



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

## APPEAL OF CONDITIONAL USE AUTHORIZATION 22 Ord Court

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**DATE:** November 23, 2015

**TO:** Angela Calvillo, Clerk of the Board of Supervisors

**FROM:** John Rahaim, Planning Director – Planning Department (415) 558-6411  
Tina Chang, Case Planner – Planning Department (415) 575-9197

**RE:** File No. 151113 Planning Case No. 2013.1521CUAV - Appeal of the approval of Conditional Use Authorization for 22 Ord Court

**HEARING DATE:** December 1, 2015

**ATTACHMENTS:**

- A. Planning Commission Staff Report (Executive Summary, Exhibits, & Final Motion)
- B. Project Sponsor Drawings

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**PROJECT SPONSOR:** Kenneth Tam, 1266 Regency Drive, San Jose CA 95129

**APPELLANT:** Jack Keating, on behalf of the Castro/Eureka Valley Neighborhood Association, 4134 17<sup>th</sup> Street, San Francisco, CA 94114

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### INTRODUCTION:

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (“Board”) regarding the Planning Commission’s (“Commission”) approval of the application for Conditional Use Authorization under Planning Code Sections 303 (Conditional Use Authorization) and 306.7 (Interim Zoning Controls), to permit lot coverage of a parcel to exceed 55% and an increase to the existing square footage in excess of 3,000 square feet and/or more than 100% by constructing a new, +/- 3,110 gross square foot, two-story dwelling unit at the rear of the existing through lot. The project is located within an RH-2 (Residential House, Two-Family) Zoning and 40-X Height and Bulk District (“the Project”).

This response addresses the appeal (“Appeal Letter”) to the Board filed on October 26, 2015 by Jack Keating, representing neighbors in opposition to the project. The Appeal Letter referenced the proposed project in Case No. 2013.1521CUAV.

The decision before the Board is whether to uphold or overturn the Planning Commission’s approval of Conditional Use Authorization to demolish two residential units at 395 26<sup>th</sup> Avenue.

### SITE DESCRIPTION & PRESENT USE:

Memo

The proposed project is located on a through lot at 22 Ord Court with frontages on both Ord Court and States Street in the Castro and Upper Market Neighborhoods. The property is developed with an existing 3-story, approximately 2,400 square-foot, single family structure on an approximately 2,940 square foot lot. The existing building was originally constructed as a single-family dwelling in 1954. A third-story addition was constructed in the 1980's resulting in a change to the building's scale, massing and design. Based on review conducted by Planning Department staff, the existing building at 22 Ord Court lacks sufficient integrity and is not eligible as a historic resource under CEQA. The property is not located within the boundaries of any listed historic districts. Therefore, the property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.

### **SURROUNDING PROPERTIES AND NEIGHBORHOOD:**

The surrounding neighborhood consists of a mixture of one-, two-, and three-story buildings, containing mostly one- or two- residential dwelling-units. The residential neighborhood contains structures of varying heights and depths on an up-sloping street, as one heads west. Both adjacent properties, east and west of the subject property, are three-story buildings containing two dwelling units. The building to the east is a multi-family, two stories-over-garage at the block face, and steps back to five stories after approximately 55' from the front façade. The building to the west is a single-family, one-story-over garage structure at the block face.

The subject property is within the Castro and Upper Market Neighborhoods, and about .4 miles west of the Castro Street and Market Street intersection. Castro Street serves as the cross street on the east side of the property where the neighborhood transitions to a Residential, Mixed, Low-Density (RM-1) zoning district, the Upper Market Street Neighborhood Commercial (NCD) and Upper Market Neighborhood Commercial Transit District (NCT). RM-1 zoning districts contain ground-floor commercial spaces and mostly residential units on upper floors. A mixture of dwelling types found in RH Districts are also found in RM-1 districts, in addition to a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. The Upper Market NCT and NCD zoning districts are multi-purpose commercial districts, well served by transit including the Castro Street Station of the Market Street subway and the F-Market historic streetcar line, providing limited convenience goods to adjacent neighborhoods, but also serve as a shopping street for a broader trade area.

### **PROJECT DESCRIPTION:**

The proposal on 22 Ord Court includes two buildings: 1.) the vertical and horizontal addition of the existing structure, increasing the existing dwelling by approximately 825 square feet to approximately 3,225 square feet, and 2.) the new construction of a new, two-story-above-grade, approximately 3,110 square foot dwelling at the rear of the lot. Were it not for the interim zoning controls<sup>1</sup>, a Conditional Use Authorization would not be required.

The addition would extend the rear of the third floor to the rear building wall, with a 5-foot side setback from the western property line, and construct a fourth floor set back approximately 12'-5" from the front façade, approximately 19 feet from the property line, and 5-foot side setbacks on both sides of the property. The addition alone, pursuant to the interim controls, would not require conditional use authorization, as it does not increase the existing square footage by more than 3,000 square feet or more

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<sup>1</sup> File No. 150192, Interim Zoning Controls – Large Residential Projects in RH-1, RH-2, RH-3 Zoning Districts

than 75%. It is new construction of the two-story, single-family home at the rear of the subject lot that triggers the need for Conditional Use Authorization.

The 3,110 square foot proposed rear structure would contain two levels below grade and two levels below. The first at-grade floor contains a one-car garage, bedroom and office, with the main living area on the second level, which is setback approximately six feet from the rear property line. An approximately 240 square foot roof deck is proposed above the second level. A rear yard amounting to approximately 25% lot coverage is maintained between the existing and proposed structures; however, this would amount to greater than 55% lot coverage, as well as an increase to the square footage in excess of 3,000 square feet and greater than 100%.

**BACKGROUND:**

On October 21, 2013, Reza Khosnevisan, on behalf of Kenneth Tam, filed Building Permit Application Numbers 201310219832 and 201310219817 to the vertical addition of the existing structure at 22 Ord Court, and for the new construction of a three-story, single family dwelling unit fronting States Street.

On October 18, 2013 Reza Khosnevisan, on behalf of Kenneth Tam, filed a Variance Application Case No. 2013.1521V to construct a three-story single family dwelling unit in the required rear yard of the property at 22 Ord Court.

On September 5, 2014 Chris Parkes filed a Discretionary Review (DR) against Building Permit Application No. 201310219832 for the vertical addition of the existing structure and Building Permit Application No. 201310219817 for the new construction of the three story single family dwelling at the rear of the property. The DR filer also initiated Discretionary Review for Building Permit Application No. 201310219830 for the new construction of a dwelling unit at the rear of 24 Ord Court. Chris Parkes raised concerns about the removal of significant trees at the rear of 24 Ord Court, and felt that the projects at 22 and 24 Ord Court as proposed did not meet Residential Design Guidelines. The DR Requestor was also opposed to the project because of noncompliance with the Planning Code and the need for a variance to construct in the required rear yard.

On December 4, 2014, a duly noticed public hearing was held for the public initiated discretionary review of and variance requests for the proposed projects at 22 and 24 Ord Court. After public testimony in opposition to the Project the Planning Commission continued the subject item to February 5, 2015. The project was subsequently continued to February 12th, to allow for additional time to conduct environmental review of the project changes. Though suggestions were made regarding the existing structure at 22 Ord Court, the Planning Commission made definitive requests to refine the proposed new construction at the rear of the subject property, including the removal of top level of the proposed new structure at the rear; differentiation of architectural design between the proposed structures at the rear of 22 and 24 Ord Court and the reduction of parking provided to increase habitable space within the proposed new structure. Department of Public Works (DPW) Order No 183228 indicates that the removal of the trees at 24 Ord Court had been approved due to poor tree structure. This decision was appealed, and a public hearing was held on November 24, 2014.

At the time of the December 4th hearing, the Department of Public Works DPW had not yet issued the resulting order from the hearing held for the trees in question. In addition to the changes outlined above, the Commission was also interested in learning the outcome of the DPW hearing.

On February 12, 2015, the Commission again heard the Discretionary Review Requests for 22-24 Ord Court. In response to the Commission's requests, the Project Sponsor presented changes to the proposed construction. The changes at that time included 1) a reduction in the number of floors above grade from three to two, 2) a reduction of off-street parking spaces from two-to-one thus increasing habitable living space, and 3) the alteration of the front façade at 22 Ord Court to better differentiate the two structures. By the time of the February 12, 2015 Commission hearing, the resulting order from DPW had been issued indicating that the removal of trees would be approved on the condition that all necessary permit approvals were attained to construct the new building at 24 Ord Court. After public testimony, the Commission voted, again, to continue the item to March 12, 2015, so that the Project Sponsor could explore options to preserve the mature trees at 24 Ord Court. The Commission stated concern for keeping the trees if possible and asked that the Project Sponsor explore ways to differentiate the two buildings at 22 and 24 Ord Court even more.

On March 9, 2015, the Board of Supervisors passed legislation imposing interim zoning controls. The controls were to last for a maximum of 18-months and would apply to parcels in RH-1, RH-2, and RH-3 zoning districts within neighborhoods known as Corbett Heights and Corona Heights. Under the interim controls, Conditional Use authorization would be required for 1) any residential development on a vacant parcel that would result in total residential square footage exceeding 3,000 square feet; or 2) any new residential development on a developed parcel that will increase the existing gross square footage in excess of 3,000 square feet by more than 75% without increasing the existing legal unit count, or 3) that will increase the existing gross square footage by more than 100% if increasing the existing legal unit count; or 4) requiring Conditional Use authorization for residential development that results in great than 55% total lot coverage. As the project site is located in Corona Heights and subject to the interim legislation, Conditional Use authorization was required for the projects at 22 and 24 Ord Court as proposed. For this reason, the Project Sponsor requested a continuance to May 24, 2015 so that they may prepare a Conditional Use application. The items were again continued to June 25, 2015, August 13, 2015, and finally to September 24, 2015 at the request of the Project Sponsor for additional time to further develop plans.

On June 30, 2015, Alan Murphy, on behalf of Kenneth Tam, (hereinafter "Project Sponsor") filed Application No. 2013.1521CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") seeking authorization, as required by the interim controls, for development exceeding 55% lot coverage, and increasing the existing gross square footage more than 100% with an increase to the legal unit count within the RH-2 Zoning District and a 40-X Height and Bulk District<sup>2</sup>.

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<sup>2</sup> The proposal includes a vertical and horizontal addition, increasing the existing 2,401 square foot home by approximately 824 square feet to approximately 3,225 square feet. The addition would extend the rear of the third floor to the rear building wall, with a 5-foot side setback from the western property line, and construct a fourth floor set back approximately 12'-5" from the front façade, approximately 19 feet from the property line, and 5-foot side setbacks on both sides of the property. The addition alone would not require conditional use authorization, as it does not increase the existing square footage by more than 3,000 square feet or more than 75%. However, the new construction of the proposed structure at the rear would result in greater than 55% lot coverage and the square footage to exceed 3,000 square feet, and an increase of more than 100%.

The Planning Department, Jonas O. Ionin, is the custodian of records, located in the File for Case Nos. 2013.1521CUAV and 2013.1522CUAV at 1650 Mission Street, 4th Floor, San Francisco, California.

On September 24, 2015, the Planning Commission ("Commission") and Zoning Administrator conducted a public hearing at a regularly scheduled meeting on Case Nos. 2013.1521CUAV and 2013.1522CUAV. 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.

On September 24, 2015, the Planning Commission approved the Conditional Use Authorization for case number 2013.1521CUAV under Motion No. 19483.

The Variance Decision Letter granting a rear yard variance pursuant to Planning Code Section 134(a)(2) is pending.

#### **CONDITIONAL USE AUTHORIZATION REQUIREMENTS:**

Planning Code Section 303 establishes criteria for the Commission to consider when reviewing all applications for Conditional Use approval. To approve the project, the Commission must find that these criteria have been met:

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

In addition, interim zoning controls established by Board of Supervisor's Resolution 76-15 established additional triggers requiring Conditional Use Authorization by the Planning Commission, and criteria for review as follows:

New Conditional Use Authorization triggers (the Project meets items two and three of the triggers below):

1. Any residential development on a vacant parcel that would result in total residential square footage exceeding 3,000 square feet; (**Not Applicable.** The proposed project is not on a vacant lot.)
2. Any new residential development on a developed parcel that will increase the existing gross square footage in excess of 3,000 square feet and by more than 75% without increasing the existing legal unit count, or more than 100% if increasing the existing legal unit count; (**Applicable.** The final project would include the expansion of an existing 2,400 square foot structure (which would increase by approximately 800 square feet), and the addition of a new unit approximately 3,110 square feet in size. square feet. The project would increase the legal unit count and increase the square footage on site by 163%.
3. Any residential development that results in greater than 55% lot coverage (**Applicable.** The final project would be 61% lot coverage.)

Additional criteria that must be met to grant Conditional Use Authorization under the Board's interim controls:

1. The Planning Commission shall only grant a Conditional Use Authorization allowing residential development to result in greater than 55% lot coverage upon finding unique or exceptional lot constraints that would make development on a lot infeasible without exceeding 55% total lot coverage, or in the case of the addition of a residential unit, that such addition would be infeasible without exceeding 55% total lot coverage; and
2. In considering a Conditional Use Authorization in a situation where an additional residential unit is proposed on a through lot on which there is already an existing building on the opposite street frontage, shall only grant such authorization upon finding that it would be infeasible to add a unit to the already developed street frontage of the lot

#### **APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES:**

The concerns raised in the Appeal Letter are cited in a summary below and are followed by the Department's response:

**ISSUE #1:** The appellant questions whether the Project meets the infeasibility requirements and other criteria of the interim controls.

**RESPONSE #1a:** The Commission evaluated the project under the feasibility requirements suggested by staff and properly determined that the project would be "infeasible" without exceeding the lot coverage limits. Since the interim legislation did not provide a definition for "infeasible", the Department employed a dictionary definition for the term, "not possible to do easily or conveniently; impracticable". The Project Sponsor presented materials asserting that it would be impracticable to construct an additional unit without exceeding 55% lot coverage due to the significant grade change on the lot. Further, as the existing single-family dwelling already covers a significant percentage of the lot, it would be challenging to add new space for an adequate family-sized unit while maintaining overall lot coverage beneath 55%.

Due to the significant grade change between Ord Court and States Street, the sloping lot further reduces usable interior square footage by requiring that internal space be consumed by stairs connecting living spaces that are spread across multiple floors. To compensate for these inefficiencies in interior design, residential development is infeasible unless spread over more than 55% of the lot.

An alternative approach was explored by the project sponsor that would locate the additional dwelling unit on the Ord Court side of the lot. This alternative also resulted in greater than 55% lot coverage. As further explained below, the alternative would also cast shadow on adjacent properties

**RESPONSE #1b:** The Commission evaluated the project under the second criterion suggested by staff and properly determined that it would be infeasible to add a unit to the already developed street frontage in a situation where an additional residential unit is proposed on through lot. The Project Sponsor found that it would be impracticable or infeasible to add units on the already developed street frontage of the lots as the resulting development would block light and cast shadows on the windows available to certain units in the adjacent property at 20 Ord Court / 231 States Street. The project would also prevent adequate light from entering the proposed new structure. By locating the proposed new unit on States Street, a much greater proportion of these shadows are directed onto the uninhabited street.

**ISSUE #2:** The appellant cites a concern about the project's adherence to meet the standard conditional use requirements of Planning Code Section 303.

**RESPONSE #2:** The project meets the Conditional Use criteria and has been found to be desirable and compatible with the neighborhood. Specifically the *specific criteria are outlined below in italics*, followed by the Commission's findings in standard font.

- A. *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 community.*

**Planning Commission Findings:** The proposed uses – a new structure at the rear of 22 Ord Court, a through lot, in an RH-2 Zoning District, is consistent with development patterns in this residential neighborhood and with the requirements of the Planning Code. The proposed structure and addition are modestly sized, but contain enough bedrooms and shared living areas to allow sufficient space for families with children, a demographic the City actively seeks to retain and attract pursuant to General Plan Housing Element Policy 4.1. Expanding an existing single-family dwelling and providing additional dwellings of appropriate size for this demographic, among others, is desirable for and compatible with, the neighborhood and the community. By increasing the supply of housing, the proposed project also contributes to alleviating the City's critical housing shortage.

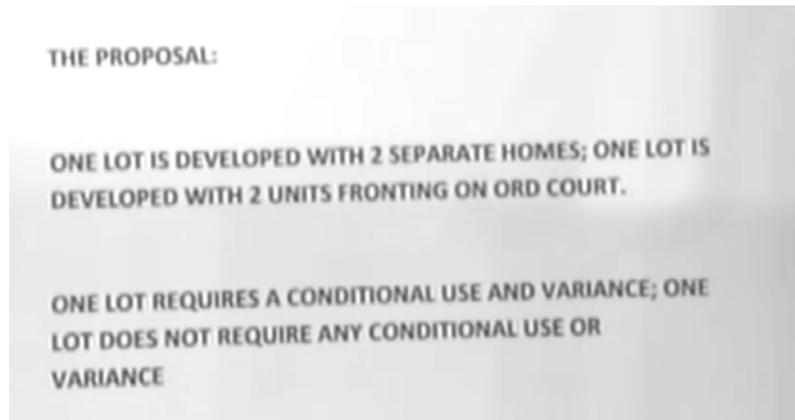
1. **Additional Discussion Responding to the Appeal Before the Board of Supervisors.** The Project was continually revised to meet requests made by the Planning Commission. After the February 12, 2015 hearing the Project Sponsor made the following changes, as requested by the Planning Commission: A reduction in the number of floors above grade from three to two;
2. A reduction of off-street parking spaces from two-to-one thus increasing habitable living space, and
3. The alteration of the front façade at 22 Ord Court to better differentiate the two structures.

After public testimony made at the February 12, 2015 hearing, the Commission voted again to continue the item due to concern over the two mature trees at 24 Ord Court. The Commission requested that the Project Sponsor explore alternatives which 1.) preserved the trees, and 2.) further differentiated the two facades of the new proposed structure at 22 and 24 Ord Court.

On September 24, 2015, the Project Sponsor presented an alternative that:

1. Preserved the two trees at 24 Ord Court, and
2. Further differentiated the facades of 22 and 24 Ord Court.

During the September 24<sup>th</sup> Planning Commission Hearing, the Appellant expressed dissatisfaction with the Projects at 22 and 24 Ord Court as proposed, because they triggered Conditional Use Authorization criteria stipulated in the interim zoning controls. At the hearing the Appellant proposed that one lot be permitted to proceed with a Conditional Use Authorization and Variance, and one that was Code compliant. The proposal was incorporated into the project before the Board of Supervisors.



(A screen shot of the proposal presented by the Appellant to the Planning Commission at the September 24, 2015 hearing. The Planning Commission accepted and incorporated the Appellants proposal.)

- B. *The 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:*
- The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures.*

**Planning Commission Findings:** The proposed structure is compatible with the height and depth of the surrounding buildings. The single-story vertical addition and horizontal expansion at 22 Ord Court are at an appropriate scale for the home's location on a block with many houses that are three-stories or more as shown in the height diagram, attached. The proposed structure will maintain a three-story façade at the block face, consistent with the other three-story structures on the block, such as 30 Ord Court and 16 Ord Court. The adjacent building at 20 Ord Court / 231 States Street is a three-story, multi-family structure at the block face that steps back to five stories on the States Street frontage. Both the fourth-floor addition and the third-floor roof deck on the existing building at 22 Ord Court are set back, making the fourth floor minimally visible from the street. The fourth floor addition is approximately 417 square feet, and the setback provided at this level far exceeds that required by the Planning Code.

The new building at the rear of 22 Ord Court is two stories above street level, consistent with the existing pattern of development on States Street. States Street is characterized by a mix of building scales and styles, ranging from one to four stories in height.

The existing and proposed dwelling units are deliberately separated between the Ord Court and States Street Frontages to allow for mid-block open space that preserves light to adjacent structures at 20 and 30 Ord Court. The Project Sponsor provided bulk and shadow studies for an alternative design which is included as an enclosure to the attached case report. The bulk and shadow study shows that placing two dwelling units in a building fronting Ord Court would severely restrict light available to adjacent building and to the proposed structure. In contrast, the proposed project preserves the health, safety and general welfare of individuals residing in the vicinity by maintaining their access to light and by substantially reducing shadow coverage on adjacent properties.

- ii. **Planning Commission Findings:** 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.

The proposed project will not exceed the density permitted by the Planning Code and is well served by public transit. The Castro Street Muni Station is less than a 10-minute walk, while the 24, 33, 35, and 37 bus lines have nearby stops. For these reasons, the type and volume of traffic generated by the proposed project will not be detrimental.

The project features off-street parking for all residences, as required by the Planning Code. The design and placement of garage entrances, doors and gates are compatible with the surrounding area, and the width of all garage entrances is minimized. The placement of curb cuts is also coordinated to maximize on-street parking.

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

**Planning Commission Findings:** The proposal will not produce or include uses that would emit noxious or offensive emissions such as noise, glare, dust and odor.

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

**Planning Commission Findings:** The proposal does not include loading or services areas, nor will it include atypical lighting or signage. The project will comply with Planning Code Section 138, and provide a street tree, as well as landscaping in the building setback fronting States Street.

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

**Planning Commission Findings:** The proposed project complies with all applicable requirements and standards of the Planning Code, once the requested variance is issued, and is consistent with the Objectives and Policies of the General Plan as follows:

**HOUSING ELEMENT**

**Objectives and Policies**

**OBJECTIVE 4**

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

**Policy 4.1**

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

*The Project directly advances this policy by creating a new single-family home and expanding an existing one to be adequately sized for families and children. Families with children typically seek more bedrooms and larger shared living areas than smaller households. The project responds to this demand by creating units of a size attractive to families with children.*

**OBJECTIVE 11**

SUPPORT AND RESPECT THE DIVERS AND DISTINC CHARACER OF SAN FRANCISCO'S NEIGHBORHOODS.

**Policy 11.1:**

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

**Policy 11.2:**

Ensure implementation of accepted design standards in project approvals.

**Policy 11.3:**

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

**Policy 11.5:**

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

*The proposed project supports these policies by featuring new construction that is consistent with the existing character and density of the neighborhood. The project is consistent with all accepted design standards, including those related to site design, building scale and form, architectural features and building details. The project respects the site's topography and provides mid-block open space. The height and depth of the new building on States Street is compatible with the existing building scale. The building's form, façade width, proportions and roofline are also compatible with surrounding buildings. Finally, the project's density is consistent with the prevailing character of the neighborhood.*

TRANSPORTATION ELEMENT

**Objectives and Policies**

**OBJECTIVE 1:**

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

**Policy 1.3:**

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

*The proposed project directly furthers this policy by creating additional residential uses in an area well-served by the City's public transit systems. The Castro Street Muni Station is less than a 10-minute walk from the project site, while the 24, 33, 35 and 37 bus lines all have bus stops nearby as well. The numerous nearby public transit options will help ensure the proposed project has no adverse impacts on traffic patterns in the vicinity of the project site.*

URBAN DESIGN ELEMENT

**Objectives and Policies**

**OBJECTIVE 4:**

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

**Policy 4.12:**

Install, promote and maintain landscaping in public and private areas.

*The proposed project furthers this policy by including and maintaining landscaping that will improve the neighborhood environment. Landscaping will be provided on the States Street frontage where the building is set back from the property line. The roof decks on States Street will be visible from upslope residences on State Street and Museum Way; the project will increase the presence of visible vegetation on the properties.*

**Policy 4.15:**

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

*The proposed project furthers this policy by ensuring that incompatible new buildings are not introduced to the existing neighborhood. The height and depth of the new buildings on States Street is compatible with the existing building scale. The buildings' form, façade width, proportions and roofline are compatible with surrounding buildings. While there is no consistent mid-block open space pattern on Ord Court and States Street, the project helps create one between buildings fronting Ord Court and States Street. The proposed project places buildings carefully on both the front and rear of the lots so as to minimize reduction of*

*sunlight to neighboring properties and new dwelling units relative to an approach that would cluster all units on the Ord Court street frontage.*

**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.

*This policy does not apply to the proposed project, as the project is residential and will not affect or displace any 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 proposed project is consistent with this policy, as the existing single-family home at 22 Ord Court is preserved, with only a modest expansion. The new proposed single-family home is designed to be consistent with the height and size typical of the existing neighborhood. Moreover, the project preserves existing significant trees on the States Street side to further conserve the character of the neighborhood.*

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

*The proposed project at 22 Ord Court preserves one existing single-family home and adds one new single-family home to the City's housing stock, which will increase housing supply and make housing more affordable in general. No affordable housing units will be removed, and no new affordable housing units are required under the Planning Code.*

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

*The proposed project is located in an area well-served by the City's public transit systems and incorporates off-street parking that satisfies City parking requirements. The Castro Street Muni Station is less than a 10 minute walk from the project site, while the 24, 33, 35, and 37 bus lines all have stops nearby as well. The proposed project, therefore, will not overburden Streets or neighborhood parking, or overburden Muni transit service.*

- 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.

*This policy does not directly apply to the proposed project, as the project does not include commercial office development and will not displace industrial or service sector uses. Nevertheless, the development of an additional single family home on the 22 Ord Court property may enhance future opportunities for resident employment and ownership in the industrial and service sectors. The proposed project is consistent, therefore, with this policy to the extent it applies.*

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

*The proposed residential building and addition will comply with all applicable structural and seismic safety requirements of the City's Building Code and any other requirements related to earthquake safety and therefore are consistent with this policy.*

- G. That landmarks and historic buildings be preserved.

*There are no landmarks or historic buildings on the project site.*

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

*The proposed project is consistent with this policy, as parks and public open space will not be developed, nor will their access to sunlight be affected by its development. No vistas will be blocked or otherwise affected by the proposed project.*

**ISSUE #3:** The appellant is concerned that the interim zoning controls may be rendered useless, as applied to this project.

**RESPONSE #2:** To the contrary, the interim zoning controls do not prohibit new development such as the proposed project, but instead establish parameters for approvals of such projects. As described above, the interim zoning controls requires that the Project Sponsor procure Conditional Use Authorization where the Commission finds that the Project meet certain aforementioned criteria. The Commission duly considered both the standard Conditional Use criteria of Planning Code Section 303 as well as the additional criteria of the interim controls and appropriately approved the project..

#### CONCLUSION:

For the reasons stated above, the Department recommends that the Board uphold the Commission's decision in approving the Conditional Use authorization for the new construction of a two-story building at the rear of 22 Ord Court, with the new building fronting States Street and deny the Appellant's request for appeal.

