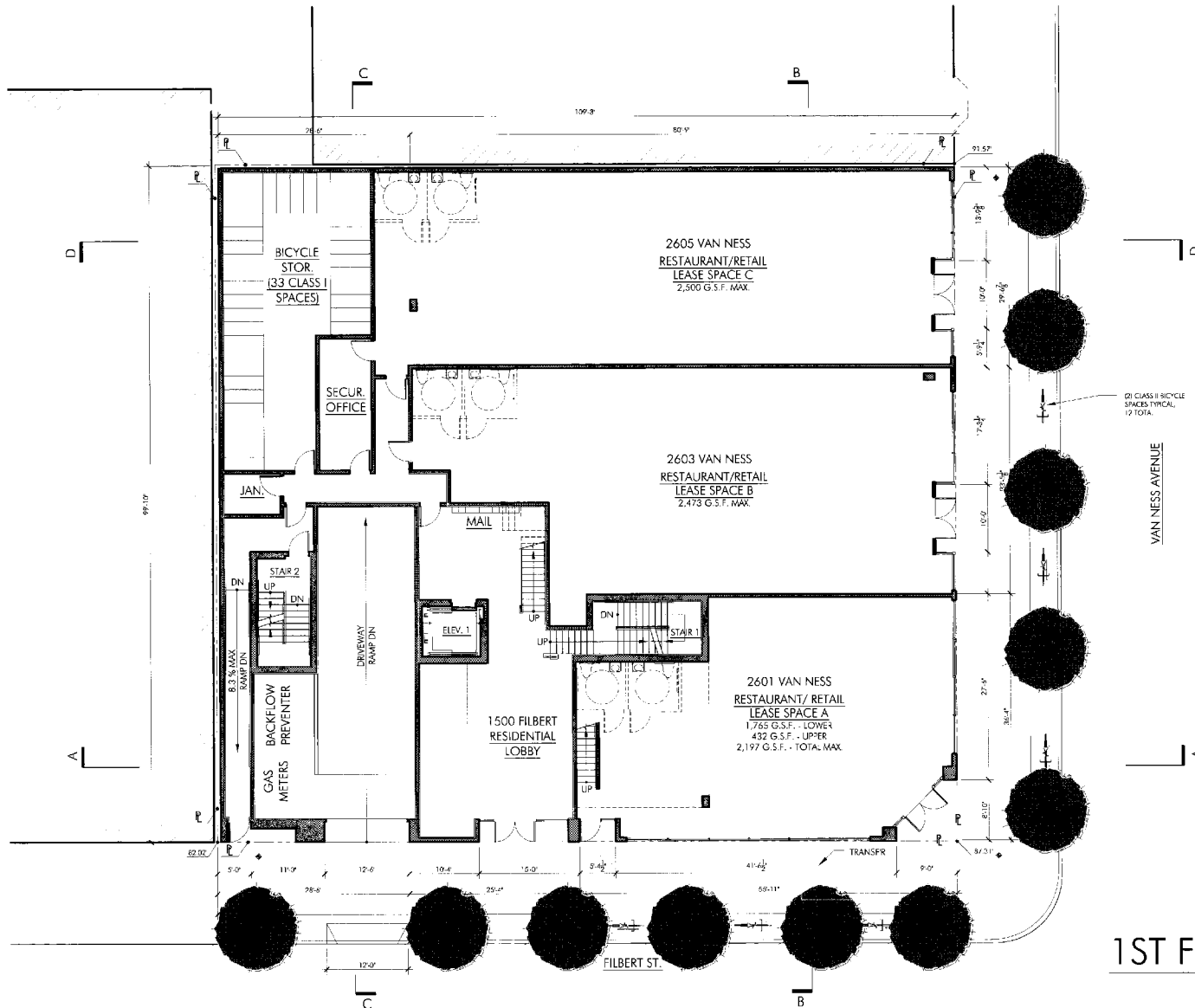
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1ST FLOOR PLAN

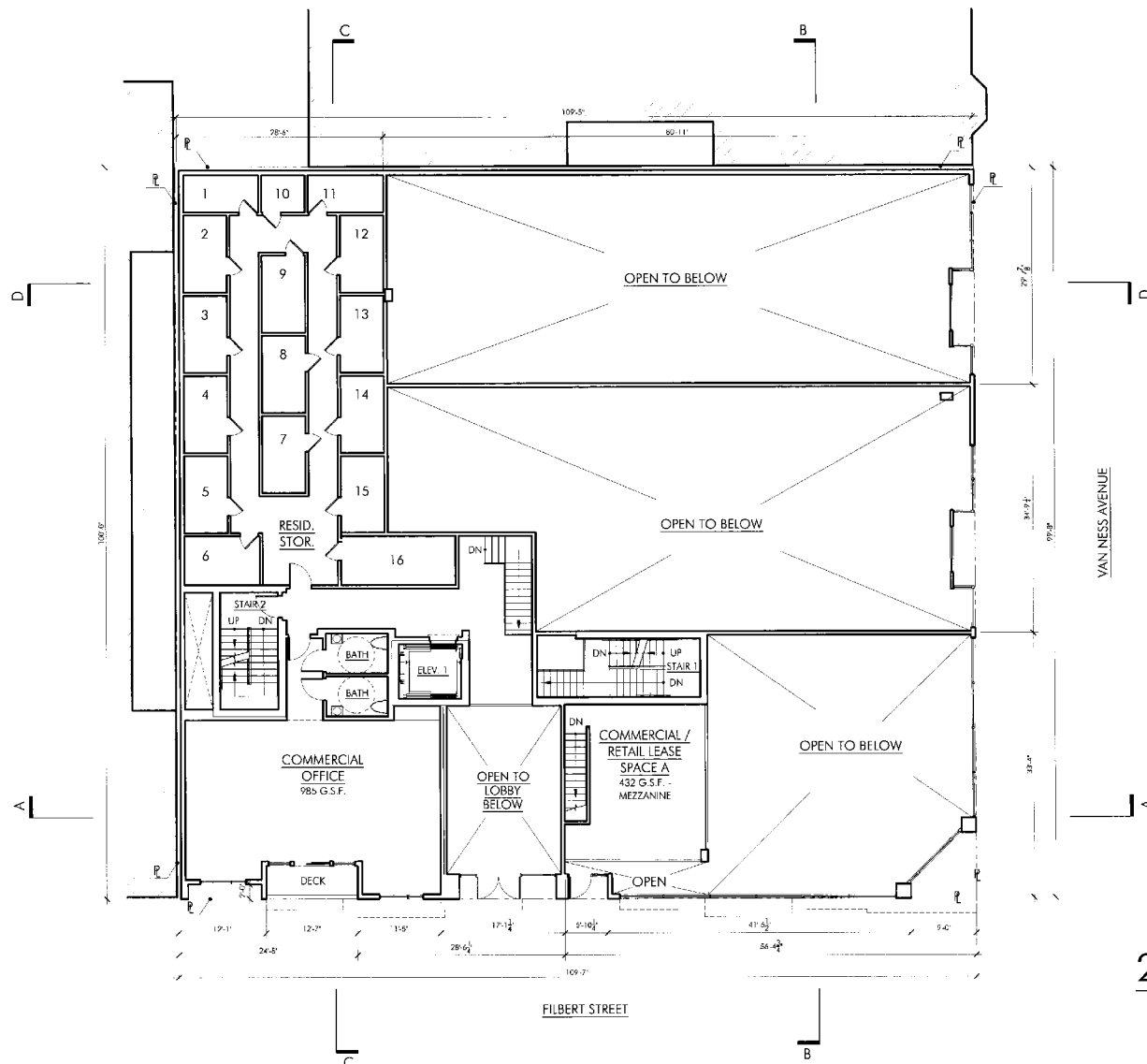
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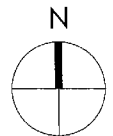
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SCALE: 1" = 16'-0"
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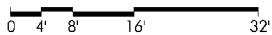


