

File No. 211187

Committee Item No. \_\_\_\_\_

Board Item No. 20

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: March 15, 2022

#### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input 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 |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence                        |

#### OTHER

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Appeal Letter - 11/12/21</u>                |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Appellant Brief - 3/10/22</u>               |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Project Sponsor Response - 2/18/22</u>      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Department Response - 11/29/21</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Continuance Waivers</u>                     |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Public Hearing Notice - 11/24/21</u>        |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Clerical Documents</u>                      |

Prepared by: Lisa Lew

Date: March 11, 2022

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

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

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

The property is located at 3832 18th Street.

**[Final Decision not available on Planning Commission web-site.  
Attaching most recently available drafts.]**

October 14th, 2021

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

**2021-11-12**

Appeal Filing Date

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

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

  X   The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2020-001610CUA.

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

Statement of Appeal:

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

Please see Exhibit 1, attached.

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

Please see Exhibit 1, attached.

Person to Whom  
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Athanassios Diacakis

Name

Athanassios Diacakis

Name

3830 18th St, San Francisco, CA 94114

Address

3830 18th St, San Francisco, CA 94114

Address

415 692 1350

Telephone Number

415 692 1350

Telephone Number

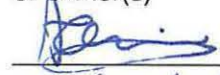
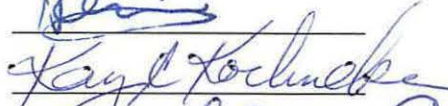
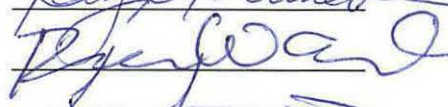
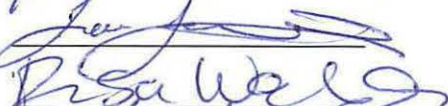
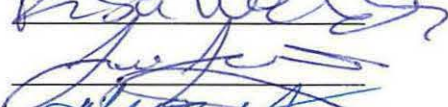


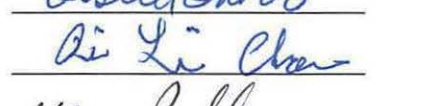

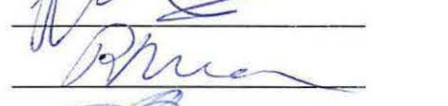
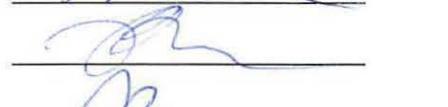
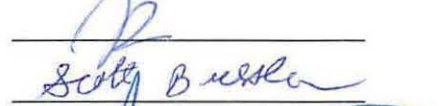
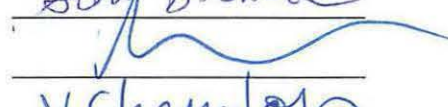
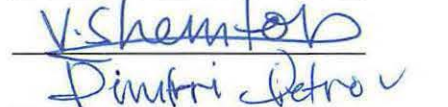
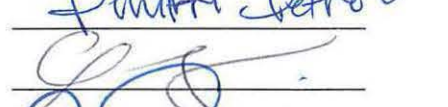
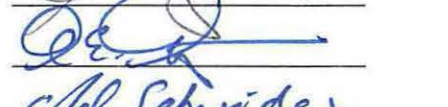








Signature of Appellant or  
Authorized Agent

City Planning Commission  
Case No. 2020-001610CUA

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

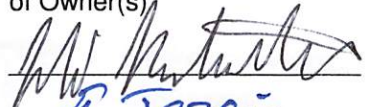



If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>3826-3830 18th</u>	<u>3580/017</u>	<u>ATHANASSIOS DIACAKIS</u>	
2. <u>3827 - 18<sup>th</sup></u>	<u>3585/081</u>	<u>KAY E. KOEHNEKE</u>	
3. <u>235 DORLAND ST</u>	<u>3580/176</u>	<u>RISA Wechsler</u>	
4. <u>235 DORLAND ST</u>	<u>3580/176</u>	<u>Luis Fernandez</u>	
5. <u>237 DORLAND ST</u>	<u>3580/177</u>	<u>RISA Wechsler</u>	
6. <u>237 DORLAND ST</u>	<u>3580/177</u>	<u>Luis Fernandez</u>	
7. <u>3811-13 18th ST</u>	<u>3585/085</u>	<u>Elizabeth Beatty</u>	
8. <u>381-13 18th St</u>	<u>3585/085</u>	<u>Anthony Richardson</u>	
9. <u>3810-12 18th ST.</u>	<u>3580/013</u>	<u>LESLIE BAHR</u>	
10. <u>3806-18 18<sup>th</sup> St</u>	<u>3580/012</u>	<u>Ai Lin Chan</u>	
11. <u>576 Church St.</u>	<u>3580/168</u>	<u>Gary Pedler</u>	
12. <u>3823 18TH ST</u>	<u>3585/082</u>	<u>SEBASTIAN DRAGNER</u>	
13. <u>3823 18TH ST.</u>	<u>3585/082</u>	<u>RAMONA DRAGNER</u>	
14. <u>3847-3849 18<sup>th</sup> St</u>	<u>3585/077</u>	<u>TROELS Folmann</u>	
15. <u>3849-47</u>	<u>3585/077</u>	<u>Tawna Knap</u>	
16. <u>68A HANCOCK ST</u>	<u>3585/158</u>	<u>SCOTT BRESSER</u>	
17. <u>3833-18th St</u>	<u>3585/080</u>	<u>Amy Silverstein</u>	
18. <u>26 Hancock st</u>	<u>3585/049</u>	<u>Vered Shemtov</u>	
19. <u>26 Hancock st</u>	<u>3585/049</u>	<u>Dmitri Petrov</u>	
20. <u>3838 18th St</u>	<u>3580/019</u>	<u>GIACOMO D. GRIGOLI</u>	
21. <u>68 Hancock</u>	<u>3585/157</u>	<u>Ulanus Greenspan</u>	
22. <u>38 HANCOCK</u>	<u>3585/051</u>	<u>AI SCHNEIDER</u>	

City Planning Commission  
Case No. 2020-001610CUA

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

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3816 18th St</u>	<u>3580/014</u>	<u>JEFFREY RAUBTISCHEK</u>	
2.	<u>227 DORLAND ST</u>	<u>3580/040</u>	<u>ERIKA M. JAZZIE</u>	
3.	<u>215 Dorland St</u>	<u>3580/042</u>	<u>JEFFREY T. WINTER</u>	
4.	<u>207 Dorland St.</u>	<u>3580/041</u>	<u>Melissa Blizzard Brown</u>	
5.	<u>207 Dorland St.</u>	<u>3580/041</u>	<u>Earl Brown</u>	<u>Earl Brown</u>
6.	_____	_____	_____	_____
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17.	_____	_____	_____	_____
18.	_____	_____	_____	_____
19.	_____	_____	_____	_____
20.	_____	_____	_____	_____
21.	_____	_____	_____	_____
22.	_____	_____	_____	_____



RECORDING REQUESTED BY:  
 Francis A. La Poll, Esq.  
 GILFIX & LA POLL ASSOCIATES, LLP  
 2479 E. Bayshore Road, Suite 220  
 Palo Alto, CA 94303

City and County of San Francisco  
 Joaquin Torres, Assessor-Recorder

Doc #	<b>2021156216</b>	Fees	\$26.00
10/12/2021	11:58:06 AM	Taxes	\$0.00
AM	Electronic	Other	\$0.00
Pages	5 Title 457	SB2 Fees	\$75.00
Customer	2314	Paid	\$101.00

WHEN RECORDED MAIL TO AND  
 SEND TAX STATEMENTS TO:  
 Erika M. Jazaie, Trustee  
 415 Oak Point Place  
 Santa Rosa, CA 95409

SPACE ABOVE THIS LINE FOR RECORDER'S USE

A.P.N. 23-3580-040

**AFFIDAVIT OF CHANGE OF TRUSTEE**  
 California Probate Code Section 18105

STATE OF CALIFORNIA }  
 }  
 COUNTY OF SAN FRANCISCO }ss  
 }

Erika M. Jazaie, of legal age, being first duly sworn, deposes and says:

1. The Trust known as The Brigitte M. Pfau Trust Agreement, executed on May 7, 2004, is a valid and existing trust.
2. The name of the Settlor of the Trust is: Brigitte M. Pfau.
3. Brigitte M. Pfau, also known as Brigitte Maria Pfau, died on August 22, 2021.
4. The name of the previous Trustee of the Trust is: Brigitte M. Pfau.
5. I am the currently acting successor trustee.
6. The Trust has not been revoked, modified, or amended in any manner that would cause the representations contained herein to be incorrect.
7. The legal description of real property held in the trust, commonly known as 227 Dorland Street, in the City of San Francisco, County of San Francisco, State of California, described as follows:
- 8.

SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED  
 HERETO AND INCORPORATED HEREIN BY REFERENCE.

9. I became the successor trustee by reason of  resignation,  incompetency,  guardianship,  death of the prior trustee. A certified copy of the Death Certificate is attached as Exhibit "B."

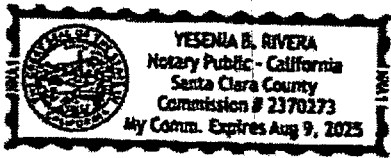
Dated: 10/4/2021

Erika M. Jazaie  
 Erika M. Jazaie, Successor Trustee

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 )  
 ) ss:  
COUNTY OF Santa Clara )

SUBSCRIBED AND SWORN to (or affirmed) before me on this 4<sup>th</sup> day of Oct, 2021, by Erika M. Jazaie, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



*Yesenia B. Rivera*  
\_\_\_\_\_  
Notary Public

EXHIBIT "A"

Situs: 227 Dorland Street, San Francisco, California 94114  
A.P.N. 23-3580-040

BEGINNING at a point on the southerly line of Dorland Street, distant thereon 120 feet and 6 inches westerly thereon from the southwesterly corner of said Dorland Street and Church Street; running thence westerly along said southerly line of Dorland Street 25 feet to a point; thence southerly along a line which with that portion of said southerly line of Dorland Street lying between the last-mentioned point and the said southwesterly corner of Dorland Street and Church Street forms an angle of  $95^{\circ}$  and  $34'$  a distance of 123 feet and 7 inches, more or less, to a point on the northerly boundary line of the San Miguel Rancho; thence south  $78^{\circ}$  east along said line of said Rancho 25 feet and  $1 \frac{1}{4}$  inches, more or less, to a point on said line of said Rancho, where it is intersected by a line drawn from the point of beginning which last-named line forms an angle of  $95^{\circ}$  and  $34'$  with that portion of said southerly line of Dorland Street lying between said point of beginning and said southwesterly corner of Dorland and Church Streets; thence northerly (along said line drawn from the last-named point on said northerly line of said San Miguel Rancho to the said point of beginning at an angle of  $95^{\circ}$   $34'$  with that portion of said southerly line of Dorland Street lying between said point of beginning and said southwesterly corner of Dorland and Church Streets) a distance of 127 feet and 8 inches, more or less, to the point of beginning.

The same being a portion of said Mission Addition Block No. 94.

\* \* \*



City Planning Commission  
Case No. 2020-001610CUA

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3824 18th Street</u>	<u>3850 16</u>	<u>Christopher Ruedy 2013 Revo, Christopher Ruedy Trustee</u>	
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
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City Planning Commission  
Case No. 2020-001610CUA

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	620 CHURCH ST	3585 001A	RICHARD L. NAYLOR	<i>Richard L. Naylor</i>
2.	285 Dorland Str	152 <sup>493580</sup>	Klaus Lewsky	<i>Klaus Lewsky</i>
3.				
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City Planning Commission  
Case No. 2020-00610CUA

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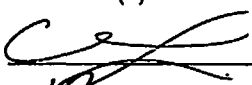

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3808 - 18<sup>TH</sup> ST</u>	<u>3580/012</u>	<u>RAYMOND CHAN</u>	
2.	<u>3806A 18TH ST</u>	<u>3580/012</u>	<u>JEFF CHAN</u>	
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
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City Planning Commission  
Case No. 2020-001610CUA

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3841 18th St</u>	<u>3585/078</u>	<u>Charlotte Deng</u>	
2.	<u>3841 18th St</u>	<u>3585/078</u>	<u>Peter Deng</u>	
3.	_____	_____	_____	_____
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5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
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21.	_____	_____	_____	_____
22.	_____	_____	_____	_____

City Planning Commission  
Case No. 2020-001610CUA

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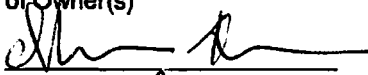
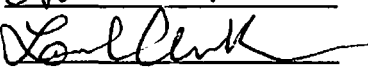
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>52/54 Hancock St</u>	<u>3585/054</u>	<u>Donald Hansen</u>	<u>Donald Hansen</u>
2.	<u>52/54 Hancock St</u>	<u>3585/054</u>	<u>Carolyn Hansen</u>	<u>Carolyn Hansen</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
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City Planning Commission  
Case No. 2020-001610CUA

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

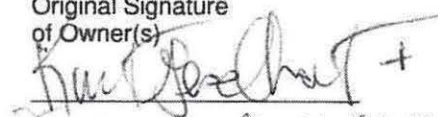
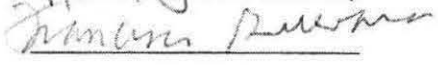
If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>574 Church St.</u>	<u>3580/167</u>	<u>Manav Khurana</u>	
2.	<u>574 Church St.</u>	<u>3580/167</u>	<u>Laurel Khurana</u>	
3.	_____	_____	_____	_____
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City Planning Commission  
Case No. 2020-001610CUA

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

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

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3818 18th St, Unit 2</u>	<u>3580-161</u>	<u>Kurt Geselbracht &amp;</u>	<u></u>
2.	<u>3818 18th St Unit 2</u>	<u>3580-161</u>	<u>Francisco Guevara</u>	<u></u>
3.	_____	_____	_____	_____
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21.	_____	_____	_____	_____
22.	_____	_____	_____	_____

City Planning Commission  
Case No. 2020-001610CUA

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

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

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3819 18th st	3585/083	Chris Do	DocuSigned by: <i>Chris Do</i> A9750D10C3E0483...
2.				
3.				
4.	3819 18th St	3585/083	Jenny Do	DocuSigned by: <i>Jenny Do</i> GD031B09AFEB413...
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Pursuant to Planning Code Section 308.1(b), the undersigned members of the Board of Supervisors believe that there is sufficient public interest and concern to warrant an appeal of the Planning Commission on Case No. 2020-001610CUA, a conditional use authorization regarding (address) 3832 18th Street, District 08. The undersigned members respectfully request the Clerk of the Board to calendar this item at the soonest possible date.

SIGNATURE

DATE

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**(Attach copy of Planning Commission's Decision)**

# CONDITIONAL USE APPEAL

## APPEAL FILING TO THE BOARD OF SUPERVISORS

Hearing Date: October 14, 2021  
Case No.: 2020-001610CUA  
Project Address: 3832 18<sup>th</sup> Street

### STATEMENT OF APPEAL

#### EXHIBIT 1

We are appealing the San Francisco Planning Commission Motion adopted on October 14, 2021 to approve the Conditional Use Authorization and group housing project at 3832 18<sup>th</sup> Street.

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

We are appealing the Conditional Use Findings and the Section 317 Findings as stated below and included in the Draft Motion. A copy of the Draft Motion is included as Exhibit A.

Specifically, but without limitation, we are appealing the following said Findings:

**7. Conditional Use Findings.** 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 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 Castro/Upper Market neighborhood contains a mix of predominantly two-, three, and four-story multi-family residential buildings, that also includes large development uses such as the Mission Terrace Senior Housing (five-stories tall) and Mission High School, with commercial or uses at the street level along the commercial corridors. The proposed residential building will be compatible with the existing neighborhood mix of uses and densities. The Project will demolish an existing, single-family home to construct a new residential building containing 19 Group Housing units, in which three of the proposed units will be provided as on-site affordable units.*

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

**CONDITIONAL USE APPEAL**  
**APPEAL FILING TO THE BOARD OF SUPERVISORS**

Hearing Date: October 14, 2021  
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Project Address: 3832 18<sup>th</sup> Street

could be detrimental to the health, safety or convenience of those residing or working the area, in that:

(1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The Project's proposed massing is generally consistent with the character and design of the neighborhood, and will not impede any development of surrounding properties. The proposed design is contemporary yet compatible, referencing character-defining features of the surrounding buildings on the subject block and is compatible with the district's size, scale, composition, and details. The massing is compatible in terms of lot occupancy, solid-to-void ratio, and vertical articulation, including bays and windows designed to relate to the surrounding properties. Although taller than the adjacent properties, the project would provide substantial setbacks of the upper floor at both the front (15'-11") and rear (17'-1") building walls.*

*The building provides a front setback that is equal to the depths of the two adjacent neighbors and the area will be appropriately developed with landscaping and permeable surfaces. In addition to two common entrances, at the front of the ground floor the project includes a housing unit that is directly accessed from the street, consistent with the existing residential development on the block. The project provides a rear yard that contains enough area to provide code-complaint open space for 17 of the Project's units. Along the side property lines, the building provides four lightwells starting at the second floor, two on each side of the building; all are three feet deep and range in length from 17 feet to 36 feet. These lightwells provide additional light and air to each neighboring property. The Project results in a building size, shape, and height that is appropriate for the neighborhood context.*

...

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

*The Project's front setback will be appropriately landscaped. The Project will add one new street trees where there are currently none, two new Class 2 bicycle parking spaces, and remove an existing curb cut on 18th Street.*

**CONDITIONAL USE APPEAL**  
**APPEAL FILING TO THE BOARD OF SUPERVISORS**

Hearing Date: October 14, 2021  
Case No.: 2020-001610CUA  
Project Address: 3832 18<sup>th</sup> Street

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

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

D. That use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

*The Project is consistent with the stated purpose of the RM-1 Zoning District, which is characterized by a mixture of the dwelling types found in RH Districts, but in addition have a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. The project maintains the pattern of 25-foot to 35-foot building widths, and provides a five-story structure at the building's front wall, with a substantial setback of the upper floor. The overall density of units remains low at a per bedroom basis. The project provides usable open space within a ground floor yard that also contributes to the mid-block open space.*

**8. Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider when reviewing applications to demolish or convert Residential Buildings. On balance, the Project does comply with said criteria in that:

...

G. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

*Although the Project proposes the demolition of a two-bedroom single-family dwelling, there will be a net gain of 17 bedrooms at the project site. The Project would be consistent with the density and development pattern as it would provide three-story single-family dwelling a neighborhood that is a comprised of two- and three-story one-family dwellings.*

**CONDITIONAL USE APPEAL  
APPEAL FILING TO THE BOARD OF SUPERVISORS**

Hearing Date: October 14, 2021  
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H. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

*The replacement building will conserve neighborhood character with appropriate scale, design, and materials, and improve cultural and economic diversity by appropriately increasing the number of bedrooms. The project would maximize the number of units allowed on the site while increases the total number of bedrooms provided.”*

...

See Exhibit A, pp. 8-10.

Please also see the attached letter from Cyndi K. Wong of 3830 18th Street for additional reasons that the CUA should be appealed. Said letter is attached hereto as Exhibit B, and incorporated herein by reference as though set forth here in full.

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

The Appeal is based on the following reasons, among others:

**1. The project is not consistent with the required Conditional Use Authorization or Section 317 Findings.**

The Motion excerpted above and included as Exhibit A to this appeal, states that the project meets Finding 7b., because, in part “The Project would be consistent with the density and development pattern as it would provide three-story single-family dwelling a neighborhood that is a comprised of two- and three-story one-family dwellings.” This is not true. The initial project requested a six-story, 68-foot-tall, 19-unit group housing project. The project that was approved is still a five-story, 58-foot-tall, 19-unit group housing project.

The project is detrimental to the neighbors, including people with disabilities and seniors, and neighborhood due to the significant adverse impacts on their light and air and reduction of mid-block open space. The developer was unwilling to modify the building envelope of the project as proposed by the neighbors because the project sponsors were more concerned with providing ample light and air to the future owners of their building than preserving the light and air of the existing residents. By approving the project, the Planning Commission put the health and safety

**CONDITIONAL USE APPEAL  
APPEAL FILING TO THE BOARD OF SUPERVISORS**

Hearing Date: October 14, 2021  
Case No.: 2020-001610CUA  
Project Address: 3832 18<sup>th</sup> Street

of the future residents of the project over that of the existing neighbors and the current neighborhood.

**2. The Project Is Not Necessary or Desirable.**

The project is not necessary and does not provide units suitable for families and children. Contrary to the claims made by the developer, the proposed 3832 18<sup>th</sup> Street project does not support families, the disadvantaged, or the elderly. The project would provide high-cost group housing without adequate cooking facilities or food storage. This type of housing is marketed to high salaried technical workers or investors that intend to turn said units into corporate or short-term rentals.

The project would provide 16 market-rate group housing units and three units affordable to households earning 80% AMI. The units would be condominiums for sale, requiring mortgage payments and HOA fees. Moreover, the ability for potential owners to obtain mortgages for these units is questionable given that the financing of units without full kitchens is unproven.

The project is not necessary and discriminates against families and children in San Francisco. Based on data from the San Francisco Planning Department's Housing Inventory Report from 2016 through 2020, the City has developed almost two times as many studio and one bedroom units for professionals than two bedroom units, and eighteen times more than three or four bedroom units. Based on initial research, the Planning Department approved 115 SRO units in 2018, and 126 SRO units in 2020. The developer of this project, Vanguard Investments, is already developing the 42 Otis Street's 24 SRO units. Based on the past history and trend of building majority SRO units, studios and single bedrooms, San Francisco is discriminatorily building housing for single professionals, and excluding housing for families and children.

One of the main reasons that this and other developers choose to build group housing is that the Planning Code allows for far more group housing units than conventional units. The 3832 18<sup>th</sup> Street site contains 3,868 square feet and is zoned RM-1. The base densities and densities permitted under the State Density Bonus Program for different housing types are as follows:

- **Standard housing units:** 1 unit per 800 sq. ft. = 5 base (3,868/800 = 4.8) and 7.5 units with the bonus or 8 rounding up.
- **Senior housing units:** double that of standard units for a base of 10 units and 15 units with the bonus.
- **Group housing:** 19 units.

Like housing for families, the need for senior housing in San Francisco has been well-documented and there is certainly a greater need for this housing type than tech dorms, corporate

**CONDITIONAL USE APPEAL**  
**APPEAL FILING TO THE BOARD OF SUPERVISORS**

Hearing Date: October 14, 2021  
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Project Address: 3832 18<sup>th</sup> Street

rentals, or short-term rentals. With senior housing, the developer would still be permitted to build a higher number of units than conventional units. The purpose of the State Density Housing Program is to increase housing stock throughout the state and meet the needs of the population. Because there isn't a demand for group housing, it doesn't fulfill this need.

**3. Incorporation of arguments set forth in Exhibit B.**

We hereby attach the letter, dated November 9, 2021, from Cyndi K. Wong of 3830 18th Street for additional reasons that the CUA should be appealed. Said letter is attached hereto as Exhibit B, and its contents and legal arguments set forth therein is incorporated by reference as though set forth here in full.

**4. The Developer did not comply with the direction of the Planning Commission to engage in neighborhood outreach and dialogue.**

Despite specific direction by the Planning Commission at the July 15, 2021 Planning Commission Hearing, the developer failed to engage neighbors concerning an alternative project design that would reduce impacts. On September 27, more than two months after the July 14 hearing, and a little more than two weeks before the October 14 hearing, the project sponsor's attorney sent one of the neighbor's representatives a confidential take-it-or-leave-it offer for a slightly modified project without any discussion or engagement with the neighbors. We ask that the developer work with the neighbors on an alternative design that will protect our light, air, and mid-block open space.

**5. Reservation of rights to supplement materials prior to the hearing.**

Please note that this our initial filing to request an appeal of the Conditional Use Authorization. We reserve the right to submit supplemental materials prior to the Board of Supervisors hearing.

Exhibit A: Draft Motion  
Exhibit B: November 9, 2021 Appeal Letter from Wong

[End of Statement of Appeal.]



## Exhibit A

At the time of filing of this appeal, the meeting minutes of the SF Planning Commission hearing of October 14, 2021 are not available.

The only available version of the approved Planning Commission motion is available here:

<https://commissions.sfplanning.org/cpcpackets/2020-001610CUASHDc1.pdf>

We are incorporating this by reference, as it is too large (95MB) to attach via email.

