

File No. 120646

Committee Item No. N/A
Board Item No. 31

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting

Date 7/24/12

Cmte Board

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Hearing |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Ethics Form 126 |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Appeal Form with Planning decision and signatures |
| <input type="checkbox"/> | <input type="checkbox"/> | Correspondence |

OTHER

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- | | | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Application for Condition Use Authorization |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Planning report and supporting documents |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Andrea Ausberry Date June 21, 2012

Completed by: _____ Date _____

*An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Tuesday, June 26, 2012
- Time:** 4:00 p.m.
- Location:** Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102
- Subject:** File No. 120646. Hearing of persons interested in or objecting to the decision of the Planning Commission's April 26, 2012, approval of a Conditional Use Authorization identified as Planning Case No. 2011.0584CV, by its Motion No. 18604, pursuant to Planning Code Sections 209.3(g), 303, and 317, to convert a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School", within a RH-3 (Residential House, Three-Family), on property located at 601 Dolores Street, Assessor's Block Assessor's Block No. 3598, Lot No. 060. (District 8) (Appellants: Elizabeth Erhardt, Rutan Attorneys at Law, on behalf of Lisa Nahmanson and Sandra Steele) (Filed May 29, 2012).

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett

Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information will be available for public review on Thursday, June 21, 2012.



Angela Calvillo
Clerk of the Board

MAILED/POSTED: June 15, 2012

RADIUS SERVICES 1221 HARRISON ST #18 SAN FRANCISCO CA 94103 415-391-4775

BLOCK LOT	OWNER	OADDR	CITY	STATE	ZIP
0001 001	RADIUS SERVICES NO. 359860NU	601 DOLORES ST	CHILDDAY	11	0628
0001 002	.....	.....	.....	.....	.....
0001 003	RADIUS SERVICES	1221 HARRISON ST #18	SAN FRANCISCO	CA	94103
0001 004	CHILDREN'S DAY SCHOOL	333 DOLORES ST	SAN FRANCISCO	CA	94110
0001 005	.....	.....	.....	.....	.....
3586 001	REC & PK DEPT	501 STANYAN ST	SAN FRANCISCO	CA	94117-1898
3587 019	EVAN WILLIAMS TRS	231 PALM DR	PIEDMONT	CA	94610-1054
3587 020	HOWK HONG CHIN FEI FONG WONG	2405 GREENWICH ST	SAN FRANCISCO	CA	94123-3303
3587 021	JEAN PACHEU TRS	1534 IRVING ST #201	SAN FRANCISCO	CA	94122-1900
3587 022	HICKEY TRS	301 CAVANAUGH ST	SAN MATEO	CA	94401-1212
3587 025	WILLIAM & GLORIA WONG	843 FOERSTER ST	SAN FRANCISCO	CA	94127-2307
3587 025	OCCUPANT	3660A 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 025	OCCUPANT	3660 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 025	OCCUPANT	3662A 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 025	OCCUPANT	3662 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 025A	ARTHUR ANDERSON	3668 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 025A	OCCUPANT	3664 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 025A	OCCUPANT	3666 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 026	MARCUS COLLARDIN	821 MASON ST	SAN FRANCISCO	CA	94108-2210
3587 026	OCCUPANT	3670A 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 026	OCCUPANT	3672 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 026	OCCUPANT	3670 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 027	NIDAL & SAADRA NAZZAL	3674 19TH ST	SAN FRANCISCO	CA	94110
3587 027	OCCUPANT	3676 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 028	ARNESTY-GOOD TRS	3694 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 028	OCCUPANT	3696 19TH ST	SAN FRANCISCO	CA	94110-1535
3587 029	PRITCHARD TRS	2200 9TH AV	SAN FRANCISCO	CA	94116-1935
3587 029	OCCUPANT	595A DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	595B DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	595C DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	595D DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	597A DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	597B DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	597C DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	597D DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	599A DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	599B DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	599C DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 029	OCCUPANT	599D DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 030	VANNI & ING TRS	614 CASTRO ST #3	SAN FRANCISCO	CA	94114-2518
3587 031	SCHUERER TRS	2906 EASTERN SHORE DR	OWENS CROSS ROAD	AL	35763-9339
3587 032	B & M QUINONES	583 DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 033	MAHIN HEJDARY-CHARLES	575 DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 034	PROTESTANT EPISC BISHOP	1055 TAYLOR ST	SAN FRANCISCO	CA	94108-2209
3587 035	BRENDA ROMANO	212 NW 101ST AV	PLANTATION	FL	33324-7062
3587 036	KEVIN TAM	561 DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 056A	FEDOROFF TRS	98 MONTEBELLO DR	DALY CITY	CA	94015-4722
3587 056B	DANIEL DRUMMER	72 OAKWOOD ST	SAN FRANCISCO	CA	94110-1530
3587 057	HIDALGO TRS	74 OAKWOOD ST	SAN FRANCISCO	CA	94110-1530
3587 058	SINGSTAD & DICKERMAN TRS	76 OAKWOOD ST	SAN FRANCISCO	CA	94110-1530
3587 059	EUGENE WHANG	77 OAKWOOD ST	SAN FRANCISCO	CA	94110-1529
3587 060	MICHAEL RICCA	32967 LAKE CANDLEWOOD ST	FREMONT	CA	94555-1214
3587 061	NANCY RANDALL	65 OAKWOOD ST	SAN FRANCISCO	CA	94110-1573
3587 107	JASON FLASHBERG	557 DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 108	ROBERT LORD	555 DOLORES ST	SAN FRANCISCO	CA	94110-1564
3587 109	JAMES SLOATE TRS	3203 STONE VALLEY RD	ALAMO	CA	94507-2801
3598 020	DAVID FLEMING TRS	3768 20TH ST	SAN FRANCISCO	CA	94110-2220
3598 021	RICHARD SHERRY	3772 20TH ST	SAN FRANCISCO	CA	94110-2260
3598 022	R & K EVANS	3778 20TH ST	SAN FRANCISCO	CA	94110-2220
3598 027	CAPITAN TRS	11 MIGUEL ST	SAN FRANCISCO	CA	94131-2605
3598 028	SECOND CH CHRIST SCIENTIST	95 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1524
3598 034	ZACHARY KELLERMAN	452 ALVARADO ST	SAN FRANCISCO	CA	94114-3305

RADIUS SERVICES 1221 HARRISON ST #18 SAN FRANCISCO CA 94103 415-391-4775

BLOCK LOT	OWNER	OADDR	CITY	STATE	ZIP
3598 035	CONWAY CHENG CHANG	69 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1524
3598 037	ROBERT SCHWINDT	61A CUMBERLAND ST	SAN FRANCISCO	CA	94110-1524
3598 038	KELLERMAN TRS	452 ALVARADO ST	SAN FRANCISCO	CA	94114-3305
3598 039	NOAH HURWITZ	49 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1524
3598 048	TIMOTHY OCONNELL	512 JOHNSON AV	PACIFICA	CA	94044-1919
3598 049	MA & MAR	340 FERNDALE AV	S SAN FRANCISCO	CA	94080-1244
3598 049A	MANISH CHAMPSEE	36 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 049B	FINE & HECHT TRS	44 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 050	MARY ANDERTON TRS	48 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 051	JAN ZOBEL TRS	3045 HOLYROOD DR	OAKLAND	CA	94611-2541
3598 051	OCCUPANT	56 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 053	HOEGGER TRS	26 BURLWOOD DR	SAN FRANCISCO	CA	94127-2202
3598 053	OCCUPANT	64 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 053	OCCUPANT	66 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 054	ELIZABETH SACHS	5 BROOKWOOD AV	WILMINGTON	NC	28403-1107
3598 054	OCCUPANT	68 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 054	OCCUPANT	70 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 054	OCCUPANT	68A CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 054A	JULIO DELUCCHI TRS	1915 ALEMANY BL	SAN FRANCISCO	CA	94112-3201
3598 054A	OCCUPANT	72 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 054A	OCCUPANT	74 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 054B	GIACOMO FRANCO FMLY	76 CUMBERLAND ST	SAN FRANCISCO	CA	94110
3598 054B	OCCUPANT	78 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 054B	OCCUPANT	78A CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 055	ROBERT BATHRICK TRS	84 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 055	OCCUPANT	80 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 055	OCCUPANT	82 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 056	FLAHAHAN TRS	308 LOMITA AV	MILLBRAE	CA	94030-1202
3598 056	OCCUPANT	88 CUMBERLAND ST #1	SAN FRANCISCO	CA	94110-1584
3598 056	OCCUPANT	88 CUMBERLAND ST #2	SAN FRANCISCO	CA	94110-1584
3598 056	OCCUPANT	88 CUMBERLAND ST #3	SAN FRANCISCO	CA	94110-1584
3598 056	OCCUPANT	88A CUMBERLAND ST	SAN FRANCISCO	CA	94110-1584
3598 057	FLAHAHAN TRS	308 LOMITA AV	MILLBRAE	CA	94030-1202
3598 057	OCCUPANT	90 CUMBERLAND ST #1	SAN FRANCISCO	CA	94110-1692
3598 057	OCCUPANT	90 CUMBERLAND ST #2	SAN FRANCISCO	CA	94110-1692
3598 057	OCCUPANT	90 CUMBERLAND ST #3	SAN FRANCISCO	CA	94110-1692
3598 057	OCCUPANT	90 CUMBERLAND ST #4	SAN FRANCISCO	CA	94110-1692
3598 057	OCCUPANT	90 CUMBERLAND ST #5	SAN FRANCISCO	CA	94110-1692
3598 058	BENEICKE & SMITH	96 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 058	OCCUPANT	96A CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 058	OCCUPANT	98 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 058	OCCUPANT	635 DOLORES ST	SAN FRANCISCO	CA	94110-1525
3598 059	JARVIS & ANNE GATES	629 DOLORES ST	SAN FRANCISCO	CA	94110-1515
3598 059	OCCUPANT	623 DOLORES ST	SAN FRANCISCO	CA	94110-1515
3598 059	OCCUPANT	625A DOLORES ST	SAN FRANCISCO	CA	94110-1515
3598 059	OCCUPANT	625 DOLORES ST	SAN FRANCISCO	CA	94110-1515
3598 059	OCCUPANT	627A DOLORES ST	SAN FRANCISCO	CA	94110-1515
3598 059	OCCUPANT	627 DOLORES ST	SAN FRANCISCO	CA	94110-1515
3598 060	SIAMAK AHKAVAN	PO BOX 8725	EMERYVILLE	CA	94662-0725
3598 060	OCCUPANT	601 DOLORES ST	SAN FRANCISCO	CA	94110-1526
3598 062	JOANNE SANDRY	215 MAIN ST #206	SAUSALITO	CA	94965-2403
3598 062	OCCUPANT	3677A 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 062	OCCUPANT	3677 1/2 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 062	OCCUPANT	3677 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 062	OCCUPANT	3679 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 063	GRANT THOMPSON	3675 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 063	OCCUPANT	3673A 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 063	OCCUPANT	3673B 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 063	OCCUPANT	3673 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 063	OCCUPANT	3675A 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 063	OCCUPANT	3675B 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 065	R & R HOFFSCHILDT	937 CHURCH ST	SAN FRANCISCO	CA	94114-3028

BLOCK LOT	OWNER	OADDR	CITY	STATE	ZIP
3598 065	OCCUPANT	3663 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 065	OCCUPANT	3665A 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 065	OCCUPANT	3665 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 067	R & I ARGUELLO	3647 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 068	EVELYN AGUILAR TRS	3645 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 069A	GARY ASPINWALL	3637 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 070	THOMAS GOLD	3633 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 075	JANE BALLESTEROS TRS	2757 SILVERADO DR	PINOLE	CA	94564-1211
3598 075	OCCUPANT	3661 19TH ST #101	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #102	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #103	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #104	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #201	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #202	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #203	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #204	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #301	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #302	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #303	SAN FRANCISCO	CA	94110-1567
3598 075	OCCUPANT	3661 19TH ST #304	SAN FRANCISCO	CA	94110-1567
3598 076	JULIA DANISON	1801 SPRUCE ST #C	BERKELEY	CA	94709-1864
3598 076	OCCUPANT	58 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 077	P & J GLIKSHTERN	60 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 078	GYR TRS	930 ROBLE RIDGE RD	PALO ALTO	CA	94306-2609
3598 078	OCCUPANT	62 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 083	RMA ASSOC LLC	1613 CHELSEA RD #344	SAN MARINO	CA	91108-2419
3598 083	OCCUPANT	3667 19TH ST #A	SAN FRANCISCO	CA	94110-1522
3598 084	DAMON ELLIS	3667 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 085	MARK SHAW	3669 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 086	JENNIFER MCCHESENEY	3671 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 090	ELIZABETH FOSTER	3627 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 091	ILLIG & HERSH	3629 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 092	SECRIST & SCHIFF TRS	3629A 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 093	MARK KAUFMAN	43 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1524
3598 094	ESTHER & EMMETT BERG	45 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1524
3598 095	LEVY & NAZZARO	50 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 096	JED & SIMONE BARGEN	52 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1525
3598 099	LYNNE JASSEM	3637A 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 100	RUTH CONROY	3639 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 101	DONNA TWAROG TRS	3641 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 111	SUSAN LIEBL	1554 SWAN DR	TULSA	OK	74120-7627
3598 112	DIANE HOROWITZ	2261 MARKET ST #112	SAN FRANCISCO	CA	94114-1600
3598 113	JASON SUITTS	79 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1524
3598 114	PETER SCOTT TRS	63 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1524
3598 115	CAMERON WALLACE	65 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1524
3598 116	PETER'SCOTT TRS	67 CUMBERLAND ST	SAN FRANCISCO	CA	94110-1524
3598 117	LANCE WILLS	3683 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 117	OCCUPANT	3681 19TH ST	SAN FRANCISCO	CA	94110-1522
3598 118	LISA NAHMANSON	3685 19TH ST	SAN FRANCISCO	CA	94110-1522
3599 001	REC & PK DEPT	501 STANYAN ST	SAN FRANCISCO	CA	94117-1898
9999 999	.....	.....	.....	.....	.....

Combined 311 and CU notification list

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/FTY No. 544-5227

June 7, 2012

Elizabeth T. Erhardt
Rutan & Tucker, LLP
3000 El Camino Real, Suite 200
Palo Alto, CA 94306
eerhardt@rutan.com

**File No. 120646, Planning Case No. 2011.0584CV
601 Dolores Street – Condition Use Appeal**

Dear Ms. Erhardt:

This is in reference to the appeal you submitted from the decision of the Planning Commission by Motion No. 18604, on property located at:

601 Dolores Street, Assessor's Block No. 3598, Lot No. 060.

The Director of Public Works has informed the Board of Supervisors in a letter dated June 7, 2012, (copy attached), that the signatures represented with your appeal of May 29, 2012, have been checked pursuant to the Planning Code and represent owners of more than 20 percent of the property involved and would be sufficient for appeal.

A hearing date has been scheduled on **Tuesday, June 26, 2012, at 4:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, Legislative Chamber, Room 250, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Please provide 18 copies to the Clerk's Office by:

8 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing;
11 days prior to the hearing: names of interested parties to be notified of the hearing in label format.

601 Dolores Street - Conditional Use Appeal
June 7, 2012
Page 2

If you have any questions, please feel free to contact Legislative Deputy Director, Rick Caldeira at (415) 554-7711 or Legislative Clerk, Joy Lamug at (415) 554-7712.

Sincerely,



Angela Calvillo
Clerk of the Board

c:

Mohammed Nuru, Interim Director of Public Works
Jerry Sanguinetti, Manager, Department of Public Works-Bureau of Street Use and Mapping
Fuad Sweiss, City Engineer, Department of Public Works
Property Sponsor, Children's Day School, Molly Huffman, 333 Dolores Street, San Francisco, CA 94110
Scott Sanchez, Zoning Administrator, Planning Department
AnMarie Rodgers, Planning Department
Tina Tam, Planning Department
Nannie Turrell, Planning Department
Linda Avery, Planning Department
Michael Smith, Planning Department
Cheryl Adams, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney

City and County of San Francisco



Edwin M. Lee, Mayor
Mohammed Nuru, Director
Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering



Phone: (415) 554-5827
Fax: (415) 554-5324
www.sfdpw.org
Subdivision.Mapping@sfdpw.org

Department of Public Works
Office of the City and County Surveyor
875 Stevenson Street, Room 410
San Francisco, CA 94103

Bruce R. Storrs, City and County Surveyor

June 7, 2012

Ms. Angela Calvillo
Clerk of the Board
1 Dr. Carlton B. Goodlet Place
City Hall - Room 244
San Francisco, CA 94102

RE: 601 Dolores St.
Lot 060 of Assessor's Block 3598
Appealing Planning Commissions Approval of
Conditional Use Application No. 2011.0584CV

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JUN -7 PM 12:07
BY [Signature]

Dear Ms. Calvillo:

This letter is in response to your May 30, 2012 request for our Department to check the sufficiency of the signatures with respect to the above referenced appeal.

Please be advised that per our calculations the appellants' signatures represent 27.88% of the area within the 300 foot radius of the property of interest; which is more than the minimum required 20% of the area involved and is therefore sufficient for appeal.

If you have any questions concerning this matter, please contact Mr. Javier Rivera of my staff at 554-5864.

Sincerely

Javier Rivera
Bruce R. Storrs
City & County Surveyor

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689

Tel. No. 554-5184
12 MAY 30 PM 4:42
Fax No. 554-5163

TDD/TTY No. 544-5227
DEPT. PUBLIC WORKS
DIRECTOR'S OFFICE

May 30, 2012

Mohammed Nuru
Director of Public Works
City Hall, Room 348
San Francisco, CA 94102

Planning Case No. 2011.2011.0584CV
601 Dolores Street - Conditional Use Appeal

Dear Director Nuru:

The Office of the Clerk of the Board is in receipt of an appeal filed by Elizabeth Erhardt (Rutan Attorneys at Law) on behalf of Lisa Nahmanson and Sandra Steele, on May 29, 2012, from the decision of the Planning Commission by its Motion No. 18604 dated April 26, 2012, relating to the approval of conditional use authorization for the conversion of a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School" pursuant to Planning Code Sections 209.3(g), 303, and 317, for a property located within a RH-3 (Residential House, Three-Family) District and a 40-x Height and Bulk District located at:

601 Dolores Street, Assessor's Block No. 3598, Lot No. 060

By copy of this letter, the City Engineer's Office is requested to determine the sufficiency of the signatures in regard to the percentage of the area represented by the appellant. Please submit a report no later than 5:00 p.m., June 8, 2012, to provide sufficient time to prepare and mail out the hearing notices as the Board of Supervisors has tentatively scheduled the appeal to be heard on June 26, 2012, at 4:00 p.m.

Sincerely,

Angela Calvillo
Clerk of the Board

c:

- Jerry Sanguinetti, Manager, Department of Public Works-Bureau of Street Use and Mapping, w/copy of appeal
- Fuad Sweiss, City Engineer, Department of Public Works, w/copy of appeal
- Appellants, Elizabeth Erhardt (Rutan Attorneys at Law), w/copy of appeal
- Property Sponsor, Children's Day School, Molly Huffman, 333 Dolores Street, San Francisco, CA 94110, w/copy of appeal
- Scott Sanchez, Zoning Administrator, Planning Department, w/copy of appeal
- AnMarie Rodgers, Planning Department, w/copy of appeal
- Tina Tam, Planning Department, w/copy of appeal
- Nannie Turrell, Planning Department, w/copy of appeal
- Diego Sanchez, Planning Department, w/copy of appeal
- Linda Avery, Planning Department, w/copy of appeal
- Cheryl Adams, Deputy City Attorney, w/copy of appeal
- Kate Stacy, Deputy City Attorney, w/copy of appeal
- Marlena Byrne, Deputy City Attorney, w/copy of appeal

RECEIVED
12 MAY 30 PM 4:42
DEPT. PUBLIC WORKS
DIRECTOR'S OFFICE

**NOTICE TO BOARD OF SUPERVISORS OF APPEAL
FROM ACTION OF THE CITY PLANNING COMMISSION**

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.

The property is located at 601 DOLORES STREET

Apr. 126, 2012

Date of City Planning Commission Action
(Attach a Copy of Planning Commission's Decision)

May 29, 2012

Appeal Filing Date

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 MAY 29 PM 4:40
[Signature]

The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No. _____

The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No. _____

The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2011.0584CDV

The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No. _____

Statement of Appeal:

a) Set forth the part(s) of the decision the appeal is taken from:

See Attached letter of May 29, 2012
Appeal of Conditional Use Permit

b) Set forth the reasons in support of your appeal:

See Attached letter of May 29, 2012
Non-compliance with General Plan, CEQA, & Historical
Protectors

Person to Whom
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

ELIZABETH T. ERHARDT

Name

LISA NAHMANSON? Sandra Steele

Name

Rutan & Tucker, LLP
3000 El Camino Real, Suite 200
Palo Alto, CA 94306

Address

3685-19th Street, SF, CA

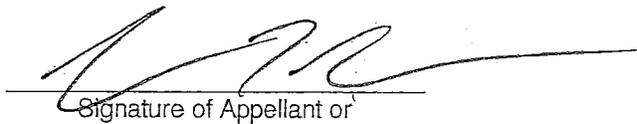
Address

650-798-5671

Telephone Number

650-320-1500 Rutan & Tucker LLP

Telephone Number



Signature of Appellant or

Authorized Agent

Rutan & Tucker LLP

ELIZABETH T. ERHARDT, ESQ.

650-798-5671 Direct

EERHARDT@RUTAN.COM

May 29, 2012

Clerk of the Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
City Hall Room 244
San Francisco, CA 94102-4689

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 MAY 29 PM 4:40
E.T.

Re: Appeal of Conditional Use Permit 601 Dolores Street
Project Case No. 2011.0584CDV

Dear Sir or Madam:

Lisa Nahmanson and Sandra Steele, the property owners at 3685 19th Street, San Francisco, CA, appeal the Conditional Use Permit for 601 Dolores Street, Project Case No. 2011.0584CDV. Fifty-three neighbors located within 300 feet of the project, which is over the 20% requirement, support Ms. Nahmanson and Ms. Steele's appeal and oppose the issuance of the conditional use permit for the property. Attached as Exhibit A is the list of neighbors in support of Ms. Nahmanson's and Ms. Steele's appeal with their signatures attached.

On April 26, 2010, the Planning Commission approved a Zoning Variance and Conditional Use Permit in conjunction with the above referenced Project. Attached as Exhibit B is the Certificate of Determination Exemption From Environmental Review. Attached as Exhibit C is the Historical Resource Evaluation Response. Attached as Exhibit D is the Planning Commission Executive Summary of Conditional Use. Ms. Nahmanson and Ms. Steele will submit evidence in support of their appeal of the conditional use permit to the Board of Supervisors during the Board of Supervisors hearing. Ms. Nahmanson and Ms. Steele do not waive their right to file an additional appeal (or participate in another appeal of the Project). Ms. Nahmanson and Ms. Steele appeal the above-referenced conditional use permit on the following grounds:

1. Substantial evidence does not support the determination that the Project is consistent with the General Plan and all applicable General Plan policies, as well as the applicable zoning designation and regulation.
2. Substantial evidence does not support the conclusion that the approval of the Project would not result in any significant effects relating to traffic, noise, air and water quality. The analysis prepared by the City ignored numerous noise, air quality and traffic generators. These include, but are not limited to, the introduction of a roof deck for an outdoor classroom and outdoor lunch facilities for as many as 85 10-13 year olds at any given time and for a venue for adult parties in the evenings and on weekends. The analysis also ignored the impact of

Clerk of the Board of Supervisors
May 29, 2012
Page 2

the proposed elevator shaft required because of the proposed roof deck and the proposed mechanical systems to be located on the roof. Substantial evidence also fails to demonstrate that the construction and operational impacts resulting from the proposed Project will not significantly impact traffic, noise or air quality.

3. The Project is not entitled to a categorical exemption pursuant to CEQA Guideline § 15300.2(f) because the Project may cause a substantial adverse change in the significance of a historical resource. The building at 601 Dolores Street has been designated as a “historically significant” building. Substantial evidence fails to demonstrate that the numerous changes proposed to the building individually or cumulatively will not cause a substantial adverse change by materially altering, in an adverse manner, the physical characteristics of the 601 Dolores building and substantially impact its historical significance and its qualifications as a historical resource. Moreover, the proposed changes do not follow the Secretary of Interior’s standards for the treatment of historic properties. In addition, the City has failed to impose conditions of approval which would mitigate the potentially adverse significant impacts to historical resources down to a level of insignificance. There is evidence which includes, but is not limited to, the fact that the rooftop additions are visible from Dolores Park, as well as from other public locations in and around the Project, and the mechanical systems and necessary safety barriers, safety barriers which have not been finalized but which will need to be installed on the roof, are inconsistent with the architectural style and appearance of the building. These alterations will individually and cumulatively substantially degrade its historic character thereby substantially affecting its ability to be included in the City’s Historic Register.
4. The City has not satisfied the requirements of the “Notice of Special Restrictions under the Planning Code” imposed by the Zoning Administrator on any subsequent changes to the property at 601 Dolores.
5. The Project cannot be approved by way of a categorical exemption because it is a legal non-conforming building pursuant to Section 188 of the City’s Planning Code and the proposed improvements and/or change in use may not be approved under the Code.
6. The Planning Commission approved the Project without making an independent determination of the Project’s compliance with CEQA in violation of CEQA
7. The Project is being piecemealed and as a result a proper historical analysis cannot be completed and the CEQA requirements are violated because significant structural improvements will be required prior to issuance of a Certificate of

Clerk of the Board of Supervisors
May 29, 2012
Page 3

Occupancy for the building. These improvements will significantly alter many of the historically significant elements of the building, again causing a substantial adverse change to the building's historic significance.

8. Unusual circumstances exist in that: (1) the building is a historic resource, and (2) the plan proposes a roof top deck and elevator shaft for creation of an outdoor classroom, lunch room and adult party venue in unusually close proximity to residential structures, both of which create significant impacts excepting the Project from any categorical exemption and violates the General Plan,
9. The ambient noise levels which will emanate from the roof top deck, where 85 children will be at any given time, and where adult parties will be held, will significantly adversely change the noise levels existing without the Project.

Ms. Nahmanson and Ms. Steele request they be notified of when this matter is agendaized before the Board of Supervisors and be informed of the amount of time they will be afforded to present their appeal. Ms. Nahmanson and Ms. Steele reserve the right to submit studies and documentation in support of their appeal prior to and during the public hearing on their appeal.

Should you have any questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

RUTAN & TUCKER, LLP



Elizabeth T. Erhardt

Attorneys for Appellants

ETE:cb

EXHIBIT A

	Street Address	Block & Lot	Name
1.	3667 A 19 th St., SF, CA	3598/083	Reed Danziger
2.	3667 19 th St., SF, CA	3598/084	Damon Ellis
3.	3667 19 th St., SF, CA	3598/084	Cynthia Aldridge
4.	3669 19 th St., SF, CA	3598/085	Kate Shaw
5.	3669 19 th St., SF, CA	3598/085	Mark Shaw
6.	3671 19 th St., SF, CA	3598/086	Jennifer McChesney
7.	3677-3679 19 th St., SF, CA	3598/062	Joanne Sandry
8.	3663 19 th St., SF, CA	3598/065	Ralph D. Hoffschildt
9.	3663 19 th St., SF, CA	3598/065	Rita Hoffschildt
10.	625 Dolores St., SF, CA	3598/059	Carol F. Timmer
11.	625 Dolores St., SF, CA	3598/059	C. Peter Timmer
12.	3644-3650 19 th St., SF, CA	3587/022	Maureen Hickey
13.	625 A Dolores St., SF, CA	3598/059	Okko Cucippando
14.	627 Dolores St., SF, CA	3598/059	RoseAnna Yentrone
15.	627 A Dolores St., SF, CA	3598/059	Choni Yangzom
16.	629 Dolores St., SF, CA	3598/059	Jarvis Landon Gates
17.	629 Dolores St., SF, CA	3598/059	Anne T. Gates
18.	623 Dolores St., SF, CA	3598/059	Lucius Butler
19.	623 Dolores St., SF, CA	3598/059	Elisheva Biernoff
20.	71 Cumberland St., SF, CA	3598/034	Stephen H. Kellerman
21.	73 Cumberland St., SF, CA	3598/034	Susan L. Kellerman
22.	73 A Cumberland St., SF, CA	3598/034	Zackary Kellerman
23.	84 Cumberland St., SF, CA	3598/55	Robert K. Bathrick
24.	82 Cumberland St., SF, CA	3598/55	Leland Castro

	Street Address	Block & Lot	Name
25.	80 Cumberland St., SF, CA	3598/55	Lisa Eiger
26.	80 Cumberland St., SF, CA	3598/55	Keith Eiger
27.	76 Oakwood St., SF, CA	3587/058	Seth W. Dickerman
28.	3674-3676 19 th St., SF, CA	3587/27	Saandra Nazzal
29.	3674-3676 19 th St., SF, CA	3587/27	Nidal Nazzal
30.	3696 19 th St., SF, CA	3587/28	Sara Bartholomew
31.	3696 19 th St., SF, CA	3587/28	Peter Good
32.	3694 19 th St., SF, CA	3587/28	John Good
33.	3694 19 th St., SF, CA	3587/28	Janet Arnsty
34.	3685 19 th St., SF, CA	3598/118	Lisa Nahmanson
35.	3685 19 th St., SF, CA	3598/118	Sandra Steele
36.	3666 19 th St., SF, CA	3587/25A	David Blesch
37.	96A Cumberland, SF, CA	3598/122	Claudia K. Richter
38.	635 Dolores St., SF, CA	3598/124	Scott Hansen
39.	595-599 Dolores St., SF, CA	3587/029	Avelina Pritchard
40.	3683 19 th St., SF, CA	3598/117	Lance Wills
41.	3668 19 th St., SF, CA	3587/25A	Arthur E. Anderson
42.	3664 19 th St., SF, CA	3587/25A	Jeffrey Reine
43.	3664 19 th St., SF, CA	3587/25A	Kellu Outis
44.	76/78/78A Cumberland, SF, CA	3598/054B	Giacomo Franco
45.	76/78/78A Cumberland, SF, CA	3598/054B	Marina Franco
46.	76/78/78A Cumberland, SF, CA	3598/054B	Anna Franco
47.	76/78/78A Cumberland, SF, CA	3598/054B	Giuliana Franco Exemption Trust: Giacomo Franco

	Street Address	Block & Lot	Name
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48.	88 Cumberland, SF, CA	3598/056	Thomas Flahavan
49.	88 Cumberland, SF, CA	3598/056	Rose Flahavan
50.	90 Cumberland, SF, CA	3598/057	Thomas Flahavan
51.	90 Cumberland, SF, CA	3598/057	Rose Flahavan
52.	72-74 Cumberland, SF, CA	3598/054A	Alva Bellomo
53.	72-74 Cumberland, SF, CA	3598/054A	Dolores Delucchi

	Street Address	Block & Lot	Name
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1.	3667 A 19 th St., SF, CA	3598/083	Reed Danziger
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	Street Address	Block & Lot	Name
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46.	76/78/78A Cumberland, SF, CA	3598/054B	Anna Franco
47.	76/78/78A Cumberland, SF, CA	3598/054B	Giuliana Franco Exemption Trust: Giacomo Franco

	Street Address	Block & Lot	Name
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52.	72-74 Cumberland, SF, CA	3598/054A	Alva Bellomo
53.	72-74 Cumberland, SF, CA	3598/054A	Dolores Delucchi

RE: 601 DOLORES ST

City Planning Commission
Case No. 2011-0584 CDV

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3667A 19th St	block 3598 lot 083	Reed Danziger	
2.				
3.	3667 19th St	3598/84	Damon Ellis	
4.	3667 19th St	3598/84	Cynthia Aldridge	
5.	3669 19th St	3598/85	KATE SHAW	
6.	3669 19th St	3598/85	MARK SHAW	
7.	3671 19th St	block 3598 lot 086	Jennifer McChesney	
8.	3677-3679 19th St	3598/062	J. SANDRY JOANNE SANDRY	
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City Planning Commission
Case No. 2011.0584 CDV (RE: 601 Dolores Street)

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3663-19th Street</u>	<u>3598/065</u>	<u>RALPH D. HOFFSCHILD</u>	<u><i>Ralph D. Hoffschildt</i></u>
2.	<u>3663-19th Street</u>	<u>3598/065</u>	<u>Rita Hoffschildt</u>	<u><i>Rita Hoffschildt</i></u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
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22.	_____	_____	_____	_____

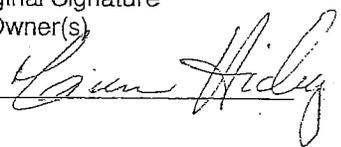
The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	625 Dolores Street	3598/59	Carol F. Timmer	<i>Carol F. Timmer</i>
2.	625 Dolores Street	3598/59	C. Peter Timmer	<i>C. Peter Timmer</i>
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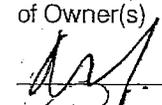
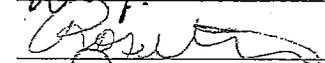
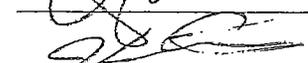
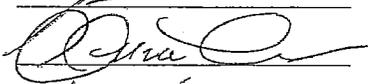
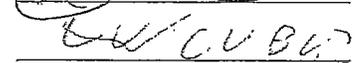
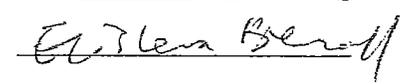
The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3644-3650 19th St</u>	<u>3587/022</u>	<u>THE HICKEY FAMILY TRUST (MAUREEN HICKEY)</u>	
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22.				