2ND FLOOR PLAN



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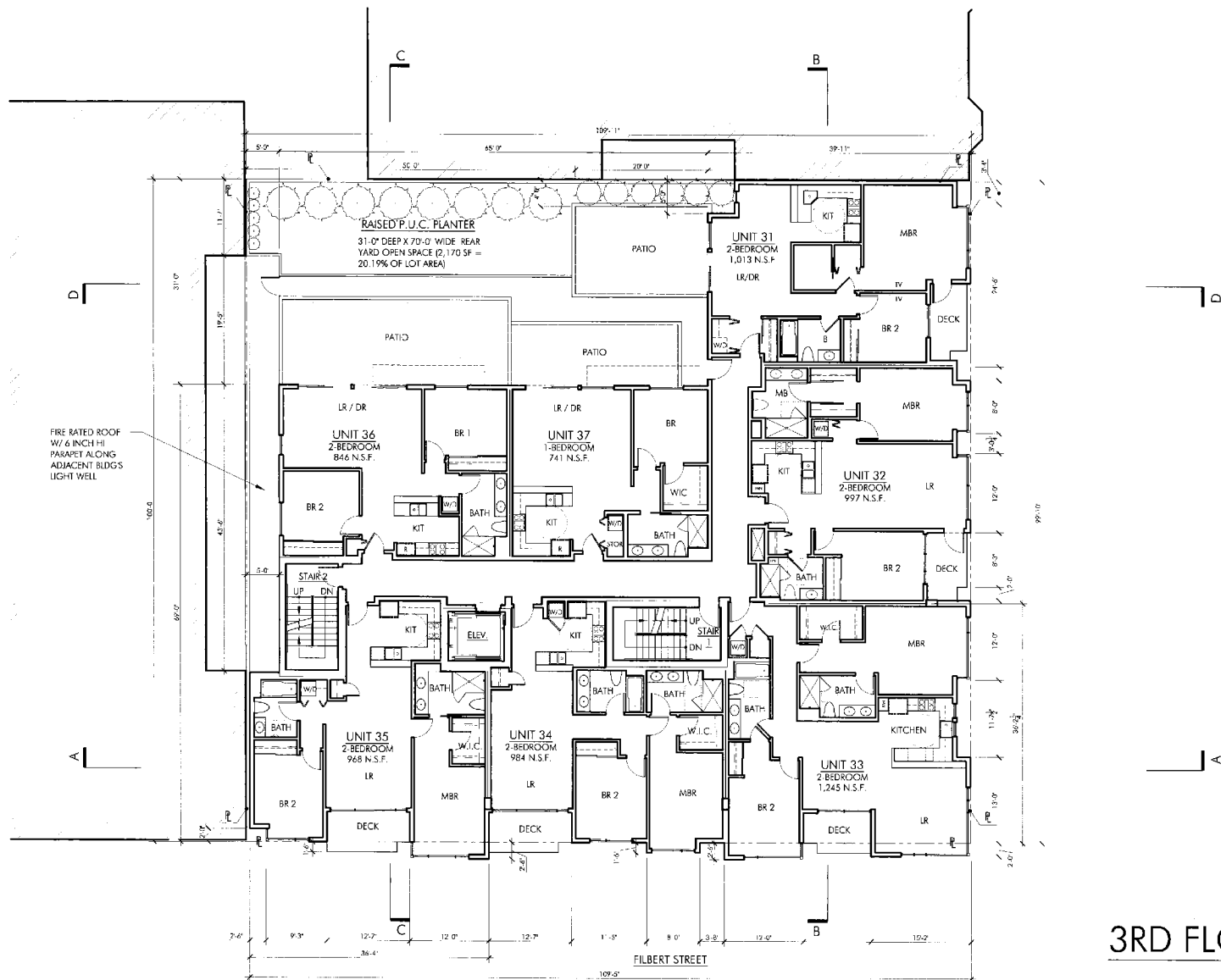
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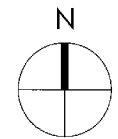
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FIRE RATED ROOF
W/ 6 INCH HI
PARAPET ALONG
ADJACENT BLDGS
LIGHT WELL