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**ATTACHMENT A:**

**Staff Report**

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# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use Authorization

HEARING DATE: SEPTEMBER 24, 2015

*Date:* September 15, 2015  
*Case No.:* **2013.1521CUAV**  
*Project Address:* **22 Ord Court**  
*Permit Application:* 201310219832 (Alteration to Existing)  
201310219817 (Proposed New Construction at Rear)  
*Zoning:* RH-2 (Residential House, Two-Family)  
40-X Height and Bulk District  
*Block/Lot:* 2619/067  
*Project Sponsor:* David Clarke – (415) 370.5677  
P.O. Box 14352  
San Francisco, CA 94114  
*Staff Contact:* Tina Chang – (415) 575.9197  
[tina.chang@sfgov.org](mailto:tina.chang@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The proposal includes a vertical and horizontal addition, increasing the existing +/-2,400 square foot home approximately 3,225 square feet, an increase of approximately 825 square feet. The addition would extend the rear of the third floor to the rear building wall, with a 5-foot side setback from the western property line, and construct a fourth floor set back approximately 12'-5" from the front façade, approximately 19 feet from the property line, and 5-foot side setbacks on both sides of the property. The addition alone would not require conditional use authorization, as it does not increase the existing square footage by more than 3,000 square feet or more than 75%, the threshold triggering Conditional Use authorization if the legal unit count is not increased under Resolution 76-15. The new construction of a two-story, +/- 3,110 square foot, single-family structure at the rear of the existing single-family dwelling is also included as part of the proposal. The proposed rear structure would contain two levels below grade, to include a family room and two bedrooms. The first at-grade floor contains a one-car garage, bedroom and office, with the main living area on the second level, which is setback approximately 6 feet from the rear property line. A +/- 240 square foot roof deck is proposed above the 2<sup>nd</sup> level. A 29'-7" deep rear yard amounting to approximately 25% lot coverage is maintained between the existing and proposed structures; however, this would amount to greater than 55% lot coverage, as well as an increase to the square footage in excess of 3,000 square feet and greater than 100%, the threshold triggering Conditional Use authorization when the legal unit count of a property is increased under Resolution 76-15. The Project Sponsor is also constructing a new single family dwelling at the rear of 24 Ord Court, under Building Permit Number 201310219830 and Case Number 2013.1522CUAV. Under the California Environmental Quality Act, the projects at both 22 and 24 Ord Court were analyzed as one comprehensive project, though there are three separate building permits for each of the three buildings, two at 22 Ord Court, and one at 24 Ord Court.

It should be noted that this project previously came before the Planning Commission as a public initiated requested for Discretionary Review, first on December 4, 2014. After public testimony in opposition to the Project the Planning Commission continued the subject item to February 5, 2015. The project was subsequently continued to February 12<sup>th</sup>. At the hearing, the Planning Commission made definitive requests to reduce the size of the proposed new construction at the rear of the subject property, including the removal of top level of the proposed new structure at the rear; differentiation of architectural design between the proposed structures at the rear of 22 and 24 Ord Court and the reduction of parking provided to increase habitable space within the proposed new structure. The removal of the trees at 24 Ord Court had been approved by the Department of Public Works due to poor structure, though this decision was appealed. At the time of the December 4<sup>th</sup> hearing, the Department of Public Works DPW had not yet issued the resulting order from the hearing held for the trees in question. In addition to the changes outlined above, the Commission was also interested in learning outcome of the DPW hearing.

On February 12, 2015, the Commission again heard the Discretionary Review Requests for 22-24 Ord Court. In response to the Commission's requests, the Project Sponsor presented changes to the proposed construction which included a reduction in the number of floors above grade from three to two, a reduction of off-street parking spaces from two-to-one thus increasing habitable living space, and the alteration of the front façade at 22 Ord Court to better differentiate the two structures. By the time of the February 12, 2015 hearing, the resulting order from the DPW had been issued indicating that the removal of trees would be approved on the condition that all necessary permit approvals were attained to construct the new building at 24 Ord Court. After public testimony, the Commission voted, again, to continue the item to March 12, 2015, so that the Project Sponsor could explore options to preserve the mature trees at 24 Ord Court, while also exploring ways to differentiate the two buildings at 22 and 24 Ord Court even more.

On March 9, 2015, the Board of Supervisors passed interim legislation to impose interim zoning controls for an 18-month period for parcels in RH-1, RH-2, and RH-3 zoning districts within neighborhoods known as Corbett Heights and Corona Heights, requiring Conditional Use authorization for any residential development on a vacant parcel that would result in total residential square footage exceed 3,000 square feet; Conditional Use authorization for any new residential development on a developed parcel that will increase the existing gross square footage in excess of 3,000 square feet by more than 75% without increasing the existing legal unit count, or more than 100% if increasing the existing legal unit count; and requiring Conditional Use authorization for residential development that results in greater than 55% total lot coverage. As the project site was affected by the interim legislation, therefore requiring Conditional Use authorization for the projects at 22 and 24 Ord Court as proposed, the Project Sponsor requested a continuance to May 24, 2015. The items were again continued to June 25, 2015, August 13, 2015, and finally to September 24, 2015 at the request of the Project Sponsor.

## **SITE DESCRIPTION AND PRESENT USE**

The proposed project is located on a through lot at 22 Ord Court with frontages on both Ord Court and States Street in the Castro / Upper Market Neighborhood. The property is developed with an existing 3-story, +/- 2,400 square-foot, single family structure on a +/-2,940 square foot lot. The existing building was originally constructed as a single-family dwelling in 1954. A third-story addition was constructed in the

1980's resulting in a change to the building's scale, massing and design. Based on review conducted by Planning Department staff, the existing building at 22 Ord Court lacks sufficient integrity and is not eligible as a historic resource under CEQA. The property is not located within the boundaries of any listed historic districts. Therefore, the property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The surrounding neighborhood consists of a mixture of one-, two-, and three-story buildings, containing mostly one- or two- residential dwelling-units. The residential neighborhood contains dwellings of varying heights and depths on an up-sloping street, as one heads west. Both adjacent properties, east and west of the subject property, are three-story buildings containing two dwelling units. The building to the east is a multi-family, two stories-over-garage structure at the block face, and steps back to five stories after approximately 55' from the front façade. The building to the west is a single-family, one-story-over garage structure at the block face.

The subject property is within the Castro / Upper Market Neighborhood, and about .4 miles west of the Castro / Market Street intersection. Castro Street serves as the cross street on the east side of the property where the neighborhood transitions to a Residential, Mixed, Low-Density (RM-1) zoning district, the Upper Market Street Neighborhood Commercial (NCD) and Upper Market Neighborhood Commercial Transit District (NCT). RM-1 zoning districts contain ground-floor commercial spaces and mostly residential units on upper floors. A mixture of dwelling types found in RH Districts are also found in RM-1 districts, in addition to a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. The Upper Market NCT and NCD zoning districts are multi-purpose commercial districts, well served by transit including the Castro Street Station of the Market Street subway and the F-Market historic streetcar line, providing limited convenience goods to adjacent neighborhoods, but also serve as a shopping street for a broader trade area.

## **ENVIRONMENTAL REVIEW**

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

## **HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 4, 2015	September 2, 2015	22 days
Posted Notice	20 days	September 4, 2015	August 31, 2015	25 days
Mailed Notice	20 days	September 4, 2015	September 4, 2015	20 days

The proposal requires a Section 311-neighborhood notification, which was conducted in conjunction with the conditional use authorization process. Section 311 neighborhood notification for the project was also conducted from August 8, 2014 to September 7, 2014, prior to the request for Discretionary Review of the project.

## **PUBLIC COMMENT**

As of September 14, 2015, the Staff has received a couple inquiries from members of the public. One inquiry was made by a Eureka Valley Neighborhood Association representative regarding the contents of the case report, and the process of the hearing – specifically how the previously filed requests for discretionary review would interact with the Conditional Use Authorization Hearing. The representative was informed that since decisions made by the Planning Commission on conditional use authorizations could not be appealable to the Board of Appeals, which is the appeal body for building permit applications and discretionary review items, the discretionary review previously filed would effectively be dropped. However, the Commission Secretary would grant the DR Requestors 10 minutes to present their case, which is the same amount of time granted to the Project Sponsor. Neither party would receive time for rebuttals as would occur during Discretionary Review Hearings.

Another inquiry was made by the President of the Corbett Heights Neighbors who asked about continuing the duly noticed Conditional Use Hearing to await plans for the existing structure at 24 Ord Court. To date, the Planning Department has not been made aware of any plans for the existing structure at 24 Ord Court.

Public comment for the previously filed discretionary review for the project can be found under case number 2013.1521DDV.

## **ISSUES AND OTHER CONSIDERATIONS**

- Interim zoning controls under Resolution 76-15 require that the Commission grant Conditional Use authorization allowing residential development to result in greater than 55% lot coverage upon finding unique or exceptional lot constraints that would make development infeasible without exceeding 55% total lot coverage. Findings are made in the draft motion, demonstrating that the project meets these conditions. Since the lot is significantly sloped between Ord Court and States Street, the existing structure covers a significant percentage of the lot, making it infeasible to add new space for an adequate, family-sized unit while maintaining overall lot coverage beneath 55%. Usable interior square footage is further reduced by increasing the need for stairwells and related space to allow for development spread across multiple levels. A bulk and shadow analysis is also included as an attachment to the subject Commission Packet.
- Interim zoning controls under Resolution 76-15 also require that the Commission, in considering a Conditional Use authorization in a situation where an additional residential unit is proposed on a through lot on which there is an existing building on the opposite street frontage, grant such authorization upon finding that it would be infeasible to add a unit to the already developed street frontage of the lot. Findings were made in the draft motion demonstrating that the project meets these conditions. In bulk and shadow analysis conducted by the Project Sponsor, it was determined that constructing all units on the Ord Court frontage would result in several loss of light and air to adjacent properties.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant conditional use authorization to allow the construction of the proposed new construction of a +/-3,100 square foot, two-story, single-family dwelling

at the rear of the existing structure at 22 Ord Court, which would result in greater than 55% lot coverage, and an increase of the existing square footage in excess of 3,000 square feet and 100%.

### **BASIS FOR RECOMMENDATION**

- The project would add an additional, family-sized dwelling unit to the City's housing stock, while improving an existing unit.
- The project is well serviced by and would not over-burden the City's public transportation network.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.

<b>RECOMMENDATION:</b>	<b>Approval with Conditions</b>
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**Attachments:**

Parcel Map

Sanborn Map

Zoning Map

Aerial Photograph

Site Photograph

Project Sponsor Submittal, including:

- Letter from Sponsor (including Renderings)

- Reduced Plans

-Shadow Study for Proposal

-Shadow Study for Infeasible Alternative

-Height Study Diagram

-Arborist Memorandum

Interim Zoning Controls – Resolution 76-15

Attachment Checklist

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary   | <input checked="" type="checkbox"/> Project sponsor submittal                                 |
| <input checked="" type="checkbox"/> Draft Motion        | Drawings: <u>Proposed Project</u>   |
| <input type="checkbox"/> Environmental Determination    | <input checked="" type="checkbox"/> Check for legibility                                      |
| <input checked="" type="checkbox"/> Zoning District Map | <input type="checkbox"/> Health Dept. review of RF levels                                     |
| <input type="checkbox"/> Height & Bulk Map              | <input type="checkbox"/> RF Report  |
| <input checked="" type="checkbox"/> Parcel Map          | <input type="checkbox"/> Community Meeting Notice   |
| <input checked="" type="checkbox"/> Sanborn Map         | <input type="checkbox"/> Inclusionary Affordable Housing Program:<br>Affidavit for Compliance |
| <input checked="" type="checkbox"/> Aerial Photo        |   |
| <input type="checkbox"/> Context Photos                 |   |
| <input checked="" type="checkbox"/> Site Photos         |   |

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

TC

Planner's Initials

TC G:\Documents\CONDITIONAL USE\22 Ord Court\_2013.1521CUAV\Reports\22 Ord Court--Exec Summary.docx



# 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 (Market & Octavia Impact Fees)

## Planning Commission Motion 19483 HEARING DATE: SEPTEMBER 24, 2015

*Date:* September 15, 2015  
*Case No.:* **2013.1521CUAV**  
*Project Address:* **22 Ord Court**  
*Permit Application:* 201310219832 (Alteration to Existing)  
 201310219817 (Proposed New Construction at Rear)  
*Zoning:* RH-2 (Residential House, Two-Family)  
 40-X Height and Bulk District  
*Block/Lot:* 2619/067  
*Project Sponsor:* David Clarke – (415) 370.5677  
 P.O. Box 14352  
 San Francisco, CA 94114  
*Staff Contact:* Tina Chang – (415) 575.9197  
[tina.chang@sfgov.org](mailto:tina.chang@sfgov.org)  
*Recommendation:* **Approval with Conditions**

**ADOPTING FINDINGS GRANTING CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 306.7 ESTABLISHING INTERIM ZONING CONTROLS IMPOSED BY RESOLUTION NO. 76-15 ON MARCH 9, 2015 TO PERMIT LOT COVERAGE OF A PARCEL TO EXCEED 55% AND AN INCREASE TO THE EXISTING SQUARE FOOTAGE IN EXCESS OF 3,000 SQUARE FEET AND/ OR MORE THAN 100% BY CONSTRUCTING A NEW, +/- 3,110 GROSS SQUARE FOOT, TWO-STORY DWELLING UNIT AT THE REAR OF THE EXISTING THROUGH LOT. THE PROJECT SITE IS LOCATED WITHIN AN RH-2 (RESIDENTIAL HOUSE, TWO FAMILY) ZONING AND A 40-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On October 21, 2013, Reza Khosnevisan, on behalf of Kenneth Tam, filed Building Permit Application Numbers 201310219832 and 201310219817 to the vertical addition of the existing structure at 22 Ord Court, and for the new construction of a three-story, single family dwelling unit fronting States Street.

On October 18, 2013 Reza Khosnevisan, on behalf of Kenneth Tam, filed a Variance Application Case No. 2013.1521V to construct a three-story single family dwelling unit in the required rear yard of the property at 22 Ord Court.

On September 5, 2014 Chris Parkes filed a Discretionary Review (DR) against Building Permit Application No. 201310219832 for the vertical addition of the existing structure and Building Permit Application No. 201310219817 for the new construction of the three story single family dwelling at the rear of the property. The DR filer also initiated Discretionary Review for Building Permit Application No. 201310219830 for the new construction of a dwelling unit at the rear of 24 Ord Court. Chris Parkes raised concerns about the removal of significant trees at the rear of 24 Ord Court, and felt that the projects at 22 and 24 Ord Court as proposed did not meet Residential Design Guidelines. The DR Requestor was also opposed to the project because of noncompliance with the Planning Code and the need for a variance to construct in the required rear yard.

On December 4, 2014, a duly noticed public hearing was held for the public initiated discretionary review of and variance requests for the proposed projects at 22 and 24 Ord Court. After public testimony in opposition to the Project the Planning Commission continued the subject item to February 5, 2015. The project was subsequently continued to February 12<sup>th</sup>, to allow for additional time to conduct environmental review of the project changes. Though suggestions were made regarding the existing structure at 22 Ord Court, the Planning Commission made definitive requests to refine the proposed new construction at the rear of the subject property, including the removal of top level of the proposed new structure at the rear; differentiation of architectural design between the proposed structures at the rear of 22 and 24 Ord Court and the reduction of parking provided to increase habitable space within the proposed new structure. The removal of the trees at 24 Ord Court had been approved by the Department of Public Works due to poor structure, though this decision was appealed. At the time of the December 4<sup>th</sup> hearing, the Department of Public Works DPW had not yet issued the resulting order from the hearing held for the trees in question. In addition to the changes outlined above, the Commission was also interested in learning outcome of the DPW hearing.

On February 12, 2015, the Commission again heard the Discretionary Review Requests for 22-24 Ord Court. In response to the Commission's requests, the Project Sponsor presented changes to the proposed construction which included a reduction in the number of floors above grade from three to two, a reduction of off-street parking spaces from two-to-one thus increasing habitable living space, and the alteration of the front façade at 22 Ord Court to better differentiate the two structures. By the time of the February 12, 2015 hearing, the resulting order from the DPW had been issued indicating that the removal of trees would be approved on the condition that all necessary permit approvals were attained to construct the new building at 24 Ord Court. After public testimony, the Commission voted, again, to continue the item to March 12, 2015, so that the Project Sponsor could explore options to preserve the mature trees at 24 Ord Court, while also exploring ways to differentiate the two buildings at 22 and 24 Ord Court even more.

On March 9, 2015, the Board of Supervisors passed interim legislation to impose interim zoning controls for an 18-month period for parcels in RH-1, RH-2, and RH-3 zoning districts within neighborhoods known as Corbett Heights and Corona Heights, requiring Conditional Use authorization for any residential development on a vacant parcel that would result in total residential square footage exceed 3,000 square feet; Conditional Use authorization for any new residential development on a developed parcel that will increase the existing gross square footage in excess of 3,000 square feet by more than 75%

without increasing the existing legal unit count, or more than 100% if increasing the existing legal unit count; and requiring Conditional Use authorization for residential development that results in great than 55% total lot coverage. As the project site was affected by the interim legislation, therefore requiring Conditional Use authorization for the projects at 22 and 24 Ord Court as proposed, the Project Sponsor requested a continuance to May 24, 2015. The items were again continued to June 25, 2015, August 13, 2015, and finally to September 24, 2015 at the request of the Project Sponsor.

On June 30, 2015, Alan Murphy, on behalf of Kenneth Tam, (hereinafter "Project Sponsor") filed Application No. 2013.1521CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") seeking authorization for development exceeding 55% lot coverage, and increasing the existing gross square footage in excess of 3,000 square feet or more than 100% with an increase to the legal unit count within the RH-2 (Residential House, Two Family) Zoning District and a 40-X Height and Bulk District. The proposal includes a vertical and horizontal addition, increasing the existing 2,401 square foot home by approximately 824 square feet to approximately 3,225 square feet. The addition would extend the rear of the third floor to the rear building wall, with a 5-foot side setback from the western property line, and construct a fourth floor set back approximately 12'-5" from the front façade, approximately 19 feet from the property line, and 5-foot side setbacks on both sides of the property. The addition alone would not require conditional use authorization, as it does not increase the existing square footage by more than 3,000 square feet or more than 75%. However, the new construction of the proposed structure at the rear would result in greater than 55% lot coverage and the square footage to exceed 3,000 square feet, and an increase of more than 100%.

The Planning Department, Jonas O. Ionin, is the custodian of records, located in the File for Case Nos. 2013.1521CUAV and 2013.1522CUAV at 1650 Mission Street, 4<sup>th</sup> Floor, San Francisco, California.

On September 24, 2015, the Planning Commission ("Commission") conducted public hearing at a regularly scheduled meeting on Case Nos. 2013.1521CUAV and 2013.1522CUAV.

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 approves the Conditional Use authorization pursuant to Planning Code Sections 303 and 306.7 establishing interim zoning controls imposed by Resolution No. 76-15 on March 9, 2015 to permit lot coverage of a parcel to exceed 55% and an increase to the existing square footage in excess of 3,000 square feet and more than 100% by constructing a new, +/- 3,110 gross square foot, two-story dwelling unit at the rear of the existing through lot at 22 Ord Court under Case No. 2013.1521CUAV, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## **FINDINGS**

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The proposed project is located on a through lot at 22 Ord Court with frontages on both Ord Court and States Street in the Castro / Upper Market Neighborhood. The property is developed with an existing 3-story, +/- 2,400 square-foot, single family structure on a +/-2,940 square foot lot. The existing building was originally constructed as a single-family dwelling in 1954. A third-story addition was constructed in the 1980's resulting in a change to the building's scale, massing and design. Based on review conducted by Planning Department staff, the existing building at 22 Ord Court lacks sufficient integrity and is not eligible as a historic resource under CEQA. The property is not located within the boundaries of any listed historic districts. Therefore, the property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.
3. **Surrounding Properties and Neighborhood.** The surrounding neighborhood consists of a mixture of one-, two-, and three-story buildings, containing mostly one- or two- residential dwelling-units. The residential neighborhood contains dwellings of varying heights and depths on an up-sloping street, as one heads west. Both adjacent properties, east and west of the subject property, are three-story buildings containing two dwelling units. The building to the east is a multi-family, two stories-over-garage at the block face, and steps back to five stories after approximately 55' from the front façade. The building to the west is a single-family, one-story-over garage structure at the block face.

The subject property is within the Castro / Upper Market Neighborhood, and about .4 miles west of the Castro / Market Street intersection. Castro Street serves as the cross street on the east side of the property where the neighborhood transitions to a Residential, Mixed, Low-Density (RM-1) zoning district, the Upper Market Street Neighborhood Commercial (NCD) and Upper Market Neighborhood Commercial Transit District (NCT). RM-1 zoning districts contain ground-floor commercial spaces and mostly residential units on upper floors. A mixture of dwelling types found in RH Districts are also found in RM-1 districts, in addition to a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. The Upper Market NCT and NCD zoning districts are multi-purpose commercial districts, well served by transit including the Castro Street Station of the Market Street subway and the F-Market historic streetcar line, providing limited convenience goods to adjacent neighborhoods, but also serve as a shopping street for a broader trade area.

4. **Project Description.** The proposal includes a vertical and horizontal addition, increasing the existing +/- 2,400 square foot home by approximately 825 square feet to approximately 3,225 square feet. The addition would extend the rear of the third floor to the rear building wall, with a 5-foot side setback from the western property line, and construct a fourth floor set back approximately 12'-5" from the front façade, approximately 19 feet from the property line, and 5-foot side setbacks on both sides of the property. The addition alone would not require conditional use authorization, as it does not increase the existing square footage by more than 3,000 square feet or more than 75%. The new construction of a two-story, +/- 3,110 square foot,

single-family structure at the rear of the existing single-family dwelling is also included as part of the proposal. The proposed rear structure would contain two levels below grade, to include a family room and two bedrooms. The first at-grade floor contains a one-car garage, bedroom and office, with the main living area on the second level, which is setback approximately 6 feet from the rear property line. A +/- 240 square foot roof deck is proposed above the 2<sup>nd</sup> level. A rear yard amounting to approximately 25% lot coverage is maintained between the existing and proposed structures; however, this would amount to greater than 55% lot coverage, as well as an increase to the square footage in excess of 3,000 square feet and greater than 100%.

5. **Public Comment.** As of September 14, 2015, the Staff has received a couple inquiries from members of the public. One inquiry was made by a Eureka Valley Neighborhood Association representative regarding the contents of the case report, and the process of the hearing – specifically how the previously filed requests for discretionary review would interact with the Conditional Use Authorization Hearing. The representative was informed that since decisions made by the Planning Commission on conditional use authorizations could not be appealable to the Board of Appeals, which is the appeal body for building permit applications and discretionary review items, the discretionary review previously filed would effectively be dropped. However, the Commission Secretary would grant the DR Requestors 10 minutes to present their case, which is the same amount of time granted to the Project Sponsor. Neither party would receive time for rebuttals as would occur during Discretionary Review Hearings.

Another inquiry was made by the President of the Corbett Heights Neighbors who inquired about continuing the duly noticed Conditional Use Hearing to await plans for the existing structure at 24 Ord Court. To date, the Planning Department has not been made aware of any plans for the existing structure at 24 Ord Court.

Public comment for the previously filed discretionary review for the project can be found under case number 2013.1521DDV.

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. **Rear Yard (Section 134).** Planning Code Section 134 requires a minimum rear yard depth equal to 45% of the total depth of the lot on which the building is situated, except that rear yard requirements can be reduced to a line on the lot, parallel to the rear lot line, which is the average between the depths of the rear building walls of both adjacent properties.

*The adjacent property to the east at 231 States Street is developed with nearly full lot coverage and is setback approximately 3 feet from the rear lot line whereas the adjacent property to the west at 24 Ord Court currently has a rear yard of approximately 71'-7". For a code-compliant rear yard, development would need to be set back approximately 37'-3.5" from the rear property line. As the Project Sponsor is proposing development built approximately 6 feet from the rear property line with a 29'-7" deep rear yard internalized between the existing and proposed structures, a Variance is required. The hearing for the Variance will be heard by the Zoning Administrator on September 24, 2015. The Variance Hearing for the project was initially scheduled for August 27, 2015, but continued to December 4, 2014,*

*February 5, 2015, February 12, 2015, June 25, 2015, August 13, 2015 and finally to September 24, 2015 to be heard in conjunction with the Planning Commission Hearing.*

- B. Open Space (Section 135).** The Planning Code Requires 125 square feet of open space for each dwelling unit if all private, and 166.25 square feet of open space per dwelling unit if shared. The Project requires at least 250 square feet of open space for both dwelling units, or 332.5 square feet of open space, if common.

*The proposed structure at the year includes a +/- 240 square foot roof deck that would satisfy the open space requirements for the dwelling unit, as well as a +/- 740 square foot shared rear yard, exceeding the open space requirements. The front structure also includes roof decks at the 3<sup>rd</sup> and 4<sup>th</sup> levels amounting to X square feet.*

- C. Streetscape and Pedestrian Improvements (Section 138.1).** Planning Code Section 138.1 requires one new street tree for every 20 feet of street frontage for projects proposing new construction.

*The Project includes the new construction of a two-story residential building and the vertical and horizontal addition on an existing structure on a lot with frontage 25 feet of frontage on both Ord Court and States Street. The total Project frontage is approximately 50 feet with one existing street tree along the Ord Court frontage. The Project Sponsor will plant one new tree along the States Street frontage. The exact location, size and species of trees shall be as approved by the Department of Public Works (DPW). The Project Sponsor will be required to pay an in-lieu fee for any tree that may not be planted.*

- D. Bird Safety (Section 139).** Planning Code Section 139 outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards.

*The subject lot is located in close proximity to a possible urban bird refuge. The Project will be required to meet the requirements of location-related standards, and will ensure that the Bird Collision Zone, which begins at grade and extends upwards for 60 feet, consists of no more than 10% untreated glazing.*

- E. Dwelling Unit Exposure (Section 140).** Planning Code Section 140 requires that at least one room of all dwelling units face directly onto 25 feet of open area (a public street, alley or side yard) or onto an inner courtyard that is 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase in five feet in every horizontal dimension at each subsequent floor.

*Both the existing structure fronting Ord Court and the proposed structure fronting States Street meets the exposure requirement in that at least one room of each dwelling unit faces directly onto 25 feet of open area – in the form of the public streets and 29'-7' rear yard in between both structures.*

- F. Section 151. Off-Street Parking:** Planning Code Section 151 requires one off-street parking space per dwelling units.

*The Project includes a one-car garage for the existing structure at 22 Ord Court and a one car garage for the proposed dwelling at the rear of the property fronting States Street.*

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

A. 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 community.

*The proposed uses – a new structure at the rear of 22 Ord Court, a through lot, in an RH-2 Zoning District, is consistent with development patterns in this residential neighborhood and with the requirements of the Planning Code. The proposed structure and addition are modestly sized, but contain enough bedrooms and shared living areas to allow sufficient space for families with children, a demographic the City actively seeks to retain and attract pursuant to General Plan Housing Element Policy 4.1. Expanding an existing single-family dwelling and providing additional dwellings of appropriate size for this demographic, among others, is desirable for and compatible with, the neighborhood and the community. By increasing the supply of housing, the proposed project also contributes to alleviating the City's critical housing shortage.*

B. The 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:

i. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures.