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	625A Dolores	3598/59	ORLICO CUKIPICANDO	
2.	627 DOLORES	3598/59	ROSANNA VENTURONE	
3.	627A DOLORES ST	3598/59	CHONI YANGZOM	
4.	629 DOLORES ST	3598/59	JARVIS LANDON GATES	
5.	629 DOLORES ST	3598/59	ANNE T. GATES	
6.	623 DOLORES ST	3598/59	LUCIUS BUTLER	
7.	623 DOLORES ST	3598/59	ELISHEVA BIERNOFF	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>711, 73, 73A Cumberland</u>	<u>3598/034</u>	<u>Stephen H. Kellerman</u>	<u>Stephen H. Kellerman</u>
2.	_____	_____	<u>Susan L. Kellerman</u>	<u>Susan Kellerman</u>
3.	_____	_____	<u>Zachary Kellerman</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
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10.	_____	_____	_____	_____
11.	_____	_____	_____	_____
12.	_____	_____	_____	_____
13.	_____	_____	_____	_____
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15.	_____	_____	_____	_____
16.	_____	_____	_____	_____
17.	_____	_____	_____	_____
18.	_____	_____	_____	_____
19.	_____	_____	_____	_____
20.	_____	_____	_____	_____
21.	_____	_____	_____	_____
22.	_____	_____	_____	_____

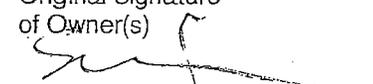
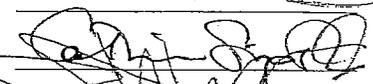
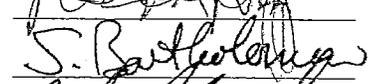
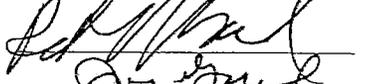
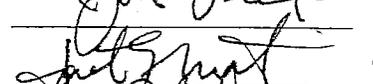
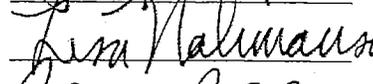
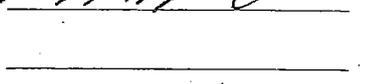
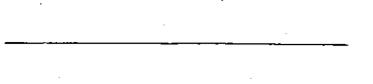
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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>84 Cumberland St.</u>	<u>3598/55</u>	<u>Robert K. Bethrick</u>	<u>Robert K. Bethrick</u>
2.	<u>82 Cumberland St.</u>	<u>3598/55</u>	<u>LELAND CASTRO</u>	<u>[Signature]</u>
3.	<u>80 Cumberland St.</u>	<u>3598/55</u>	<u>Lisa Eiger</u>	<u>Lisa Eiger</u>
4.	<u>80 Cumberland St</u>	<u>3598/55</u>	<u>Keith Eiger</u>	<u>[Signature]</u>
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
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21.	_____	_____	_____	_____
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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>F6 Oakwood St.</u>	<u>3587/058</u>	<u>Seth W. Dickerman</u>	
2. <u>SF 94110</u>	<u>u u</u>	<u>Athenie L. Singstad</u>	
3. <u>3674 3676 19TH ST</u>	<u>3587/27</u>	<u>Saandra Nazza</u>	
4. <u>3674 3676 19TH ST</u>	<u>3587/27</u>	<u>Nidal Nazza</u>	
5. <u>3696 19TH ST</u>	<u>3587/28</u>	<u>Sara Bartholomew</u>	
6. <u>3696 19TH ST</u>	<u>3587/28</u>	<u>Peter Good</u>	
7. <u>3694 19TH ST</u>	<u>3587/28</u>	<u>John Good</u>	
8. <u>3694 19TH ST</u>	<u>3587/28</u>	<u>Janet Arnott</u>	
9. <u>3685 19TH ST</u>	<u>3598/118</u>	<u>Lisa Nahmanson</u>	
10. <u>3685 19TH ST</u>	<u>3598/118</u>	<u>Sandra Steele</u>	
11. <u>3666 19TH ST</u>	<u>3587/25A</u>	<u>DAVID BLESCH</u>	
12. _____	_____	_____	_____
13. _____	_____	_____	_____
14. _____	_____	_____	_____
15. _____	_____	_____	_____
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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>96A WIMBERLAND</u>	<u>3598/122</u>	<u>CLAUDIA E. RICHTER</u>	<u>Claudia Richter</u>
2.	_____	_____	_____	_____
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20.	_____	_____	_____	_____
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>635 Dolores St.</u>	<u>3598/124</u>	<u>Scott Hansen</u>	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>595-599 Dolores</u>	<u>3587-029</u>	<u>Avelina Pritchard</u>	<u>Avelina Pritchard</u>
2.	_____	_____	_____	_____
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5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
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18.	_____	_____	_____	_____
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22.	_____	_____	_____	_____

City Planning Commission
Case No. 2011-0584 CDV Re: 601 Dolores St

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3683 19th St.</u>	<u>3598/617</u>	<u>Lance Willis</u>	<u>[Signature]</u>
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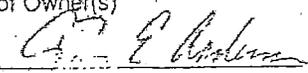
City Planning Commission

Case No. 2011-0584 CDV

re: 601 Dolores St.

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3668 19th Street</u>	<u>3587/RSA</u>	<u>ARTHUR E ANDERSON</u>	<u></u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
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21.	_____	_____	_____	_____
22.	_____	_____	_____	_____

City Planning Commission

Case No. 2011-0584 CDV

Re: 601 Dolores St.

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3664 19th St</u>	<u>3587/25A</u>	<u>Jeffrey Reine</u>	<u>[Signature]</u>
2.	<u>3664 19th St</u>	<u>3587/25A</u>	<u>Kelly Davis</u>	<u>[Signature]</u>
3.	_____	_____	_____	_____
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18.	_____	_____	_____	_____
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21.	_____	_____	_____	_____
22.	_____	_____	_____	_____

re: 601 Dolores St.

City Planning Commission
Case No. 2011.0584 CDV

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 76/78/78A Cumberland	3598/054B	Giacomo Franco 70% Family Limited Partnership MARINA FRANCO Anna Franco Stalomo Franco	Alcino Franco General Partner M. Franco general partner Giacomo Franco Limited partner
2.			
3.			
4.			
5.		Giuliana Franco Exemption Trust 30%	Giacomo Franco Co-Trustee
6.			
7.		Giacomo Franco	
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San Francisco Assessor-Recorder
 Doris M. Ward, Assessor-Recorder
DOC- 2002-H291932-00
 Check Number 3488
 Friday, NOV 15, 2002 14:58:04
 Ttl Pd \$9.00 Nbr-0001998984
REEL I265 IMAGE 1014
 ata/TD/1-1

RECORDING REQUESTED BY
 Noell Kubota

AND WHEN RECORDED MAIL TO
 Marina Franco
 78 Cumberland St.
 San Francisco, CA 94110

APN: 24-3598-54B (76-78-78A Cumberland St.)

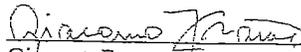
GIFT DEED

Documentary transfer tax is NONE. No consideration is given - Deed is gift to grantor's children.
 (Excluded from Reappraisal Under Proposition 13; Calif. Const. Art. 13A § 1 et seq.)

GRANTOR: Giacomo Franco as trustee of the 1992 Franco Family Trust, hereby **GRANTS TO:**
 Marina R. Franco, a single woman, an undivided five percent (5%) of his seventy percent (70%)
 undivided interest, AND unto Anna Maria Franco, a single woman, an undivided five percent (5%)
 of his seventy percent (70%) interest in the real property in the City and County of San Francisco,
 State of California, described as follows:

BEGINNING at a point on the northerly line of Cumberland Street, distant thereon 100
 feet easterly from the easterly line of Dolores Street; running thence easterly along the
 northerly line of Cumberland Street 25 feet; thence at a right angle northerly 114 feet;
 thence at a right angle westerly 25 feet; thence at a right angle southerly 114 feet to the
 point of beginning. BEING a part of Mission Block No. 77.

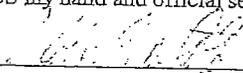
Dated: October 18, 2002


 Giacomo Franco as trustee of the 1992
 Franco Family Trust

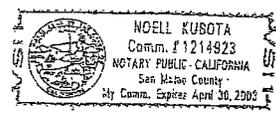
State of California)
) ss
 County of San Mateo)

On October 18, 2002, before me, Noell Kubota, a notary public in
 and for the State of California, personally appeared Giacomo Franco, personally known to me (or
 proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to
 the within instrument and acknowledged to me that he executed the same in his authorized
 capacity, and that by his signature on the instrument, the person, or the entity upon behalf of
 which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature  (SEAL)

noellvestatefranco.GiftDeed(CumberlandSt.).101602





WHEN RECORDED MAIL TO:
 Noell K. Kubota, Esq.
 433 Airport Blvd., #323
 Burlingame, CA 94010
 Mail Tax Statements to:
 Marina Franco
 78 Cumberland St.
 San Francisco, CA 94110

San Francisco Assessor-Recorder
 Doris M. Ward, Assessor-Recorder
DOC- 2002-H291933-00
 Check Number 3468
 Friday, NOV 15, 2002 14:58:19
 Ttl Pd \$9.00 Nbr-0001998985
REEL I265 IMAGE 1015
 ata/TD/1-1

The undersigned Grantors declare: THERE IS NO DOCUMENTARY TRANSFER TAX due since all grantors are all of the members of the L.P. and the only members of the L.P.; and the percentage of ownership remains the same before and after the transfer.

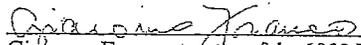
APN: 24-3598-54B (76-78-78A Cumberland St.)

QUITCLAIM DEED

By this instrument, for good and valuable consideration, Giacomo Franco, trustee of the of the 1992 Franco Family Trust, Marina R. Franco, and Anna Maria Franco do hereby remise, release and forever quitclaim unto the GIACOMO FRANCO FAMILY PARTNERSHIP, L.P., a California Limited Partnership, our 70% undivided interest in the real property in the City and County of San Francisco, State of California, described as follows:

BEGINNING at a point on the northerly line of Cumberland Street, distant thereon 100 feet easterly from the easterly line of Dolores Street; running thence easterly along the northerly line of Cumberland Street 25 feet; thence at a right angle northerly 114 feet; thence at a right angle westerly 25 feet; thence at a right angle southerly 114 feet to the point of beginning. BEING a part of Mission Block No. 77.

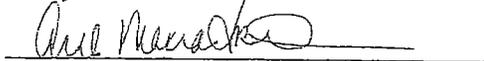
Dated: October 18, 2002



 Giacomo Franco, trustee of the 1992 Franco Family Trust



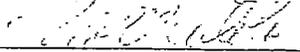
 Marina R. Franco



 Anna Maria Franco

STATE OF CALIFORNIA)
) ss.
 COUNTY OF SAN MATEO)

On October 18, 2002, before me, Noell Kubota, a Notary Public, personally appeared Giacomo Franco, Marina R. Franco, and Anna Maria Franco, personally known to me (OR proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument. WITNESS my hand and official seal.

Signature  _____

(Seal)



notRecastofFranco,QuitclaimDeed(CumberlandSt.)-GiacomoMarina&AnnaMariaToPartnership,101602



San Francisco Assessor-Recorder
Doris M. Ward, Assessor-Recorder
DOC- 2002-H291931-00

Check Number 3488
Friday, NOV 15, 2002 14:57:48
Ttl Pd \$9.00 Nbr-0001999003
REEL I265 IMAGE 1013
ota/TD/1-1

RECORDING REQUESTED BY
Noell Kubota

AND WHEN RECORDED MAIL TO
Giacomo Franco
2316 Valdivia Way
Burlingame, CA 94010

APN: 24-3598-54B (76-78-78A Cumberland St.)

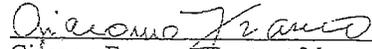
TRUST TRANSFER DEED

Documentary transfer tax is NONE. No consideration is given - Change in formal title only to a revocable trust which is exempt under Revenue and Taxation Code Sections 11911 and 62 (Excluded from Reappraisal Under Proposition 13; Calif. Const. Art. 13A § 1 et seq.)

GRANTOR: Giacomo Franco as Trustee of the 1992 Franco Family Trust, hereby **GRANTS TO:** Giacomo Franco as trustee of the Giuliana Franco Exemption Trust a thirty percent (30%) interest in that real property in the City and County of San Francisco, State of California, described as follows:

BEGINNING at a point on the northerly line of Cumberland Street, distant thereon 100 feet easterly from the easterly line of Dolores Street; running thence easterly along the northerly line of Cumberland Street 25 feet; thence at a right angle northerly 114 feet; thence at a right angle westerly 25 feet; thence at a right angle southerly 114 feet to the point of beginning. **BEING** a part of Mission Block No. 77.

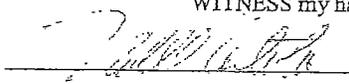
Dated: October 18, 2002


Giacomo Franco as Trustee of the
1992 Franco Family Trust

State of California)
) ss
County of San Mateo)

On October 18, 2002, before me, Noell Kubota, a notary public in and for the State of California, personally appeared Giacomo Franco, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature  (SEAL)

noell@estateofranco.TrustTransferDeed(CumberlandSt.),101602



Re: 601 Dolores St.

City Planning Commission
Case No. 2011-0584CDV

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 88 Cumberland	3598/056	x Thomas Flahavan	x Thomas Flahavan
4. _____	_____	x Rose Flahavan	x Rose Flahavan
_____	_____	x Thomas Flahavan	x Thomas Flahavan
2. 90 Cumberland	3598/057	x Rose Flahavan	x Rose Flahavan
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____
11. _____	_____	_____	_____
12. _____	_____	_____	_____
13. _____	_____	_____	_____
14. _____	_____	_____	_____
15. _____	_____	_____	_____
16. _____	_____	_____	_____
17. _____	_____	_____	_____
18. _____	_____	_____	_____
19. _____	_____	_____	_____
20. _____	_____	_____	_____
21. _____	_____	_____	_____
22. _____	_____	_____	_____

Re: 601 Dolores

City Planning Commission
Case No. 2011-0584 CDV

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	72/74 Cumberland	3598/054A	x ALVA BELLOMO	x Alva Bellomo
2.			x Dolores DeLucchi	x Dolores DeLucchi
3.				
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EXHIBIT B



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2011.0584E
 Project Title: 601 Dolores Street
 Zoning: RH-3 (Residential, House, Three-Family)
 40-X Height and Bulk District
 Block/Lot: 3598/060
 Lot Size: 9,687 square feet
 Project Sponsor: Valerie Veronin, (408) 838-0087
 Staff Contact: Don Lewis - (415) 575-9095
don.lewis@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 project site is located on the southeast corner of Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The proposed project would involve the conversion of an existing church structure, currently being used as a single-family residence, into middle-school classrooms and a multi-purpose assembly space for the Children's Day School (CDS). The project would enable CDS to relocate its middle school (grades 5 to 8) from 333 Dolores Street to the project site at 601 Dolores Street, which is about two blocks away. The proposed project would accommodate between 160-200 middle school students and would allow CDS to continue its planned enrollment from 350 to approximately 520 students and from 72 to 86 faculty/staff. When 601 Dolores Street is fully occupied in approximately four years, the maximum enrollment would be 320 elementary students at 333 Dolores Street and 200 middle school students at 601 Dolores Street. The existing structure at 601 Dolores Street is approximately 46 feet

(Continued on Second Page.)

EXEMPT STATUS:

Categorical Exemption, Class 32 [State CEQA Guidelines Section 15332]

REMARKS:

See reverse side.

DETERMINATION:

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


 BILL WYCKO
 Environmental Review Officer


 Date

cc: Valerie Veronin, Project Sponsor
 Supervisor Scott Wiener, District 8
 Historic Preservation List

Bulletin Board
 V. Byrd, M.D.F

PROJECT DESCRIPTION (continued):

tall, two stories with mezzanine, and approximately 17,106 square feet in size. The proposed project would add 1,097 square feet to the existing building solely within the existing interior walls by infilling a portion of the mezzanine floor, which is currently open to the floor below. The finished building would be 46 feet tall, three stories, and 18,203 square feet in size with no on-site parking.

Exterior tenant improvements would include adding a roof deck to the southeast corner of the building and an elevator penthouse along the eastern edge of the building. Interior tenant improvements would include converting the sanctuary space into a multi-purpose space, creating a full second floor level within the Sunday school wing, completing the seismic retrofit, adding interior partitions for school facilities, installing new plumbing, and creating ADA accessibility. Other improvements include converting the existing garage entrance on 19th Street into a primary pedestrian entrance and creating a 50-foot-long white zone/passenger loading and unloading area. The sponsor also proposes to extend the existing white zone curb in front of 333 Dolores Street from 80 feet to 130 feet, and to use the existing white zone at 450 Guerrero Street for student drop-offs and pick-ups.¹ As part of the project, CDS has developed a student drop off plan that is based on the projected number of student drop offs and the proposed available loading space at each campus and includes distribution of morning student drop offs that provides for student safety and minimizes traffic impacts. This is discussed further in the transportation section.

The existing church structure on the project site was constructed in 1910 and is included on the Department's 1976 Architectural Survey, the Here Today Survey, and the City's Unreinforced Masonry Buildings Survey. The estimated construction cost is 5 million dollars. The project would require Conditional Use authorization for a school use in an RH-3 zoning district and for the loss of dwelling unit through conversion.

REMARKS (continued):

In-Fill Development- California Environmental Quality Act (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 proposed project would be consistent with the San Francisco General Plan and with applicable zoning designations. The site is located within the RH-3 zoning district where the proposed use would be conditionally permitted. The proposed use would be required to provide one off-street parking spaces for each six classrooms. Since the project proposes ten new classrooms, the project would be required to provide one off-street parking space. The proposed project would not provide off-street parking, and therefore the project sponsor is seeking a remote parking variance. The proposed use would not require an off-street freight loading space. As mentioned above, the project would require Conditional Use

¹ CDS students attend gym classes at the Boy and Girls Club located at 450 Guerrero Street, which is directly adjacent to 333 Dolores Street.

authorization for a school in an RH-3 zoning district and for a loss of dwelling unit through conversion. The proposed project would be consistent with all 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 0.22-acre (9,687 square feet) project site is located within a fully developed area of San Francisco. The surrounding uses are primarily residential with a few institutional uses and mixed-use buildings located on prominent corners along Dolores and Guerrero Streets. The project site is directly east of Dolores Park. Therefore, the proposed project would be properly characterized as an in-fill development surrounded by urban uses on a site smaller than five acres.

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

The project site is within a fully developed urban area that is completely covered with existing buildings and paved surfaces, and does not provide habitat for any rare or endangered plant or animal species.

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

Traffic

A transportation study² was prepared to analyze impacts associated with the Children's Day School's (CDS) proposed use of 333 Dolores Street, 450 Guerrero Street³, and 601 Dolores Street. CDS proposes to increase enrollment from 350 to approximately 520 students, while faculty/staff would increase from 72 to 86. Transportation impacts are evaluated during the peak traffic time for the school and surrounding streets, during AM-peak hour conditions (7:30 to 8:30 a.m.), which is the hour before classes start. Travel demand for the proposed project was based on the existing and proposed school population and travel behavior of current students, faculty, and staff at CDS's existing building at 333 Dolores Street. Table 1, below, summarizes the net change in student and faculty/staff arrivals (by travel mode) at 333 Dolores Street, 450 Guerrero Street, and 601 Dolores Street between current and future enrollment and re-organization. Travel demand was based on the existing and proposed school population and travel behavior of current students, faculty, and staff at 333 Dolores Street. For the students who are dropped-off, the average observed vehicle occupancy was determined to be 1.65 students per car.

333 Dolores Street

The proposed project may result in an incremental increase in the number of vehicles traveling through nearby intersections, including the intersections of Dolores Street and 16th Street, Dolores Street and 17th Street, and Guerrero Street and 16th Street. An additional 17 students would be located at 333 Dolores Street while the number of faculty and staff would be reduced by 19. The proposed project would result in an increase in approximately 11 vehicle trips associated with student drop-offs and a reduction of

² Atkins, 601 Dolores Street, Transportation Impact Study, April 2012. This document is available for public review as part of Case No. 2011.0584E at 1650 Mission Street, Suite 400, San Francisco, CA.

³ CDS students attend gym class at the Boys and Girls Club located at 450 Guerrero Street, which is directly adjacent to 333 Dolores Street. The 333 Dolores Street building is located towards the rear of the lot and CDS has access to the rear of the 450 Guerrero Street building. As part of the project, CDS proposes to use the existing loading zone at 450 Guerrero Street for student drop-offs and pick-ups.

approximately 6 vehicle trips associated with faculty and staff. This change in vehicle trips during the morning peak hour would be an incremental increase over existing conditions and would not result in any significant adverse impacts on traffic operations or safety in the vicinity of 333 Dolores Street.

As a result of the proposed project, the number of student drop-offs (18 students or approximately additional 11 vehicles) is expected to increase during the AM-peak hour. As part of the project, CDS would request that the length of the white zone be increased from 80 to 130 feet in order to accommodate this increase. CDS would also increase the number of staff, from one to two, assigned to the Dolores Street passenger loading/unloading zone, to assist students being dropped off, and ensure an efficient turnover in vehicles dropping off students.

TABLE 1 NET CHANGE IN STUDENT ARRIVALS AT 333 DOLORES STREET, 450 GUERRERO STREET, AND 601 DOLORES STREET SITES BETWEEN EXISTING AND FUTURE CONDITIONS							
	Walk	Bike	Transit	Auto- Dropped	Auto-Parked in School	Auto-Parked on Street	Total
333 DOLORES STREET SITE							
Pre-School	0	0	0	0	0	0	0
Elementary	20	0	0	30	0	0	50
Middle	-11	-3	-7	-12	0	0	-33
Net Change	9	-3	-7	18	0	0	17
Faculty/Staff	-3	-2	-4	-1	-7	-2	-19
450 GUERRERO STREET SITE							
Pre-School	0	0	0	0	0	0	0
Elementary	0	0	0	0	0	0	0
Middle	0	0	0	50	0	0	50
Net Change	0	0	0	50	0	0	50
Faculty/Staff	0	0	0	0	0	0	0
601 DOLORES STREET SITE							
Pre-School	0	0	0	0	0	0	0
Elementary	0	0	0	0	0	0	0
Middle	25	6	15	41	0	0	87
Net Change	25	6	15	41	0	0	87
Faculty/Staff	5	4	7	1	13	3	33

Source: Atkins, 2012, CDS, 2011.

450 Guerrero Street

The number of vehicles traveling through the intersection of Guerrero Street and 16th Street would incrementally increase in the morning peak hour leading up to the start of class times. With 50 students being dropped off at the white curb zone directly in front of 450 Guerrero Street, this would translate to an increase of approximately 30 vehicles. This traffic is anticipated to be traveling in the southbound

direction on Guerrero Street to access the white zone curb in front of the Boys and Girls Club. Southbound Guerrero Street in the AM-peak hour is the off-peak direction because most vehicles that use Guerrero Street during the AM-peak hour travel in the northbound direction towards downtown San Francisco. Therefore, this increase in traffic volumes is not anticipated to result in a significant impact to the operations or safety of this intersection.

As a result of the project, the number of middle school student drop-offs would be 50 students (approximately 30 vehicles). Under existing conditions, the 60-foot-long white zone curb is underutilized during the AM-peak hour. Based on the current number of drop-offs at the existing white zone at 333 Dolores (approximately 66 students in 40 vehicles at an 80 foot long white curb within 60 minutes), it is reasonable to assume that the drop off of 50 students in 30 vehicles at a 60-foot-long curb between 7:30 and 8:30 a.m. would not cause a significant impact to traffic. This white curb zone would be staffed in the morning to assist children being dropped off and to oversee the efficient turnover of vehicles dropping off students.

601 Dolores Street

The Dolores Street and 19th Street intersection is anticipated to see an increase of approximately 41 students (25 vehicle trips) from parents dropping off their children at the proposed white zone curb on 19th Street. It is anticipated that three faculty/staff would park on the street near 601 Dolores Street. There would likely be another 13 faculty and staff who would require off-street parking. Since there is no off-street parking available at 601 Dolores, faculty and staff would either drive to 333 Dolores Street⁴ or one of the nearby public parking garages. Therefore, the increase in the number of vehicles traveling through this intersection in the AM-peak hour leading up to the start of classes would be about 28 vehicles, comprised of 25 vehicles with arriving students and three faculty/staff parking on-street.

To access the white zone passenger unloading area, parents would either make a northbound right turn from Dolores Street onto 19th Street, or a southbound left turn from Dolores Street. Currently there is very little traffic on 19th Street between 7:30 and 8:30 a.m. and, therefore, traffic in the 601 Dolores Street vicinity is predominantly influenced by Dolores Street traffic. During the AM-peak hour traffic on Dolores Street is heaviest in the northbound direction, and thus, the main conflict for the northbound right turn would be with any pedestrians crossing Dolores Street toward Mission Dolores Park, or crossing 19th Street toward 601 Dolores Street. While these conflicts are not expected to be substantial, the school proposes to have a crossing guard at the intersection of 19th and Dolores Streets to aid students and pedestrian traffic crossing during the AM-peak hour.

The southbound left turn from Dolores Street would conflict with both pedestrian movements, and the opposing (northbound) stream of traffic. However, there is very little southbound traffic in the AM-peak hour and with two travel lanes in each direction, there is ample room for a vehicle to wait for an opening to turn. Therefore, despite the fact that this intersection is unsignalized, the increase in volumes due to project generated traffic is not anticipated to adversely impact traffic operations nor is there expected to be significant queuing on Dolores Street.

⁴ CHS has 33 off-street parking spaces at 333 Dolores Street
SAN FRANCISCO
PLANNING DEPARTMENT

As a result of the project, the number of student drop-offs would be 41 middle school students (approximately 25 vehicles) in the AM-peak hour. As part of the project, CDS would request that a continuous 50-foot-long loading space along the 19th Street side of the building be converted to a white zone passenger loading/unloading area. CDS would have staff at the white curb zone during peak drop-off and pick-up times, to assist children being dropped off, and to oversee the efficient movement of vehicles dropping off students. Of the three drop-off locations, 19th Street has the lowest traffic volumes, and there should be little conflict with other vehicles during the AM-peak hour. Based on comparable operations at 333 Dolores Street, there would be minimal back up onto Dolores Street at this site.

Considering the three sites overall, the volume of the additional trips would not result in any significant individual or cumulative adverse impacts to any intersection service levels, and it is anticipated that traffic patterns would experience no more than minor changes as a result of the proposed project. The level of increase in traffic generated by the project would not be substantial relative to the existing traffic baseline and capacity of the surrounding street system and none of the intersections were observed to have operations problems. There would be no effective cumulative passenger loading impact when considering the sites together, as the three loading zones at 333 Dolores Street, 450 Guerrero Street, and 601 Dolores Street are located more than a 1,000 feet from each other. Therefore, the proposed project would not result in any significant adverse traffic impacts.

Transit

The project site is well-served by public transit which includes the following Muni lines: J-Church, 22-Fillmore, and 33-Stanyan. In addition, there are two BART stations within walking distance (16th Street/Mission Street and 24th Street/Mission Street). There is anticipated to be an increase of approximately 22 transit trips (including both students and faculty/staff) to 601 Dolores Street during the morning peak hour, and the existing transit would all have additional capacity during the AM peak to accommodate the increase of 22 transit trips. The transit trips to 333 Dolores Street are anticipated to decrease by approximately seven student-related trips and four faculty/staff-related trips. The proposed project would not change the number of transit trips to 450 Guerrero Street, as it is only used as a vehicle drop-off location for students. Considering all three sites together, the overall net increase would be 11 transit trips, and therefore, the project would not result in significant impacts related to transit.

Parking

As discussed above, the Planning Code would require one off-street parking space for the proposed project and the project sponsor would seek a remote parking variance. In order to increase the length of the white curb passenger loading zone at 333 Dolores Street from 80 to 130 feet, approximately 2 to 3 on-street parking spaces would no longer be available between the hours of 7:00 a.m. to 9:00 a.m. and 2:30 p.m. to 4:30 p.m. There would be no impact on parking facilities at 450 Guerrero Street because this site would only be used as a student drop-off location. At 601 Dolores Street, the number of faculty and staff would increase, as this would be a new CDS building, and there is no off-street parking available. Some of these people may decide to park at 333 Dolores, and then walk the two blocks south. Currently, only about 70% (23) of CDS' 33 spaces at 333 Dolores are occupied on a typical weekday. With the relocation in the number of faculty and staff based at 333 Dolores, the number of vacancies is anticipated to increase to 17. Approximately 13 of the 33 faculty and staff that would be located at 601 Dolores Street are anticipated to want to drive and park at the school. Therefore, there should be enough vacant spaces for

them to park at 333 Dolores, and walk to 601 Dolores. Alternatively, there are also three public parking garages located within about a half mile of the site.

While the proposed off-street parking spaces would be less than the anticipated parking demand, the resulting parking deficit is not considered to be a significant impact under CEQA, regardless of the availability of on-street parking under existing conditions. San Francisco does not consider parking supply as part of the permanent physical environment and therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA. However, this report presents a parking analysis to inform the public and the decision makers as to the parking conditions that could occur as a result of implementing the proposed project.

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.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, 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 in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by local public transit (Muni lines J, 22, and 33) and bike lanes (40 and 45), which provide alternatives to auto travel.

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. Moreover, 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. Hence, any secondary environmental impacts which 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, reasonably addresses potential secondary effects.

Access

Existing vehicle and pedestrian access would remain the same at 333 Dolores Street, 450 Guerrero Street, and 601 Dolores Street, and therefore access would not be changed by the proposed project. There are no bus stops in front of the project site. Sidewalks and on-street parking are present on both sides of the

street. Therefore, the project would not impede traffic or cause unsafe conditions, and would not result in a significant effect related to access.

Loading

Planning Code Section 152.1 does not require off-street freight loading for schools. Therefore, off-street loading spaces are not required for the proposed project. Student drop-offs and pick-ups are discussed under "Traffic" on page 3.

Pedestrian Conditions

The number of AM-peak hour pedestrian trips to 333 Dolores Street would increase by approximately 9 students and decrease by three. There would be approximately 55 middle school students who would be dropped off at 333 Dolores, then walked to 450 Guerrero, and then walked the two blocks to 601 Dolores under the guidance of CDS staff. Conflict between pedestrians and vehicles would potentially increase because of the additional street crossings, but these would be at signalized intersections with the exception of the crossing at 19th Street to 601 Dolores Street. However, 19th Street has relatively low traffic volumes, students would be accompanied by CDS staff, and there is a cross-walk at the 19th Street and Dolores Street intersection.

Currently there is very little pedestrian activity on Guerrero Street in the morning. The project would increase the number of student drop-offs at 450 Guerrero, by approximately 50 students. However, unlike existing conditions, there would be CDS staff to assist at the existing white zone curb in the morning and to supervise and chaperone student movement to 333 Dolores or 601 Dolores. Since the sidewalks are much wider on Dolores Street, the path to 601 Dolores would likely be south on Guerrero Street to 17th Street, west on 17th Street to Dolores Street, then south on Dolores Street to 601 Dolores Street. All intersections along this route except 19th Street/Dolores Street are signalized and regularly used by pedestrians with no observed hazards.