Cyndi K. Wong  
3830 18<sup>th</sup> Street, San Francisco, CA 94114

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November 9, 2021

**Clerk of the Board of Supervisors**

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

**RE:   CONDITIONAL USE APPEAL  
      APPEAL FILING TO THE BOARD OF SUPERVISORS**  
Hearing Date: October 14, 2021  
Case No.: 2020-001610CUA  
Project Address: 3832 18<sup>th</sup> Street

Dear Board of Supervisors:

Along with my neighbors, I am appealing the City Planning Commission's Conditional Use Authorization, shadow Findings & State Density Bonus Project Findings for project case number 2020-001610CUA located at 3832 18<sup>th</sup> Street (the "**3832 Group Housing Project**") on the following grounds:

**A.    THE 3832 GROUP HOUSING PROJECT VIOLATES THE CITY'S  
      OBJECTIONS AND POLICIES OF THE GENERAL PLAN.**

Objective 4 of the City's General Plan states to "foster a housing stock that meets the needs of all residents across lifecycles." Objective 11 of the City's General Plan states to "support and respect the diverse and distinct character of San Francisco's neighborhoods." As detailed below, the 3832 Project violates both Objectives.

**B.    THE 3832 GROUP HOUSING PROJECT HAS AN ADVERSE IMPACT  
      AND DISCRIMINATES AGAINST FAMILIES AND CHILDREN.**

Contrary to the Developer and its supporters' contentions, the proposed 3832 Project does not support families, the disadvantaged, or the elderly. In actuality, the 3832 Project caters to high-end, high salaried engineers and other technical workers or investors that intend to turn said units into short term rentals. **More importantly, the 3832 Project is not necessary, and adversely impacts and discriminates against families and children in San Francisco.**

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Based on data from the San Francisco Planning Department's (the "Planning Department") Housing Inventory Report from 2016 through 2020, the City has developed almost **two times** as many studio and one bedrooms for professionals then two bedroom units, and **eighteen times** more than three or four bedroom units. San Francisco Planning Department's data is as follows:

<b>Unit Types</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>Total</b>
0 or 1 bedroom	1,916	852	620	1275	1329	5992
2 bedrooms	1,439	581	399	380	976	3775
3 or 4 bedrooms	99	44	61	41	90	335

See Table A-1 of the Housing Inventory Report is enclosed as Exhibit A for easy reference.

Based on my initial research, the Planning Department approved 115 SRO units in 2018, and 126 SRO units in 2020. **The 3832 Project's developer, Vanguard Investments, is already developing the 42 Otis Street's 24 SRO units.**

It is important to note that as of 2016, and prior to the astronomical additional developments of zero or one bedroom units, District 8 - where the 3832 Project resides, had housed over 40% of zero or one bedroom units. See San Francisco Supervisor Districts Socio-Economic Profiles American Community Survey 2012-2016, District 8 Demographics, attached hereto as Exhibit B for easy reference. Since then, and with the intense increase in building zero or one bedroom units, District 8's zero or one bedroom units constitute significantly more than half of its housing stock.

The continued approvals and developments of zero or one bedroom units will adversely impact and discriminate against families and children. According to the US Census, family households make up over 40% of San Francisco's population. See United States Census QuickFacts for San Francisco County, California, attached as Exhibit C for easy reference. Yet for the last five years, the number of housing for these family households have declined, and the developments that are being approved do not accommodate for family households.

The Developer could easily convert the SRO units to two bedroom units, and accommodate the same number of residents - residents that reflect all lifecycles, residents that reflect San Francisco's diverse and distinct culture, and residents that include children, seniors, and/or dependents.

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Based on the past history and trend of building majority SRO units, studios and single bedrooms, San Francisco is discriminatorily building housing for single professionals, and excluding housing for families, children, and dependents. This 3832 Project will continue said discriminatory practices, will adversely impact families and children, fails to meet the needs of residents across lifecycles, and fails to support the diverse and distinct character of San Francisco.

**C. THE 3832 PROJECT FAILS TO COMPLY WITH SF RESIDENTIAL GUIDELINES.**

The 3832 Project fails to comply with SF Residential Guidelines. Such Guidelines include, but are not limited to the following:

- 1. SITE DESIGN**
  - b. Guideline: Articulate the building to minimize impacts on the light and privacy to adjacent properties.**
  - c. Guideline: Articulate the building to minimize impacts on light to adjacent cottages.**
- 2. BUILDING SCALE AND FORM**
  - a. Guideline: Design the scale of the building to be compatible with the height and depth of surrounding buildings.
  - b. Guideline: Design the height and depth of the building to be compatible with the existing building scale at the street.
  - c. Complying with the strong mid-block open space pattern**
  - d. Guideline: Design the building's proportions to be compatible with those found on surrounding buildings.

The 3832 Project is in an area of almost entirely Victorian apartments that were originally designed with the primary living spaces in the back of the units so that occupants may experience the light and air that are not a privilege, but a necessity of human habitation. Indeed, that is the basis for the 45% open space requirement for buildings. This 3832 Project will deprive hundreds of existing tenants – tenants who have lived there for multiple decade, of their basic air and light rights. Such deprivation and violation is absolutely untenable and unacceptable.

It is my understanding that such edifices may be deemed appropriate and worthy in prominent corner lots along Market St and in the mixed use

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residential/commercial corridors along such streets as Mission or Harrison. Such taller buildings are acceptable in that there are no green spaces that stand to be permanently blighted by such an out of context and disproportionate building height. **This is not the case here.** The 3832 Project is in a midblock lot, that will have significant and adverse impact to hundreds of existing residents.

**D. Conclusion.**

I am a proponent for additional housing, but we need to have housing that complies that meets the needs of all San Francisco residents, including families and children, and that meets community standards. As detailed above, the 3832 Project fails in substantial ways, and adversely impacts San Francisco residents and its communities.

Sincerely,



Cyndi K. Wong

- Encls.: 1. Exhibit A: Housing Inventory Report, Table A-1;  
2. Exhibit B: SF Supervisor Socio-Economic Profiles, District 8; and,  
3. Exhibit C: US Census QuickFacts for San Francisco County.

**EXHIBIT A**

**TABLE A-1.**  
**Major Market Rate Housing Projects Completed, 2016**

Address / Project Name	Total Units	Affordable Units	Unit Mix	Tenure Type	Initial Sales or Rental Price
280 Beale St	479	69	One Bedroom: 56 Two Bedroom: 14	Rental	From \$916 From \$1,020
399 Fremont St	479	-	Studio: 82 One Bedroom: 34 Two Bedroom: 68 Three Bedroom: 2	Rental	From \$3,410-4,454 From \$4,490 From \$5,575-6,448
1006 16th St Potrero 1010	393	91	Studio: 2 One Bedroom: 40 Two Bedroom: 49	Rental	From \$3,010-3,360 From \$3,595-4160 From \$4,150-4840
350 Fremont St 340 Fremont	348	-	Studio: 91 One Bedroom: 119 Two Bedroom: 138 Three Bedroom: Unknown	Rental	From \$2,920 From \$3,805 From \$4,665
301 Beale St/201 Folsom St Lumina/Infinity	285	-	Studio: 2 One Bedroom: 63 Two Bedroom: 176 Three Bedroom: 32	Ownership	From \$ 1.7M to \$ 2.8M
1660 Pine St The Rockwell	262	31	One Bedroom: 142 Two Bedroom: 117 Three Bedroom: 1	Ownership	Not Available
1 Henry Adams	241	-	Not Available	Rental	From \$2990 From \$3,725 From \$4,875
218 Buchanan St / 55 Laguna	191	50	Not Available	Rental	BMR From \$943 BMR From \$922-1,078 BMR From \$1107-1213
701 Long Bridge St MB360	188	-	Not Available	Rental	From \$2,934-3376 From \$3,592-4,912 From \$4,367-4,846
325 Octavia St Avalon	182	-	Studio: 53 One Bedroom: 56 Two Bedroom: 73	Rental	From \$3,225 From \$3,765 From \$4,620
101 Polk St The Civic	162	19	Studio: 13 One Bedroom: 87 Two Bedroom: 62	Rental	From \$2,631-2,796 From \$3,229-4,146 From \$3,935-5,728
350 8th St LSeven	149	62	Studio: 46 One Bedroom: 196 Two Bedroom: 168	Rental	From \$2,860-4050 (\$991) From \$3,179-4,874 (\$1,133) From \$5,155-6,540 (\$1,264)
5830 3rd St	136	23	Studio: 46 One Bedroom: 64 Two Bedroom: 40	Rental	From \$2,000 From \$3,000
360 Berry St Mission Bay by Windsor	129	26	One Bedroom: 73 Two Bedroom: 42 Three Bedroom: 4	Rental	From \$3,585-3,635 From \$4,700
1415 Mission St Olume	121	11	Studio: 22 One Bedroom: 49 Two Bedroom: 50	Ownership	From \$3,308-5,068 (\$1,133) From \$3,885-5,370 (\$1,264)
100 Buchanan St Alchemy by Alta	116	-	Not Available	Rental	Not Available

CONTINUED &gt;

Address / Project Name	Total Units	Affordable Units	Unit Mix	Tenure Type	Initial Sales or Rental Price
2655 Bush St The District	81	-	Studio: 1 One Bedroom: 18 Two Bedroom: 62	Ownership	From \$890k to \$2.42M
2155 Webster St The Pacific	77	-	Not Available	Ownership	Not Available
480 Potrero Ave	77	11	Studio: 3 One Bedroom: 32 Two Bedroom: 27 Three Bedroom: 13	Rental	From \$2,625 From \$3,200 From \$3,700 From \$5,400
72 Townsend St Seventy2 Townsend	74	7	Not Available	Ownership	From \$1.02M to \$1.8M
346 Potrero Ave Rowan	70	11	One Bedroom: 37 Two Bedroom: 29 Three Bedroom: 2	Ownership	From \$690k to \$1.3M
450 Hayes St	41	5	One Bedroom: 24 Two Bedroom: 16 Three Bedroom: 1	Ownership	From \$900k for MR From \$212k to 380 for BMR
1 Franklin St	35	4	Studio: 10 One Bedroom: 10 Two Bedroom: 15	Ownership	From \$659k to 1.25M
1650 Broadway Luxe	34	-	One Bedroom: 9 Two Bedroom: 10 Three Bedroom: 13	Ownership	From \$1.15M to \$5.4M
50 Jerrold Ave Engel at The San Francisco Shipyard	34	9	One Bedroom: 12 Two Bedroom: 19 Three Bedroom: 3	Ownership	From \$580k to \$1.2M
1181 Ocean Ave / 280 Brighton	27	3	One Bedroom: 11 Two Bedroom: 17	Rental	From \$2,600 From \$3,600
1001 17th St	26	5	Studio: 3 One Bedroom: 12 Two Bedroom: 11	Ownership	From \$560k to \$1.1M
229 Haight St Alta by Alchemy	23	-	Not Available	Rental	Not Available
2347 Lombard St Vela	21	-	One Bedroom: 3 Two Bedroom: 18	Rental	Not Available
832 Sutter St Rubi SF	20	2	One Bedroom: 18 Two Bedroom: 2	Rental	Not Available
238 Shipley St	15	2	Not Available	Ownership	From \$1.05M
468 Clementina St	13	-	Studio: 1 One Bedroom: 9 Two Bedroom: 3	Ownership	Not Available
1328 Mission St	12	-	Not Available	Ownership	From \$825k
520 9th St The Moderne	12	-	One Bedroom: 3 Two Bedroom: 9	Rental	From \$2,975 From \$3,975
298 Coleman St Alma at The Shipyard	12	1	2 Bedroom: 4 Three Bedroom: 8	Ownership	From 920k to 1.2M
299 Friedell St Alma Friedell at The Shipyard	12	1	Two Bedroom: 4 Three Bedroom: 8	Ownership	Not Available
1155 Market St	11	-	Not Available	Rental	Not Available

Source: Planning Department, Mayor's Office of Housing; Office of Community Investment and Infrastructure



**TABLE A-1.**  
**Major Market Rate Housing Projects Completed, 2017**

Address / Project Name	Total Units	Affordable Units	Unit Mix	Tenure Type	Initial Sales or Rental Price
33 08TH ST / Trinity SF	550	82	Not Available	Rental	From \$3,500+
41 TEHAMA ST	319	49	Not Available	Rental	From \$3,450 - \$6,000+
801 BRANNAN ST	312	55	Not Available	Rental	From \$3,100 - \$4,820+
1201 TENNESSEE ST	263	34	Studio: 107 One Bedroom: 45 Two Bedroom: 105 Three Bedroom: 6	Rental	From \$2,950 - \$6,000+
350 08TH ST / L Seven	259	62	Not Available	Rental	From \$3,115 - \$6,114
800 INDIANA ST / Avalon Dogpatch	158	-	Not Available	Rental	From \$2,920 - \$7,920+
923 FOLSOM ST	115	-	Studio: 9 One Bedroom: 60 Two Bedroom: 46	Rental	From \$3,515 - \$6,000+
1140 FOLSOM ST / 99 Rausch	112	13	Studio: 15 One Bedroom: 52 Two Bedroom: 45	Ownership	From \$700,000 - \$1.5 million
1527 PINE ST / The Austin	103	12	Studio: 10 One Bedroom: 67 Two Bedroom: 3 Three Bedroom: 12	Ownership	From \$680,500 - \$1.6 million
2051 3RD ST / The Martin	93	12	Studio: 33 One Bedroom: 22 Two Bedroom: 35 Three Bedroom: 3	Rental	Market Rate: From \$3,035 - \$4,000+ BMR: From \$1,063 - \$2,706
645 TEXAS ST / Knox Dogpatch	91	11	One Bedroom: 34 Two Bedroom: 54 Three Bedroom: 3	Ownership	Market Rate: From \$3,035 - \$4,000+ BMR: From \$250,000 - \$355,000
2198 MARKET ST	87	10	One Bedroom: 51 Two Bedroom: 36	Rental	From \$4,450
1450 FRANKLIN ST	69	9	Studio: 10 One Bedroom: 21 Two Bedroom: 38	Ownership	Market Rate: From \$1 million - \$4 million+ BMR: From \$250,000+
388 FULTON ST	69	8	Studio: 35 One Bedroom: 6 Two Bedroom: 28	Ownership	From \$1.1 million+
1400 07TH ST / Potrero 1010	65	-	Studio: 30 One Bedroom: 15 Two Bedroom: 20	Rental	From \$3,285 - 4,440+
660 INDIANA ST	60	9	Studio: 14 One Bedroom: 21 Two Bedroom: 25 Three Bedroom: 1	Rental	From \$2,975 - \$5,795+
680 INDIANA ST	51	7	Studio: 24 One Bedroom: 10 Two Bedroom: 17 Three Bedroom: 4	Rental	From \$2,975 - \$5,795+

CONTINUED &gt;

Address / Project Name	Total Units	Affordable Units	Unit Mix	Tenure Type	Initial Sales or Rental Price
570 JESSIE ST	47	6	Studio: 32 One Bedroom: 15	Rental	From \$2,550+
1200 04TH ST / MB360	39	-	Not Available	Rental	\$4,059 - \$5,689+
52 INNES CT / The San Francisco Shipyard Monarch	36	4	One Bedroom: 10 Two Bedroom: 23 Three Bedroom: 3	Ownership	\$650,000+
1868 VAN NESS AVE	35	-	Not Available	Ownership	\$1.18 million - 1.4 million+
401 INNES AV	35	4	One Bedroom: 14 Two Bedroom: 19 Three Bedroom: 2	Ownership	Not Available
241 10TH ST / La Maison	28	3	One Bedroom: 16 Two Bedroom: 12	Ownership	\$675,000+
1603 LARKIN ST	27	-	One Bedroom: 6 Two Bedroom: 20 Three Bedroom: 1	Rental	Not Available
600 SOUTH VAN NESS AV	27	4	Not Available	Rental	\$4,000 - \$6,000+
1450 15TH ST	23	-	One Bedroom: 13 Two Bedroom: 10	Rental	Not Available - \$4,000+
233 SHIPLEY ST	21	-	Studio: 21	Rental	\$2,500 - \$3,045
1058 VALENCIA ST	15	-	Not Available	Rental	Not Available
1490 OCEAN AVE / Crimson SF	15	-	Not Available	Ownership	From \$1.1 million+
198 COLEMAN ST	12	1	Not Available	Ownership	From \$600,000+
140 PENNSYLVANIA AV	11		Studio: 1 One Bedroom: 4 Two Bedroom: 6	Rental	Up to \$4,600

Source: Planning Department

**TABLE A-1.**  
**Major Market Rate Housing Projects Completed, 2018**

Address / Project Name	Total Units	Affordable Units	Unit Mix	Tenure Type	Initial Sales or Rental Price
150 VAN NESS AV	431	50	Studio: 24 One Bedroom: 222 Two Bedroom: 160	Rental	From \$2,820 to \$7,000+
1000 3RD ST /ONE Mission Bay	198	-	Not Available	Ownership	From \$700,000+
800 INDIANA ST (158 of 326 Units Counted in 2017)	168	-	Not Available	Rental	From \$3,380+
110 CHANNEL /ONE Mission Bay	152	-	Not Available	Ownership	From \$700,000+
801 BRANNAN ST (312 of 434 Units Counted in 2017)	122	(55 counted in 2017)	Not Available	Rental	From \$3,315 to \$6,700+
1075 MARKET ST /Stage 1075	90	11	Studios: 29 One Bedroom: 50 Two Bedroom: 11	Ownership	From \$650,000+
41 TEHAMA ST (319 of 403 Units Counted in 2017)	84	(60 counted in 2017)	Not Available	Rental	From \$3,600 to \$15,000+
750 HARRISON ST	79	9	Studio: 79	Rental	From \$3,500+
181 FREMONT ST	74	-	Studio: 16 Two Bedroom+: 55	Ownership	From \$3 million+
815 TENNESSEE ST	69	10	One Bedroom: 26 Two Bedroom: 38 Three Bedroom: 5	Ownership	From \$800,000+
5050 MISSION ST	61	9	One Bedroom: 24 Two Bedroom: 28 Three Bedroom: 9	Rental	From \$3,675+
1335 FOLSOM ST	53	7	Studio: 53	Rental	From \$2,500+
1198 VALENCIA ST	52	6	One Bedroom: 23 Two Bedroom: 24 Three Bedroom: 2	Ownership	From \$1.3 million+
1238 SUTTER ST /Sutter North	37	4	Studio: 7 One Bedroom: 14 Two Bedroom: 16	Ownership	From \$600,000+
240 PACIFIC AV /288 Pacific Ave	33	-	Studio: 2 One Bedroom: 6 Two Bedroom: 24 Three Bedroom: 1	Ownership	From \$800,000+
75 ARKANSAS ST	30	-	Four Bedroom: 30	Rental	Not Available
580 HAYES ST	29	-	One Bedroom: 15 Two Bedroom: 12 Three Bedroom: 2	Ownership	From \$950,000+
51 INNES CT	28	4	Not Available	Ownership	From \$600,000+
52 INNES CT	28	3	Not Available	Ownership	From \$600,000+

CONTINUED &gt;

Address / Project Name	Total Units	Affordable Units	Unit Mix	Tenure Type	Initial Sales or Rental Price
1598 BAY ST	28	-	One Bedroom: 11 Two Bedroom: 10 Three Bedroom: 7	Ownership	From \$845,000+
10 INNES CT	21	9	Not Available	Ownership	From \$600,000+
10 KENNEDY PL	21	4	Not Available	Ownership	From \$600,000+
1741 POWELL ST /The Palace at Washington Square	18	-	One Bedroom: 6 Two Bedroom: 10 Three Bedroom: 2	Ownership	Not Available
3420 18TH ST /SF Mission Statement	16	-	Not Available	Ownership	Not Available
1463 LOMBARD ST	14	3	One Bedroom: 13 Two Bedroom+: 1	Rental	Not Available
1 STANYAN ST	13	-	Two Bedroom: 10 Three Bedroom: 3	Rental	From \$6,000

Source: Planning Department

**TABLE A-1.**  
**Major Market Rate Housing Projects Completed, 2019**

Address / Project Name	Total Units	Affordable Units	Unit Mix	Tenure Type	Initial Sales or Rental Price
245 1ST Street / The Avery	548	149	Not Available	Rental/ Ownership	From \$1 million+
510 Folsom Street	545	109	Not Available	Rental	From \$3,200 to \$10,000+
600 Minnesota Street / The Tidelands	318	-	Not Available	Rental	Not Available
590 Minnesota Street / The Tidelands	277	-	Not Available	Rental	Not Available
718 Long Bridge Street / Arden	263	-	Not Available	Ownership	From \$1 million+
1395 22nd Street / The Landing	256	-	Studio: 10 One Bedroom: 146 Two Bedroom: 90 Three Bedroom: 10	Rental	From \$3,800 to \$8,000+
338 Main Street	245	-	Not Available	Ownership	From \$1 million+
1699 Market Street / The Rise Hayes Valley	160	19	Studio: 15 One Bedroom: 81 Two Bedroom: 64	Rental	From \$3,800 to \$6,150+
555 Fulton Street	139	17	One Bedroom: 73 Two Bedroom+: 66	Ownership	From \$775,000 - \$1.5 million+
1601 Mariposa Street / Mason on Mariposa	145	60	Not Available	Rental	From \$3,700 - \$7,200+
2100 Market Street	60	7	Studio: 6 One Bedroom: 30 Two Bedroom: 24	Rental	From \$3,675+
777 Tennessee Street / 777 Tenn	59	8	One Bedroom: 23 Two Bedroom: 24 Three Bedroom: 2	Rental	From \$3,800 - \$7,500+
915 Minna Street / The Sutherland	49	7	Studio: 13 One Bedroom: 14 Two Bedroom: 15 Three Bedroom: 7	Rental	From \$3,000 - \$4,340+
719 Larkin Street	42	6	One Bedroom: 42	Ownership	From \$600,000+
369 18th Avenue / The Alexandria	41	5	Studio: 2 One Bedroom: 23 Two Bedroom: 16	Ownership	From \$800,000+
1433 Bush Street	40	6	One Bedroom: 31 Two Bedroom: 14 Three Bedroom: 2	Ownership	From \$800,000+
901 Tennessee Street	40	6	Studio: 14 One Bedroom: 11 Two Bedroom: 15	Ownership	From \$730,000 to \$1.6 million+
24 Franklin Street	35	4	Studio: 7 One Bedroom: 14 Two Bedroom: 14	Rental	From \$3,500+

CONTINUED &gt;

Address / Project Name	Total Units	Affordable Units	Unit Mix	Tenure Type	Initial Sales or Rental Price
875 California Street / Crescent Nob Hill	32	-	Not Available	Ownership	Not Available
1452 Bush Street / The Midtown	22	2	Not Available	Ownership	From \$845,000+
2600 Harrison Street	20	-	One Bedroom: 3 Two Bedroom: 17	Rental	From \$4,000+
606 Capp Street	20	-	One Bedroom: 12 Two Bedroom: 8	Ownership	Not Available
595 Mariposa Street / The Mariposa	20	-	Not Available	Rental	Not Available
1255 Columbus Avenue	20	-	Three Bedroom: 20	Rental	From \$7,000+
502 7th Street	16	-	Not Available	Ownership	Not Available
1532 Howard Street	15	-	Studio: 15	Rental	From \$2,375

Source: Planning Department

**TABLE A-1.**  
**Major Market Rate Housing Projects Completed, 2020**

Address / Project Name	Total Net Units	Affordable Units	Unit Mix	Tenure Type	Initial Sales or Rental Price
49 SOUTH VAN NESS AV/1500 MISSION ST	550	110	NA	Rental	From \$2950+ TO \$7700
160 FOLSOM ST	390	156	NA	Ownership	From \$1,175,000
1066 MARKET ST	303	0	NA	NA	NA
188 HOOPER ST	280	0	NA	Rental	NA
333 12TH ST	200	27	NA	Rental	From \$950+
302 SILVER AV	198	0	NA	Rental	NA
2070 BRYANT ST	194	0	NA	Rental	From \$2421
390 01ST ST	180	22	NA	Rental	From \$2305 TO \$11,080
1301 16TH ST	172	28	STUDIO: 7 1 BEDROOM: 9 2 BEDROOM: 10 3 BEDROOM: 2	Rental	NA
706 MISSION ST	169	0	NA	Ownership	From \$11,340,000
210 ARKANSAS ST	154	60	STUDIO: 15 1 BEDROOM: 18 2 BEDROOM: 24 3 BEDROOM: 4	Rental	From \$2,500-\$7,900
200 VAN NESS AV	145	0	NA	Rental	NA
2171 03RD ST	109	8	NA	Ownership	From \$735,000 TO \$1,395,000
363 06TH ST	104	12	NA	Rental	From \$1,750-\$3,955
345 06TH ST	102	14	NA	Rental	NA
950 TENNESSEE ST	100	0	NA	Ownership	From \$599,000
950 GOUGH ST	95	11	STUDIO: 19 1 BEDROOM: 40 2 BEDROOM: 40	Rental	NA
2290 03RD ST	71	0	NA	Rental	From \$2,800+
777 TENNESSEE ST	59	8	NA	Rental	From \$2,350+
2898 SLOAT BL	56	7	NA	Ownership	NA
2444 LOMBARD ST	43	6	NA	Rental	NA