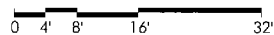
3RD FLOOR PLAN

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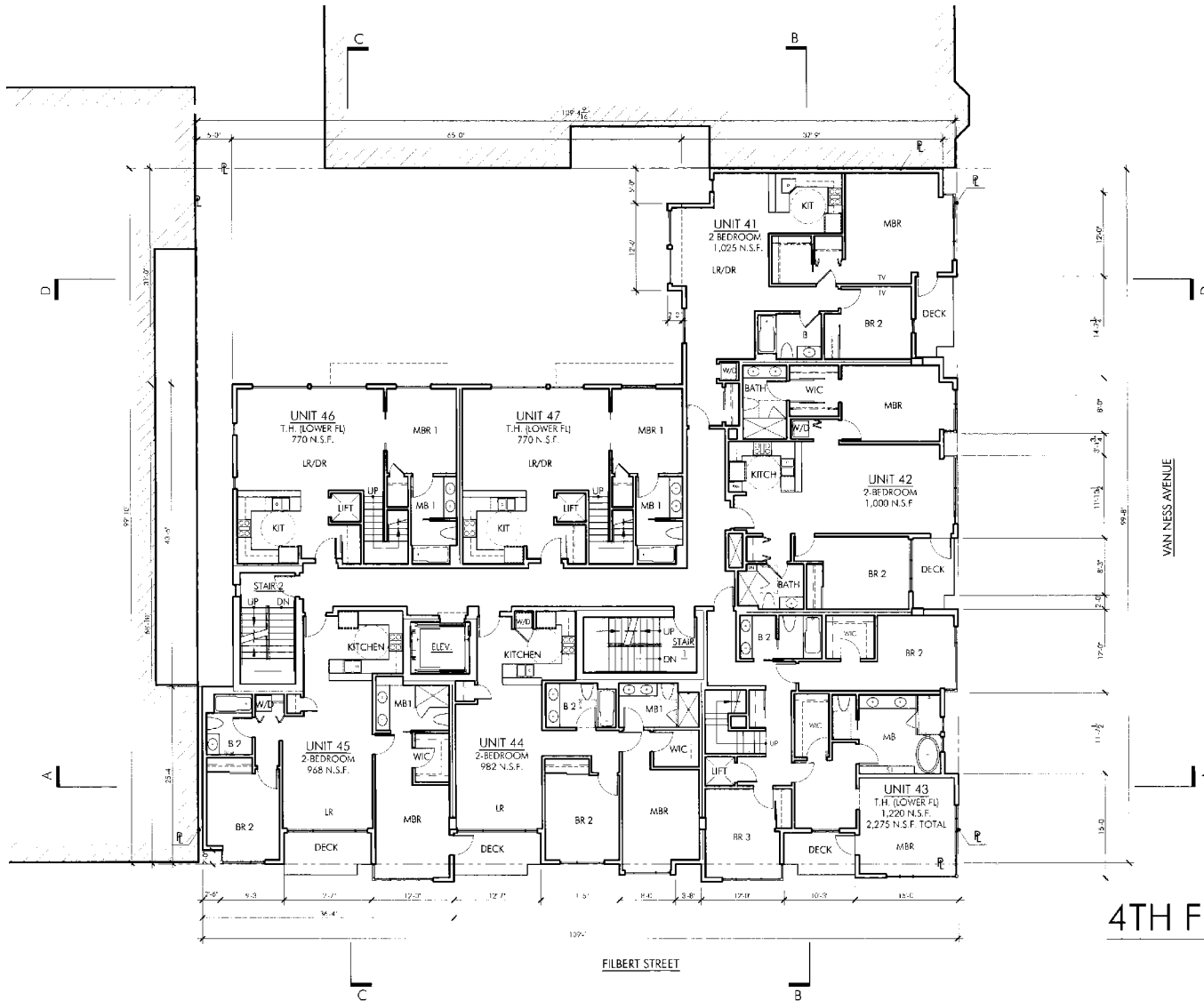
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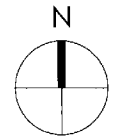
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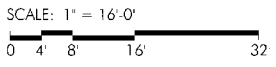
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4TH FLOOR PLAN



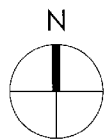
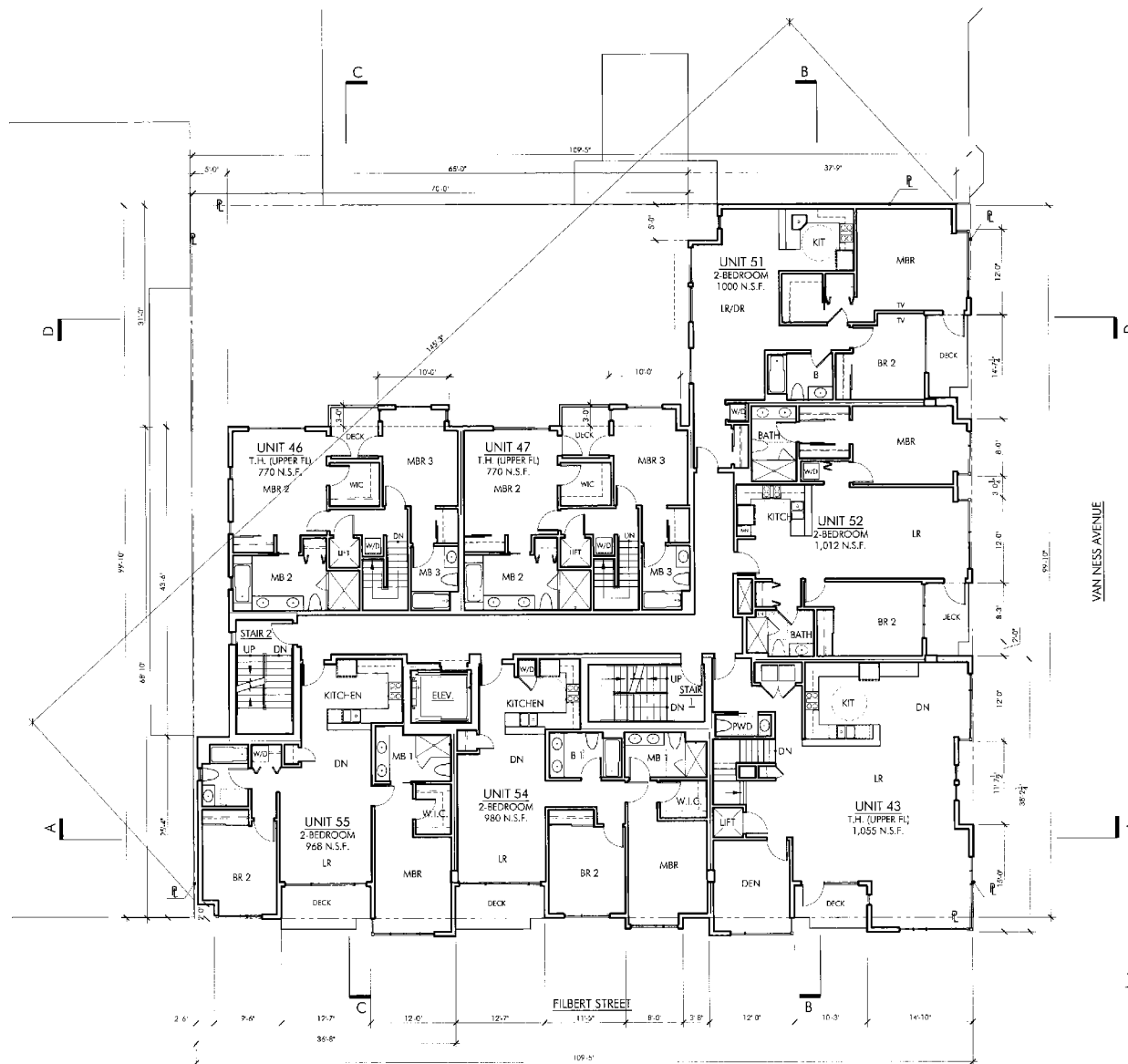
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5TH FLOOR PLAN