There is anticipated to be an increase of approximately 130 pedestrian trips to the 601 Dolores site during the AM-peak hour. An estimated 25 students would walk directly to 601 Dolores from home, 55 would be walking to 601 Dolores after being dropped off at 333 Dolores, and 50 would walk to 601 Dolores after being dropped off at 450 Guerrero. There are also anticipated to be approximately five faculty/staff that would walk to 601 Dolores during the AM-peak hour. The movement of middle school students from 333 Dolores and 450 Guerrero to 601 Dolores would be supervised by CDS staff. The sidewalk widths and crosswalks at intersections would provide adequate facilities for the walk between sites. Students walking as a group would also increase safety because of the greater visibility of a group and the supervision of CDS staff.

Overall, pedestrian conditions for the three sites would have adequate facilities and would not materially increase hazards for pedestrians. Therefore, the project would not result in significant pedestrian impacts.

Bicycle Conditions

There are no existing or proposed bike lanes at 601 Dolores Street. In the vicinity of the project site, there are two designated bicycle routes. Bicycle route #40 travels along 17th Street while route #22 travels along Valencia Street. The number of bicycle trips to 333 Dolores Street is anticipated to decrease by approximately three students and two faculty/staff because of the relocation of bicycle-riding middle

school students and staff to 601 Dolores. An estimated increase of approximately 10 bicycle trips to 601 Dolores Street would occur during the morning peak hour. The project would not result in any new bicycle trips to 450 Guerrero. The net effect of the three sites would be similar because the total net change in bicycle trips would be an increase of 5 trips. Therefore, project impacts on bicycles would be less than significant.

In summary, the project would not result in a significant effect with regard to transportation.

Noise: An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity. The noise generated by the proposed users of the 601 Dolores Street building would be considered common and generally acceptable in an urban area, and would not be considered a significant impact. The proposed construction could generate noise and possibly vibration that may be considered an annoyance by occupants of nearby properties. Construction noise is regulated under Article 29 of the City's Police Code, and would be temporary and intermittent in nature. Considering the above discussion, the proposed project would not result in a significant impact with regard to noise.

Air Quality: The Bay Area Air Quality Management District (BAAQMD) has established thresholds for projects requiring its review for potential air quality impacts. Based on the air quality screening-level analysis, all of the screening criteria are met by the proposed project.⁵ No individual sources would exceed the BAAQMD's significance thresholds for cancer risks, non-cancer risks or the annual average concentration of PM_{2.5}. In addition, construction activities for the proposed interior renovation would be minimal and would require the use of diesel equipment for less than two months, and would therefore not result in a substantial increase in risks and hazards to nearby receptors. Therefore, the project would not exceed the BAAQMD's 2010 thresholds of significance and would not result in the generation of criteria air pollutants and ozone precursors that exceed the BAAQMD's thresholds of significance and operational criteria air pollutants and ozone precursors would be less than significant. Based on these results, the proposed project would not result in exposure of sensitive receptors to substantial pollutant concentrations, and this impact would be less than significant.

Water Quality: 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. Project-related wastewater and storm water 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. Therefore, the proposed project would not result in significant water quality impacts.

⁵ Don Lewis, San Francisco Planning Department, *Air Quality Screening Analysis for 601 Dolores Street*, September 19, 2011. This analysis is available for review as part of Case File No. 2011.0584E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.
SAN FRANCISCO
PLANNING DEPARTMENT

- d) *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 facilities are available; no expansion of public services or utilities is required in order to serve the proposed project.

Other Environmental Issues

Hazardous Materials: AEI Consultants conducted a Phase I Environmental Site Assessment (ESA) at the project site.⁶ This assessment was performed to provide a record of the conditions at the subject property and to evaluate what, if any, environmental issues exist at the site. The ESA assessed the potential for adverse environmental impacts from the current and historical practices on the site and the surrounding area. According to the ESA, the subject building was constructed in 1910 for use as a church. Prior to construction of the building, the property was occupied by a residential dwelling (circa 1889) and vacant land (circa 1900). Since 1910, the subject property building was occupied by various churches until 2007, when the entire building was renovated and converted into a single-family residence. No potential environmental concerns were identified in association with the current or historical use of the subject property. No hazardous substances that constitute evidence of a recognized environmental condition were observed at the subject property at the time of site reconnaissance. In addition, the project site is not located within the limits of the Maher Ordinance. Based on the above, effects related to hazardous materials would not be significant.

Historic Architectural Resources: In evaluating whether the proposed project would be exempt from environmental review under the California Environmental Quality Act (CEQA), the Planning Department determined that the building located on the project site is a historic resource. As described in the attached Historic Resource Evaluation Response (HREER) Memorandum, the property at 601 Dolores Street is eligible for listing in the California Register as an individual resource under Criterion 3 (Architecture) and is a contributor to both the Inner Mission North Boulevards and Alleys Reconstruction Historic Districts under Criterion 1 (Events).⁷

The 601 Dolores Street building was constructed in 1910 as a church for the Mission Congregational Church. In 1931, the Norwegian Lutheran Church of San Francisco purchased the property and the property remained a church until it was converted to a single-family residence in 2008. The subject building was constructed during the Mission District's reconstruction period (1906 - 1917) following the Great Earthquake of 1906. The property is a contributor to both the Inner Mission North Boulevards and Alleys Reconstruction Historic Districts for its association with several churches that relocated along Dolores Street after the Great Earthquake of 1906. Therefore, the subject property is eligible for the California Register as a contributor to two California Register-eligible historic districts under Criterion 1 (Events).

⁶ AEI Consultants, "Phase I Environmental Site Assessment, 601-605 Dolores Street, San Francisco, California," June 20, 2011. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Project File No. 2011.0584E.

⁷ Memorandum from Michael Smith, Preservation Technical Specialist, to Don Lewis, Planning Staff, Major Environmental Analysis, March 20, 2012. This memorandum is attached and available for review at the Planning Department, 1650 Mission Street, Suite 400 in Case No. 2011.0584E.

Research has not revealed information that any of its owners or occupants were associated with persons that have made a significant contribution to the broad patterns of history. Therefore, the property is not eligible under Criterion 2 (Persons).

The subject building is a good example of an Edwardian Era church designed in the Gothic Revival style. The building was designed by Francis W. Reid, a locally significant architect. The building's exterior character defining features include the following: rubbed brick cladding at the street facing elevations; all Gothic and Tudor moldings; brick buttresses with caps; complex and steeply pitched gabled roof; all windows, doors, and other openings; and the tower element with crenellated parapet. The interior character defining features include the following: division of spaces into basement, Sanctuary, and Sunday school wing; hardwood flooring; redwood wainscoting and paneling; Tudor and Gothic columns in the sanctuary; Tudor and Gothic arches in the sanctuary; stenciled ceilings in the sanctuary and vestibule; most of the light fixtures; all doors (paneled and overhead); plaster walls and ceilings; exposed wood trusses; and door and window trims. The subject building displays good historic integrity as it retains its location, association, design, workmanship, setting, feeling, and materials. Therefore, the property is individually eligible under Criterion 3 (Architecture).

The Department finds that the project is consistent with the *Secretary of the Interior Standards for Rehabilitation* (Secretary's Standards) for the following reasons. The project would rehabilitate the exterior and interior of the subject building, and the project would preserve most of the church's character defining interior features, including the sanctuary. The sponsor has submitted a protection, reuse, and salvage plan for the building's interior character-defining features so that they would be preserved and reused where possible. The sanctuary is the most character-defining interior space, and its interior volume, stenciled ceiling work, and interior wood finishes would all be preserved. The alterations within the Sunday school wing will be set back from the arches and columns that frame the sanctuary space. The basement is utilitarian and lacks the finishes and details of the floors above and thus was determined not to contain character-defining space or features. The Sunday school wing does contain character-defining finishes and detailing but the space itself was determined to be secondary in importance to the sanctuary space. Furthermore, the Sunday school wing has already experienced several alterations as part of the building's conversion into a single-family dwelling. Some of the original materials that remain in the Sunday school wing would be removed and some would be reused within the altered space.

The proposed project does not include the addition of conjectural elements or architectural features from other buildings, and the new work does not create a false sense of historical development. On the exterior, new pedestrian doors would be compatible with the character of the building. The proposed project would not substantially alter the exterior of the building. The roof deck and the elevator penthouse would not be visible behind the building's existing gabled roof, and both elements could easily be removed in the future and the essential form and integrity of the property would be unimpaired. The building's exterior and interior features are in good condition and do not require repair or replacement. The existing building is relatively clean and does not require chemical or physical treatments. The proposed change to the garage entrance would be similar to the original entrance, as historically it was used as a pedestrian entrance.

The building's seismic upgrade would necessitate removal of interior wall finishes in the sanctuary space. The wall features would be documented and reinstalled over the new shear walls. Within the Sunday school wing, interior wall finishes and doors would be removed and reused elsewhere where feasible. A

secondary stairway in the Sunday school wing would be removed but the stairway is hidden behind doors and is not considered a distinctive feature. The historic entry hall in the Sunday school wing would be preserved with its floor being ramped for ADA accessibility. The wood doors and wainscoting are the only character-defining historic materials in the Sunday school wing and they will be documented and reused where possible, primarily on the new walls on the south side of the sanctuary.

Planning Department staff found that the project would not make any substantial changes to the exterior of the building or any significant changes to the character-defining features on the interior of the building, and therefore, the project would not have a significant adverse impact upon a historic resource, as defined by CEQA.

Archeological Resources: The Planning Department reviewed the proposed project to determine if any archeological resources would be impacted. The Planning Department staff determined that the proposed project would not adversely affect CEQA-significant archeological resources.⁸

Neighborhood Concerns

A "Notification of Project Receiving Environmental Review" was mailed on August 3, 2011 to owners of properties within 300 feet of the project site and to adjacent occupants. One member of the public stated that it was unrealistic that parents would continue to drop their children off at 333 Dolores Street with the new school facilities at 601 Dolores Street. The transportation section on page three of this document adequately addresses this concern.

Conclusion

CEQA State Guidelines Section 15332, or Class 32, allows for an exemption of an in-fill development meeting various conditions. As described above, the proposed project is an in-fill development that would have no significant adverse environmental effects and would meet all the various conditions prescribed by Class 32. Accordingly, the proposed project is appropriately exempt from CEQA under Section 15332.

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. The proposed project would not have a significant effect with regard to hazardous materials, cultural resources, or transportation. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant environmental effect. The proposed project is an in-fill development that meets the above conditions, and would have no significant environmental effects.

For the above reasons, the proposed project is appropriately exempt from environmental review.

⁸ This analysis is summarized from a Planning Department technical memorandum (Randall Dean, staff archeologist, to Don Lewis, Planner, October 21, 2011), which is available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File 2011.0584E
SAN FRANCISCO
PLANNING DEPARTMENT

EXHIBIT C



SAN FRANCISCO PLANNING DEPARTMENT

Historic Resource Evaluation Response

Date of Review: March 15, 2012 (Part I)
March 15, 2012 (Part II)

Case No.: 2011.0584E

Project Address: 601 Dolores Street

Zoning: RH-3 (Residential, House, Three-Family) District
40-X Height and Bulk District

Block/Lot: 3598/060

Staff Contact: Don Lewis (Environmental Planner)
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PART I: HISTORIC RESOURCE EVALUATION

Buildings and Property Description

601 Dolores Street is located on the southeast corner of the Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The subject building occupies most of a 9,690 square-foot, rectangular shaped lot that measures 85 feet in width, 114 feet in depth, and is located within a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District.

The subject property is improved with a two-story over basement, single-family residence that was formerly a church. The building was constructed in 1910 in the Gothic Revival style as a church for the Mission Congregational Church. In 1931, the Norwegian Lutheran Church of San Francisco purchased the property. The property remained a church until it was converted to a single-family residence in 2008. The current owner, the Children's Day School of San Francisco, intends to convert the property into a school. The building is a heavy timber frame, brick structure on a concrete perimeter foundation. The exterior is clad in rubbed face brick on the north (19th Street) and west (Dolores Street) elevations, as well as its first bay in from the street on its utilitarian east and south elevations. The remainder of the east and south elevations are clad in common red brick. The church was designed by Francis W. Reid, an architect and Congregational minister. The building's prominent corner location results in a complex composition. The building features a centered gable, a tower element, and a steeply sloped centralized roofline.

The building's Dolores Street elevation is of higher importance because it faces the park. It is longer and composed of six structural bays. The first structural bay located at the northern corner of the building features a pedestrian entrance that is recessed within a portal. The portal

features a Tudor arch embellished with cast concrete molding flanked by brick buttresses with concrete caps. A lancet window is located above the entrance. The next structural bay is much wider because it corresponds to the sanctuary inside. The bay features a large arched Tudor window flanked by brick buttresses with concrete caps with four casement windows located at the basement level. All the window sashes within this bay appear to be contemporary replacements. Moving south along the building's west elevation, the next structural bay is the tower. The tower features three casement windows at the basement level, a row of three pointed-arch windows at the main first and second floors, and a large Tudor arched window at the top of the tower. Each corner of the tower features brick pilasters capped by cast concrete buttress caps. The tower is capped by a stepped, crenellated parapet. Moving south beyond the tower, the next three structural bays comprise the Sunday school wing. The first two bays are identical, featuring three, fixed light windows at the main floor with two, Tudor arch windows at the floor above beneath a false gabled roof that is interrupted by a dormer. The bays are demarcated by brick buttresses with caps. The southernmost structural bay on the building's west elevation features non-historic arched wood doors with three lancet windows at the floor above beneath a gabled roof.

The building's north (19th Street) elevation is composed of five structural bays and is two-stories in height. Beginning at the building's northeast corner, the first structural bay features an arched vehicular entrance at the basement level with a non-historic metal roll-up door. The floor above features a large Tudor-arched window. The next structural bay is wider and features a row of three casement windows at the basement level and a large Gothic pointed-arch stained glass window with twelve lights located on the floor above. The windows are flanked by brick buttresses and capped with a gabled parapet that features a lancet window. Moving west along the north elevation the next two structural bays are identical. They feature casement windows at the basement level with Tudor-arched above. The bays are separated by brick buttresses. The westernmost structural bay on the north elevation features a large lancet window flanked by brick buttresses and capped with a gabled parapet that contains three small lancet windows.

The building's east and south elevations are largely hidden from public view. They generally feature common red brick cladding, contemporary replacement arched windows, and brick buttresses. These elevations feature much less ornamentation and are generally utilitarian in nature.

Pre-Existing Historic Rating / Survey

The subject property is included on the Department's 1976 Architectural Survey, page 282 of the *Here Today* Survey, and the City's Unreinforced Masonry Buildings Survey. The property is also a contributor to the "Inner Mission North Boulevards and Alleys Reconstruction District," located within Area 4A of the Inner Mission North Survey Area. The building is considered a "Category A" property (Known Historic Resource) for the purposes of the Planning Department's California Environmental Quality Act (CEQA) because it is listed on adopted surveys and determined individually eligible for listing on the National Register.

Neighborhood Context and Description

The subject property is located in the Mission Dolores neighborhood which is named for the Mission Dolores. Founded in 1776 and originally named Mission San Francisco de Asis, the

mission is one of twenty-one missions established by the Franciscans in California as a way to convert the indigenous people to Catholicism and create a population that was loyal to the Spanish crown. The missions were unkind to the indigenous people as many were forced into labor and forced to suppress their culture. Their exposure to the Spanish colonists also exposed them to foreign diseases that decimated their population. Mission Dolores was abandoned in the 1820's as many of its inhabitants were transferred to Mision San Rafael Arcangel.

In 1810, Mexico rebelled against Spanish rule, finally winning its independence in 1821 becoming a federal republic. Mexico opened up California to trade and settlement and eventually took the mission lands from the Catholic Church and began redistributing them to Mexican citizens. From 1834 onward, the lands of Mission Dolores were carved up into ranchos and granted to Mexican citizens. The ranchos were primarily used for cattle grazing though commerce was burgeoning a few miles away in Yerba Buena. Recognizing the commercial possibilities in the San Francisco Bay Area and fearing that it could fall into the hands of its enemies, the American government attempted to buy the lands from Mexico. Attempts to buy the lands failed and in 1846 war broke out between the United States and Mexico. After a year-and-a-half of fighting, the United States and Mexico signed the Treaty of Guadalupe Hidalgo whereby Mexico ceded their northern territory to the United States for \$15 million.

The population of San Francisco dramatically increased with the discovery of gold in the California foothills. However, the Mission Dolores neighborhood was increasingly becoming one of refuge for the remaining Mexican families who were economically, culturally, and politically marginalized in the development of San Francisco. Many of the Mexican land holdings in the Mission Valley were bought by speculative Anglo-Americans who foresaw prosperity in development. The neighborhood remained unplatted well after surrounding areas such as Horner's Addition and Potrero Nuevo had been platted. Based upon early maps, 601 Dolores Street was located near the northeast boundary within Horner's Addition. By the 1860s, resolution of public and private land claims through the legal system facilitated implementation of an orderly street grid and residential subdivision. With this, the Mission Dolores neighborhood began to take on a more urban form. The population of Mission Valley exploded after from 1860 to 1880 when transit lines were extended into the area along Mission and Valencia Streets and streets were graded. During this time most of the remaining Mexican adobe structures were demolished and replaced by modest Victorian structures but Mission Dolores remained. In 1858, then President Buchanan gave Mission Dolores along with eight acres that surrounded it to the Archdiocese of California. The Archdiocese sold much of the land for development, retaining only the block that contained the Mission. In the 1870's the Archdiocese built St. Francis Catholic Church at the corner of Dolores and 16th Streets.

Population pressures and land scarcity compelled the San Francisco government in 1880 to pass an ordinance banning cemeteries within the city's boundaries. Consequently, in 1888 Emanu-El and Sherith Israel congregations which operated a cemetery on Dolores Street established a new, seventy-three acre cemetery in the farming town of Colma in San Mateo County, just outside San Francisco's city limits. By 1896, the cemetery had been completely removed from Dolores Street and in 1905 it was replaced by Mission Park, known today as Dolores Park.

No sooner was the park completed that the City was nearly destroyed by the Great 1906 Earthquake which killed over 3,000 San Franciscans and left over 200,000 homeless. Many of the

people left homeless by the earthquake took refuge in local parks and open space, including the newly created Mission Park.

The demographics of Mission Dolores rapidly changed during the neighborhood's reconstruction period (1906 – 1918) as many Irish refugees from the South of Market neighborhood settled in the neighborhood. Many churches that were located in the South of Market neighborhood were also destroyed and when those displaced congregations decided to rebuild they located near their parishioners which led to several new churches along Dolores Street. Dozens of churches made the move to the Mission District. Mission Congregational Church at 601 Dolores Street was constructed during this period.

601 Dolores Street is located on southeast corner of Dolores and 19th Streets, across the street from Dolores Park. The immediate neighborhood is primarily residential with a few institutional uses and mixed-use buildings located on prominent corners along Dolores and Guerrero Streets. The neighborhood is characterized by three- and four-story, multi-unit, Edwardian, residential buildings from the reconstruction period following the Great Earthquake of 1906. The property is located within the Mission Dolores Historic District.

CEQA Historical Resource(s) Evaluation

Step A: Significance

Under CEQA section 21084.1, a property qualifies as a historic resource if it is "listed in, or determined to be eligible for listing in, the California Register of Historical Resources." The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources or not included in a local register of historical resources, shall not preclude a lead agency from determining whether the resource may qualify as a historic resource under CEQA.

Individual	Historic District/Context
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:	Property is eligible for inclusion in a California Register Historic District/Context under one or more of the following Criteria:
Criterion 1 - Event: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 1 - Event: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criterion 2 - Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 2 - Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criterion 3 - Architecture: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Criterion 3 - Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Period of Significance: (1910 and 1931)	Period of Significance: (1906 – 1918) Inner Mission North Boulevards and Alleys Reconstruction Historic District; (unknown) Dolores Street Discontinuous District of Religious Buildings <input checked="" type="checkbox"/> Contributor <input type="checkbox"/> Non-Contributor

To assist in the evaluation of the subject property, the Project Sponsor has submitted a Historical Resource Evaluation prepared by Christopher VerPlanck of VerPlanck Historic Preservation Consulting, prepared November 2011 and revised February 2012. Based upon information found in the Historical Resource Evaluation and found within the Planning Department's background files, Preservation staff finds that the subject property is eligible for inclusion on the California Register individually and as a contributor to an identified historic district.

Criterion 1: Property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

601 Dolores Street was constructed during the Mission District's reconstruction period (1906 - 1917) following the Great Earthquake of 1906. In April 2011, the Planning Department determined the property eligible under this criterion as part of the Inner Mission North Boulevards and Alleys Reconstruction Historic District with a period of significance of 1906 - 1917. The property is also significant for its association with several churches that relocated churches along Dolores Street after the Great Earthquake of 1906, the period of significance for this district is unknown but it extends from along Dolores Street from 15th Street to 20th Street. Under this criterion, the property is eligible for the California Register as a contributor to two California Register-eligible historic districts.

Criterion 2: Property is associated with the lives of persons important in our local, regional or national past.

Records failed to indicate that the subject property is associated with the lives of persons important in our local, regional or national past that would make it eligible for listing under this criterion.

Criterion 3: Property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.

The subject building is a good example of an Edwardian Era church designed in the Gothic Revival style. Distinctive exterior characteristics include its crenellated tower, Tudor arched and lancet windows, buttresses with caps, brick cladding, and complex and steeply pitched roof. Distinctive interior features include the sanctuary space, Gothic columns, Tudor arched openings, redwood paneling, stenciled ceiling work, and division of space. The property possesses high artistic values and is a good example of its type.

The building was designed by Francis W. Reid for the Mission Congregational Church. Mr. Reid was a locally significant architect having designed two Carnegie libraries, eleven schools, 26 churches, and more than 500 dwellings and commercial structures primarily in the Bay Area. Mr. Reid, worked both independently and with the firm of Meeker and Reid. His church buildings include commissions in San Francisco, Concord, Livermore and Porterville, CA. He began his career designing large Queen Anne houses for prominent residents of the Santa Clara Valley, including the famous Coggeshall Mansion in Los Gatos. He also had many residential commissions in Piedmont, Berkeley, San Francisco and San Jose, CA. Mr. Reid was born in Canada in 1863 and obtained a Certificate in Architecture in 1910 from the University of the Pacific.

Criterion 4: Property yields, or may be likely to yield, information important in prehistory or history.

The subject property is likely to yield important information to our history since it is located in near Mission Dolores. However, the proposed project would not disturb the property's soils.

Step B: Integrity

To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register of Historical Resources criteria, but it also must have integrity. Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance." Historic integrity enables a property to illustrate significant aspects of its past. All seven qualities do not need to be present as long the overall sense of past time and place is evident.

The subject property has retained or lacks integrity from the period of significance noted in Step A:

Location:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Setting:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Association:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Feeling:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Design:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Materials:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Workmanship:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks			

The exterior of 601 Dolores Street has undergone very few alterations and has very good historic integrity. Exterior alterations include replacement of louvers within the tower openings with glazing, replacement of windows on the east and south elevations with compatible replacements, and removal of chimneys. The interior of 601 Dolores Street has undergone more changes as a result of its conversion to a single-family dwelling in 2008. The sanctuary was left unchanged but the Sunday school wing was more extensively remodeled. Within the Sunday school wing partitions were moved and original finishes were removed. Overall, the interior retains good historic integrity.

Step C: Character Defining Features

If the subject property has been determined to have significance and retains integrity, please list the character-defining features of the building(s) and/or property. A property must retain the essential physical features that enable it to convey its historic identity in order to avoid significant adverse impacts to the resource. These essential features are those that define both why a property is significant and when it was significant, and without which a property can no longer be identified as being associated with its significance.

Character defining features of the 601 Dolores Street that must be retained include but are not limited to:

Exterior

- Rubbed brick cladding at the street facing elevations.
- All Gothic and Tudor moldings.

- Brick buttresses with caps.
- Complex and steeply pitched gabled roof.
- All windows, doors, and other openings.
- Tower element with crenellated parapet.

Interior

- Division of spaces into basement, Sanctuary, and Sunday school wing.
- Hardwood flooring.
- Redwood wainscoting and paneling.
- Tudor and Gothic columns in the sanctuary.
- Tudor and Gothic arches in the sanctuary.
- Stenciled ceilings in the sanctuary and vestibule.
- Most of the light fixtures.
- All doors (paneled and overhead).
- Plaster walls and ceilings.
- Exposed wood trusses.
- Door and window trims.

CEQA Historic Resource Determination

- Historical Resource Present
- Individually-eligible Resource
 - Contributor to two eligible Historic Districts
 - Non-contributor to an eligible Historic District

No Historical Resource Present

PART I: SENIOR PRESERVATION PLANNER REVIEW

Signature: *Tina Tam* Date: 3/20/2012
Tina Tam, Senior Preservation Planner

PART II: PROJECT EVALUATION

Proposed Project Demolition Alteration

Per Drawings Dated: July 8, 2011; prepared by Jensen Architects

Project Description

The proposal is for Children's Day School of San Francisco to convert the church at 601 Dolores Street from a single-family dwelling into a private school housing 200 middle-school students. Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, and adding an elevator penthouse along the eastern edge of the building. Interior tenant improvements includes a complete seismic retrofit, partitions for 10 new classrooms, 7 administrative offices, 3 student and faculty lounges, 2 new interior stairways (including one that would be located within the tower), one elevator, 5 restrooms, and convert the sanctuary space into a multi-purpose space, create ADA ramps within the Dolores Street entry hall and the sanctuary's northern side aisle, and create a full second floor level within the Sunday school wing of the building. The project would add approximately 1,000 square-feet of occupiable space within the existing 17,106 square-foot building.

Project Evaluation

If the property has been determined to be a historical resource in Part I, please check whether the proposed project would materially impair the resource and identify any modifications to the proposed project that may reduce or avoid impacts.

To assist in the evaluation of the proposed project, the Project Sponsor has submitted the following consultant report:

- Prepared November 2011 and revised February 2012, by Christopher VerPlanck of VerPlanck Historic Preservation Consulting, for 601 Dolores Street.

Subject Property/Historic Resource:

- The project will not cause a significant adverse impact to the historic resource as proposed.
- The project will cause a significant adverse impact to the historic resource as proposed.

California Register-eligible Historic District or Context:

- The project will not cause a significant adverse impact to a California Register-eligible historic district or context as proposed.
- The project will cause a significant adverse impact to a California Register-eligible historic district or context as proposed.

Staff finds that the proposed project would not cause a significant adverse impact upon a historic resource such that the significance of the building would be materially impaired. The proposed project will not have a significant adverse impact on 601 Dolores Street, a known resource that is

listed in Here Today, the Department's 1976 Architectural Survey, the Department's Unreinforced Masonry Building Survey, and been deemed eligible for the California Register of Historical Resources individually and as a contributor to the "Inner Mission North Boulevards and Alleys Reconstruction District."

The Department finds that the project is consistent with the *Secretary of the Interior Standards for Rehabilitation* (Secretary's Standards). The following is an analysis of the proposed project per the Secretary's Standards:

Standard 1.

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

The proposed project would convert the subject property a former church that is currently used as a single-family dwelling, into a school. To accommodate this new use, the project would rehabilitate the exterior of the subject building and to a greater extent, the interior. However, the conversion would preserve most of the church's character defining interior features. The sanctuary, the most notable interior space and its volume and detail would be preserved as the space is converted into a multi-purpose space. The spaces that would be more heavily altered, basement and Sunday school wing, would accommodate the school's more programmatic space. The sponsor has submitted a protection, reuse, and salvage plan for the building's interior character-defining features so that they get preserved and reused where possible. Where removal of historic materials is required within the sanctuary they will be reinstalled based upon documentation.

Therefore, the proposed project complies with Rehabilitation Standard 1.

Standard 2.

The historic character of a property will be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property will be avoided.

Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, and adding an elevator penthouse along the eastern edge of the building. The roof deck and the elevator penthouse will not be visible from the street.

The interior of the building is divided into three sections: the basement, the sanctuary (nave), and the Sunday school wing. The sanctuary is the main and most character-defining interior space. Its interior volume, stenciled ceiling work, and interior wood finishes will all be preserved. The alterations within the Sunday school wing will be set back from the arches and columns that frame the sanctuary space. The basement is utilitarian and lacks the finishes and details of the floors above and thus was determined not to contain character-defining space or features. The Sunday school wing does contain character-defining finishes and detailing but the space itself was determined to be second in importance to the sanctuary space. Furthermore, the Sunday

school wing has already experienced several alterations as part of the building's 2008 conversion into a single-family dwelling. It will be further altered to accommodate three classrooms, bathrooms, and student lounge space. A new floor will also be inserted into the space, eliminating its two-story volume.

The Department disagrees with the consultant's conclusion that the proposed alterations do not comply with Standard 2. The Sunday school wing is the building's most compromised interior space and it is not the primary character-defining interior space and thus further alteration to the space would not alter the building's interior character. Some of the original materials that remain in the Sunday school wing would be removed and some would be reused within the altered space under the sponsor's protection, reuse, and salvage plan. The wood floors would remain and some of the wood doors and wainscoting would be reused.

Therefore, the proposed project complies with Rehabilitation Standard 2.

Standard 3.

Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

The proposed project does not include the addition of conjectural elements or architectural features from other buildings. New work does not create a false sense of historical development and would be somewhat contemporary in character. On the exterior, new pedestrian doors would be compatible with the character of the building.

Therefore, the proposed project complies with Rehabilitation Standard 3.

Standard 4.

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

The proposed project does not involve alterations to the subject building, which have acquired significance in their own right. The project would remove a stained glass window from the north side of the sanctuary space but the window in question was installed at an unknown time after 1931 and has not garnered significance in its own right.

Therefore, the proposed project complies with Rehabilitation Standard 4.

Standard 5.

Distinctive features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property will be preserved.

The proposed project would not substantially alter the exterior of the building. The project would not remove features or finishes that characterize the basement.

The building's seismic upgrade would necessitate removal of interior wall finishes in the sanctuary space. The wall features would be documented and reinstalled over the new shear walls. Within the Sunday school wing, interior wall finishes and doors would be removed and reused elsewhere where feasible pursuant to the sponsor's protection, reuse, and salvage plan for the building. A secondary stairway in the Sunday school wing would also be removed and the space would lose its two-story volume. The historic entry hall in the Sunday school wing would be preserved with its floor being ramped for ADA accessibility. Since the stair to be removed is secondary and hidden behind doors it is not considered a distinctive feature. The original plaster wall finishes in the Sunday school wing have already been compromised. The wood doors and wainscoting are the only character-defining historic materials in the Sunday school wing and they will be documented and reused where possible, primarily on the new walls on the south side of the sanctuary.

For these reasons the proposed project complies with Standard 5.

Standard 6.

Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacements of a distinctive feature, the new feature will match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

The building's exterior and interior features are in good condition and do not require repair or replacement.

Therefore, the proposed project complies with Rehabilitation Standard 6.

Standard 7.

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

The existing building is relatively clean and does not require chemical or physical treatments.

Therefore, the proposed project complies with Rehabilitation Standard 7.

Standard 8.

Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures will be undertaken.

The proposed project would not disturb subsurface soils.

Therefore, the proposed project complies with Rehabilitation Standard 8.

Standard 9.

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Exterior tenant improvements include converting a non-historic garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, and adding an elevator penthouse along the eastern edge of the building. The roof deck and the elevator penthouse would not be visible behind the building's gabled roof.

Therefore, the proposed project complies with Rehabilitation Standard 9.

Standard 10.

New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, and adding an elevator penthouse along the eastern edge of the building. The proposed change to the garage entrance would bring the building closer to what it was originally. The proposed roof deck and elevator penthouse could easily be removed in the future and the essential form and integrity of the property would be unimpaired.

Therefore, the proposed project complies with Rehabilitation Standard 10.

Summary

The Department finds that the project is consistent with the *Secretary of the Interior Standards for Rehabilitation (Standards)*. The project would not make any substantial changes to the exterior of the building or any significant changes to the character-defining features on the interior of the building. As currently proposed, the project will not have a significant adverse impact upon a historic resource, as defined by CEQA.

