

File No. 170977

Committee Item No. _____

Board Item No. 37

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: September 19, 2017

Cmte Board

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
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| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER

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|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>DPW Order No. 186162 - July 24, 2017</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Decision - January 15, 2016</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Notice of Special Restrictions - March 19, 2014</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Motion No. 19057 - December 19, 2013</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Tax Certificates - July 27, 2017</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Final Maps</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: Brent Jalipa

Date: September 14, 2017

Prepared by: _____

Date: _____

1 [Final Map 8900 - 2347-2353 Lombard Street]

2
3 **Motion approving Final Map 8900, a 21 residential unit and 3 commercial unit, mixed-**
4 **use condominium project, located at 2347-2353 Lombard Street, being a subdivision of**
5 **Assessor's Parcel Block No. 0512, Lot No. 061, and adopting findings pursuant to the**
6 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**

7
8 MOVED, That the certain map entitled "FINAL MAP 8900", a 21 residential unit and 3
9 commercial unit, mixed-use condominium project, located at 2347-2353 Lombard Street,
10 being a subdivision of Assessor's Parcel Block No. 0512, Lot No. 061, comprising 3 sheets,
11 approved July 24, 2017, by Department of Public Works Order No. 186162 is hereby
12 approved and said map is adopted as an Official Final Map 8900; and, be it

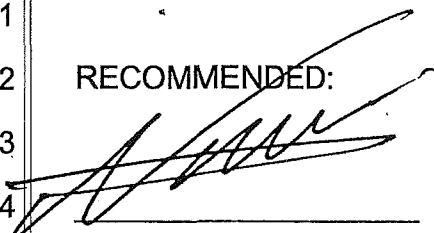
13 FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own
14 and incorporates by reference herein as though fully set forth the findings made by the
15 Planning Department, by its letter dated January 15, 2016, that the proposed subdivision is
16 consistent with the objectives and policies of the General Plan and the eight priority policies of
17 Planning Code, Section 101.1; and, be it

18 FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes
19 the Director of the Department of Public Works to enter all necessary recording information on
20 the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's
21 Statement as set forth herein; and, be it

22 FURTHER MOVED, That approval of this map is also conditioned upon compliance by
23 the subdivider with all applicable provisions of the San Francisco Subdivision Code and
24 amendments thereto.
25

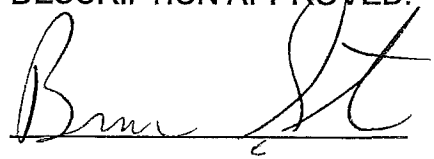
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RECOMMENDED:



Mohammed Nuru
Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS
City and County Surveyor



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Office of the City and County Surveyor
1155 Market Street, 3rd Floor
San Francisco, Ca 94103
(415) 554-5827 ■ www.SFPublicWorks.org

2017 SEP -5 AM 10:06

BY *[Signature]*



Edwin M. Lee, Mayor
Mohammed Nuru, Director

Bruce R. Storrs, City and County Surveyor

Public Works Order No: 186162

**CITY AND COUNTY OF SAN FRANCISCO
SAN FRANCISCO PUBLIC WORKS**

APPROVING FINAL MAP 8900, 2347-2353 Lombard Street, A 24 UNIT MIXED-USE CONDOMINIUM PROJECT, BEING A SUBDIVISION OF ASSESSORS PARCEL NUMBER 0512-061.

A 24 UNIT MIXED-USE CONDOMINIUM PROJECT

The City Planning Department in its letter dated January 15, 2016 stated that the subdivision is in conformity with the General Plan and the Priority Policies of City Planning Code Section 101.1.

The Director of Public Works, the Advisory Agency, acting in concurrence with other City agencies, has determined that said Final Map complies with all subdivision requirements related thereto. Pursuant to the California Subdivision Map Act and the San Francisco Subdivision Code, the Director recommends that the Board of Supervisors approve the aforementioned Final Map.

Transmitted herewith are the following:

1. One (1) paper copy of the Motion approving said map – one (1) copy in electronic format.
2. One (1) mylar signature sheet and one (1) paper set of the "Final Map 8900", each comprising 3 sheets.
3. One (1) copy of the Tax Certificate from the Office of the Treasurer and Tax Collector certifying that there are no liens against the property for taxes or special assessments collected as taxes.
4. One (1) copy of the letter dated January 15, 2016, from the City Planning Department verifying conformity of the subdivision with the General Plan and the Priority Policies set forth in City Planning Code Section 101.1.

It is recommended that the Board of Supervisors adopt this legislation.

RECOMMENDED:

APPROVED:



7/24/2017

7/24/2017

X Bruce R. Storrs

Storrs, Bruce
City and County Surveyor
Signed by: Storrs, Bruce

X Mohammed Nuru

Nuru, Mohammed
Director, DPW
Signed by: Nuru, Mohammed





City and County of San Francisco
 San Francisco Public Works · Bureau of Street-Use and Mapping
 1155 Market Street, 3rd Floor · San Francisco, CA 94103
 sfpublicworks.org · tel 415-554-5810 · fax 415-554-6161



TENTATIVE MAP DECISION

Date: January 4, 2016

Department of City Planning
 1650 Mission Street, Suite 400
 San Francisco, CA 94103

Project ID: 8900			
Project Type:		21 Residential and 3 Commercial Units Mixed Use New Construction Condominium Project	
Address#	StreetName	Block	Lot
2353	LOMBARD ST	0512	061
Tentative Map Referral			

Attention: Mr. Scott F Sanchez

Please review and respond to this referral within 30 days in accordance with the Subdivision Map Act.

Sincerely,

Robert Hanley	Digitally signed by: Robert Hanley DN: CN = Robert Hanley C = US O = BSM OU = DPW Date: 2016.01.04 15:21:48 -08'00'
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for, Bruce R. Storrs, P.L.S.
 City and County Surveyor

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from California Environmental Quality Act (CEQA) environmental review as categorically exempt Class , CEQA Determination Date , based on the attached checklist.

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the attached conditions.