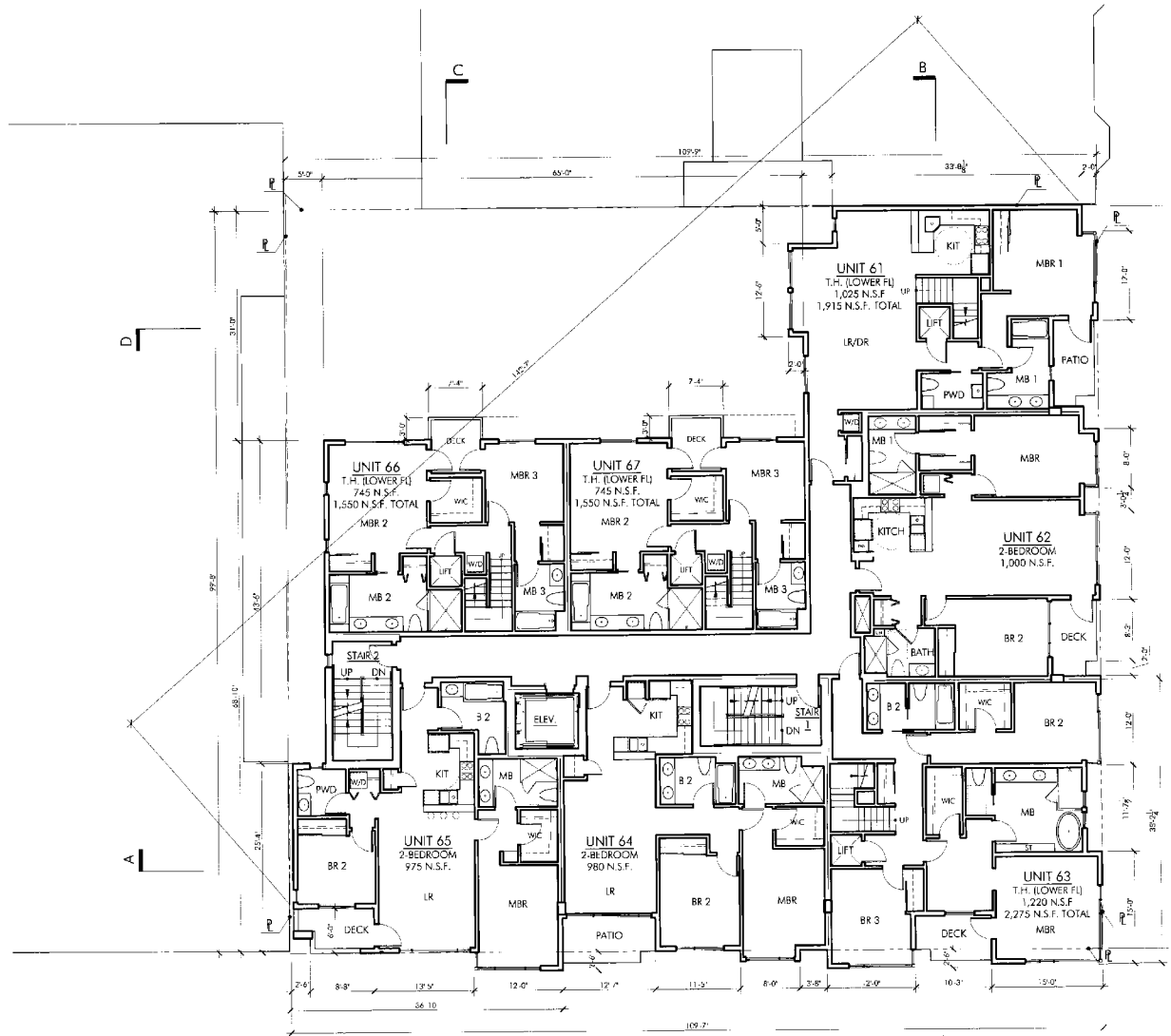
2601 VAN NESS AVENUE
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SCALE: 1" = 16'-0"
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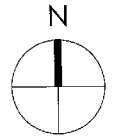
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6TH FLOOR PLAN