PART II: SENIOR PRESERVATION PLANNER REVIEW

Signature: Tina Tam Date: 3/20/2012
Tina Tam, Senior Preservation Planner

cc: Vimaliza Byrd, Environmental Division/ Historic Resource Impact Review File
Dan Lewis, Environmental Planner



EXHIBIT D



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: APRIL 26, 2012

Date: April 19, 2012
Case No.: 2011.0584CDV
Project Address: 601 Dolores Street
Zoning: RH-3 (Residential, House, Three-Family)
40-X Height and Bulk District
Block/Lot: 3598/060
Project Sponsor: Molly Huffman
Children's Day School
333 Dolores Street
San Francisco, CA 94110
Staff Contact: Michael Smith - (415) 558-6322
michael.e.smith@sfgov.org
Recommendation: Approval with Conditions

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

Reception:
415.558.6378

Fac:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The project sponsor is requesting conditional use authorization pursuant to Planning Code Sections 209.3(g) and 303 and mandatory discretionary review pursuant to Section 317 of the Planning Code to convert a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School" (CDS) which is currently operating 2.5 blocks north the at 333 Dolores Street. "Children's Day School" would maintain both campuses and use the proposed site as a satellite campus. The proposed school would house 160-200 students in grades 5th through 8th. The project includes interior and exterior tenant improvements. Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, adding mechanical equipment and associated screening to the roof, and adding an elevator penthouse along the eastern edge of the building. Interior tenant improvements includes a complete seismic retrofit, partitions for 10 new classrooms, 7 administrative offices, 3 student and faculty lounges, 2 new interior stairways (including one that would be located within the tower), one elevator, 5 restrooms, convert the sanctuary space into a multi-purpose space, create ADA ramps within the Dolores Street entry hall and the sanctuary's northern side aisle, and create a full second floor level within the Sunday school wing of the building. The project also requires a parking variance because no parking would be provided for the school.

SITE DESCRIPTION AND PRESENT USE

601 Dolores Street is located on the southeast corner of the Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The subject building occupies most of a 9,690 square-foot, rectangular shaped lot that measures 85 feet in width, 114 feet in depth, and is

located within a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District.

The subject property is improved with a two-story over basement, single-family residence that was formerly a church. The building was constructed in 1910 in the Gothic Revival style as a church for the Mission Congregational Church.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is primarily multi-family residential in character with a few large institutional uses surrounding Mission Dolores Park and extending north down Dolores Street. There are a few commercial establishments located within ground floor storefronts on corners along Dolores Street, including restaurants, cafes, and convenience stores. Buildings in the vicinity typically range from two to four stories in height.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	April 6, 2011	April 4, 2011	22 days
Posted Notice	20 days	April 6, 2011	April 6, 2011	20 days
Mailed Notice	10 days	April 16, 2006	April 4, 2011	22 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

- To date, the Department has received 50 letters and emails of support for the project primarily from parents of students who attend the school. The project is also supported by the Mission Dolores Neighborhood Association (MDNA).
- The adjacent neighbor to the south expressed concern about how activity on the proposed roof deck could impact noise and privacy at the rear of his multi-unit residential building next door and how the penthouse addition would block his view. Several other neighbors expressed concern about the potential impacts the use could have on parking and traffic in the neighborhood including the white zones location on 19th Street and the on-street parking spaces that would be eliminated as a result.

ISSUES AND OTHER CONSIDERATIONS

- The project requires a parking variance because no parking would be provided for the use where two spaces are required.
- The project requires the Commission to not take discretionary review for the conversion of a dwelling into a nonresidential use. The property has been used as a church or community room for a majority of its life until in 2007 it was converted into a single-family dwelling. A dwelling of this size is uncharacteristic within this neighborhood.
- CDS currently has a campus located 2.5 blocks to the north at St. Joseph's Hall at 333 Dolores Street, a city landmark site. CDS plans to retain its existing campus for Kindergarten through fourth grade students. In 2003, the Commission granted the school conditional use authorization to install three (3) portable classrooms that measure 24' X 40' each on the site. At the recommendation of the Landmarks Preservation Advisory Board (LPAB), the portable classrooms were authorized for use for a period not to exceed ten (10) years. This project would provide more space for CDS allowing them to transition students out of the temporary classrooms and remove the buildings altogether from the site in compliance with their 2003 conditions of approval.
- To reduce traffic and parking impacts in the neighborhood during pick-up and drop-off times, CDS would have students that attend 601 Dolores dropped-off at 333 Dolores Street and the students would walk to the school from there. The school will also be requesting a white zone for student drop off at the property's 19th Street frontage. The white zone would measure 85 feet in length and result in the loss of several parking spaces including one handicap space.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment of a school within a residential district, pursuant to Planning Code Sections 209.3(g) and 303 and not take Discretionary Review pursuant to Section 317 of the Planning Code to allow the conversion of a dwelling unit into a school. In addition, the Zoning Administrator would need to grant a parking variance pursuant to Section 151 of the Planning Code to allow a school without parking.

BASIS FOR RECOMMENDATION

- The project promotes the adaptive reuse of a difficult building type.
- The project promotes and strengthens the continued operation of a neighborhood serving school.
- The project would preserve the building's exterior and interior character defining features.
- The project would result in the loss of a dwelling unit that is not affordable to most City residents.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The Project will allow for additional choices in educational options to neighborhood and city residents

- There are a limited number of suitable sites available for institutional uses such as an independent school.

RECOMMENDATION: Approval with Conditions

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"/> Block Book Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

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

MES
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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Planning Commission Draft Motion

HEARING DATE: APRIL 26, 2012

Date: April 19, 2012
Case No.: 2011.0584CDV
Project Address: 601 DOLORES STREET
Zoning: RH-3 (Residential, House, Three-Family)
40-X Height and Bulk District
Block/Lot: 3598/060
Project Sponsor: Molly Huffman
Children's Day School
333 Dolores Street
San Francisco, CA 94110
Staff Contact: Michael Smith - (415) 558-6322
michael.e.smith@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.3(g) FOR THE CONVERSION OF A FORMER CHURCH THAT IS CURRENTLY BEING USED AS A SINGLE-FAMILY DWELLING INTO A PRIVATE ELEMENTARY SCHOOL OPERATED BY "CHILDREN'S DAY SCHOOL" FOR A PROPERTY LOCATED WITHIN A RH-3 (RESIDENTIAL, HOUSE, THREE-FAMILY) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On July 14, 2011 Valerie Veronin on behalf of Children's Day School (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section 209.3(g) and an application for Discretionary Review pursuant to Section 317 of the Planning Code to allow the conversion of single-family dwelling into a private elementary school for students in fifth through eighth grades operated by Children's Day School for a property located within a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

On April 26, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0584CDV.

The Department determined the Project to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

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. 2012.0584CDV, 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.** 601 Dolores Street is located on the southeast corner of the Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The subject building occupies most of a 9,690 square-foot, rectangular shaped lot that measures 85 feet in width, 114 feet in depth, and is located within a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District. The subject property is improved with a two-story over basement, single-family residence that was formerly a church. The building was constructed in 1910 in the Gothic Revival style as a church for the Mission Congregational Church.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is primarily multi-family residential in character with a few large institutional uses surrounding Mission Dolores Park and extending north down Dolores Street. There are a few commercial establishments located within ground floor storefronts on corners along Dolores Street, including restaurants, cafes, and convenience stores. Buildings in the vicinity typically range from two to four stories in height.
4. **Project Description.** The project sponsor is requesting conditional use authorization pursuant to Planning Code Sections 209.3(g) and 303 and mandatory discretionary review pursuant to Section 317 of the Planning Code to convert a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School" (CDS) which is currently operating 2.5 blocks north of the at 333 Dolores Street. "Children's Day School" would maintain both campuses and use the proposed site as a satellite campus. The proposed school would house 160-200 students in grades 5th through 8th. The project includes interior and exterior tenant improvements. Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, adding mechanical equipment and associated screening to the roof, and

adding an elevator penthouse along the eastern edge of the building. Interior tenant improvements includes a complete seismic retrofit, partitions for 10 new classrooms, 7 administrative offices, 3 student and faculty lounges, 2 new interior stairways (including one that would be located within the tower), one elevator, 5 restrooms, and convert the sanctuary space into a multi-purpose space, create ADA ramps within the Dolores Street entry hall and the sanctuary's northern side aisle, and create a full second floor level within the Sunday school wing of the building. The project also requires a parking variance because no parking would be provided for the school.

5. **Public Comment.** To date, the Department has received 50 letters and emails of support for the project primarily from parents of students who attend the school. The project is also supported by the Mission Dolores Neighborhood Association (MDNA).

The adjacent neighbor to the south expressed concern about how activity on the proposed roof deck could impact noise and privacy at the rear of his multi-unit residential building next door and how the penthouse addition would block his view. Several other neighbors expressed concern about the potential impacts the use could have on parking and traffic in the neighborhood including the white zones location on 19th Street and the on-street parking spaces that would be eliminated as a result.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Parking.** Planning Section 151 of the Planning Code requires one off-street parking space for every six classrooms for elementary schools.

The proposed school would have no off-street parking and thus requires a parking variance from Section 151 of the Planning Code.

- B. **Floor Area Ratio (F.A.R.).** Section 124 of the Planning Code limits non-residential uses in RH-3 Districts to a floor area ratio of 1.8 to 1. For a corner lot, Planning Code Section 125 permits a 25 percent floor area premium.

The subject lot measures 9,690 square-feet in area. The maximum permitted use size for the property is 17,442 square-feet based upon the District's maximum permitted floor area ratio. The FAR premium allowed for corner lots increases the maximum permitted nonresidential use size to 21,802.5 square-feet. The proposed school would occupy 16,123 square-feet.

- C. **Land Use.** Section 209.3(g) of the Planning Code allows elementary schools (an institutional use) in a RH-3 District only upon the approval of a conditional use authorization by the Commission.

- D. **Dwelling Unit Conversion.** Section 317 of the Planning Code requires mandatory staff initiated Discretionary Review for the conversion of a dwelling unit to a non-residential use if not otherwise subject to Conditional Use authorization by the Code.

The Planning Commission shall consider these criteria in the review of applications for Conversion of Residential Units;

- (i) whether conversion of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;
- (ii) whether conversion of the unit(s) would provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s);
- (iii) whether conversion of the unit(s) will bring the building closer into conformance with the prevailing character of its immediate area and in the same zoning district;
- (iv) whether conversion of the unit(s) will be detrimental to the City's housing stock;
- (v) whether conversion of the unit(s) is necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected.

The subject building was constructed in 1910 as a church for the Mission Park Congregation. The building remained a church for many different congregations until the most recent church occupant ceased operation in 2005 due to dwindling membership and significant seismic retrofit requirements. The property sat vacant for a couple years until it was purchased in 2007 and converted into a single-family dwelling. In 2011, the property was sold to CDS in anticipation of the proposed conversion. The conversion would not result in tenant displacement as the building was owner occupied upon its sale. Although the conversion of the dwelling unit would be detrimental to the City's housing stock, the existing dwelling is out of character for the neighborhood which is defined by residential flats, and it is not affordable housing. The use of the property as a dwelling unit does not represent the most effective use of the property. The property was constructed for institutional purposes and is best suited for that use.

7. 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:
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The school would initially enroll 160 students with a maximum enrollment of 200 students and employ approximately 14 staff people. The intensity of the proposed use would be similar to that of the church that previously occupied the building. Furthermore, the size of the proposed use is in keeping with other institutional use surrounding Dolores Park and extending down Dolores Street to the north. The project is necessary and desirable because it would provide an additional choice in education to neighborhood and city residents and it provides adaptive reuse of an existing building. Furthermore, there are a limited number of suitable sites available for institutional uses such as an independent school.

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

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 existing building will be minimally enlarged to provide a stair/elevator penthouse for the proposed roof deck. The proposed work would not be visible from the street.

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;

A transportation study was prepared for the project to evaluate potential transportation impacts that could result from the project. The study concluded that the project would not have a significant impact on parking and traffic in the neighborhood for several reasons. The project includes expanding the white zone at the property's 19th Street frontage from 80 feet to 130 feet. The white zone would be effective between 7:00am – 9:00am and 2:30pm – 4:30pm, Monday – Friday. Also as part of the project, CDS has developed a student drop off plan that is based on the projected number of student drop offs and the proposed available loading space at each campus and include distribution of morning student drop offs that provides for student safety and minimizes traffic impacts. The drop-off plan is discussed further in the transportation section of the categorical exemption.

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

The project would not exceed the BAAQMD's 2010 thresholds of significance and would not result in the generation of air pollutants that exceed the BAAQMD's thresholds of significance.

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

No additional landscaping is proposed for the site. The existing street trees that border the property would be retained. The Department shall review all lighting and signs proposed for the property in accordance with the Conditions of Approval contained in Exhibit A.

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

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

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is generally consistent with the stated purpose of RH Districts to regulate institutional uses therein.

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

COMMERCE AND INDUSTRY ELEMENT Objectives and Policies

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES

POLICY 7.2:

Encourage the extension of needed health and education services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

POLICY 7.3:

Promote the provision of adequate health and education services to all geographic districts and cultural groups in the city.

The Project will allow for additional choices in educational options to neighborhood and city residents and allow for an increase in student enrollment should others want to attend. The Project would enhance the educational services available to residents of the local area neighborhoods as well as the city at large.

HOUSING ELEMENT Objectives and Policies

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

POLICY 11.7:

Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

POLICY 11.8:

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

The Project would respect the City's historic fabric by preserving and reusing a historic property. The Project will allow a school to locate within a residential District in a property that is suitable for an institutional use. As a result, additional educational services would be provided for the local neighborhood and community at large.

9. 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.

The proposal would not affect existing neighborhood-serving retail uses.

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

The proposal is for the adaptive reuse of an institutional building and would provide another educational choice for City residents.

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

Although the project would result in the loss of a dwelling unit, the dwelling unit is not affordable to most City residents.

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

The Department performed a transportation analysis of the project and determined that it would not significantly impact transit service, traffic, or parking in the neighborhood.

- 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 includes seismically retrofitting the existing structure to comply with current seismic standards. Therefore, the project would increase the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The subject property is a known historic resource pursuant to CEQA. In response, the Department performed a historical analysis of the property and the proposed improvements and determined that the project would not impact the property's ability to convey its historic significance.

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

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

10. 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.
11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

Draft Motion
April 26, 2012

CASE NO. 2011.0584CDV
601 Dolores Street

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. 2011.0584CDV subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 18, 2007, 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. XXXXX. 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 26, 2012

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 26, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow Children's Day School to convert a church that is current being used as a dwelling unit into a private elementary school for students in Fifth through Eighth grades located at 601 Dolores Street, Block 3598, Lot 060 pursuant to Planning Code Sections 209.3(g), 303, and 317 within a RH-3 District and a 40-X Height and Bulk District; in general conformance with plans, dated July 8, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0584CDV and subject to conditions of approval reviewed and approved by the Commission on April 26, 2012 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 26, 2012 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

DESIGN

2. **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 architectural addenda. 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.

MONITORING

3. **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.

OPERATION

4. **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

Draft Motion
April 26, 2012

CASE NO. 2011.0584CDV
601 Dolores Street

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/>

5. Enrollment for a school at the Project Site shall be limited to 200 students. Any increase in enrollment beyond 200 students at the Project Site shall require approval of a new or amended conditional use authorization by the Commission.

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

6. The Applicant shall take all reasonable measures to prevent loitering by students (and possible associated nuisances) during break times or before and after classes in adjacent residential areas.

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

RECORDING REQUESTED BY:)
And When Recorded Mail To:)
Name: SIAMAK AKHAVAN)
Address: 547 CORBETT AVE.)
City: SAN FRANCISCO)
State: California CA)

CONFIRMED COPY of document recorded on,
03/27/2008, 20081558781
as No. _____ of _____
This document has not been compared with the original
SAN FRANCISCO ASSESSOR RECORDER

Space Above this Line For Recorder's Use

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

I, (We) SIAMAK AKHAVAN, the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows: (LEGAL DESCRIPTION AS ON DEED).

SEE ATTACHED
EXHIBIT "A"

BEING Assessor's Block 3598; Lot 060, commonly known as 601 Dolores Street, hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (Planning Code).

Said Restrictions consist of conditions attached to a variance granted by the Zoning Administrator of the City and County of San Francisco on March 21, 2008 (Case No. 2008.0127V) permitting to convert the existing church building into a single-family dwelling with three off-street parking spaces. The proposed project includes seismic upgrades and only minimal changes to the exterior of the subject building.

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

1. Any further physical expansion, even within the buildable area, shall be reviewed by the Zoning Administrator to determine whether the expansion is compatible with existing neighborhood character, scale, and parking. If the Zoning Administrator determines that

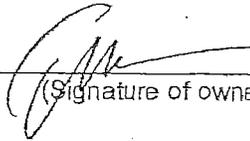
NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected property owners or a new Variance application be sought and justified.

2. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls shall apply.
3. Minor modifications as determined by the Zoning Administrator may be permitted.
4. The owners of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco.

Dated: 3/27/08 at San Francisco, California



(Signature of owner)

(Signature of owner)

This signature must be notarized prior to recordation; add Notary Public Certification and Official Notarial Seal below.

U:\Middleb\DOCUMENTS\NSRs\WA\601 Dolores Street=2008.0127V.doc

Escrow No.: 07-36502748-NV
Locate No.: CACTI7738-7738-2365-0036502748
Title No.: 07-36502748-RM

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Commencing at a point formed by the intersection of the southerly line of 19th Street with the easterly line of Dolores Street; running thence easterly along the southerly line of 19th Street 85 feet; thence at a right angle southerly 114 feet; thence at a right angle westerly 85 feet to the easterly line of Dolores Street; and thence northerly along the easterly line of Dolores Street 114 feet to its intersection with the southerly line of 19th Street and the point of commencement.

Being portion of Mission Block No. 77.

APN: Lot 60, Block 3598 601-605 Dolores Street, San Francisco, CA

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SAN FRANCISCO

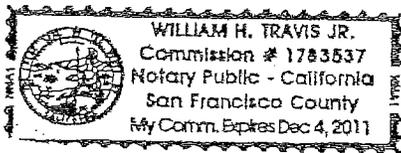
On MARCH 27, 2008 before me, WILLIAM H. TRAVIS JR. Notary Public

personally appeared SIAMAK AKHAVAN

personally known to me

(or proved to me on the basis of satisfactory evidence)

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



Place Notary Seal Above

WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

Document Date: 3/27/08 Number of Pages: 3 pages

Signer(s) Other Than Named Above: NONE

Capacity(ies) Claimed by Signer(s)

Signer's Name: SIAMAK AKHAVAN

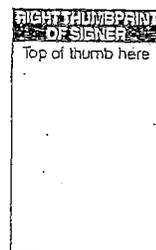
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input 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 |

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 18604

HEARING DATE: APRIL 26, 2012

Date: May 10, 2012
Case No.: 2011.0584CV
Project Address: 601 DOLORES STREET
Zoning: RH-3 (Residential, House, Three-Family)
40-X Height and Bulk District
Block/Lot: 3598/060
Project Sponsor: Molly Huffman
Children's Day School
333 Dolores Street
San Francisco, CA 94110
Staff Contact: Michael Smith - (415) 558-6322
michael.e.smith@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.3(g), 303, AND 317 FOR THE CONVERSION OF A FORMER CHURCH THAT IS CURRENTLY BEING USED AS A SINGLE-FAMILY DWELLING INTO A PRIVATE ELEMENTARY SCHOOL OPERATED BY "CHILDREN'S DAY SCHOOL" FOR A PROPERTY LOCATED WITHIN A RH-3 (RESIDENTIAL, HOUSE, THREE-FAMILY) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On July 14, 2011 Valerie Veronin on behalf of Children's Day School (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 209.3(g), 303, and 317 of the Planning Code to allow the conversion of single-family dwelling into a private elementary school for students in fifth through eighth grades operated by Children's Day School for a property located within a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

On April 26, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0584CV.

The Department determined the Project to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

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. 2011.0584CV, 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.** 601 Dolores Street is located on the southeast corner of the Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The subject building occupies most of a 9,690 square-foot, rectangular shaped lot that measures 85 feet in width, 114 feet in depth, and is located within a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District. The subject property is improved with a two-story over basement, single-family residence that was formerly a church. The building was constructed in 1910 in the Gothic Revival style as a church for the Mission Congregational Church.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is primarily multi-family residential in character with a few large institutional uses surrounding Mission Dolores Park and extending north down Dolores Street. There are a few commercial establishments located within ground floor storefronts on corners along Dolores Street, including restaurants, cafes, and convenience stores. Buildings in the vicinity typically range from two to four stories in height.
4. **Project Description.** The project sponsor is requesting conditional use authorization pursuant to Planning Code Sections 209.3(g) and 303 and mandatory discretionary review pursuant to Section 317 of the Planning Code to convert a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School" (CDS) which is currently operating 2.5 blocks north the at 333 Dolores Street. "Children's Day School" would maintain both campuses and use the proposed site as a satellite campus. The proposed school would house 160-200 students in grades 5th through 8th. The project includes interior and exterior tenant improvements. Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner

of the building, adding mechanical equipment and associated screening to the roof, and adding an elevator penthouse along the eastern edge of the building. Interior tenant improvements includes a complete seismic retrofit, partitions for 10 new classrooms, 7 administrative offices, 3 student and faculty lounges, 2 new interior stairways (including one that would be located within the tower), one elevator, 5 restrooms, and convert the sanctuary space into a multi-purpose space, create ADA ramps within the Dolores Street entry hall and the sanctuary's northern side aisle, and create a full second floor level within the Sunday school wing of the building. The project also requires a parking variance because no parking would be provided for the school.

5. **Public Comment.** To date, the Department has received 50 letters and emails of support for the project primarily from parents of students who attend the school. The project is also supported by the Mission Dolores Neighborhood Association (MDNA).

The adjacent neighbor to the south expressed concern about how activity on the proposed roof deck could impact noise and privacy at the rear of his multi-unit residential building next door and how the penthouse addition would block his view. Several other neighbors expressed concern about the potential impacts the use could have on parking and traffic in the neighborhood including the white zones location on 19th Street and the on-street parking spaces that would be eliminated as a result.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Parking.** Planning Section 151 of the Planning Code requires one off-street parking space for every six classrooms for elementary schools.

The proposed school would have no off-street parking and thus requires a parking variance from Section 151 of the Planning Code.

- B. **Floor Area Ratio (F.A.R.).** Section 124 of the Planning Code limits non-residential uses in RH-3 Districts to a floor area ratio of 1.8 to 1. For a corner lot, Planning Code Section 125 permits a 25 percent floor area premium.

The subject lot measures 9,690 square-feet in area. The maximum permitted use size for the property is 17,442 square-feet based upon the District's maximum permitted floor area ratio. The FAR premium allowed for corner lots increases the maximum permitted nonresidential use size to 21,802.5 square-feet. The proposed school would occupy 16,123 square-feet.

- C. **Land Use.** Section 209.3(g) of the Planning Code allows elementary schools (an institutional use) in a RH-3 District only upon the approval of a conditional use authorization by the Commission.

- D. **Dwelling Unit Conversion.** Section 317 of the Planning Code requires mandatory staff initiated Discretionary Review for the conversion of a dwelling unit to a non-

residential use if not otherwise subject to Conditional Use authorization by the Code.

The Planning Commission shall consider these criteria in the review of applications for Conversion of Residential Units;

- (i) whether conversion of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;
- (ii) whether conversion of the unit(s) would provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s);
- (iii) whether conversion of the unit(s) will bring the building closer into conformance with the prevailing character of its immediate area and in the same zoning district;
- (iv) whether conversion of the unit(s) will be detrimental to the City's housing stock;
- (v) whether conversion of the unit(s) is necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected.

The subject building was constructed in 1910 as a church for the Mission Park Congregation. The building remained a church for many different congregations until the most recent church occupant ceased operation in 2005 due to dwindling membership and significant seismic retrofit requirements. The property sat vacant for a couple years until it was purchased in 2007 and converted into a single-family dwelling. In 2011, the property was sold to CDS in anticipation of the proposed conversion. The conversion would not result in tenant displacement as the building was owner occupied upon its sale. Although the conversion of the dwelling unit would be detrimental to the City's housing stock, the existing dwelling is out of character for the neighborhood which is defined by residential flats, and it is not affordable housing. The use of the property as a dwelling unit does not represent the most effective use of the property. The property was constructed for institutional purposes and is best suited for that use.

7. 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:
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The school would initially enroll 160 students with a maximum enrollment of 200 students and employ approximately 14 staff people. The intensity of the proposed use would be similar to that of the church that previously occupied the building. Furthermore, the size of the proposed use is in keeping with other institutional use surrounding Dolores Park and extending down Dolores Street to the north. The project is necessary and desirable because it would provide an additional choice in education to neighborhood and city residents and it

provides adaptive reuse of an existing building. Furthermore, there are a limited number of suitable sites available for institutional uses such as an independent school.

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

- 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 existing building will be minimally enlarged to provide a stair/elevator penthouse for the proposed roof deck. The proposed work would not be visible from the street.

- 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;

A transportation study was prepared for the project to evaluate potential transportation impacts that could result from the project. The study concluded that the project would not have a significant impact on parking and traffic in the neighborhood for several reasons. The project includes expanding the white zone at the property's 19th Street frontage from 80 feet to 130 feet. The white zone would be effective between 7:00am – 9:00am and 2:30pm – 4:30pm, Monday – Friday. Also as part of the project, CDS has developed a student drop off plan that is based on the projected number of student drop offs and the proposed available loading space at each campus and include distribution of morning student drop offs that provides for student safety and minimizes traffic impacts. The drop-off plan is discussed further in the transportation section of the categorical exemption.

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

The project would not exceed the BAAQMD's 2010 thresholds of significance and would not result in the generation of air pollutants that exceed the BAAQMD's thresholds of significance.

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

No additional landscaping is proposed for the site. The existing street trees that border the property would be retained. The Department shall review all lighting and signs

proposed for the property in accordance with the Conditions of Approval contained in Exhibit A.

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

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

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is generally consistent with the stated purpose of RH Districts to regulate institutional uses therein.

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

COMMERCE AND INDUSTRY ELEMENT Objectives and Policies

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES

POLICY 7.2:

Encourage the extension of needed health and education services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

POLICY 7.3:

Promote the provision of adequate health and education services to all geographic districts and cultural groups in the city.

The Project will allow for additional choices in educational options to neighborhood and city residents and allow for an increase in student enrollment should others want to attend. The Project would enhance the educational services available to residents of the local area neighborhoods as well as the city at large.

HOUSING ELEMENT Objectives and Policies

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

POLICY 11.7:

Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

POLICY 11.8:

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

The Project would respect the City's historic fabric by preserving and reusing a historic property. The Project will allow a school to locate within a residential District in a property that is suitable for an institutional use. As a result, additional educational services would be provided for the local neighborhood and community at large.

9. 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.

The proposal would not affect existing neighborhood-serving retail uses.

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

The proposal is for the adaptive reuse of an institutional building and would provide another educational choice for City residents.

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

Although the project would result in the loss of a dwelling unit, the dwelling unit is not affordable to most City residents.

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

The Department performed a transportation analysis of the project and determined that it would not significantly impact transit service, traffic, or parking in the neighborhood.

- 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 includes seismically retrofitting the existing structure to comply with current seismic standards. Therefore, the project would increase the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The subject property is a known historic resource pursuant to CEQA. In response, the Department performed a historical analysis of the property and the proposed improvements and determined that the project would not impact the property's ability to convey its historic significance.

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

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

10. 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.
11. 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. 2011.0584CV subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 8, 2011 with a revision date of April 12, 2012, 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. 18604. 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.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on April 26, 2012

Linda D. Avery
Commission Secretary

AYES: Commissioners Sugaya, Antonini, Borden, Moore, Miguel, and Fong

NAYES: None

ABSENT: Commissioner Wu

ADOPTED: April 26, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow Children's Day School to convert a church that is currently being used as a dwelling unit into a private elementary school for students in Fifth through Eighth grades located at 601 Dolores Street, Block 3598, Lot 060 pursuant to Planning Code Sections 209.3(g), 303, and 317 within a RH-3 District and a 40-X Height and Bulk District; in general conformance with plans, dated July 8, 2011 with a revision date of April 12, 2012, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0584CV and subject to conditions of approval reviewed and approved by the Commission on April 26, 2012 under Motion No. 18604. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 26, 2012 under Motion No. 18604.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18604 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

DESIGN

2. **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 architectural addenda. 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.

MONITORING

3. **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

OPERATION

4. **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/>

5. **School Enrollment.** Enrollment for a school at the Project Site shall be limited to 200 students. Any increase in enrollment beyond 200 students at the Project Site shall require approval of a new or amended conditional use authorization by the Commission. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.*
6. **Loitering.** The Applicant shall take all reasonable measures to prevent loitering by students (and possible associated nuisances) during break times or before and after classes in adjacent residential areas. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.*
7. **White Loading Zone.** The proposed white loading zone on 19th Street shall be effective between the hours of 7 a.m. and 9 a.m. only to protect on-street parking for the maximum amount of time. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*
8. **Roof Deck Usage.** Usage of the proposed roof deck as a classroom or any other school related function shall not commence before 7 a.m. and shall not extend beyond 9 p.m. Furthermore, no lighting shall be installed on the deck only the minimum amount of lighting needed for safety. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.*
9. **Mechanical Equipment.** It was determined that the location of the rooftop mechanical equipment shown on the plans dated July 8, 2011 with a revision date of April 12, 2012, and stamped "EXHIBIT B" do not comply with the rear yard requirements of Section 134 of the Planning Code. As a result, the location of the equipment shown on the plans is not approved as part of this project. The sponsor shall continue to work with staff on the location of the equipment, preferably to be moved to a location that is not near the adjacent buildings. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*

Children's Day School

Application for Conditional Use Authorization

1. Owner/Applicant Information

Property Owner's Name: Children's Day School
Property Owner's Address: 333 Dolores Street
San Francisco, CA 94110
E-Mail: vveronin@sbcglobal.net
Telephone: (650) 704-4396

Applicant's Name: Molly Huffman, Head of School
Address: Same as Above

Contact For Project Info: Valerie Veronin, Project Manager
vveronin@sbcglobal.net
Bonnie Whittle, DFO
bonnieew@cgs-sf.org

2. Location and Classification

Street Address of Project: 601 Dolores Street
San Francisco, CA 94110

Cross Streets: 19th Street

Assessors Block/Lot: 3598/60

Lot Dimensions: Rectangular lot approximately 114 feet in length by
85 feet in width.

Lot Area (Sq Ft): 9,690 square feet

Zoning District: RH-3 (residential-house, three-family)

Height/Bulk District: 40-X

3. Project Description

Check all that apply

Change of Use Change of Hours New Construction

Alterations Demolition

Other:

Additions to Building: Rear Front Height Side Yard

Present or Previous Use:

The present approved use of 601 Dolores Street is a single-family dwelling. In 2007 the building was purchased by a local author and developer and converted into a single-family residence after a significant seismic retrofit and interior remodeling effort. The residence contains an art studio and exhibition space as well as 3 bedrooms and 2.5 bathrooms in roughly 17,000 GSF (Case No. 2008.0127V).

601 Dolores Street was built in 1909 as the Mission Park Congregational Church. It was designed by Francis W. Reid, of Meiker & Reid, who also served as the first minister of the congregation. In 1930 the building was purchased for \$36,000 by the Norwegian Lutheran Church and extensive improvements to the interior were completed before the church reopened in 1931.

Due to significant seismic retrofit requirements and dwindling membership, the church ceased operations in 2005 and the building remained vacant until purchased in 2007 and converted to its current use.

Previous Planning Commission Actions:

Case No. 2008.0127V - Conversion of an existing church building to a single-family residence and variance from rear yard requirements.

Previous Department Actions:

Case No. 2008.0127V - Conversion of an existing church building to a single-family residence and variance from rear yard requirements.

Proposed Use:

The proposed Project would return 601 Dolores Street to an institutional use. It would change from the current use as a single-family residence to a satellite campus of an existing independent pre-K-8 school (Children's Day School) located 2.5 blocks north at 333 Dolores Street. The Project entails an interior renovation to provide 10 middle school classrooms for the 5th through 8th grades and a performing arts space. There will be no changes to the exterior of the building. Children's Day School is requesting a maximum enrollment of 200 students for the satellite campus.

Building Permit Application Number:

Not yet filed

Date Filed:

Not yet filed

Narrative Project Description:

Introduction

The project would facilitate the expansion of the Children's Day School (CDS) from a pre-school through elementary school with one section per grade to two sections per grade kindergarten through eighth grade. CDS is an independent, co-educational, non-sectarian, non-profit school, serving children ranging in age from 3 to 15 years. It is located at the intersection of three of San Francisco's most vibrant neighborhoods: the Mission, the Castro and Noe Valley. The school's culture and curriculum emphasize personal responsibility and social justice, providing an excellent, child-centered education and building strong ties to the communities surrounding it. CDS serves a diverse population of families, including many single parent and dual working parent families. Students of color make up 44% of the student body (54% in the preschool) and 8% of the students come from gay and lesbian households. Tuition is charged on a need-based sliding scale and approximately 40% of the students pay less than full tuition. CDS dedicates 24% of its annual budget (more than any other private school in San Francisco) to providing this tuition assistance.