The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code due to the following reason(s):

PLANNING DEPARTMENT

Signed **Laura Ajello**
Digitally signed by Laura Ajello
 DN: cn=Laura Ajello, o=City of San Francisco, ou=City Planning, email=Laura.Ajello@sf.gov, c=US
 Date: 2016.01.15 10:32:27 -08'00'

Date: January 15, 2016

Planner's Name Laura Ajello
 for, Scott F. Sanchez, Zoning Administrator

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY:)
)
And When Recorded Mail To:)
)
Name: REALTY EQUITIES, INC)
)
Address: 2436 GREENWICH ST #5)
)
City: SAN FRANCISCO CA)
94123)
State: California)

CONFORMED COPY of document recorded
03/19/2014, 2014J852272
ON _____ with document no. _____
This copy is to be used only with the original
SAN FRANCISCO ASSESSOR-RECORDER

) Space Above this Line For Recorder's Use

I(We) REALTY EQUITIES, INC. the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows:

(PLEASE ATTACH THE LEGAL DESCRIPTION AS ON DEED)

BEING ASSESSOR'S BLOCK: 0512 LOT: 025 & 026

COMMONLY KNOWN AS: 2353 Lombard Street

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (Planning Code).

Said Restrictions consist of conditions attached to a variance granted by the Zoning Administrator of the City and County of San Francisco on March 6, 2014(Case No. 2009.1177V) to demolish an existing one-story commercial building and construct a new four-story mixed use building containing 21 dwelling units, approximately 2,700 square feet of ground floor commercial space, and 28 residential parking spaces. The project proposes to merge the two lots resulting in a lot size in excess of 10,000 square feet. (Case No. 2009.1177C)

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

1. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character and scale. If the Zoning Administrator determines that there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected property owners or a new Variance application be sought and justified.
2. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.
3. Minor modifications as determined by the Zoning Administrator may be permitted.
4. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- 5. This Variance Decision and the recorded Notice of Special Restrictions shall be reproduced on the Index Sheet of the construction plans submitted with the Site or Building Permit Application for the Project. This Index Sheet of the construction plans shall reference the Variance Case Number.

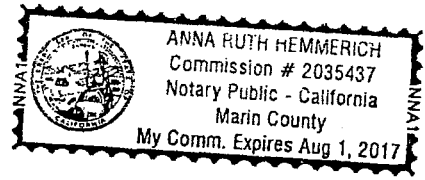
The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

Dated: March 19, 2014 Carle Madra
at San Francisco, California

REALTY EQUITIES, INC
(Owner's Signature)
[Signature]
BY: HOWARD SQUIRES, PRESIDENT

This signature(s) must be acknowledged by a notary public before recordation;
add Notary Public Certification and Official Notarial Seal Below.

State of California
County of Marin
On 3/19/14 before me, Ann Ruth Hemmerich, Notary Public,
personally appeared Howard Squires
who proved to me on the basis of satisfactory evidence to be the person(s)
whose name(s) is/are subscribed to the within instrument and acknowledged
to me that he/she/they executed the same in his/her/their authorized capacity(ies),
and that by his/her/their signature(s) on the instrument the person(s), or the entity
upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.
WITNESS my hand and official seal. [Signature]



LEGAL DESCRIPTION

Real property in the City of San Francisco, County of San Francisco, State of California, described as follows:

PARCEL ONE:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF LOMBARD STREET, AS WIDENED, DISTANT THEREON 166 FEET AND 8 INCHES EASTERLY FROM THE EASTERLY LINE OF SCOTT STREET; RUNNING THENCE EASTERLY AND ALONG SAID LINE OF LOMBARD STREET 58 FEET AND 4 INCHES; THENCE AT A RIGHT ANGLE SOUTHERLY 106 FEET AND 3 INCHES; THENCE AT A RIGHT ANGLE WESTERLY 58 FEET AND 4 INCHES; THENCE AT A RIGHT ANGLE NORTHERLY 106 FEET AND 3 INCHES TO THE POINT OF BEGINNING.

BEING A PORTION OF WESTERN ADDITION BLOCK NO. 416.

PARCEL TWO:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF LOMBARD STREET, AS WIDENED, DISTANT THEREON 114 FEET AND 7 INCHES WESTERLY FROM THE WESTERLY LINE OF PIERCE STREET; RUNNING THENCE WESTERLY ALONG SAID LINE OF LOMBARD STREET 72 FEET AND 11 INCHES; THENCE AT A RIGHT ANGLE SOUTHERLY 106 FEET AND 3 INCHES; THENCE AT A RIGHT ANGLE EASTERLY 50 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 47 FEET AND 6 INCHES; THENCE AT A RIGHT ANGLE EASTERLY 22 FEET AND 11 INCHES; THENCE AT A RIGHT ANGLE NORTHERLY 58 FEET AND 9 INCHES TO THE POINT OF BEGINNING.

BEING A PORTION OF WESTERN ADDITION BLOCK NO. 416.

APN: Lot 025, Block 0512 (Parcel One) and Lot 026, Block 0512 (Parcel Two)



**SAN FRANCISCO
PLANNING DEPARTMENT**

Single sided copy

Subject to: (Select only if applicable)

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 19057

HEARING DATE: DECEMBER 19, 2013

Date: December 19, 2013
Case No.: 2009.1177ECV
Project Address: 2353 LOMBARD STREET
Zoning: NC-3 (Neighborhood Commercial, Moderate Scale)
 40-X Height and Bulk District
Block/Lot: 0512/025 and 026
Project Sponsor: Gary Gee
 98 Brady Street,
 San Francisco, CA 94103
Staff Contact: Sharon Lai - (415) 575-9087
sharon.w.lai@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 121 AND 303 OF THE PLANNING CODE TO ALLOW THE DEMOLITION OF A VACANT ONE-STORY COMMERCIAL BUILDING AND CONSTRUCTION OF A FOUR-STORY MIXED-USE BUILDING CONTAINING 21 DWELLING UNITS, APPROXIMATELY 2,700 SQUARE FEET OF COMMERCIAL SPACE AND 28 RESIDENTIAL PARKING SPACES. THIS PROJECT WILL MERGE TWO LOTS RESULTING IN A LOT SIZE IN EXCESS OF 10,000 SQUARE FEET, WITHIN THE NC-3 (MODERATE-SCALE, NEIGHBORHOOD COMMERCIAL) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT. THE PROJECT REQUIRES A REAR YARD MODIFICATION PURSUANT TO PLANNING CODE SECTION 135 (CASE NO. 2009.1177V).