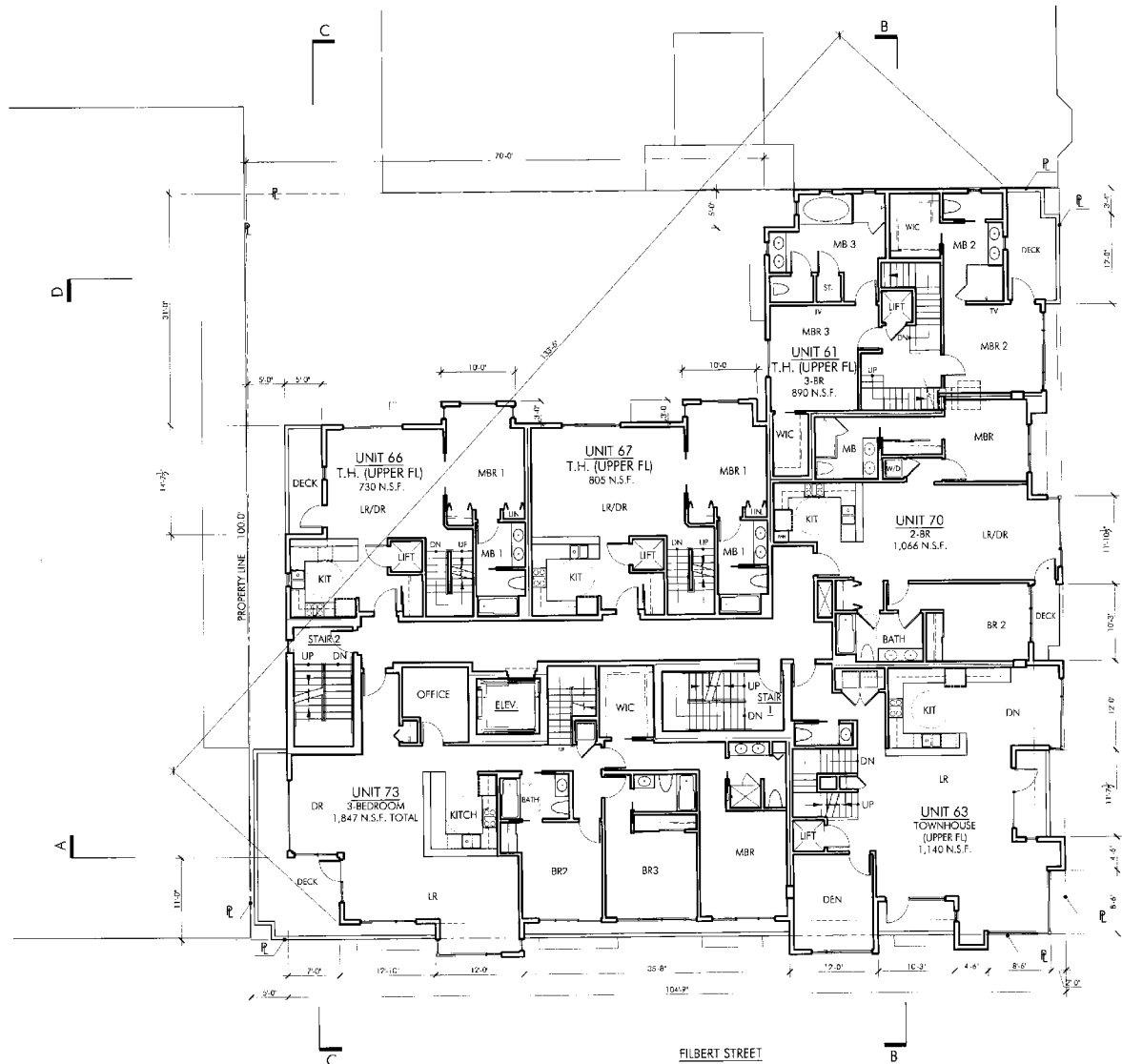
FILBERT STREET
2601 VAN NESS AVENUE
 ("1500 FILBERT ST.")
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SCALE: 1" = 16'-0"

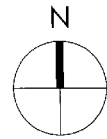
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7TH FLOOR PLAN



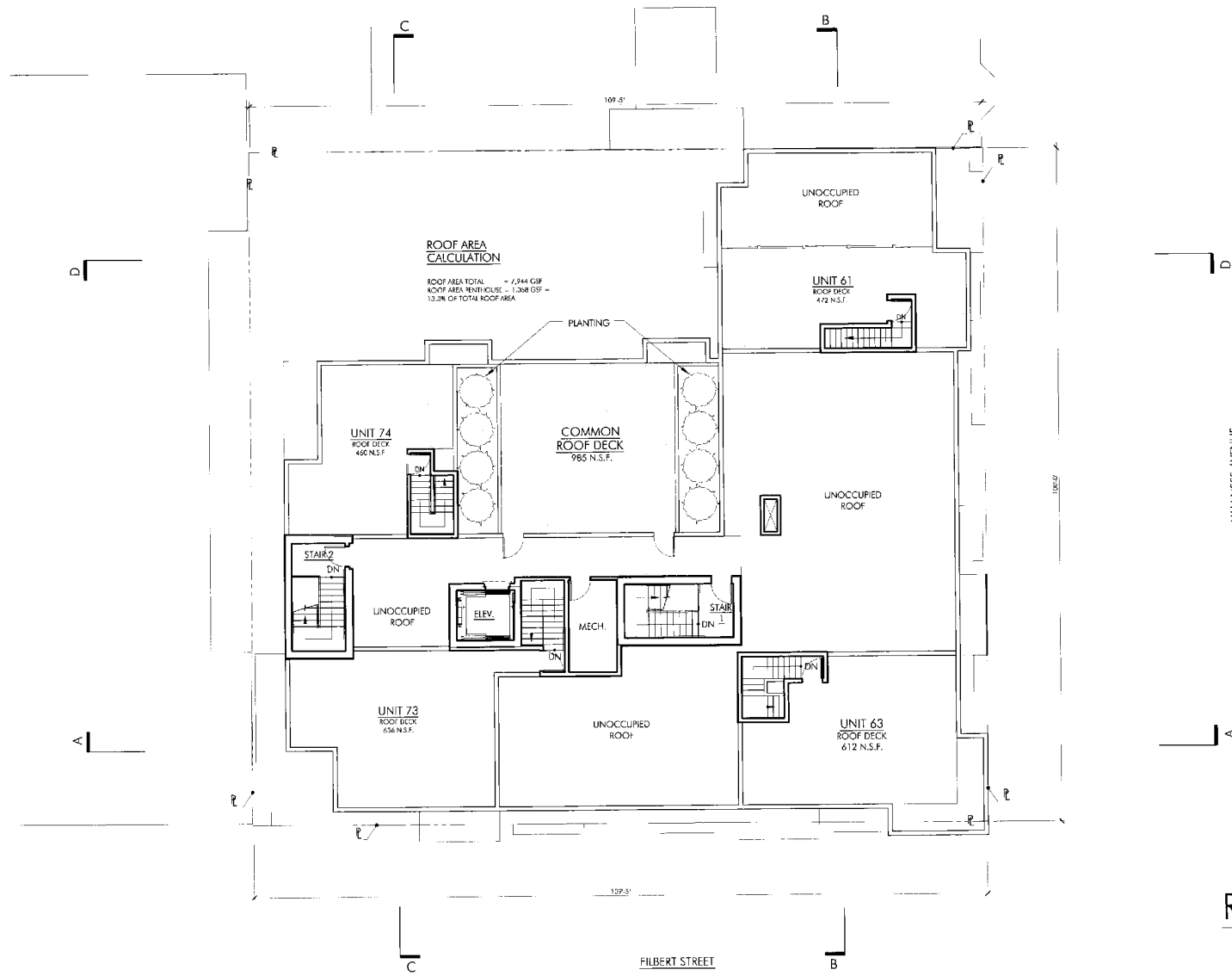
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SCALE: 1" = 16'-0"