CONTINUED &gt;

Address / Project Name	Total Net Units	Affordable Units	Unit Mix	Tenure Type	Initial Sales or Rental Price
1700 MARKET ST	42	5	NA	Rental	NA
2465 VAN NESS AV	41	0	STUDIO : 41	Rental	NA
119 07TH ST	39	0	NA	Ownership	NA
188 OCTAVIA ST	27	4	STUDIO: 16 2 BEDROOMS: 12	Rental	NA
3620 CESAR CHAVEZ ST	24	0	NA	Ownership	From \$745,000+
2301 LOMBARD ST	22	0	NA	Ownership	NA
1801 MISSION ST	17	2	NA	Rental	From \$2,550 - \$4,500
540 DE HARO ST	16	0	NA	Ownership	From \$1,150,000

Source: Planning Department



**EXHIBIT B**

# SAN FRANCISCO SUPERVISOR DISTRICTS SOCIO-ECONOMIC PROFILES

American Community Survey 2012–2016



## Supervisor District 8

### Demographics

<b>Total Population</b>	<b>68,200</b>
Group Quarter Population	530
Percent Female	43%

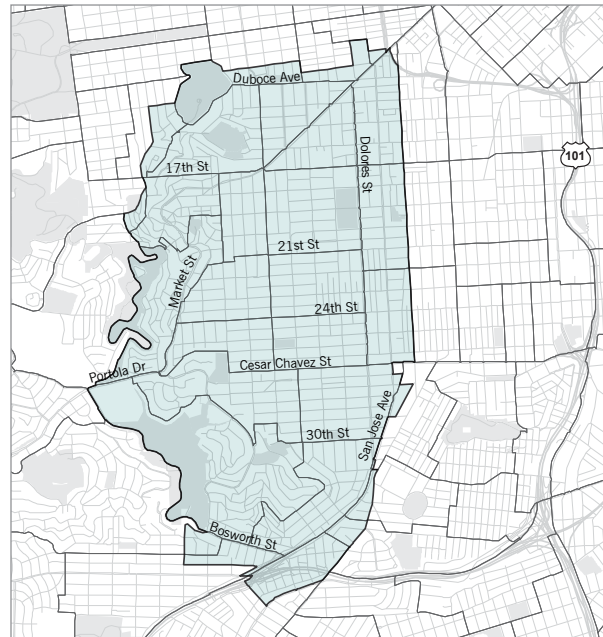
<b>Households</b>	<b>34,190</b>
Family Households	35%
Non-Family Households	65%
Single Person Households, % of Total	41%
Households with Children, % of Total	14%
Households with 60 years and older	26%
Average Household Size	2.0
Average Family Household Size	2.8

<b>Race/Ethnicity</b>	
Asian	13%
Black/African American	3%
White	74%
Native American Indian	0.3%
Native Hawaiian/Pacific Islander	0.2%
Other/Two or More Races	9%
% Latino (of Any Race)	12%

<b>Age</b>	
0–4 years	5%
5–17 years	7%
18–34 years	28%
35–59 years	43%
60 and older	17%
Median Age	39.6

<b>Educational Attainment</b>	
(Residents 25 years and older)	
High School or Less	9%
Some College/Associate Degree	17%
College Degree	39%
Graduate/Professional Degree	36%

<b>Nativity</b>	
Foreign Born	21%



### Language Spoken at Home

(Residents 5 years and older)

English Only	76%
Spanish Only	8%
Asian/Pacific Islander	6%
Other European Languages	8%
Other Languages	1%

### Linguistic Isolation

% of All Households	3%
% of Spanish-Speaking Households	13%
% of Asian Language Speaking Households	15%
% of Other European-Speaking Households	9%
% of Households Speaking Other Languages	N/A

Notes:  
\* "1939" represents 1939 or earlier

Note: Numbers from the American Community Survey are estimates and are subject to sampling and non-sampling errors. For more information, see <http://www.census.gov/acs/www/Downloads/handbooks/ACSGeneralHandbook.pdf>

2010 Census Tracts for Neighborhood:

## Housing Characteristics

Total Number of Units	36,890
Median Year Structure Built*	1957

### Occupied Units

Owner occupied	40%
Renter occupied	60%

### Vacant Units

	<b>7%</b>
For rent	20%
For sale only	3%
Rented or sold, not occupied	21%
For seasonal, recreational, or occ. use	26%
Other vacant	30%

Median Year Moved In to Unit (Own)	1987
Median Year Moved In to Unit (Rent)	1995

Percent in Same House Last Year	85%
Percent Abroad Last Year	2%

### Structure Type

Single Family Housing	27%
2-4 Units	25%
5-9 Units	15%
10-19 Units	25%
20 Units or more	26%
Other	0.3%

### Unit Size

No Bedroom	7%
1 Bedroom	33%
2 Bedrooms	35%
3-4 Bedrooms	25%
5 or More Bedrooms	1%

### Housing Prices

Median Rent	\$1,443
Median Contract Rent	\$1,523
Median Rent as % of Household Income	23%
Median Home Value	\$913,611

### Vehicles Available

	<b>36,910</b>
Homeowners	51%
Renters	49%
Vehicles Per Capita	0.55
Households with no vehicle	24%
Percent of Homeowning households	11%
Percent of Renting households	33%

## Income, Employment and Journey to Work

### Income

Median Household Income	\$121,250
Median Family Income	\$162,319
Per Capita Income	\$85,805
Percent in Poverty	7%

### Employment

Unemployment Rate	4%
Percent Unemployment Female	4%
Percent Unemployment Male	5%
Employed Residents	45,310
Managerial Professional	72%
Services	8%
Sales and Office	16%
Natural Resources	2%
Production Transport Materials	2%

### Journey to Work

Workers 16 Years and Older	44,410
Car	38%
Drove Alone	32%
Carpooled	5%
Transit	38%
Bike	7%
Walk	5%
Other	3%
Worked at Home	10%
Population Density per Acre	36.9

**EXHIBIT C**



**QuickFacts**  
**San Francisco County, California**

QuickFacts provides statistics for all states and counties, and for cities and towns with a *population of 5,000 or more*.

**Table**

All Topics	San Francisco County, California
<b>Persons under 18 years, percent</b>	<b>▲ 13.4%</b>
<b>PEOPLE</b>	
<b>Population</b>	
Population estimates, July 1, 2019, (V2019)	881,549
Population estimates base, April 1, 2010, (V2019)	805,184
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	9.5%
Population, Census, April 1, 2020	873,965
Population, Census, April 1, 2010	805,235
<b>Age and Sex</b>	
Persons under 5 years, percent	▲ 4.5%
<b>Persons under 18 years, percent</b>	<b>▲ 13.4%</b>
Persons 65 years and over, percent	▲ 16.1%
Female persons, percent	▲ 49.0%
<b>Race and Hispanic Origin</b>	
White alone, percent	▲ 52.8%
Black or African American alone, percent (a)	▲ 5.6%
American Indian and Alaska Native alone, percent (a)	▲ 0.7%
Asian alone, percent (a)	▲ 36.0%
Native Hawaiian and Other Pacific Islander alone, percent (a)	▲ 0.5%
Two or More Races, percent	▲ 4.5%
Hispanic or Latino, percent (b)	▲ 15.2%
White alone, not Hispanic or Latino, percent	▲ 40.2%
<b>Population Characteristics</b>	
Veterans, 2015-2019	23,619
Foreign born persons, percent, 2015-2019	34.3%
<b>Housing</b>	
Housing units, July 1, 2019, (V2019)	406,413
Owner-occupied housing unit rate, 2015-2019	37.6%
Median value of owner-occupied housing units, 2015-2019	\$1,097,800
Median selected monthly owner costs -with a mortgage, 2015-2019	\$3,647
Median selected monthly owner costs -without a mortgage, 2015-2019	\$704
Median gross rent, 2015-2019	\$1,895
Building permits, 2020	2,004
<b>Families &amp; Living Arrangements</b>	
Households, 2015-2019	362,354
Persons per household, 2015-2019	2.36
Living in same house 1 year ago, percent of persons age 1 year+, 2015-2019	85.6%
Language other than English spoken at home, percent of persons age 5 years+, 2015-2019	42.9%
<b>Computer and Internet Use</b>	
Households with a computer, percent, 2015-2019	93.1%
Households with a broadband Internet subscription, percent, 2015-2019	87.6%
<b>Education</b>	
High school graduate or higher, percent of persons age 25 years+, 2015-2019	88.5%
Bachelor's degree or higher, percent of persons age 25 years+, 2015-2019	58.1%
<b>Health</b>	
With a disability, under age 65 years, percent, 2015-2019	5.7%
Persons without health insurance, under age 65 years, percent	▲ 5.2%
<b>Economy</b>	
In civilian labor force, total, percent of population age 16 years+, 2015-2019	71.1%

In civilian labor force, female, percent of population age 16 years+, 2015-2019	67.0%
Total accommodation and food services sales, 2012 (\$1,000) (c)	6,142,745
Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	10,175,813
Total manufacturers shipments, 2012 (\$1,000) (c)	D
Total retail sales, 2012 (\$1,000) (c)	14,632,652
Total retail sales per capita, 2012 (c)	\$17,718
<b>Transportation</b>	
Mean travel time to work (minutes), workers age 16 years+, 2015-2019	33.8
<b>Income &amp; Poverty</b>	
Median household income (in 2019 dollars), 2015-2019	\$112,449
Per capita income in past 12 months (in 2019 dollars), 2015-2019	\$68,883
Persons in poverty, percent	▲ 9.5%

## **BUSINESSES**

<b>Businesses</b>	
Total employer establishments, 2019	34,863
Total employment, 2019	706,852
Total annual payroll, 2019 (\$1,000)	85,767,987
Total employment, percent change, 2018-2019	5.0%
Total nonemployer establishments, 2018	100,598
All firms, 2012	116,803
Men-owned firms, 2012	63,864
Women-owned firms, 2012	40,135
Minority-owned firms, 2012	46,128
Nonminority-owned firms, 2012	64,708
Veteran-owned firms, 2012	6,378
Nonveteran-owned firms, 2012	104,957

## **GEOGRAPHY**

<b>Geography</b>	
Population per square mile, 2010	17,179.1
Land area in square miles, 2010	46.87
FIPS Code	06075

About datasets used in this table

**Value Notes**

▲ Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Quick Info ⓘ row in TABLE view to learn about sampling error.

The vintage year (e.g., V2019) refers to the final year of the series (2010 thru 2019). *Different vintage years of estimates are not comparable.*

**Fact Notes**

- (a) Includes persons reporting only one race
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data
- (b) Hispanics may be of any race, so also are included in applicable race categories

**Value Flags**

- Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest or open ended distribution.
- F Fewer than 25 firms
- D Suppressed to avoid disclosure of confidential information
- N Data for this geographic area cannot be displayed because the number of sample cases is too small.
- FN Footnote on this item in place of data
- X Not applicable
- S Suppressed; does not meet publication standards
- NA Not available
- Z Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Income Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

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To: San Francisco Board of Supervisors, Office of the Clerk of the Board

Re: Conditional Use Appeal 2020-001610CUA

Please find attached the filing fee for the appeal of above reference Conditional Use Authorization.


We will be filing the appeal electronically in the next 24 hours or so.

Sincerely,



Athanassios Diacakis

3830 18th St  
San Francisco CA 94114


RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
NOV 10 AM 10:17  
BY 

**ATHANASSIOS DIACAKIS REV TRUST**  
**ATHANASSIOS DIACAKIS**


1362  
94-221/1212  
3000

Date 11/10/2021

Pay to the Order of SF Planning Department \$ 681.00  
SIX HUNDRED AND EIGHTY ONE Dollars

 Charles Schwab Bank  
Reno, Nevada 3832 18th St

High Yield Investor Checking

For APPEAL 2020-001610 CUA  MP

Harland Clarke

**From:** [BOS Legislation. \(BOS\)](#)  
**To:** [Thanos Diacakis](#); [Jonathan@VanguardProperties.com](mailto:Jonathan@VanguardProperties.com); [Ryan Patterson](#)  
**Cc:** [Blackwell, William \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Wong, Jason \(DPW\)](#); [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Jonin, Jonas \(CPC\)](#); [Horn, Jeffrey \(CPC\)](#); [Jimenez, Sylvia \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation. \(BOS\)](#)  
**Subject:** APPELLANT BRIEF: Appeal of Conditional Use Authorization - Proposed 3832-18th Street Project - Appeal Hearing - March 15, 2022  
**Date:** Thursday, March 10, 2022 4:54:07 PM  
**Attachments:** [image001.png](#)

---

Greetings,

The Office of the Clerk of the Board is in receipt of a brief from the appellant, Athanassios Diacakis for the Conditional Use appeal of the proposed project of 3832-18th Street.

[Appellant Brief - March 10, 2022](#)

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 211187](#)

Best regards,

**Lisa Lew**  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T 415-554-7718 | F 415-554-5163  
[lisa.lew@sfgov.org](mailto:lisa.lew@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**(VIRTUAL APPOINTMENTS)** To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

*Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.*



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**Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

# 3832 18th Street - Appeal By Neighbors

Dear Board of Supervisors,

We are appealing the San Francisco Planning Commission Motion adopted on October 14, 2021 to approve the Conditional Use Authorization and group housing project at 3832 18th Street.

I am the neighbor directly to the east of the proposed project, and I have been living here for approximately 13 years, with my partner and two kids.

Before we lay our arguments, we want to set the record straight, that every neighbor that has supported this appeal recognizes the need for more housing and is supportive of seeing the site developed. **We recognize that the existing 2 story building needs to get bigger, and we are fully behind this.**

However, the currently approved plan is not only outsized for the size and context, but is also not the kind of housing the neighborhood needs. We will discuss these problem areas below and make specific proposals on how to modify the project to address the neighborhood concerns.

There are three problematic areas:

- Project fails to meet Group Housing requirements
- Conditional Use Findings Are Blatantly Erroneous
- Project Discriminates Against Families

## Project fails to meet Group Housing requirements.

The group housing regulations state the following:

Group Housing. A Residential Use that provides lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time, in a space not defined by this Code as a dwelling unit. Such group housing shall include, but not necessarily be limited to, a Residential Hotel, boardinghouse, guesthouse, rooming house, lodging house, residence club, commune, fraternity or sorority house, monastery, nunnery, convent, or ashram

This project is abusing the Planning Code by invoking the 2005 Zoning Administrator's interpretation as the basis to create market rate condos to be sold individually, with no common purpose among the participants.

Additionally, the project here includes “convection microwave ovens”, in addition to a stove-top and a fridge. One has to really squint very hard to pretend this is not a full kitchen.

This project should not be deemed Group Housing, neither by the letter nor by the spirit of the regulations.

We understand that at least some members of the Board agree that this loophole must be changed, which is why an Ordinance has been proposed to amend the Planning Code to eliminate this loophole and require Group Housing projects to meet the original intent of the Planning Code definition.

## Conditional Use Findings Are Blatantly Erroneous.

The Conditional Use Authorization the developer was seeking requires specific findings to be made. As we will show below, a lot of these findings fly in the face of what should be obvious to all.

Commissioner Diamond exclaimed that “I am really struggling to see how we can make the findings that are in the draft motion” and listed some of those. “The extraordinary addition of height makes it very hard to support those findings”.

**7A.** Conditional Use Finding requires that the “**size and intensity**” **need to be compatible with the neighborhood**. The Planning staff findings state that the greater area is predominantly 2, 3 and 4 story buildings (around 40ft) and in the same paragraph somehow finds a 68 ft tall building – 1.5 times the standard, that digs deep in the mid-block, into the protected open space for the neighborhood, are “compatible”.

**7B.** Requires that it is “**not detrimental to the health, safety or convenience of the residing**” in the area. This again, does not stand on its face. The substantial massing would block air flow, would eliminate all natural light from the lower floors of the surrounding buildings, would cast shadows on rooftop solar panels (say, 3824 18th) and would cast shadows on the mid-block open space, affecting the enjoyment of dozens of yards, and the outdoor area for seniors in the 3850 18th St city building.

**8H.** This finding requires that **cultural and economic diversity is preserved**. The press has been calling this type of unit “Tech Dorms”. The developer is unwilling to state the sales prices for the market-rate units, however, based on lower-end comparables which range from \$1,006 to \$1,313 per square foot, it is reasonable to expect that a 400 square foot unit would sell for \$400,000 to \$525,000 if they went on the market today. Given that these will be condos, there will also be HOA fees of hundreds of dollars per month, but again, the developer has refused to provide an estimate. Contrast this with Mission Terrace next door where the rents are in the hundreds. There will also be HOA fees on top of this. Comparable units with fewer amenities

according to our research are even higher (\$500-600k - see Appendix A). The developer calls those “naturally affordable” - a euphemism perhaps for “very profitable”.

Keeping in mind that only 3 of the 19 units are BMR and that even these will be selling for an amount that is affordable to households earning 80 percent of the AMI, which in 2021 was \$74,600 for a single-person household and \$106,550 for a four-person household.

Contrast this with Mission Terrace next door where the rents are in the low hundreds of dollars per month. In that 3 of the 19 units are BMR (about 15% of the project), the idea that this project will serve a low-income population is absurd.

As stated in the proposed Ordinance amending the definition of Group Housing “(g) Group Housing ownership units run the risk of becoming unregulated corporate rentals or second and third homes for San Francisco or non-San Francisco residents, which contravenes the intended social benefits and shared investment needed to ensure a successful Group Housing project.”

Last, we reached out to several banks and asked if they would lend for such a project and have yet to find one.

We don't think this project preserves economic or cultural diversity.

**8L. Project increases the number of family-sized units on-site.** This requirement is as clear and objective as it gets. In response, planning staff stated: “This project increases the number of bedrooms which is desirable for many families”. Their response is absurd. This project removes a unit suitable for families and does not help families in any way.

If you have not read through the CU findings, please take the time to do so. They are disconnected from reality.

## Project Discriminates Against Families

San Francisco has a policy detailed in the General Plan to encourage family housing. Excerpts below:

POLICY 4.1 Promote housing for families with children in new development by locating multi- bedroom units.

POLICY 4.2 Encourage the remodeling of existing housing for families with children.

No family (without kids – and certainly not with kids) can adequately live in such limited space. This project will continue to push families out of this city.

There is no argument available that these tiny single resident housing are healthy for the neighborhood, or required. Our research shows that planning has been approving studios and one bedrooms at an alarming rate.

<b>Unit Types</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>Total</b>
0 or 1 bedroom	1,916	852	620	1275	1329	5992
2 bedrooms	1,439	581	399	380	976	3775
3 or 4 bedrooms	99	44	61	41	90	335

The city has a need for additional housing, but has created incentives that push developers to a single type of housing that is inconsistent with our broader goals.

## Developer Has Refused To Cooperate

The developer has been frustratingly uncooperative from the beginning:

- Failed to address neighbor questions during the pre-application hearing. Promised information would be provided past the hearing. Has not done so to date.
- Misrepresented several of their employees and contractors as “concerned citizens” at the Planning Commission hearings.
- Presented last minute, take-it-or-leave-it offers that could not be shared with the neighbors.
- Mised neighbors in signing their appeal (which did not qualify due to insufficient signatories) by lying about the implications of signing it. They stated that by supporting their appeal, neighbors would be taking a *neutral* stance on this project.
- Has continually dodged the question on the alleged “affordability” of the created units and has sought to walk back their own statements on the estimated sales prices.

## Alternatives Should Be Considered

The developer has previously rejected all of our modification proposals, so we kindly ask the Board of Supervisors to consider them instead.

We are attaching some sketches (Appendix B) that show how the developer could reduce the size of the units, and change the massing of the building. This would maintain the same number of units and the smaller units would be more “naturally affordable” - a characteristic the developer has been touting.

While the proposals above could be the basis for compromise, the neighbors are not thrilled with a building with only zero bedroom units. As such, we are providing an additional proposal which reduces the massing, and the number of units, providing a better mixture of units - some with more bedrooms. We hope the Board of Supervisors will give it consideration.

## Conclusion

We hope we have shown you how this project is unsuitable on a number of levels. The developer has tried to make use of every available loophole in the system to destroy a home that can house a family, and create 19 units to serve single individuals that can afford them.

They will jam a gigantic structure in a small lot, not caring about the consequences for the neighborhood. This project fails to provide any benefits that are consistent with city goals.

We kindly ask that you uphold our appeal, and deny this project, or approve it with modifications to reduce the massing and alter the unit types.





# Actual Size

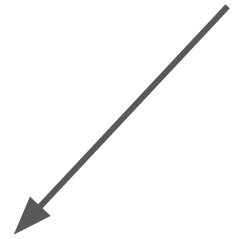


An aerial photograph of a city street intersection. The sky is blue with wispy white clouds. A large orange arrow points from the right towards the left, with the text "60 ft" written inside it. The street is lined with various buildings, including a prominent multi-story colorful building (red, white, and grey) and a traditional Victorian-style house with a bay window. There are trees, parked cars, and a utility pole visible. In the background, a city skyline is visible under a clear blue sky.

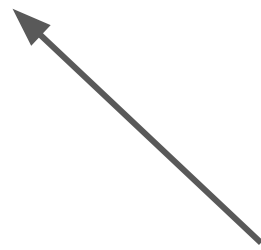
60 ft



Morning Light



North



Evening Light



Senior Yard



North



# Appendix A

At the October 14, 2021 Planning Commission hearing, Mark Loper (attorney for the developer) said "The project sponsor is an experienced developer has a condo project at 570 jessie street including studio condos and 901 bush street with many under 400 square feet."