PREAMBLE

On January 15, 2013, Gary Gee (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 121 and 303 to allow the demolition of a vacant one-story commercial building and construction of a four-story mixed-use building containing 21 dwelling units, approximately 2,700 square feet of commercial space and 28 residential parking spaces. This project will merge two lots resulting in a lot size in excess of 10,000 square feet, within the NC-3 (Moderate-Scale, Neighborhood Commercial) District and a 40-X

Height and Bulk District. The project requires a rear yard modification pursuant to Planning Code Section 135 (Case No. 20009.1177V).

On December 19, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2009.1177CV.

On June 23, 2010 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for Case No. 2009.1177E.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2009.1177CV, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is located on the south side of Lombard Street between Pierce and Scott Streets, Lots 025 and 026 in Assessor's Block 0512 within the Marina neighborhood. The site is located in an NC-3 (Neighborhood Commercial, Moderate-Scale) and a 40-X Height and Bulk district. The project site contains two lots, the eastern lot (026) is an irregularly shaped lot approximately 73 feet wide at the widest point by 106 feet deep, and the western lot (025) is approximately 58 feet wide by 106 feet deep. The total lot area is approximately 12,850 square feet. The project site currently contains a one-story building that overlaps both lots, and was constructed in 1973. The building currently contains a single vacant commercial space that was last used as a restaurant. The area surrounding the commercial building is used as a 30-car parking lot. The abutting rear lot (009) with frontage on Greenwich Street contains existing legal non-conforming open parking in the rear yard, and has an easement through lot 026 for vehicular access onto Lombard Street.
3. **Surrounding Properties and Neighborhood.** The subject block is zoned NC-3 along Lombard Street and the remaining lots are zoned RH-2 and RM-2. The project site is located adjacent to a vacant corner lot (southwest corner of Lombard and Pierce Streets) that was last occupied by a Chevron gas station to the east, and a four-story motel to the west. The remaining lot on the block face (southeast corner of Lombard and Scott Streets) contains a four-story, 12-unit mixed-use building with ground floor commercial space and off-street parking, that was constructed in

2010. The block-face across Lombard Street is characterized by a mix of one-, two- and three-story tall buildings, with a pattern of ground floor commercial uses.

The subject NC-3 zoning district is a linear commercial corridor along Lombard Street (US Highway 101) between Van Ness Avenue and Baker Street, which is a heavily trafficked thoroughfare and major connector to and from the Golden Gate Bridge. This NCD offers a wide variety of goods and services to a population greater than the immediate neighborhood, including motels, eating and drinking establishments, auto related uses and other retail stores. Housing development in new buildings is encouraged above the first story in the subject zoning district.

4. **Project Description.** The proposal is to demolish the existing one-story vacant commercial building that was last occupied by a restaurant, and construct with a four-story mixed-use building. The project proposes to merge the two lots resulting in a lot containing approximately 12,850 square feet of lot area and approximately 131 feet of lot frontage. The proposal will maintain the existing vehicular easement from the rear abutting property to Lombard Street by providing a garage door along the rear property line.

The proposed 40 foot tall building comprises three stories of residential units over ground floor commercial space and residential parking. Project features include 21 dwelling units, two commercial spaces, 2,516 square feet of common usable open space on the roof deck, 4,552 square feet of private usable open space, 28 residential parking spaces, and 22 Class 1 bicycle storage spaces. The proposed unit mix includes three one-bedroom units of approximately 703 square feet, and 18 two-bedroom units ranging from 1,138 to 1,264 square feet. The sponsor has elected to pay an in-lieu fee to comply with Planning Code Section 415, the Inclusionary Affordable Housing Fee.

5. **Public Comment.** The Department has not received any comments to date.
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. **Lot Size.** Planning Code Section 712.11 permits as-of-right a lot size of up to 9,999 square feet.

The proposed lot merger of lots 0025 and 026 would result in a new lot area of approximately 12,850 square feet, which is in excess of the lot size limit and thus requires a Conditional Use authorization.

- B. **Residential Density.** Planning Code Section 712.91 permits a density ratio of 1 dwelling unit for each 600 square feet of lot area.

At approximately 12,850 square feet of lot area, 21 dwelling units are permitted on the proposed new lot. The proposed unit count complies with the prescribed density.

- C. **Rear Yard Requirement.** Planning Code Section 134 requires, in NC-3 Districts, a rear yard measuring 25 percent of the total lot depth at all residential levels.

The Project proposes an approximately 26-foot, 6 inches rear yard for the portion of the proposed lot with a depth of approximately 106 feet at the residential floors, and no rear yard for the proposed portion of the lot with a depth of approximately 59 feet at the residential floors. A rear yard modification is required for this project to be considered by the Zoning Administrator under Case No. 2009.1177V.

- D. **Parking.** Planning Code Section 151 requires one parking space for each dwelling unit. Planning Code Section 204.5 permits up to 150 percent of the required number of spaces where three or more spaces are required.

The Project proposes 28 off-street parking spaces for residential use. Twenty-one parking spaces are required and seven permitted accessory parking spaces are proposed. Fifteen of the parking spaces will utilize a parking lift.

- E. **Bicycle Parking.** Planning Code Section 155 requires one Class 1 Bicycle Parking space for every dwelling unit and one Class 2 Bicycle Parking space for every 20 dwelling units. Class 1 Bicycle Parking Space is defined as spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, non-residential occupants, and Employees. Class 2 Bicycle Parking Space is defined as bicycle racks located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use.

The project proposes to provide 22 Bicycle Parking Spaces in two separate locations on the ground floor that will satisfy the bicycle parking requirements. The one required Class 2 Bicycle Parking Space will not be locked and will be accessible to visitors via building lobby.