*The proposed structure is compatible with the height and depth of the surrounding buildings. The single-story vertical addition and horizontal expansion at 22 Ord Court are at an appropriate scale for the home's location on a block with many houses that are three-stories or more as shown in the height diagram, attached. The proposed structure will maintain a three-story façade at the block face, consistent with the other three-story structures on the block, such as 30 Ord Court and 16 Ord Court. The adjacent building at 20 Ord Court / 231 States Street is a three-story, multi-family structure at the block face that steps back to five stories on the States Street frontage. Both the fourth-floor addition and the third-floor roof deck on the existing building at 22 Ord Court are set back, making the fourth floor minimally visible from the street. The fourth floor addition is approximately 417 square feet, and the setback provided at this level far exceeds that required by the Planning Code.*

*The new building at the rear of 22 Ord Court is two stories above street level, consistent with the existing pattern of development on States Street. States Street is characterized by a mix of building scales and styles, ranging from one to four stories in height.*

*The existing and proposed dwelling units are deliberately separated between the Ord Court and States Street Frontages to allow for mid-block open space that preserves light to adjacent structures at 20 and 30 Ord Court. As shown in the bulk and shadow studies for an alternative design, enclosed as an attachment to this case report, placing two dwelling units in a building fronting Ord Court would severely restrict light available to adjacent buildings and to the new structures themselves, casting shadows across to neighboring buildings. In contrast, the proposed project preserves the health, safety and general welfare of individuals*

*residing in the vicinity by maintaining their access to light and by substantially reducing shadow coverage on adjacent properties.*

- 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 and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code.

*The proposed project will not exceed the density permitted by the Planning Code and is well served by public transit. The Castro Street Muni Station is less than a 10-minute walk, while the 24, 33, 35, and 37 bus lines have nearby stops. For these reasons, the type and volume of traffic generated by the proposed project will not be detrimental.*

*The project features off-street parking for all residences, as required by the Planning Code. The design and placement of garage entrances, doors and gates are compatible with the surrounding area, and the width of all garage entrances is minimized. The placement of curb cuts is also coordinated to maximize on-street parking.*

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

*The proposal will not produce or include uses that would emit noxious or offensive emissions such as noise, glare, dust and odor.*

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

*The proposal does not include loading or services areas, nor will it include atypical lighting or signage. The project will comply with Planning Code Section 138, and provide a street tree, as well as landscaping in the building setback fronting States Street.*

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

*The proposed project complies with all applicable requirements and standards of the Planning Code, once the requested variance is issued, and is consistent with the Objectives and Policies of the General Plan as follows:*

- 9. **Interim Zoning Controls (Resolution 76-15).** On March 9, 2015, the Board of Supervisors passed interim legislation to impose interim zoning controls for an 18-month period for parcels in RH-1, RH-2, and RH-3 zoning districts within neighborhoods known as Corbett Heights and Corona Heights, requiring Conditional Use authorization for any residential development on a vacant parcel that would result in total residential square footage exceed 3,000 square feet; Conditional Use authorization for any new residential development on a developed parcel that will increase the existing gross square footage in excess of 3,000 square feet by more than 75% without increasing the existing legal unit count, or more than 100% if increasing the existing legal unit count; and requiring Conditional Use authorization for residential development that results in great than 55% total lot coverage.

- A. The Planning Commission shall only grant a Conditional Use authorization allowing residential development to result in greater than 55% lot coverage upon finding unique or exceptional lot constraints that would make development on the lot infeasible without exceeding 55% total lot coverage, or in the case of the addition of a residential unit, that such addition would be infeasible without exceeding 55% total lot coverage; and

*The proposed project will increase the number of residential units from one to two on 22 Ord Court. Total lot coverage would exceed 55%; it would be infeasible to add a second dwelling unit without exceeding 55% lot coverage as the lot is significantly sloped between Ord Court and States Street. For this reason, the existing single-family dwelling already covers a significant percentage of the lot, making it infeasible to add new space for an adequate family-sized unit while maintaining overall lot coverage beneath 55%.*

*Due to the significant intra-lot elevation difference between Ord Court and States Street, the sloping further reduces usable interior square footage by increasing the need for stairs and related space to allow for living spaces to spread across multiple levels. To compensate for these inefficiencies in interior design, residential development of reasonable size is infeasible unless spread over more than 55% of the lot.*

*An alternative approach to the proposed project that would locate all dwelling units on the Ord Court side of the lots (enclosed as an attachment to this case report), would exceed 55% total lot coverage. While this alternative is infeasible for reasons identified below, it demonstrates that exceedance of 55% lot coverage is unavoidable regardless of whether the buildings are massed exclusively on the Ord Court frontage or are split between the Ord Court and States Street frontages.*

- B. The Planning Commission, in considering a Conditional Use authorization in a situation where an additional residential unit is proposed on a through lot on which there is already an existing building on the opposite street frontage, shall only grant such authorization upon finding that it would be infeasible to add a unit to the already developed street frontage of the lot.

*The proposed project will increase the number of residential units from one to two on each of two through lots (22 and 24 Ord Court), with each new single-family home located on the opposite street frontage (States Street) from the existing buildings. It would be infeasible to add units on the already developed street frontage of the lots, as the resulting development would block light and cast shadows on the few windows available to certain units in adjacent buildings at 30 Ord Court and 20 Ord Court / 231 States Street. Such a project would also prevent adequate light from entering the new structures on the project site.*

*Due to the significant sloping on the lots between Ord Court and States Street, usable interior square footage is reduced by increasing the need for stairwells and related space to allow for development spread across multiple levels. This lot constraint forces development on the lots to extend toward the property lines. Additionally, the slope is most severe on the rear 40% of the lots. Where units are concentrated on the already developed street frontage (the side with the more gentle slope), this constraint limits the ability to design for usable open space. For these reasons, sloping constraints further would necessitate use of the full width of the lots for any "concentrated" development on the*

*Ord Court side. An enclosed bulk study shows hypothetical buildings that would add new dwelling units to the already developed street frontage at Ord Court.*

*However, this type of concentrated development on the Ord Court frontage would block substantial light and cast significant shadows on adjacent buildings at 30 Ord Court and 20 Ord Court / 231 States Street.*

*To begin, as shown in the bulk study and in a bird's-eye view photograph of 30 Ord Court, a structure on 24 Ord Court that concentrates units on the Ord Court side would cover four property-line windows on 30 Ord Court. These windows are not legally protected, but do provide light and air to four dwelling units.*

*Although these same units also receive light from a building light well, shadows would be cast on the light well by concentrated development on Ord Court. An enclosed shadow study assesses shadows that such buildings would cast on three days throughout the year—March 21 (the spring equinox), June 21 (the summer solstice), and December 21 (the winter solstice). The studies show that large structures on Ord Court would completely cover in shadow the light well at 30 Ord Court on the mornings of March 21, June 21, and December 21. In contrast, a separate shadow study shows that developing new units on the opposite street frontage from existing development (the States Street side) would not cast shadows on the light well throughout most of the year (as shown in the March 21 and June 21 simulations). Moreover, under the proposed project, property-line windows at 30 Ord Court would not be blocked, thus further alleviating concerns over shadowing on the light well.*

*The shadow studies for the “concentrated” development on Ord Court and for the proposed project also provide evidence of two other reasons why developing new units on the Ord Court street frontage would be infeasible:*

- First, such development would result in a significantly greater amount and duration of shadows across multiple adjacent properties than will the proposed project. Massing new units on the Ord Court side of the property would direct many shadows onto adjacent buildings and yards, including 30 Ord Court and 20 Ord Court / 231 States Street, rather than onto the street (States Street). This is a highly undesirable outcome, as it needlessly would increase shadowing effects on neighbors and open space relative to the proposed project. By locating new dwelling units on States Street, the proposed project directs a much greater proportion of these shadows onto the uninhabited street.*
- Second, development of new dwelling units on the already developed street frontage severely would limit light and air available to the interior of the new structures. As seen on the shadow study, the narrowness of the lots at 22 and 24 Ord Court would leave few entries for light into these units and would contribute to buildings that lack appropriate levels of natural light and air.*

*In sum, adding units to the already developed street frontage of the lots at 22 and 24 Ord Court would have detrimental effects on natural light and air available to residents of neighboring buildings and of new buildings on the project site. For these reasons, it would be infeasible to add a unit to the already*

*developed street frontage of the lots at 22 Ord Court or 24 Ord Court. In contrast, as shown under the proposed project, adding units located on the opposite street frontage will be feasible.*

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

## **HOUSING ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 4**

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

##### **Policy 4.1**

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

*The Project directly advances this policy by creating a new single-family home and expanding an existing one to be adequately sized for families and children. Families with children typically seek more bedrooms and larger shared living areas than smaller households. The project responds to this demand by creating units of a size attractive to families with children.*

#### **OBJECTIVE 11**

SUPPORT AND RESPECT THE DIVERS AND DISTINC CHARACER OF SAN FRANCISCO'S NEIGHBORHOODS.

##### **Policy 11.1:**

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

##### **Policy 11.2:**

Ensure implementation of accepted design standards in project approvals.

##### **Policy 11.3:**

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

##### **Policy 11.5:**

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

*The proposed project supports these policies by featuring new construction that is consistent with the existing character and density of the neighborhood. The project is consistent with all accepted design*

*standards, including those related to site design, building scale and form, architectural features and building details. The project respects the site's topography and provides mid-block open space. The height and depth of the new building on States Street is compatible with the existing building scale. The building's form, façade width, proportions and roofline are also compatible with surrounding buildings. Finally, the project's density is consistent with the prevailing character of the neighborhood.*

## **TRANSPORTATION ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

#### **Policy 1.3:**

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

*The proposed project directly furthers this policy by creating additional residential uses in an area well-served by the City's public transit systems. The Castro Street Muni Station is less than a 10-minute walk from the project site, while the 24, 33, 35 and 37 bus lines all have bus stops nearby as well. The numerous nearby public transit options will help ensure the proposed project has no adverse impacts on traffic patterns in the vicinity of the project site.*

## **URBAN DESIGN ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 4:**

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

#### **Policy 4.12:**

Install, promote and maintain landscaping in public and private areas.

*The proposed project furthers this policy by including and maintaining landscaping that will improve the neighborhood environment. Landscaping will be provided on the States Street frontage where the building is set back from the property line. The roof decks on States Street will be visible from upslope residences on State Street and Museum Way; the project will increase the presence of visible vegetation on the properties.*

#### **Policy 4.15:**

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

*The proposed project furthers this policy by ensuring that incompatible new buildings are not introduced to the existing neighborhood. The height and depth of the new buildings on States Street is compatible with the existing building scale. The buildings' form, façade width, proportions and roofline are compatible with surrounding buildings. While there is no consistent mid-block open space pattern on Ord Court and States Street, the project helps create one between buildings fronting Ord Court and States Street. The proposed project places buildings carefully on both the front and rear of the lots so as to minimize reduction of sunlight to neighboring properties and new dwelling units relative to an approach that would cluster all units on the Ord Court street frontage.*

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

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

*This policy does not apply to the proposed project, as the project is residential and will not affect or displace any 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 proposed project is consistent with this policy, as the existing single-family home at 22 Ord Court is preserved, with only a modest expansion. The new proposed single-family home is designed to be consistent with the height and size typical of the existing neighborhood. Moreover, the project preserves existing significant trees on the States Street side to further conserve the character of the neighborhood.*

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

*The proposed project at 22 Ord Court preserves one existing single-family home and adds one new single-family home to the City's housing stock, which will increase housing supply and make housing more affordable in general. No affordable housing units will be removed, and no new affordable housing units are required under the Planning Code.*

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

*The proposed project is located in an area well-served by the City's public transit systems and incorporates off-street parking that satisfies City parking requirements. The Castro Street Muni Station is less than a 10 minute walk from the project site, while the 24, 33, 35, and 37 bus lines all have stops nearby as well. The proposed project, therefore, will not overburden Streets or neighborhood parking, or overburden Muni transit service.*

- 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.

*This policy does not directly apply to the proposed project, as the project does not include commercial office development and will not displace industrial or service sector uses. Nevertheless, the development of an additional single family home on the 22 Ord Court property may enhance future opportunities for resident employment and ownership in the industrial and service sectors. The proposed project is consistent, therefore, with this policy to the extent it applies.*

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

*The proposed residential building and addition will comply with all applicable structural and seismic safety requirements of the City's Building Code and any other requirements related to earthquake safety and therefore are consistent with this policy.*

- G. That landmarks and historic buildings be preserved.

*There are no landmarks or historic buildings on the project site.*

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

*The proposed project is consistent with this policy, as parks and public open space will not be developed, nor will their access to sunlight be affected by its development. No vistas will be blocked or otherwise affected by the proposed project.*

11. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

*The Project Sponsor completed the First Source Hiring Affidavit in January 2014.*

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

## **DECISION**

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization No. 2013.1521CUAV** under Planning Code Sections 303 and 306.7 establishing interim zoning controls imposed by resolution no. 76-15 on March 9, 2015 to permit lot coverage of a parcel to exceed 55% and an increase to the existing square footage in excess of 3,000 square feet and more than 100% by constructing a new, +/-3,110 gross square foot, two-story dwelling unit at the rear of the existing through lot. The project site is located within an RH-2 (Residential House, Two-Family) zoning and a 40-x height and bulk district. The project also seeks a variance from the rear yard requirements per Planning Code Section 134. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 3, 2015 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. 19483. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 24, 2015.

Jonas P. Ionin  
Commission Secretary

AYES: Commissioners Antonini, Fong, Johnson, Richards, Hillis, Moore, and Wu

NAYS: None

ABSENT: None

ADOPTED: September 24, 2015

## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is for a Conditional Use to permit lot coverage of a parcel exceeding 55% and an increase to the existing square footage in excess of 3,000 square feet and more than 100% by constructing a new, +/-3,110 gross square foot, two-story dwelling unit at the rear of the existing through lot at 22 Ord Court; in general conformance with plans, dated September 3, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2013.1521CUAV and subject to conditions of approval reviewed and approved by the Commission on September 3, 2015 under Motion No. 19483. The project site is located within an RH-2 (Residential House, Two-Family) zoning and a 40-X height and bulk district. A Variance from rear yard requirements pursuant to Planning Code Section 134 is also being sought. 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 September 24, 2015 under Motion No. 19483.

### **PRINTING OF CONDITIONS OF APPROVAL ON PLANS**

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19483 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 Office Development 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 authorization.

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

6. **Additional Project Authorization.** The Project Sponsor must obtain a variance from the Zoning Administration to address the requirements for rear yard (Planning Code Section 134). The conditions set forth below are additional conditions required in connection with the Project. If these

conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## **DESIGN – COMPLIANCE AT PLAN STAGE**

7. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

8. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. Therefore, the Project is required to one tree along the States Street frontage of 22 Ord Court. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary. The Project Sponsor will be required to pay an in-lieu fee for the remaining five trees that cannot be planted.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

9. **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](http://www.sf-planning.org)*

## **PARKING AND TRAFFIC**

10. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING AFTER ENTITLEMENT

11. **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](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## OPERATION

13. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>*

14. **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>*

15. **Lighting.** All Project lighting shall be directed onto the project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property. Lighting shall also be designed to comply with the “Standards for Bird Safe Buildings” found here:

**Motion 19483**  
**September 24, 2015**

**CASE NO. 2013.1521CUA**  
**22 Ord Court**

<http://50.17.237.182/docs/PlanningProvisions/Standards%20for%20Bird%20Safe%20Buildings-%208-11-11.pdf#page=29>.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Exemption from Environmental Review

Case No.: 2013.1521E  
 Project Title: 22-24 Ord Court  
 Zoning: RH-2 (Residential – House, Two Family)  
 40-X Height and Bulk District  
 Block/Lot: 2619/066 and 067  
 Lot Size: 5,884 square feet  
 Project Sponsor: Aidin Massoudi, SIA Consulting Corporation  
 (415) 922-0200  
 Staff Contact: Christopher Espiritu – (415) 575-9022  
 Christopher.Espiritu@sfgov.org

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**415.558.6409**

Planning  
 Information:  
**415.558.6377**

### PROJECT DESCRIPTION:

The proposed project includes the construction of two new single-family residences to be located within the rear yards of two adjacent lots, Assessor’s Block 2619 Lots 066 and Lot 067, at 22 and 24 Ord Court. The lots are comprised of two existing buildings: a three-story, three bedroom, single-family residence on 22 Ord Court and a two-story, two-bedroom, single-family residence on 24 Ord Court. The construction of the two proposed buildings would establish new frontages along States Street. Each of the proposed buildings would include a two-bedroom residential unit with two vehicle parking spaces. The proposed project would also include the expansion of the existing building at 22 Ord Court adding a new fourth floor, creating one new bedroom with a full bathroom. The proposed project is located on the block bounded by States Street to the north, Ord Court to the south, and Ord Street to the east, with no westbound throughway access, and is within the Castro/Upper Market neighborhood.

### EXEMPT STATUS:

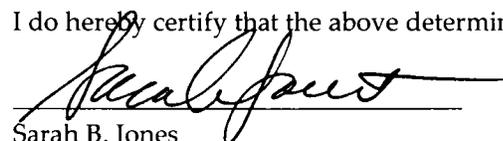
Categorical Exemption, Class 1 and 3 (California Environmental Quality Act (CEQA) Guidelines Section 15303).

### REMARKS:

See next page.

### DETERMINATION:

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

  
 Sarah B. Jones  
 Environmental Review Officer

February 9, 2015  
 Date

cc: Aidin Massoudi, Project Sponsor  
 Tina Chang, Current Planner  
 Tina Tam, Preservation Planner

Virna Byrd, M.D.F.  
 Supervisor Wiener, District 8 (via Clerk of the Board)

**PROJECT DESCRIPTION (continued):**

The proposed expansion of the residence at 22 Ord Court would involve the addition of approximately 442 square feet (sq ft) to horizontally extend the existing third floor to the full building envelope and the addition of 460 sq ft for a new fourth floor. The existing building is three-stories, approximately 2,400 sq ft, and approximately 30 feet tall. The resulting building would be four stories, approximately 3,270 sq ft, and approximately 38 feet tall. No work is being proposed to the existing residence on the adjacent lot at 24 Ord Court. The proposed new single-family residences at the rear of 22 and 24 Ord Court would be approximately 3,285 sq ft and 3,220 sq ft, respectively, and both would be about 21 feet tall (two stories). The proposed buildings would each include two vehicle parking spaces in enclosed garages fronting States Street. The resulting buildings would both be two stories with full basement levels. The proposed project would include excavation to a depth of 23 feet below ground surface (bgs), but only for the two proposed residences located at the rear of the lots (fronting States Street).

**Project Approvals**

The proposed project would require the following approvals:

- Variance (*Zoning Administrator*) – The proposed project would require a Variance from the Planning Code rear yard requirements under Section 134 to allow the construction of a second dwelling unit within the rear yard.
- Site Permit (*Department of Building Inspection*) – The project would require approval of a Site Permit by the Department of Building Inspection (DBI)

**Approval Action:** The proposed project would be subject to notification under Section 311 of the Planning Code. If discretionary review before the Planning Commission is requested, the discretionary review hearing is the Approval Action for the project. If no discretionary review is requested, the issuance of a building permit by DBI is the Approval Action. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

**REMARKS:**

**Historic Architectural Resources.** The Planning Department's Historic Preservation staff evaluated the property at 22 Ord Court to determine whether the existing structure on the project site is a historical resource as defined by CEQA.<sup>1</sup> No historic evaluation was performed at 24 Ord Court, since no work is proposed on the existing building. According to information from Planning Department archives, and information provided in the Environmental Evaluation Application, including historic photographs, and building permit records, the existing building at 22 Ord Court lacks sufficient integrity and is not eligible as a historic resource under CEQA. The existing building was originally constructed as a two-story

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<sup>1</sup> Tina Tam – Senior Preservation Planner, *Preservation Team Review Form, 22-24 Ord Court*, June 10, 2014. This report is available for review as part of Case No. 2013.1521E.

dwelling in 1954. A third-story addition was later constructed in the 1980's, resulting in a change to the building's scale, massing, and design. Based upon review of the adjacent block and immediate vicinity, there is an assortment of building types (buildings ranging from the early 1900's to the late 1950's) and varying appearances, which precludes the appearance of a potential historic district.

The property is not located within the boundaries of any listed historic districts. Therefore, the property is not eligible for listing in the California Register under any criteria individually or as part of a historic district.

Based on the above, the Planning Department has determined that the proposed project would cause no adverse impacts to known or potential historic architectural resources.

**Geotechnical.** According to Planning Department records, the project site is not located within a Landslide Hazard Zone or Liquefaction Hazard Zone; however, the property is located on a site with a slope of approximately 20 percent or more. A Geotechnical Investigation was conducted for the property and is summarized below.<sup>2</sup>

The Geotechnical Investigation notes that the site slopes downward toward the southeast at an average inclination of about 1:1 (horizontal:vertical) and was likely graded during past development of the project site. Based on the soil samplings (borings) conducted, the project site is underlain by about four and a half to seven feet of loose to moderately compacted fill material, consisting of sandy clay with gravel. Beyond seven feet, soil samples found sandy clay colluvial stratum which extended from seven to nine and a half feet bgs, which consists of hard colluvium materials. Underlying the colluvium is chert bedrock which extends to the maximum depth explored of 12 feet. No groundwater was encountered in the soil sample. The Geotechnical Investigation concluded that the project site is suitable for the proposed project, noting that the primary geotechnical issues of concern are the presence of loosely to moderately compacted and undocumented fill and foundation selection, the control of surface water and subsurface groundwater, and seismic hazards. These concerns are addressed below.

*Undocumented Fill / Foundation Selection.* The Geotechnical Investigation noted that the fill materials identified in the soil samples (borings) have been present at the site for many years, however, the materials appeared to be of variable composition and density, and placed on-site without geotechnical engineering hillside fill placement techniques. Further, the fill is underlain by colluvial soils, which were also of variable composition, moisture, and density. These soils are considered weak and potentially compressible, and prone to differential settlement under the loads of new construction. Therefore the Geotechnical Investigation recommends that the structure be supported on a cast-in-place pier and grade beam system designed to resist lateral pressures generated from soil creep. A mat foundation may be used as an alternative if the spread footings are expected to cover a substantial portion of the building area. Drilled piers may be used to support the project or for shoring and underpinning, if required.

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<sup>2</sup> PJC & Associates, Inc., *Geotechnical Investigation, Proposed Addition and Multi-Family Residential Units, 22 & 24 Ord Court, San Francisco, California, February 13, 2014*. This report is available for review as part of Case No. 2013.1521E.

*Surface Runoff.* The Geotechnical Investigation noted that given the presence of undocumented fill and compressible materials at the site, the control of surface runoff is critical for sloping topography. Uncontrolled surface runoff causes erosion and is detrimental to slope stability. The investigation recommended that provisions for control of surface runoff should be incorporated into the project plans and should be designed by an engineer specializing in drainage design. Additionally, the investigation noted that although groundwater or seepage was not encountered in the soil sampling, like most hillside sites, transitory seepage could develop during and following prolonged rainfall. Provisions to control subsurface seepage should be incorporated into the project.

*Seismic Hazards.* Because the project site does not lie within the Alquist-Priolo earthquake Fault Zone as defined by the California Division of Mines and Geology, the potential risk for damage to improvements at the site due to surface rupture from faults is low. Moreover, compliance with the Building Code would reduce potential impacts related to earthquake shaking. The project site does not lie within a potential liquefaction zone, and the earth materials encountered in the soil sample were not subject to liquefaction; thus, the project would have low potential for impacts related to liquefaction, and consequently, it would also have low potential for impacts related to lateral spreading.<sup>3</sup> Furthermore, the project has a low potential to result in densification, as earth materials subject to densification do not exist beneath the site in sufficient thickness to cause this potential impact.<sup>4</sup> Finally, the geotechnical investigation notes the project site is not located within an area of potential earthquake-induced landsliding and there were no observed evidence of active slope instability at the site. Thus, the project site has a low potential for damage to the proposed structure due to slope instability at the site.

The Geotechnical Investigation provided specific technical recommendations and requirements concerning site preparation and grading, seismic design, foundations, retaining walls, structural concrete slabs-on-grade, and site drainage. The report ultimately concluded that the project site is suitable to support the proposed project, provided that its recommendations are incorporated into the design and construction of the proposed project. The project sponsor has agreed to implement these recommendations, subject to Building Code requirements. The Geotechnical Investigation was conducted for a previous proposal on the project site. However, a Geotechnical Plan Review of the updated proposal was conducted on January 2015 and concluded that design changes to the project (as shown on plans dated January 22 and 26, 2015) conformed with the Geotechnical Investigation previously prepared for the project.<sup>5</sup>

The San Francisco Building Code ensures the safety of all new construction in the City. Decisions about appropriate foundation and structural design are considered as part of the Department of Building Inspection (DBI) permit review process. Prior to issuing a building permit for the proposed project, the DBI would review the geotechnical report to ensure that the security and stability of adjoining properties

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<sup>3</sup> Lateral spreading or lurching is generally caused by liquefaction of marginally stable soils underlying gentle slopes.

<sup>4</sup> Densification generally occurs in clean, loose granular soils during earthquake shaking, resulting in seismic settlement and differential compaction.

<sup>5</sup> PJC & Associates, Inc., *Geotechnical Plan Review, Proposed Addition and Multi-Family Residential Units, 22 & 24 Ord Court, San Francisco, California, January 28, 2015*. This report is available for review as part of Case No. 2013.1521E.

and the subject property is maintained during and following project construction. Therefore, potential damage to structures from geologic hazards on the project site would be addressed through compliance with the San Francisco Building Code.

**EXEMPT STATUS:**

CEQA State Guidelines Section 15301(l)(1), or Class 1, provides an exemption for minor alteration of existing public or private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Additionally, Class 1 exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed project would include the horizontal and vertical expansion of an existing single-family residence located at 22 Ord Court. Therefore, the proposed addition meets the criteria for exemption from environmental review under Class 1.

CEQA State Guidelines Section 15303(b), or Class 3, provides an exemption from environmental review for the construction (or conversion) of small structures and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Additionally, Class 3 provides an exemption for the construction of a duplex or similar multi-family residential structure totaling no more than four dwelling units. In urban areas, the exemption also applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The proposed project would include the construction of two new dwelling units and would therefore meet the criteria for exemption under Class 3.