([https://sanfrancisco.granicus.com/TranscriptViewer.php?view\\_id=20&clip\\_id=39583](https://sanfrancisco.granicus.com/TranscriptViewer.php?view_id=20&clip_id=39583))

## 570 Jessie Street

A Vanguard project <https://www.570jessie.com/>

<https://www.trulia.com/p/ca/san-francisco/570-jessie-st-san-francisco-ca-94103--2082850435>

**Studio / 1 bath with a Trulia estimate of \$945,600.**

<https://www.redfin.com/CA/San-Francisco/570-Jessie-St-94103/home/110058783>

**One unit sold for \$500K in 2015.**

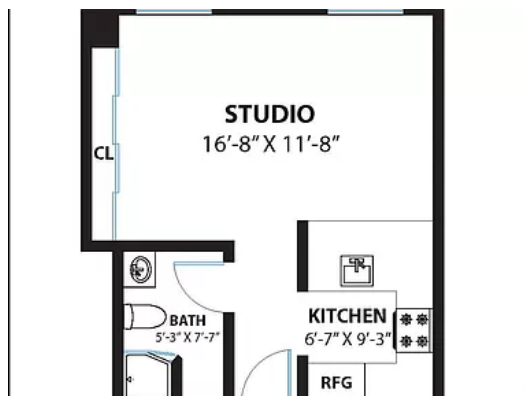
## 901 Bush Street

### CURRENT AVAILABLE LISTINGS: 03/10/2022

RESIDENCE #	LIST PRICE	LIST \$/S.F.	BED/BATH	SQ.FT.	DETAILS
302	\$595,000	-	1/1	0	<a href="#">MORE</a>
406	\$529,500	-	0/1	0	<a href="#">MORE</a>

<https://www.zillow.com/b/901-bush-st-san-francisco-ca-5XsRTf/>

**Studio is under 300 square feet and is for sale for \$529,000**

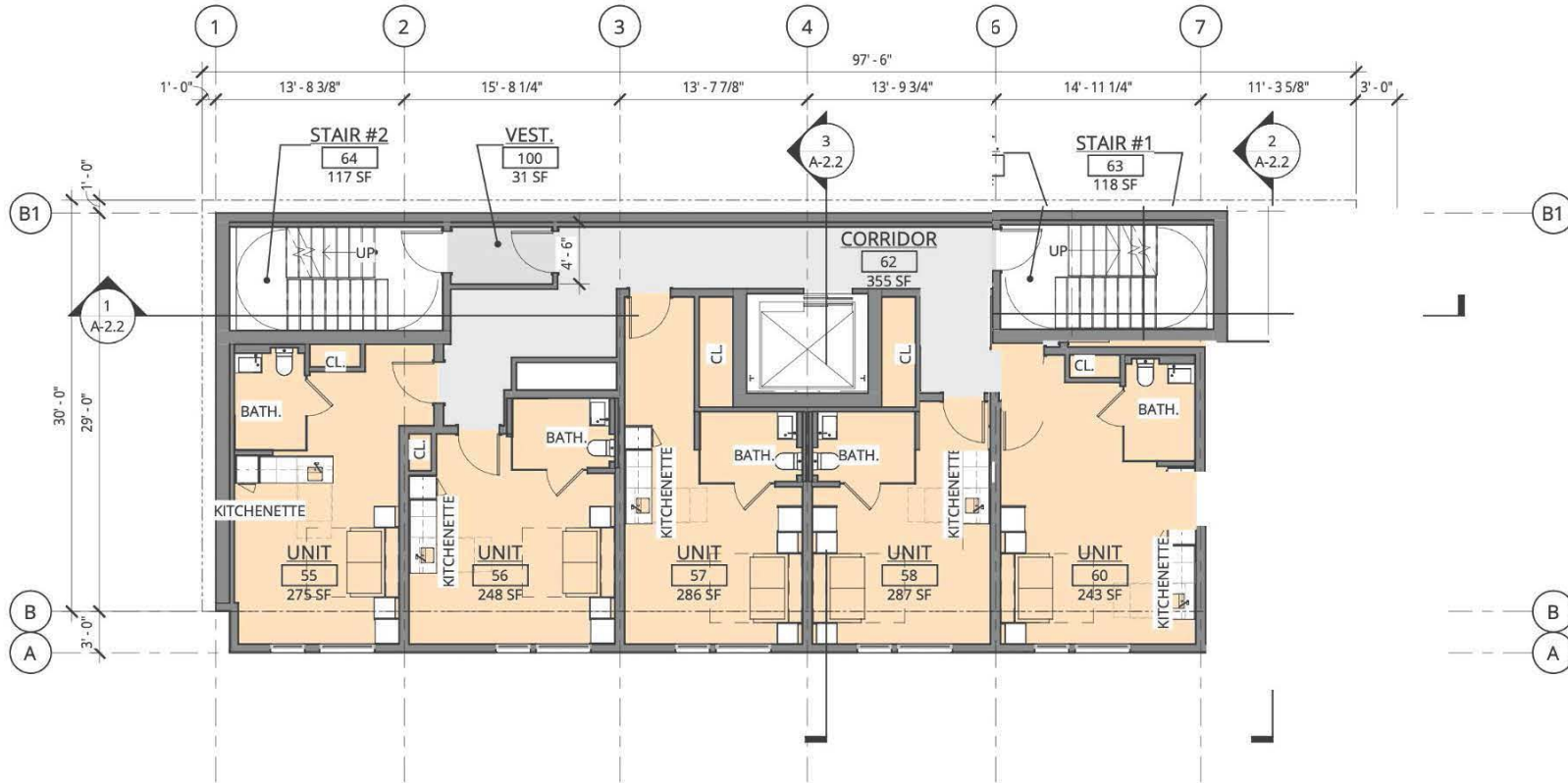


## Appendix B

## Options Based on 841 Polk St layout

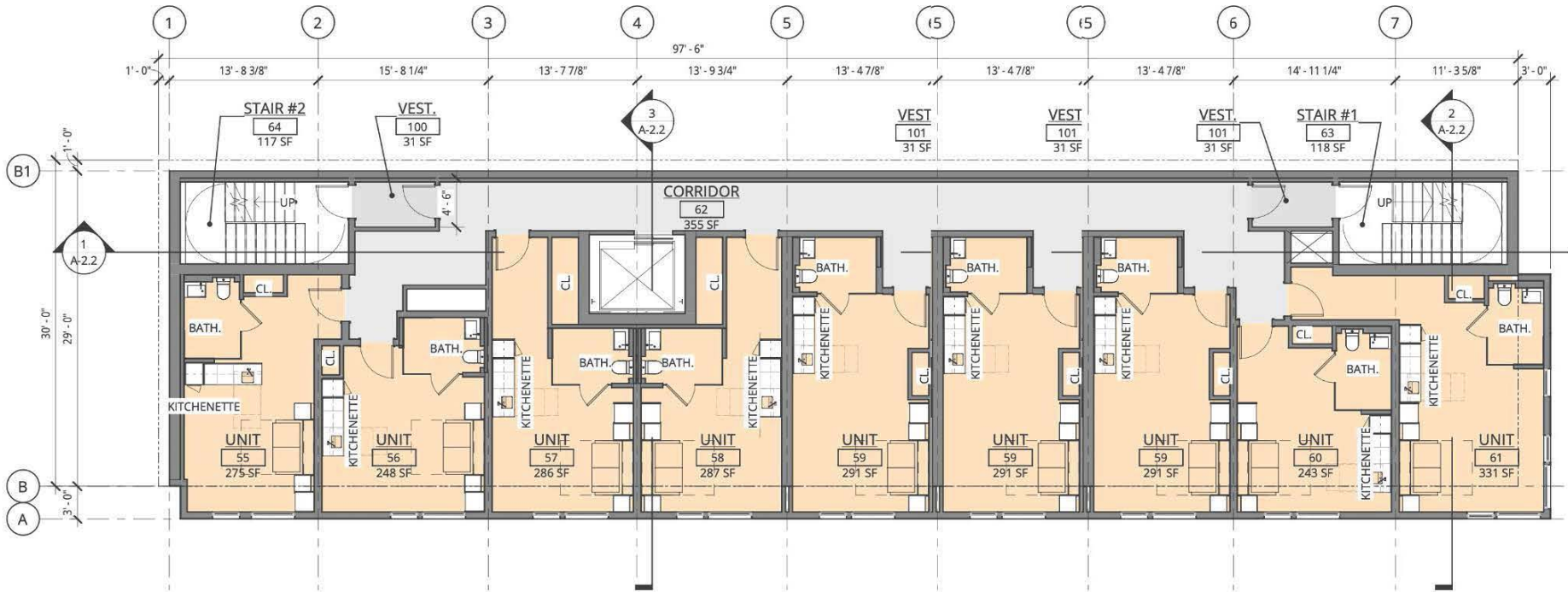
- Smaller units - more “naturally affordable”
  - Various options allow for some bigger units (e.g. BMRs)
  - Can keep 40 ft max height and yard setback
- 
- Next 3 slides show floor plan variations which can be mixed and matched for the options that follow.

# 5 units keeping the rear yard (any floor)

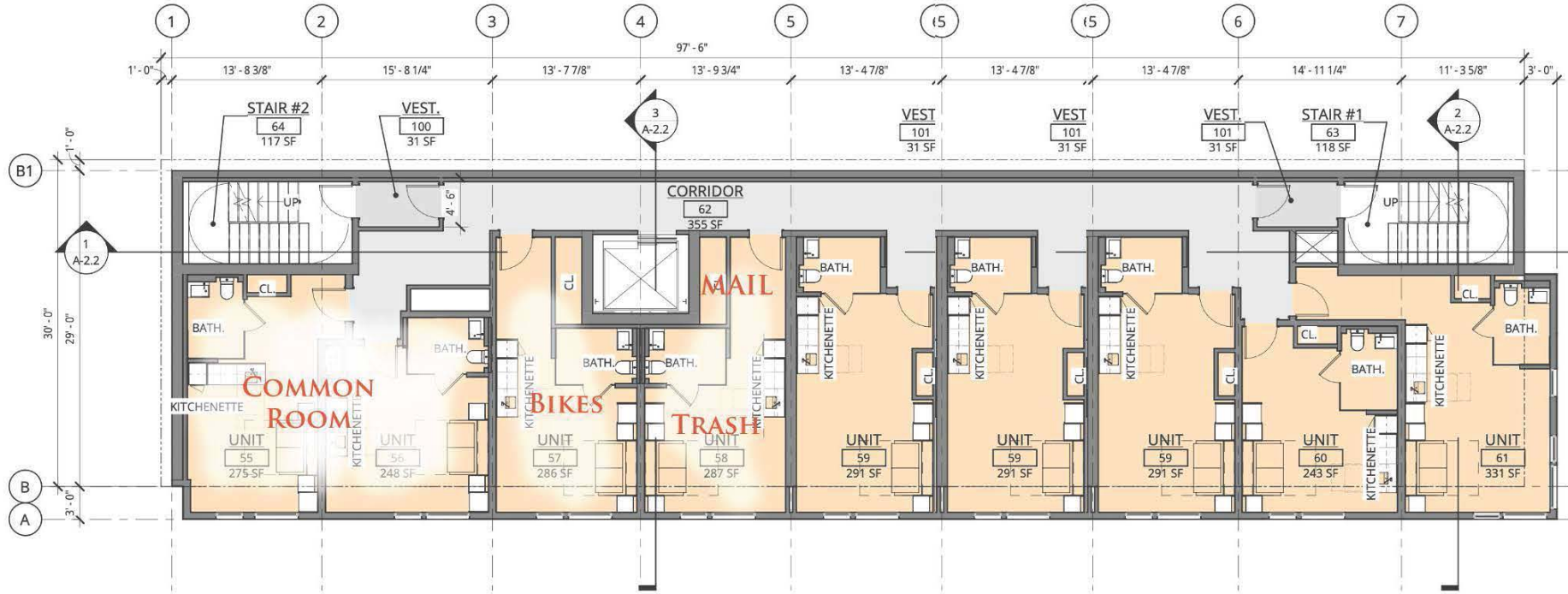




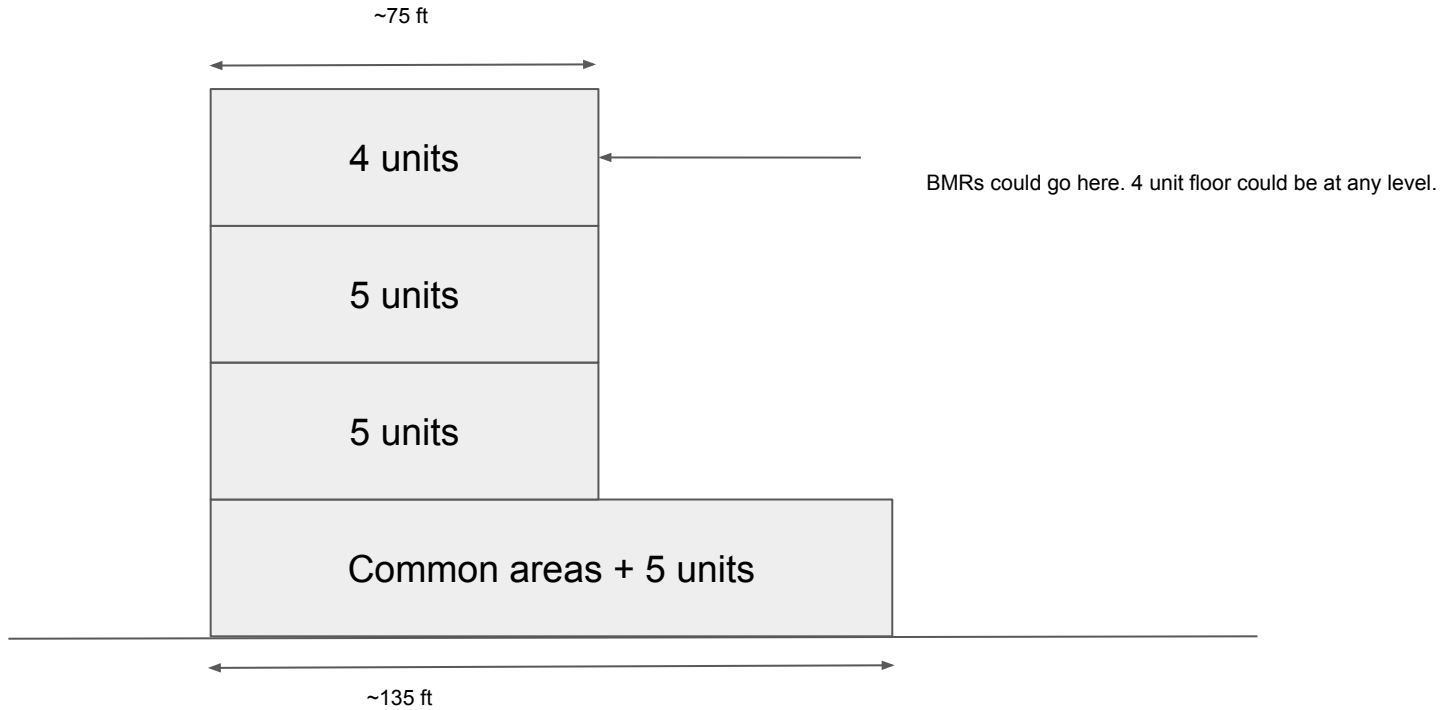
# 9 units - no yard (ground floor only)



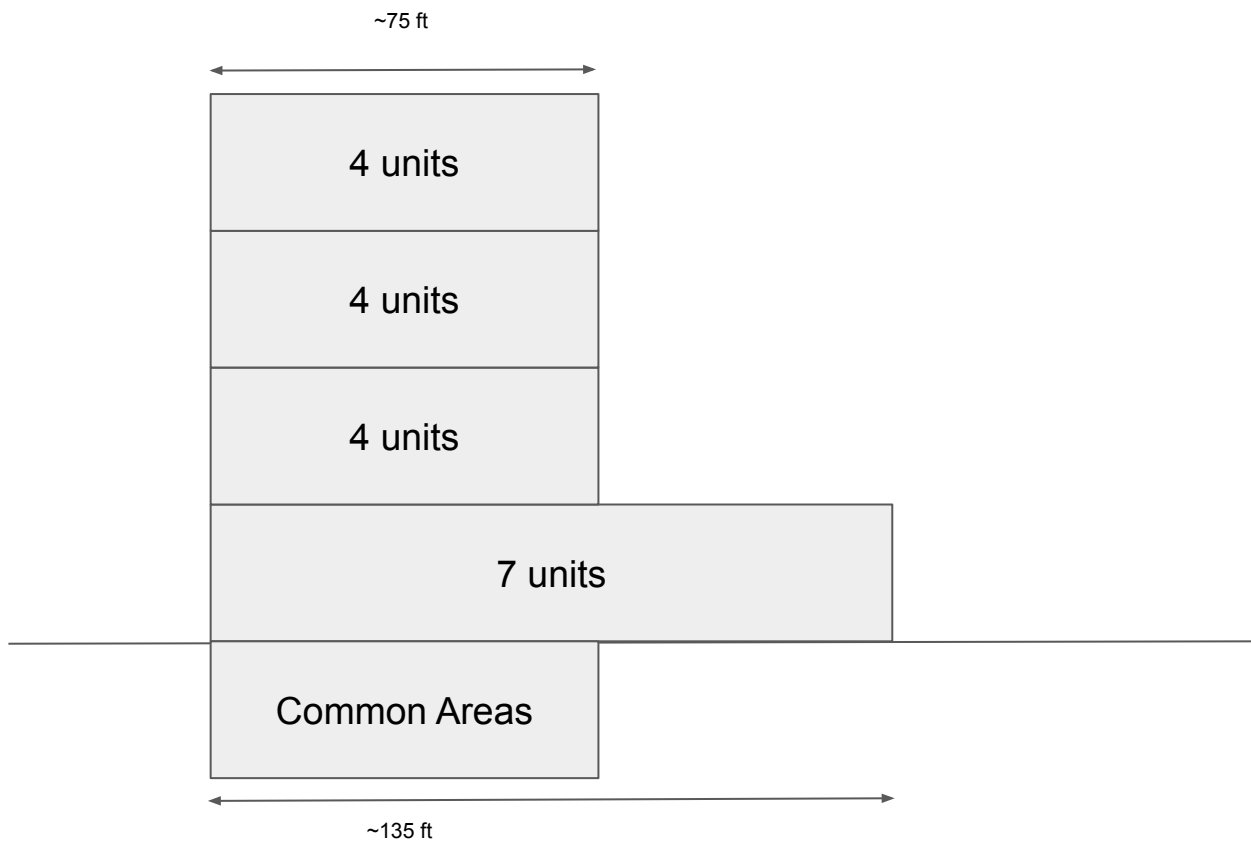
# 5 units, common spaces (ground floor only)



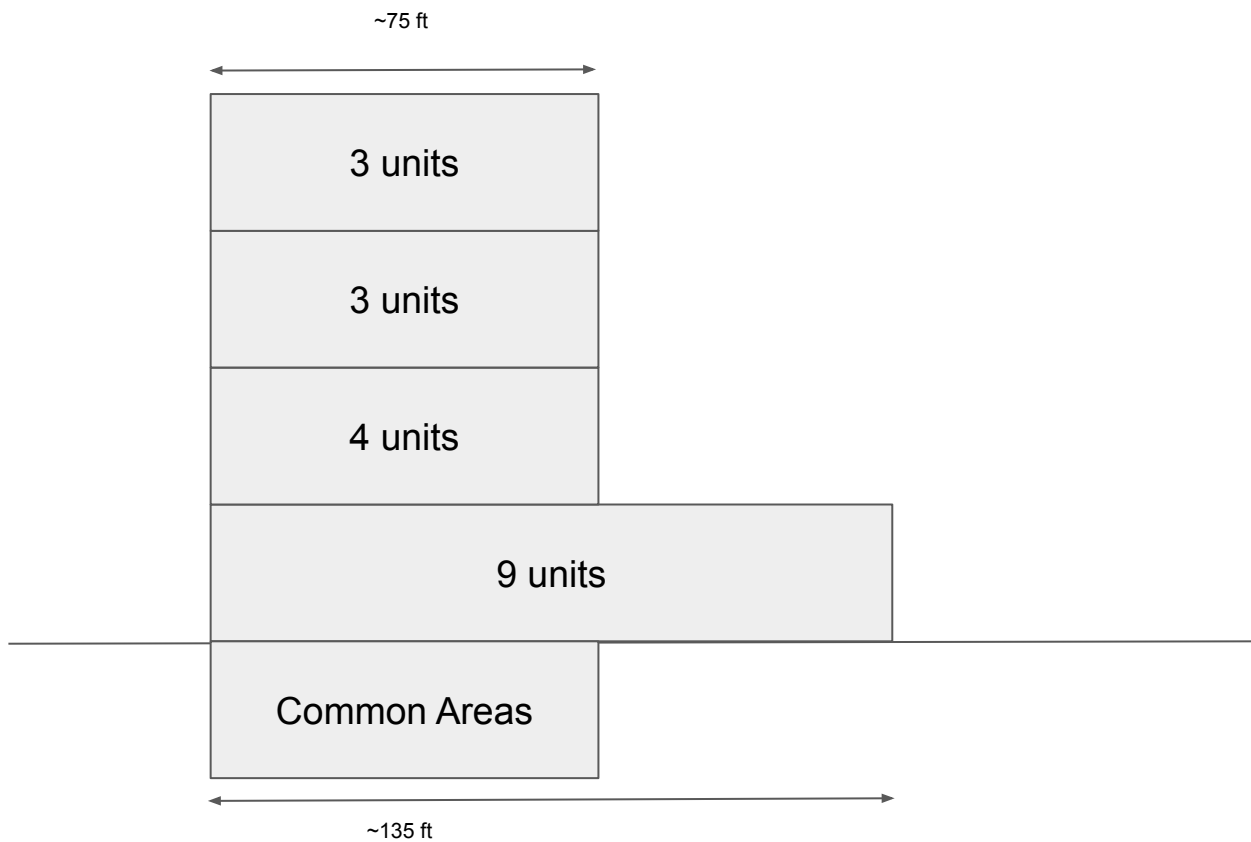
# Option A: 19 units, no basement



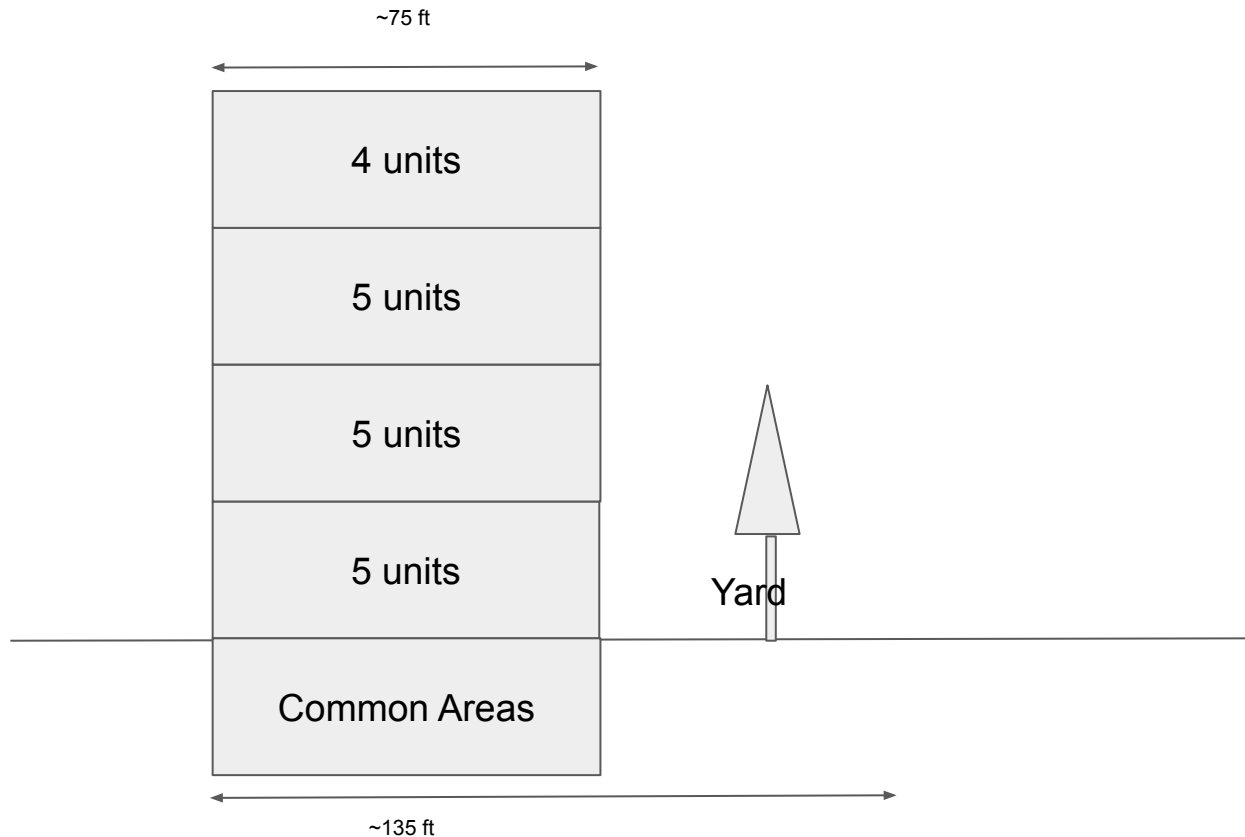
## Option B: 19 units, with basement



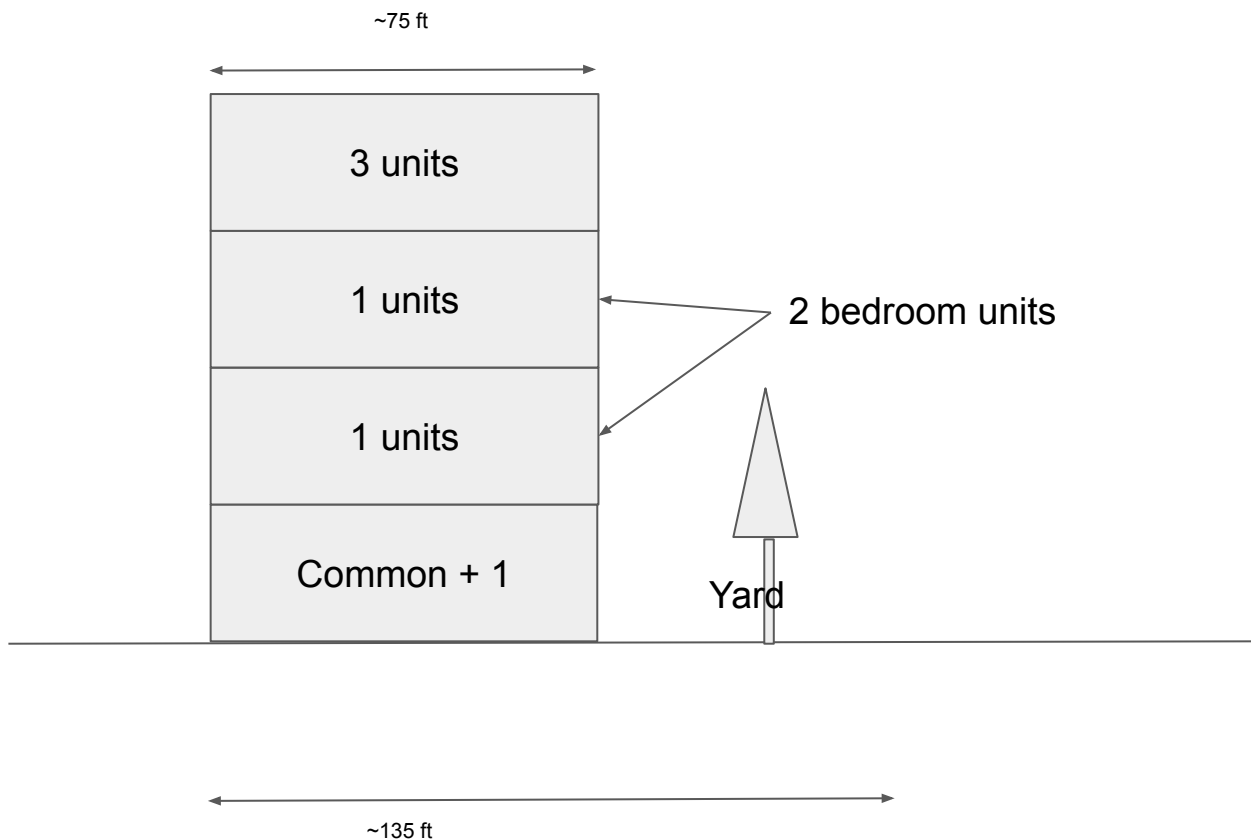
# Option C: 19 units, with basement



# Option D: 19 units, with basement & yard



# Option F (Family Friendly): 6 units, with yard



**From:** [BOS Legislation. \(BOS\)](#)  
**To:** [Thanos Diacakis](#); [Jonathan@VanguardProperties.com](mailto:Jonathan@VanguardProperties.com); [Ryan Patterson](#)  
**Cc:** [Ryan, James \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Wong, Jason \(DPW\)](#); [Duran, Vanessa \(DPW\)](#); [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Horn, Jeffrey \(CPC\)](#); [Jimenez, Sylvia \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation. \(BOS\)](#)  
**Subject:** PROJECT SPONSOR RESPONSE: Appeal of Conditional Use Authorization - Proposed 3832-18th Street Project - Appeal Hearing - March 15, 2022  
**Date:** Tuesday, February 22, 2022 3:21:17 PM  
**Attachments:** [image001.png](#)

---

Greetings,

The Office of the Clerk of the Board is in receipt of a response from the project sponsor Brian O’Neill of Zacks, Freedman & Patterson, PC, on behalf of MJ Mission Dolores, LLC, Yes In My Back Yard (YIMBY), and Sonja Trauss for the Conditional Use appeal of the proposed project of 3832-18th Street.