- F. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 40-X Height and Bulk District, with a 40-foot height limit.

The project proposes to construct a building of 40 feet in height. Stair, elevator and mechanical penthouses would extend above the roof height and are exempted from the height limit per Planning Code Section 260(b).

- G. **Open Space.** Planning Code Section 135 requires 100 square feet of common usable open space or 80 square feet of private usable open space per dwelling unit.

The Project proposes to provide approximately 618 to 846 square feet of private usable open space for each of the three dwelling units (units #202, #204, and #206) abutting the second floor rear roof deck. Approximately 2,516 square feet of common usable open space will be provided for the remaining 18 dwelling units at the fourth-story roof deck, where 1,800 square feet is required.

- H. **Street Trees.** Planning Code Section 138.I requires one tree of 24-inch box size for each 20 feet of frontage of the property along each street or alley.

The site's Lombard Street frontage is 131 feet, and would require seven total street trees. There are currently three existing street trees and the project proposes four new street trees to meet a total of seven street trees within the sidewalk in front of the proposed building.

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

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

- J. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires the following:

1. **Above-Grade Parking Setback.** Off-street parking at street grade on a development lot must be set back at least 25 feet from the front of the development on the ground floor.

All proposed parking is set back a minimum of 32 feet from the front building wall.

2. **Parking and Loading Entrances.** No more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress. Street-facing garage structures and garage doors may not extend closer to the street than a primary building facade unless the garage structure and garage door are consistent with the features listed in Section 136 of this Code. The total street frontage dedicated to parking and loading access should be minimized; and combining entrances for off-street parking with those for off-street loading is encouraged. The placement of parking and loading entrances should minimize interference with street-fronting active uses and with the movement of pedestrians, cyclists, public transit, and autos. Off-street parking and loading entrances should minimize the loss of on-street parking and loading spaces.

The proposed parking entrance along Lombard Street is 12 feet wide. The existing curb cut is proposed to be reduced from 35 feet wide to 10 feet wide, which will result in an increase of on-street parking. No loading entrance is proposed. The proposed rear easement entrance is 9 feet wide.

3. **Active Uses Required.** With the exception of space allowed for parking and loading access, building egress, and access to mechanical systems, space for active uses shall be provided within the first 25 feet of building depth on the ground floor from any facade facing a street at least 30 feet in width. Building systems including mechanical, electrical, and plumbing features may be exempted from this requirement by the Zoning Administrator only in instances where those features are provided in such a fashion as to not negatively impact the quality of the ground floor space.

Active ground floor uses are proposed within the first 25 feet of the building depth on the ground floor. All mechanical features are minimized and have been designed to integrate with the building facade.

4. **Ground Floor Ceiling Height.** Ground floor non-residential uses in NC districts shall have a minimum floor-to-floor height of 10 feet in a 40-foot height districts.

The proposed ground floor ceiling height will be a minimum of 10 feet tall.

5. **Street-Facing Ground-Level Spaces.** The floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces.

The proposed active uses and residential lobby are designed within one foot of the sidewalk.

6. **Transparency and Fenestration.** Frontages with active uses that are not residential must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area.

The project contains 76 feet of total commercial frontage, 13 feet of residential lobby, and 5 feet is dedicated to a second means of egress, for a total of 94 feet of active uses. Approximately 64 feet 6 inches is dedicated to windows and doors, providing approximately 69 percent of transparency and fenestration.

7. **Gates, Railings, and Grillwork.** Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates,

when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building façade.

No gates, railing or grillwork is proposed to conceal windows. A perforated garage door and transformer door are proposed.

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

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

The use and size of the proposed project is compatible with the immediate neighborhood. The existing single-story approximately 2,500 square foot vacant commercial space and parking lot located on a 12,850 square foot site are underutilized at an FAR (Floor Area Ratio) of 0.2:1. The new building would provide 21 new dwelling units, the majority of which are family-sized units, parking, usable private and common open space and an increase of commercial space to approximately 2,715 square feet. The replacement building is similar in height and scale to the surrounding mixed-use buildings and is consistent with the density requirements of the NC-3 District. The replacement building is designed to be in keeping with the existing development pattern and the neighborhood character through a defined base with active uses, a consistent window pattern and strong vertical elements in appropriate modulations, and a well-defined termination to the top of the building.

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

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

The subject lots have historically been utilized as a single lot, in that the existing single-story vacant commercial building was constructed on both lots. The proposed merger of the irregularly shaped lot containing an existing vehicular easement from the rear abutting property fronting on Greenwich Street with the rectangular lot will result in a development lot with more flexibility. The existing irregularly shaped lot would be challenging to develop independently, due to the need to preserve the existing easement for legal non-conforming parking for an adjacent lot. Furthermore, the merger of the two lots will allow the development of a larger ground floor commercial space, which is consistent with the existing commercial uses along Lombard Street. The existing block does not have a well-defined mid-block pattern and many structures project within this area. The proposed project is developed to the existing rear retaining wall that abuts the rear property line at the ground floor and will provide a setback of 26 feet, 6 inches for all residential floors for the majority of the site. The portion of the site with a shallow lot depth of

approximately 59 feet will not provide a rear setback; however, it is abutting a vacant lot in the same zoning district. The Project is designed to be compatible with the surrounding neighborhood.

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

The Planning Code requires 21 off-street parking spaces for the replacement building and 28 will be provided. The project site is located along a US Highway and is a major thorough-fare. It is not expected that 28 new parking spaces for residential use will significantly affect traffic conditions. The proposed commercial tenant spaces of 190 square feet and 2,525 square feet do not require parking or loading spaces.

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

The proposed project is primarily residential in nature with approximately 2,715 square feet of total commercial space, which is a nominal increase in commercial floor area from the existing 2,500 square feet. The proposed residential density and commercial intensity are not anticipated to produce noxious or offensive emissions.

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

Although designed in a contemporary aesthetic, the façade treatment and materials of the replacement building have been appropriately selected to be harmonious with the existing surrounding neighborhood.