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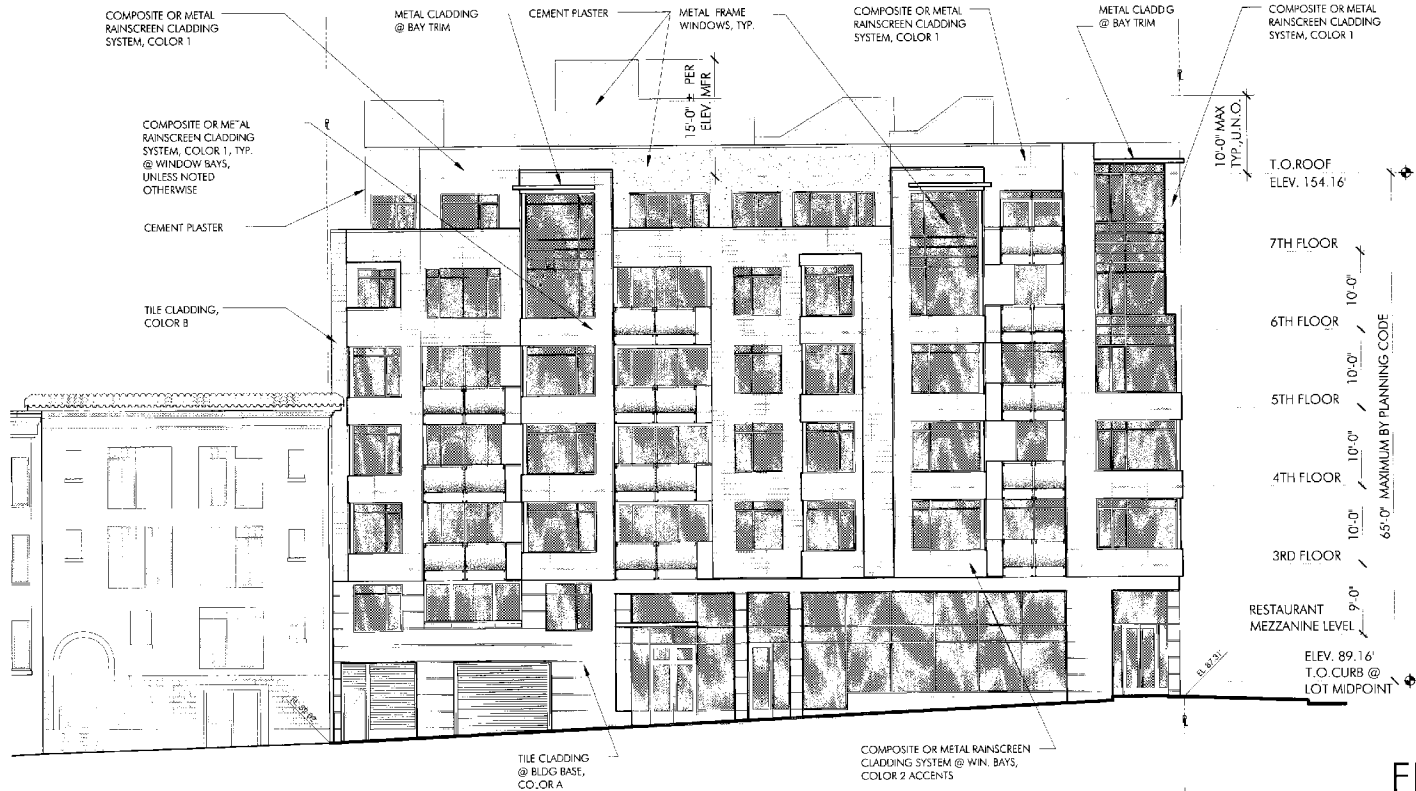
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ROOF PLAN

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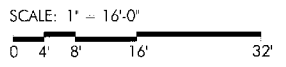
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FILBERT (SOUTH) EXTERIOR ELEVATION

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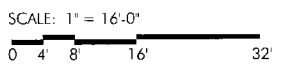