Founded in 1983, CDS began in the Excelsior District as a privately-owned pre-school. In 1987, the Sisters of Notre Dame de Namur leased St. Joseph's Hall located at 333 Dolores Street to CDS, and the school expanded to add a primary school for children Kindergarten through Second Grade. Thereafter other grades were added until the school reached its present configuration. The school incorporated as a non-profit public benefit corporation in 1996 and purchased the site at 333 Dolores Street from the Sisters of Notre Dame du Namur in September 2001. The School also purchased a contiguous parcel at 3275-3279 16th Street in 2008 and was granted Conditional Use to convert the three-unit building to general educational purposes, including but not limited to administrative offices, libraries, conference rooms and classrooms. This campus at 333 Dolores Street will remain the school's main campus, providing parking, drop off and administrative functions for the satellite Middle School campus proposed to be located at 601 Dolores Street (The Project).

The CDS main campus at 333 Dolores Street sits on land that was originally part of Mission Dolores. The land was given by Bishop Alemany to the Sisters of Notre Dame du Namur in 1856 for use as a school. The site is believed to be the longest continuously operating school site in California. The Sisters operated a school on the site until 1987 when they leased the land and St. Joseph's Hall to Children's Day School. The site of the CDS main campus is a portion of Landmark #137, located directly across from Mission Dolores. The school's programs operate from three structures totaling 32,000 square feet: the pre-school is in three temporary bungalow classrooms, adjacent to the school's farm and garden, the K-8 classrooms are located in St. Joseph's Hall, and the library, music room and administrative offices are located in 3275-3279 16th Street.

During the time since 1987 that the school has been located at the 333 Dolores Street four Conditional Use approvals have been granted to the school. First, a retroactive authorization (Motion No. 13847) for the pre-school, referred to as "Day Care" was granted in 1995, as part of the authorization for the lot split and conversion of the Notre Dame High School building into senior housing by Mercy Charities Housing. In that authorization, the Planning Commission found that the operation of the elementary school in St Joseph's Hall does not require Commission authorization because this use predates the Conditional Use requirement for schools in residential districts. However, the Commission determined that the operation of the pre-school, which began on the site after 1978, did require Commission authorization. The 1995 Conditional Use authorization for the preschool set a maximum enrollment for the "day care" operation at 150 students. No maximum enrollment was set for the elementary (K-8) school.

In 1999, CDS applied for and was granted Conditional Use approval to construct a new 17,000 square foot classroom building adjacent to the 22,000 square foot St. Joseph's Hall. The approval of a Conditional Use authorizing the construction of the new building (Motion No. 14948) was granted on January 6, 2000. Financial constraints forced the school to put this project on hold beyond the timetable included in the Conditional Use, and that authorization has now lapsed. The third Conditional use authorization was given in November 2003, when the school sought and received authorization to install three 24'x40' portable classrooms together with a redwood deck, ramp and stair structure for access. These portable classrooms were authorized for a period not to exceed 10 years from the date of issuance of the building permit for the construction of the portable classrooms, which occurred the following year. Consequently, this authorization will expire during 2014 (Case No. 2003.0091A). In 2008, the school sought and received approval to convert the three-unit building located at 3275-2379 16th Street to education use (Case No. 2008.0404C). This conversion changed the main access for that property from 16th Street to the rear of the building, off of the school's driveway.

The now-void Conditional Use authorization for the construction of a second permanent building adjacent to St. Joseph's Hall contained the finding that "the student population of the school, including the existing day care operation, would not exceed the previously established maximum occupancy of Saint Joseph's Hall Building of up to 350 students." This statement was inaccurate. First, other than for the pre-school component, there was no maximum occupancy for St. Joseph's Hall previously established by Commission authorization (see Motion No. 13847), and second, the average historic enrollment of the K-8 school operated by the Sisters of Notre Dame in St. Joseph's Hall (which is what the Motion was actually referring to) was 40 students in each of 9 grades, Kindergarten through Eighth Grade. That number is 360 (9 X 40), not 350 students. (Indeed, 350

divided by 9 would result in the enrollment of 38.8889 students per grade, and no school's enrollment plan contemplates either enrolling partial students or different enrollments for each grade.) The 2003 authorization for the temporary classrooms repeats the erroneous 350-student number.

Accordingly, Children's Day School's proposed enrollment by site following the acquisition of the satellite Middle School campus at 601 Dolores Street (The Project) would be: 333 Dolores Street – 360, and 601 Dolores Street – 200.

The Project

The acquisition of 601 Dolores Street would enable the school to relocate its middle school grades 5-8 to 601 Dolores Street, creating a satellite campus approximate 2.5 blocks from the main campus. This proximity would allow CDS to maintain current practices for pick-up, drop-off and parking. No additional parking for staff will be required. All staff parking would occur in existing spaces at 333 Dolores Street. The site currently accommodates 40 cars in a 54-car lot shared by the Notre Dame Senior Housing Complex. Middle school students would be dropped off at 333 Dolores where the school has an off-street loop and program for managed drop-off and pick-up. Each morning, staff would escort students to 601 Dolores. After school, they would return to 333 Dolores for pick-up.

The building at 601 Dolores Street would be converted from a single-family residence to a general education facility. The building would be seismically strengthened and modified as required to meet the California Building Code for E-occupancy. There are no plans to alter the building's exterior. Entering off 19th Street, the fully accessible lower floor would be renovated to include an accessible entry and reception, 5 classrooms, support spaces (office, meeting and storage) and elevator access to the upper floors. The main level and upper floor would maintain much of the existing layout and character. The large open space would be used as a multi-purpose space for music, visual arts and theatrical performances. Two classrooms would be located on this floor. Three classrooms would be located on the third floor. The fully operating middle school program would serve a maximum of 200 students. All middle school classes would be held at 601 Dolores, with the exception of farm and garden studies and multi-age activities (including the preschool "Buddy" program), which would continue to be held at 333 Dolores, and physical education, which would continue to be held in the Boys & Girls Club gymnasium at 450 Guerrero Street.

The conversion of 601 Dolores would allow CDS to better serve San Francisco's young families, especially those in the Mission, Noe Valley and the Castro. This project would also support the City's long-term goal of keeping more families in San Francisco. The project would make it possible for the school to continue its planned enrollment growth and accommodate a fully functioning school teaching two sections per grade level. In addition, it would free up much needed classroom space on the main campus to accommodate the pre-school on the first floor of St. Joseph's Hall. The temporary facilities currently housing the pre-school would be removed from the campus.

4. Project Summary Table

If you are not sure of the eventual size of the project, provide maximum estimates.

Gross Square Footage (GSF) Existing Uses: To be Retained: Net New/Added: Project Total:				
RESIDENTIAL	15,171	0	-15,171	0
RETAIL	0	0	0	0
OFFICE	0	0	0	0
INDUSTRIAL	0	0	0	0
PRODUCTION DISTRIBUTION AND REPAIR (PDR)	0	0	0	0
PARKING	1,935	0	-1,935	0
OTHER: Middle School	0	0	18,203	18,203
TOTAL:	17,106	0	1,097	18,203
PROJECT FEATURES Existing Uses: To be Retained: Net New/Added: Project Total:				
DWELLING UNITS	1	0	-1	0
HOTEL ROOMS	0	0	0	0
PARKING SPACES	3	0	-3	0
LOADING SPACES	0	0	0	0
NUMBER OF BUILDINGS	0	0	0	0
HEIGHT OF BUILDING(S)	45'-6"	45'-6"	0	45'-6"
NUMBER OF STORIES	2 w/mezz.	2 w/mezz.	3**	3**

* The existing tower is 55'-6" in height.

** The addition of 1,097 square feet is accommodated solely within the existing exterior walls of the building by infilling a portion of the mezzanine floor, which is currently open to the floor below. This infill is required to create space for a third classroom at that level. With this addition, the total floor area will no longer qualify as a mezzanine, it will become the 3rd floor.

5. Action(s) Requested (Include Planning Code Section which authorizes action)

Conditional Use Approval under Planning Code sections 209.3, 303 and 311 requested to: (a) allow for the renovation of 601 Dolores Street as a middle school facility in an RH-3 Zoning District as a conditionally permitted use; (b) convert 601 Dolores from a single-family residence to a school building; and (c) allow a maximum enrollment of 200 students at the 601 site.

A variance application per Planning Code Section 305 will also be filed to allow for the remote parking of two required vehicles on the school's main campus at 333 Dolores Street per Section 150 and Section 159.

Conditional Use Permit Application

Children's Day School

Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

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; and

The proposed Project allows the School to continue providing a desirable community service to the immediate neighborhood and City residents generally. The School has been an active member of the surrounding community since 1987. In that time, the School has grown organically. The increase in the School's enrollment would permit the School to operate at capacity and serve additional students from the neighborhood and the City. School students are reflective of the population of San Francisco and come from a variety of racial, economic, cultural and social backgrounds. The majority of students live nearby in the Portola, Bernal Heights, Diamond Heights, Excelsior and Noe Valley districts, as well as the Mission and the Castro. However, students also live in the Richmond and Sunset districts and in the South and East Bay. The mix in student population is maintained through a strong financial aid program.

The conversion of the building from its current use as a single-family residence to an educational facility is in keeping with the original intended use of the building as a place of congregation and worship. Where possible and appropriate, the planned assembly area could be used to serve the needs of the neighboring community. The renovations will be designed to meet current seismic codes and provide increased safety to the neighboring facilities.

Additionally the building will retain its compatibility with the surrounding neighborhood as no changes to the exterior are 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;*

The Project will not be detrimental to 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.

All modifications would be contained within the existing building. The exterior would remain intact and would not change in either size or shape.

(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;*

Traffic patterns for persons and vehicles, type and volume of traffic will experience no more than minor changes as a result of the CDS satellite middle school campus at 601 Dolores Street. No additional parking for staff will be required. All staff parking would occur in existing spaces on the main campus at 333 Dolores Street. The site currently accommodates 40 cars in a 54-car lot shared by the Notre Dame Senior Housing Complex. This greatly exceeds the required parking for both sites.

Parking requirement at 1 space per 6 classrooms:
333 Dolores Street - 15 Classrooms + 3 PS bungalows
3275 16th Street - 1 classroom
601 Dolores Street - 10 classrooms

Total Classrooms = 29 (this number will be reduced to 26 when the bungalows are removed in 2014)
Parking Required = 5 spaces

Middle school students would be dropped off at 333 Dolores where the school has an off-street loop, which is not visible from Dolores Street, and a staff facilitated program for managed drop-off and pick-up. Each morning, staff would escort middle school students to 601 Dolores. After school, they would return to 333 Dolores for pick-up.

The School proposes to hold performing arts and assembly events at 601 Dolores Street. The School will adapt its current parking program, as discussed above, to manage parking for these events. The School will maintain availability of the School's neighborhood liaison to address any matters of concern to neighborhood residents. The School's administration and Board strive to be good neighbors and maintain open lines of communication to address any complaints or concerns that may arise.

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

No noxious or offensive emissions will be associated with the renovation and use of the 601 Dolores Street.

The General Contractor for construction of the project will be asked to incorporate necessary measures to ensure this result. The renovations will not use reflective or

glare-producing materials. Once construction is completed, no loose gravel or dust will be present on the site.

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

Additional security lighting may be incorporated as part of the design in a manner that is not obtrusive to neighboring properties. The site does not have any exposed parking, loading or service areas. The exterior character of the building will be maintained and signage will be tasteful and minimally incorporated.

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

The project will not adversely affect the Master Plan. It will complement the School's existing facilities at 333 Dolores Street, allow for the school's planned enrollment growth and convert an under-utilized structure to a more productive and appropriate use. Additionally, by utilizing an existing building, the character of both sites is maintained by obviating the need for new construction to provide needed classroom space. The project complies with all aspects of the Master Plan and will be brought into conformance with the California Building Code for an Educational Occupancy.

Priority General Plan Policies Findings

Proposition M was adopted by votes on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT APPLY.

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

The project will not affect neighborhood-serving retail uses and will have no direct effect on resident employment or business ownership in San Francisco.

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

The Children's Day School offers a pre-school through eighth grade educational program for an economically, racially, culturally and socially diverse student body, aged 3 through 15. This Project will further enhance and enable the School's cultural contribution to the community by providing much-needed classroom space and assembly space for School ceremonies and theatrical events.

The conversion of the building from its current use as a single-family residence to an educational facility is in keeping with the original intended use of the building as a place of congregation and worship, maintains the existing community character and will not harm the cultural and economic diversity of the neighborhood.

3. That the City's supply of affordable housing be preserved and enhanced;

The Project will not affect or displace any affordable housing in the area.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

The Project will not produce commuter traffic that impedes any nearby MUNI services. As proposed, the project incorporates the existing traffic and parking management program on the main campus at 333 Dolores Street. The main campus provides 40 off street parking spaces to more than satisfy the parking requirement of both sites and meet the needs of faculty and staff. This will assure that traffic patterns and neighborhood parking are not affected.

5. 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 is not a commercial project and does not displace any existing industrial or service businesses in the area.

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

The Project will renovate and remodel an existing building for use as an E-occupancy. The structure will be seismically braced to comply with the provisions of the California and San Francisco Building Codes.

7. That landmarks and historic buildings be preserved;

The Project will not negatively affect any landmark or historic building. The proposed adaptive re-use of 601 Dolores Street will in fact enhance the historic nature of the surrounding neighborhood by utilizing an existing building, rather than new construction, to provide needed classroom space for the school.

Additionally, the conversion of the building from its current use as a single-family residence to an educational facility is more in keeping with the original intended use of the building as a place of congregation and worship.

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

The Project will not impact parks or open space or obstruct their access to sunlight.

Estimated Construction Cost

Occupancy Classification: E and A

Building Type: Elementary School Facility

Total Gross Square Feet of Construction: TBD Remodel/Renovation

By Proposed Uses: 17,000 SF School Use

Estimated Construction Cost: \$5,000,000

Estimate Prepared By: Plant Construction Company



**SAN FRANCISCO
PLANNING DEPARTMENT**

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2012 JUN 18 PM 12:15

RBC

Conditional Use Authorization Appeal
601 Dolores Street

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: June 18, 2012
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: John Rahaim, Planning Director – Planning Department (415) 558-6411
Michael Smith, Case Planner – Planning Department (415) 558-6322
RE: File No. 120646, Planning Case No. 2011.0584C - Appeal of the approval of
Conditional Use Authorization for 601 Dolores Street, and
File No. 120498, Planning Case No. 2011.0584E - Appeal of the issuance of a
Categorical Exemption for 601 Dolores Street

HEARING DATE: June 26, 2012

ATTACHMENTS:

- A. Planning Department Response to CEQA Appeal
- B. Commission Conditional Use Authorization Packet
- C. Commission Conditional Use Final Motion No. 18604

PROJECT SPONSOR: Molly Huffman, c/o Children's Day School, 333 Dolores Street, San Francisco, CA 94110

APPELLANTS: Ann and Landon Gates, and Lisa Nahmanson and Sandra Steele, both represented by their Attorneys, Jeffrey Goldfarb and Elizabeth Erhardt of Rutan & Tucker, LLP Elizabeth Erhardt; Rutan & Tucker, LLP., 3000 El Camino Real, Suite 200, Palo Alto, CA 94306

INTRODUCTION: This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the Planning Commission's ("Commission") approval of the application for Conditional Use Authorization under Planning Code Sections 303 (Conditional Use Authorization), 209.3(g) (School), and 317 (Dwelling Unit Removal), and the issuance of a Categorical Exemption for a project proposing to allow the conversion of single-family dwelling into a private elementary school for students in fifth through eighth grades operated by Children's Day School (the "project") for 601 Dolores Street, located in a RH-3 (Residential, House, Three-Family) 40-X Height and Bulk District. This response addresses the appeals ("Appeal Letters") to the Board filed on May 9, 2012 by Ann and Landon Gates, owners of 627 Dolores Street, and Lisa Nahmanson and Sandra Steele, owners of 3685 19th Street. The Appeal Letters referenced the proposed project in Case No. 2012.0584CEV.

The decision before the Board is whether to uphold the Department's decision to approve the Conditional Use and deny the appeal, or to overturn the Department's decision to approve the Conditional Use and deny the project.

SITE DESCRIPTION & PRESENT USE

601 Dolores Street is located on the southeast corner of the Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The subject building occupies most of a 9,690 square-foot, rectangular shaped lot that measures 85 feet in width, 114 feet in depth, and is located within a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District. The subject property is improved with a two-story over basement, single-family residence that was formerly a church. The building was constructed in 1910 in the Gothic Revival style as a church for the Mission Congregational Church.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is primarily multi-family residential in character with a few large institutional uses surrounding Mission Dolores Park and extending north down Dolores Street. There are a few commercial establishments located within ground floor storefronts on corners along Dolores Street, including restaurants, cafes, and convenience stores. Buildings in the vicinity typically range from two to four stories in height.

The RH-3 districts have many similarities to RH-2 Districts, but structures with three units are common in addition to one-family and two-family houses. The predominant form is large flats rather than apartments, with lots 25 feet wide, a fine or moderate scale and separate entrances for each unit. Building styles tend to be varied but complementary to one another. Outdoor space is available at ground level, and also on decks and balconies for individual units. Nonresidential uses are more common in these areas than in RH-2 Districts.

BACKGROUND

2011 – Conditional Use Authorization Application filed

The project sponsor submitted a Conditional Use Authorization application on July 14, 2011.

On April, 2012, the Department determined the Project to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

2010 – Conditional Use Authorization hearing

At the April 26, 2012 public hearing, the Commission granted a Conditional Use Authorization (Motion #18604) pursuant to Sections 303, 209.3(g), and 317, authorizing the conversion of a single-family dwelling into a private elementary school at the subject property.

CONDITIONAL USE AUTHORIZATION REQUIREMENTS

To approve a conditional use application, the Planning Commission must adopt findings that the criteria outlined in Section 303 (Conditional Use) of the Planning Code have been met. Section 303 states that the Commission shall approve an application and authorize a conditional use if the facts presented are such to 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; and
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;
 - 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 and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code.
 - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
 - e. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

In reviewing the materials submitted by the appellants it appears that their concerns raised in their regarding the Conditional Use authorization for the project are nearly identical to the concerns raised in their CEQA appeal. Therefore, the Department's response here is minimal. We have attached environmental appeal response to cover the redundant issues.

APPELLANT ISSUE No. 1 – Consistency with General Plan Questioned. The Appellant contends that approval by Conditional Use Authorization is not compatible with the General Plan. The Appellant stated that "substantial evidence" provided this claim but provided no information.

RESPONSE No. 1: The Planning Commission found that the project to be Consistent with the General Plan as follows in italics.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES.

POLICY 7.2:

Encourage the extension of needed health and education services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

POLICY 7.3:

Promote the provision of adequate health and education services to all geographic districts and cultural groups in the city.

The Project will allow for additional choices in educational options to neighborhood and city residents and allow for an increase in student enrollment should others want to attend. The Project would enhance the educational services available to residents of the local area neighborhoods as well as the city at large.

HOUSING ELEMENT

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

POLICY 11.7:

Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

POLICY 11.8:

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

The Project would respect the City's historic fabric by preserving and reusing a historic property. The Project will allow a school to locate within a residential District in a property that is suitable for an institutional use. As a result, additional educational services would be provided for the local neighborhood and community at large.

CONCLUSION:

In the Commission's authorization of the Conditional Use, the Planning Commission found the project to be necessary, desirable and compatible with the neighborhood. The project is necessary for the neighborhood because it promotes the adaptive reuse of a difficult building type and it promotes and strengthens the continued operation of a neighborhood serving school allowing for additional choices in educational options to neighborhood and city residents. Furthermore, the project would make better use of an underutilized property resulting in the loss of a dwelling unit that is not affordable to most City residents. The project design responds to the surrounding, existing development patterns as viewed from the public rights-of-way, the mid-block open space and adjacent residential buildings and would preserve the building's exterior and interior character defining features.

For the reasons stated above, the Planning Department recommends that the Board uphold the Planning Commission's decision in approving the Conditional Use and Planned Unit Development authorizations for 601 Dolores Street and deny the Appellant's request for appeal.



**SAN FRANCISCO
PLANNING DEPARTMENT**

MEMO

DATE: June 11, 2012
TO: Angela Calvillo, Clerk of the Board
FROM: Bill Wycko, Environmental Review Officer, Planning Department
RE: Appeal of the Categorical Exemption
601 Dolores Street
Planning Department Case No. 2011.0584E

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning Information:
415.558.6377

HEARING DATE: June 19, 2012

As requested, attached are four hard copies of the Planning Department's memorandum to the Board of Supervisors regarding the appeal of the categorical exemption for 601 Dolores Street. We have also e-mailed an electronic/pdf version of the memorandum to BOS.Legislation@sfgov.org and to Victor Young, Committee Clerk, Board of Supervisors.

If you have any questions regarding this matter, please contact Nannie Turrell at 575-9047 or nannie.turrell@sfgov.org.

Thank you.

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**SAN FRANCISCO
PLANNING DEPARTMENT**

MEMO

**APPEAL OF CATEGORICAL EXEMPTION
601 Dolores Street**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE: June 11, 2012
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Bill Wycko, Environmental Review Officer – (415) 575-9048
Don Lewis, Case Planner – (415) 575-9095
RE: File No. 120498, Planning Case No. 2011.0584E
Appeal of Categorical Exemption for the 601 Dolores Street Project
HEARING DATE: June 19, 2012
ATTACHMENTS: A – Letter of Appeal (May 9, 2012; Exhibit A of Letter of Appeal is the
April 9, 2012, Certificate of Exemption from Environmental Review)

PROJECT SPONSOR: Molly Huffman, Children's Day School

APPELLANT: Ann and Landon Gates, represented by their Attorneys, Jeffrey Goldfarb and
Elizabeth Erhardt of Rutan & Tucker, LLP

INTRODUCTION:

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the Planning Department's (the "Department") issuance of a Certificate of Determination from Environmental Review for the 601 Dolores Street project (the "project") on April 9, 2012, finding that the proposed project would not have a significant effect on the environment.¹

The decision before the Board is whether to uphold the Department's decision to issue a Categorical Exemption and deny the appeal, or to overturn the Department's decision to issue a Categorical Exemption and return the project to the Department staff for additional environmental review.

¹ California Code of Regulations, Title 14, Section 15332: Class 32 Exemption.

PROJECT DESCRIPTION:

The project site is located on the southeast corner of Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The proposed project would involve the conversion of an existing church structure, currently being used as a single-family residence, into middle-school classrooms and a multi-purpose assembly space for the Children's Day School (CDS). The project would enable CDS to relocate its middle school (grades 5 to 8) from 333 Dolores Street to the project site at 601 Dolores Street, which is about two blocks away. The proposed project would accommodate between 160-200 middle school students and would allow CDS to continue its planned enrollment from 350 to approximately 520 students and from 72 to 86 faculty/staff. When the structure at 601 Dolores Street is fully occupied, in approximately four years, the maximum enrollment would be 320 elementary students at 333 Dolores Street and 200 middle school students at 601 Dolores Street. The existing structure at 601 Dolores Street is approximately 46 feet tall, two stories with mezzanine, and approximately 17,106 square feet in size. The proposed project would add 1,097 square feet to the existing building solely within the existing interior walls by infilling a portion of the mezzanine floor, which is currently open to the floor below. The finished building would be 46 feet tall, three stories, and 18,203 square feet in size with no on-site parking.

Exterior tenant improvements would include adding a roof deck to the southeast corner of the building and an elevator penthouse along the eastern edge of the building. Interior tenant improvements would include converting the sanctuary space into a multi-purpose space, creating a full second floor level within the Sunday school wing, completing the seismic retrofit, adding interior partitions for school facilities, installing new plumbing, and creating ADA accessibility. Other improvements include converting the existing garage entrance on 19th Street into a primary pedestrian entrance and creating a 50-foot-long white zone/passenger loading and unloading area. The sponsor also proposes to extend the existing white zone curb in front of 333 Dolores Street from 80 feet to 130 feet, and to use the existing white zone at 450 Guerrero Street for student drop-offs and pick-ups.² As part of the project, CDS has developed a student drop off plan that is based on the projected number of student drop offs and the proposed available loading space at each campus and includes distribution of morning student drop offs that provides for student safety and minimizes traffic impacts. This is discussed further in the transportation section.

The existing church structure on the project site was constructed in 1910 and is included on the Department's 1976 Architectural Survey, the Here Today Survey, and the City's Unreinforced Masonry Buildings Survey. The estimated construction cost is 5 million dollars. The project requires Conditional Use authorization for a school use in an RH-3 zoning district and for the loss of dwelling unit through conversion. On April 26, 2012, the Planning Commission, by Motion No. 18604, approved a conditional use authorization and the Zoning Administrator granted a

² CDS students attend gym classes at the Boy and Girls Club located at 450 Guerrero Street, which is directly adjacent to 333 Dolores Street.

Appeal of Categorical Exemption
Hearing Date: June 19, 2012

File No. 120498, Planning Case No. 2011.0584E

variance for the proposed project. The conditional use authorization is under appeal to this Board. There will be a new variance hearing and it could be appealed to the Board of Appeals.

CEQA GUIDELINES:

Categorical Exemptions

Section 21084 of the California Public Resources Code³ requires that the CEQA Guidelines identify a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from further environmental review.

In response to that mandate, the State Secretary of Resources found that certain classes of projects, which are listed in CEQA Guidelines Sections 15301 through 15333,⁴ do not have a significant impact on the environment, and therefore are categorically exempt from the requirement for the preparation of further environmental review.

CEQA State Guidelines Section 15332, or Class 32, allows for an exemption of an in-fill development meeting various conditions, which include: (a) The project is consistent with the applicable general plan designations and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the site can be adequately served by all required utilities and public services. As described above, the proposed project is an in-fill development that would have no significant adverse environmental effects and would meet all the various conditions prescribed by Class 32. Accordingly, the proposed project is appropriately exempt from CEQA under Section 15332.

CEQA Guidelines Section 15300.2 lists exceptions to the use of categorical exemptions. The exceptions include that an exemption shall not be used where the project would result in a significant cumulative environmental impact (Section 15300.2(b)), where there is a reasonable possibility that the activity would have a significant effect on the environment due to unusual circumstances (Section 15300.2(c)), where the project would damage scenic resources within a highway officially designated as a state scenic highway (Section 15300.2(d)), where the project would be located on a site listed as a hazardous waste site pursuant to Section 65962.5 of the California Government Code (Section 15300.2(e)), or where the project would cause a substantial adverse change in the significance of a historical resource (Section 15300.2(f)). As described in the April 9, 2012 Categorical Exemption, there are no conditions associated with the proposed project that would suggest the possibility of a significant environmental effect under these exceptions. Therefore, under the above-cited classification, the proposed project is appropriately exempt from environmental review.

³ 21084: Guidelines shall list classes of projects exempt from this Act.

⁴ California Code of Regulations, Title 14, Chapter 3.

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES:

The issues raised in the May 9, 2012 Appeal Letter are cited below in the order in which they appear in the Appeal Letter and are followed by the Department's responses.

Issue #1: General Plan and zoning designation. "Substantial evidence does not support the determination that the Project is consistent with the General Plan and all applicable General Plan policies, as well as the applicable zoning designation and regulation."

Response #1: Project is consistent with the General Plan and zoning controls. CEQA Guidelines Section 15384 provides a definition of substantial evidence. Substantial evidence as used in these guidelines means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

A discussion of the project's consistency with applicable general plan designations and policies as well as with applicable zoning designation is found on page 2 of the Categorical Exemption Determination, which states that the proposed project would be consistent with all applicable zoning plans and policies. The Categorical Exemption provides information on the project's physical impacts, but the conclusion of the project's appropriateness is a policy matter for decision makers to consider during the project approval phase. A conflict between a proposed project and a General Plan policy does not, in itself, indicate a significant effect on the environment within the context of CEQA, with the exception being those conflicts that result in physical changes that could adversely impact the environment. The Categorical Exemption did not find any physical changes that would result in a significant effect on the environment.

The Department found that the project is, on balance, consistent with the General Plan and the relevant provisions of the Planning Code. In addition, the Department found that the project complies with the eight priority-planning policies of Planning Code Section 101.1(b). The Planning Commission concurred with this evaluation and subsequently approved the conditional use authorization on April 26, 2012.

The appellant does not state why the project is not consistent with the General Plan and applicable zoning controls, and also does not raise any issues that have not been adequately addressed in the Categorical Exemption Determination. The appellant's claim that such conflict exists is unsupported and therefore, is not considered substantial evidence. The project was appropriately exempt from environmental review, and no further response is required.

Issue #2: Substantial evidence. "Substantial evidence does not support the conclusion that the approval of the Project would not result in any significant effects relating to traffic, noise, air quality or water quality. The analysis prepared by the City ignored numerous noise, air quality and traffic generators. These include, but are not limited to, the introduction of equipment and children onto the outdoor rooftop deck, and the creation of the penthouse and its attendant elevator. Substantial evidence also fails to demonstrate that the construction and operational impacts resulting from the proposed Project will not significantly impact traffic, noise, or air quality."

Response #2: Project was appropriately exempt from environmental review. The appellant raises concerns regarding "the introduction of equipment and children onto the outdoor rooftop deck and the creation of the penthouse and its attendant elevator," and states that the Categorical Exemption does not adequately address noise, air quality, traffic, and water quality. As stated in the Categorical Exemption on page 9, the project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity. In addition, noise generated by the proposed users of the 601 Dolores Street building would be considered common and generally acceptable in an urban area. Regulation of construction and operation noise is stipulated in Article 29 of the Police Code (the Noise Ordinance), which states that the City's policy is to prohibit unnecessary, excessive, and offensive noises from all sources subject to police power. The project site is subject to police power and excessive noise would be dealt with through noise complaints and similar mechanisms, as under existing conditions. However, there is no reason to believe that the use of the proposed project would produce unnecessary, excessive, or offensive noise.

As stated on page 9 of the Categorical Exemption, the project meets all Bay Area Air Quality Management District's (BAAQMD) screening criteria, the project would not result in exposure of sensitive receptors to substantial pollutant concentrations, and construction activities for the proposed interior renovation would be minimal and would not result in a substantial increase in risks and hazards to nearby receptors. As stated on page 3 of the Categorical Exemption, a transportation impact study was prepared to analyze impacts associated with the Children's Day School's (CDS) proposed use of 333 Dolores Street, 450 Guerrero Street, and 601 Dolores Street. The transportation study did not find any significant effects related to traffic, transit, parking, access, loading, and pedestrian and bicycle conditions. As stated on page 9 of the Categorical Exemption, 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. Project-related wastewater and storm water 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.

The Department adequately addressed traffic, air quality, noise, and water quality, and the appellant does not raise any issues that have not been addressed in the Categorical Exemption Determination. Argument, speculation, and unsubstantiated opinion do not constitute substantial

evidence. The appellant has not put forth substantial evidence to the contrary, and thus no further response is required. In light of the above, the project was appropriately exempt from environmental review.

Issue #3: Historical Resource. "The Project is not entitled to a categorical exemption pursuant to CEQA Guideline 15300.2(f) because the Project may cause a substantial adverse change in the significant of a historical resource. The building at 601 Dolores Street has been designated as a "historically significant" building. Substantial evidence fails to demonstrate that the numerous changes proposed to the building individually or cumulatively will not cause a substantial adverse change by materially altering, in an adverse manner, the physical characteristics of the 601 Dolores building and substantially impact its historical significance and its qualifications as a historical resource. Moreover, the proposed changes do not follow the Secretary of Interior's standards for the treatment of historic properties. In addition, the City has failed to impose conditions of approval which would mitigate the potentially adverse significant impacts to historic resource down to a level of insignificance. There is evidence which includes, but is not limited to, the fact that the rooftop additions are visible from the street, as well as from other public locations in and around the Project, and the mechanical systems and planters which will be installed on the roof are inconsistent with the architectural style and appearance of the building. These alterations will individually and cumulatively substantially degrade its historic character thereby substantially affecting its ability to be included in the City's Historic Register. In addition, the determination of the ERO was based on incorrect or incomplete plans."