**CONCLUSION:**

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



# SAN FRANCISCO PLANNING DEPARTMENT

## PRESERVATION TEAM REVIEW FORM

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

<b>Preservation Team Meeting Date:</b> 6/10/2014	<b>Date of Form Completion</b> 6/19/2014
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<b>PROJECT INFORMATION:</b>		
Planner: Tina Tam	Address: 22 - 24 Ord Court	
Block/Lot: 2619/066	Cross Streets: Ord Street	
CEQA Category: Cat B	Art. 10/11: N/A	BPA/Case No.: 2013.1521E

<b>PURPOSE OF REVIEW:</b>			<b>PROJECT DESCRIPTION:</b>	
<input checked="" type="radio"/> CEQA	<input type="radio"/> Article 10/11	<input type="radio"/> Preliminary/PIC	<input type="radio"/> Alteration	<input type="radio"/> Demo/New Construction

<b>DATE OF PLANS UNDER REVIEW:</b> 4/14/2014
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<b>PROJECT ISSUES:</b>	
<input checked="" type="checkbox"/>	Is the subject Property an eligible historic resource?
<input type="checkbox"/>	If so, are the proposed changes a significant impact?
Additional Notes:	

<b>PRESERVATION TEAM REVIEW:</b>				
Historic Resource Present		<input type="radio"/> Yes	<input checked="" type="radio"/> No *	<input type="radio"/> N/A
Individual		Historic District/Context		
Property is individually eligible for inclusion in a California Register under one or more of the following Criteria:		Property is in an eligible California Register Historic District/Context under one or more of the following Criteria:		
Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 1 - Event:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Criterion 2 -Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 2 -Persons:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 3 - Architecture:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	Criterion 4 - Info. Potential:	<input type="radio"/> Yes <input checked="" type="radio"/> No	
Period of Significance:	<input type="text"/>	Period of Significance:	<input type="text"/>	
		<input type="radio"/> Contributor <input type="radio"/> Non-Contributor		

Complies with the Secretary's Standards/Art 10/Art 11:	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> N/A
CEQA Material Impairment:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Needs More Information:	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Requires Design Revisions:	<input type="radio"/> Yes	<input type="radio"/> No	
Defer to Residential Design Team:	<input type="radio"/> Yes	<input type="radio"/> No	

\* If No is selected for Historic Resource per CEQA, a signature from Senior Preservation Planner or Preservation Coordinator is required.

**PRESERVATION TEAM COMMENTS:**

Based upon the information provided in the Environmental Evaluation application, including historic photo and building permit records, the subject building lacks sufficient integrity and is not eligible as a historic resource under CEQA. The subject building was originally constructed as a two-story dwelling in 1954. A third story addition was later constructed in the 1980s resulting in a change to the building's scale, massing, and design. Based upon visual inspection of the subject block and immediate context, there is an assortment of building types (buildings ranging from early 1900s to late 1950s) and eclectic appearance, there doesn't appear to be a potential historic district.

Signature of a Senior Preservation Planner / Preservation Coordinator:	Date:
	6/19/2014

2 FT.  
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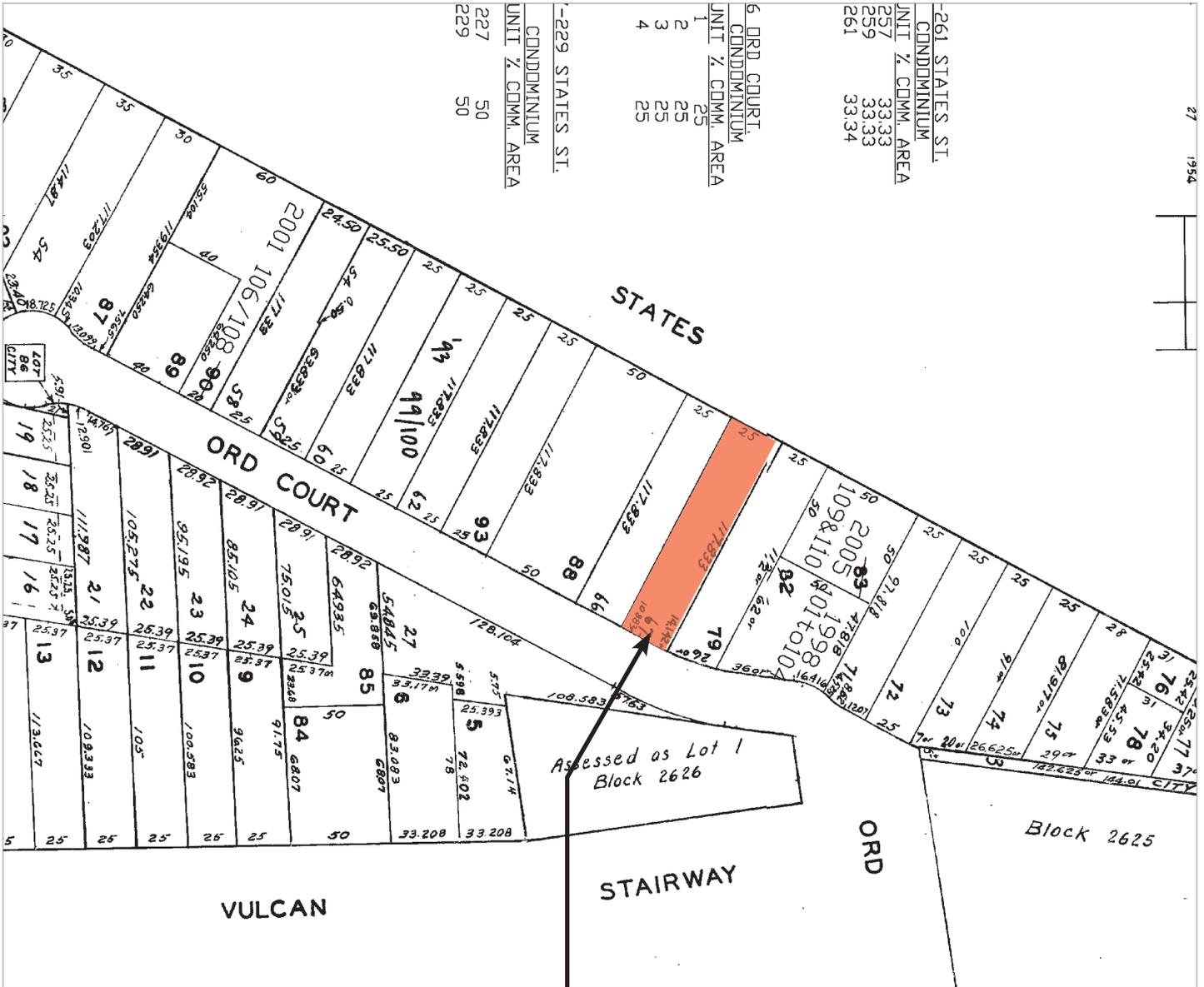
PHOTO



# Exhibits

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# Parcel Map



**Subject Parcel**

Conditional Use  
Case Number 2013.1521CUAV  
22 Ord Court  
Block 2619 Lot 067

# Sanborn Map



**Subject Property**

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



# Aerial Photo - Facing North



**Subject Property**

# Aerial Photo - Facing South



**Subject Property**

# Site Photos - Front



# Site Photos - Rear



September 4, 2015

Alan Murphy  
AMurphy@perkinscoie.com  
D. +1.415.344.7126

**VIA E-MAIL**

San Francisco Planning Commissioners  
c/o Tina Chang  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

**Re: 22/24 Ord Court:  
Brief in Support of Application for Conditional Use Authorization and in  
Opposition to Request for Discretionary Review**

Hon. Commissioners:

On September 24, 2015, the Planning Commission will be asked to consider a conditional use application and a discretionary review request for a project located at 22 Ord Court and 24 Ord Court (the "Property"). The Property consists of two through lots fronting both Ord Court and States Street, and is currently improved with two single-family homes fronting Ord Court. The Property's owner, Kenneth Tam, proposes to (1) renovate and expand the existing home at the front of 22 Ord Court to enhance its habitability as a family-sized dwelling unit; (2) construct a new single-family home at the rear of 22 Ord Court, fronting States Street; and (3) construct a new single-family home at the rear of 24 Ord Court, fronting States Street (the "Project"). No work is proposed to the existing unit at the front of 24 Ord Court.

On behalf of Mr. Tam, we are pleased to present to the Commission a plan for adding new family-sized dwelling units to the Property in a manner compatible with the existing character and density of this transit-rich neighborhood. Extensive neighborhood outreach has resulted in numerous and significant changes to reduce the Project's height and size, minimize its presence in the neighborhood, and preserve significant trees. Since all feasible plan revisions now have been made, we respectfully request that the Commission issue conditional use authorization for the Project, deny a request to exercise discretionary review, and approve the Project as proposed.

**I. Project Overview**

The Project would result in a total of four single-family homes, and a net gain of two homes, on the Property. Updated renderings are provided in Exhibit A.

The Property's topography includes significant sloping, both along Ord Court and States Street, as well as between the two streets. Both parcels are narrow.

**A. 22 Ord Court (Front): Expansion of Existing Single-Family Home**

An existing single-family home at the front of 22 Ord Court is three stories at the street, dropping to two stories at its rear half. The Project proposes a one-story vertical addition to the home, a horizontal expansion on the third floor, and interior renovations. Two undersized bedrooms on the second floor will be relocated to the third floor and enlarged. The master bedroom will be relocated from the third story to the new fourth floor. The home's third floor will be set back several feet from its existing condition. The new fourth floor will be set back roughly 20 feet from the street and also will provide a side setback of 5 to 12 feet from its downslope neighbor. The proposed vertical addition will not block any property-line windows of its adjacent neighbors. No horizontal expansion to the rear of the home's existing footprint is proposed. The total floor area increase would be 824 gross square feet.

**B. 22 Ord Court (Rear): New Single-Family Home Fronting States Street**

The existing home at 22 Ord Court occupies 46 feet of depth on a 118-foot deep lot. The Project features construction of a new single-family home at the rear of the lot, fronting States Street. The building has four stories, but, due to the significant slope of the lot, only two stories are above grade at States Street. A 6-foot setback from States Street is provided. The home includes four bedrooms, with two bedrooms on the first floor and a master bedroom and fourth bedroom on the first level below grade on States Street. A balcony is featured on the home's second floor, while a roof deck is set back from the front of the structure. A garden is provided to the home's rear. The new home would be 3,108 gross square feet, or 2,507 habitable square feet.

The adjacent residential building has no lot line windows along the shared property line. A light well is incorporated to match the adjacent building's light well.

**C. 24 Ord Court (Rear): New Single-Family Home Fronting States Street**

The existing conditions at 24 Ord Court are similar to those at 22 Ord Court: The existing home occupies 49 feet of depth from Ord Court with the balance of the uphill lot vacant. The Project features construction of a new single-family home at the rear of the lot, fronting States Street. The building has four stories, but, due to significant lot sloping, only two stories are above ground at States Street. A 12-foot setback from States Street is provided, a sufficient distance to enable preservation of two mature Monterey Cypress trees located just within the rear property line. The home includes four bedrooms, with two bedrooms on the first floor, a master bedroom on the first level below grade on States Street, and a guest bedroom / family room on the home's lowest level. A small balcony is included on the rear of the home's second floor, while a deck covers a portion of the roof. A garden is provided to the home's rear. The new home would be 2,494 gross square feet, or 2,186 habitable square feet.

The adjacent parking garage has no lot line windows along the shared property line.

The two proposed buildings along States Street each are roughly 20 feet tall and step up along with the slope of the street.

#### **D. Variances**

A rear yard variance is required for both new homes fronting States Street. A variance is appropriate, as the Project proposes structures that create a more orderly built environment on the irregularly-developed subject block. The Project replaces a dead space accessible directly from States Street with single-family homes consistent with the height and scale of other homes along the same block. Variance hearings already have been held, and the Zoning Administrator's decision is pending resolution of the discretionary review cases.

The required conditional use authorization will be discussed in detail in Part III of this brief.

#### **II. Project Modifications and Neighborhood Outreach**

The Planning Commission heard and continued a discretionary review request on the Project on December 4, 2014 and on February 12, 2015. During the course of Project development, both before and after these hearings, Mr. Tam and his team have met with neighbors of the Property on at least 6 occasions.

In response to input received over time from neighbors, the Planning Department, and the Planning Commission, Mr. Tam has made numerous and substantial changes to reduce the Project's size and minimize its presence.

Since the last Planning Commission hearing, a new 12-foot setback from States Street has been incorporated into the Project to preserve the two significant trees at the rear of 24 Ord Court. The applicant team has worked diligently to identify tree protection measures that enable preservation. This major Project modification will help maintain the sylvan character of States Street treasured by many of its residents and will address the central concern raised at the previous Planning Commission hearings.

Other changes made to the Project since it was introduced include:

- Both new homes on the Property's rear were reduced from three to two floors above grade, to protect neighboring views and address concerns regarding compatibility with existing buildings.
- Square footages of the two new homes were reduced in response to concerns the homes would be out of character with others nearby.

- New architectural designs were completed for the two new homes to differentiate them from each other.
- The footprint of the new top floor of 22 Ord Court (front) was reduced to protect further the privacy of occupants of 20 Ord Court / 231 States Street.
- Off-street parking spaces were reduced from two to one at the new buildings, to increase habitable living space.

Despite the significant nature of these Project revisions—and the substantial concessions they represent—some neighbors, including the discretionary review requestor, continue to ask for further modifications to the Project that simply are not feasible. Indeed, their requests have shifted over time, moving from views (now addressed through the reduction in building heights) to tree preservation (now addressed through the 12-foot setback and tree protection plan at the rear of 24 Ord Court) to current unrelated demands that would minimize development fronting States Street.

A recent request was made for a complete Project redesign that would (1) obviate any need for conditional use authorization on either parcel and (2) eliminate the proposed home at the rear of 24 Ord Court, in favor of massing two dwelling units, including one new unit, at the front of that parcel. The next section explains why these changes to the Project cannot be accommodated.

### **III. Conditional Use Authorization**

The Project requires conditional use authorization under interim zoning controls for the neighborhood adopted by the Board of Supervisors earlier this year (Resolution 76-15 (Mar. 10, 2015)). This approval is required because residential development on each parcel increases the existing legal unit count and results in either or both of (1) an increase in total gross square footage on a parcel of 3,000 or more and by more than 100 percent; and (2) lot coverage in excess of 55 percent.

Although the Property is zoned to allow two dwelling units per parcel, it would be infeasible to add the second dwelling units without exceeding 55 percent lot coverage, as both lots are narrow and have significant sloping between Ord Court and States Street on the lots' rear. For these reasons, the existing single-family homes already cover a significant percentage of each lot. As such, it would be infeasible to add new space for adequate additional units while maintaining overall lot coverage beneath 55 percent. Additionally, the lots' exceptional sloping and narrowness requires the dedication of significant space within units to stairwells and passages between rooms to allow for living spaces spread across multiple levels, thus reducing usable interior square footage. To compensate for these inefficiencies in interior design, residential development of adequate size is infeasible unless spread over more than 55 percent of each lot.

The neighbors' request to mass two units at the front of 24 Ord Court is similarly infeasible. The shadow study included in our conditional use application and attached to this brief as Exhibit B shows that hypothetical concentrated development on the Ord Court frontage would block substantial light and cast significant shadows on the few windows available to certain units in adjacent buildings at 30 Ord Court and 20 Ord Court / 231 States Street. Such a project also would allow inadequate light into the interior of the new monolithic structure on 24 Ord Court. As seen on the shadow study, the narrowness of the lots would leave few entries for light into these units and would contribute to buildings that lack appropriate levels of natural light and air. These dramatic detrimental effects simply make for an infeasible proposal that cannot be pursued.

Our conditional use application describes further why these modifications would be infeasible and how the current Project satisfies all findings required for a conditional use approval.

#### **IV. Project Attributes and Consistency with City Policies**

##### **A. General Plan Consistency**

The Project advances a number of General Plan policies by:

- Developing housing suitable for families with children;
- Ensuring development is consistent with the existing character and density of the neighborhood;
- Creating additional residential uses in an area well-served by public transit; and
- Providing and maintaining landscaping that will improve the neighborhood environment, including preservation of two existing significant trees.

Among others, the General Plan policies supported by the Project include:

##### **Housing Element Policy 4.1:**

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

The Project directly advances this policy by creating single-family homes, including both new and existing units, that are adequately sized for families with children. Families with children typically seek more bedrooms and larger shared living areas than smaller households. The Project responds to this demand by creating units of a size attractive to this demographic.

**Housing Element Objective 11:**

Support and respect the diverse and distinct character of San Francisco's neighborhoods.

The Project affirmatively supports this objective and its associated policies by featuring new construction that is consistent with the existing character and density of the neighborhood. The Project is consistent with all accepted design standards, including those related to site design, building scale and form, architectural features, façade width, proportions, roofline, and other building details.

Proposed development respects the Property's topography and is not inconsistent with the existing open space pattern. Buildings to the Property's east and west—20 Ord Court / 231 States Street and 30 Ord Court—both cover more than two-thirds of their lots. As such, the amount of open space provided on the Property, including mid-block open space and setbacks from States Street, is consistent with the neighborhood. Additionally, there is no consistent open space pattern on Ord Court and States Street, so development of the two new single-family homes fronting States Street will not undermine any established pattern of open space.

Each of the buildings proposed as part of the Project is compatible with the height and depth of surrounding buildings. The single-story vertical addition and horizontal expansion at 22 Ord Court are at an appropriate scale for the home's location on a block with many structures of at least three stories. The Project will maintain a three-story façade at the street on Ord Court, consistent with the three-story buildings two doors uphill (30 Ord Court) and two doors downhill (16 Ord Court). An adjacent building, 20 Ord Court / 231 States Street, is a three-story, multi-family structure at the block face that steps back to five stories on the States Street side. Both the fourth-floor addition and the third-floor roof deck on the existing building at 22 Ord Court are set back, making the fourth floor virtually un-viewable from the street. The fourth-floor addition is only approximately 417 square feet, and its front setback substantially exceeds that required under the Planning Code. Significant setbacks also are provided from the east side of the front 22 Ord Court building out of sensitivity to pedestrian traffic and neighbors at 20 Ord Court / 231 States Street.

The new homes at the rear of 22 and 24 Ord Court are two stories above street level, consistent with the existing pattern of development on States Street. That block is characterized by a mix of building scales and styles, ranging from one to four stories in height.

Finally, the Project's density of two dwelling units per parcel is consistent with the prevailing character of the neighborhood and is beneath that of a number of multi-family structures on the block, including 16 Ord Court, 20 Ord Court, and 30 Ord Court.

**Transportation Element Policy 1.3:**

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

The Project directly furthers this policy by creating additional residential uses in an area well-served by the City's public transit systems. The Castro Street Muni Metro Station is less than a 10-minute walk from the Property, while the 24, 33, 35, and 37 bus lines all have stops nearby, as well.

**Urban Design Element Policy 4.12:**

Install, promote and maintain landscaping in public and private areas.

The Project furthers this policy by including and maintaining landscaping that will improve the neighborhood environment. Two existing significant trees located near States Street are preserved under the Project. Additional landscaping adjacent to the street, particularly on the States Street side, will enhance the local environment. Landscaped roof decks on the States Street-facing homes will be visible from upslope residences on States Street and Museum Way. In these ways, the Project will increase the presence of visible vegetation on the Property.

**Urban Design Element Policy 4.15:**

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

The Project furthers this policy by ensuring that incompatible new buildings are not introduced into the existing residential neighborhood. The height and depth of the new buildings fronting States Street are compatible with the existing building scale. The buildings' form, façade width, proportions, and roofline are compatible with surrounding buildings. There is no consistent open space pattern on Ord Court or States Street, including any front/rear setback pattern. As such, development of the Project will not undermine any established pattern of open space. Additionally, the Project sites buildings carefully on both the front and the rear of the lots so as to minimize reduction of sunlight to neighboring properties and new dwelling units relative to an approach that would cluster all units on the Ord Court street frontage.

**B. Consistency with the Residential Design Guidelines**

For similar reasons as those identified above, the Project is consistent with the Residential Design Guidelines (RDG). As discussed, the Project features buildings responsive to the overall neighborhood context, without any visually disruptive changes (RDG, p. 7). The height and depth of Project buildings are compatible with the existing building scale on Ord Court and States Street (RDG, pp. 23-24). Finally, the Project respects the topography of the site and the surrounding area (RDG, p. 11) by setting back the proposed fourth floor of the existing home at

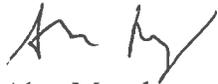
22 Ord Court 20 feet from the street so that it is unseen from Ord Court, and by developing new homes on the rear of the Property that are set back from States Street.

**V. Conclusion**

Should this Commission grant its approval, the Project will enhance and increase the number of family-sized housing units in the City by renovating one existing single-family home and creating two new single-family homes. As part of a neighborhood well-served by public transit, the Property provides an ideal location for these residences. The Project is consistent with the existing character and density of the neighborhood, and will improve the local environment by adding landscaping and preserving two existing significant trees. By increasing the supply of housing, the Project will contribute to alleviating the City's critical housing shortage.

Thank you for your consideration of the Project. I look forward to answering any questions you may have at the upcoming hearing.

Very truly yours,



Alan Murphy  
Enclosures

cc: Jonas Ionin, Planning Commission Secretary  
Kenneth Tam, Property Owner  
David Clarke, Project Contact