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

The Project requires a rear yard modification from Planning Code Section 134, for the substandard lot depth portion of the lot. No rear setback is proposed at residential floors for the portion of the lot with a depth of 59 feet, where 15 feet would be required by the Code. The project is consistent with objectives and policies of the General Plan as detailed below.

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

The proposed project is consistent with the stated purpose of the NC-3 Districts.

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

HOUSING ELEMENT

OBJECTIVE 2:

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.1:

Discourage the demolition of sound existing housing, unless the demolition results in a net increase in affordable housing.

No existing dwelling units will be demolished.

URBAN DESIGN

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3:

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

The project proposes a development that will strengthen the street wall by constructing an appropriately designed building at the front lot line and replacing the existing single-story commercial building and parking lot. The proposed 40 foot tall mixed-use building will be more consistent with the prevailing building heights and building uses in the neighborhood, and will bring an improved aesthetic to the neighborhood.

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6:

Respect the character of older development nearby in the design of new buildings.

The massing of the replacement building has been designed to be compatible with the prevailing street wall height of the subject NC-3 District. The building has been designed to maintain a clear delineation of a commercial ground floor with residential uses above. The building facade is expressed vertically to be consistent with the immediate neighborhood character. The proposed wood and stucco facade has been designed to be compatible with the other mixed-use buildings found in the area.

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

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

Existing neighborhood-serving retail uses would not be displaced or otherwise adversely affected by the proposal. The existing commercial building has been vacant since 2011. The proposed mixed-use development will replace the commercial space to be demolished and increase the site's commercial square footage by approximately 215 square feet. New commercial activity and employment opportunities will be created as a result of this development.

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

No existing housing would be affected. The existing neighborhood character will be conserved in that the proposed replacement building has been designed to be compatible with the surrounding mass and scale. The addition of new dwelling units and commercial space will increase the economic diversity of the neighborhood.

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

No existing affordable housing will be affected. The sponsor will contribute to the development of affordable housing through payment of an in-lieu fee, and the project will increase the number of dwelling units in the City's housing stock by 21.

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

The Project will not have a significant adverse effect on automobile traffic congestion or increase parking demand in the neighborhood. The replacement building will provide 28 residential off-street parking spaces for 21 dwelling units. Twenty-two bicycle parking spaces will also be provided.

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

The proposal is to construct a new mixed-use building containing approximately 2,525 square feet of commercial space to be occupied by a use that complies with the Planning Code. An additional 190 square feet of ground floor commercial space will be used for principally permitted business or professional services, in the form of a real estate management office for the property owner. The commercial space will create an opportunity for resident employment and ownership in sectors permitted by the Planning Code.

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

The replacement structure would be built in compliance with San Francisco's current Building Code Standards and would meet all earthquake safety requirements.

- G. That landmarks and historic buildings be preserved.

Landmark or historic buildings do not occupy the Project site.

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

The project will have no negative effect on existing parks and open spaces. The project does not exceed the 40-foot height limit, and is thus not subject to the requirements of Planning Code Section 295 – Height Restrictions on Structures Shadowing Property Under the Jurisdiction of the Recreation and Park Commission. The height of the proposed structures is compatible with the established neighborhood development.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby APPROVES Conditional Use Application No. 2009.1177ECV subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 25, 2013, 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. 19057. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 19, 2013.

Jonas P. Ionin
Acting Commission Secretary

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

NAYS: N/A

ABSENT: N/A

ADOPTED: December 19, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the demolition of a vacant one-story commercial building and construction of a four-story mixed-use building containing 21 dwelling units, approximately 2,700 square feet of commercial space and 28 residential parking spaces. This project will merge two lots resulting in a lot size in excess of 10,000 square feet, located at 2353 Lombard Street, Block 0512, and Lots 025 and 026, pursuant to Planning Code Sections 121 and 303 within the NC-3 District and a 40-X Height and Bulk District, in general conformance with plans, dated October 25, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 209.1177CV and subject to conditions of approval reviewed and approved by the Commission on December 19, 2013, under Motion No. 19057. 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 December 19, 2013, under Motion No. 19057.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19057 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications:

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity.** 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

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

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

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

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

DESIGN

6. **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.
7. **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.
8. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.
9. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.

PARKING AND TRAFFIC

10. **Bicycle Parking.** The Project shall provide no fewer than 21 Class 1 bicycle parking space and 1 Class 2 bicycle parking space as required by Planning Code Sections 155.1 and 155.5.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
11. **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

PROVISIONS

Inclusionary Affordable Housing Program

12. **Requirement.** Pursuant to Planning Code 415.5, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable percentage for this project is twenty percent (20%).
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
 13. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and the terms of the City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the Mayor's Office of Housing ("MOH") at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing's websites, including on the internet at <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.
As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale or rent.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
- a. The Project Sponsor must pay the fee in full sum to the Development Fee Collection Unit at the DBI for use by MOH prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide

Inclusionary Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

- b. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.
 - c. If project applicant fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law.
14. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

MONITORING

15. **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

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

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

OPERATION

17. **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/>.
18. **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.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
19. **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>
20. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org



City and County of San Francisco
 San Francisco Public Works • Bureau of Street-Use and Mapping
 1155 Market Street, 3rd Floor • San Francisco, CA 94103
 sfpublicworks.org • tel 415-554-5810 • fax 415-554-6161



TENTATIVE MAP DECISION

Date: January 4, 2016

Department of City Planning
 1650 Mission Street, Suite 400
 San Francisco, CA 94103

Project ID: 8900			
Project Type: 21 Residential and 3 Commercial Units Mixed Use New Construction Condominium Project			
Address#	StreetName	Block	Lot
2353	LOMBARD ST	0512	061
Tentative Map Referral			

Attention: Mr. Scott F. Sanchez

Please review and respond to this referral within 30 days in accordance with the Subdivision Map Act.

Sincerely,

Robert Hanley
 Digitally signed by: Robert Hanley
 DN: CN = Robert Hanley C = US O = BSM OU = DPW
 Date: 2016.01.04 15:21:48 -08'00'

for, Bruce R. Storrs, P.L.S.
 City and County Surveyor

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from California Environmental Quality Act (CEQA) environmental review as categorically exempt Class , CEQA Determination Date , based on the attached checklist.