[Project Sponsor Response - February 18, 2022](#)

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 211187](#)

Best regards,

**Lisa Lew**  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T 415-554-7718 | F 415-554-5163  
[lisa.lew@sfgov.org](mailto:lisa.lew@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

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# ZACKS, FREEDMAN & PATTERSON

A PROFESSIONAL CORPORATION

601 Montgomery Street, Suite 400  
San Francisco, California 94111  
Telephone (415) 956-8100  
Facsimile (415) 288-9755  
[www.zfplaw.com](http://www.zfplaw.com)

February 18, 2022

***VIA E-MAIL***

Office of the City Attorney  
City Hall, Room 234  
1 Dr. Carlton B. Goodlett Pl.  
San Francisco, CA 94102

Re: 3832 18th Street (2020-001610CUA)

Dear Office of the City Attorney:

Our office represents MJ Mission Dolores, LLC, owner of 3832 18th Street, as well as the nonprofit corporation Yes In My Back Yard (YIMBY) and Sonja Trauss in her individual capacity. MJ Mission Dolores applied for a conditional use authorization (CUA) to construct a 19-unit, six-story group housing project at 3832 18th Street. The project provides three affordable units to qualify for a 35% density bonus under state law.

On October 14, 2021, the Planning Commission conditioned the CUA to eliminate the sixth floor of the project, which will have the same effect as lowering the density of the project and will impact the ability of the project to provide housing. The condition eliminates the common room and group kitchen facilities, greatly reduces the available bike storage on a site without parking, effectively eliminates two units, eliminates all private open space, and would cause multiple Planning and Building code compliance issues. The Planning Commission did not impose the condition to mitigate any identified impacts, but rather described the condition as a “design improvement.” Our clients participated in the Planning Commission’s October 14 hearing under protest because the City failed to act prior to the expiration of the Permit Streamlining Act’s mandatory deadlines, and thus the project was already deemed approved as a matter of law.

The Planning Commission’s action would have the same effect as lowering the project density, would impact the ability of the project to provide housing, and would render the project infeasible. Thus, the Planning Commission condition violates the Housing Accountability Act. In addition, the project sponsor is entitled to construct the project at the height proposed as one of the two incentives or concessions for which the project is eligible, or as a development standard waiver, under the State Density Bonus Law.

Our office submitted an appeal of the Planning Commission’s conditional approval on November 12, 2021 pursuant to Planning Code § 308. That appeal was rejected on November 22, 2021 due to an insufficient number of neighbor signatures submitted with the appeal. However, an appeal was also submitted by Athanassios Diacakis on October 14, 2021, which was accepted on November 18, 2021. Pursuant to Planning Code § 308.1(a), the Planning Commission’s action

Office of the City Attorney

February 18, 2022

Page 2

does not become effective unless and until the Board of Supervisors acts on Mr. Diacakiswas' appeal.

As explained above, the Planning Commission's approval violates both the Housing Accountability Act and the Density Bonus Law. We are prepared to enforce our clients' rights to the full extent of the law. However, due to the pending appeal, the Planning Commission's action is not yet effective or ripe for adjudication. We intend to fully participate in the Board of Supervisors' appeal process to hopefully resolve this matter administratively as a gesture of good faith, notwithstanding the fact that the project was already deemed approved. We intend to initiate litigation thereafter, if necessary.

Very truly yours,

ZACKS, FREEDMAN & PATTERSON, PC



---

Brian O'Neill

cc: Office of the Clerk of the Board (via email)

**From:** [BOS Legislation. \(BOS\)](#)  
**To:** [Thanos Diacakis](#); [Mark Loper](#); [Jonathan@VanguardProperties.com](#)  
**Cc:** [Ryan, James \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Wong, Jason \(DPW\)](#); [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Horn, Jeffrey \(CPC\)](#); [Jimenez, Sylvia \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation. \(BOS\)](#)  
**Subject:** PLANNING DEPARTMENT RESPONSE: Appeal of Conditional Use Authorization - Proposed 3832-18th Street Project - Appeal Hearing - December 7, 2021  
**Date:** Monday, November 29, 2021 1:12:00 PM  
**Attachments:** [image001.png](#)

---

Greetings,

The Office of the Clerk of the Board is in receipt of a response from the Planning Department for the Conditional Use appeal of the proposed project of 3832-18th Street.

[Planning Department Response – November 29, 2021](#)

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 211187](#)

Best regards,

**Jocelyn Wong**

San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T: 415.554.7702 | F: 415.554.5163  
[jocelyn.wong@sfgov.org](mailto:jocelyn.wong@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

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**From:** [Starr, Aaron \(CPC\)](#)  
**To:** [BOS Legislation, \(BOS\)](#)  
**Cc:** [Horn, Jeffrey \(CPC\)](#); [Jimenez, Sylvia \(CPC\)](#); [Bintliff, Jacob \(BOS\)](#)  
**Subject:** Planning Department's Response for 3832 18th Street CU Appeal  
**Date:** Monday, November 29, 2021 11:57:01 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[3832 18th St CUA Appeal Response.pdf](#)

---

Attached, please find the Planning Department's response to the CU appeal for 3832 18th Street, Board File No. 211187,

Sincerely,

**Aaron Starr, MA**  
**Manager of Legislative Affairs**

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

**Direct:** 415-558-6362 **Fax:** 415-558-6409

**Email:** [aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)

**Web:** [www.sfplanning.org](http://www.sfplanning.org)





# Conditional Use Authorization Appeal

## 3832 18th Street

**DATE:** November 30, 2021  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Rich Hillis, Planning Director – Planning Department (628) 652-7411  
Sylvia Jimenez, Principal Planner – Planning Department (628) 652-7384  
Jeff Horn, Case Planner – Planning Department (628) 652-7633  
**RE:** Board File No. 211187, Planning Case No. 2020-001610CUA  
Appeal of Conditional Use Authorization for 3832 18<sup>th</sup> Street  
**HEARING DATE:** December 7, 2021  
**PROJECT SPONSOR:** Mark Loper, Reuben, Junius & Rose LLP  
One Bush Street #600, San Francisco, CA 94104  
**APPELLANTS:** Athanassios Diacakis, 3830 18th Street. San Francisco, CA 94114

### INTRODUCTION

This memorandum and the attached documents are a response to the letters of appeal to the Board of Supervisors (“Board”) regarding the Planning Commission’s (“Commission”) approval of the application for Conditional Use Authorization under Planning Department Case Number 2020-001610CUA pursuant to Planning Code Sections 209.31, 253, 303 (Conditional Use Authorization) and 317, and pursuant to Planning Code Section 206.6 as an Individually-Requested State Density Bonus.

This memorandum addresses the appeal to the Board, filed on November 12, 2021, by the adjacent neighbor, Athanassios Diacakis.

The decision before the Board is whether to uphold, overturn, or amend the Planning Commission’s approval of an application for Conditional Use Authorization to allow the proposed Project at the subject property.

### PROJECT DESCRIPTION

The proposed project proposes the demolition of the existing 25-foot-tall, two-story, single-family residence and the construction of a 50’-4” tall (58’-4” tall with mechanical room), five-story, residential building containing 19 group housing units. The proposed building would be approximately 10,023 gross square feet in size and would provide 890 square feet of common open space at the ground floor. The project would not provide off-street vehicular parking.

## **SITE DESCRIPTION & PRESENT USE**

The Project site is located midblock on the north side of 18th Street, between Dolores and Sanchez Streets; Lot 018 in Assessor's Block 3580 and is located within the RM-1 (Residential-Mixed, Low Density) Zoning District and a 40-X Height and Bulk District. The Project site is a relatively flat lot with an area of approximately 3,868 square feet, frontage of 27 feet, 6 inches on 18th Street, and an average depth of approximately 141 feet, 10 inches. The site is currently developed with an existing 1,210 square foot, two-bedroom, one-story-over-garage, single-family dwelling constructed circa 1900.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The subject property is located on the southeast side of the Castro/Upper Market Neighborhood within Supervisorial District 8. The surrounding properties are located in the RM-1, RH-3, RM-3, and Public (P) Zoning Districts and are developed with a variety of residential, institutional and mixed-use buildings ranging in height from one to five stories. Ground floor commercial uses are generally provided at the street corners and the block includes a range of residential uses ranging from single family homes to multi-unit apartment building. The adjacent property to the east (3826, 3828, 3830a 18th St) is developed with a 3-story-attic (within the gabled roof) at the front and a one-story-attic (within the gabled roof) dwelling unit/cottage located at the rear of the property. The adjacent property to the west (3838 18th St) contains a two-story two-family dwelling. One lot further to the west contains the Mission Terrace Senior Housing site, a 5-story, 107 apartment development that extends through the block to Dorland Street. Across from the Project Site, on the south side of 18th Street, lots are within RH-3 and 40-X Districts and developed with 3 and 4-story multi-family dwellings. Mission High School and Mission Dolores Park are located one block directly east along 18th Street. There is a J-Church MUNI stop platform near the corner of 18th Street and Church Street which runs along the western edge of Mission Dolores Park and Mission High School.

## **BACKGROUND**

- On July 30, 2020, the Project Sponsor filed the Application with the Planning Department (hereinafter "Department").
- On July 15, 2021, the Commission considered the proposed application. After public comment and discussion, the Commission continued the item to October 14, 2021. Prior to continuing the item, the Commission provided feedback on the proposed design and recommended the removal of the top floor to reduce the height of the building. The item was continued allow the sponsor time to develop and incorporate design changes.
- On October 14, 2021, the Commission reviewed the revise design, which was prepared by the Planning Department and not the project sponsor. The alternate design addressed the intent of the Commission's comments by removing the sixth floor, including the two penthouse units, stairs and elevator and roof decks, and the relocation of the two units to ground level at rear. The Department recommended approval of the Project as originally proposed with six floors. The Commission discussed the Department's design alternative and made a Motion to Approve the



Project with two additional conditions, which included:

- The Project Sponsor shall provide a building consistent with the alternative design of a project that is five (5) stories in height and contains 19 bedrooms of Group Housing; and
- Planning Staff will provide a report back memo to the Commission on the project's revised design.

### **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 General Plan.
4. That such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

In addition, Planning Code Section 317 sets forth the following the following additional criteria that the Planning Commission shall consider in the removal of a dwelling unit:

1. Whether the property is free of a history of serious, continuing code violations;
2. Whether the housing has been maintained in a decent, safe, and sanitary condition;
3. Whether the property is an "historic resource" under CEQA;
4. Whether the removal of the resource will have a substantial adverse impact under CEQA;
5. Whether the Project converts rental housing to other forms of tenure or occupancy;
6. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

7. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;
8. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;
9. Whether the Project protects the relative affordability of existing housing;
10. Whether the Project increases the number of permanently affordable units as governed by Section 415;
11. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;
12. Whether the Project increases the number of family-sized units on-site;
13. Whether the Project creates new supportive housing;
14. Whether the Project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;
15. Whether the Project increases the number of on-site dwelling units;
16. Whether the Project increases the number of on-site bedrooms;
17. Whether or not the replacement project would maximize density on the subject lot; and;
18. If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.

Pursuant to Planning Code Section 206.6(e), the Planning Commission shall make the following findings as applicable for any application for a Density Bonus, Incentive, Concession or Waiver for any Individually Requested Density Bonus Project:

1. The Housing Project is eligible for the Individually Requested Density Bonus Program;
2. The Housing Project has demonstrated that any Concessions or Incentives reduce actual housing costs, as defined in Section 50052.5 of the California Health and Safety Code, or for rents for the targeted units, based upon the financial analysis and documentation provided;
3. If a waiver or modification is requested, a finding that the Development Standards for which the waiver is requested would have the effect of physically precluding the construction of the Housing Project with the Density Bonus or Concessions and Incentives permitted;
4. If the Density Bonus is based all or in part on donation of land, a finding that all the requirements included in Government Code Section 65915(g) have been met;
5. If the Density Bonus, Concession or Incentive is based all or in part on the inclusion of a Child Care Facility, a finding that all the requirements included in Government Code Section 65915(h) have been met; and
6. If the Concession or Incentive includes mixed-use development, a finding that all the requirements included in Government Code Section 65915(k) have been met.

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

**ISSUE 1: The Project is not consistent with the required Conditional Use Authorization or Section 317 Findings and is not Necessary or Desirable.**

**RESPONSE 1: The Project provides a Code compliant group housing State Density Bonus Project with on-site below market rate units within a building that is compatible with the character of the neighborhood.**

The size of the proposed five-story 19-bedroom group housing project is in keeping with other residential properties in the neighborhood. The proposed height of 50 feet is within the allowable height range available through the State Density Bonus Program. The property is designed appropriately to minimize light and privacy impacts to surrounding properties and the mid-block open space. The building's rear yard is equal to the depth of the two adjacent properties. Additionally, the building's side property line is set back on the 2nd to 5th floors to allow southerly and northerly adjacent properties to maintain light and air.

The 19-bedroom group housing project would replace an existing two-bedroom single-family home, resulting in a net increase of 17 bedrooms on the site. Three of these rooms would be provided as below-market rate units affordable to households earning 80% AMI. Historical review concluded that the existing structure is not considered a historic resource under CEQA and thus its demolition will not cause the loss of a historic property.

The Project is consistent with the stated purpose of the RM-1 Zoning District, which is characterized by a mixture of the dwelling types found in Residential Districts. In addition, this district also has a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. The Project maintains the pattern of 25-foot to 27.5-foot building widths, and a height of five-stories. The overall density of units remains low at a per bedroom basis and is consistent with the surrounding properties. Overall, the project's design is complementary to the context of the district, while providing a new housing type to the neighborhood. For all these reasons, the Project is on balance, consistent with the Objectives and Policies of the General Plan and the Commission found the project to be necessary and desirable.

**ISSUE 2: The Project violates the City's Objectives and Policies of the General Plan and has an adverse impact and discriminates against families and children.**

**RESPONSE 2: On balance, the Project is consistent with the Objectives and Policies of the General Plan.**

When making General Plan Consistency the Planning Commission must often balance competing policies and come to a decision as to whether or not the proposed project is, on balance, consistent with the General Plan. In this case, the Commission found that, on balance, the proposed project was consistent with the General Plan. In addition, the Commission also found that the resulting project would help alleviate San Francisco's severe housing crisis and provide housing within a transit rich neighborhood. Additionally, 20% of the proposed Group Housing rooms (or 3 units) will be on-site below market rate units. While the project may not provide housing opportunities explicitly for families, the project would create a net addition of 17 bedrooms to the housing stock of the City, which is consistent with Objectives and Policies of the General Plan.

**ISSUE 3: The Project fails to comply with Department's Residential Design Guidelines.**

**RESPONSE 3: With the reduction in building height included in the Planning Commission’s approval, the project is compliant with the Department’s Residential Design Guidelines.**

The size of the approved Project, a five-story building, is in keeping with other residential properties in the neighborhood. Further, at 50 feet the proposed height is within the allowable height range available through the State Density Bonus Program. In their review, the Commission discussed the appropriateness of the project’s proposed height. As a result, the Commission ultimately approved the project with a reduction in height to resolve this concern.

Additionally, the building provides a front setback that is equal to the depths of the two adjacent neighbors. This area will be appropriately developed with landscaping and permeable surfaces. In addition to two common entrances at the front, the project includes direct accessed from the street to one of the rooms, consistent with the existing residential development on the block. The project provides a rear building wall at a location the results in a rear yard equal to 25% of the lot’s depth. This provides a rear yard that contains enough area for a code-complaint open space for the 19 units. Along the side property lines, the project proposes four lightwells, two on each side of the building; all are three feet deep and range in length from 17 feet to 36 feet. These lightwells provide additional light and air to each neighboring property. The Project results in a building size, shape, and height that is appropriate for the neighborhood context. Overall, the project’s design is complementary to the context of the district, while providing a new housing type to the neighborhood.; therefore, the Commission found the modified project to be compliant with the San Francisco Planning Code and Residential Design Guidelines.

**ISSUE 4: The Developer did not comply with the direction of the Planning Commission to engage in neighborhood outreach and dialogue.**

**RESPONSE 4: Although encouraged by the Department and the Planning Commission, public outreach is not required criteria for the Commission to grant Conditional Use Authorization.**

As a Department Policy, for projects of this size and scope a Pre-Application Meeting is required prior to an application being deemed complete. The Sponsor held the required Pre-Application Meet virtually on July 7, 2020, which adjacent neighbors and community groups were invited to attend. Throughout the processing of the project’s application, the Sponsor maintained dialogue with the adjacent property owners and other community stakeholders.

## **SUMMARY RESPONSE**

The appellants contend that the Planning Commission’s approval of the Project was made mistakenly, and that the project is not compliant with the required Findings for Conditional Use Authorization or with the Objectives and Policies General Plan. On these issues, the Planning Commission found that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Commission found that resulting project would provide 19 Group Housing rooms helping alleviate San Francisco’s severe housing crisis and provide housing within a transit rich neighborhood. Additionally, 20% of the proposed Group

Housing rooms (or 3 units) will be on-site below market rate units, and is therefore is necessary and desirable project.

## **CONCLUSION**

For the reasons stated in this document, in the attached Resolution, and in the Planning Department case file, the Planning Department recommends that the Board uphold the Planning Commission's decision in approving the Conditional Use authorization for the Project.



# PLANNING COMMISSION MOTION NO. 21016

**HEARING DATE: OCTOBER 14, 2021**

**Case No.:** 2020-001610CUA  
**Project Address:** 3832 18<sup>th</sup> Street  
**Zoning:** RM-1 (Residential- Mixed, Low Density) Zoning District  
40-X Height and Bulk District  
**Block/Lots:** 3580/018  
**Project Sponsor:** Mark Loper  
Reuben, Junius & Rose LLP  
One Bush Street #600  
San Francisco, CA 94104  
**Property Owner:** M-J SF Investments LLC  
2501 Mission Street  
San Francisco, CA 94110  
**Staff Contact:** Jeff Horn – (628) 652-7366  
[Jeffrey.Horn@sfgov.org](mailto:Jeffrey.Horn@sfgov.org)

ADOPTING FINDINGS RELATING TO APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 209.2, 253, 303, AND 317, TO ALLOW DEMOLITION OF A SINGLE-FAMILY RESIDENCE AND APPROVAL OF AN INDIVIDUALLY REQUESTED STATE DENSITY BONUS PROJECT PURSUANT TO PLANNING CODE SECTION 206.6 (USING THE STATE DENSITY BONUS LAW (CALIFORNIA GOVERNMENT CODE SECTIONS 65915- 65918)) FOR THE PROJECT INVOKING WAIVERS FROM THE DEVELOPMENT STANDARDS FOR REAR YARD (SECTION 134), DWELLING UNIT EXPOSURE (SECTION 140) AND MAXIMUM HEIGHT LIMIT (SECTION 260) THAT WOULD CONSTRUCT A NEW FIVE-STORY, 50-FOOT TALL, RESIDENTIAL BUILDING (APPROXIMATELY 10,023 SQUARE FEET) WITH 19 GROUP HOUSING UNITS LOCATED AT 3832 18TH STREET, LOT 018 IN ASSESSOR'S BLOCK 3580, WITHIN THE RM-1 (RESIDENTIAL-MIXED, LOW DESNITY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

## PREAMBLE

On July 30, 2020, Sally Szeto of SIA Consulting filed Application No. 2020-001610PRJ (hereinafter “Application”) with the Planning Department (hereinafter “Department”) for Conditional Use Authorization and Individually-Requested State Density Bonus Project to demolish an existing single-family home and construct a new 10,023

square foot, five-story, 50-foot tall, residential building with 19 Group Housing units (hereinafter “Project”) at 3832 18th Street, Block 3580 Lot 018 (hereinafter “Project Site”). On June 17, 2021, Mark Loper of Rueben, Junius and Rose LLP (hereinafter “Project Sponsor”) filed revised Applications for the Project.

The Project Sponsor seeks to proceed under the State Density Bonus Law, Government Code Section 65915 et seq (“the State Law”), as amended under AB-2345. Under the State Law, a housing development that includes affordable housing is entitled to additional density, concessions and incentives, and waivers from development standards that might otherwise preclude the construction of the project. The Project Sponsor is providing 20% of base project units of housing affordable to lower income households and is therefore eligible for a density bonus of 35% and waivers of the following development standards: 1) Height (Planning Code Sections 260); 2) Rear Yard (Planning Code Section 134); and 3) Dwelling Unit Exposure (Planning Code Section 140).

On May 24, 2021, the Project was determined to be exempt from the California Environmental Quality Act (“CEQA”) as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project;

On July 15, 2021, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2020-001610CUA and after public comment and discussion, continued the item to October 14, 2021 and provided feedback on the design of the proposal with recommendations on possible changes, including the removal of a floor to reduce the height of the building. The item was continued to allow the sponsor time to develop and incorporate design changes.