VAN NESS (EAST) EXTERIOR ELEVATION

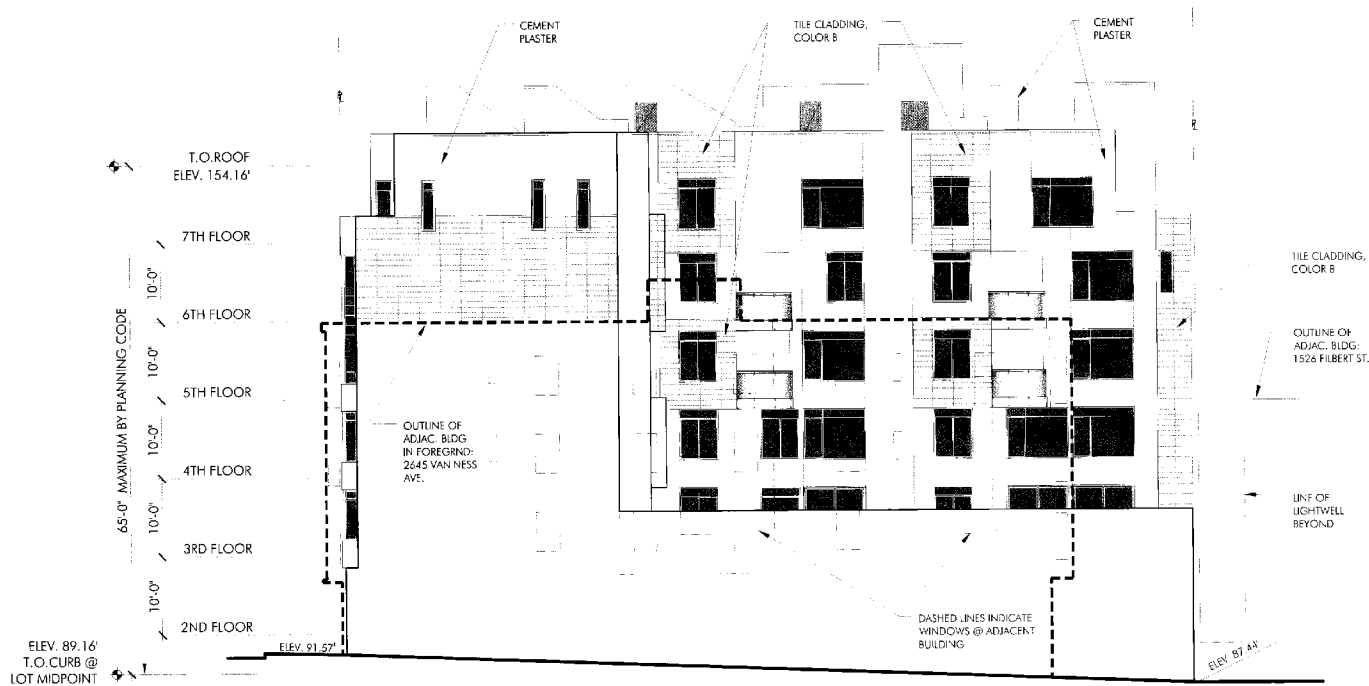
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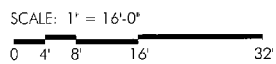


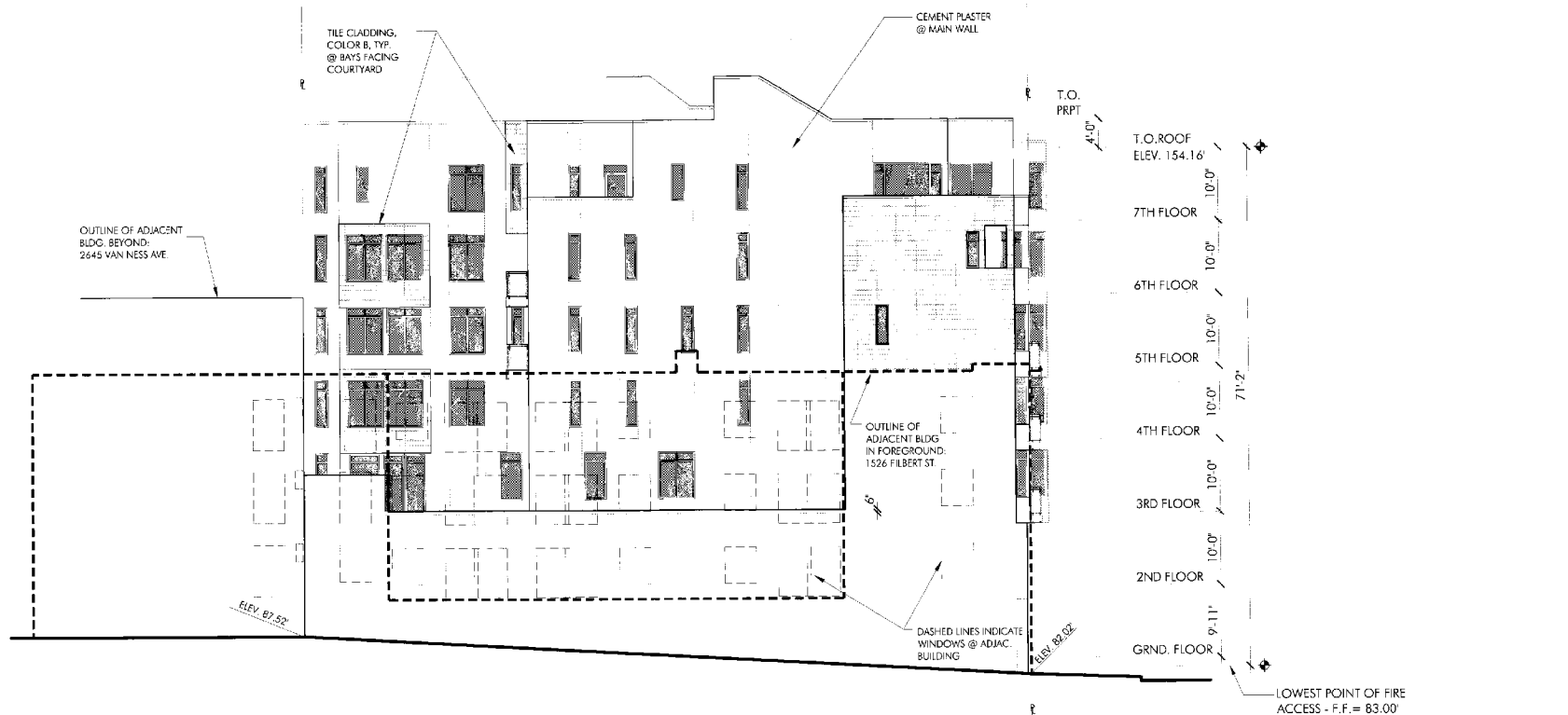
NORTH EXTERIOR ELEVATION

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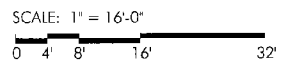