Response #3: No significant impact on historical resources. The appellant contends that cumulatively, the proposed stair/elevator penthouse, mechanical enclosure, and other rooftop features do not comply with the Secretary of the Interior Standards for Rehabilitation and thus may cause a substantial adverse change to the significance of the resource and as a result the project is not entitled to a categorical exemption. The appellant further contends that the Department did not have complete plans on which to base its determination.

To assist in the evaluation of the subject property, the project sponsor submitted a Historical Resource Evaluation prepared by Christopher VerPlanck of VerPlanck Historic Preservation Consulting, prepared November 2011 and revised February 2012. Using this information and information found within the Planning Department's background files the Department determined that 601 Dolores Street qualifies as a historic resource individually and as a contributor to an identified historic district. The property was also found to have very good historic integrity.

After determining the property to be a historic resource, the Department itemized the building's character-defining features. These physical features must be retained for the property to convey its historic identity in order to avoid a significant adverse impact to the resource. The building's character-defining features were determined to be the following features:

Exterior

- Rubbed brick cladding at the street facing elevations.
- All Gothic and Tudor moldings.
- Brick buttresses with caps.
- Complex and steeply pitched gabled roof.
- All windows, doors, and other openings.
- Tower element with crenellated parapet.

Interior

- Division of spaces into basement, Sanctuary, and Sunday school wing.
- Hardwood flooring.
- Redwood wainscoting and paneling.
- Tudor and Gothic columns in the sanctuary.
- Tudor and Gothic arches in the sanctuary.
- Stenciled ceilings in the sanctuary and vestibule.
- Most of the light fixtures.
- All doors (paneled and overhead).
- Plaster walls and ceilings.
- Exposed wood trusses.
- Door and window trims.

After determining the above features to be those that characterize the property the Department evaluated whether any of these features would be materially impaired by the project.

The project proposes to add a stair/elevator penthouse, mechanical enclosure, and other rooftop features to the southern flat roofed portion of the building. This area of the building was not found to be character-defining though the steeply pitched gabled roofs that partially surround it were found to be. Originally, the flat roofed portion of the building in question was not proposed for development but the sponsor added this component to the project early enough that it was evaluated by the Department and found not to cause an adverse impact to the resource.

The sponsor is essentially arguing that the project does not comply with Standard 2 of the Secretary of the Interior Standards for Rehabilitation which states:

The historic character of a property will be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property will be avoided.

The proposed roof deck complies with this Standard because the flat roof southern portion of the building was not determined to be a character-defining feature. Furthermore, the penthouse addition and mechanical enclosure are set back from the street edges of the building and placed in the southeast corner of the roof where it would be the least visible from the street. The features

would be minimally visible from the upslope of Dolores Park across the street but the Standard allows for minimal visibility. The appellant argues that the mere visibility of the feature from any vantage point would impact the building's historical significance which is inconsistent with the application of the Standard. Such a strict application of the Standard would make it difficult if not impossible to add an addition to any historic property because it would always be visible from some location.

Therefore, the proposed project would not have a significant adverse impact upon a historic resource, and the proposed project was appropriately exempt from environmental review.

Issue #4: Notice of Special Restriction. "The City has not satisfied the requirements of the "Notice of Special Restrictions under the Planning Code" imposed by the Zoning Administrator on any subsequent changes to the property at 601 Dolores (See "Notice" attached hereto as Exhibit "C")."

Response #4: Non-CEQA Issue. Effects analyzed under CEQA must be related to a physical change in the environment. The appellant does not state how this would result in a physical change in the environment, and therefore no further response is required.

For information, on March 21, 2008, the Zoning Administrator granted a Variance (Case No. 2008.0127V) which permitted the conversion of the existing church building into a single-family dwelling with three-off-street parking spaces. The Zoning Administrator placed restrictions and conditions of the Variance which included the following: (1) Any further physical expansion, even within the buildable area, shall be reviewed by the Zoning Administrator to determine whether the expansion is compatible with existing neighborhood character, scale, and parking. If the Zoning Administration determines that there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected proposed owners or a new Variance application be sought and justified; (2) The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls shall apply; (3) Minor modifications as determined by the Zoning Administrator may be permitted; and (4) The owners of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator. The Department's Current Planning division reviewed the proposed project with the Zoning Administrator during the review process. The Planning Commission found the project to comply with the Planning Code and unanimously approved the project on April 26, 2012.

Issue #5: Section 188 of Planning Code. "The Project cannot be approved by way of a categorical exemption because it is a legal non-conforming building pursuant to Section 188 of the City's Planning Code and the proposed improvements and/or change in use may not be approved under the Code."

Response #5: Non-CEQA Issue. Effects analyzed under CEQA must be related to a physical change in the environment. The appellant does not state how this would result in a physical change in the environment, and therefore no further response is required. For information, there is no such thing as a legal non-conforming building. Non-conforming refers to the use. The building is non-complying because it encroaches into the required rear yard and has no rear yard as required in a residential district. The property is not non-conforming because a church is conditionally permitted in the residential district as a large institution use, a single-family use is permitted in the residential district, and the proposed school use is conditionally permitted in the residential district. Therefore, the project is consistent with existing zoning and meets the requirements of the Categorical Exemption. In addition, the Department's Current Planning division reviewed this project and determined that the proposed project was consistent with the relevant provisions of the Planning Code. The Planning Commission concurred with this assessment and unanimously approved the project on April 26, 2012.

Issue #6: Violation of CEQA. "The Planning Commission approved the Project without making an independent determination of the Project's compliance with CEQA in violation of CEQA."

Response #6: Project complies with CEQA. Chapter 31 of the Administrative Code adapts CEQA for use by the City and provides implementing procedures, which are expressly left for determination by local agencies, consistent with CEQA, to ensure the orderly evaluation of projects and preparation of environmental documents. The Department's Environmental Review Officer (ERO) has the principal responsibility for issuing categorical exemptions, and thus the Planning Commission is not required to make an independent determination of the proposed project's compliance with CEQA. Pursuant to CEQA and Chapter 31 of the Administrative Code, the ERO issued the Categorical Exemption for the proposed project on April 9, 2012. The Categorical Exemption was noted and described in the Department's staff report for the conditional use authorization hearing on April 26, 2012, and the Planning Commission relied on that determination in approving the proposed project.

Issue #7: Piecemeal. "The Project is being piecemealed in violation of CEQA because significant structural improvements will be required prior to issuance of a Certificate of Occupancy for the building. These improvements will significantly alter many of the historically significant elements of the building, again causing a substantial adverse change to the building's historic significance."

Response #7: Project application does not constitute piecemeal development. CEQA prohibits piecemeal environmental review of large projects into many little projects, which each have minimal potential to impact the environment, but cumulatively could have significant impacts. Structural improvements related to the seismic retrofit of the subject building were part of the project description that was analyzed in the Department's Historic Resource Evaluation Response memorandum and the Categorical Exemption. According to the sponsor, no further structural work outside of what has already been proposed and analyzed is anticipated. The current project application does not constitute piecemeal development under CEQA because the sponsor does

not propose additional structure improvements. If future work is required at the subject building, additional environmental review would be required. However, the sponsor does not propose any future structural work and thus the appellant's concern is speculative. No further response is required.

Issue #8: Unusual Circumstances. "Unusual circumstances exist in that (1) the building is a historic resource, and (2) it is locating a school in a residential structure in unusually close proximity to other residential structures, both of which create significant impacts excepting the Project from any categorical exemption."

Response #8: No Unusual Circumstances per CEQA. The appellant claims that the project should not be exempted from environmental review because the building is a historical resource located within close proximity to residential uses. The appellant is correct in stating that the subject building is a historical resource surrounded by residential uses; however, nothing about the fact that the building is a historic resource, the fact that the project proposes to locate a school in a neighborhood that is primarily residential, or any other aspect of the project is unusual. As analyzed in the Categorical Exemption and in this appeal response, the Department has determined that this project does not result in significant environmental effects, and that none of the exceptions to the use of a categorical exemption are triggered. These exceptions are listed in CEQA Guidelines Section 15300.2 and were listed on page 3. As described in the Categorical Exemption, there are no conditions associated with the proposed project that would suggest the possibility of a significant environmental effect under these exceptions. In addition, the Appellant has not put forth any substantial evidence to the contrary. Therefore, the project was appropriately exempt from environmental review and further environmental review is not warranted.

Issue #9: Due Process Clause. "The appeal process deprives appellants of their rights under the Due Process Clause because the time period for filing an appeal, if based upon the determination of the ERO, is uncertain as no appeal is ripe until the Planning Commission actually acts on the underlying application (Case 2011.0584CDV)."

Response #9: Timeliness of appeal. The timeliness of the appeal filed was determined by the city attorney not by the Environmental Review Officer. The appeal to the Board of Supervisors of a CEQA exemption determination is ripe only after two events occur: (1) the Planning Department has approved the determination of exemption from environmental review and (2) a City decision-maker, such as the Planning Commission, has taken an approval action for the project in reliance on the CEQA document at issue. Here, the appellant has made a timely appeal and will have a hearing before this Board. The appellant does not raise any new issues or concerns that were not addressed in the Categorical Exemption and therefore no further response is required.

Issue #10: Change of Use. "The change in use of the property from a single family residence for 2 people to a school for 320 students will significantly change the property's use and significantly impact the environment in numerous ways including, but not limited to an increase in traffic and

Appeal of Categorical Exemption
Hearing Date: June 19, 2012

File No. 120498, Planning Case No. 2011.0584E

air quality impacts, and an increase in the ambient noise levels above levels existing without the Project.”

Response #10: No significant effects related to the change of use. The Categorical Exemption states that the proposed project involves the conversion of a single-family residence into a school use with the capacity of up to 320 students. This change of use was the subject of the Categorical Exemption. As described in the Categorical Exemption, implementation of the proposed project would not result in significant adverse environmental effects related to traffic, air quality, or noise. The proposed project would meet all of the various conditions prescribed by Class 32, and thus the proposed project is appropriately exempt from CEQA under Section 15332. The appellant does not raise any new issues or concerns that were not addressed in the Categorical Exemption, and therefore no further response is required.

CONCLUSION

The Categorical Exemption that was issued on April 9, 2012 complies with the requirements of CEQA and the project is appropriately exempt from environmental review pursuant to the cited exemptions. The Categorical Exemption analyzed issues associated with the physical environmental impacts of the proposed project and determined that the proposed project would not result in significant environmental impacts. The Appeal Letter does not provide evidence to substantiate a finding that the project would result in significant environmental impacts. As such, the conclusions of the Categorical Exemption remain current and valid, the Planning Department appropriately has determined that the project does not have a significant effect on the environment, and an EIR is not required. The Department therefore recommends that the Board uphold the Determination of Exemption from Environmental Review and deny the appeal of the CEQA Determination.

RUTAN

RUTAN & TUCKER, LLP

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May 9, 2012

Clerk of the Board of Supervisors
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
City Hall Room 244
San Francisco, CA 94102-4689

Re: Appeal of Environmental Exemption Review for Case No. 211.0584E
601 Dolores Street

Dear Sir or Madam:

Anne and Landon Gates, the property owners at 629 Dolores Street, San Francisco, CA, appeal the above-referenced action. On April 9, 2012, the City's Environmental Review Officer (the "ERO") determined or recommended that the Planning Commission determine that the above-referenced project (the "Project") is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guideline § 15032 (Class 32 Exemption). (See ERO decision attached hereto as Ex. "A.") On April 26, 2010, the Planning Commission approved a Zoning Variance and Conditional Use Permit in conjunction with the above referenced Project¹. The Gates will submit evidence in support of their appeal to the Board of Supervisors during the Board of Supervisors hearing. The Gates do not waive their right to file an additional appeal (or participate in another appeal of the Project) pursuant to San Francisco Planning Code Section 308. The Gates appeal the above-referenced environmental determination on the following grounds:

1. Substantial evidence does not support the determination that the Project is consistent with the General Plan and all applicable General Plan policies, as well as the applicable zoning designation and regulation.
2. Substantial evidence does not support the conclusion that the approval of the Project would not result in any significant effects relating to traffic, noise, air quality or water quality. The analysis prepared by the City ignored numerous noise, air quality and traffic generators. These include, but are not limited to, the

¹ The Gates have attempted to obtain a copy of the Planning commission Action minutes or Resolution approving the Project, but it has not been made publically available as of this date. Please consider this letter to be a request under the California Public Records Act for a copy of the adopted Planning Commission Resolution on the Project. In an abundance of caution, however, we attach hereto a copy of the Staff Report and draft Planning Commission Resolution for the April 26 hearing as Exhibit "B."

Clerk of the Board of Supervisors
May 9, 2012
Page 2

introduction of equipment and children onto the outdoor rooftop deck, and the creation of the penthouse and its attendant elevator. Substantial evidence also fails to demonstrate that the construction and operational impacts resulting from the proposed Project will not significantly impact traffic, noise or air quality.

3. The Project is not entitled to a categorical exemption pursuant to CEQA Guideline § 15300.2(f) because the Project may cause a substantial adverse change in the significance of a historical resource. The building at 601 Dolores Street has been designated as a "historically significant" building. Substantial evidence fails to demonstrate that the numerous changes proposed to the building individually or cumulatively will not cause a substantial adverse change by materially altering, in an adverse manner, the physical characteristics of the 601 Dolores building and substantially impact its historical significance and its qualifications as a historical resource. Moreover, the proposed changes do not follow the Secretary of Interior's standards for the treatment of historic properties. In addition, the City has failed to impose conditions of approval which would mitigate the potentially adverse significant impacts to historical resources down to a level of insignificance. There is evidence which includes, but is not limited to, the fact that the rooftop additions are visible from the street, as well as from other public locations in and around the Project, and the mechanical systems and planters which will be installed on the roof are inconsistent with the architectural style and appearance of the building. These alterations will individually and cumulatively substantially degrade its historic character thereby substantially affecting its ability to be included in the City's Historic Register. In addition, the determination of the ERO was based on incorrect or incomplete plans.
4. The City has not satisfied the requirements of the "Notice of Special Restrictions under the Planning Code" imposed by the Zoning Administrator on any subsequent changes to the property at 601 Dolores (See "Notice" attached hereto as Exhibit "C").
5. The Project cannot be approved by way of a categorical exemption because it is a legal non-conforming building pursuant to Section 188 of the City's Planning Code and the proposed improvements and/or change in use may not be approved under the Code.
6. The Planning Commission approved the Project without making an independent determination of the Project's compliance with CEQA in violation of CEQA.
7. The Project is being piecemealed in violation of CEQA because significant structural improvements will be required prior to issuance of a Certificate of

Clerk of the Board of Supervisors
May 9, 2012
Page 3

Occupancy for the building. These improvements will significantly alter many of the historically significant elements of the building, again causing a substantial adverse change to the building's historic significance

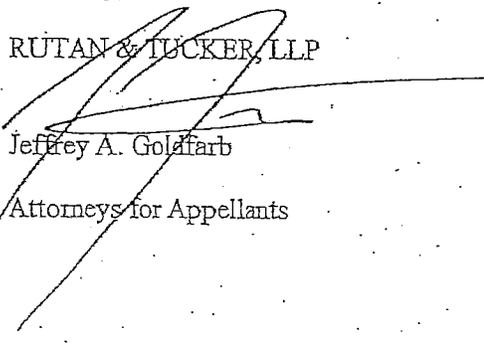
8. Unusual circumstances exist in that: (1) the building is a historic resource, and (2) it is locating a school in a residential structure in unusually close proximity to other residential structures, both of which create significant impacts excepting the Project from any categorical exemption.
9. The appeal process deprives appellants of their rights under the Due Process Clause because the time period for filing an appeal, if based upon the determination of the ERO, is uncertain as no appeal is ripe until the Planning Commission actually acts on the underlying application (Case 211.0584CDV).
10. The change in use of the property from a single family residence for 2 people to a school for 320 students will significantly change the property's use and significantly impact the environment in numerous ways including, but not limited to an increase in traffic and air quality impacts, and an increase in the ambient noise levels above levels existing without the Project.

The Gates request they be notified of when this matter is agendized before the Board of Supervisors and be informed of the amount of time they will be afforded to present their appeal. The Gates reserve the right to submit studies and documentation in support of their appeal prior to and during the public hearing on their appeal.

Should you have any questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

RUTAN & TUCKER, LLP



Jeffrey A. Goldfarb

Attorneys for Appellants

JAG:jh



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2011.0584E
 Project Title: 601 Dolores Street
 Zoning: RH-3 (Residential, House, Three-Family)
 40-X Height and Bulk District
 Block/Lot: 3598/060
 Lot Size: 9,687 square feet
 Project Sponsor: Valerie Veronin, (408) 838-0087
 Staff Contact: Don Lewis - (415) 575-9095
don.lewis@sfgov.org

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PROJECT DESCRIPTION:

The project site is located on the southeast corner of Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The proposed project would involve the conversion of an existing church structure, currently being used as a single-family residence, into middle-school classrooms and a multi-purpose assembly space for the Children's Day School (CDS). The project would enable CDS to relocate its middle school (grades 5 to 8) from 333 Dolores Street to the project site at 601 Dolores Street, which is about two blocks away. The proposed project would accommodate between 160-200 middle school students and would allow CDS to continue its planned enrollment from 350 to approximately 520 students and from 72 to 86 faculty/staff. When 601 Dolores Street is fully occupied in approximately four years, the maximum enrollment would be 320 elementary students at 333 Dolores Street and 200 middle school students at 601 Dolores Street. The existing structure at 601 Dolores Street is approximately 46 feet

(Continued on Second Page)

EXEMPT STATUS:

Categorical Exemption, Class 32 [State CEQA Guidelines Section 15332]

REMARKS:

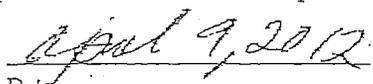
See reverse side.

DETERMINATION:

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


 BILL WYCKO

Environmental Review Officer


 Date

cc: Valerie Veronin, Project Sponsor
 Supervisor Scott Wiener, District 8
 Historic Preservation List

Bulletin Board
 V. Byrd, M.D.F.

Exemption from Environmental Review

CASE NO. 2011.0584E
601 Dolores Street

PROJECT DESCRIPTION (continued):

tall, two stories with mezzanine, and approximately 17,106 square feet in size. The proposed project would add 1,097 square feet to the existing building solely within the existing interior walls by infilling a portion of the mezzanine floor, which is currently open to the floor below. The finished building would be 46 feet tall, three stories, and 18,203 square feet in size with no on-site parking.

Exterior tenant improvements would include adding a roof deck to the southeast corner of the building and an elevator penthouse along the eastern edge of the building. Interior tenant improvements would include converting the sanctuary space into a multi-purpose space, creating a full second floor level within the Sunday school wing, completing the seismic retrofit, adding interior partitions for school facilities, installing new plumbing, and creating ADA accessibility. Other improvements include converting the existing garage entrance on 19th Street into a primary pedestrian entrance and creating a 50-foot-long white zone/passenger loading and unloading area. The sponsor also proposes to extend the existing white zone curb in front of 333 Dolores Street from 80 feet to 130 feet, and to use the existing white zone at 450 Guerrero Street for student drop-offs and pick-ups.¹ As part of the project, CDS has developed a student drop off plan that is based on the projected number of student drop offs and the proposed available loading space at each campus and includes distribution of morning student drop offs that provides for student safety and minimizes traffic impacts. This is discussed further in the transportation section.

The existing church structure on the project site was constructed in 1910 and is included on the Department's 1976 Architectural Survey, the Here Today Survey, and the City's Unreinforced Masonry Buildings Survey. The estimated construction cost is 5 million dollars. The project would require Conditional Use authorization for a school use in an RH-3 zoning district and for the loss of dwelling unit through conversion.

REMARKS (continued):

In-Fill Development- California Environmental Quality Act (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 proposed project would be consistent with the San Francisco General Plan and with applicable zoning designations. The site is located within the RH-3 zoning district where the proposed use would be conditionally permitted. The proposed use would be required to provide one off-street parking spaces for each six classrooms. Since the project proposes ten new classrooms, the project would be required to provide one off-street parking space. The proposed project would not provide off-street parking, and therefore the project sponsor is seeking a remote parking variance. The proposed use would not require an off-street freight loading space. As mentioned above, the project would require Conditional Use

¹ CDS students attend gym classes at the Boy and Girls Club located at 450 Guerrero Street, which is directly adjacent to 333 Dolores Street.

authorization for a school in an RH-3 zoning district and for a loss of dwelling unit through conversion. The proposed project would be consistent with all 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 0.22-acre (9,687 square feet) project site is located within a fully developed area of San Francisco. The surrounding uses are primarily residential with a few institutional uses and mixed-use buildings located on prominent corners along Dolores and Guerrero Streets. The project site is directly east of Dolores Park. Therefore, the proposed project would be properly characterized as an in-fill development surrounded by urban uses on a site smaller than five acres.

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

The project site is within a fully developed urban area that is completely covered with existing buildings and paved surfaces, and does not provide habitat for any rare or endangered plant or animal species.

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

Traffic

A transportation study² was prepared to analyze impacts associated with the Children's Day School's (CDS) proposed use of 333 Dolores Street, 450 Guerrero Street³, and 601 Dolores Street. CDS proposes to increase enrollment from 350 to approximately 520 students, while faculty/staff would increase from 72 to 86. Transportation impacts are evaluated during the peak traffic time for the school and surrounding streets, during AM-peak hour conditions (7:30 to 8:30 a.m.), which is the hour before classes start. Travel demand for the proposed project was based on the existing and proposed school population and travel behavior of current students, faculty, and staff at CDS's existing building at 333 Dolores Street. Table 1, below, summarizes the net change in student and faculty/staff arrivals (by travel mode) at 333 Dolores Street, 450 Guerrero Street, and 601 Dolores Street between current and future enrollment and re-organization. Travel demand was based on the existing and proposed school population and travel behavior of current students, faculty, and staff at 333 Dolores Street. For the students who are dropped-off, the average observed vehicle occupancy was determined to be 1.65 students per car.

333 Dolores Street

The proposed project may result in an incremental increase in the number of vehicles traveling through nearby intersections, including the intersections of Dolores Street and 16th Street, Dolores Street and 17th Street, and Guerrero Street and 16th Street. An additional 17 students would be located at 333 Dolores Street while the number of faculty and staff would be reduced by 19. The proposed project would result in an increase in approximately 11 vehicle trips associated with student drop-offs and a reduction of

² Atkins, 601 Dolores Street, Transportation Impact Study, April 2012. This document is available for public review as part of Case No. 2011.0584E at 1650 Mission Street, Suite 400, San Francisco, CA.

³ CDS students attend gym class at the Boys and Girls Club located at 450 Guerrero Street, which is directly adjacent to 333 Dolores Street. The 333 Dolores Street building is located towards the rear of the lot and CDS has access to the rear of the 450 Guerrero Street building. As part of the project, CDS proposes to use the existing loading zone at 450 Guerrero Street for student drop-offs and pick-ups.

Exemption from Environmental Review

CASE NO. 2011.0584E
601 Dolores Street

approximately 6 vehicle trips associated with faculty and staff. This change in vehicle trips during the morning peak hour would be an incremental increase over existing conditions and would not result in any significant adverse impacts on traffic operations or safety in the vicinity of 333 Dolores Street.

As a result of the proposed project, the number of student drop-offs (18 students or approximately additional 11 vehicles) is expected to increase during the AM-peak hour. As part of the project, CDS would request that the length of the white zone be increased from 80 to 130 feet in order to accommodate this increase. CDS would also increase the number of staff, from one to two, assigned to the Dolores Street passenger loading/unloading zone, to assist students being dropped off, and ensure an efficient turnover in vehicles dropping off students.

TABLE 1
NET CHANGE IN STUDENT ARRIVALS AT 333 DOLORES STREET, 450 GUERRERO STREET, AND 601 DOLORES STREET SITES BETWEEN EXISTING AND FUTURE CONDITIONS

	Walk	Bike	Transit	Auto-Dropped	Auto-Parked in School	Auto-Parked on Street	Total
333 DOLORES STREET SITE							
Pre-School	0	0	0	0	0	0	0
Elementary	20	0	0	30	0	0	50
Middle	-11	-3	-7	-12	0	0	-33
Net Change	9	-3	-7	18	0	0	17
Faculty/Staff	-3	-2	-4	-1	-7	-2	-19
450 GUERRERO STREET SITE							
Pre-School	0	0	0	0	0	0	0
Elementary	0	0	0	0	0	0	0
Middle	0	0	0	50	0	0	50
Net Change	0	0	0	50	0	0	50
Faculty/Staff	0	0	0	0	0	0	0
601 DOLORES STREET SITE							
Pre-School	0	0	0	0	0	0	0
Elementary	0	0	0	0	0	0	0
Middle	25	6	15	41	0	0	87
Net Change	25	6	15	41	0	0	87
Faculty/Staff	5	4	7	1	13	3	33

Source: Atkins, 2012, CDS, 2011.

450 Guerrero Street

The number of vehicles traveling through the intersection of Guerrero Street and 16th Street would incrementally increase in the morning peak hour leading up to the start of class times. With 50 students being dropped off at the white curb zone directly in front of 450 Guerrero Street, this would translate to an increase of approximately 30 vehicles. This traffic is anticipated to be traveling in the southbound

direction on Guerrero Street to access the white zone curb in front of the Boys and Girls Club. Southbound Guerrero Street in the AM-peak hour is the off-peak direction because most vehicles that use Guerrero Street during the AM-peak hour travel in the northbound direction towards downtown San Francisco. Therefore, this increase in traffic volumes is not anticipated to result in a significant impact to the operations or safety of this intersection.

As a result of the project, the number of middle school student drop-offs would be 50 students (approximately 30 vehicles). Under existing conditions, the 60-foot-long white zone curb is underutilized during the AM-peak hour. Based on the current number of drop-offs at the existing white zone at 333 Dolores (approximately 66 students in 40 vehicles at an 80 foot long white curb within 60 minutes), it is reasonable to assume that the drop off of 50 students in 30 vehicles at a 60-foot-long curb between 7:30 and 8:30 a.m. would not cause a significant impact to traffic. This white curb zone would be staffed in the morning to assist children being dropped off and to oversee the efficient turnover of vehicles dropping off students.

601 Dolores Street

The Dolores Street and 19th Street intersection is anticipated to see an increase of approximately 41 students (25 vehicle trips) from parents dropping off their children at the proposed white zone curb on 19th Street. It is anticipated that three faculty/staff would park on the street near 601 Dolores Street. There would likely be another 13 faculty and staff who would require off-street parking. Since there is no off-street parking available at 601 Dolores, faculty and staff would either drive to 333 Dolores Street⁴ or one of the nearby public parking garages. Therefore, the increase in the number of vehicles traveling through this intersection in the AM-peak hour leading up to the start of classes would be about 28 vehicles, comprised of 25 vehicles with arriving students and three faculty/staff parking on-street.

To access the white zone passenger unloading area, parents would either make a northbound right turn from Dolores Street onto 19th Street, or a southbound left turn from Dolores Street. Currently there is very little traffic on 19th Street between 7:30 and 8:30 a.m. and, therefore, traffic in the 601 Dolores Street vicinity is predominantly influenced by Dolores Street traffic. During the AM-peak hour traffic on Dolores Street is heaviest in the northbound direction, and thus, the main conflict for the northbound right turn would be with any pedestrians crossing Dolores Street toward Mission Dolores Park, or crossing 19th Street toward 601 Dolores Street. While these conflicts are not expected to be substantial, the school proposes to have a crossing guard at the intersection of 19th and Dolores Streets to aid students and pedestrian traffic crossing during the AM-peak hour.

The southbound left turn from Dolores Street would conflict with both pedestrian movements, and the opposing (northbound) stream of traffic. However, there is very little southbound traffic in the AM-peak hour and with two travel lanes in each direction, there is ample room for a vehicle to wait for an opening to turn. Therefore, despite the fact that this intersection is unsignalized, the increase in volumes due to project generated traffic is not anticipated to adversely impact traffic operations nor is there expected to be significant queuing on Dolores Street.

⁴ CHS has 33 off-street parking spaces at 333 Dolores Street

Exemption from Environmental Review

CASE NO. 2011.0584E
601 Dolores Street

As a result of the project, the number of student drop-offs would be 41 middle school students (approximately 25 vehicles) in the AM-peak hour. As part of the project, CDS would request that a continuous 50-foot-long loading space along the 19th Street side of the building be converted to a white zone passenger loading/unloading area. CDS would have staff at the white curb zone during peak drop-off and pick-up times, to assist children being dropped off, and to oversee the efficient movement of vehicles dropping off students. Of the three drop-off locations, 19th Street has the lowest traffic volumes, and there should be little conflict with other vehicles during the AM-peak hour. Based on comparable operations at 333 Dolores Street, there would be minimal back up onto Dolores Street at this site.

Considering the three sites overall, the volume of the additional trips would not result in any significant individual or cumulative adverse impacts to any intersection service levels, and it is anticipated that traffic patterns would experience no more than minor changes as a result of the proposed project. The level of increase in traffic generated by the project would not be substantial relative to the existing traffic baseline and capacity of the surrounding street system and none of the intersections were observed to have operations problems. There would be no effective cumulative passenger loading impact when considering the sites together, as the three loading zones at 333 Dolores Street, 450 Guerrero Street, and 601 Dolores Street are located more than a 1,000 feet from each other. Therefore, the proposed project would not result in any significant adverse traffic impacts.

Transit

The project site is well-served by public transit which includes the following Muni lines: J-Church, 22-Fillmore, and 33-Stanyan. In addition, there are two BART stations within walking distance (16th Street/Mission Street and 24th Street/Mission Street). There is anticipated to be an increase of approximately 22 transit trips (including both students and faculty/staff) to 601 Dolores Street during the morning peak hour, and the existing transit would all have additional capacity during the AM peak to accommodate the increase of 22 transit trips. The transit trips to 333 Dolores Street are anticipated to decrease by approximately seven student-related trips and four faculty/staff-related trips. The proposed project would not change the number of transit trips to 450 Guerrero Street, as it is only used as a vehicle drop-off location for students. Considering all three sites together, the overall net increase would be 11 transit trips, and therefore, the project would not result in significant impacts related to transit.

Parking

As discussed above, the Planning Code would require one off-street parking space for the proposed project and the project sponsor would seek a remote parking variance. In order to increase the length of the white curb passenger loading zone at 333 Dolores Street from 80 to 130 feet, approximately 2 to 3 on-street parking spaces would no longer be available between the hours of 7:00 a.m. to 9:00 a.m. and 2:30 p.m. to 4:30 p.m. There would be no impact on parking facilities at 450 Guerrero Street because this site would only be used as a student drop-off location. At 601 Dolores Street, the number of faculty and staff would increase, as this would be a new CDS building, and there is no off-street parking available. Some of these people may decide to park at 333 Dolores, and then walk the two blocks south. Currently, only about 70% (23) of CDS' 33 spaces at 333 Dolores are occupied on a typical weekday. With the relocation in the number of faculty and staff based at 333 Dolores, the number of vacancies is anticipated to increase to 17. Approximately 13 of the 33 faculty and staff that would be located at 601 Dolores Street are anticipated to want to drive and park at the school. Therefore, there should be enough vacant spaces for

them to park at 333 Dolores, and walk to 601 Dolores. Alternatively, there are also three public parking garages located within about a half mile of the site.

While the proposed off-street parking spaces would be less than the anticipated parking demand, the resulting parking deficit is not considered to be a significant impact under CEQA, regardless of the availability of on-street parking under existing conditions. San Francisco does not consider parking supply as part of the permanent physical environment and therefore, does not consider changes in parking conditions to be environmental impacts as defined by CEQA. However, this report presents a parking analysis to inform the public and the decision makers as to the parking conditions that could occur as a result of implementing the proposed project.

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.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, 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 in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." The project area is well-served by local public transit (Muni lines J, 22, and 33) and bike lanes (40 and 45), which provide alternatives to auto travel.

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. Moreover, 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. Hence, any secondary environmental impacts which 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, reasonably addresses potential secondary effects.

Access

Existing vehicle and pedestrian access would remain the same at 333 Dolores Street, 450 Guerrero Street, and 601 Dolores Street, and therefore access would not be changed by the proposed project. There are no bus stops in front of the project site. Sidewalks and on-street parking are present on both sides of the

street. Therefore, the project would not impede traffic or cause unsafe conditions, and would not result in a significant effect related to access.

Loading

Planning Code Section 152.1 does not require off-street freight loading for schools. Therefore, off-street loading spaces are not required for the proposed project. Student drop-offs and pick-ups are discussed under "Traffic" on page 3.