On October 14, 2021, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on case No. 2020-001610CUA. In the interest in fulfilling the intent of the Commission’s request to study an alternative design scheme that reduces the massing by a floor, the Department prepared a design alternative for a building that implemented the Commission’s suggested design improvements for the Project. The alternate design would address the intent of the Commission’s comments through the removal of the sixth floor, including the two penthouse units, stairs and elevator and roof decks, and the relocation of the two units to ground level at the rear. The Department recommended approval of the Proposed Project, but presented to the Commission the design alternatives intended to address their requests for a massing reduction to the project. The Commission discussed the Department’s design alternative and made a Motion to Approve the Project, on several conditions. First, the Project Sponsor shall provide a building consistent with Planning’s recommended alternative design of a project that is five (5) stories in height and contains 19 bedrooms of Group Housing. Second, Planning Staff will provide a report back memo to the Commission on the project’s revised design.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-001610CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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 Authorization as requested in Application No. 2020-001610CUA, 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. Project Description.** The Approved Project includes demolition of the single-family home on the project site, and new construction of a five-story, 50-foot tall, residential building (approximately 10,023 gross square feet) with 19 group housing units, five Class 1 bicycle parking spaces, and two Class 2 bicycle parking spaces. The Project includes 890 square feet of common open space via a ground floor courtyard. The building's rooftop stair and mechanical penthouses would add an additional eight feet of height above the roof, and the elevator shaft will rise six feet above the roof, these features are centrally located toward the middle of the roof plan. The project provides no automotive parking and would remove an existing curb cut.
- 3. Site Description and Present Use.** The Project site is located midblock on the on the north side of 18th Street, between Dolores and Sanchez Streets; Lot 018 in Assessor's Block 3580 and is located within the RM-1 (Residential-Mixed, Low Density) Zoning District and a 40-X Height and Bulk District. The Project site is a relatively flat lot with an area of approximately 3,868 square feet, frontage of 27 feet, 6 inches on 18th Street, and an average depth of approximately 141 feet, 10 inches. The site is currently developed with an existing 1,210 square foot, two-bedroom, one-story-over-garage, single-family dwelling constructed circa 1900.
- 4. Surrounding Properties and Neighborhood.** The subject property is located on the southeast side of the Castro/Upper Market Neighborhood within Supervisorial District 8. The surrounding properties are located in the RM-1, RH-3, RM-3, and Public (P) Zoning Districts and are developed with a variety of residential, institutional, and mixed-use buildings ranging in height from one to five stories. Ground floor commercial uses are generally provided at the street corners and the block includes a range of residential uses ranging from single family homes to multi-unit apartment building. The adjacent property to the east (3826, 3828, 3830a 18th St) is developed with a 3-story-attic (within the gabled roof) at the front and a one-story-attic (within the gabled roof) dwelling unit/cottage located at the rear of the property. The adjacent property to the west (3838 18<sup>th</sup> St) contains a two-story two-family dwelling. One lot further to the west contains the Mission Terrace Senior Housing site, a 5-story, 107 apartment development that extends through the block to Dorland Street. Across from the Project Site, on the south side of 18<sup>th</sup> Street, lots are within RH-3 and 40-X Districts and developed with 3 and 4-story multi-family dwellings. Mission High School and Mission Dolores Park are located one block directly east along 18th Street. There is a J-Church MUNI stop platform near the corner of 18th Street and Church Street which runs along the western edge of Mission Dolores Park and Mission High School.
- 5. Public Outreach and Comments.** On July 7, 2020, the Project Sponsor held a virtual pre-application meeting as required by the Planning Department. Prior to the publishing of the case report, 30 public correspondences were received that included inquiries and concerns about the project's construction noise, the building's height and massing and resulting impacts to mid-block open space, and the increased density and the group housing use. Nine correspondences were received in support of the

project's proposed density and Group Housing residential use type.

The Project Sponsor has twice met with a group of neighborhood representatives, which includes a meeting facilitated by District 8 Supervisor Mandelman's office. In the second meeting and follow-up correspondence the members of the neighborhood recommended project modifications; including a reduction of floor-to-floor ceiling heights, a reduction in height and lengthening of the building, and a relocation of the project's communal area and bicycle parking into a basement level to allow for additional area to accommodate residential units. The Project Sponsor responded to those recommendation directly and within the Sponsor's Brief dated July 6<sup>th</sup>, 2021.

**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. Use.** Planning Code Section 209.3 principally permits Group Housing uses within the RM-1 Zoning Districts. Group Housing density is limited to one unit per 275 square feet of lot area. Per the State Density Bonus law, if 20% of the Base Density Units are provided at 80% AMI, then a Bonus Density of 35% is permitted.

*The subject lot has an area of 3,868 square feet, allowing for a base density of 14 group housing units. The proposal includes 20% of the Base Density Units at 80% AMI, allowing for a bonus of five (35% of the Base project) units for a total of 19 Group Housing units.*

- B. Front Yard.** Planning Code Section 132 requires, in RM-1 Districts, a front yard the average of the two adjacent neighbors, but no greater than 15 feet.

*The subject property has a required front setback line of 11 feet, 6 inches based on the location and frontages of the structures on the two adjacent properties and the Project meets the Front Yard requirement.*

- C. Front Setback Landscaping and Permeability.** Planning Code Section 132 requires that the required front setback be at least 20% unpaved and devoted to plant material and at least 50% permeable to increase storm water infiltration.

*The Project complies with Section 132 and provides the required landscaping permeable area.*

- D. Rear yard.** Within the RM-1 Zoning District, Planning Code Section 134 establishes that the minimum rear yard depth shall be equal to 45% of the total lot depth on which the lot is situated but in no case less than 15 feet.

*The Project site has an average depth of 141 feet, 10 inches in depth and therefore requires a minimum rear yard of 63 feet, 4 inches or 45%. The Project proposes a rear yard depth of 31 feet, 2 inches, or 22% of lot depth.*

*Strict enforcement of the Code would physically preclude the construction of the Project with the additional dwelling units as permitted under the Density Bonus Law. Per California Government Code Sections 65915-65918, the Project Sponsor has elected to use the State Density Bonus Law and proposes*

*a waiver for the reduction of site development standards for rear yard, which are defined in Planning Code 134.*

- E. **Usable Open Space.** Within the RM-1 Zoning District, Planning Code Section 135 requires the Group Housing structures provide one third of the required area of usable open space per dwelling unit, or 43.3 square feet of common usable open space per Group Housing unit and 33.3 square feet of private usable open space per Group Housing unit.

*The Planning Code requires a total of 822.7 square feet of common usable open space for 19 of the Group Housing units. The project proposes 860 square feet of usable open space at the rear courtyard, which meets the minimum commons area requirements. The Proposed Project included private open space for two units, a 149 square foot front deck and a 165 square foot rear deck, meeting area requirements and providing open space for two units. The Approved Project would provide all usable open space as common area located at the rear courtyard. Therefore, the Approved Project meets the Open Space requirement for all units.*

- F. **Dwelling Unit Exposure.** Planning Code Section 140(b) requires that either each Group Housing bedroom or at least one interior common area that meets the 120 square-foot minimum superficial floor area shall include windows that face onto a public street, rear yard, or other open area that meets minimum requirements for area and horizontal dimensions.

*The Approved Project contains 10 units that face the rear yard area, which is non-complying and does not meet the minimum 25-foot dimension requirements per Planning Code Section 140(a)(1). The remaining nine units have exposure over 18<sup>th</sup> Street. Therefore, the Project meets the requirements of Section 140 of the Planning Code for only the nine street facing units.*

*Strict enforcement of the Code would physically preclude the construction of the Project with the additional dwelling units as permitted under the Density Bonus Law. Per California Government Code Sections 65915-65918, the Project Sponsor has elected to use the State Density Bonus Law and proposes a waiver for the reduction of site development standards for dwelling unit exposure, which are defined in Planning Code 140.*

- G. **Bicycle Parking** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for every four beds, or for buildings containing over 100 beds, 25 Class 1 spaces plus one Class 1 space for every five beds over 100. It additionally requires two Class 2 spaces for every 100 beds.

*The Approved Project, which includes 19 group housing beds, requires five Class 1 bicycle parking spaces and two Class 2 bicycle parking spaces. At the ground floor, the project will provide no fewer than five Class 1 bicycle parking spaces and two Class 2 spaces are proposed at the front of the property. The project meets the requirements of Planning Code Section 155.*

- H. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 10 points.

*The Project submitted a completed Environmental Evaluation Application on July 30, 2020. Therefore, the Project must only achieve 100% of the point target established in the TDM Program Standards, resulting in a required target of 17 points. As currently proposed, the Project will achieve a total of 17 points through the following TDM measures:*

- *Bicycle Parking (Option A)*
- *Delivery Supportive Amenities*
- *On-Site Affordable Housing (Option D)*
- *Parking Supply (Option K)*

- I. **Height and Bulk.** Planning Code Section 260, and Article 2.5 of the Planning Code generally, require that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height. The project is located in a 40-X Height and Bulk District, which allows for a maximum height of 40 feet. Section 260(b) allows elevator, stair and mechanical penthouses to exceed the maximum height by an additional 10 feet, except that the elevator shaft may exceed the maximum height by 16 feet. Per Section 253 of the Planning Code, buildings within the RM zoning districts that exceed a height of 40 feet are subject to Conditional Use Authorization.

*The finished roof of the Approved Project would reach a maximum height of approximately 50 feet, 4 inches as measured from the center point of the frontage. Rooftop stair and mechanical penthouses would add an additional eight feet of height in those areas, while the elevator shaft will rise six feet above the roof; however, these features are exempt from height limits per Planning Code Section 260(b). As proposed, the height of the Approved Project exceeds the 40-foot height limit by 10 feet, thereby requiring Conditional Use Authorization before the Planning Commission. The specific findings related to the Conditional Use Authorization are analyzed in item 7 below.*

*Per California Government Code Sections 65915-65918, the Project Sponsor has elected to use the State Density Bonus Law and requests a waiver from the 40-foot height limit, which the project exceeds by 20 feet. This waiver in height limit is necessary to enable the construction of the project with the increased density provided by Government Code Section 65915(f)(2).*

- J. **Shadow.** Planning Code Section 295 requires a shadow analysis for projects over 40 feet in height to ensure that new buildings would not cast new shadows on properties that are under the jurisdiction of the San Francisco Recreation and Park Department.

*A shadow analysis report, prepared by Prevision Design, was submitted on March 29, 2021, analyzing the potential shadow impacts of a 60-foot tall project to properties under the jurisdiction of the Recreation and Parks Department (Record No. 2020-001610SHD). The memorandum concluded that the Project would cast approximately 12,327 square-foot hours of new shadow on Mission Dolores Park, equal to approximately 0.001% of the TAAS on Mission Dolores Park, bringing the estimated total annual shading of the Park as a percentage of TAAS to 3.998% (previously at 3.997%).*

*The Shadow Study found that a 60-foot tall project would result in new shadows falling on the park, adding approximately 12,327 annual net new square foot hours (sfh) of shadow and increasing shadow load by +0.001% above current levels, resulting in an increase in the total annual shading from 3.997% to 3.998% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the project would*

*occur from April 20th to August 22nd and would be present for an average of 12.1 minutes, in the summer late afternoon (after 4pm). During these periods, the largest new shadow (based on area) would occur on June 21st at 7:36 pm covering an area of 860 sf, or 0.1% of the park. The maximum shadow coverage would contribute net new shadow to portions of the MUNI stop/platform, pedestrian pathway, and maintenance/utility area.*

*On June 15, 2021, the full Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by the a 60-foot tall project would not be adverse to the use of Mission Dolores Park. As such, the 50-foot tall Approved Project would not be adverse to the use of Mission Dolores Park.*

- K. Residential Demolition:** Pursuant to Planning Code Section 317, Conditional Use Authorization is required for applications proposing to remove one or more residential units. This Code Section establishes a checklist of criteria that delineate the relevant General Plan Policies and Objectives.

*As the Project requires Conditional Use Authorization per the requirements of the Section 317, the additional criteria specified under Section 317 for residential demolition and merger have been incorporated as findings a part of this Motion. See Below "Additional Findings pursuant to Section 317".*

- L. Transportation Sustainability Fee.** Planning Code Section 411A is applicable to new development that results in more than twenty dwelling units or group housing facilities with more than 800 gross square feet.

*The Project will pay the appropriate Transportation Sustainability Fee upon issuance of a building permit application.*

- M. Residential Child-Care Impact fee.** Planning Code Section 414A is applicable to new development that results in at least one net new residential unit.

*The Project includes approximately 10,023 gross square feet of new residential use associated with the new construction of 19 Group Housing units. This square footage shall be subject to the Residential Child-Care Impact Fee, as outlined in Planning Code Section 414A.*

- N. 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, these requirements apply to projects that consist of 10 or more units. Pursuant to Planning Code Section 415.5 and 415.6, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 13.5% of the proposed dwelling units as affordable.

*The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6 and 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 by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department*

*stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on June 15, 2021. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date that the project submitted a complete Project Application. A complete Project Application was submitted on July 30, 2020. Pursuant to Planning Code Section 415.3 and 415.6, the on-site requirement is 13.5%, or two units.*

*At least 20% of the units in the base project must be affordable to households earning 80% AMI to qualify for a 35% density bonus under the State Density Bonus Law. The Project Sponsor has elected to provide one additional affordable unit at 80% AMI in order to qualify for a 35% density bonus. Therefore, three units of the 19 total units provided will be affordable units.*

**7. Conditional Use Findings.** 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 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 Castro/Upper Market neighborhood contains a mix of predominantly two-, three, and four-story multi-family residential buildings, that also includes large development uses such as the Mission Terrace Senior Housing (five-stories tall) and Mission High School, with commercial uses at the street level along the commercial corridors. The proposed residential building will be compatible with the existing neighborhood mix of uses and densities. The Project will demolish an existing, single-family home to construct a new residential building containing 19 Group Housing units, in which three of the proposed units will be provided as on-site affordable units.*

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:

(1) Nature of proposed site, including its size and shape, and the proposed size, shape, and arrangement of structures;

*The Project's proposed massing is generally consistent with the character and design of the neighborhood, and will not impede any development of surrounding properties. The proposed design is contemporary yet compatible, referencing character-defining features of the surrounding buildings on the subject block and is compatible with the district's size, scale, composition, and details. The massing is compatible in terms of lot occupancy, solid-to-void ratio, and vertical articulation, including bays and windows designed to relate to the surrounding properties..*

*The building provides a front setback that is equal to the depths of the two adjacent neighbors and the area with appropriately developed landscaping and permeable surfaces. In addition to two common entrances, at the front of the ground floor the project includes a housing unit*

*that is directly accessed from the street, consistent with the existing residential development on the block. The project provides a rear yard that contains enough area to provide code-complaint open space for the Project's 19 units. Along the side property lines, the building provides four lightwells starting at the second floor, two on each side of the building; all are three feet deep and range in length from 17 feet to 36 feet. These lightwells provide additional light and air to each neighboring property. The Project results in a building size, shape, and height that is appropriate for the neighborhood context.*

- (2) 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 does not require parking or loading within the RM-1 Zoning District, and none is proposed. The project includes five Class 1 bicycle parking spaces and is well-situated for easy access to numerous public transit modes including numerous MUNI lines. The Project is located along 33-Ashbury/18th bus line, a half-block from a J-Church Metro platform, and is within walking distance (¼ mile) of the BART Station at 16th and Mission Streets and the 22-Fillmore bus route. The Project provides no off-street parking, but will remove a curb cut along the street and provide sufficient bicycle parking for residents and their guests.*

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

*The Project is residential in nature, which is a use that typically is not considered to have the potential to produce noxious or offensive emissions.*

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

*The Project's front setback will be appropriately landscaped. The Project will add one new street tree where there are currently none, two new Class 2 bicycle parking spaces, and remove an existing curb cut on 18<sup>th</sup> Street.*

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

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

- D. That use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

*The Project is consistent with the stated purpose of the RM-1 Zoning District, which is characterized by a mixture of the dwelling types found in RH Districts, but in addition have a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. The project maintains the pattern of 25-foot to 27.5-foot building widths, and a five-story tall structure. The overall density of units remains low at a per bedroom basis. The project provides usable open space*

*within a ground floor yard that also contributes to the mid-block open space.*

**8. Additional Findings pursuant to Section 317** establishes criteria for the Planning Commission to consider when reviewing applications to demolish or convert Residential Buildings. On balance, the Project does comply with said criteria in that:

A. Whether the property is free of a history of serious, continuing code violations;

*A review of the Department of Building Inspection and the Planning Department databases showed no open enforcement cases or notices of violation for the subject property.*

B. Whether the housing has been maintained in a decent, safe, and sanitary condition;

*The structure appears to be in decent condition with an original construction date circa 1900.*

C. Whether the property is an “historic resource” under CEQA;

*The subject building and property are not identified as a historical resource. Pursuant to CEQA, a Historic Resource Evaluation (HRE) was prepared to evaluate the existing subject building, constructed in 1900, whether they would meet CEQA section 15064.5 criteria for listing on the California Register or in an adopted local historic register. The subject building and property were determined to not be eligible for listing in the California Register under any criteria, individually or as part of a historic district.*

D. Whether the removal of the resource will have a substantial adverse impact under CEQA;

*The Project is not a historic resource and no substantial adverse impacts were identified as part of the Project’s review under CEQA.*

E. Whether the Project converts rental housing to other forms of tenure or occupancy;

*The Project does not convert rental housing to other forms of tenure.*

F. Whether the Project removes rental units subject to the Rent Stabilization and Arbitration Ordinance;

*Although rent control determinations are the purview of the Rent Board, any unit in San Francisco is subject to eviction controls as of January 2020. There is no evidence that the existing single-family home is subject to price controls since the home was owner occupied and there is no evidence of it being a rental property.*

G. Whether the Project conserves existing housing to preserve cultural and economic neighborhood diversity;

*Although the Project proposes the demolition of a two-bedroom single-family dwelling, there will be a net gain of 17 bedrooms at the project site. The Project would be consistent with the density and development pattern as it would provide a five-story multi-family group housing project within a*



*neighborhood that is comprised of four-story multi-family dwellings, a five-story senior housing development (Mission Terrace Senior Housing) and two- and three-story one-family dwellings.*

- H. Whether the Project conserves neighborhood character to preserve neighborhood cultural and economic diversity;

*The replacement building will conserve neighborhood character with appropriate scale, design, and materials, and improve cultural and economic diversity by appropriately increasing the number of bedrooms. The project would maximize the number of units allowed on the site while increases the total number of bedrooms provided.*

- I. Whether the Project protects the relative affordability of existing housing;

*The Project protects the relative affordability of existing housing through the development of Group Housing units.*

- J. Whether the Project increases the number of permanently affordable units as governed by Section 415;

*The Project would establish three new permanently affordable units as governed by Section 415.*

- K. Whether the Project locates in-fill housing on appropriate sites in established neighborhoods;

*The Castro/Upper Market neighborhood is an established transit-oriented residential neighborhood with mixed-uses along several commercial corridors. The Project has been designed to be in-keeping with the scale and development pattern of the established neighborhood character.*

- L. Whether the Project increases the number of family-sized units on-site;

*While not creating additional new family-sized housing units, the Project proposes increases the number of bedrooms, which is desirable for many families.*

- M. Whether the Project creates new supportive housing;

*The Project does not create supportive housing.*

- N. Whether the Project is of superb architectural and urban design, meeting all relevant design guidelines, to enhance existing neighborhood character;

*The Project's proposed massing is generally consistent with the character and design of the neighborhood. The proposed design is contemporary yet compatible, referencing character-defining features of the surrounding buildings on the subject block and is compatible with the district's size, scale, composition, and details. The massing is compatible in terms of lot occupancy, solid-to-void ratio, and vertical articulation, including bays and windows designed to relate to the surrounding properties.*

*The building provides a front setback that is equal to the depths of the two adjacent neighbors and*

*the area will be appropriately developed with landscaping and permeable surfaces. In addition to two common entrances, at the front of the ground floor the project includes a housing unit that is directly accessed from the street, consistent with the existing residential development on the block. The project provides a rear yard that contains enough area to provide code-complaint open space for the 19 units. Along the side property lines, the building provides four lightwells starting at the second floor, two on each side of the building; all are three feet deep and range in length from 17 feet to 36 feet. These lightwells provide additional light and air to each neighboring property. The Project results in a building size, shape, and height that is appropriate for the neighborhood context.*

- O. Whether the Project increases the number of on-site dwelling units;

*The Project proposes 19 bedrooms of Group Housing, which is a residential use, but is not a dwelling unit per the Section 102 definition. Therefore, although the project would increase the number of housing units on-site, the number of dwelling units would be reduced as a result of the demolition of the existing single-family home*

- P. Whether the Project increases the number of on-site bedrooms;

*The Project proposes 19 bedrooms of Group Housing, which is an increase of 17 bedrooms more than the original building.*

- Q. Whether or not the replacement project would maximize density on the subject lot; and;

*The Project proposes to maximize the density on the subject lot as the proposal includes 19 Group Housing units on the subject lot with an area of 3,868 square feet, allowing for a base density of 14 group housing units. The proposal includes 20% of the Base Density Units at 80% AMI, allowing for a bonus of five (35% of the Base project) units.*

- R. If replacing a building not subject to the Residential Rent Stabilization and Arbitration Ordinance, whether the new project replaces all of the existing units with new Dwelling Units of a similar size and with the same number of bedrooms.

*The Project proposes to replace the existing two-bedroom single-family dwelling not subject to the Residential Rent Stabilization and Arbitration Ordinance. The Project proposes 19 bedrooms of Group Housing, a net increase of 17 additional bedroom above what previously existed.*

- 9. State Density Bonus Program Findings.** Pursuant to Planning Code Section 206.6(e), the Planning Commission shall make the following findings as applicable for any application for a Density Bonus, Incentive, Concession or Waiver for any Individually Requested Density Bonus Project:

- A. The Housing Project is eligible for the Individually Requested Density Bonus Program.

*The Project consists of five or more group housing units on a site located in the Residential-Mixed, Low Density Zoning District that is currently developed as a single-family dwelling that is not subject to San Francisco Rent Stabilization and Arbitration Ordinance and is, therefore, eligible for the Individually Requested Density Bonus Program.*

*The Project provides at least 20% of the proposed ownership Group Housing units in the base project (three units) as affordable to lower income households, defined as those earning 80% of area median income, and is therefore entitled to a 35% density bonus under California Government Code Sections 65915-95918.*

- B. The Housing Project has demonstrated that any Concessions or Incentives reduce actual housing costs, as defined in Section 50052.5 of the California Health and Safety Code, or for rents for the targeted units, based upon the financial analysis and documentation provided.

*The Project does not request any concessions or incentives under the Individually Requested Density Bonus Program.*

- C. If a waiver or modification is requested, a finding that the Development Standards for which the waiver is requested would have the effect of physically precluding the construction of the Housing Project with the Density Bonus or Concessions and Incentives permitted.

*The Project requests the following waivers from the Planning Code Development Standards: 1) Height (Planning Code Section 260); 2) Rear Yard (Planning Code Section 134; and 3) Dwelling Unit Exposure (Planning Code Section 140).*

*The Project provides a maximum density of 14 group housing units, plus the 35% density bonus of five additional Group Housing units afforded under the Individually State Density Bonus, for a total of 19 Group Housing units. The density is obtained by increasing the total height of the building and expanding the building horizontally into the required rear yard at all floors. Additionally, the expansion of the ground floor into the Rear Yard renders the units which face onto the Rear Yard non-compliant with the Dwelling Unit Exposure requirement of Planning Code Section 140. Rendering the proposed building compliant with height, rear yard, or dwelling unit exposure would require reduction of building volume and/or reduction in the number of units proposed; thus, these requirements are eligible for Waiver under the density bonus request.*

- D. If the Density Bonus is based all or in part on donation of land, a finding that all the requirements included in Government Code Section 65915(g) have been met.

*The Project does not include a donation of land, and this is not the basis for the Density Bonus.*

- E. If the Density Bonus, Concession or Incentive is based all or in part on the inclusion of a Child Care Facility, a finding that all the requirements included in Government Code Section 65915(h) have been met.

*The Project does not include a Child Care Facility, and this is not the basis for the Density Bonus.*

- F. If the Concession or Incentive includes mixed-use development, a finding that all the requirements included in Government Code Section 65915(k) have been met.

*The Project does not include concessions or incentives for a mixed-use development. The Project is entirely residential.*

**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 1**

**IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.**

Policy 1.1

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

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

**OBJECTIVE 4**

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

Policy 4.4

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

**OBJECTIVE 11**

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

Policy 11.1

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

Policy 11.2

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 11.4

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.6

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

**OBJECTIVE 12**

**BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.**

Policy 12.1

Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Policy 12.2

Consider the proximity of quality of life elements such as open space, childcare, and neighborhood services, when developing new housing units.

Policy 12.3

Ensure new housing is sustainably supported by the City's public infrastructure systems.

**URBAN DESIGN ELEMENT**

Objectives and Policies

**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.

Policy 1.7

Recognize the natural boundaries of districts and promote connections between districts.