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the attached conditions.

The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code due to the following reason(s):

PLANNING DEPARTMENT

Signed **Laura Ajello**
 Digitally signed by: Laura Ajello
 DN: cn=ajello, o=dpwr, ou=cityplanning, ou=CityPlanning, ou=City and County of San Francisco, email=Laura.Ajello@sf.gov
 Date: 2016.01.15 10:32:27 -0800

Date: January 15, 2016

Planner's Name
 for, Scott F. Sanchez, Zoning Administrator



**CERTIFICATE OF REDEMPTIONS OFFICER
SHOWING TAXES AND ASSESSMENTS PAID.**

I, David Augustine, Tax Collector of the City and County San Francisco, State of California, do hereby certify, pursuant to the provisions of California Government Code Section 66492 et. seq., that according to the records of my office, there are no liens against the subdivision designated on the map entitled:

Block No. 0512 Lot No. 061

Address: 2347-2353 Lombard St

for unpaid City & County property taxes or special assessments collected as taxes, except taxes or assessments not yet payable.

David Augustine, Tax Collector

The above certificate pertains to taxes and special assessments collected as taxes for the period prior to this current tax year.

Dated this 27th day of July. This certificate is valid for the earlier of 60 days from this date or December 31, 2017. If this certificate is no longer valid please contact the Office of Treasurer and Tax Collector to obtain another certificate.



CERTIFICATE SHOWING TAXES A LIEN, BUT NOT YET DUE

I, David Augustine, Tax Collector of the City and County San Francisco, State of California, do hereby certify, pursuant to the provisions of California Government Code Section 66492 et. seq., that the subdivision designated on the map entitled is subject to the following City & County property taxes and Special Assessments which are a lien on the property but which taxes are not yet due:

Block No. 0512 Lot No. 061

Address: 2347-2353 Lombard St

Estimated probable assessed value of property within the proposed Subdivision/Parcel

Map: \$15,803,092

Established or estimated tax rate: 1.2000%

Estimated taxes liened but not yet due: \$189,638.00.

Amount of Assessments not yet due: \$853.00

These estimated taxes and special assessments have been paid.

David Augustine, Tax Collector

Dated this 27th day of July. This certificate is valid for the earlier of 60 days from this date or December 31, 2017. If this certificate is no longer valid please contact the Office of Treasurer and Tax Collector to obtain another certificate.

Owner's Statement:

We hereby state that we are the owners and holders of security interest or have some record title or interest in and to the real property included within the subdivision shown upon this map; that we are the only persons whose consent is necessary to pass clear title to said real property; that we hereby consent to the making and recording of said map and subdivision as shown within the distinctive border line; that said map constitutes and consists of a survey map as described in California Civil Code Sections 4120 and 4285; and we hereby consent to the making and recording of said map pursuant to Title 2, Division Second of the Civil Code of the State of California.

In witness whereof we have caused these presents to be executed this 7th day of July, 2017.

Owners: Vela Properties, LLC, a California limited liability company

By: [Signature]
Howard Squires, Managing Member

Owner's Acknowledgement:

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Francisco

On July 7th, 2017, before me, Anna Ruth Hammerich, a Notary Public, personally appeared Howard Squires who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. Witness my hand and official seal.

Signature: [Signature]
Name (typed or printed): Anna Ruth Hammerich
Notary Public, State of CA Commission No. 2035437
My Commission Expires 08/01/2019
County of Principal Place of Business: Marin

Beneficiary: Sun Life Assurance Company of Canada, a Canadian corporation

By: [Signature] By: [Signature]
KIM P. VO LAURIE GARRISON
Print Name Print Name
DIRECTOR DIRECTOR
Title Title

Beneficiary's Acknowledgement:

Commonwealth of Massachusetts } ss.:
County of Norfolk

On the 30th day of June, in the year 2017, before me, the undersigned notary public, personally appeared

Kim P. Vo
as Director
and Laurie Garrison
as Director

for Sun Life Assurance Company of Canada, proved to me through satisfactory evidence of identification, being to me known to be the persons whose names are signed on this page, and acknowledged to me that they signed it voluntarily for its stated purpose.

Signature: Dragica Mijailovic
Name (typed or printed): DRAGICA MIJALOVIC
Notary Public
My Commission Expires July 24, 2020

City and County Surveyor's Statement:

I hereby state that I have examined this map; that the subdivision as shown is substantially the same as it appeared on the tentative map, if any, and any approved alteration thereof; that all provisions of the California Subdivision Map Act and any local ordinance applicable at the time of approval of the tentative map have been complied with; and that I am satisfied this map is technically correct.

Bruce R. Storrs, City and County Surveyor
City and County of San Francisco

By: [Signature]
Date: July 25 2017
Bruce R. Storrs L.S. 6914



Tax Statement:

I, Angela Calvillo, Clerk of the Board of Supervisors of the City and County of San Francisco, State of California, do hereby state that the subdivider has filed a statement from the Treasurer and Tax Collector of the City and County of San Francisco, showing that according to the records of his or her office there are no liens against this subdivision or any part thereof for unpaid state, county, municipal or local taxes, or special assessments collected as taxes.

Dated _____ day of _____, 20____

Clerk of the Board of Supervisors
City and County of San Francisco
State of California

Clerk's Statement:

I, Angela Calvillo, Clerk of the Board of Supervisors of the City and County of San Francisco, State of California, hereby state that said Board of Supervisors by its Motion No. _____ adopted _____, 20____, approved this map entitled, "Final Map No. 8900", comprising 3 sheets.

In testimony whereof, I have hereunto subscribed my hand and caused the seal of this office to be affixed.

By: _____ Date: _____

Clerk of the Board of Supervisors
City and County of San Francisco
State of California

Surveyor's Statement:

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance, made at the request of Howard Squires on May 19, 2016. I hereby state that this Final Map substantially conforms to the approved or conditionally approved tentative map, if any. I further state that all monuments are of the character and occupy the positions indicated and that the monuments are sufficient to enable the survey to be retraced.