**WEST EXTERIOR
ELEVATION**

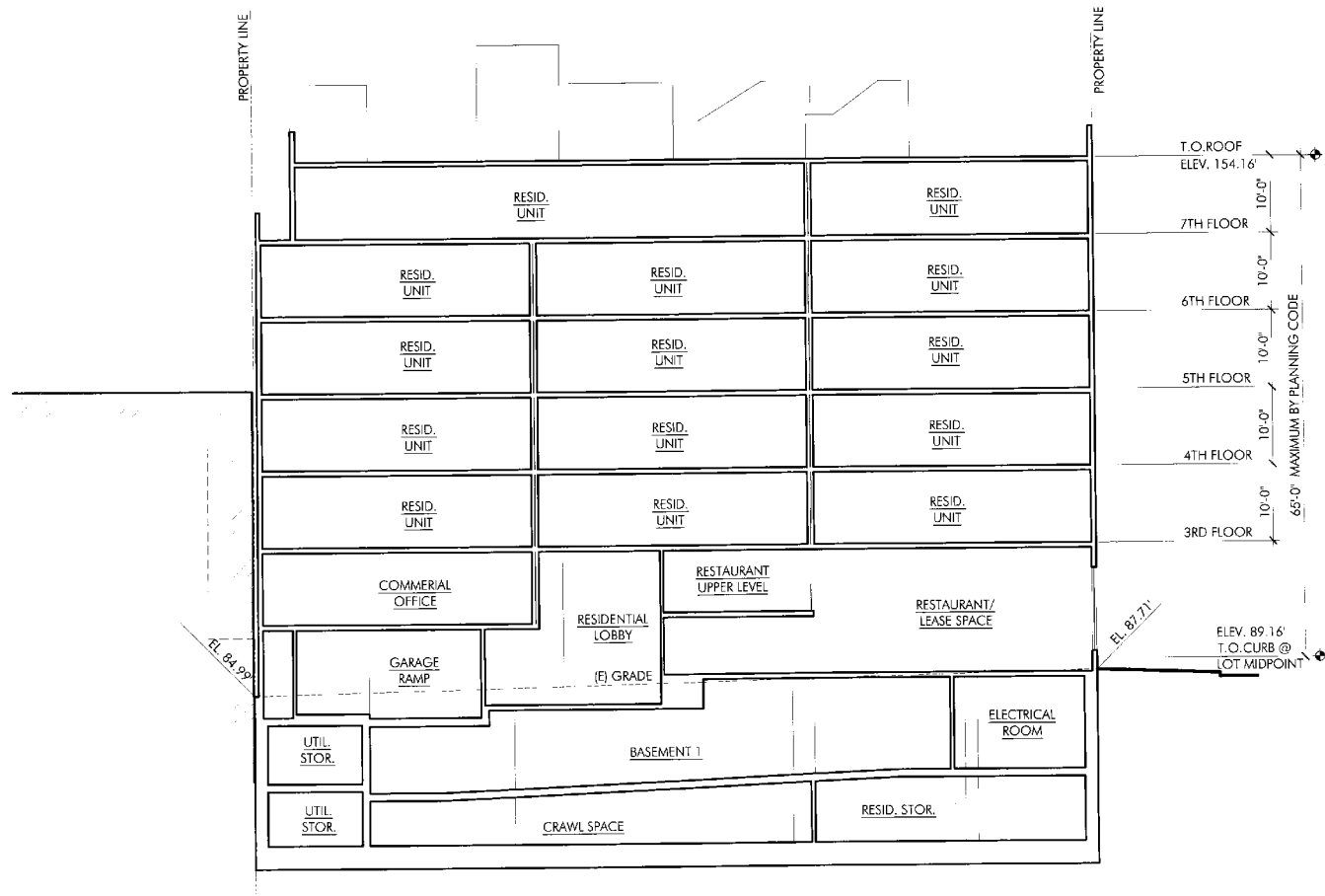
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BUILDING SECTION A-A

2601 VAN NESS AVENUE
 ("1500 FILBERT ST.")
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SCALE: 1" = 16'-0"
 0 4' 8' 16' 32'

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1. NEIGHBORING PROPERTY (VIEW FROM FILBERT ST.)



2. NEIGHBORING PROPERTY (VIEW FROM FILBERT ST.)



3. 2601 VAN NESS (VIEW FROM FILBERT ST.)



4. 2601 VAN NESS (VIEW FROM FILBERT ST.)



5. 2601 VAN NESS (VIEW FROM VAN NESS AVE.)



6. 2601 VAN NESS (VIEW FROM VAN NESS AVE.)

SITE PHOTOS

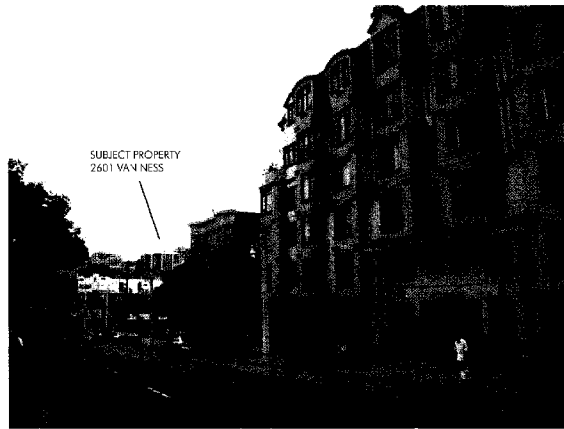
REV. FEB. 5, 2014
REV. FEB. 3, 2014
REV. JAN. 22, 2014
REV. JAN. 6, 2014
AUG. 12, 2013

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7. NEIGHBORING PROPERTY (VIEW FROM VAN NESS)



8. NEIGHBORING PROPERTY (VIEW FROM VAN NESS)



9. 2601 VAN NESS (AERIAL VIEW)

SITE PHOTOS

REV. FEB. 5, 2014
REV. FEB. 3, 2014
REV. JAN. 22, 2014
REV. JAN. 6, 2014
AUG. 12, 2013

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RENDERING 1

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REV. JAN. 6, 2014
AUG. 12, 2013

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RENDERING 2

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REV. FEB. 5, 2014
REV. FEB. 3, 2014
REV. JAN. 22, 2014
REV. JAN. 6, 2014
AUG. 12, 2013

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