*The Project's proposed massing is generally consistent with the character and design of the neighborhood. The proposed design is contemporary yet compatible, referencing character-defining features of the surrounding buildings on the subject block and is compatible with the district's size, scale, composition, and*

*details. The massing is compatible in terms of lot occupancy, solid-to-void ratio, and vertical articulation, including bays and windows designed to relate to the surrounding properties.*

*The building provides a front setback that is equal to the depths of the two adjacent neighbors and the area will be appropriately developed with landscaping and permittable surfaces. In addition to two common entrances at the front of the ground floor, the project includes a housing unit that is directly accessed from the street, consistent with the existing residential development on the block. The project provides a rear yard that contains enough area to provide code-complaint open space for 17 of the units. Along the side property lines, the building provides four lightwells starting at the second floor, two on each side of the building; all are three feet deep and range in length from 17 feet to 36 feet. These lightwells provide additional light and air to each neighboring property. The Project results in a building size, shape, and height that is appropriate for the neighborhood context.*

*The Project would provide additional density in a transit rich area of the City. The Project is located along 33-Ashbury/18th bus line, a half-block from a J-Church Metro platform, and is within walking distance (¼ mile) of the BART Station at 16th and Mission Streets and the 22-Fillmore bus route. The Project provides no off-street parking, but will remove a curb cut along the street and provide sufficient bicycle parking for residents and their guests.*

*The Project is consistent with the stated purpose of the RM-1 Zoning District, which is characterized by a mixture of the dwelling types found in Residential Districts, but in addition have a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. The Project maintains the pattern of 25-foot to 27.5-foot building widths, and a height of five-stories. The overall density of units remains low at a per bedroom basis. The project provides usable open space within a ground floor yard that also contributes to the mid-block open space. Overall, the project's design is complementary to the context of the district, while providing a new housing type to the neighborhood. For all these reasons, the Project is on balance, consistent with the Objectives and Policies of the General Plan.*

**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 complies with said policies in that:

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

*The project site does not possess any neighborhood-serving retail uses. The Project provides 19 new Group Housing units, which will enhance the nearby retail uses by providing new residents, who may patron and/or own these businesses.*

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

*The replacement building has been designed to be compatible with the neighborhood's mixed massing, width and height, and has been found to meet the Residential Design Guidelines. While*

*the existing two-bedroom home is proposed to be demolished, the replacement building would provide 19 group housing units/bedrooms in a transit-rich neighborhood made up of mostly multi-family dwellings of mixed architectural character. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.*

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

*The Project Site does not currently possess any existing affordable housing. The Project will comply with the City's Inclusionary Housing Program by providing three on-site below-market rate group housing units for ownership. Therefore, the Project will increase the stock of affordable housing units in the City.*

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

*The Project Site is served by nearby public transportation options. The Project is located along a Muni bus line (33-Ashbury/18th Street), a half-block from a J-Church Muni Metro platform, and is within walking distance (¼ mile) of the BART Station at 16th and Mission Streets and the 22-Fillmore bus route. Future residents would be afforded proximity to a bus line. The Project provides no off-street parking but will remove a curb cut along the street and provide sufficient bicycle parking for residents and their guests.*

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

*The Project is residential in nature and does not include commercial office development; therefore, the Project would not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses would not be affected by the Project.*

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

*The Project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings.*

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

*The Project will create new shadow on one proposed park under jurisdiction of the Recreation and Park Department – Mission Dolores Park. The amount of additional shadow that would occur as a*

*result of the Project has not been found to be significant or adverse to the use of the park.*

- 12. First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), 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 submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.*

- 13.** The project sponsor is aware of the Procedures Manual requirements for ownership BMR units and that there must be a competitive lending environment for prospective BMR owners at time of initial purchase and resale. If the sponsor is not able to provide multiple conventional lending sources to BMR owners and as a result decides to switch to a rental project, the project will require any additional approvals required by law at the time
- 14.** 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.
- 15.** 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 Application No. 2020-001610CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated October 4, 2021, 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. 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 October 14, 2021.

Jonas P. Ionin  
Commission Secretary

AYES: Tanner, Diamond, Fung, Koppel

NAYS: Imperial, Moore

ABSENT: Chan

ADOPTED: October 14, 2021

# EXHIBIT A

## Authorization

This authorization is for a conditional use to allow demolition of an existing single-family residence and new construction of a five-story, approximately 50-foot-tall, 10,023 gross square foot residential building containing 19 group housing units, five Class 1 bicycle parking spaces, and two Class 2 bicycle parking spaces, located at 3832 18th Street, Block 3580, Lot 018, pursuant to Planning Code Sections 209.2, 253, 303, and 317, and pursuant to Planning Code Section 206.6 as an Individually-Requested State Density Bonus Project, within the Residential-Mixed, Low Density Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated October 4, 2021, and stamped “EXHIBIT B” included in the docket for Record No. 2020-001610CUA and subject to conditions of approval reviewed and approved by the Commission on October 14, 2021 under Motion No. 21016. 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 July 15, 2021 under Motion No. 21016.

## Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 21016 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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 6. Additional Project Authorization.** The Project Sponsor must obtain a Shadow Determination under Section 295 that the net new shadow cast by the Project on Dolores Park will be insignificant to the use of said park under the jurisdiction of the Recreation and Park Department and satisfy all the conditions thereof. 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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 7. Formal Report.** Planning Staff will provide a report back memo to the Commission on the project's revised design.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

## **Design – Compliance at Plan Stage**

- 8. 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 628.652.7366, [www.sfplanning.org](http://www.sfplanning.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 building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

- 10. 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.sfplanning.org](http://www.sfplanning.org)*

- 11. Transformer Vault Location.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department in consultation with

Public Works shall require the following location(s) for transformer vault(s) for this project: sidewalk. This location has the following design considerations: streetscape and building frontage detail issues. The above requirement shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, [www.sfpublicworks.org](http://www.sfpublicworks.org)*

- 12. Landscaping.** Pursuant to Planning Code Section 132, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that 50% of the front setback areas shall be surfaced in permeable materials and further, that 20% of the front setback areas shall be landscaped with approved plant species. The size and specie of plant materials and the nature of the permeable surface shall be as approved by the Department of Public Works.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

- 13. Project Modifications.** As conditioned by the Planning Commission, the Project Sponsor shall provide a building design that is consistent with Planning's recommended alternative design of a project that is five (5) stories in height and contains 19 bedrooms of Group Housing. The Project Sponsor shall work with Planning Staff on further plan refinements.

[www.sfplanning.org](http://www.sfplanning.org)

## Parking and Traffic

- 14. Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

Prior to the issuance of the first Building Permit or Site Permit, 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 to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

*For information about compliance, contact the TDM Performance Manager at [tdm@sfgov.org](mailto:tdm@sfgov.org) or 628.652.7340, [www.sfplanning.org](http://www.sfplanning.org)*

- 15. Bicycle Parking.** The Project shall provide no fewer than **five** Class 1 bicycle parking spaces and **two** Class 2 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 16. 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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Provisions

- 17. Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

- 18. 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](http://www.onestopSF.org)*

- 19. Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

- 20. Residential Child Care Impact Fee.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

- 15. State Density Bonus Regulatory Agreement.** Recipients of development bonuses under this Section 206.6 shall enter into a Regulatory Agreement with the City, as follows.

- A. The terms of the agreement shall be acceptable in form and content to the Planning Director, the Director of MOHCD, and the City Attorney. The Planning Director shall have the authority to execute such agreements.

- B. Following execution of the agreement by all parties, the completed Regulatory Agreement, or memorandum thereof, shall be recorded and the conditions filed and recorded on the Housing Project.
- C. The approval and recordation of the Regulatory Agreement shall take place prior to the issuance of the First Construction Document. The Regulatory Agreement shall be binding to all future owners and successors in interest.
- D. The Regulatory Agreement shall be consistent with the guidelines of the City's Inclusionary Housing Program and shall include at a minimum the following:
  - i. The total number of dwelling units approved for the Housing Project, including the number of restricted affordable units;
  - ii. A description of the household income group to be accommodated by the HOME-SF Units, and the standards for determining the corresponding Affordable Rent or Affordable Sales Price. If required by the Procedures Manual, the project sponsor must commit to completing a market survey of the area before marketing restricted affordable units;
  - iii. The location, dwelling unit sizes (in square feet), and number of bedrooms of the restricted affordable units;
  - iv. Term of use restrictions for the life of the project;
  - v. A schedule for completion and occupancy of restricted affordable units;
  - vi. A description of any Concession, Incentive, waiver, or modification, if any, being provided by the City;
  - vii. A description of remedies for breach of the agreement (the City may identify tenants or qualified purchasers as third-party beneficiaries under the agreement); and
  - viii. Other provisions to ensure implementation and compliance with Section 206.6.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, [www.sfplanning.org](http://www.sfplanning.org) or the Mayor's Office of Housing and Community Development at (415) 701-5500, [www.sfmohcd.org](http://www.sfmohcd.org).*

**16. Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 13.5% of the proposed dwelling units as affordable to qualifying households. In addition, the project sponsor has provided one additional unit, or 20% of the base project, to qualify for a 35% density bonus under the State Density Bonus Law. The Project contains 19 units; therefore, three (3) affordable units are required. The Project Sponsor will fulfill this requirement by providing the three affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

*For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, [www.sfplanning.org](http://www.sfplanning.org) or the Mayor's Office of Housing and Community Development at (415) 701-5500, [www.sfmohcd.org](http://www.sfmohcd.org).*

**17. Income Levels for Affordable Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 13.5% of the proposed dwelling units as affordable to qualifying households at a rental rate of 80% of Area Median Income as defined in the Inclusionary Program. The State Density Bonus Law requires that the project provide 20% of the units in the base project to lower income households as defined in the State Law. The affordable units that satisfy both the Density Bonus Law and the Inclusionary Affordable Housing Program shall be sold to lower income households, defined as households earning 80% of AMI in the California Health and Safety Code Section 50105 and/or California Government Code Sections 65915-65918, the State Density Bonus Law. The income table used to determine the rent and income levels for the Density Bonus units shall be the table required by the State Density Bonus Law. If the resultant price or income levels at 80% of AMI under the table required by the State Density Bonus Law are higher than the price and income levels at 80% of AMI under the Inclusionary Affordable Housing Program, the rent and incomes levels shall default to the maximum allowable rent and income levels for affordable units under the Inclusionary Affordable Housing Program. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

*For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, [www.sfplanning.org](http://www.sfplanning.org) or the Mayor's Office of Housing and Community Development at (415) 701-5500, [www.sfmohcd.org](http://www.sfmohcd.org).*

**18. Minimum Unit Sizes.** Pursuant to Planning Code Section 415.6, the affordable units shall meet the minimum unit sizes standards established by the California Tax Credit Allocation Committee (TCAC) as of May 16, 2017. One-bedroom units must be at least 450 square feet, two-bedroom units must be at least 700 square feet, and three-bedroom units must be at least 900 square feet. Studio units must be at least 300 square feet pursuant to Planning Code Section 415.6(f)(2). The total residential floor area devoted to the affordable units shall not be less than the applicable percentage applied to the total residential floor area of the principal project, provided that a 10% variation in floor area is permitted.

*For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, [www.sfplanning.org](http://www.sfplanning.org) or the Mayor's Office of Housing and Community Development at (415) 701-5500, [www.sfmohcd.org](http://www.sfmohcd.org).*

**19. Notice of Special Restrictions.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

*For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, [www.sfplanning.org](http://www.sfplanning.org) or the Mayor's Office of Housing and Community Development at (415) 701-5500, [www.sfmohcd.org](http://www.sfmohcd.org).*

**20. Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.

*For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, [www.sfplanning.org](http://www.sfplanning.org) or the Mayor's Office of Housing and Community Development at (415) 701-5500,*



[www.sfmohcd.org](http://www.sfmohcd.org).

- 21. Expiration of the Inclusionary Rate.** Pursuant to Planning Code Section 415.6(a)(10), if the Project has not obtained a site or building permit within 30 months of Planning Commission Approval of this Motion No. **21016**, then it is subject to the Inclusionary Affordable Housing Requirements in effect at the time of site or building permit issuance.
- 22. Reduction of On-Site Units after Project Approval.** Pursuant to Planning Code Section 415.5(g)(3), any changes by the project sponsor which result in the reduction of the number of on-site affordable units shall require public notice for hearing and approval from the Planning Commission.
- 23. 20% Below Market Sales Prices.** Pursuant to PC Section 415.6, the maximum affordable sales price shall be no higher than 20% below market sales prices for the neighborhood within which the project is located, which shall be defined in accordance with the American Community Survey Neighborhood Profile Boundaries Map. MOHCD shall adjust the allowable rents and sales prices, and the eligible households for such units, accordingly, and such potential readjustment shall be a condition of approval upon project entitlement. The City shall review the updated data on neighborhood sales prices on an annual basis.
- 24. 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 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 MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD 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.

*For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, [www.sfplanning.org](http://www.sfplanning.org) or the Mayor's Office of Housing and Community Development at (415) 701-5500, [www.sfmohcd.org](http://www.sfmohcd.org).*

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (2) be evenly distributed throughout the building floor plates; and (3) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Planning Code and Procedures Manual.

- b. The affordable units that satisfy both the Density Bonus Law and the Inclusionary Affordable Housing Program shall be sold to lower income households, defined as households earning 80% of AMI in the California Health and Safety Code Section 50105 and/or California Government Code Sections 65915-65918, the State Density Bonus Law. The income table used to determine the rent and income levels for the Density Bonus units shall be the table required by the State Density Bonus Law. If the resultant price or income levels at 80% of AMI under the table required by the State Density Bonus Law are higher than the price and income levels at 80% of AMI under the Inclusionary Affordable Housing Program, the rent and incomes levels shall default to the maximum allowable rent and income levels for affordable units under the Inclusionary Affordable Housing Program. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households, as defined in the Procedures Manual. The affordable unit shall be affordable to low-income households, as defined in the Planning Code and Procedures Manual. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
- g. If the Project Sponsor 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's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, including penalties and interest, if applicable.

**21. Fee Requirement.** Pursuant to Planning Code Section 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%) because it is a project with fewer than 25 total units. The Project Sponsor shall pay the applicable Affordable Housing Fee at the issuance of the first construction document. The Project Sponsor has elected to provide 67% of their Inclusionary requirement by providing on-site units, consistent with the "Combination" alternative included in Section 415.5(g)(1)(D). Therefore, the Project Sponsor is required to satisfy the remaining 33% of the Inclusionary requirement through payment of the Inclusionary Affordable Housing Fee.

*For information about compliance, contact the Case Planner, Planning Department at (628) 652-7600, [www.sfplanning.org](http://www.sfplanning.org) or the Mayor's Office of Housing and Community Development at (415) 701-5500, [www.sfmohcd.org](http://www.sfmohcd.org).*

## Monitoring - After Entitlement

**22. 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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

**23. 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 the Case Planner, Planning Department at 628.652.7366, [www.sfplanning.org](http://www.sfplanning.org)*

## Operation

**24. 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, 628.271.2000, [www.sfpublishworks.org](http://www.sfpublishworks.org)*

**25. 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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning

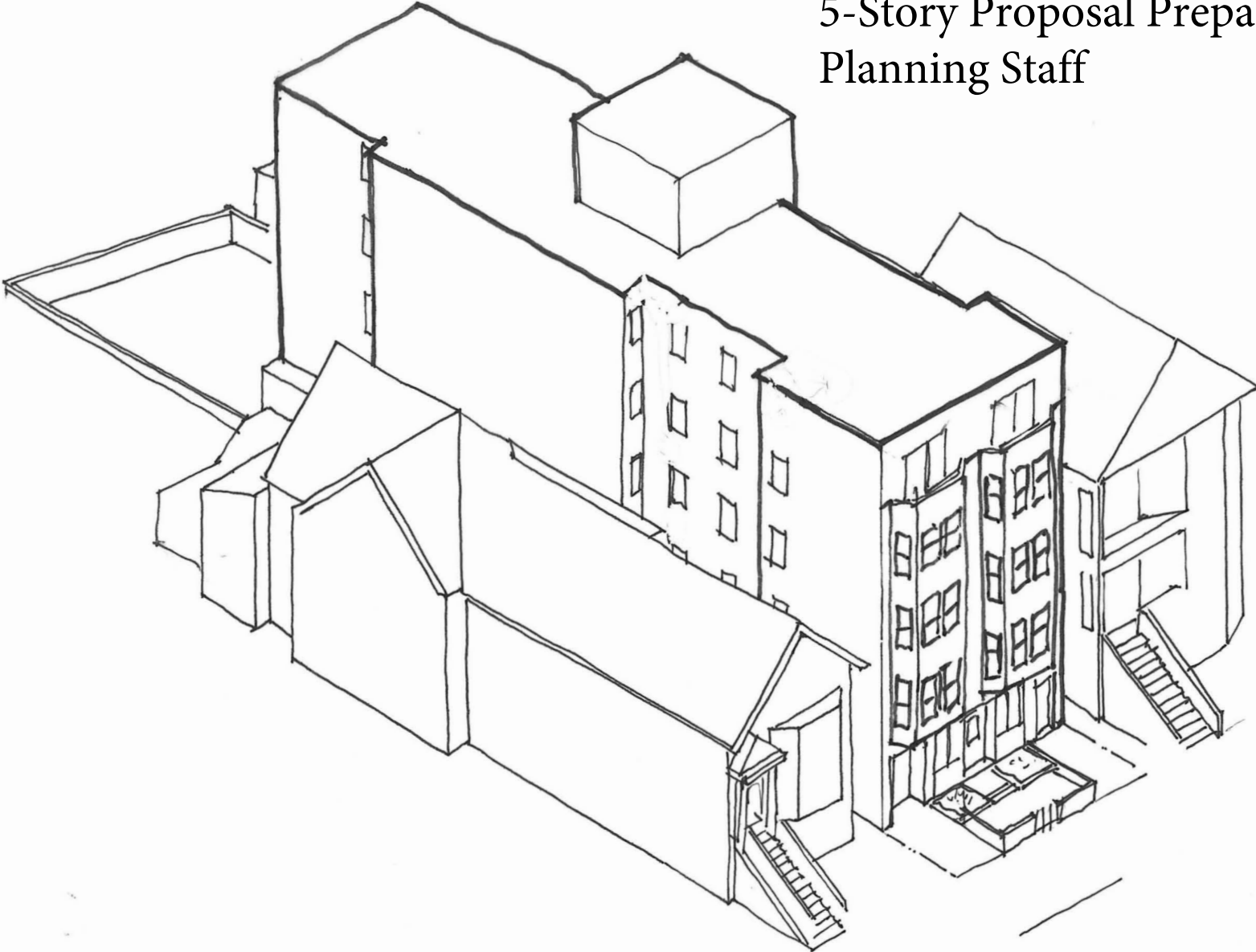
Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

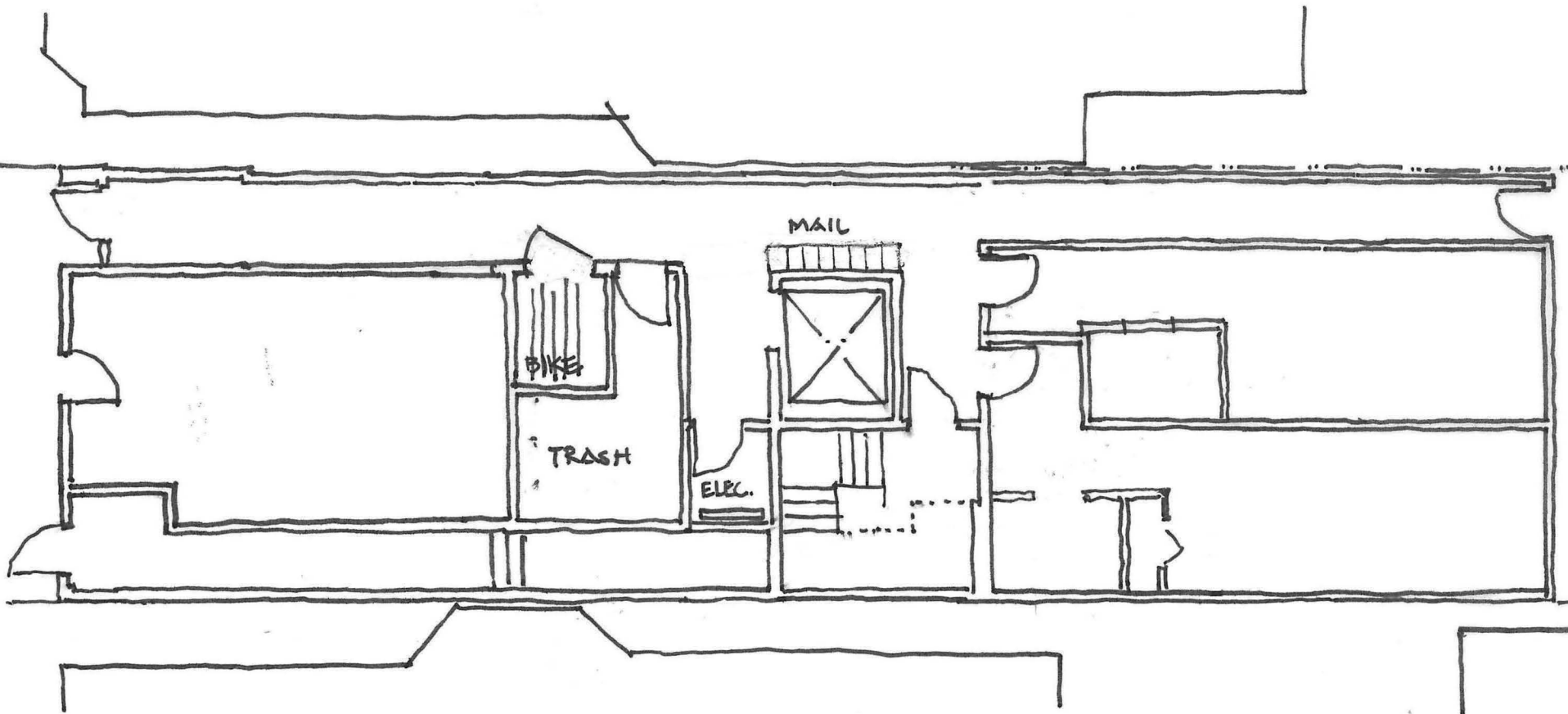
*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

**26. Group Housing Cooking Facilities.** Pursuant to ZA Interpretation of 209.2(a), effective October 2005, are allowed to have limited kitchen facilities with the following specifications: a small counter space, a small under-counter refrigerator, a small sink, a microwave, and a small two-ring burner. Such limited kitchen facility shall not include any other type of oven, as that would constitute a full kitchen.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

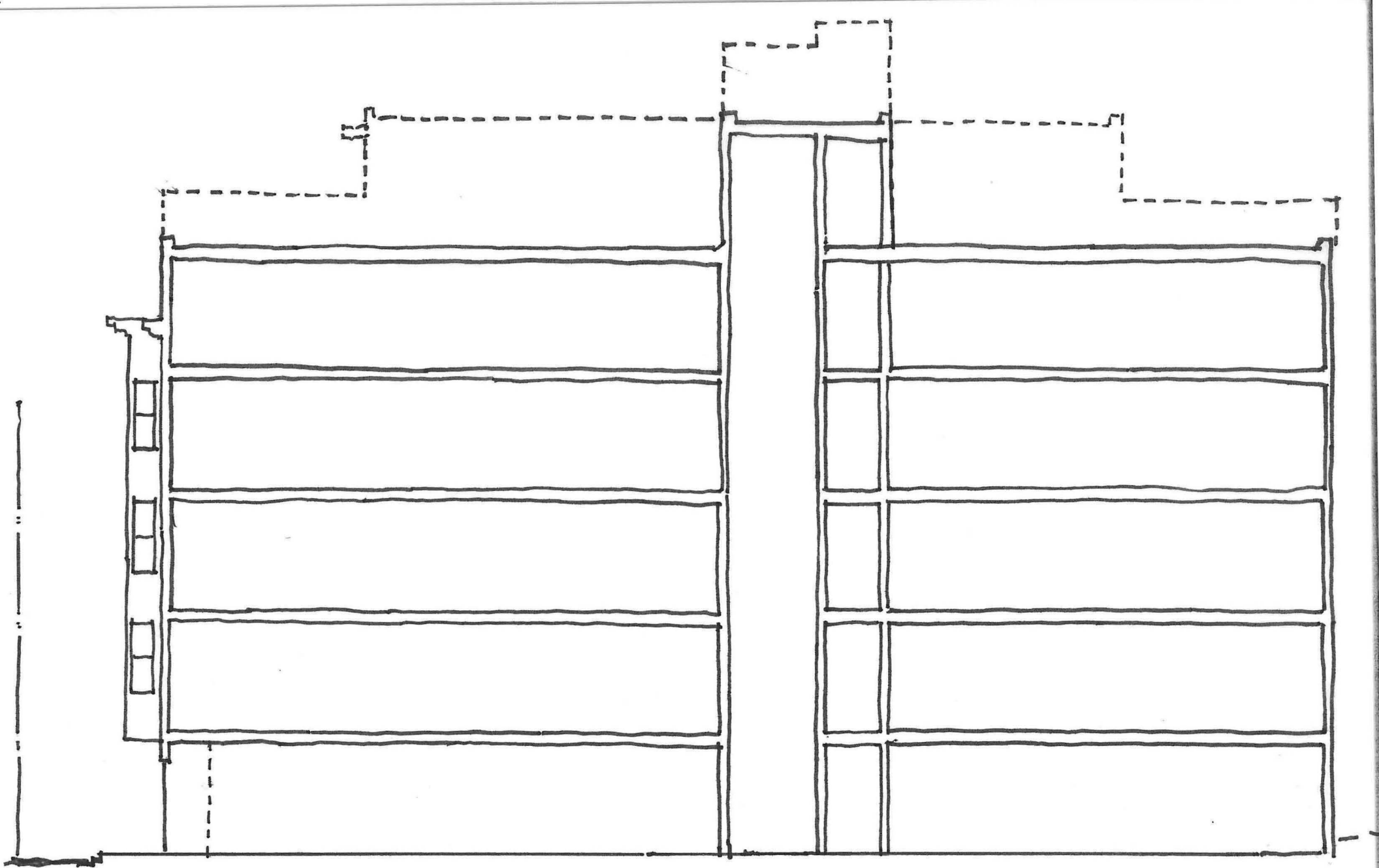
5-Story Proposal Prepared by  
Planning Staff





FIRST FLOOR

1" = 10'-0"





**PROJECT DATA**

**PLANNING DATA**

LOT AREA 3,868 ± .F.  
 BLOCK / LOT 3580/018  
 ZONING RM-1

BUILDING HEIGHT ALLOWED 40-X  
 PROPOSED 60'-0"

Usable Open Space Required Provided 821 .F.(133/3) X 17 UNITS + (100/3) X 2 UNITS (890 @ 1st FLR + 314 @ 6th FLR) = 1,204 S.F.