By: Paul O. Webb
Date: 7/9/2017
Paul Webb
Licensed Surveyor No. 5530



Approvals:

This map is approved this 24th day of July, 2017.

By Order No. 106162

By: _____ Date: _____

Mohammed Huru
Director of Public Works and Advisory Agency
City and County of San Francisco, State of California

Approved as to Form:

Dennis J. Herrera, City Attorney

By: _____

Deputy City Attorney
City and County of San Francisco, State of California

Board of Supervisor's Approval:

On _____, 20____, the Board of Supervisor's of the City and County of San Francisco, State of California approved and passed Motion No. _____, a copy of which is on file in the office of the Board of Supervisor's in File No. _____.

Recorder's Statement:

Filed this _____ day of _____, 20____, at _____ m., in Book _____ of Condominium Maps, at page _____, at the request of Paul Webb, L.S. 5530.

By: _____ Date: _____
County Recorder
City and County of San Francisco
State of California

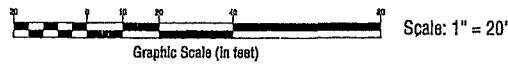
Final Map No. 8900

A 3 Unit Commercial & 21 Unit Residential
Mixed Use Condominium Project
A subdivision of that real property
described in that certain deed
recorded on April 1, 2015 in Document No. 2015-K040998-00,
Being a portion of Western Addition Block No. 416
City and County of San Francisco, State of California

Paul Webb
Licensed Surveyor

June 2017

Sheet 1 of 3 Sheets



Monuments:
 MN 18112: Lead plug and brass tack in iron monument well
 MN 18123: Lead plug and brass tack in iron monument well

Map Notes
 All angles are 90 degrees unless otherwise noted.
 All dimensions are measured in feet and decimals thereof.
 Property line to monument line measured distance was based upon a field survey.
 Building encroachments are shown at ground level.
 Monument map reference: monument map nos. 31 & 34 on file in the City and County Surveyor's office, San Francisco, California.
 The basis of survey is from the grant deed recorded April 1, 2015 in Document No. 2015-K040998-00.
 Subject to the Notices of Special Restrictions under the Planning Code recorded January 28, 2014 as Document No. 2014-J831343-00, and March 19, 2014 as Document No. 2014-J852272-00.
 Subject to the Comcast easement recorded August 2, 2016 as document no K301466. The Comcast recorded easement indicates an incorrect property description. The easements noted have been removed per the Preliminary Title Report prepared by Old Republic Title dated May 23, 2017. The property owner will request that Comcast record their document with the correct property description.

Map and Deed References:
 (1) Lot Line Adjustment recorded August 13, 2014, as Document No. 2014-J926731-00 in the Office of the City and County Recorder.
 (2) Monument map nos. 31 & 34 on file in the Office of the City and County Surveyor.
 (3) Parcel Map recorded in Book 44 of Condominium maps, pages 188-190, recorded October 11, 1994 in the Office of the City and County Recorder.
 (4) Parcel Map recorded in Book 109 of Condominium maps, pages 80-81, recorded March 26, 2009 in the Office of the City and County Recorder.
 (5) Parcel Map recorded in Book 111 of Condominium maps, pages 12-13, recorded August 12, 2009 in the Office of the City and County Recorder.
 (6) Final Map recorded in Book 113 of Condominium maps, pages 17-18, recorded January 21, 2010 in the Office of the City and County Recorder.

- Legend:**
- set nail & 0.75" brass tag, L.S. 5530
 - found city monument, as described
 - ▲ found city monument, as noted
 - ▭ building structure
 - (F) record information shown per reference document or map
 - FD found
 - M measured
 - MGN monument
 - Bldg. building
 - Sty. story
 - Clc. clear
 - MN Monument Name, City and County of San Francisco Database
 - APN assessor's parcel number (assessor's block - lot)
 - subject property line
 - - - adjacent property line
 - monument line
 - - - easement line

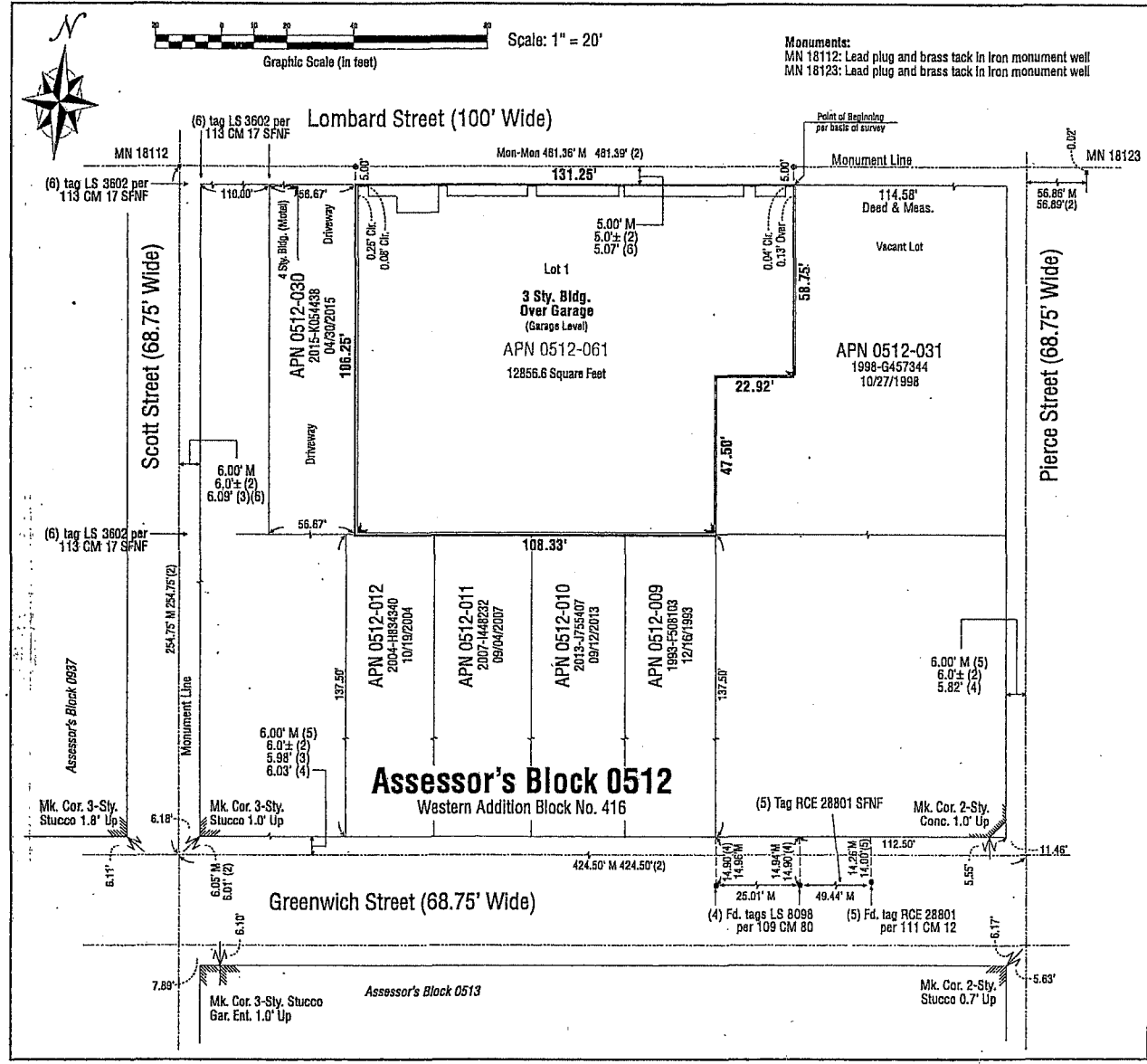
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Paul Webb
 Licensed Surveyor
 June 2017 Sheet 2 of 3 Sheets