127540248.3

# Exhibit A

**Exhibit A**



# Exhibit B

**Exhibit B**

**24 ORD COURT  
APPLICATION FOR CONDITIONAL USE AUTHORIZATION**

\* \* \* \* \*

**Shadow Study:**

**Infeasible Alternative  
with Units Concentrated on  
the Ord Court Frontage**

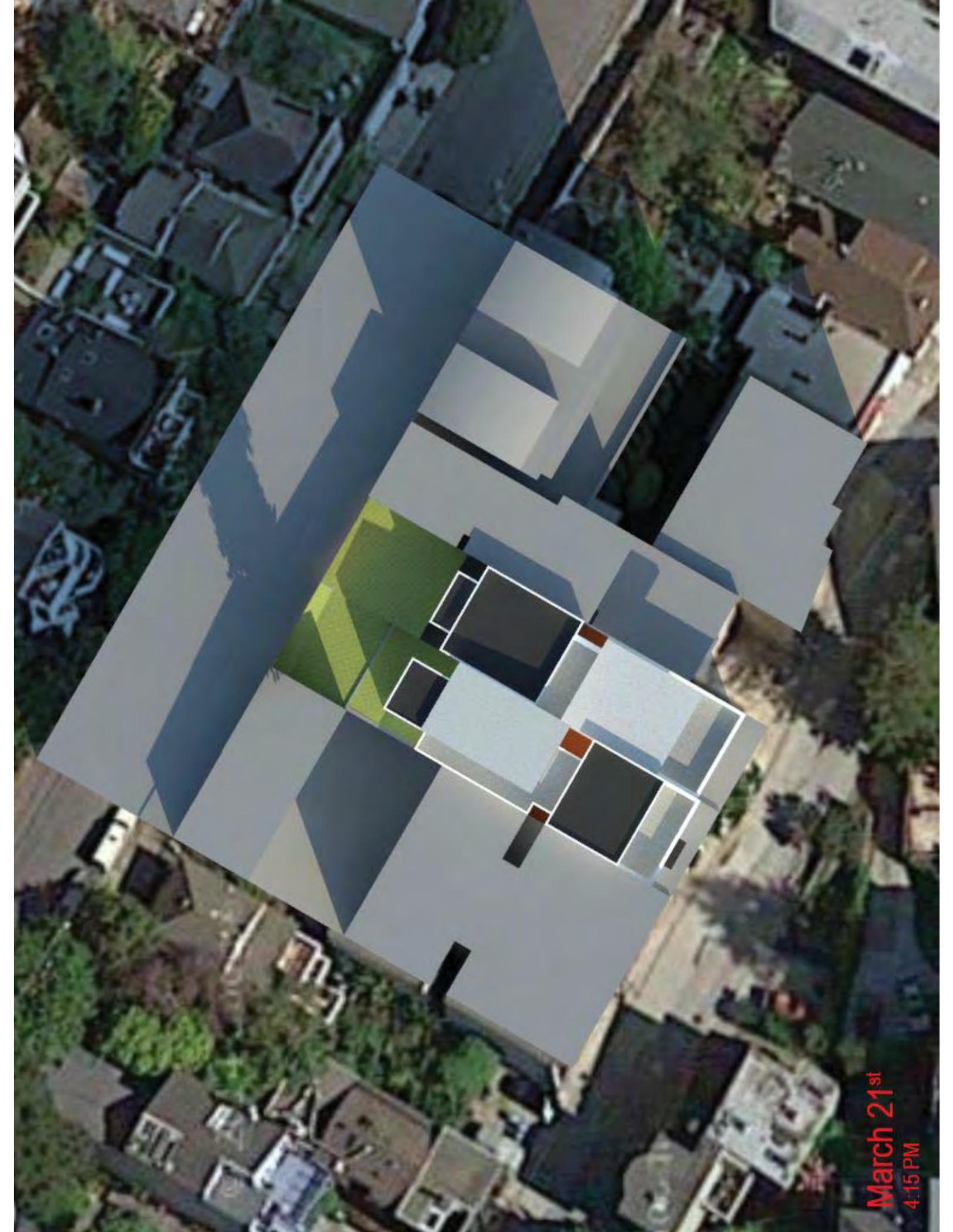
\* \* \* \* \*



March 21<sup>st</sup>  
7:20 AM



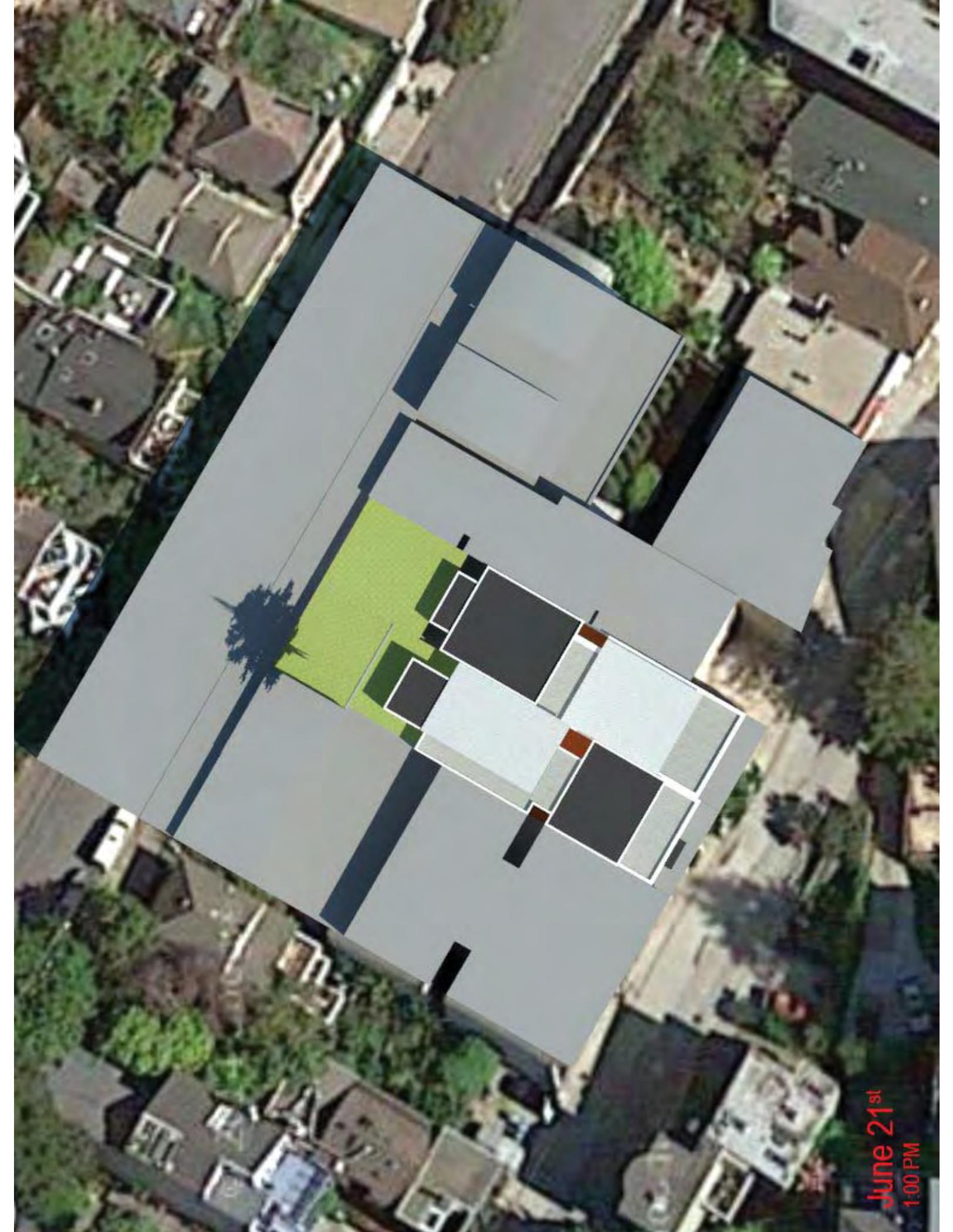
March 21<sup>st</sup>  
12:20 PM



March 21<sup>st</sup>  
4:15 PM



June 21<sup>st</sup>  
6:50 AM



June 21<sup>st</sup>  
1:00 PM



June 21<sup>st</sup>  
6:30 PM



December 21<sup>st</sup>  
8:20 AM



December 21<sup>st</sup>  
12:20 PM



December 21<sup>st</sup>

3:45 PM

**22 ORD COURT  
APPLICATION FOR CONDITIONAL USE AUTHORIZATION**

\* \* \* \* \*

**Shadow Study:**

**Proposed Project  
(Units Split Between the Ord Court  
and States Street Frontages)**

\* \* \* \* \*



March 21<sup>st</sup>  
7:20 AM



March 21<sup>st</sup>  
12:20 PM



March 21<sup>st</sup>  
4:15 PM



June 21<sup>st</sup>  
6:50 AM



June 21<sup>st</sup>  
1:00 PM



June 21<sup>st</sup>  
6:30 PM



December 21<sup>st</sup>  
8:20 AM

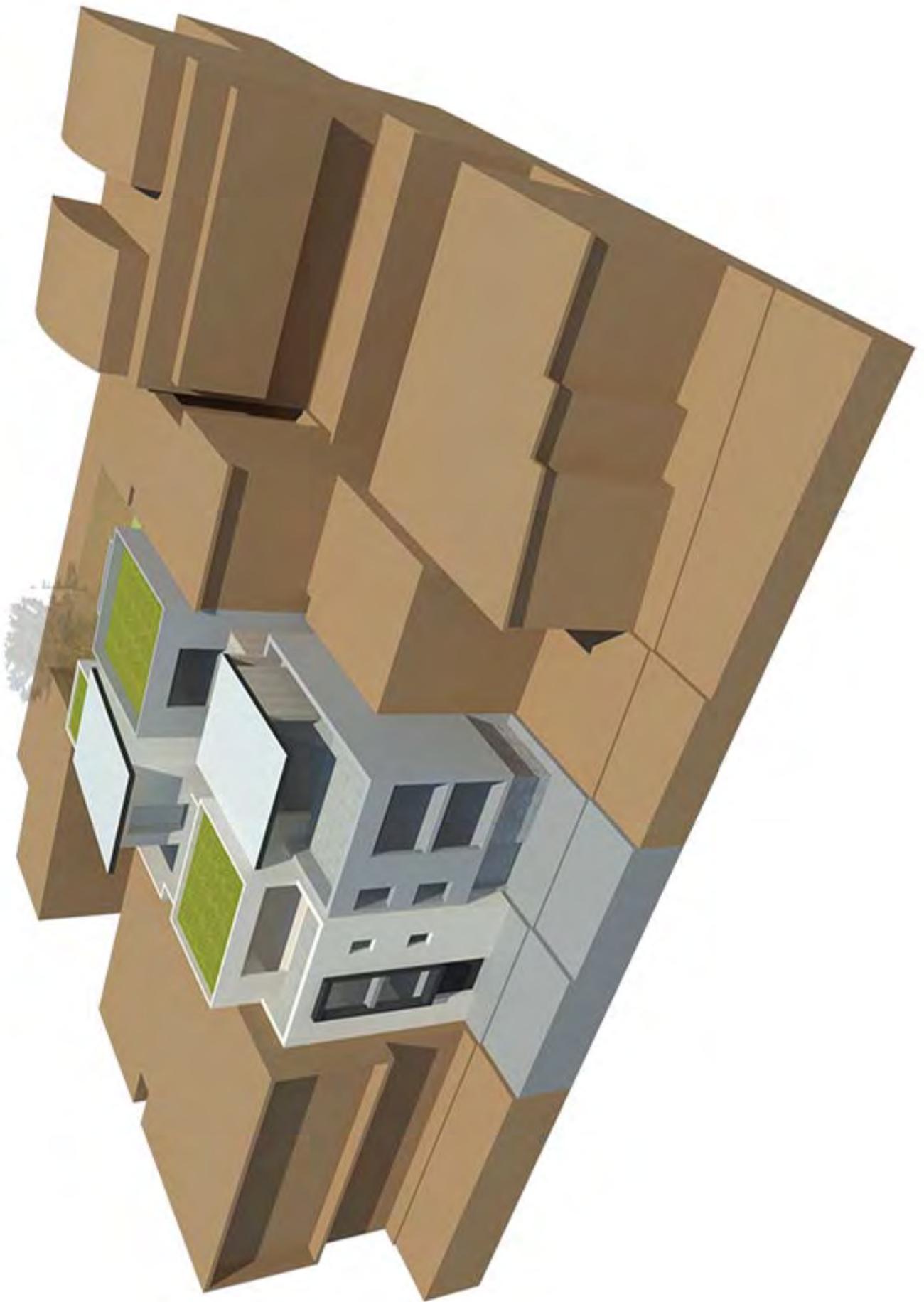


December 21<sup>st</sup>  
12:20 PM



December 21<sup>st</sup>

3:45 PM





Museum Way

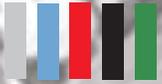
States St.

Ord St.

Ord Ct.

Levant St.

Roosevelt Way



- 1 Story Tall
- 2 Story Tall
- 3 Story Tall
- 4 Story Tall
- Green Space

22 Ord Ct.

24 Ord Ct.

# Tree Management Experts

## Consulting Arborists

3109 Sacramento Street  
San Francisco, CA 94115

Member, American Society of Consulting Arborists  
Certified Arborists, Tree Risk Assessment Qualified



cell/voicemail 415.606.3610

office 415.921.3610

fax 415.921.7711

email [RCL3@mindspring.com](mailto:RCL3@mindspring.com)

**Kenneth Tam**  
**1266 Regency Drive**  
**San Jose, CA 95129**

**RE: 24 Ord Court, San Francisco**

**Date: 6/24/15**

## ARBORIST MEMORANDUM

### Tree Protection for 2 Significant Trees

#### Tree Protection Measures

1. Prune both trees before construction begins, thereby reducing the risk of a tree failure and protecting the trees from accidental damage.
2. Identify a combined tree protection zone for both trees to isolate, care for and protect the trees from accidental damage.
3. Provide fertilization.
4. Provide irrigation.
5. Provide mulch.
6. Provide root buffers, where needed.
7. Maintain existing soil grades within the tree protection zone.
8. Participate in design of a bridged driveway design to minimize root impacts.
9. Participate in proper root cutting, as needed for massive excavation, retaining walls and foundation construction.
10. Participate in trench placement and techniques required to pass utilities through to the street.
11. Participate in root inspections and possible pruning during sidewalk replacement and curb cuts.

Each of these tree protection measures will be developed and incorporated into a Tree Protection Plan and a Schedule of Services and Inspections to become part of the approved plan set. It is my professional opinion that if each of these tree protection measures is followed and the tree protection plan is effectively integrated into the design, then the trees can be saved and will remain in a reasonably healthy and safe condition.

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## Assumptions and Limiting Conditions

1. Any legal description provided to the consultant is assumed to be correct. Title and ownership of all property considered are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes or other governmental regulations.
3. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible. The consultant can neither guarantee nor be responsible for the accuracy of information provided by others.
4. Various diagrams, sketches and photographs in this report are intended as visual aids and are not to scale, unless specifically stated as such on the drawing. These communication tools in no way substitute for nor should be construed as surveys, architectural or engineering drawings.
5. Loss or alteration of any part of this report invalidates the entire report.
6. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior written or verbal consent of the consultant.
7. This report is confidential and to be distributed only to the individual or entity to whom it is addressed. Any or all of the contents of this report may be conveyed to another party only with the express prior written or verbal consent of the consultant. Such limitations apply to the original report, a copy, facsimile, scanned image or digital version thereof.
8. This report represents the opinion of the consultant. In no way is the consultant's fee contingent upon a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
9. The consultant shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule, an agreement or a contract.
10. Information contained in this report reflects observations made only to those items described and only reflects the condition of those items at the time of the site visit. Furthermore, the inspection is limited to visual examination of items and elements at the site, unless expressly stated otherwise. There is no expressed or implied warranty or guarantee that problems or deficiencies of the plants or property inspected may not arise in the future.

## Disclosure Statement

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

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Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. An arborist cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate the trees.

### Certification of Performance

I, Roy C. Leggitt, III, Certify:

- That we have inspected the trees and/or property evaluated in this report. We have stated findings accurately, insofar as the limitations of the Assignment and within the extent and context identified by this report;
- That we have no current or prospective interest in the vegetation or any real estate that is the subject of this report, and have no personal interest or bias with respect to the parties involved;
- That the analysis, opinions and conclusions stated herein are original and are based on current scientific procedures and facts and according to commonly accepted arboricultural practices;
- That no significant professional assistance was provided, except as indicated by the inclusion of another professional report within this report;
- That compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party.

I am a member in good standing of the American Society of Consulting Arborists and a member and Certified Arborist with the International Society of Arboriculture.

I have attained professional training in all areas of knowledge asserted through this report by completion of a Bachelor of Science degree in Plant Science, by routinely attending pertinent professional conferences and by reading current research from professional journals, books and other media.

I have rendered professional services in a full time capacity in the field of horticulture and arboriculture for more than 25 years.

Signed: \_\_\_\_\_

Date: 6/24/15

1 [Interim Zoning Controls - Large Residential Projects in RH-1, RH-2, and RH-3 Zoning  
2 Districts]

3       **Resolution imposing interim zoning controls for an 18-month period for parcels**  
4 **in the RH-1, RH-2, and RH-3 zoning districts within a perimeter established by Market**  
5 **Street, Clayton Street, Ashbury Street, Clifford Terrace, Roosevelt Way, Museum Way,**  
6 **the eastern property line of Assessor's Parcel Block No. 2620, Lot No. 063, the eastern**  
7 **property line of Assessor's Parcel Block No. 2619, Lot No. 001A, and Douglass Street,**  
8 **requiring Conditional Use authorization for any residential development on a vacant**  
9 **parcel that will result in total residential square footage exceeding 3,000 gross square**  
10 **feet; requiring Conditional Use authorization for any new residential development on a**  
11 **developed parcel that will increase the existing gross square footage in excess of 3,000**  
12 **square feet and by more than 75% without increasing the existing legal unit count, or**  
13 **more than 100% if increasing the existing legal unit count; requiring Conditional Use**  
14 **authorization for residential development that results in greater than 55% total lot**  
15 **coverage; and making environmental findings, including findings of consistency with**  
16 **the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

17       WHEREAS, Planning Code Section 306.7 provides for the imposition of interim zoning  
18 controls that promote the public interest, including but not limited to development and  
19 conservation of the City's commerce and industry to maintain the City's economic vitality and  
20 maintain adequate services for its residents, visitors, businesses, and institutions; and  
21 preservation of neighborhoods and areas of mixed residential and commercial uses and their  
22 existing character; and

23       WHEREAS, The area within a perimeter established by Market Street, Clayton Street,  
24 Ashbury Street, Clifford Terrace, Roosevelt Way, Museum Way, the eastern property line of  
25

1 parcel 2620/063, the eastern property line of parcel 2619/001A, and Douglass Street is  
2 composed primarily of residential buildings, many of which are small in scale and located on  
3 large lots and on through lots; and

4 WHEREAS, Existing zoning controls generally allow residential development much  
5 larger in scale than the existing residential fabric within the boundaries established by this  
6 Resolution; and

7 WHEREAS, The Planning Code encourages development that preserves existing  
8 neighborhood character yet recent residential development proposals within the boundaries  
9 established by this Resolution have been significantly larger and bulkier than existing  
10 residential buildings; and

11 WHEREAS, The interim controls established by this Resolution will allow time for the  
12 orderly completion of a planning study and for the adoption of appropriate legislation; and

13 WHEREAS, This Board of Supervisors ("Board") has considered the impact on the  
14 public health, safety, peace, and general welfare if these interim controls are not imposed;  
15 and

16 WHEREAS, The Board has determined that the public interest will best be served by  
17 imposition of these interim controls to ensure that the legislative scheme which may be  
18 ultimately adopted is not undermined during the planning and legislative process for  
19 permanent controls; and

20 WHEREAS, The Board makes the following findings of consistency with the Priority  
21 Policies set forth in Planning Code Section 101.1: By requiring Conditional Use authorization  
22 for (1) any residential development that will result in total residential square footage exceeding  
23 3,000 gross square feet on a parcel if the residential development will occur on a vacant  
24 parcel; (2) any residential development that will increase the total existing gross square  
25 footage on a developed parcel in excess of 3,000 square feet and by (a) more than 75%

1 without increasing the existing legal unit count or (b) more than 100% if increasing the existing  
2 legal unit count; and (3) any residential development, either as an addition to an existing  
3 building or as a new building, that results in greater than 55% lot coverage, these interim  
4 controls advance Priority Policy 2, that existing housing and neighborhood character be  
5 conserved and protected to preserve the cultural and economic diversity of our  
6 neighborhoods; and these interim controls do not conflict with the other Priority Policies of  
7 Section 101.1; and

8 WHEREAS, The Planning Department has determined that the actions contemplated in  
9 this Resolution are in compliance with the California Environmental Quality Act (California  
10 Public Resources Code, Sections 21000 et seq.). Said determination is on file with the Clerk  
11 of the Board of Supervisors in File No.150192 and is incorporated herein by reference. The  
12 Board hereby affirms this determination; now, therefore, be it

13 RESOLVED, That pursuant to Planning Code, Section 306.7, the Board hereby  
14 requires that for all parcels zoned RH-1, RH-2, or RH-3 within a perimeter established by  
15 Market Street, Clayton Street, Ashbury Street, Clifford Terrace, Roosevelt Way, Museum  
16 Way, the eastern property line of parcel 2620/063, the eastern property line of parcel  
17 2619/001A, and Douglass Street, (1) a Conditional Use authorization pursuant to Planning  
18 Code Section 303 is required for any residential development that will result in total residential  
19 square footage exceeding 3,000 gross square feet on a parcel if the residential development  
20 will occur on a vacant parcel; (2) a Conditional Use authorization pursuant to Planning Code  
21 Section 303 is required for any residential development that will increase the total existing  
22 gross square footage on a developed parcel in excess of 3,000 square feet and by (a) more  
23 than 75% without increasing the existing legal unit count or (b) more than 100% if increasing  
24 the existing legal unit count; and (3) a Conditional Use authorization pursuant to Planning  
25

1 Code Section 303 is required for any residential development, either as an addition to an  
2 existing building or as a new building, that results in greater than 55% lot coverage; and, be it

3 FURTHER RESOLVED, That the Planning Commission shall only grant a Conditional  
4 Use authorization allowing residential development to result in greater than 55% lot coverage  
5 upon finding unique or exceptional lot constraints that would make development on the lot  
6 infeasible without exceeding 55% total lot coverage, or, in the case of the addition of a  
7 residential unit, that such addition would be infeasible without exceeding 55% total lot  
8 coverage; and, be it

9 FURTHER RESOLVED, That the Planning Commission, in considering a Conditional  
10 Use authorization in a situation where an additional new residential unit is proposed on a  
11 through lot on which there is already an existing building on the opposite street frontage, shall  
12 only grant such authorization upon finding that it would be infeasible to add a unit to the  
13 already developed street frontage of the lot; and, be it

14 FURTHER RESOLVED, That upon imposition of these interim controls, the Planning  
15 Department shall conduct a study of the contemplated zoning proposal and propose  
16 permanent legislation to address the issues posed by large residential development projects  
17 within an existing fabric of smaller homes; and, be it

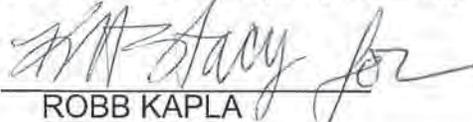
18 FURTHER RESOLVED, That these interim controls shall apply to all applications for  
19 residential development in the area covered by the controls where a final site or building  
20 permit has not been issued as of the effective date of this Resolution; and, be it

21 FURTHER RESOLVED, That for projects currently scheduled for a hearing at the  
22 Planning Commission under a Discretionary Review as of the effective date of this Resolution,  
23 the Planning Department is requested to expedite the processing and calendaring of any  
24 required Conditional Use authorization under these controls; and, be it

1 FURTHER RESOLVED, That these interim controls shall remain in effect for a period  
2 of eighteen (18) months unless extended in accordance with Planning Code Section 306.7(h)  
3 or until permanent controls are adopted; and, be it

4 FURTHER RESOLVED, That the Planning Department shall provide reports to the  
5 Board pursuant to Planning Code Section 306.7(i).

6  
7 APPROVED AS TO FORM:  
8 DENNIS J. HERRERA, City Attorney

9 By:   
10 ROBB KAPLA  
11 Deputy City Attorney

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City and County of San Francisco

Tails  
Resolution

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

File Number: 150192

Date Passed: March 10, 2015

Resolution imposing interim zoning controls for an 18-month period for parcels in the RH-1, RH-2, and RH-3 zoning districts within a perimeter established by Market Street, Clayton Street, Ashbury Street, Clifford Terrace, Roosevelt Way, Museum Way, the eastern property line of Assessor's Parcel Block No. 2620, Lot No. 063, the eastern property line of Assessor's Parcel Block No. 2619, Lot No. 001A, and Douglass Street, requiring Conditional Use authorization for any residential development on a vacant parcel that will result in total residential square footage exceeding 3,000 gross square feet; requiring Conditional Use authorization for any new residential development on a developed parcel that will increase the existing gross square footage in excess of 3,000 square feet and by more than 75% without increasing the existing legal unit count, or more than 100% if increasing the existing legal unit count; requiring Conditional Use authorization for residential development that results in greater than 55% total lot coverage; and making environmental findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

March 09, 2015 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

March 09, 2015 Land Use and Transportation Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

March 10, 2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150192

I hereby certify that the foregoing Resolution was ADOPTED on 3/10/2015 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

  
Mayor

3/10/15

Date Approved

**ATTACHMENT B:**  
**Project Sponsor Drawings**

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SIA CONSULTING CORPORATION  
 1256 HOWARD STREET  
 SAN FRANCISCO CA 94103  
 TEL: (415) 922.0200  
 FAX: (415) 922.0203  
 WEBSITE: WWW.SIACONSULT.COM

SHEET TITLE

# Floor Plans

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**ISSUES / REVISIONS**

NO.	DATE	DESCRIPTION

DRAWN R.L.

DESIGN R.K.

DATE 08/19/2013

REVISED DATE 09/01/2015

JOB NO. 13-1590

SHEET NO.

**A-2.1**

**Existing First Floor Plan**

1/4" = 1'-0"

**Proposed First Floor Plan**

1/4" = 1'-0"

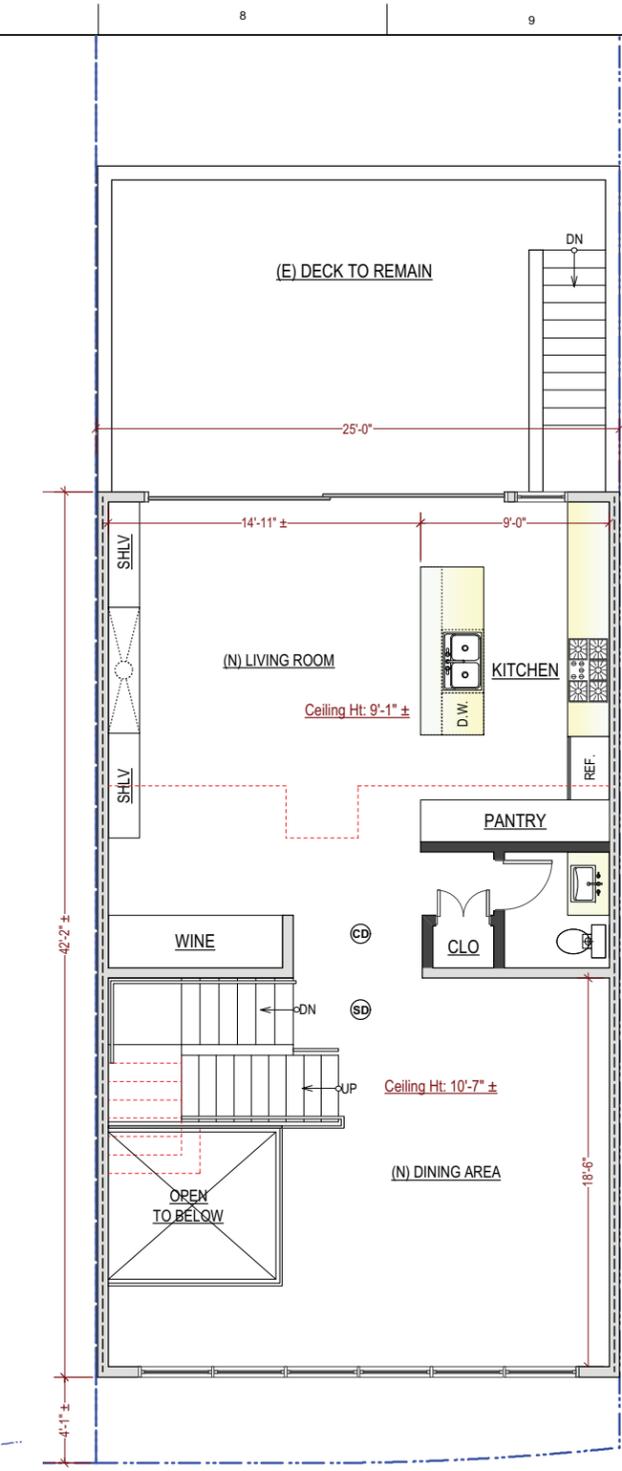
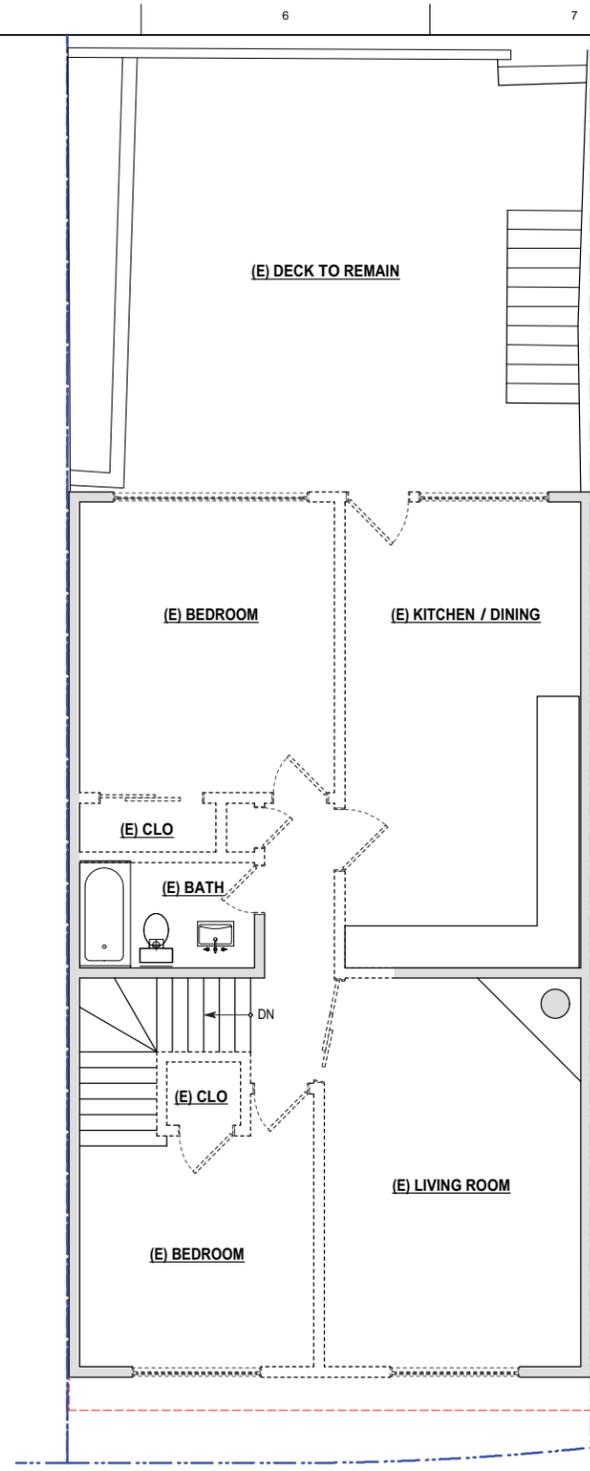
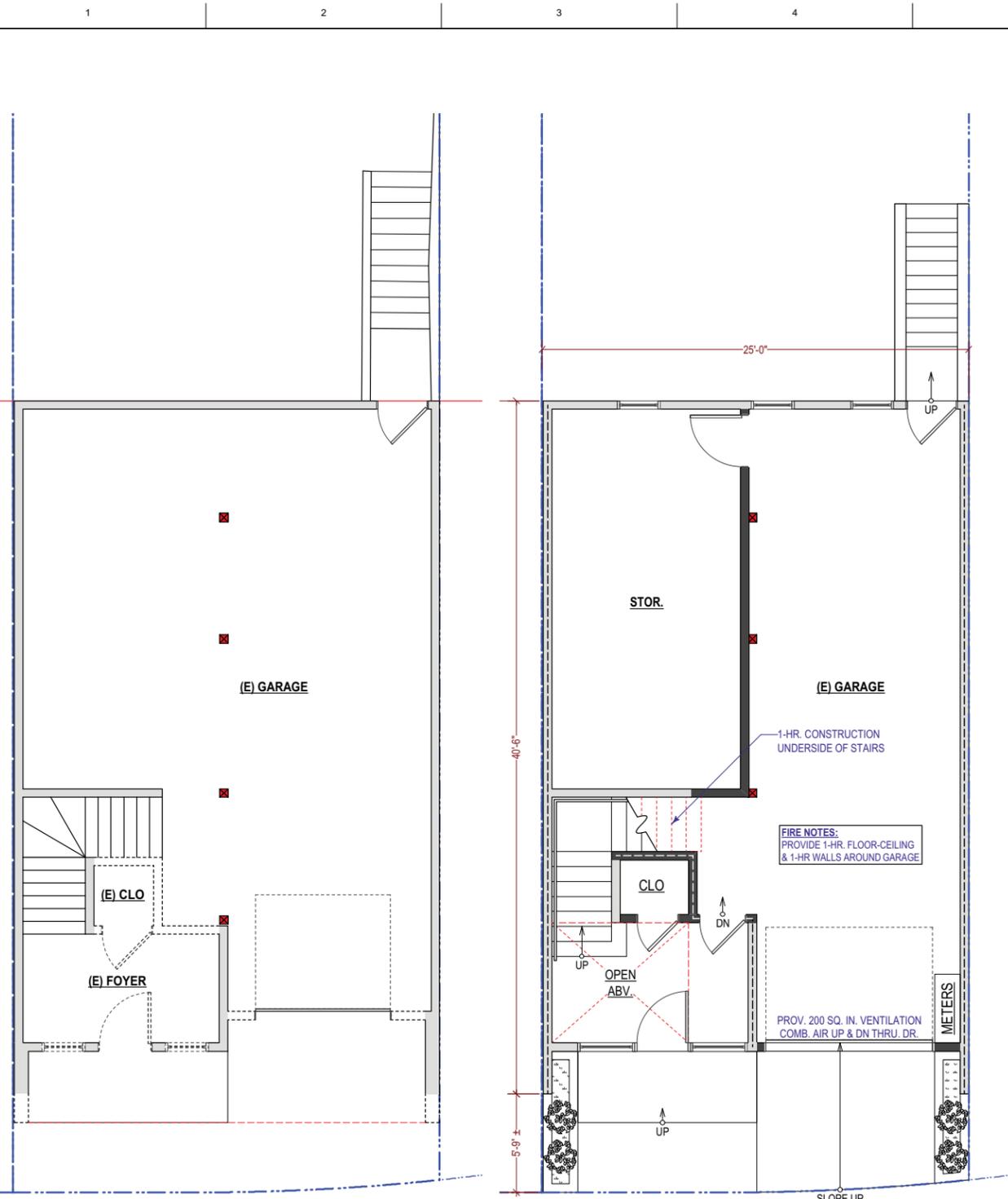
**Existing Second Floor Plan**

1/4" = 1'-0"

**Proposed Second Floor Plan**

1/4" = 1'-0"

	PROPERTY LINE
	(E) WALL TO BE REMOVED
	(E) WALL TO REMAIN
	(E) WALL TO BE RETROFITTED TO 1-HR. FIRE RATED
	(N) WALL TO BE CONSTRUCTED
	(N) WALL TO BE 1-HR. FIRE RATED





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**Floor Plans**

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**ISSUES / REVISIONS**

NO.	DATE	DESCRIPTION

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**DESIGN** R.K.