Pedestrian Conditions

The number of AM-peak hour pedestrian trips to 333 Dolores Street would increase by approximately 9 students and decrease by three. There would be approximately 55 middle school students who would be dropped off at 333 Dolores, then walked to 450 Guerrero, and then walked the two blocks to 601 Dolores under the guidance of CDS staff. Conflict between pedestrians and vehicles would potentially increase because of the additional street crossings, but these would be at signalized intersections with the exception of the crossing at 19th Street to 601 Dolores Street. However, 19th Street has relatively low traffic volumes, students would be accompanied by CDS staff, and there is a cross-walk at the 19th Street and Dolores Street intersection.

Currently there is very little pedestrian activity on Guerrero Street in the morning. The project would increase the number of student drop-offs at 450 Guerrero, by approximately 50 students. However, unlike existing conditions, there would be CDS staff to assist at the existing white zone curb in the morning and to supervise and chaperone student movement to 333 Dolores or 601 Dolores. Since the sidewalks are much wider on Dolores Street, the path to 601 Dolores would likely be south on Guerrero Street to 17th Street, west on 17th Street to Dolores Street, then south on Dolores Street to 601 Dolores Street. All intersections along this route except 19th Street/Dolores Street are signalized and regularly used by pedestrians with no observed hazards.

There is anticipated to be an increase of approximately 130 pedestrian trips to the 601 Dolores site during the AM-peak hour. An estimated 25 students would walk directly to 601 Dolores from home, 55 would be walking to 601 Dolores after being dropped off at 333 Dolores, and 50 would walk to 601 Dolores after being dropped off at 450 Guerrero. There are also anticipated to be approximately five faculty/staff that would walk to 601 Dolores during the AM-peak hour. The movement of middle school students from 333 Dolores and 450 Guerrero to 601 Dolores would be supervised by CDS staff. The sidewalk widths and crosswalks at intersections would provide adequate facilities for the walk between sites. Students walking as a group would also increase safety because of the greater visibility of a group and the supervision of CDS staff.

Overall, pedestrian conditions for the three sites would have adequate facilities and would not materially increase hazards for pedestrians. Therefore, the project would not result in significant pedestrian impacts.

Bicycle Conditions

There are no existing or proposed bike lanes at 601 Dolores Street. In the vicinity of the project site, there are two designated bicycle routes. Bicycle route #40 travels along 17th Street while route #22 travels along Valencia Street. The number of bicycle trips to 333 Dolores Street is anticipated to decrease by approximately three students and two faculty/staff because of the relocation of bicycle-riding middle

school students and staff to 601 Dolores. An estimated increase of approximately 10 bicycle trips to 601 Dolores Street would occur during the morning peak hour. The project would not result in any new bicycle trips to 450 Guerrero. The net effect of the three sites would be similar because the total net change in bicycle trips would be an increase of 5 trips. Therefore, project impacts on bicycles would be less than significant.

In summary, the project would not result in a significant effect with regard to transportation.

Noise: An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity. The noise generated by the proposed users of the 601 Dolores Street building would be considered common and generally acceptable in an urban area, and would not be considered a significant impact. The proposed construction could generate noise and possibly vibration that may be considered an annoyance by occupants of nearby properties. Construction noise is regulated under Article 29 of the City's Police Code, and would be temporary and intermittent in nature. Considering the above discussion, the proposed project would not result in a significant impact with regard to noise.

Air Quality: The Bay Area Air Quality Management District (BAAQMD) has established thresholds for projects requiring its review for potential air quality impacts. Based on the air quality screening-level analysis, all of the screening criteria are met by the proposed project.⁵ No individual sources would exceed the BAAQMD's significance thresholds for cancer risks, non-cancer risks or the annual average concentration of PM_{2.5}. In addition, construction activities for the proposed interior renovation would be minimal and would require the use of diesel equipment for less than two months, and would therefore not result in a substantial increase in risks and hazards to nearby receptors. Therefore, the project would not exceed the BAAQMD's 2010 thresholds of significance and would not result in the generation of criteria air pollutants and ozone precursors that exceed the BAAQMD's thresholds of significance and operational criteria air pollutants and ozone precursors would be less than significant. Based on these results, the proposed project would not result in exposure of sensitive receptors to substantial pollutant concentrations, and this impact would be less than significant.

Water Quality: 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. Project-related wastewater and storm water 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. Therefore, the proposed project would not result in significant water quality impacts.

⁵ Don Lewis, San Francisco Planning Department, *Air Quality Screening Analysis for 601 Dolores Street*, September 19, 2011. This analysis is available for review as part of Case File No. 2011.0584E at the San Francisco Planning Department, 1650 Mission Street, Suite 400.

Exemption from Environmental Review

CASE NO. 2011.0584E
601 Dolores Street

- d) *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 facilities are available; no expansion of public services or utilities is required in order to serve the proposed project.

Other Environmental Issues

Hazardous Materials: AEI Consultants conducted a Phase I Environmental Site Assessment (ESA) at the project site.⁶ This assessment was performed to provide a record of the conditions at the subject property and to evaluate what, if any, environmental issues exist at the site. The ESA assessed the potential for adverse environmental impacts from the current and historical practices on the site and the surrounding area. According to the ESA, the subject building was constructed in 1910 for use as a church. Prior to construction of the building, the property was occupied by a residential dwelling (circa 1889) and vacant land (circa 1900). Since 1910, the subject property building was occupied by various churches until 2007, when the entire building was renovated and converted into a single-family residence. No potential environmental concerns were identified in association with the current or historical use of the subject property. No hazardous substances that constitute evidence of a recognized environmental condition were observed at the subject property at the time of site reconnaissance. In addition, the project site is not located within the limits of the Maher Ordinance. Based on the above, effects related to hazardous materials would not be significant.

Historic Architectural Resources: In evaluating whether the proposed project would be exempt from environmental review under the California Environmental Quality Act (CEQA), the Planning Department determined that the building located on the project site is a historic resource. As described in the attached Historic Resource Evaluation Response (HRES) Memorandum, the property at 601 Dolores Street is eligible for listing in the California Register as an individual resource under Criterion 3 (Architecture) and is a contributor to both the Inner Mission North Boulevards and Alleys Reconstruction Historic Districts under Criterion 1 (Events).⁷

The 601 Dolores Street building was constructed in 1910 as a church for the Mission Congregational Church. In 1931, the Norwegian Lutheran Church of San Francisco purchased the property and the property remained a church until it was converted to a single-family residence in 2008. The subject building was constructed during the Mission District's reconstruction period (1906 - 1917) following the Great Earthquake of 1906. The property is a contributor to both the Inner Mission North Boulevards and Alleys Reconstruction Historic Districts for its association with several churches that relocated along Dolores Street after the Great Earthquake of 1906. Therefore, the subject property is eligible for the California Register as a contributor to two California Register-eligible historic districts under Criterion 1 (Events).

⁶ AEI Consultants, "Phase I Environmental Site Assessment, 601-605 Dolores Street, San Francisco, California," June 20, 2011. This report is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Project File No. 2011.0584E.

⁷ Memorandum from Michael Smith, Preservation Technical Specialist, to Don Lewis, Planning Staff, Major Environmental Analysis, March 20, 2012. This memorandum is attached and available for review at the Planning Department, 1650 Mission Street, Suite 400 in Case No. 2011.0584E.

Research has not revealed information that any of its owners or occupants were associated with persons that have made a significant contribution to the broad patterns of history. Therefore, the property is not eligible under Criterion 2 (Persons).

The subject building is a good example of an Edwardian Era church designed in the Gothic Revival style. The building was designed by Francis W. Reid, a locally significant architect. The building's exterior character defining features include the following: rubbed brick cladding at the street facing elevations; all Gothic and Tudor moldings; brick buttresses with caps; complex and steeply pitched gabled roof; all windows, doors, and other openings; and the tower element with crenellated parapet. The interior character defining features include the following: division of spaces into basement, Sanctuary, and Sunday school wing; hardwood flooring; redwood wainscoting and paneling; Tudor and Gothic columns in the sanctuary; Tudor and Gothic arches in the sanctuary; stenciled ceilings in the sanctuary and vestibule; most of the light fixtures; all doors (paneled and overhead); plaster walls and ceilings; exposed wood trusses; and door and window trims. The subject building displays good historic integrity as it retains its location, association, design, workmanship, setting, feeling, and materials. Therefore, the property is individually eligible under Criterion 3 (Architecture).

The Department finds that the project is consistent with the *Secretary of the Interior Standards for Rehabilitation* (Secretary's Standards) for the following reasons. The project would rehabilitate the exterior and interior of the subject building, and the project would preserve most of the church's character defining interior features, including the sanctuary. The sponsor has submitted a protection, reuse, and salvage plan for the building's interior character-defining features so that they would be preserved and reused where possible. The sanctuary is the most character-defining interior space, and its interior volume, stenciled ceiling work, and interior wood finishes would all be preserved. The alterations within the Sunday school wing will be set back from the arches and columns that frame the sanctuary space. The basement is utilitarian and lacks the finishes and details of the floors above and thus was determined not to contain character-defining space or features. The Sunday school wing does contain character-defining finishes and detailing but the space itself was determined to be secondary in importance to the sanctuary space. Furthermore, the Sunday school wing has already experienced several alterations as part of the building's conversion into a single-family dwelling. Some of the original materials that remain in the Sunday school wing would be removed and some would be reused within the altered space.

The proposed project does not include the addition of conjectural elements or architectural features from other buildings, and the new work does not create a false sense of historical development. On the exterior, new pedestrian doors would be compatible with the character of the building. The proposed project would not substantially alter the exterior of the building. The roof deck and the elevator penthouse would not be visible behind the building's existing gabled roof, and both elements could easily be removed in the future and the essential form and integrity of the property would be unimpaired. The building's exterior and interior features are in good condition and do not require repair or replacement. The existing building is relatively clean and does not require chemical or physical treatments. The proposed change to the garage entrance would be similar to the original entrance, as historically it was used as a pedestrian entrance.

The building's seismic upgrade would necessitate removal of interior wall finishes in the sanctuary space. The wall features would be documented and reinstalled over the new shear walls. Within the Sunday school wing, interior wall finishes and doors would be removed and reused elsewhere where feasible. A

secondary stairway in the Sunday school wing would be removed but the stairway is hidden behind doors and is not considered a distinctive feature. The historic entry hall in the Sunday school wing would be preserved with its floor being ramped for ADA accessibility. The wood doors and wainscoting are the only character-defining historic materials in the Sunday school wing and they will be documented and reused where possible, primarily on the new walls on the south side of the sanctuary.

Planning Department staff found that the project would not make any substantial changes to the exterior of the building or any significant changes to the character-defining features on the interior of the building, and therefore, the project would not have a significant adverse impact upon a historic resource, as defined by CEQA.

Archeological Resources: The Planning Department reviewed the proposed project to determine if any archeological resources would be impacted. The Planning Department staff determined that the proposed project would not adversely affect CEQA-significant archeological resources.⁴

Neighborhood Concerns

A "Notification of Project Receiving Environmental Review" was mailed on August 3, 2011 to owners of properties within 300 feet of the project site and to adjacent occupants. One member of the public stated that it was unrealistic that parents would continue to drop their children off at 333 Dolores Street with the new school facilities at 601 Dolores Street. The transportation section on page three of this document adequately addresses this concern.

Conclusion

CEQA State Guidelines Section 15332, or Class 32, allows for an exemption of an in-fill development meeting various conditions. As described above, the proposed project is an in-fill development that would have no significant adverse environmental effects and would meet all the various conditions prescribed by Class 32. Accordingly, the proposed project is appropriately exempt from CEQA under Section 15332.

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. The proposed project would not have a significant effect with regard to hazardous materials, cultural resources, or transportation. There are no unusual circumstances surrounding the current proposal that would suggest a reasonable possibility of a significant environmental effect. The proposed project is an in-fill development that meets the above conditions, and would have no significant environmental effects.

For the above reasons, the proposed project is appropriately exempt from environmental review.

⁴ This analysis is summarized from a Planning Department technical memorandum (Randall Dean, staff archeologist, to Don Lewis, Planner, October 21, 2011), which is available for review at the Planning Department, 1650 Mission Street, Suite 400, in Case File 2011.0584E.



SAN FRANCISCO PLANNING DEPARTMENT

Historic Resource Evaluation Response

Date of Review: March 15, 2012 (Part I)
March 15, 2012 (Part II)

Case No.: 2011.0584E

Project Address: 601 Dolores Street

Zoning: RH-3 (Residential, House, Three-Family) District
40-X Height and Bulk District

Block/Lot: 3598/060

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PART I: HISTORIC RESOURCE EVALUATION

Buildings and Property Description

601 Dolores Street is located on the southeast corner of the Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The subject building occupies most of a 9,690 square-foot, rectangular shaped lot that measures 85 feet in width, 114 feet in depth, and is located within a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District.

The subject property is improved with a two-story over basement, single-family residence that was formerly a church. The building was constructed in 1910 in the Gothic Revival style as a church for the Mission Congregational Church. In 1931, the Norwegian Lutheran Church of San Francisco purchased the property. The property remained a church until it was converted to a single-family residence in 2008. The current owner, the Children's Day School of San Francisco, intends to convert the property into a school. The building is a heavy timber frame, brick structure on a concrete perimeter foundation. The exterior is clad in rubbed face brick on the north (19th Street) and west (Dolores Street) elevations, as well as its first bay in from the street on its utilitarian east and south elevations. The remainder of the east and south elevations are clad in common red brick. The church was designed by Francis W. Reid, an architect and Congregational minister. The building's prominent corner location results in a complex composition. The building features a centered gable, a tower element, and a steeply sloped centralized roofline.

The building's Dolores Street elevation is of higher importance because it faces the park. It is longer and composed of six structural bays. The first structural bay located at the northern corner of the building features a pedestrian entrance that is recessed within a portal. The portal

features a Tudor arch embellished with cast concrete molding flanked by brick buttresses with concrete caps. A lancet window is located above the entrance. The next structural bay is much wider because it corresponds to the sanctuary inside. The bay features a large arched Tudor window flanked by brick buttresses with concrete caps with four casement windows located at the basement level. All the window sashes within this bay appear to be contemporary replacements. Moving south along the building's west elevation, the next structural bay is the tower. The tower features three casement windows at the basement level, a row of three pointed-arch windows at the main first and second floors, and a large Tudor arched window at the top of the tower. Each corner of the tower features brick pilasters capped by cast concrete buttress caps. The tower is capped by a stepped, crenellated parapet. Moving south beyond the tower, the next three structural bays comprise the Sunday school wing. The first two bays are identical, featuring three, fixed light windows at the main floor with two, Tudor arch windows at the floor above beneath a false gabled roof that is interrupted by a dormer. The bays are demarcated by brick buttresses with caps. The southernmost structural bay on the building's west elevation features non-historic arched wood doors with three lancet windows at the floor above beneath a gabled roof.

The building's north (19th Street) elevation is composed of five structural bays and is two-stories in height. Beginning at the building's northeast corner, the first structural bay features an arched vehicular entrance at the basement level with a non-historic metal roll-up door. The floor above features a large Tudor-arched window. The next structural bay is wider and features a row of three casement windows at the basement level and a large Gothic pointed-arch stained glass window with twelve lights located on the floor above. The windows are flanked by brick buttresses and capped with a gabled parapet that features a lancet window. Moving west along the north elevation the next two structural bays are identical. They feature casement windows at the basement level with Tudor-arched above. The bays are separated by brick buttresses. The westernmost structural bay on the north elevation features a large lancet window flanked by brick buttresses and capped with a gabled parapet that contains three small lancet windows.

The building's east and south elevations are largely hidden from public view. They generally feature common red brick cladding, contemporary replacement arched windows, and brick buttresses. These elevations feature much less ornamentation and are generally utilitarian in nature.

Pre-Existing Historic Rating / Survey

The subject property is included on the Department's 1976 Architectural Survey, page 282 of the *Here Today* Survey, and the City's Unreinforced Masonry Buildings Survey. The property is also a contributor to the "Inner Mission North Boulevards and Alleys Reconstruction District," located within Area 4A of the Inner Mission North Survey Area. The building is considered a "Category A" property (Known Historic Resource) for the purposes of the Planning Department's California Environmental Quality Act (CEQA) because it is listed on adopted surveys and determined individually eligible for listing on the National Register.

Neighborhood Context and Description

The subject property is located in the Mission Dolores neighborhood which is named for the Mission Dolores. Founded in 1776 and originally named Mission San Francisco de Asis, the

mission is one of twenty-one missions established by the Franciscans in California as a way to convert the indigenous people to Catholicism and create a population that was loyal to the Spanish crown. The missions were unkind to the indigenous people as many were forced into labor and forced to suppress their culture. Their exposure to the Spanish colonists also exposed them to foreign diseases that decimated their population. Mission Dolores was abandoned in the 1820's as many of its inhabitants were transferred to Mission San Rafael Arcangel.

In 1810, Mexico rebelled against Spanish rule, finally winning its independence in 1821 becoming a federal republic. Mexico opened up California to trade and settlement and eventually took the mission lands from the Catholic Church and began redistributing them to Mexican citizens. From 1834 onward, the lands of Mission Dolores were carved up into ranchos and granted to Mexican citizens. The ranchos were primarily used for cattle grazing though commerce was burgeoning a few miles away in Yerba Buena. Recognizing the commercial possibilities in the San Francisco Bay Area and fearing that it could fall into the hands of its enemies, the American government attempted to buy the lands from Mexico. Attempts to buy the lands failed and in 1846 war broke out between the United States and Mexico. After a year-and-a-half of fighting, the United States and Mexico signed the Treaty of Guadalupe Hidalgo whereby Mexico ceded their northern territory to the United States for \$15 million.

The population of San Francisco dramatically increased with the discovery of gold in the California foothills. However, the Mission Dolores neighborhood was increasingly becoming one of refuge for the remaining Mexican families who were economically, culturally, and politically marginalized in the development of San Francisco. Many of the Mexican land holdings in the Mission Valley were bought by speculative Anglo-Americans who foresaw prosperity in development. The neighborhood remained unplatted well after surrounding areas such as Homer's Addition and Potrero Nuevo had been platted. Based upon early maps, 601 Dolores Street was located near the northeast boundary within Homer's Addition. By the 1860s, resolution of public and private land claims through the legal system facilitated implementation of an orderly street grid and residential subdivision. With this, the Mission Dolores neighborhood began to take on a more urban form. The population of Mission Valley exploded after from 1860 to 1880 when transit lines were extended into the area along Mission and Valencia Streets and streets were graded. During this time most of the remaining Mexican adobe structures were demolished and replaced by modest Victorian structures but Mission Dolores remained. In 1858, then President Buchanan gave Mission Dolores along with eight acres that surrounded it to the Archdiocese of California. The Archdiocese sold much of the land for development, retaining only the block that contained the Mission. In the 1870's the Archdiocese built St. Francis Catholic Church at the corner of Dolores and 16th Streets.

Population pressures and land scarcity compelled the San Francisco government in 1880 to pass an ordinance banning cemeteries within the city's boundaries. Consequently, in 1888 Emanu-El and Sherith Israel congregations which operated a cemetery on Dolores Street established a new, seventy-three acre cemetery in the farming town of Colma in San Mateo County, just outside San Francisco's city limits. By 1896, the cemetery had been completely removed from Dolores Street and in 1905 it was replaced by Mission Park, known today as Dolores Park.

No sooner was the park completed that the City was nearly destroyed by the Great 1906 Earthquake which killed over 3,000 San Franciscans and left over 200,000 homeless. Many of the

Historic Resource Evaluation Response
 March 15, 2012

CASE NO. 2011,0584E
 601 Dolores Street

people left homeless by the earthquake took refuge in local parks and open space, including the newly created Mission Park.

The demographics of Mission Dolores rapidly changed during the neighborhood's reconstruction period (1906 – 1918) as many Irish refugees from the South of Market neighborhood settled in the neighborhood. Many churches that were located in the South of Market neighborhood were also destroyed and when those displaced congregations decided to rebuild they located near their parishioners which led to several new churches along Dolores Street. Dozens of churches made the move to the Mission District. Mission Congregational Church at 601 Dolores Street was constructed during this period.

601 Dolores Street is located on southeast corner of Dolores and 19th Streets, across the street from Dolores Park. The immediate neighborhood is primarily residential with a few institutional uses and mixed-use buildings located on prominent corners along Dolores and Guerrero Streets. The neighborhood is characterized by three- and four-story, multi-unit, Edwardian, residential buildings from the reconstruction period following the Great Earthquake of 1906. The property is located within the Mission-Dolores Historic District.

CEQA Historical Resource(s) Evaluation

Step A: Significance

Under CEQA section 21084.1, a property qualifies as a historic resource if it is "listed in, or determined to be eligible for listing in, the California Register of Historical Resources." The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources or not included in a local register of historical resources, shall not preclude a lead agency from determining whether the resource may qualify as a historical resource under CEQA.

Individual	Historic District/Context
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:	Property is eligible for inclusion in a California Register Historic District/Context under one or more of the following Criteria:
Criterion 1 - Event: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 1 - Event: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criterion 2 - Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 2 - Persons: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criterion 3 - Architecture: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Criterion 3 - Architecture: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criterion 4 - Info. Potential: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Period of Significance: (1910 and 1931)	Period of Significance: (1906 – 1918) Inner Mission North Boulevards and Alleys Reconstruction Historic District; (unknown) Dolores Street Discontinuous District of Religious Buildings <input checked="" type="checkbox"/> Contributor <input type="checkbox"/> Non-Contributor

To assist in the evaluation of the subject property, the Project Sponsor has submitted a Historical Resource Evaluation prepared by Christopher VerPlanck of VerPlanck Historic Preservation Consulting, prepared November 2011 and revised February 2012. Based upon information found in the Historical Resource Evaluation and found within the Planning Department's background files, Preservation staff finds that the subject property is eligible for inclusion on the California Register individually and as a contributor to an identified historic district.

Criterion 1: Property is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

601 Dolores Street was constructed during the Mission District's reconstruction period (1906 - 1917) following the Great Earthquake of 1906. In April 2011, the Planning Department determined the property eligible under this criterion as part of the Inner Mission North Boulevards and Alleys Reconstruction Historic District with a period of significance of 1906 - 1917. The property is also significant for its association with several churches that relocated churches along Dolores Street after the Great Earthquake of 1906, the period of significance for this district is unknown but it extends from along Dolores Street from 15th Street to 20th Street. Under this criterion, the property is eligible for the California Register as a contributor to two California Register-eligible historic districts.

Criterion 2: Property is associated with the lives of persons important in our local, regional or national past.

Records failed to indicate that the subject property is associated with the lives of persons important in our local, regional or national past that would make it eligible for listing under this criterion.

Criterion 3: Property embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.

The subject building is a good example of an Edwardian Era church designed in the Gothic Revival style. Distinctive exterior characteristics include its crenellated tower, Tudor arched and lancet windows, buttresses with caps, brick cladding, and complex and steeply pitched roof. Distinctive interior features include the sanctuary space, Gothic columns, Tudor arched openings, redwood paneling, stenciled ceiling work, and division of space. The property possesses high artistic values and is a good example of its type.

The building was designed by Francis W. Reid for the Mission Congregational Church. Mr. Reid was a locally significant architect having designed two Carnegie libraries, eleven schools, 26 churches, and more than 500 dwellings and commercial structures primarily in the Bay Area. Mr. Reid, worked both independently and with the firm of Meeker and Reid. His church buildings include commissions in San Francisco, Concord, Livermore and Porterville, CA. He began his career designing large Queen Anne houses for prominent residents of the Santa Clara Valley, including the famous Coggeshall Mansion in Los Gatos. He also had many residential commissions in Piedmont, Berkeley, San Francisco and San Jose, CA. Mr. Reid was born in Canada in 1863 and obtained a Certificate in Architecture in 1910 from the University of the Pacific.

Historic Resource Evaluation Response
March 15, 2012

CASE NO. 2011.0584E
601 Dolores Street

Criterion 4: Property yields, or may be likely to yield, information important in prehistory or history.

The subject property is likely to yield important information to our history since it is located in near Mission Dolores. However, the proposed project would not disturb the property's soils.

Step B: Integrity

To be a resource for the purposes of CEQA, a property must not only be shown to be significant under the California Register of Historical Resources criteria, but it also must have integrity. Integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's period of significance." Historic integrity enables a property to illustrate significant aspects of its past. All seven qualities do not need to be present as long the overall sense of past time and place is evident.

The subject property has retained or lacks integrity from the period of significance noted in Step A:

Location:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Setting:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Association:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Feeling:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Design:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	Materials:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks
Workmanship:	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks			

The exterior of 601 Dolores Street has undergone very few alterations and has very good historic integrity. Exterior alterations include replacement of louvers within the tower openings with glazing, replacement of windows on the east and south elevations with compatible replacements, and removal of chimneys. The interior of 601 Dolores Street has undergone more changes as a result of its conversion to a single-family dwelling in 2008. The sanctuary was left unchanged but the Sunday school wing was more extensively reinodeled. Within the Sunday school wing partitions were moved and original finishes were removed. Overall, the interior retains good historic integrity.

Step C: Character Defining Features

If the subject property has been determined to have significance and retains integrity, please list the character-defining features of the building(s) and/or property. A property must retain the essential physical features that enable it to convey its historic identity in order to avoid significant adverse impacts to the resource. These essential features are those that define both why a property is significant and when it was significant, and without which a property can no longer be identified as being associated with its significance.

Character defining features of the 601 Dolores Street that must be retained include but are not limited to:

Exterior

- Rubbed brick cladding at the street facing elevations.
- All Gothic and Tudor moldings.

Historic Resource Evaluation Response
March 15, 2012

CASE NO. 2011.0584E
601 Dolores Street

- Brick buttresses with caps.
- Complex and steeply pitched gabled roof.
- All windows, doors, and other openings.
- Tower element with crenellated parapet.

Interior

- Division of spaces into basement, Sanctuary, and Sunday school wing.
- Hardwood flooring.
- Redwood wainscoting and paneling.
- Tudor and Gothic columns in the sanctuary.
- Tudor and Gothic arches in the sanctuary.
- Stenciled ceilings in the sanctuary and vestibule.
- Most of the light fixtures.
- All doors (paneled and overhead).
- Plaster walls and ceilings.
- Exposed wood trusses.
- Door and window trims.

CEQA Historic Resource Determination

- Historical Resource Present
- Individually-eligible Resource
 - Contributor to two eligible Historic Districts
 - Non-contributor to an eligible Historic District
- No Historical Resource Present

PART I: SENIOR PRESERVATION PLANNER REVIEW

Signature: *Tina Tam*
Tina Tam, Senior Preservation Planner

Date: 3/20/2012

Historic Resource Evaluation Response
March 15, 2012

CASE NO. 2011.0584E
601 Dolores Street

PART II: PROJECT EVALUATION

Proposed Project

Demolition

Alteration

Per Drawings Dated: July 8, 2011; prepared by Jensen Architects

Project Description

The proposal is for Children's Day School of San Francisco to convert the church at 601 Dolores Street from a single-family dwelling into a private school housing 200 middle-school students. Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, and adding an elevator penthouse along the eastern edge of the building. Interior tenant improvements includes a complete seismic retrofit, partitions for 10 new classrooms, 7 administrative offices, 3 student and faculty lounges, 2 new interior stairways (including one that would be located within the tower), one elevator, 5 restrooms, and convert the sanctuary space into a multi-purpose space, create ADA ramps within the Dolores Street entry hall and the sanctuary's northern side aisle, and create a full second floor level within the Sunday school wing of the building. The project would add approximately 1,000 square-feet of occupiable space within the existing 17,106 square-foot building.

Project Evaluation

If the property has been determined to be a historical resource in Part I, please check whether the proposed project would materially impair the resource and identify any modifications to the proposed project that may reduce or avoid impacts.

To assist in the evaluation of the proposed project, the Project Sponsor has submitted the following consultant report:

- Prepared November 2011 and revised February 2012, by Christopher VerPlanck of VerPlanck Historic Preservation Consulting, for 601 Dolores Street.

Subject Property/Historic Resource:

- The project will not cause a significant adverse impact to the historic resource as proposed.
- The project will cause a significant adverse impact to the historic resource as proposed.

California Register-eligible Historic District or Context:

- The project will not cause a significant adverse impact to a California Register-eligible historic district or context as proposed.
- The project will cause a significant adverse impact to a California Register-eligible historic district or context as proposed.

Staff finds that the proposed project would not cause a significant adverse impact upon a historic resource such that the significance of the building would be materially impaired. The proposed project will not have a significant adverse impact on 601 Dolores Street, a known resource that is

listed in Here Today, the Department's 1976 Architectural Survey, the Department's Unreinforced Masonry Building Survey, and been deemed eligible for the California Register of Historical Resources individually and as a contributor to the "Inner Mission North Boulevards and Alleys Reconstruction District."

The Department finds that the project is consistent with the *Secretary of the Interior Standards for Rehabilitation* (Secretary's Standards). The following is an analysis of the proposed project per the Secretary's Standards:

Standard 1.

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

The proposed project would convert the subject property a former church that is currently used as a single-family dwelling, into a school. To accommodate this new use, the project would rehabilitate the exterior of the subject building and to a greater extent, the interior. However, the conversion would preserve most of the church's character defining interior features. The sanctuary, the most notable interior space and its volume and detail would be preserved as the space is converted into a multi-purpose space. The spaces that would be more heavily altered, basement and Sunday school wing, would accommodate the school's more programmatic space. The sponsor has submitted a protection, reuse, and salvage plan for the building's interior character-defining features so that they get preserved and reused where possible. Where removal of historic materials is required within the sanctuary they will be reinstalled based upon documentation.

Therefore, the proposed project complies with Rehabilitation Standard 1.

Standard 2.

The historic character of a property will be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property will be avoided.

Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, and adding an elevator penthouse along the eastern edge of the building. The roof deck and the elevator penthouse will not be visible from the street.

The interior of the building is divided into three sections: the basement, the sanctuary (nave), and the Sunday school wing. The sanctuary is the main and most character-defining interior space. Its interior volume, stenciled ceiling work, and interior wood finishes will all be preserved. The alterations within the Sunday school wing will be set back from the arches and columns that frame the sanctuary space. The basement is utilitarian and lacks the finishes and details of the floors above and thus was determined not to contain character-defining space or features. The Sunday school wing does contain character-defining finishes and detailing but the space itself was determined to be second in importance to the sanctuary space. Furthermore, the Sunday

Historic Resource Evaluation Response
March 15, 2012

CASE NO. 2011.0584E
601 Dolores Street

school wing has already experienced several alterations as part of the building's 2008 conversion into a single-family dwelling. It will be further altered to accommodate three classrooms, bathrooms, and student lounge space. A new floor will also be inserted into the space, eliminating its two-story volume.

The Department disagrees with the consultant's conclusion that the proposed alterations do not comply with Standard 2. The Sunday school wing is the building's most compromised interior space and it is not the primary character-defining interior space and thus further alteration to the space would not alter the building's interior character. Some of the original materials that remain in the Sunday school wing would be removed and some would be reused within the altered space under the sponsor's protection, reuse, and salvage plan. The wood floors would remain and some of the wood doors and wainscoting would be reused.

Therefore, the proposed project complies with Rehabilitation Standard 2.

Standard 3.

Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

The proposed project does not include the addition of conjectural elements or architectural features from other buildings. New work does not create a false sense of historical development and would be somewhat contemporary in character. On the exterior, new pedestrian doors would be compatible with the character of the building.

Therefore, the proposed project complies with Rehabilitation Standard 3.

Standard 4.

Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

The proposed project does not involve alterations to the subject building, which have acquired significance in their own right. The project would remove a stained glass window from the north side of the sanctuary space but the window in question was installed at an unknown time after 1931 and has not garnered significance in its own right.

Therefore, the proposed project complies with Rehabilitation Standard 4.

Standard 5.

Distinctive features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property will be preserved.

The proposed project would not substantially alter the exterior of the building. The project would not remove features or finishes that characterize the basement.

The building's seismic upgrade would necessitate removal of interior wall finishes in the sanctuary space. The wall features would be documented and reinstalled over the new shear walls. Within the Sunday school wing, interior wall finishes and doors would be removed and reused elsewhere where feasible pursuant to the sponsor's protection, reuse, and salvage plan for the building. A secondary stairway in the Sunday school wing would also be removed and the space would lose its two-story volume. The historic entry hall in the Sunday school wing would be preserved with its floor being ramped for ADA accessibility. Since the stair to be removed is secondary and hidden behind doors it is not considered a distinctive feature. The original plaster wall finishes in the Sunday school wing have already been compromised. The wood doors and wainscoting are the only character-defining historic materials in the Sunday school wing and they will be documented and reused where possible, primarily on the new walls on the south side of the sanctuary.