APN: 0512-061 Address: 2347-2349-2351-2353 Lombard Street

1288





Scale: 1" = 10'

Graphic Scale (in feet)

Lombard Street (100' Wide)

APN 0512-030
2015-K05438
04/30/2015

106.25'

0.25' Ck.
0.08' Ck.

Note:
The proposed assessor parcel numbers shown hereon are for informational use only and should not be relied upon for any other purpose.

Unit No.	Proposed Assessor Parcel No.
2347	0512-052
2349	0512-063
2351	0512-064
201	0512-065
202	0512-066
203	0512-067
204	0512-068
205	0512-069
206	0512-070
207	0512-071
301	0512-072
302	0512-073
303	0512-074
304	0512-075
305	0512-076
306	0512-077
307	0512-078
401	0512-079
402	0512-080
403	0512-081
404	0512-082
405	0512-083
406	0512-084
407	0512-085

Lot 1

3 Sty. Bldg.
Over Garage
(Garage Level)

APN 0512-061
12856.6 Square Feet

0.04' Ck.
0.13' Over

114.58'
Deed & Meas.
Vacant Lot

58.75'

22.92'

APN 0512-031
1998-G457344
10/27/1998

47.50'

Pierce Street (68.75' Wide)

General Notes:

- This map is the survey map portion of a condominium plan as described in California Civil Code Sections 4120 and 4285. This condominium project is limited to a maximum of 3 commercial units and 21 residential units.
- All Ingress(es), egress(es), path(s) of travel, fire/emergency exit(s) and exiting components, exit pathway(s) and passageway(s), stairway(s), corridor(s), elevator(s), and common use accessible feature(s) and facilities such as restrooms that the Building Code requires for common use shall be held in common undivided interest.
- Unless specified otherwise in the governing documents of a condominium Homeowner's Association, including its conditions, covenants, and restrictions, the Homeowner's Association shall be responsible, in perpetuity, for the maintenance, repair, and replacement of:
 - (A) All general use common area improvements; and
 - (B) All fronting sidewalks, all permitted or unpermitted private encroachments and privately maintained street trees fronting the property, and any other obligation imposed on property owners fronting a public right-of-way pursuant to the Public Works Code or other applicable Municipal Codes.
- In the event the areas identified in 3.(B) are not properly maintained, repaired, and replaced according to the City requirements, each homeowner shall be responsible to the extent of his/her proportionate obligation to the Homeowners' Association for the maintenance, repair, and replacement of those areas. Failure to undertake such maintenance, repair, and replacement may result in City enforcement and abatement actions against the Homeowners Association and/or the individual homeowners, which may include, but not be limited to imposition of a lien against the homeowner's property.
- Approval of this Final Map shall not be deemed approval of the design, location, size, density or use of any structure(s) or ancillary areas of the property associated with structures, new or existing, which have not been reviewed or approved by appropriate City agencies nor shall such approval constitute a waiver of the subdivider's obligation to abate any outstanding municipal code violations. Any structures constructed subsequent to approval of this Final Map shall comply with all relevant municipal codes, including but not limited to the planning, housing, and building codes, in effect at the time of any application for required permits.
- Bay windows, fire escapes and other encroachments (if any shown hereon, that exist, or that may be constructed) onto or over Lombard Street are permitted through and are subject to the restrictions set forth in the Building Code and Planning Code of the City and County of San Francisco. This map does not convey any ownership interest in such encroachment areas to the condominium unit owner(s).
- Significant encroachments, to the extent they were visible and observed, are noted hereon. However, it is acknowledged that other encroachments from/onto adjoining properties may exist or be constructed. It shall be the responsibility solely of the property owners involved to resolve any issues that may arise from any encroachments whether depicted hereon or not. This map does not purport to convey any ownership interest in an encroachment area to any property owner.

Final Map No. 8900

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Paul Webb
Licensed Surveyor

June 2017

Sheet 3 of 3 Sheets

Assessor's Block 0512
Western Addition Block No. 416

APN 0512-012
2004-H834340
10/19/2004

APN 0512-011
2007-1448232
09/04/2007

APN 0512-010
2013-J755407
09/12/2013

APN 0512-009
1993-F508103
12/16/1993

108.33'