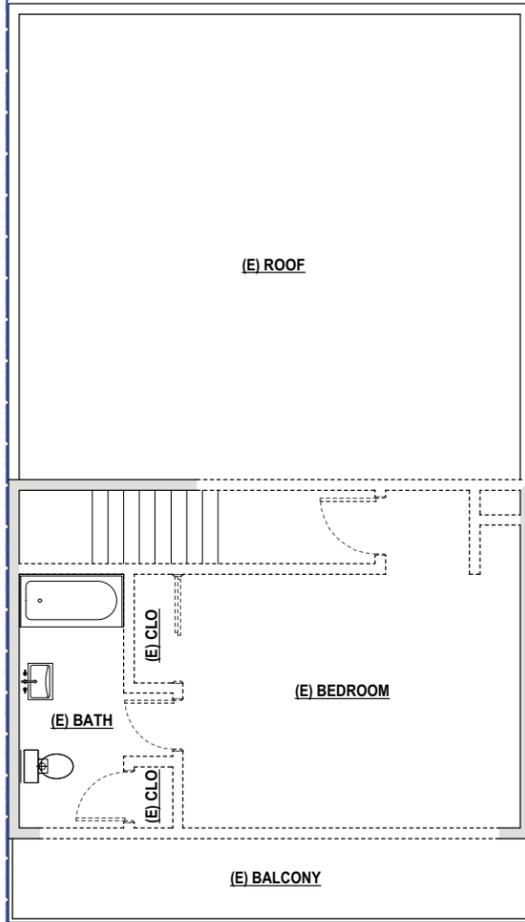
**DATE** 08/19/2013

**REVISED DATE** 09/01/2015

**JOB NO.** 13-1590

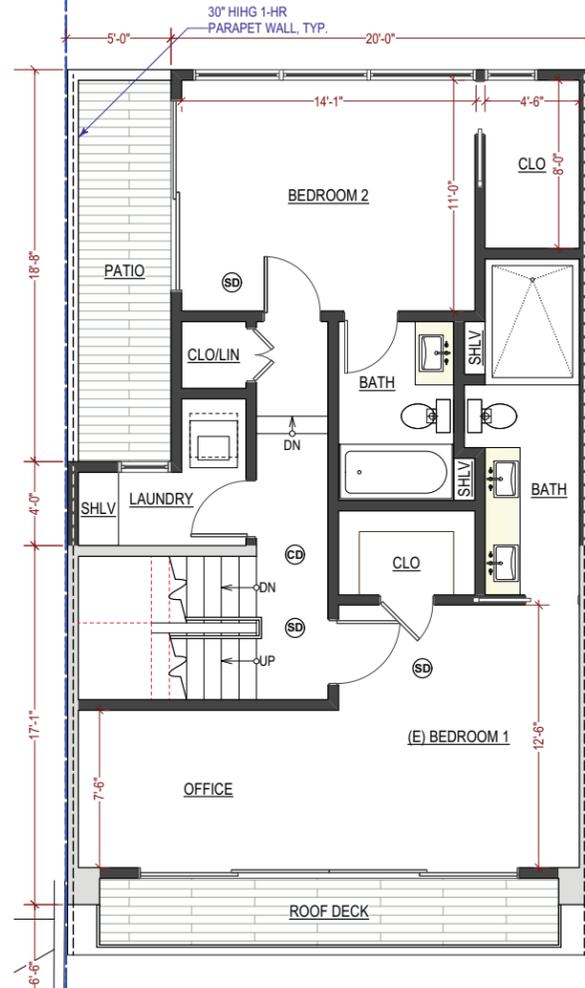
**SHEET NO.**

**A-2.2**



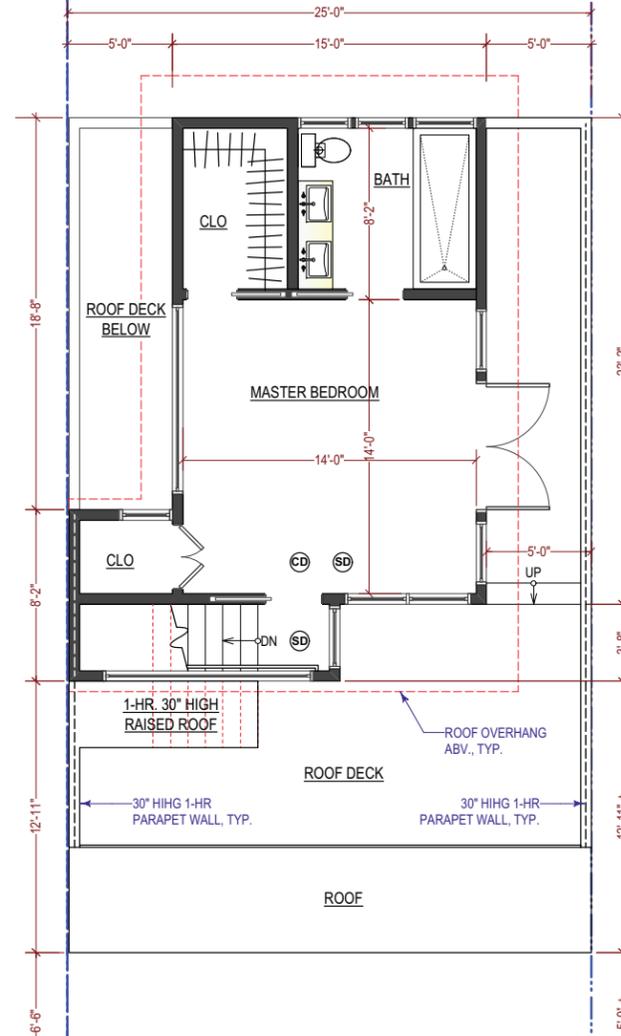
**Existing Third Floor Plan**

1/4" = 1'-0"



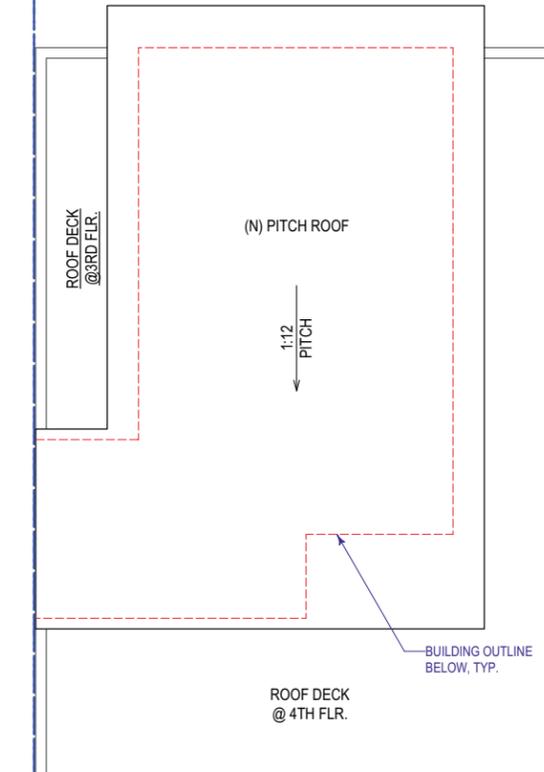
**Proposed Third Floor Plan**

1/4" = 1'-0"



**Proposed Fourth Floor Plan**

1/4" = 1'-0"



**Proposed Roof Plan**

1/4" = 1'-0"

Symbol	Description
--- (dashed blue)	PROPERTY LINE
--- (dotted)	(E) WALL TO BE REMOVED
--- (solid grey)	(E) WALL TO REMAIN
--- (dashed grey)	(E) WALL TO BE RETROFITTED TO 1-HR. FIRE RATED
--- (solid black)	(N) WALL TO BE CONSTRUCTED
--- (dashed black)	(N) WALL TO BE 1-HR. FIRE RATED







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**Left Elevations**

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**ISSUES / REVISIONS**

NO.	DATE	DESCRIPTION

<b>DRAWN</b>	R.L.
--------------	------

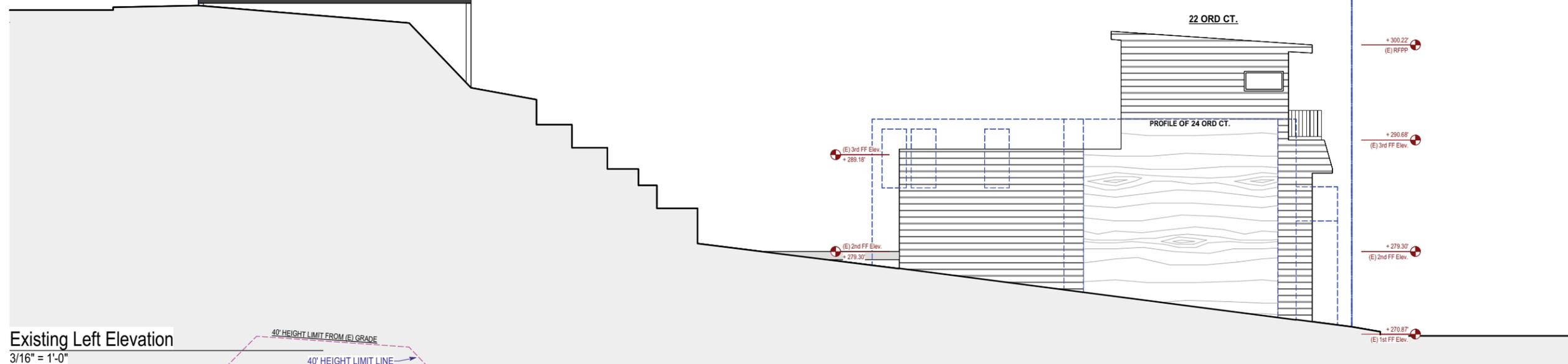
<b>DESIGN</b>	R.K.
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<b>DATE</b>	08/19/2013
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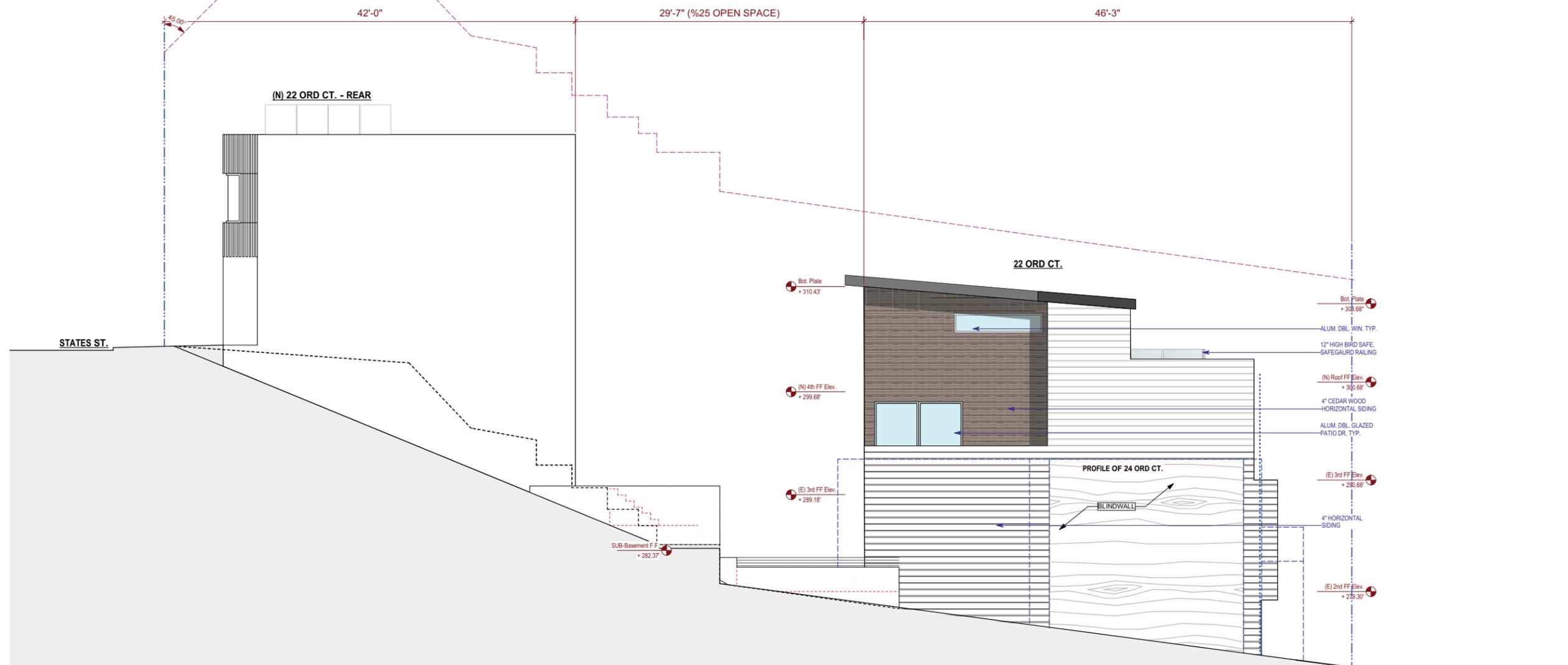
<b>REVISED DATE</b>	09/01/2015
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<b>JOB NO.</b>	13-1590
----------------	---------

<b>SHEET NO.</b>	A-3.2
------------------	-------



**Existing Left Elevation**  
 3/16" = 1'-0"



**Proposed Left Elevation**  
 3/16" = 1'-0"



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SHEET TITLE

**Right Elevations**

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**ISSUES / REVISIONS**

NO.	DATE	DESCRIPTION

**DRAWN** R.L.

**DESIGN** R.K.

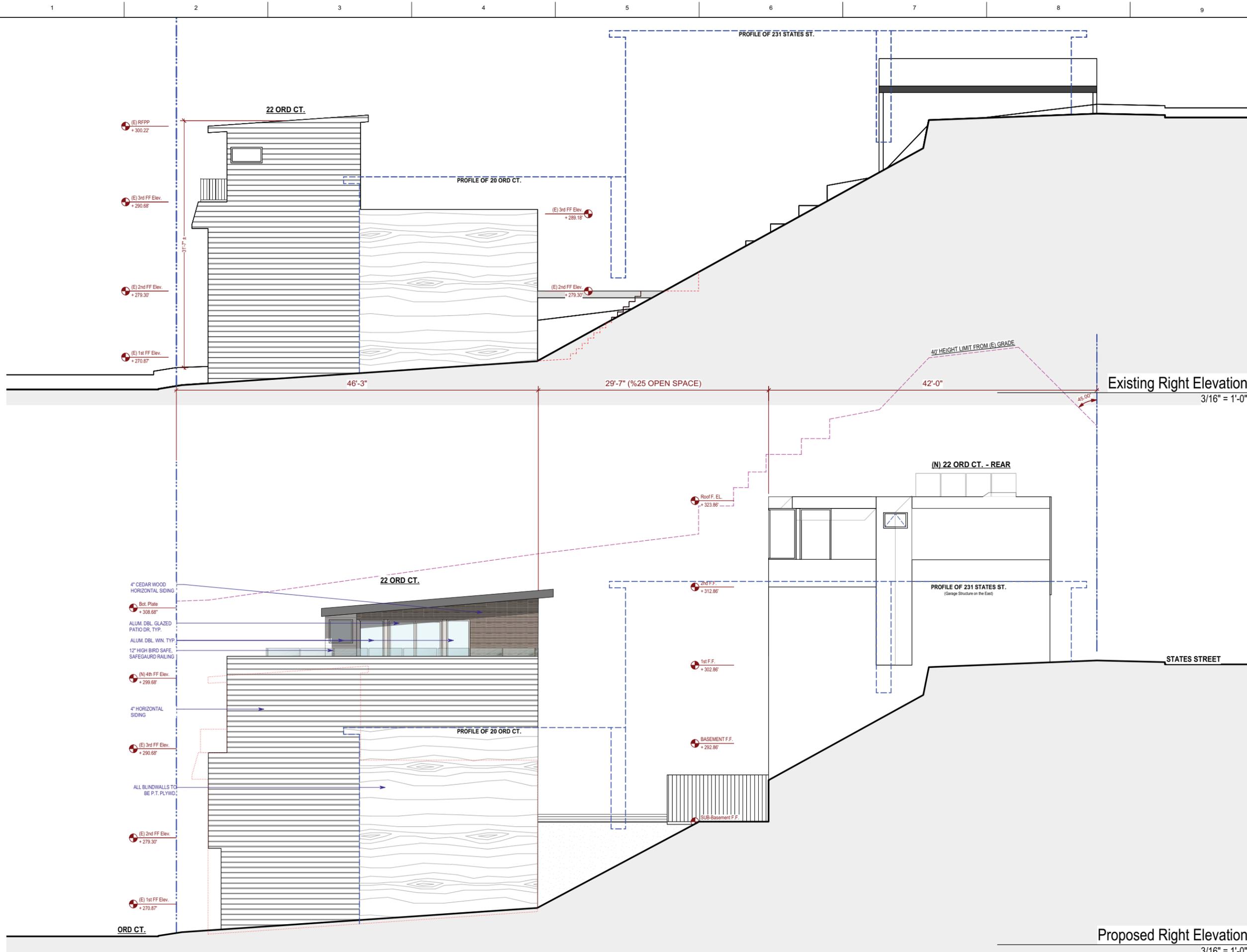
**DATE** 08/19/2013

**REVISED DATE** 09/01/2015

**JOB NO.** 13-1590

**SHEET NO.**

**A-3.1**





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SHEET TITLE

**Building Sections**

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**ISSUES / REVISIONS**

NO.	DATE	DESCRIPTION

**DRAWN** R.L.

**DESIGN** R.K.

**DATE** 08/19/2013

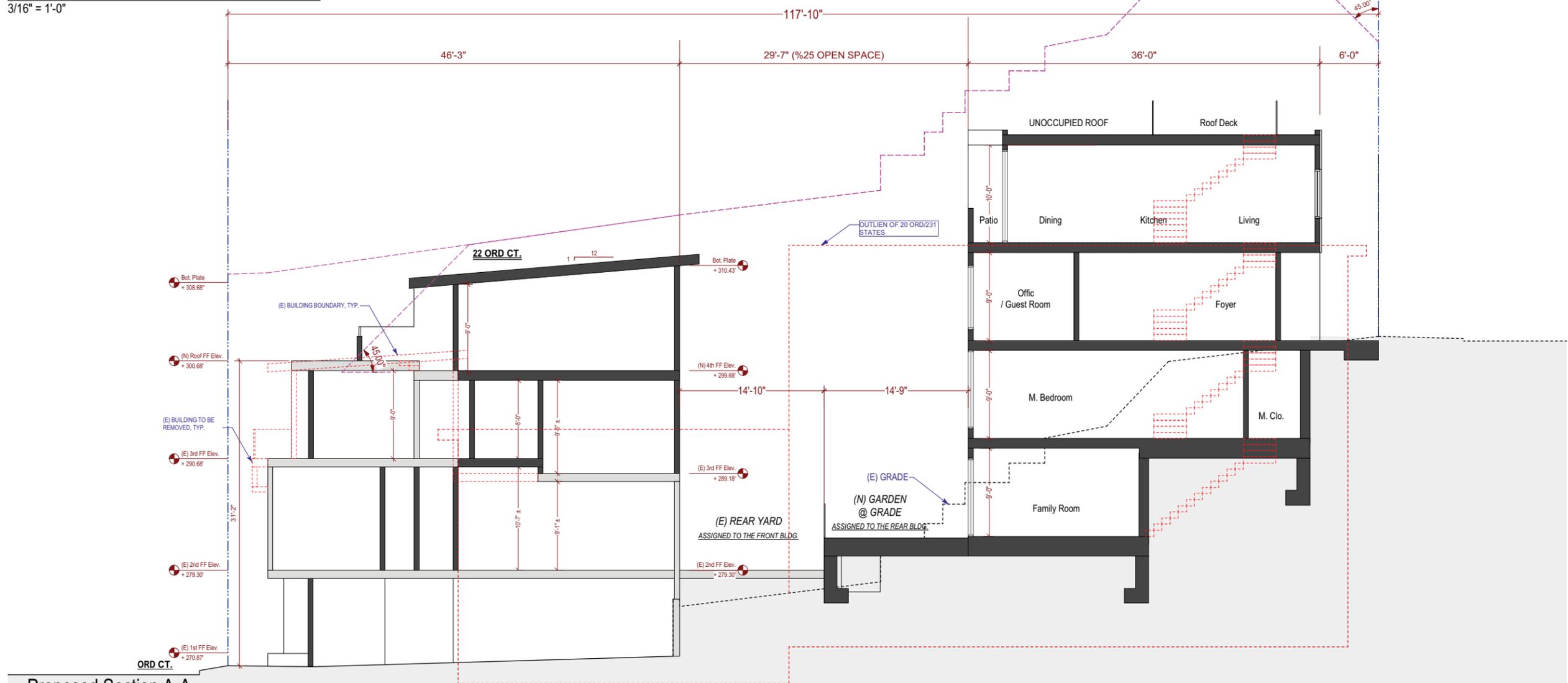
**REVISED DATE** 09/01/2015

**JOB NO.** 13-1590

**SHEET NO.**

**A-4.1**

**Existing Section A-A**  
3/16" = 1'-0"

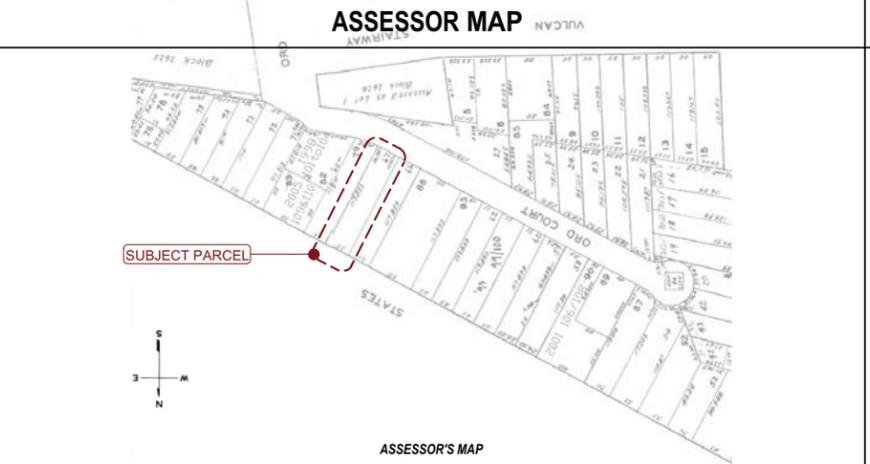


**Proposed Section A-A**  
3/16" = 1'-0"



**SCOPE OF WORK**

PROPOSED NEW CONSTRUCTION OF SINGLE FAMILY HOME AT THE REAR LOT OF 22 ORD COURT



**DRAWING INDEX**

ARCHITECTURAL	
A-0.1	COVER SHEET
A-1.1	SITE PLANS, & NOTES
A-2.1	SUB-BASEMENT, BASEMENT, & FIRST FLOOR PLANS
A-2.2	SECOND FLOOR & ROOF PLANS
A-3.1	FRONT & REAR ELEVATIONS
A-3.2	SIDE ELEVATION
A-3.3	SIDE ELEVATION
A-4.1	BUILDING SECTION A-A
GP-0.1	GREEN POINT CHECKLIST
C-1.0	SURVEY