For these reasons the proposed project complies with Standard 5.

Standard 6.

Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacements of a distinctive feature, the new feature will match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

The building's exterior and interior features are in good condition and do not require repair or replacement.

Therefore, the proposed project complies with Rehabilitation Standard 6.

Standard 7.

Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

The existing building is relatively clean and does not require chemical or physical treatments.

Therefore, the proposed project complies with Rehabilitation Standard 7.

Standard 8.

Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures will be undertaken.

The proposed project would not disturb subsurface soils.

Therefore, the proposed project complies with Rehabilitation Standard 8.

Historic Resource Evaluation Response
March 15, 2012

CASE NO. 2011.0584E
601 Dolores Street

Standard 9.

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Exterior tenant improvements include converting a non-historic garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, and adding an elevator penthouse along the eastern edge of the building. The roof deck and the elevator penthouse would not be visible behind the building's gabled roof.

Therefore, the proposed project complies with Rehabilitation Standard 9.

Standard 10.

New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, and adding an elevator penthouse along the eastern edge of the building. The proposed change to the garage entrance would bring the building closer to what it was originally. The proposed roof deck and elevator penthouse could easily be removed in the future and the essential form and integrity of the property would be unimpaired.

Therefore, the proposed project complies with Rehabilitation Standard 10.

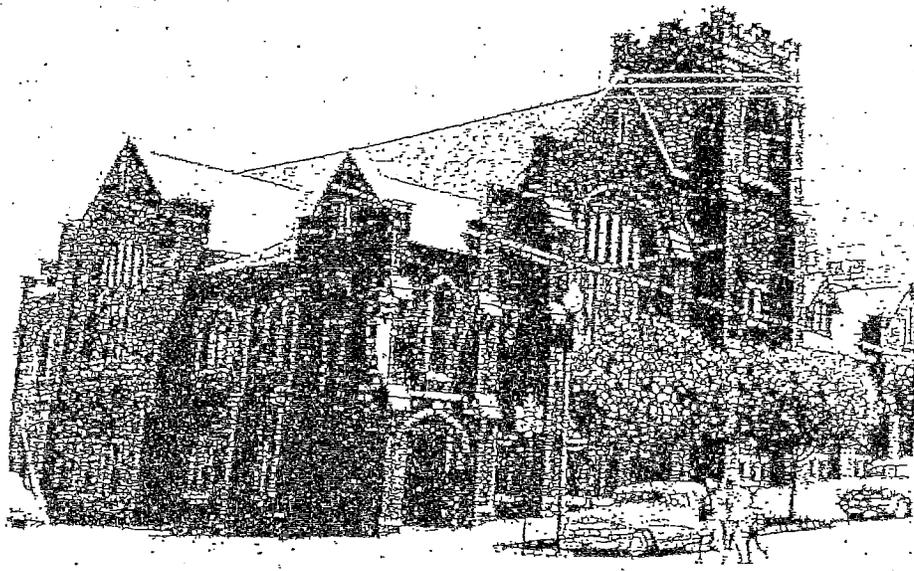
Summary

The Department finds that the project is consistent with the *Secretary of the Interior Standards for Rehabilitation (Standards)*. The project would not make any substantial changes to the exterior of the building or any significant changes to the character-defining features on the interior of the building. As currently proposed, the project will not have a significant adverse impact upon a historic resource, as defined by CEQA.

PART II: SENIOR PRESERVATION PLANNER REVIEW

Signature: Tina Tam Date: 3/20/2012
Tina Tam, Senior Preservation Planner

cc: Vimaliza Byrd, Environmental Division/ Historic Resource Impact Review File
Don Lewis, Environmental Planner





SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: APRIL 26, 2012

Date: April 19, 2012
Case No.: 2011.0584CDV
Project Address: 601 Dolores Street
Zoning: RH-3 (Residential, House, Three-Family)
40-X Height and Bulk District
Block/Lot: 3598/060
Project Sponsor: Molly Huffman
Children's Day School
333 Dolores Street
San Francisco, CA 94110
Staff Contact: Michael Smith - (415) 558-6322
michael.e.smith@sfgov.org
Recommendation: Approval with Conditions

1650 Mission St.
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Planning
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PROJECT DESCRIPTION

The project sponsor is requesting conditional use authorization pursuant to Planning Code Sections 209.3(g) and 303 and mandatory discretionary review pursuant to Section 317 of the Planning Code to convert a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School" (CDS) which is currently operating 2.5 blocks north the at 333 Dolores Street. "Children's Day School" would maintain both campuses and use the proposed site as a satellite campus. The proposed school would house 160-200 students in grades 5th through 8th. The project includes interior and exterior tenant improvements. Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, adding mechanical equipment and associated screening to the roof, and adding an elevator penthouse along the eastern edge of the building. Interior tenant improvements includes a complete seismic retrofit, partitions for 10 new classrooms, 7 administrative offices, 3 student and faculty lounges, 2 new interior stairways (including one that would be located within the tower), one elevator, 5 restrooms, convert the sanctuary space into a multi-purpose space, create ADA ramps within the Dolores Street entry hall and the sanctuary's northern side aisle, and create a full second floor level within the Sunday school wing of the building. The project also requires a parking variance because no parking would be provided for the school.

SITE DESCRIPTION AND PRESENT USE

601 Dolores Street is located on the southeast corner of the Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The subject building occupies most of a 9,690 square-foot, rectangular shaped lot that measures 85 feet in width, 114 feet in depth, and is

Executive Summary
Hearing Date: April 26, 2012

CASE NO. 2011.0584CDV
601 Dolores Street

located within a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District.

The subject property is improved with a two-story over basement, single-family residence that was formerly a church. The building was constructed in 1910 in the Gothic Revival style as a church for the Mission Congregational Church.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is primarily multi-family residential in character with a few large institutional uses surrounding Mission Dolores Park and extending north down Dolores Street. There are a few commercial establishments located within ground floor storefronts on corners along Dolores Street, including restaurants, cafes, and convenience stores. Buildings in the vicinity typically range from two to four stories in height.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad.	20 days	April 6, 2011	April 4, 2011	22 days
Posted Notice	20 days	April 6, 2011	April 6, 2011	20 days
Mailed Notice	10 days	April 16, 2006	April 4, 2011	22 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

- * To date, the Department has received 50 letters and emails of support for the project primarily from parents of students who attend the school. The project is also supported by the Mission Dolores Neighborhood Association (MDNA).
- * The adjacent neighbor to the south expressed concern about how activity on the proposed roof deck could impact noise and privacy at the rear of his multi-unit residential building next door and how the penthouse addition would block his view. Several other neighbors expressed concern about the potential impacts the use could have on parking and traffic in the neighborhood including the white zones location on 19th Street and the on-street parking spaces that would be eliminated as a result.

ISSUES AND OTHER CONSIDERATIONS

- The project requires a parking variance because no parking would be provided for the use where two spaces are required.
- The project requires the Commission to not take discretionary review for the conversion of a dwelling into a nonresidential use. The property has been used as a church or community room for a majority of its life until in 2007 it was converted into a single-family dwelling. A dwelling of this size is uncharacteristic within this neighborhood.
- CDS currently has a campus located 2.5 blocks to the north at St. Joseph's Hall at 333 Dolores Street, a city landmark site. CDS plans to retain its existing campus for Kindergarten through fourth grade students. In 2003, the Commission granted the school conditional use authorization to install three (3) portable classrooms that measure 24' X 40' each on the site. At the recommendation of the Landmarks Preservation Advisory Board (LPAB), the portable classrooms were authorized for use for a period not to exceed ten (10) years. This project would provide more space for CDS allowing them to transition students out of the temporary classrooms and remove the buildings altogether from the site in compliance with their 2003 conditions of approval.
- To reduce traffic and parking impacts in the neighborhood during pick-up and drop-off times, CDS would have students that attend 601 Dolores dropped-off at 333 Dolores Street and the students would walk to the school from there. The school will also be requesting a white zone for student drop off at the property's 19th Street frontage. The white zone would measure 85 feet in length and result in the loss of several parking spaces including one handicap space.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment of a school within a residential district, pursuant to Planning Code Sections 209.3(g) and 303 and not take Discretionary Review pursuant to Section 317 of the Planning Code to allow the conversion of a dwelling unit into a school. In addition, the Zoning Administrator would need to grant a parking variance pursuant to Section 151 of the Planning Code to allow a school without parking.

BASIS FOR RECOMMENDATION

- The project promotes the adaptive reuse of a difficult building type.
- The project promotes and strengthens the continued operation of a neighborhood serving school.
- The project would preserve the building's exterior and interior character defining features.
- The project would result in the loss of a dwelling unit that is not affordable to most City residents.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The Project will allow for additional choices in educational options to neighborhood and city residents.

Executive Summary
Hearing Date: April 26, 2012

CASE NO. 2011.0584CDV
601 Dolores Street

- There are a limited number of suitable sites available for institutional uses such as an independent school.

RECOMMENDATION:	Approval with Conditions
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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"/> Block Book Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

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

MES

Planner's Initials



**SAN FRANCISCO
PLANNING DEPARTMENT**

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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Fax:
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Planning
Information:
415.558.6377

Planning Commission Draft Motion

HEARING DATE: APRIL 26, 2012

Date: April 19, 2012
Case No.: 2011.0584CDV
Project Address: 601 DOLORES STREET
Zoning: RH-3 (Residential, House, Three-Family)
 40-X Height and Bulk District
Block/Lot: 3598/060
Project Sponsor: Molly Huffman
 Children's Day School
 333 Dolores Street
 San Francisco, CA 94110
Staff Contact: Michael Smith - (415) 558-6322
michael.e.smith@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.3(g) FOR THE CONVERSION OF A FORMER CHURCH THAT IS CURRENTLY BEING USED AS A SINGLE-FAMILY DWELLING INTO A PRIVATE ELEMENTARY SCHOOL OPERATED BY "CHILDREN'S DAY SCHOOL" FOR A PROPERTY LOCATED WITHIN A RH-3 (RESIDENTIAL, HOUSE, THREE-FAMILY) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On July 14, 2011 Valerie Veronin on behalf of Children's Day School (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section 209.3(g) and an application for Discretionary Review pursuant to Section 317 of the Planning Code to allow the conversion of single-family dwelling into a private elementary school for students in fifth through eighth grades operated by Children's Day School for a property located within a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

On April 26, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0584CDV.

Draft Motion
April 26, 2012

CASE NO. 2011.0584CDV
601 Dolores Street

The Department determined the Project to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

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. 2012.0584CDV, 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.** 601 Dolores Street is located on the southeast corner of the Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The subject building occupies most of a 9,690 square-foot, rectangular shaped lot that measures 85 feet in width, 114 feet in depth, and is located within a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District. The subject property is improved with a two-story over basement, single-family residence that was formerly a church. The building was constructed in 1910 in the Gothic Revival style as a church for the Mission Congregational Church.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is primarily multi-family residential in character with a few large institutional uses surrounding Mission Dolores Park and extending north down Dolores Street. There are a few commercial establishments located within ground floor storefronts on corners along Dolores Street, including restaurants, cafes, and convenience stores. Buildings in the vicinity typically range from two to four stories in height.
4. **Project Description.** The project sponsor is requesting conditional use authorization pursuant to Planning Code Sections 209.3(g) and 303 and mandatory discretionary review pursuant to Section 317 of the Planning Code to convert a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School" (CDS) which is currently operating 2.5 blocks north of the at 333 Dolores Street. "Children's Day School" would maintain both campuses and use the proposed site as a satellite campus. The proposed school would house 160-200 students in grades 5th through 8th. The project includes interior and exterior tenant improvements. Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner of the building, adding mechanical equipment and associated screening to the roof, and

adding an elevator penthouse along the eastern edge of the building. Interior tenant improvements includes a complete seismic retrofit, partitions for 10 new classrooms, 7 administrative offices, 3 student and faculty lounges, 2 new interior stairways (including one that would be located within the tower), one elevator, 5 restrooms, and convert the sanctuary space into a multi-purpose space, create ADA ramps within the Dolores Street entry hall and the sanctuary's northern side aisle, and create a full second floor level within the Sunday school wing of the building. The project also requires a parking variance because no parking would be provided for the school.

5. **Public Comment.** To date, the Department has received 50 letters and emails of support for the project primarily from parents of students who attend the school. The project is also supported by the Mission Dolores Neighborhood Association (MDNA).

The adjacent neighbor to the south expressed concern about how activity on the proposed roof deck could impact noise and privacy at the rear of his multi-unit residential building next door and how the penthouse addition would block his view. Several other neighbors expressed concern about the potential impacts the use could have on parking and traffic in the neighborhood including the white zones location on 19th Street and the on-street parking spaces that would be eliminated as a result.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Parking.** Planning Section 151 of the Planning Code requires one off-street parking space for every six classrooms for elementary schools.

The proposed school would have no off-street parking and thus requires a parking variance from Section 151 of the Planning Code.

- B. **Floor Area Ratio (F.A.R.).** Section 124 of the Planning Code limits non-residential uses in RH-3 Districts to a floor area ratio of 1.8 to 1. For a corner lot, Planning Code Section 125 permits a 25 percent floor area premium.

The subject lot measures 9,690 square-feet in area. The maximum permitted use size for the property is 17,442 square-feet based upon the District's maximum permitted floor area ratio. The FAR premium allowed for corner lots increases the maximum permitted nonresidential use size to 21,802.5 square-feet. The proposed school would occupy 16,123 square-feet.

- C. **Land Use.** Section 209.3(g) of the Planning Code allows elementary schools (an institutional use) in a RH-3 District only upon the approval of a conditional use authorization by the Commission.

- D. **Dwelling Unit Conversion.** Section 317 of the Planning Code requires mandatory staff initiated Discretionary Review for the conversion of a dwelling unit to a non-residential use if not otherwise subject to Conditional Use authorization by the Code.

The Planning Commission shall consider these criteria in the review of applications for Conversion of Residential Units;

- (i) whether conversion of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;
- (ii) whether conversion of the unit(s) would provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s);
- (iii) whether conversion of the unit(s) will bring the building closer into conformance with the prevailing character of its immediate area and in the same zoning district;
- (iv) whether conversion of the unit(s) will be detrimental to the City's housing stock;
- (v) whether conversion of the unit(s) is necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected.

The subject building was constructed in 1910 as a church for the Mission Park Congregation. The building remained a church for many different congregations until the most recent church occupant ceased operation in 2005 due to dwindling membership and significant seismic retrofit requirements. The property sat vacant for a couple years until it was purchased in 2007 and converted into a single-family dwelling. In 2011, the property was sold to CDS in anticipation of the proposed conversion. The conversion would not result in tenant displacement as the building was owner occupied upon its sale. Although the conversion of the dwelling unit would be detrimental to the City's housing stock, the existing dwelling is out of character for the neighborhood which is defined by residential flats, and it is not affordable housing. The use of the property as a dwelling unit does not represent the most effective use of the property. The property was constructed for institutional purposes and is best suited for that use.

7. 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
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The school would initially enroll 160 students with a maximum enrollment of 200 students and employ approximately 14 staff people. The intensity of the proposed use would be similar to that of the church that previously occupied the building. Furthermore, the size of the proposed use is in keeping with other institutional use surrounding Dolores Park and extending down Dolores Street to the north. The project is necessary and desirable because it would provide an additional choice in education to neighborhood and city residents and it provides adaptive reuse of an existing building. Furthermore, there are a limited number of suitable sites available for institutional uses such as an independent school.

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

- 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 existing building will be minimally enlarged to provide a stair/elevator penthouse for the proposed roof deck. The proposed work would not be visible from the street.

- 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;

A transportation study was prepared for the project to evaluate potential transportation impacts that could result from the project. The study concluded that the project would not have a significant impact on parking and traffic in the neighborhood for several reasons. The project includes expanding the white zone at the property's 19th Street frontage from 80 feet to 130 feet. The white zone would be effective between 7:00am - 9:00am and 2:30pm - 4:30pm, Monday - Friday. Also as part of the project, CDS has developed a student drop off plan that is based on the projected number of student drop offs and the proposed available loading space at each campus and include distribution of morning student drop offs that provides for student safety and minimizes traffic impacts. The drop-off plan is discussed further in the transportation section of the categorical exemption.

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

The project would not exceed the BAAQMD's 2010 thresholds of significance and would not result in the generation of air pollutants that exceed the BAAQMD's thresholds of significance.

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

No additional landscaping is proposed for the site. The existing street trees that border the property would be retained. The Department shall review all lighting and signs proposed for the property in accordance with the Conditions of Approval contained in Exhibit A.

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

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

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is generally consistent with the stated purpose of RH Districts to regulate institutional uses therein.

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

COMMERCE AND INDUSTRY ELEMENT Objectives and Policies

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES

POLICY 7.2:

Encourage the extension of needed health and education services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

POLICY 7.3:

Promote the provision of adequate health and education services to all geographic districts and cultural groups in the city.

The Project will allow for additional choices in educational options to neighborhood and city residents and allow for an increase in student enrollment should others want to attend. The Project would enhance the educational services available to residents of the local area neighborhoods as well as the city at large.

HOUSING ELEMENT Objectives and Policies

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

POLICY 11.7:

Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

POLICY 11.8:

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

The Project would respect the City's historic fabric by preserving and reusing a historic property. The Project will allow a school to locate within a residential District in a property that is suitable for an institutional use. As a result, additional educational services would be provided for the local neighborhood and community at large.

9. 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.

The proposal would not affect existing neighborhood-serving retail uses.

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

The proposal is for the adaptive reuse of an institutional building and would provide another educational choice for City residents.

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

Although the project would result in the loss of a dwelling unit, the dwelling unit is not affordable to most City residents.

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

The Department performed a transportation analysis of the project and determined that it would not significantly impact transit service, traffic, or parking in the neighborhood.

- 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 includes seismically retrofitting the existing structure to comply with current seismic standards. Therefore, the project would increase the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The subject property is a known historic resource pursuant to CEQA. In response, the Department performed a historical analysis of the property and the proposed improvements and determined that the project would not impact the property's ability to convey its historic significance.

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

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

10. 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.
11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

Draft Motion
April 26, 2012

CASE NO. 2011.0584CDV
601 Dofores Street

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. 2011.0584CDV subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 18, 2007, 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. XXXXX. 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 26, 2012

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 26, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow Children's Day School to convert a church that is current being used as a dwelling unit into a private elementary school for students in Fifth through Eighth grades located at 601 Dolores Street, Block 3598, Lot 060 pursuant to Planning Code Sections 209.3(g), 303, and 317 within a RH-3 District and a 40-X Height and Bulk District, in general conformance with plans, dated July 8, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0584CDV and subject to conditions of approval reviewed and approved by the Commission on April 26, 2012 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 26, 2012 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

DESIGN

2. **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 architectural addenda. 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.

MONITORING

3. **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.

OPERATION

4. **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

Draft Motion
April 26, 2012

CASE NO. 2011.0584CDV
601 Dolores Street

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/>

5. Enrollment for a school at the Project Site shall be limited to 200 students. Any increase in enrollment beyond 200 students at the Project Site shall require approval of a new or amended conditional use authorization by the Commission.

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

6. The Applicant shall take all reasonable measures to prevent loitering by students (and possible associated nuisances) during break times or before and after classes in adjacent residential areas.

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



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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Information:
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Planning Commission Motion No. 18604

HEARING DATE: APRIL 26, 2012

Date: May 10, 2012
Case No.: 2011.0584CV
Project Address: 601 DOLORES STREET
Zoning: RH-3 (Residential, House, Three-Family)
40-X Height and Bulk District
Block/Lot: 3598/060
Project Sponsor: Molly Huffman
Children's Day School
333 Dolores Street
San Francisco, CA 94110
Staff Contact: Michael Smith - (415) 558-6322
michael.e.smith@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.3(g), 303, AND 317 FOR THE CONVERSION OF A FORMER CHURCH THAT IS CURRENTLY BEING USED AS A SINGLE-FAMILY DWELLING INTO A PRIVATE ELEMENTARY SCHOOL OPERATED BY "CHILDREN'S DAY SCHOOL" FOR A PROPERTY LOCATED WITHIN A RH-3 (RESIDENTIAL, HOUSE, THREE-FAMILY) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On July 14, 2011 Valerie Veronin on behalf of Children's Day School (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 209.3(g), 303, and 317 of the Planning Code to allow the conversion of single-family dwelling into a private elementary school for students in fifth through eighth grades operated by Children's Day School for a property located within a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

On April 26, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0584CV.

The Department determined the Project to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

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. 2011.0584CV, 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.** 601 Dolores Street is located on the southeast corner of the Dolores and 19th Streets directly east of Dolores Park in the Mission Dolores neighborhood. The subject building occupies most of a 9,690 square-foot, rectangular shaped lot that measures 85 feet in width, 114 feet in depth, and is located within a RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District. The subject property is improved with a two-story over basement, single-family residence that was formerly a church. The building was constructed in 1910 in the Gothic Revival style as a church for the Mission Congregational Church.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is primarily multi-family residential in character with a few large institutional uses surrounding Mission Dolores Park and extending north down Dolores Street. There are a few commercial establishments located within ground floor storefronts on corners along Dolores Street, including restaurants, cafes, and convenience stores. Buildings in the vicinity typically range from two to four stories in height.
4. **Project Description.** The project sponsor is requesting conditional use authorization pursuant to Planning Code Sections 209.3(g) and 303 and mandatory discretionary review pursuant to Section 317 of the Planning Code to convert a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School" (CDS) which is currently operating 2.5 blocks north the at 333 Dolores Street. "Children's Day School" would maintain both campuses and use the proposed site as a satellite campus. The proposed school would house 160-200 students in grades 5th through 8th. The project includes interior and exterior tenant improvements. Exterior tenant improvements include converting a garage entrance on 19th Street into a primary pedestrian entrance, adding a roof deck to the southeast corner

of the building, adding mechanical equipment and associated screening to the roof, and adding an elevator penthouse along the eastern edge of the building. Interior tenant improvements includes a complete seismic retrofit, partitions for 10 new classrooms, 7 administrative offices, 3 student and faculty lounges, 2 new interior stairways (including one that would be located within the tower), one elevator, 5 restrooms, and convert the sanctuary space into a multi-purpose space, create ADA ramps within the Dolores Street entry hall and the sanctuary's northern side aisle, and create a full second floor level within the Sunday school wing of the building. The project also requires a parking variance because no parking would be provided for the school.

5. **Public Comment.** To date, the Department has received 50 letters and emails of support for the project primarily from parents of students who attend the school. The project is also supported by the Mission Dolores Neighborhood Association (MDNA).

The adjacent neighbor to the south expressed concern about how activity on the proposed roof deck could impact noise and privacy at the rear of his multi-unit residential building next door and how the penthouse addition would block his view. Several other neighbors expressed concern about the potential impacts the use could have on parking and traffic in the neighborhood including the white zones location on 19th Street and the on-street parking spaces that would be eliminated as a result.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Parking.** Planning Section 151 of the Planning Code requires one off-street parking space for every six classrooms for elementary schools.

The proposed school would have no off-street parking and thus requires a parking variance from Section 151 of the Planning Code.

- B. **Floor Area Ratio (F.A.R.).** Section 124 of the Planning Code limits non-residential uses in RH-3 Districts to a floor area ratio of 1.8 to 1. For a corner lot, Planning Code Section 125 permits a 25 percent floor area premium.

The subject lot measures 9,690 square-feet in area. The maximum permitted use size for the property is 17,442 square-feet based upon the District's maximum permitted floor area ratio. The FAR premium allowed for corner lots increases the maximum permitted nonresidential use size to 21,802.5 square-feet. The proposed school would occupy 16,123 square-feet.

- C. **Land Use.** Section 209.3(g) of the Planning Code allows elementary schools (an institutional use) in a RH-3 District only upon the approval of a conditional use authorization by the Commission.

- D. **Dwelling Unit Conversion.** Section 317 of the Planning Code requires mandatory staff initiated Discretionary Review for the conversion of a dwelling unit to a non-

residential use if not otherwise subject to Conditional Use authorization by the Code.

The Planning Commission shall consider these criteria in the review of applications for Conversion of Residential Units;

- (i) whether conversion of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;
- (ii) whether conversion of the unit(s) would provide desirable new non-residential use(s) appropriate for the neighborhood and adjoining district(s);
- (iii) whether conversion of the unit(s) will bring the building closer into conformance with the prevailing character of its immediate area and in the same zoning district;
- (iv) whether conversion of the unit(s) will be detrimental to the City's housing stock;
- (v) whether conversion of the unit(s) is necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected.

The subject building was constructed in 1910 as a church for the Mission Park Congregation. The building remained a church for many different congregations until the most recent church occupant ceased operation in 2005 due to dwindling membership and significant seismic retrofit requirements. The property sat vacant for a couple years until it was purchased in 2007 and converted into a single-family dwelling. In 2011, the property was sold to CDS in anticipation of the proposed conversion. The conversion would not result in tenant displacement as the building was owner occupied upon its sale. Although the conversion of the dwelling unit would be detrimental to the City's housing stock, the existing dwelling is out of character for the neighborhood which is defined by residential flats, and it is not affordable housing. The use of the property as a dwelling unit does not represent the most effective use of the property. The property was constructed for institutional purposes and is best suited for that use.

7. 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:
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The school would initially enroll 160 students with a maximum enrollment of 200 students and employ approximately 14 staff people. The intensity of the proposed use would be similar to that of the church that previously occupied the building. Furthermore, the size of the proposed use is in keeping with other institutional use surrounding Dolores Park and extending down Dolores Street to the north. The project is necessary and desirable because it would provide an additional choice in education to neighborhood and city residents and it

provides adaptive reuse of an existing building. Furthermore, there are a limited number of suitable sites available for institutional uses such as an independent school.

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

- 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 existing building will be minimally enlarged to provide a stair/elevator penthouse for the proposed roof deck. The proposed work would not be visible from the street.

- 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;

A transportation study was prepared for the project to evaluate potential transportation impacts that could result from the project. The study concluded that the project would not have a significant impact on parking and traffic in the neighborhood for several reasons. The project includes expanding the white zone at the property's 19th Street frontage from 80 feet to 130 feet. The white zone would be effective between 7:00am – 9:00am and 2:30pm – 4:30pm, Monday – Friday. Also as part of the project, CDS has developed a student drop off plan that is based on the projected number of student drop offs and the proposed available loading space at each campus and include distribution of morning student drop offs that provides for student safety and minimizes traffic impacts. The drop-off plan is discussed further in the transportation section of the categorical exemption.

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

The project would not exceed the BAAQMD's 2010 thresholds of significance and would not result in the generation of air pollutants that exceed the BAAQMD's thresholds of significance.

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

No additional landscaping is proposed for the site. The existing street trees that border the property would be retained. The Department shall review all lighting and signs

proposed for the property in accordance with the Conditions of Approval contained in Exhibit A.

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

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

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is generally consistent with the stated purpose of RH Districts to regulate institutional uses therein.

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

COMMERCE AND INDUSTRY ELEMENT Objectives and Policies

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES

POLICY 7.2:

Encourage the extension of needed health and education services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

POLICY 7.3:

Promote the provision of adequate health and education services to all geographic districts and cultural groups in the city.

The Project will allow for additional choices in educational options to neighborhood and city residents and allow for an increase in student enrollment should others want to attend. The Project would enhance the educational services available to residents of the local area neighborhoods as well as the city at large.

HOUSING ELEMENT Objectives and Policies

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

POLICY 11.7:

Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

POLICY 11.8:

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

The Project would respect the City's historic fabric by preserving and reusing a historic property. The Project will allow a school to locate within a residential District in a property that is suitable for an institutional use. As a result, additional educational services would be provided for the local neighborhood and community at large.

9. 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.

The proposal would not affect existing neighborhood-serving retail uses.

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

The proposal is for the adaptive reuse of an institutional building and would provide another educational choice for City residents.

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

Although the project would result in the loss of a dwelling unit, the dwelling unit is not affordable to most City residents.

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

The Department performed a transportation analysis of the project and determined that it would not significantly impact transit service, traffic, or parking in the neighborhood.

- 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 includes seismically retrofitting the existing structure to comply with current seismic standards. Therefore, the project would increase the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The subject property is a known historic resource pursuant to CEQA. In response, the Department performed a historical analysis of the property and the proposed improvements and determined that the project would not impact the property's ability to convey its historic significance.

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

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

10. 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.
11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

Motion No. 18604
April 26, 2012

CASE NO. 2011.0584CV
601 Dolores Street

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. 2011.0584CV subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 8, 2011 with a revision date of April 12, 2012, 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. 18604. 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 26, 2012

Linda D. Avery
Commission Secretary

AYES: Commissioners Sugaya, Antonini, Borden, Moore, Miguel, and Fong

NAYES: None

ABSENT: Commissioner Wu

ADOPTED: April 26, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow Children's Day School to convert a church that is current being used as a dwelling unit into a private elementary school for students in Fifth through Eighth grades located at 601 Dolores Street, Block 3598, Lot 060 pursuant to Planning Code Sections 209.3(g), 303, and 317 within a RH-3 District and a 40-X Height and Bulk District; in general conformance with plans, dated July 8, 2011 with a revision date of April 12, 2012, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0584CV and subject to conditions of approval reviewed and approved by the Commission on April 26, 2012 under Motion No. 18604. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 26, 2012 under Motion No. 18604.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18604 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

DESIGN

2. **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 architectural addenda. 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.

MONITORING

3. **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.

OPERATION

4. **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/>

5. **School Enrollment.** Enrollment for a school at the Project Site shall be limited to 200 students. Any increase in enrollment beyond 200 students at the Project Site shall require approval of a new or amended conditional use authorization by the Commission. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.*
6. **Loitering.** The Applicant shall take all reasonable measures to prevent loitering by students (and possible associated nuisances) during break times or before and after classes in adjacent residential areas. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.*
7. **White Loading Zone.** The proposed white loading zone on 19th Street shall be effective between the hours of 7 a.m. and 9 a.m. only to protect on-street parking for the maximum amount of time. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.*
8. **Roof Deck Usage.** Usage of the proposed roof deck as a classroom or any other school related function shall not commence before 7 a.m. and shall not extend beyond 9 p.m. Furthermore, no lighting shall be installed on the deck only the minimum amount of lighting needed for safety. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.*
9. **Mechanical Equipment.** It was determined that the location of the rooftop mechanical equipment shown on the plans dated July 8, 2011 with a revision date of April 12, 2012, and stamped "EXHIBIT B" do not comply with the rear yard requirements of Section 134 of the Planning Code. As a result, the location of the equipment shown on the plans is not approved as part of this project. The sponsor shall continue to work with staff on the location of the equipment, preferably to be moved to a location that is not near the adjacent buildings. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.*

RUTAN
ATTORNEYS AT LAW

B05-11
COB
Leg Director

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120495

June 18, 2012

VIA E-MAIL AND U.S. MAIL

David Cincotta, Esq.
Jeffer Mangels Butler & Mitchell, LLP
Two Embarcadero Center, 5th Floor
San Francisco, CA 94111

RECEIVED
BOARD OF SUPERVISORS
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2012 JUN 19 AM 9:16
JTB

Re: Children's Day School, 601 Dolores Street, San Francisco, CA

Dear Mr. Cincotta,

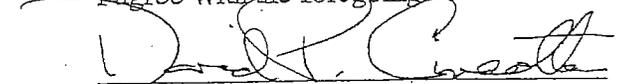
Per the agreement reached orally on June 14, 2012, between Children's Day School and our clients, appellants Anne Gates, Landon Gates, Lisa Nahmanson and Sandra Steele, this letter confirms that the parties wish to continue the Categorical Exemption Determination appeal hearing currently scheduled for June 19, 2012, and the Conditional Use Permit appeal hearing currently scheduled for June 26, 2012, both regarding property located at 601 Dolores Street, San Francisco, to July 26, 2012 or as soon thereafter as may be accommodated by the Board of Supervisors. The parties were informed by Supervisor Wiener on June 15, 2012, that the earlier proposed hearing date of July 10, 2012, is not available to the parties.

By signing this letter below, you confirm that your client Children's Day School agrees with the above described continuance.

RUTAN & TUCKER, LLP


Elizabeth T. Erhardt

I agree with the foregoing.


David Cincotta, Esq.