**PROJECT NAME**

**22 Ord Ct-Rear Building**  
SAN FRANCISCO, CA



SIA CONSULTING CORPORATION  
1256 HOWARD STREET  
SAN FRANCISCO CA 94103  
TEL: (415) 922.0200  
FAX: (415) 922.0203  
WEBSITE: WWW.SIACONSULT.COM

**GENERAL NOTES**

- ALL WORK SHALL BE PERFORMED IN COMPLETE COMPLIANCE WITH ALL APPLICABLE CODES, LAWS, ORDINANCES AND REGULATIONS OF ALL AUTHORITIES HAVING JURISDICTION OVER THE WORK. ALL CONTRACTORS SHALL HOLD HARMLESS THE ARCHITECT/ENGINEER AND THE OWNER FROM ALL DAMAGES AND/OR PENALTY ARISING OUT OF VIOLATION THEREOF.
- ALL ATTACHMENTS, CONNECTIONS OR FASTENING OF ANY NATURE ARE TO BE PROPERLY AND PERMANENTLY SECURED IN CONFORMANCE WITH THE BEST PRACTICE OF THE BUILDING INDUSTRY. DRAWINGS SHOWS ONLY SPECIAL REQUIREMENTS TO ASSIST THE CONTRACTOR AND DO NOT ILLUSTRATE EVERY DETAIL.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL CONDITIONS DIMENSIONS, AND MEASUREMENTS IN THE FIELD BEFORE BEGINNING WORK. ANY AND ALL DISCREPANCIES, UNUSUAL CIRCUMSTANCES, ERRORS OMISSIONS AND/OR CONFLICTS FUNDS SHALL BE REPORTED TO THE ARCHITECT/ENGINEER'S AND THE OWNER ATTENTION IMMEDIATELY BEFORE PROCEEDING WITH THE WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION BETWEEN ARCHITECTURAL, STRUCTURAL, FIRE PROTECTION, MECHANICAL, PLUMBING, AND ELECTRICAL. THIS INCLUDES REVIEWING REQUIREMENTS OF INDIVIDUAL SYSTEMS BEFORE ORDERING AND INSTALLATION OF ANY WORK. VERIFY ALL ARCHITECTURAL DETAILS AND ALL FINISH CONDITIONS (WHETHER DEPICTED IN DRAWINGS OR NOT) WITH THE SAME DISCIPLINES.
- UNLESS OTHERWISE NOTED, ALL ANGLES SHALL BE RIGHT ANGLES, ALL LINES WHICH APPEAR PARALLEL SHALL BE PARALLEL, AND ALL ITEMS WHICH APPEAR CENTERED SHALL BE CENTERED. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL LINES TRUE LEVEL, PLUMB AND SQUARE.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SHORING AND PROTECTION DURING CONSTRUCTION. ALL EXISTING IMPROVEMENTS TO REMAIN SHALL BE PROTECTED. ALL MATERIALS DELIVERED TO THE SITE SHALL BE PROPERLY STORED AND PROTECTED UNTIL INSTALLATION. ALL LUMBER SHALL BE PROTECTED FROM MOISTURE AND STORED ABOVE GROUND.
- DETAILED AND/OR LARGER SCALE DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL AND SMALLER SCALE DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. ALL SCALED DIMENSIONS SHALL BE VERIFIED.
- ALL WORK SHALL BE DONE UNDER PERMIT. PLANS AND CALCULATIONS, IF REQUIRED, SHALL BE SUBMITTED TO AND APPROVED BY THE BUILDING DEPARTMENT. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS.
- NOTE THAT MECHANICAL, ELECTRICAL, FIRE PROTECTION, PLUMBING AND COMMUNICATIONS ARE DESIGN BUILD ITEMS. ARCHITECTURAL DRAWINGS SHOW DESIGN INTENT, CONTRACTOR TO CONFIRM ALL SYSTEM REQUIREMENTS WITH BUILDING OWNER AND ARCHITECT PRIOR TO INSTALLATION. CONTRACTOR/SUBCONTRACTOR SHALL SUBMIT PLANS FOR THEIR RESPECTIVE WORK TO THE BUILDING DEPARTMENT AS REQUIRED FOR PLAN CHECK AND PERMIT ISSUANCE, INCLUDING PAYING FOR ALL PLAN CHECK AND PERMIT FEES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR APPLYING AND OBTAINING ALL REQUIRED INSPECTIONS TO CONFORM WITH LOCAL BUILDING AND FIRE CODES.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN.
- DETAILS SHOWN ARE TYPICAL, SIMILAR DETAILS APPLY IN SIMILAR CONDITIONS.
- VERIFY CLEARANCES FOR VENTS, CHASES, SOFFITS, FIXTURES BEFORE ANY CONSTRUCTION, ORDERING OF, OR INSTALLATION OF ANY ITEM OF WORK.
- UNLESS OTHERWISE NOTED, THE CONTRACTOR SHALL PROVIDE SOLID BLOCKING AND BACKING AS REQ'D FOR ALL NAILING OF INTERIOR TRIM AND FINISHES, AND SHALL COORDINATE AND PROVIDE ALL FRAMING, BACKING AND BRACING AS NECESSARY FOR INSTALLATION OF EQUIPMENT INDICATED ON THE DRAWINGS, PROVIDE BACKING PLATES AT ALL BATH ACCESSORIES, HANDRAILS, CABINETS, TOWEL BARS, WALL MOUNTED FIXTURES AND ANY OTHER ITEMS ATTACHED TO WALLS.
- INSTALL ALL FIXTURES, EQUIPMENT, AND MATERIALS PER MANUFACTURER'S RECOMMENDATIONS AND CODE REQUIREMENTS. ALL APPLIANCES, FIXTURES, AND EQUIPMENT ASSOCIATED WITH PLUMBING, ELECTRICAL, MECHANICAL SYSTEMS SHALL BE LISTED BY A NATIONALLY RECOGNIZED AND APPROVED AGENCY.
- THERMAL AND SOUND INSULATING INSULATION SHALL COMPLY WITH CBC SEC. 719.
- ALL WALL AND CEILING FINISHES SHALL COMPLY WITH CBC CHAPTER 8.
- ALL NEW SMOKE DETECTORS TO E HARD WIRED.

**NOTE: WATERPROOFING OF BUILDING ENVELOPE IS NOT UNDER THE SCOPE OF THIS PERMIT. OWNER IS TO HIRE A WATERPROOFING EXPERT TO PROVIDE WATERPROOFING DETAILS**

**ABBREVIATION**

#	POUND OR NUMBER	H.C.	HANDICAPPED
&	AND	HI	HIGH
@	AT	HM	HOLLOW METAL
ABV	ABOVE	HP	HIGH POINT
ACT	ACOUSTIC CEILING TILE	HR	HOUR
AD	AREA DRAIN	HVAC	HEATING, VENTILATING, AND AIR CONDITIONING
AFF	ABOVE FINISHED FLOOR	IRGWB	IMPACT RESISTANT GYPSUM WALLBOARD
ALUM	ALUMINUM		
APPROX	APPROXIMATE		
ANOD	ANODIZED	ILO	IN LIEU OF
ASPH	ASPHALT	INSUL	INSULATED
BD	BOARD	INT	INTERIOR
BLDG	BUILDING	LO	LOW
BLKG	BLOCKING	MAX	MAXIMUM
BOT	BOTTOM	MECH	MECHANICAL
BSMT	BASEMENT	MEMBR	MEMBRANE
BST	BOTTOM OF STAIRS	MIN	MINIMUM
BYND	BEYOND	MO	MASONRY OPENING
CIP	CAST IN PLACE	MTL	METAL
CHNL	CHANNEL	(N)	NEW
CJ	CONTROL JOINT	NIC	NOT IN CONTRACT
CLG	CEILING	NO	NUMBER
CLO	CLOSET	NOM	NOMINAL
CLR	CLEAR	N.T.S	NOT TO SCALE
CNTR	COUNTER	O.C.	ON CENTER
CMU	CONCRETE MASONRY UNIT	OFF	OFFICE
COL	COLUMN	OH	OPPOSITE HAND
COMPR	COMPRESSIBLE	OZ	OUNCE
CONC	CONCRETE	PCC	PRE-CAST CONCRETE
CONT	CONTINUOUS	P.L	PROPERTY LINE
CORR	CORRIDOR	PLUMB	PLUMBING
CPT	CARPET	PLYD	PLYWOOD
CT	CERAMIC TILE	PT	PRESSURE TREATED
CTR	CENTER	PNT	PAINT/PAINTED
CTYD	COURTYARD	PVC	POLYVINYL CHLORIDE
DBL	DOUBLE	RBR	RUBBER
DEMO	DEMOLISH	RCP	REFLECTED CEILING PLAN
DET	DETAIL	RD	ROOF DRAIN
D.F.	DRINKING FOUNTAIN	RDWD	REDWOOD
DIA	DIAMETER	REQD	REQUIRED
DIMS	DIMENSIONS	RM	ROOM
DN	DOWN	S.F.	SQUARE FOOT
DR	DOOR	SIM	SIMILAR
DWG	DRAWING	SPEC	SPECIFIED OR SPECIFICATION
(E)	EXISTING	SPK	SPRINKLER
EA	EACH	SSTL	STAINLESS STEEL
EL	ELEVATION	STC	SOUND TRANSMISSION COEFFICIENT
ELEC	ELECTRICAL	STD	STANDARD
ELEV	ELEVATOR/ELEVATION	STL	STEEL
EQ	EQUAL	STRUCT	STRUCTURAL
EXT	EXTERIOR	SQ.	SQUARE
EXP JT	EXPANSION JOINT	T&G	TONGUE AND GROOVE
F.D.	FLOOR DRAIN	TC	TOP OF CURB
FEC	FIRE EXTINGUISHER CABINET	TELE	TELEPHONE
FIXT	FIXTURE	TLT	TOILET
FLR	FLOOR	TO	TOP OF
FLUOR	FLUORESCENT	TOC	TOP OF CONCRETE
FM	FILLED METAL	TOS	TOP OF STEEL
FND	FOUNDATION	TP	TOILET PAPER DISPENSER
FO	FACE OF	T/D	TELEPHONE/DATA
F.O.F.	FACE OF FINISH	TST	TOP OF STAIRS
FURR	FURRING	TYP	TYPICAL
GA	GAUGE	U.N.O.	UNLESS NOTED OTHERWISE
GALV	GALVANIZED	U/S	UNDERSIDE
G.B.	GRAB BAR	V.I.F.	VERIFY IN FIELD
GND	GROUND	VP	VISION PANEL
GRP	GROUP	W/	WITH
GWB	GYPSUM WALL BOARD	WD	WOOD
GYP	GYPSUM	W.H.	WATER HEATER



**MASS STUDY**

**PROJECT DATA**

LOT AREA:	2,942 ± S.F.
# OF UNIT:	1
# OF COVER PARKING SPACE:	1
# OF STORIES:	2-OVER TWO BASEMENTS
ALLOWABLE BUILDING HEIGHT:	40-X
BUILDING HEIGHT:	20'-7" @ CENTER OF FRONT P.L.
CONSTRUCTION TYPE:	TYPE "V-B"
OCCUPANCY GROUP:	R-3
BLOCK & LOT :	2619 / 067
ZONING:	RH-2
APPLICABLE CODES:	2010 CALIFORNIA CODES EDITIONS W/ SAN FRANCISCO AMENDMENTS
<b>GROSS FLOOR AREA:</b>	
SUB-BASEMENT GROSS AREA:	613 ± S.F.
BASEMENT GROSS AREA:	888 ± S.F.
FIRST FLOOR GROSS AREA (INCL. GARAGE):	840 ± S.F.
SECOND FLOOR GROSS AREA:	767 ± S.F.
<b>TOTAL GROSS FLOOR AREA:</b>	<b>3,108 ± S.F.</b>
<b>HABITABLE FLOOR AREA:</b>	
SUB-BASEMENT AREA:	530 ± S.F.
BASEMENT AREA:	817 ± S.F.
FIRST FLOOR AREA:	515 ± S.F.
SECOND FLOOR AREA (EX. GARAGE):	645 ± S.F.
<b>TOTAL HABITABLE FLOOR AREA:</b>	<b>2,507 ± S.F.</b>

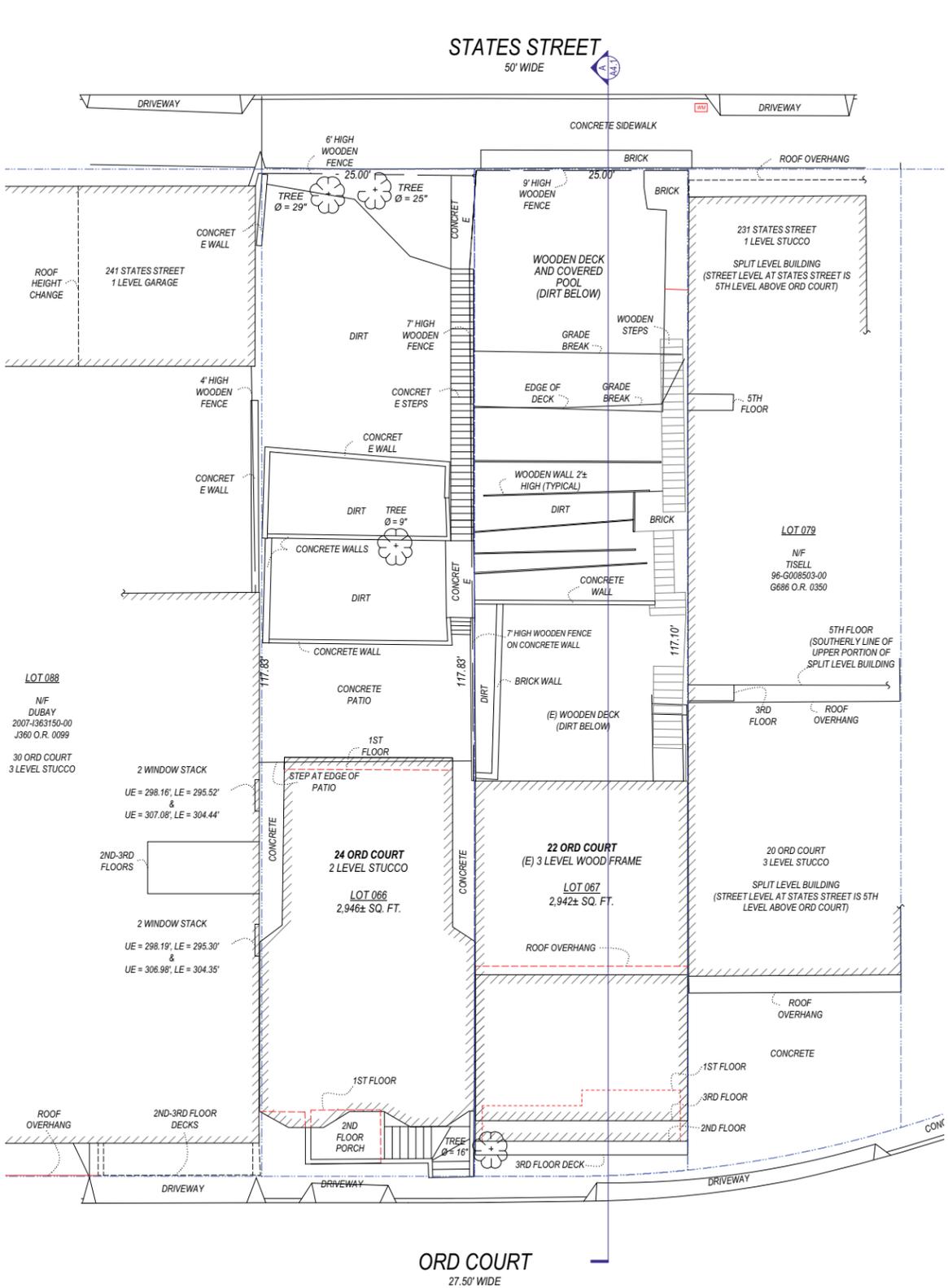
**SHEET TITLE**

**Cover Sheet**

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**ISSUES / REVISIONS**

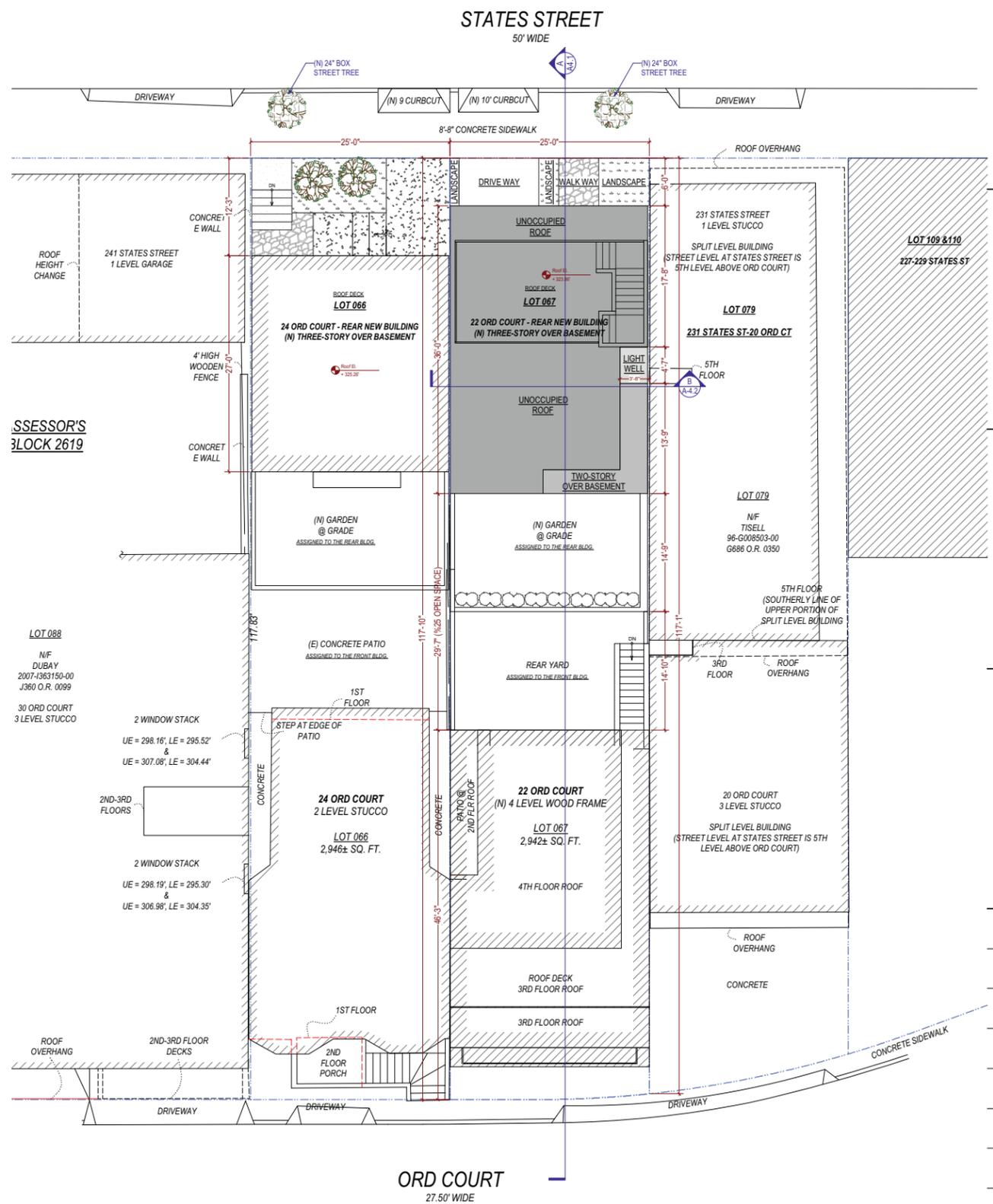
NO.	DATE	DESCRIPTION
<b>DRAWN</b>	R.L.	
<b>DESIGN</b>	R.K.	
<b>DATE</b>	08/19/2013	
<b>REVISED DATE</b>	09/03/2015	
<b>JOB NO.</b>	13-1590	
<b>SHEET NO.</b>	<b>A-0.1</b>	



**Existing Site Plan**  
 1/8" = 1'-0"

BLOCK & LOT: 2619-067

PROPERTY LINE:  
 OUTLINE OF SUBJECT BUILDING:  
 OUTLINE OF NEIGHBORS:



**Proposed Site Plan**  
 1/8" = 1'-0"

BLOCK & LOT: 2619-067

PROPERTY LINE:  
 OUTLINE OF SUBJECT BUILDING:  
 OUTLINE OF NEIGHBORS:



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**Site Plan**

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# Floor Plans

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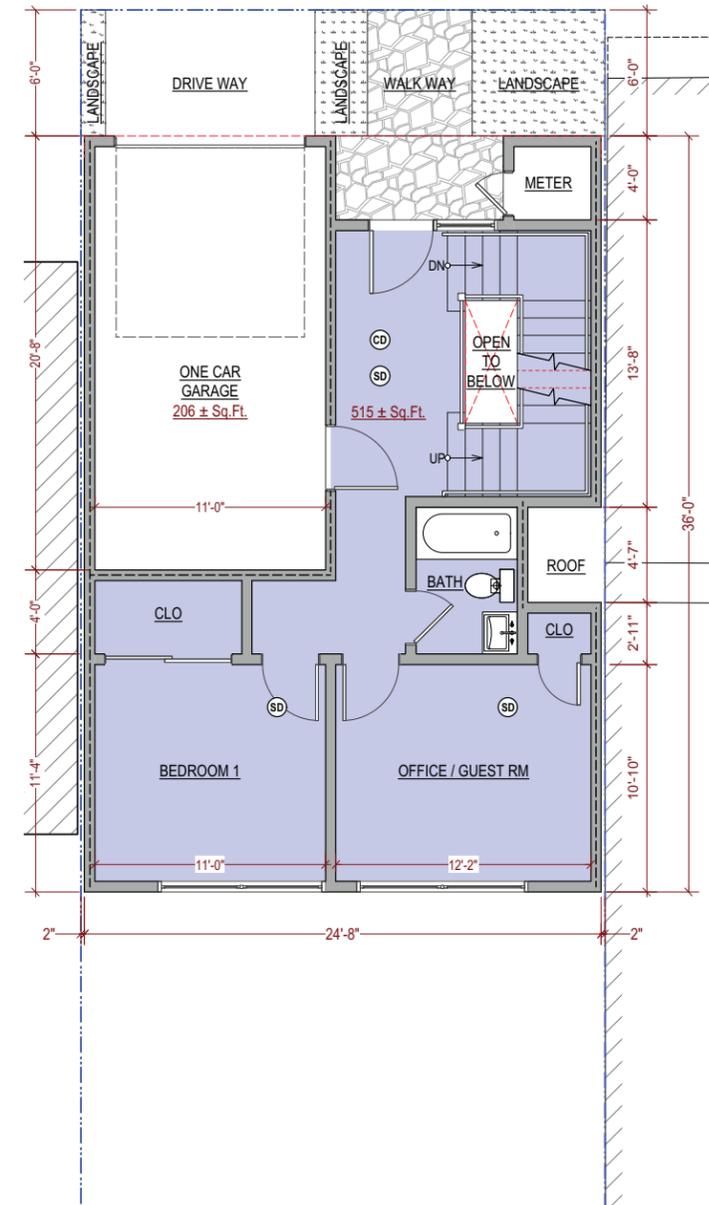
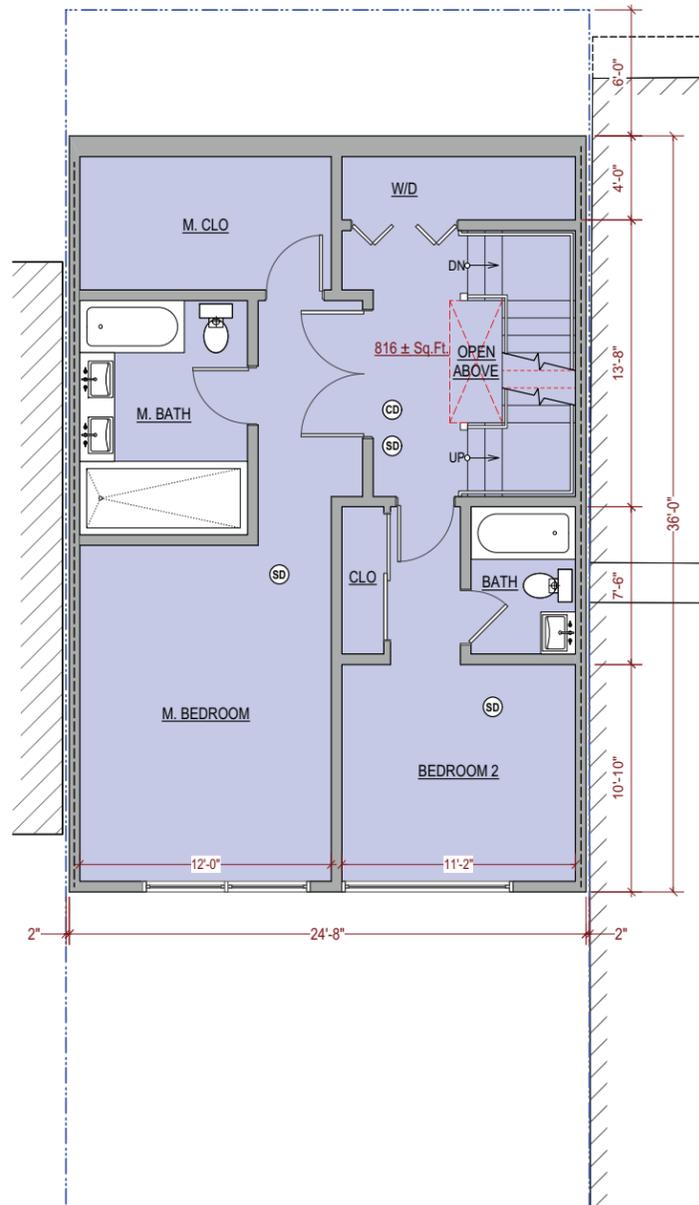
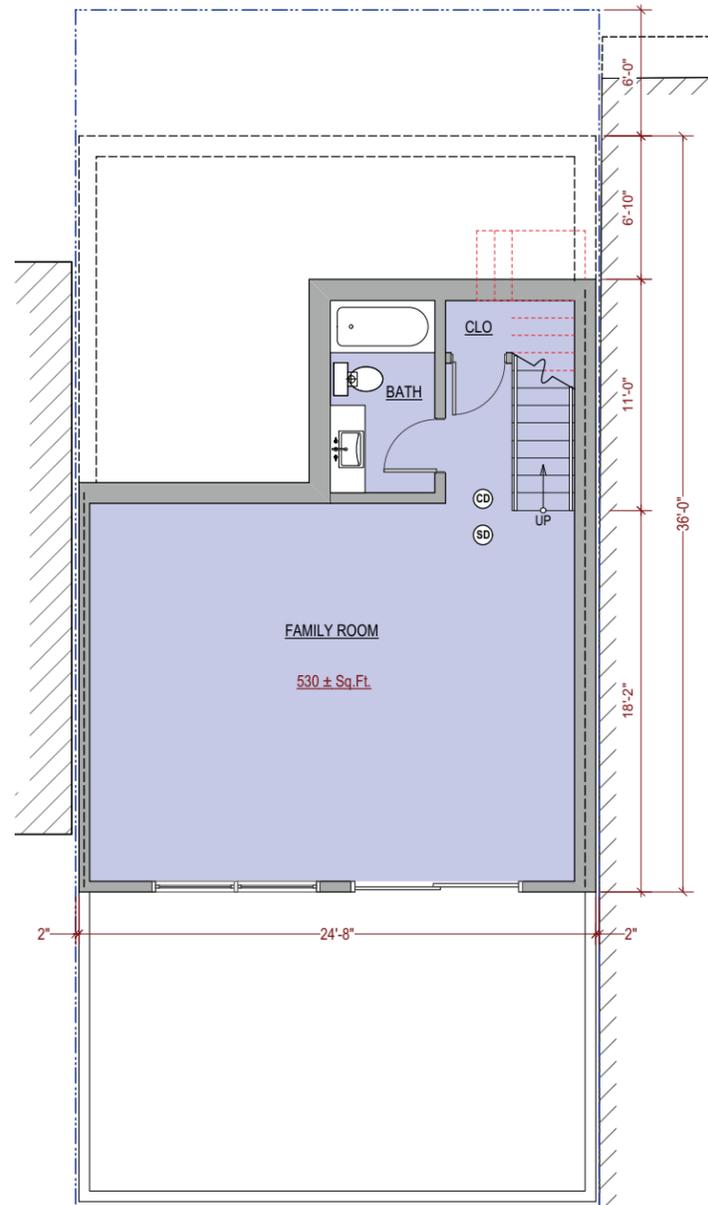
**DATE** 08/19/2013

**REVISED DATE** 09/03/2015

**JOB NO.** 13-1590

**SHEET NO.**

**A-2.1**



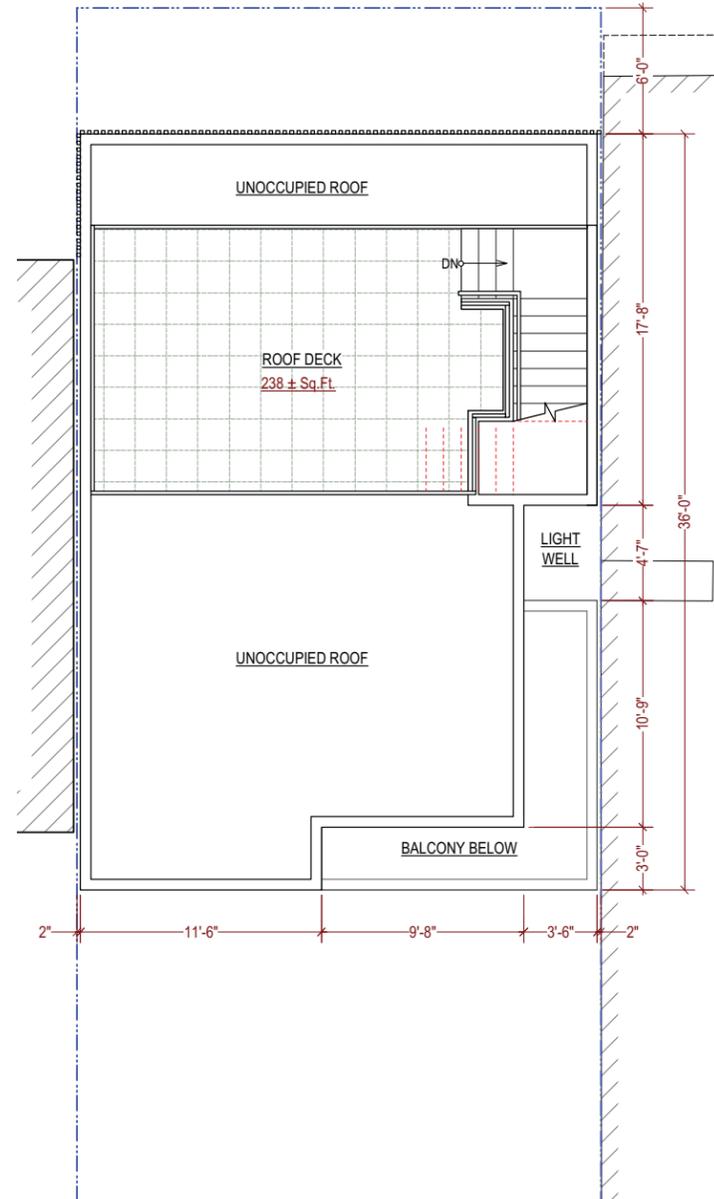
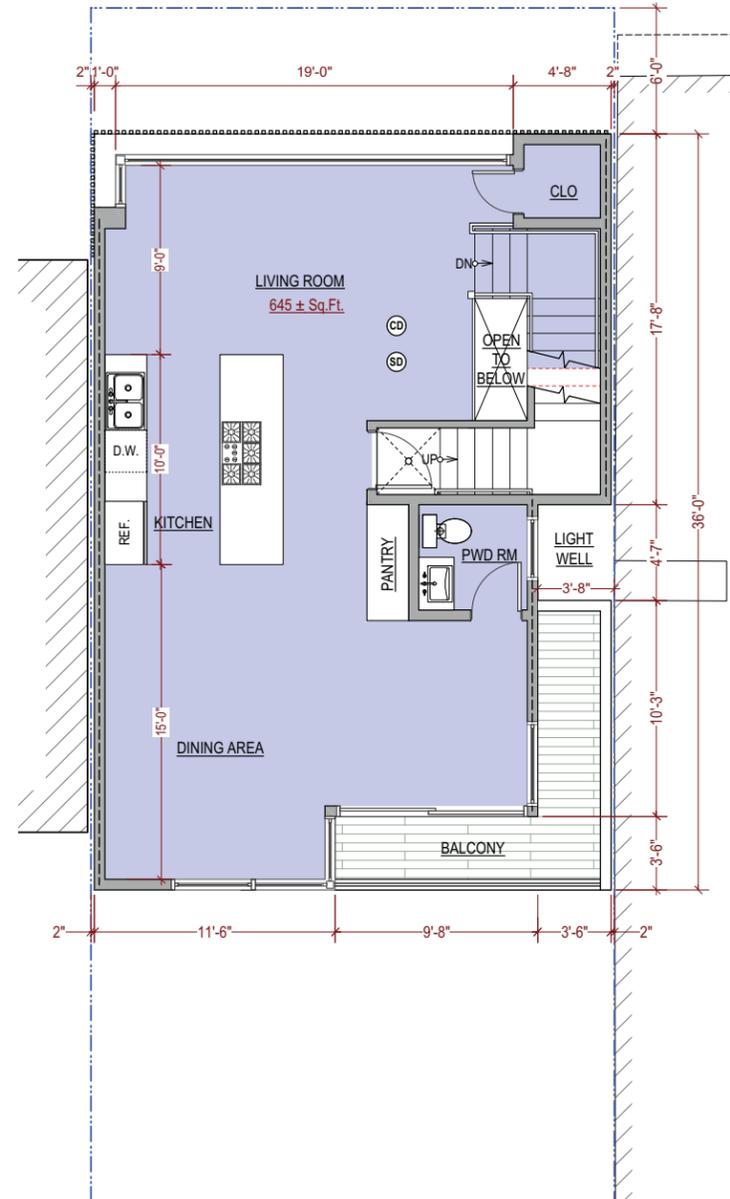
Ⓢ	CARBON MONOXIDE DETECTOR/ALARM IN ALL BEDROOMS
Ⓢ	SMOKE DETECTOR, 110-V INTERCONNECTED WITH BATTERY BACKUP
---	PROPERTY LINE
---	(N) WALL TO BE CONSTRUCTED
---	(N) WALL TO BE 1-HR. FIRE RATED



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SHEET TITLE

# Floor Plans



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**ISSUES / REVISIONS**

NO.	DATE	DESCRIPTION

**DRAWN** R.L.  
**DESIGN** R.K.  
**DATE** 08/19/2013

Ⓢ	CARBON MONOXIDE DETECTOR/ALARM IN ALL BEDROOMS	REVISED DATE	09/03/2015
Ⓢ	SMOKE DETECTOR, 110-V INTERCONNECTED WITH BATTERY BACKUP	JOB NO.	13-1590
---	PROPERTY LINE	SHEET NO.	<b>A-2.2</b>
▬	(N) WALL TO BE CONSTRUCTED		
▬▬▬	(N) WALL TO BE 1-HR. FIRE RATED		

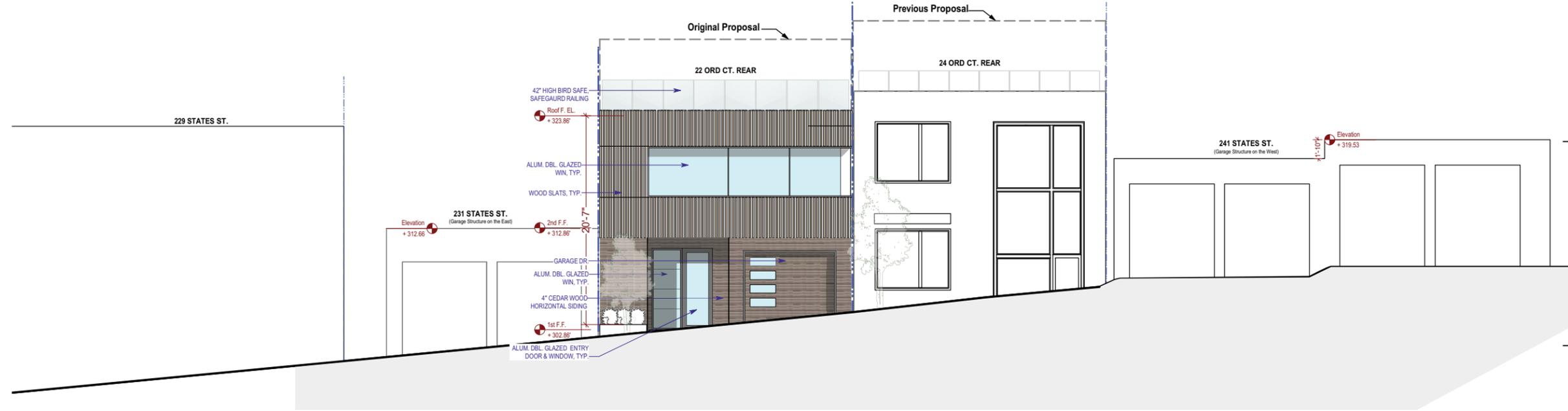




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SHEET TITLE

**Front & Rear Elevation**



**Proposed Front Elevation**  
 3/16" = 1'-0"



**Proposed Rear Elevation**  
 3/16" = 1'-0"

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<b>SHEET NO.</b>	A-3.1



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SHEET TITLE

**Side Elevations**

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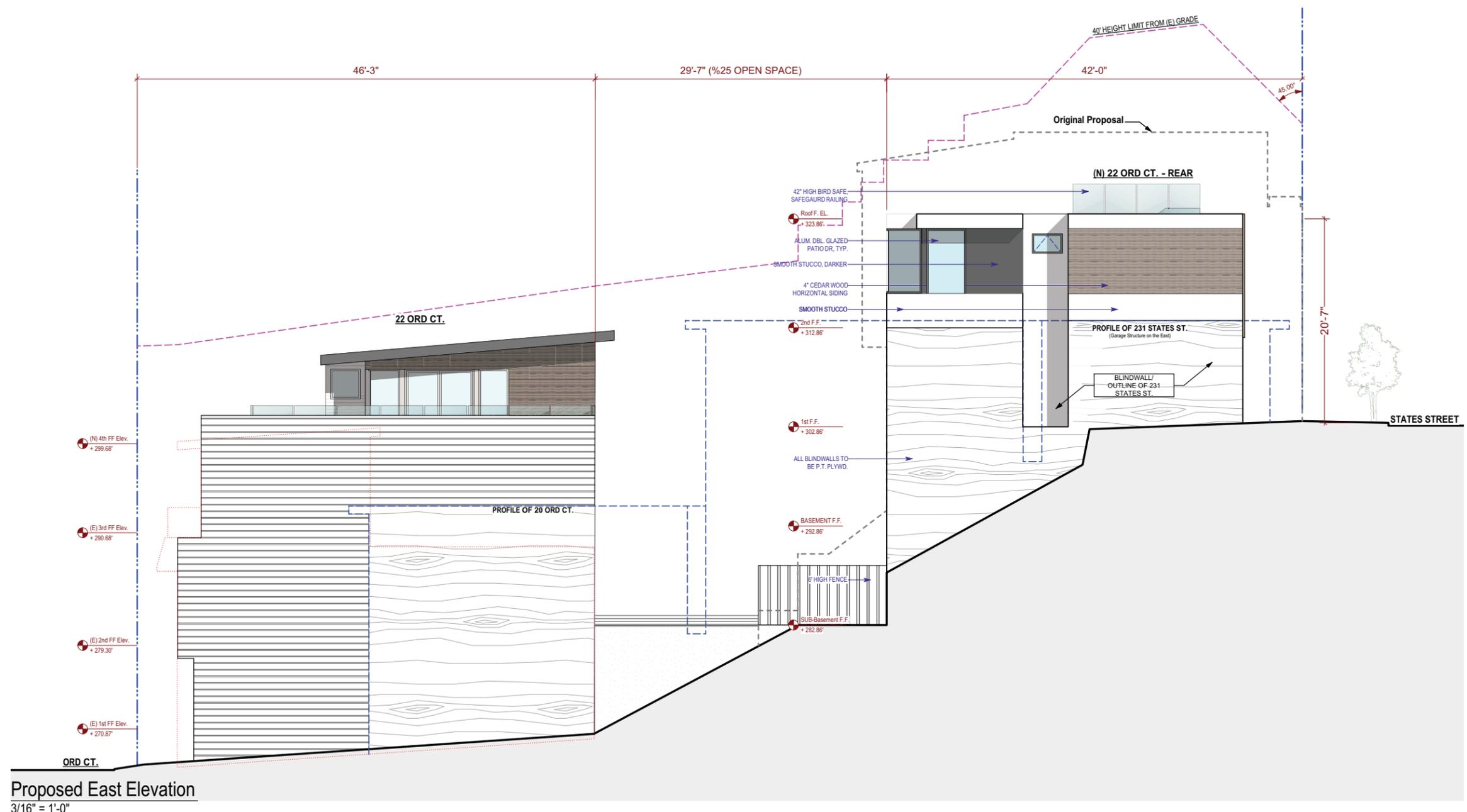
**DATE** 08/19/2013

**REVISED DATE** 09/03/2015

**JOB NO.** 13-1590

**SHEET NO.**

**A-3.2**



**Proposed East Elevation**  
 3/16" = 1'-0"





# Green Building: Site Permit Checklist

## BASIC INFORMATION:

These facts, plus the primary occupancy, determine which requirements apply. For details, see AB 093 Attachment A Table 1.

Project Name <b>22 ORD CT-REAR</b>	Block/Lot <b>2619 / 067</b>	Address <b>22 ORD CT-REAR</b>
Gross Building Area <b>3,108 S.F. +/-</b>	Primary Occupancy <b>R-3</b>	Design Professional/Applicant: Sign & Date <b>Bahman Ghassemzadeh</b>
# of Dwelling Units <b>1</b>	Height to highest occupied floor <b>20'-7"</b>	Number of occupied floors <b>4</b>

## Instructions:

As part of application for site permit, this form acknowledges the specific green building requirements that apply to a project under San Francisco Building Code Chapter 13C, California Title 24 Part 11, and related local codes. **Attachment C3, C4, or C5 will be due with the applicable addendum.** To use the form:

(a) Provide basic information about the project in the box at left. This info determines which green building requirements apply.

## AND

(b) Indicate in one of the columns below which type of project is proposed. If applicable, fill in the blank lines below to identify the number of points the project must meet or exceed. A LEED or GreenPoint checklist is not required to be submitted with the site permit application, but such tools are strongly recommended to be used.

Solid circles in the column indicate mandatory measures required by state and local codes. For projects applying LEED or GreenPoint Rated, prerequisites of those systems are mandatory. This form is a summary; see San Francisco Building Code Chapter 13C for details.

PROJECT NAME

**22 Ord Ct-Rear Building**  
SAN FRANCISCO, CA



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SHEET TITLE

**Building Section**

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ISSUES / REVISIONS

NO.	DATE	DESCRIPTION

DRAWN R.L.

DESIGN R.K.

DATE 08/19/2013

REVISED DATE 09/03/2015

JOB NO. 13-1590

SHEET NO. **G-1.0**

## ALL PROJECTS, AS APPLICABLE

<b>Construction activity stormwater pollution prevention and site runoff controls</b> - Provide a construction site Stormwater Pollution Prevention Plan and implement SFPUC Best Management Practices.	●
<b>Stormwater Control Plan:</b> Projects disturbing ≥5,000 square feet must implement a Stormwater Control Plan meeting SFPUC Stormwater Design Guidelines	●
<b>Water Efficient Irrigation</b> - Projects that include ≥ 1,000 square feet of new or modified landscape must comply with the SFPUC Water Efficient Irrigation Ordinance.	●
<b>Construction Waste Management</b> – Comply with the San Francisco Construction & Demolition Debris Ordinance	●
<b>Recycling by Occupants:</b> Provide adequate space and equal access for storage, collection and loading of compostable, recyclable and landfill materials. See Administrative Bulletin 088 for details.	●

## GREENPOINT RATED PROJECTS

<b>Proposing a GreenPoint Rated Project</b> (Indicate at right by checking the box.)	
Base number of required Greenpoints:	75
Adjustment for retention / demolition of historic features / building:	
Final number of required points (base number +/- adjustment)	
<b>GreenPoint Rated</b> (i.e. meets all prerequisites)	●
<b>Energy Efficiency:</b> Demonstrate a 15% energy use reduction compared to 2008 California Energy Code, Title 24, Part 6.	●
<b>Meet all California Green Building Standards Code requirements</b> (CalGreen measures for residential projects have been integrated into the GreenPoint Rated system.)	●

## Notes

- 1) New residential projects of 75' or greater must use the "New Residential High-Rise" column. New residential projects with >3 occupied floors and less than 75 feet to the highest occupied floor may choose to apply the LEED for Homes Mid-Rise rating system; if so, you must use the "New Residential Mid-Rise" column.
- 2) LEED for Homes Mid-Rise projects must meet the "Silver" standard, including all prerequisites. The number of points required to achieve Silver depends on unit size. See LEED for Homes Mid-Rise Rating System to confirm the base number of points required.
- 3) Requirements for additions or alterations apply to applications received on or after July 1, 2012.

## LEED PROJECTS

Type of Project Proposed (Indicate at right)	New Large Commercial	New Residential Mid-Rise <sup>1</sup>	New Residential High-Rise <sup>1</sup>	Commercial Interior	Commercial Alteration	Residential Alteration
<b>Overall Requirements:</b>						
<b>LEED certification level</b> (includes prerequisites):	GOLD	SILVER	SILVER	GOLD	GOLD	GOLD
Base number of required points:	60	2	50	60	60	60
Adjustment for retention / demolition of historic features / building:				n/a		
Final number of required points (base number +/- adjustment)				50		
<b>Specific Requirements:</b> (n/r indicates a measure is not required)						
<b>Construction Waste Management – 75% Diversion</b> AND comply with San Francisco Construction & Demolition Debris Ordinance LEED MR 2, 2 points	●	●	●	●	Meet C&D ordinance only	●
<b>15% Energy Reduction</b> Compared to Title-24 2008 (or ASHRAE 90.1-2007) LEED EA 1, 3 points	●	●	●	●	LEED prerequisite only	
<b>Renewable Energy or Enhanced Energy Efficiency Effective 1/1/2012:</b> Generate renewable energy on-site ≥1% of total annual energy cost (LEED EA2), OR Demonstrate an additional 10% energy use reduction (total of 25% compared to Title 24 Part 6 2008), OR Purchase Green-E certified renewable energy credits for 35% of total electricity use (LEED EA6).	●	n/r	n/r	n/r	n/r	n/r
<b>Enhanced Commissioning of Building Energy Systems</b> LEED EA 3	●	Meet LEED prerequisites				
<b>Water Use - 30% Reduction</b> LEED WE 3, 2 points	●	n/r	●	Meet LEED prerequisites		
<b>Enhanced Refrigerant Management</b> LEED EA 4	●	n/r	n/r	n/r	n/r	n/r
<b>Indoor Air Quality Management Plan</b> LEED IEQ 3.1	●	n/r	n/r	n/r	n/r	n/r
<b>Low-Emitting Materials</b> LEED IEQ 4.1, 4.2, 4.3, and 4.4	●	n/r	●	●	●	●
<b>Bicycle parking:</b> Provide short-term and long-term bicycle parking for 5% of total motorized parking capacity each, or meet San Francisco Planning Code Sec 155, whichever is greater, or meet LEED credit SSC4.2. (13C.5.106.4)	●	n/r See San Francisco Planning Code 155		●	n/r	n/r
<b>Designated parking:</b> Mark 8% of total parking stalls for low-emitting, fuel efficient, and carpool/van pool vehicles. (13C.5.106.5)	●			●	n/r	n/r
<b>Water Meters:</b> Provide submeters for spaces projected to consume more than 1,000 gal/day, or more than 100 gal/day if in building over 50,000 sq. ft. (13C.5.303.1)	●	n/r	n/r	n/r	n/r	n/r
<b>Air Filtration:</b> Provide at least MERV-8 filters in regularly occupied spaces of mechanically ventilated buildings (or LEED credit IEQ 5). (13C.5.504.5.3)	●	n/r	n/r	●	n/r	n/r
<b>Air Filtration:</b> Provide MERV-13 filters in residential buildings in air-quality hot-spots (or LEED credit IEQ 5). (SF Health Code Article 38 and SF Building Code 1203.5)	n/r	●	●	n/r	n/r	n/r
<b>Acoustical Control:</b> Wall and roof-ceilings STC 50, exterior windows STC 30, party walls and floor-ceilings STC 40. (13C.5.507.4)	●	See CBC 1207		●	n/r	n/r

## OTHER APPLICABLE NON-RESIDENTIAL PROJECTS

Type of Project Proposed (Check box if applicable)	Other New Non-Residential	Addition >2,000 sq ft OR Alteration >\$500,000 <sup>3</sup>
<b>Energy Efficiency:</b> Demonstrate a 15% energy use reduction compared to 2008 California Energy Code, Title 24, Part 6. (13C.5.201.1.1)	●	n/r
<b>Bicycle parking:</b> Provide short-term and long-term bicycle parking for 5% of total motorized parking capacity each, or meet San Francisco Planning Code Sec 155, whichever is greater (or LEED credit SSC4.2). (13C.5.106.4)	●	●
<b>Fuel efficient vehicle and carpool parking:</b> Provide stall marking for low-emitting, fuel efficient, and carpool/van pool vehicles; approximately 8% of total spaces. (13C.5.106.5)	●	●
<b>Water Meters:</b> Provide submeters for spaces projected to consume >1,000 gal/day, or >100 gal/day if in buildings over 50,000 sq. ft.	●	●
<b>Indoor Water Efficiency:</b> Reduce overall use of potable water within the building by 20% for showerheads, lavatories, kitchen faucets, wash fountains, water closets, and urinals. (13C.5.303.2)	●	●
<b>Commissioning:</b> For new buildings greater than 10,000 square feet, commissioning shall be included in the design and construction of the project to verify that the building systems and components meet the owner's project requirements. (13C.5.410.2) OR for buildings less than 10,000 square feet, testing and adjusting of systems is required.	●	● (Testing & Balancing)
<b>Protect duct openings and mechanical equipment during construction</b> (13C.5.504.3)	●	●
<b>Adhesives, sealants, and caulks:</b> Comply with VOC limits in SCAQMD Rule 1168 VOC limits and California Code of Regulations Title 17 for aerosol adhesives. (13C.5.504.4.1)	●	●
<b>Paints and coatings:</b> Comply with VOC limits in the Air Resources Board Architectural Coatings Suggested Control Measure and California Code of Regulations Title 17 for aerosol paints. (13C.5.504.4.3)	●	●
<b>Carpet:</b> All carpet must meet one of the following: 1. Carpet and Rug Institute Green Label Plus Program 2. California Department of Public Health Standard Practice for the testing of VOCs (Specification 01350) 3. NSF/ANSI 140 at the Gold level 4. Scientific Certifications Systems Sustainable Choice <b>AND Carpet cushion</b> must meet CRI Green Label, <b>AND Carpet adhesive</b> must not exceed 50 g/L VOC content. (13C.5.504.4.4)	●	●
<b>Composite wood:</b> Meet CARB Air Toxics Control Measure for Composite Wood (13C.5.504.4.5)	●	●
<b>Resilient flooring systems:</b> For 50% of floor area receiving resilient flooring, install resilient flooring complying with the VOC-emission limits defined in the 2009 Collaborative for High Performance Schools (CHPS) criteria or certified under the Resilient Floor Covering Institute (RFCI) FloorScore program. (13C.5.504.4.6)	●	●
<b>Environmental Tobacco Smoke:</b> Prohibit smoking within 25 feet of building entries, outdoor air intakes, and operable windows. (13C.5.504.7)	●	●
<b>Air Filtration:</b> Provide at least MERV-8 filters in regularly occupied spaces of mechanically ventilated buildings. (13C.5.504.5.3)	●	Limited exceptions. See CA T24 Part 11 Section 5.714.6
<b>Acoustical Control:</b> Wall and roof-ceilings STC 50, exterior windows STC 30, party walls and floor-ceilings STC 40. (13C.5.507.4)	●	● See CA T24 Part 11 Section 5.714.7
<b>CFCs and Halons:</b> Do not install equipment that contains CFCs or Halons. (13C.5.508.1)	●	●
<b>Additional Requirements for New A, B, I, OR M Occupancy Projects 5,000 - 25,000 Square Feet</b>		
<b>Construction Waste Management</b> – Divert 75% of construction and demolition debris AND comply with San Francisco Construction & Demolition Debris Ordinance.	●	Meet C&D ordinance only
<b>Renewable Energy or Enhanced Energy Efficiency Effective January 1, 2012:</b> Generate renewable energy on-site equal to ≥1% of total annual energy cost (LEED EA2), OR demonstrate an additional 10% energy use reduction (total of 25% compared to Title 24 Part 6 2008), OR purchase Green-E certified renewable energy credits for 35% of total electricity use (LEED EA6).	●	n/r