**PARKING SUMMARY**

LABYLE 19  
 LABYLE 2

**BUILDING CODE SUMMARY**

# OF STORES 6  
 # OF UNITS 19 RESIDENTIAL  
 ON TRUITION TYPE TYPE "V-A" OVER "A"  
 OCCUPANCY GROUP R-2  
 PRNKLER SYSTEM NFPA 13

APPLICABLE CODES

2019 ALFORNABUILDING CODE W/ ANFRANCO AMENDMENT  
 2019 ALFORNAELECTRICAL CODE W/ ANFRANCO AMENDMENT  
 2019 ALFORNAMERCHANICAL CODE W/ ANFRANCO AMENDMENT  
 2019 ALFORNAPLUMBING CODE W/ ANFRANCO AMENDMENT  
 2019 ALFORNAFIRE CODE W/ ANFRANCO AMENDMENT  
 2019 ALFORNENERGY CODE  
 2019 ANFRANCO HOUSING CODE  
 NFPA 13 PRNKLER  
 NFPA 14 TANDPIPE & FD  
 NFPA 72 FIRE ALARM & ERR (B.E.510)  
 NFPA 110 EMERGENCY TANDBYPower Y TEM  
 NFPA 720 ARBON MONOXIDE Y TEM (ALOB 420.6)

**SCOPE OF WORK**

- PROPOSED NEW CONSTRUCTION OF 6-STORY RESIDENTIAL BUILDING, WITH 19 GROUP HOUSING UNITS UNDER STATE-DEVELOPMENT PROVISIONS.

**Original Proposal submitted by the Applicant**

- THIRTEEN (13) PRIVATELY FUNDED COVERED MULTIFAMILY DWELLING BUILDING & COMPLETE WITH B.H.11A.

PROJECT NAME  
**3832 18th St.**  
 San Francisco, CA

**DRAWING INDEX**

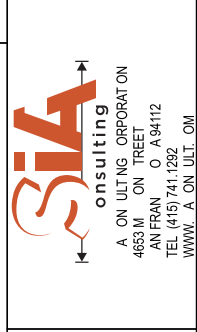
A-0.1 OVER SHEET  
 A-0.2 VERTICAL MAP / SITE PHOTO  
 A-0.3 WAIVER & MAPPING DIAGRAM  
 -1 SURVEY  
 A-1.1 (N) SITE PLAN  
 A-1.2 AERIAL VIEW (1)  
 A-1.3 AERIAL VIEW (2)  
 A-2.0 EXISTING / DEMO FLOOR PLAN  
 A-2.1 FLOOR PLAN  
 A-2.2 FLOOR & ROOF PLAN  
 A-3.1 BUILDING ELEVATION (EAST & WEST)  
 A-3.2 BUILDING ELEVATION (NORTH)  
 A-3.3 BUILDING ELEVATION (SOUTH)  
 A-4.2 BUILDING SECTION  
 A-5.1 INTERIOR RENDERING - TYPICAL FRONT UNIT  
 A-5.2 INTERIOR RENDERING - TYPICAL REAR UNIT  
 A-5.3 INTERIOR RENDERING - GROUND FLOOR UNIT  
 A-5.4 INTERIOR RENDERING - COMMUNITY ROOM  
 A-5.5 EXTERIOR RENDERING - REAR YARD  
 G-1.0 GREEN BUILDING HEALTHY

**NOTE:**  
 - AREA ALL INFORMATION INTENDED FOR PERMIT APPLICATION PURPOSES ONLY & SHALL NOT BE USED FOR SELLING OR LEASING PURPOSES. FINAL QUALITY & FINISHED DIMENSIONS MAY VARY FROM THE PLAN DUE TO CONSTRUCTION VARIABLES.  
 - PROJECT TO COMPLY WITH BIRD SAFE GLAZING REQ. PER PLANNING CODE SECTION 139

**DRAWING INDEX**

A-0.1 OVER SHEET  
 A-0.2 VERTICAL MAP / SITE PHOTO  
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 A-5.4 INTERIOR RENDERING - COMMUNITY ROOM  
 A-5.5 EXTERIOR RENDERING - REAR YARD  
 G-1.0 GREEN BUILDING HEALTHY

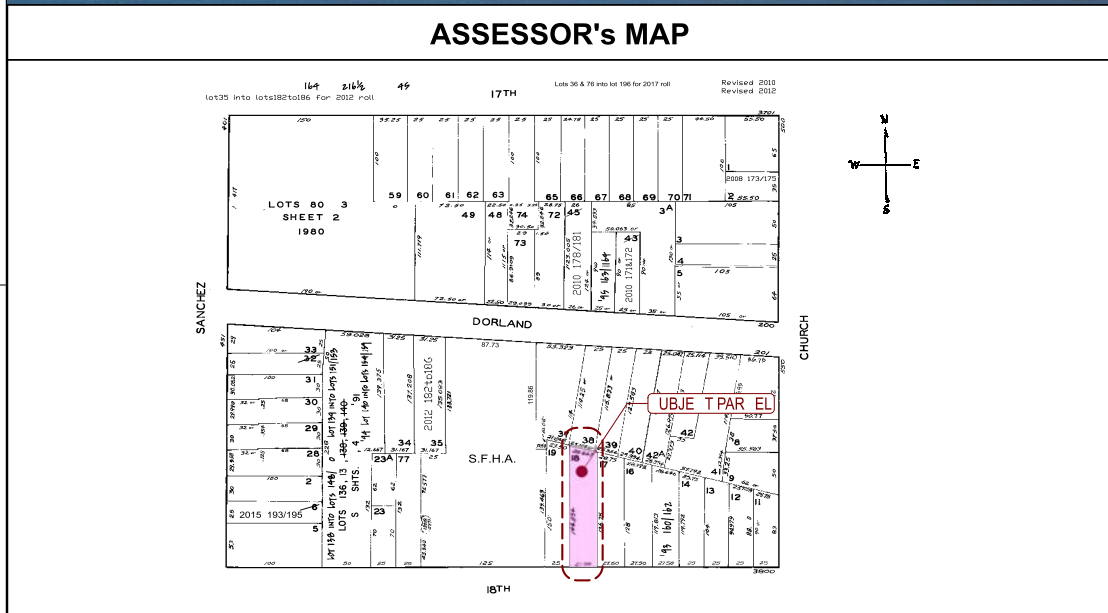
**NOTE:**  
 - AREA ALL INFORMATION INTENDED FOR PERMIT APPLICATION PURPOSES ONLY & SHALL NOT BE USED FOR SELLING OR LEASING PURPOSES. FINAL QUALITY & FINISHED DIMENSIONS MAY VARY FROM THE PLAN DUE TO CONSTRUCTION VARIABLES.  
 - PROJECT TO COMPLY WITH BIRD SAFE GLAZING REQ. PER PLANNING CODE SECTION 139



SHEET TITLE  
**Cover Sheet**

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**UNIT MATRIX**

FLOOR AREA DATA BREAKDOWN (G F)								RESIDENTIAL UNIT COUNT	
LEVEL	OPEN SPACE	RESIDENTIAL	RECREATION	GARBAGE / UTILITY/MALL	COMMON ROOM	BIKE PARKING	TOTAL	UNIT TYPE	# OF UNITS
1ST FLOOR	890 ± .F. COMMON	400 ± .F.	1,160 ± .F.	370 ± .F.	367 ± S.F.	128 ± .F.	<b>2,425 ± S.F.</b>	GROUP HOUSING	1
2ND FLOOR	-	1,605 ± .F.	305 ± .F.	-	-	-	<b>1,910 ± S.F.</b>		4
3RD FLOOR	-	1,605 ± .F.	305 ± .F.	-	-	-	<b>1,910 ± S.F.</b>		4
4TH FLOOR	-	1,605 ± .F.	305 ± .F.	-	-	-	<b>1,910 ± S.F.</b>		4
5TH FLOOR	-	1,563 ± .F.	305 ± .F.	-	-	-	<b>1,868 ± S.F.</b>		4
6TH FLOOR	314 ± .F. (165+149) PRIVATE	819 ± .F.	305 ± .F.	-	-	-	<b>1,124 ± S.F.</b>		2
<b>TOTAL</b>		<b>7,597 ± S.F.</b>	<b>2,685 ± S.F.</b>	<b>370 ± S.F.</b>	<b>367 ± S.F.</b>	<b>128 ± S.F.</b>	<b>11,147 ± S.F.</b>		<b>19</b>

CHECK BY R.L.  
 DESIGN BY R.K.  
 REVISED DATE 01/14/2020  
 DATE 10/04/2021  
 JOB NO. 20-1872  
 SHEET NO. **A-0.1**





PROJECT NAME  
**3832 18th St.**  
 San Francisco, CA



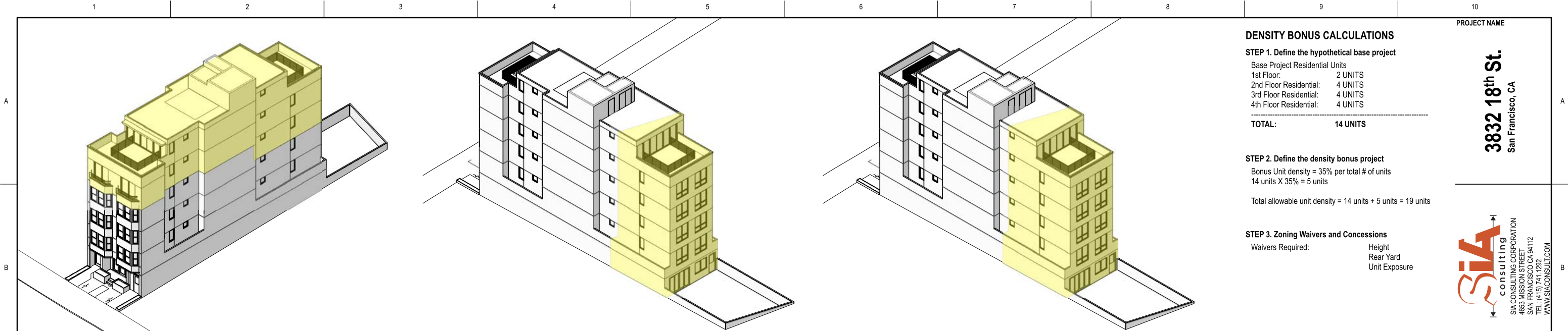
SHEET TITLE  
**Vicinity Map / Site Photos**

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**A-0.2**



**WAIVER #1 BUILDING HEIGHT**

WAIVE BUILDING HEIGHT REQUIREMENT FROM 40' (30' AT REAR) TO APPROXIMATELY 60' BECAUSE A CODE-COMPLIANT BUILDING HEIGHT WOULD PRECLUDE THE DEVELOPMENT OF A 52% INCREASE IN RESIDENTIAL GROSS AREA  
 THE BUILDING HEIGHT REQUIREMENT WOULD ELIMINATE 3,928± GSF WHICH INCLUDES 10 UNITS TOTAL

**WAIVER #2 REAR YARD REQUIREMENT**

WAIVE REAR YARD REQUIREMENT PER SEC. 134(A)(1) BECAUSE CODE-COMPLIANT REAR YARD WOULD PRECLUDE THE DEVELOPMENT OF A 26% INCREASE IN RESIDENTIAL GROSS AREA  
 THE REAR YARD REQUIREMENT WOULD ELIMINATE 2,918± GSF WHICH INCLUDES 9 UNITS TOTAL

**WAIVER #3 UNIT EXPOSURE**

WAIVE DWELLING UNIT EXPOSURE REQUIREMENT & RESTRICTIONS PER SEC. 140 BECAUSE PROVIDING CODE-COMPLIANT DWELLING UNIT EXPOSURE WOULD PRECLUDE THE DEVELOPMENT OF A 28% INCREASE IN RESIDENTIAL GROSS AREA  
 THE UNIT EXPOSURE REQUIREMENT WOULD ELIMINATE 3,496± GSF WHICH INCLUDES 9 UNITS TOTAL

**DENSITY BONUS CALCULATIONS**

**STEP 1. Define the hypothetical base project**

Base Project Residential Units  
 1st Floor: 2 UNITS  
 2nd Floor Residential: 4 UNITS  
 3rd Floor Residential: 4 UNITS  
 4th Floor Residential: 4 UNITS

**TOTAL: 14 UNITS**

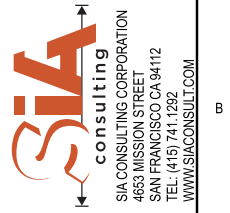
**STEP 2. Define the density bonus project**

Bonus Unit density = 35% per total # of units  
 14 units X 35% = 5 units  
 Total allowable unit density = 14 units + 5 units = 19 units

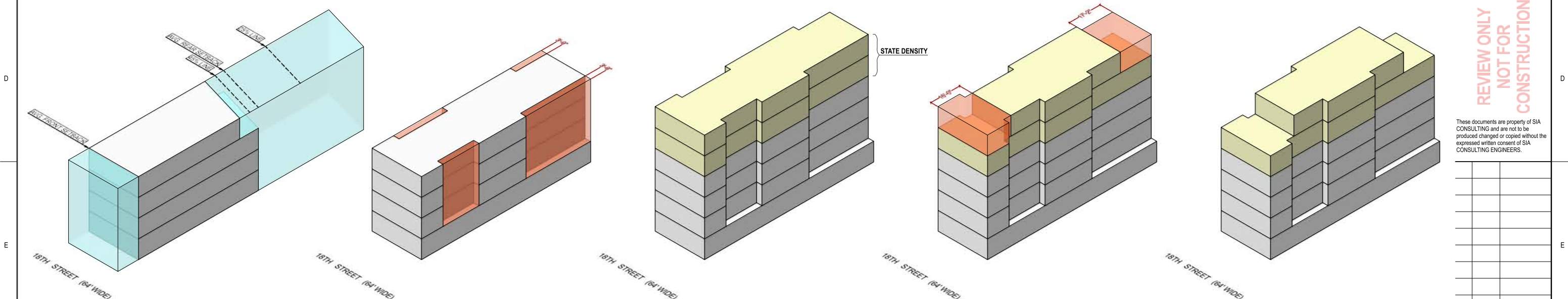
**STEP 3. Zoning Waivers and Concessions**

Waivers Required: Height  
 Rear Yard  
 Unit Exposure

PROJECT NAME  
**3832 18th St.**  
 San Francisco, CA



SHEET TITLE  
**Waiver & Massing Diagrams**



**BASELINE:** PROPOSED 4 STORIES OF RESIDENTIAL W/ 11.5' FRONT YARD & ±41.5% (AVG. REAR SETBACK) REAR YARD  
 RESIDENTIAL GROSS: ± 7,505 S.F.

**SIDE SETBACK:** PROV. 3' LIGHTWELLS & 3' SIDE SETBACKS TO STAY AWAY FROM NEIGHBORS, AND ALSO TO PROV. EXTRA NATURAL LIGHT & VENTILATION TO THE UNITS

**STORY ADDITION:** ADD TWO ADDITION STORIES.

**TOP FLOOR SETBACK:** PROV. FRONT & REAR SETBACK AT TOP FLOOR.  
 GAIN 6 UNITS (± 3,742 S.F.) TOTAL

**FINAL MASSING:** 6 STORIES OF RESIDENTIAL BUILDING  
 RESIDENTIAL GROSS AREA: ± 11,147 S.F.

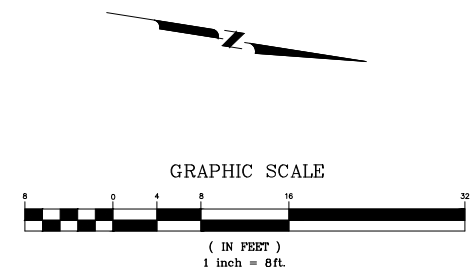
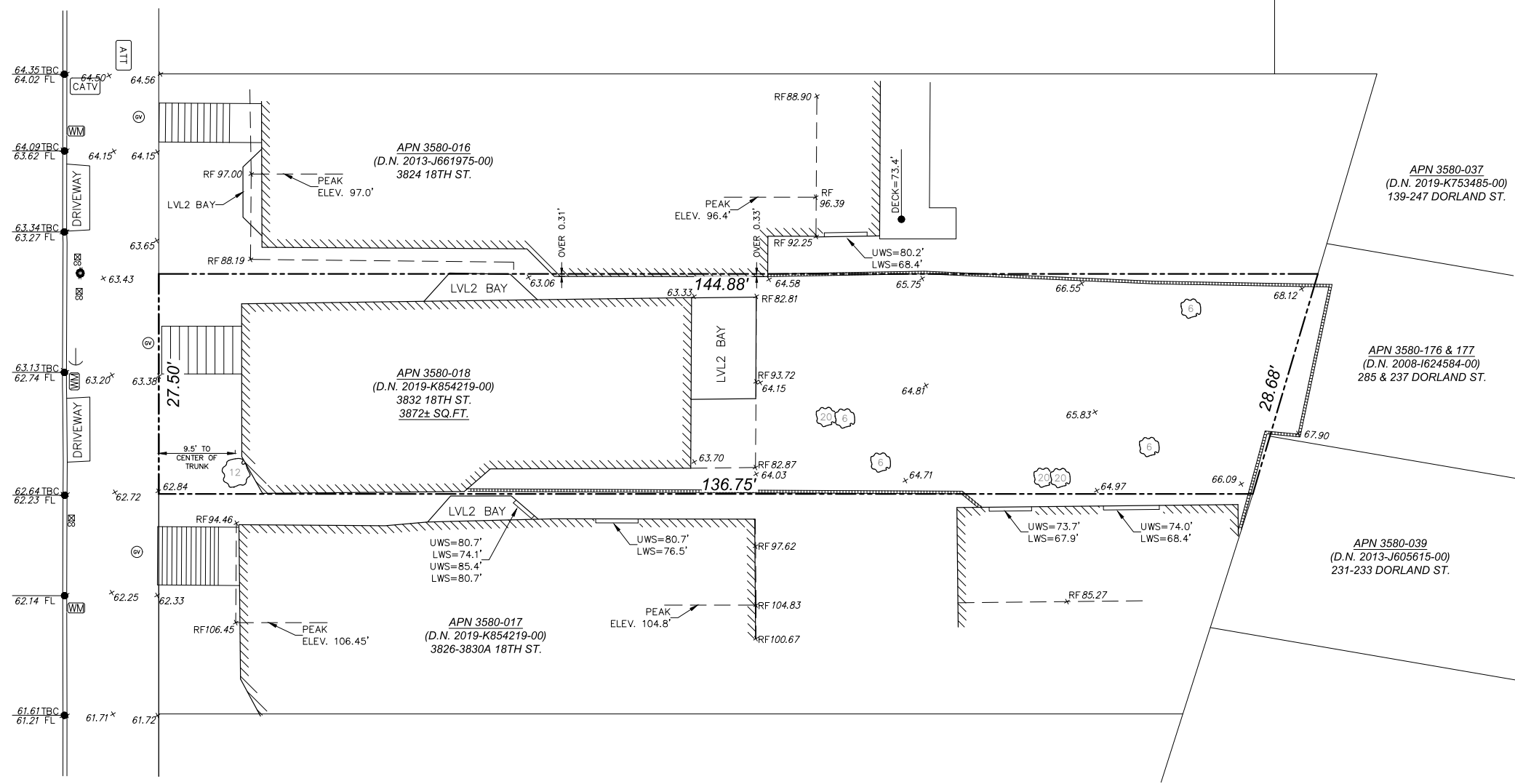
**NOTE:**  
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18TH STREET (64' WIDE)



**LEGEND**

---	PROPERTY LINE
- - -	ROOF LINE
=====	WOOD FENCE
	BUILDING FOOTPRINT
▨▨▨▨	CONCRETE WALL
●	UTILITY POLE
⊗	SANITARY SEWER CLEANOUT
⊙	TREE WITH DIA. IN INCHES
⊕	WATER VALVE
⊖	WATER METER
RF	ROOF
TBC	TOP BACK OF CURB
TF	TOP OF FENCE
LWS	LOWER WINDOW SEAL
UWS	UPPER WINDOW SEAL
x 62.84	SPOT ELEVATION
⊗	GAS VALVE
→	GUY WIRE
ATT	AT&T BOX
CATV	CABLE TV BOX

**BOUNDARY NOTE:**  
 BOUNDARY INFORMATION SHOWN HEREON IS FOR PLANNING PURPOSES ONLY. PROPERTY AND RIGHT-OF-WAY LINES SHOWN HEREON ARE BASED ON RECORD DATA AND EXISTING IMPROVEMENTS AND ARE NOT INTENDED TO BE A FINAL BOUNDARY SURVEY OF THE PROPERTY WHICH REQUIRES FILING A RECORD OF SURVEY OR SUBDIVISION MAP WITH THE COUNTY RECORDER. NO PROPERTY LINES OR CORNERS WERE SET ON THIS SURVEY.

- GENERAL NOTES:**
- ALL DISTANCES ARE IN DECIMAL FEET UNLESS OTHERWISE NOTED.
  - ALL ANGLES ARE AT 90° UNLESS OTHERWISE NOTED.
  - THIS MAP REPRESENTS THE SITE CONDITIONS ON DATE OF FIELD SURVEY, NOVEMBER 26, 2019.
  - ELEVATIONS ARE BASED UPON SAN FRANCISCO CITY DATUM (SFVD13), BENCHMARK NO. 11682. ELEVATION 88.636.

**SURVEYOR'S STATEMENT**  
 THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY AT THE REQUEST OF M-J SF INVESTMENTS, LLC IN NOVEMBER 2019.

BY: *Daniel J. Westover*  
 DANIEL J. WESTOVER, L.S. 1779  
 DATE: 6/14/2021

**WS**  
 Westover  
 Surveying  
 336 CLAREMONT BLVD. STE 1  
 SAN FRANCISCO, CA 94127  
 (415) 242-5400  
 www.westoversurveying.com

NO.	DATE	COMMENTS	JOB NO.
1.	6/14/21	added tree and signs at front, utilities on adjoining lot	19072

DRAWN BY:	CFS
CHECKED BY:	DJW
DATE:	12/20/2019
SCALE:	1"=8'

**SITE SURVEY**  
 3832 18TH STREET  
 LOT 018 OF ASSESSORS BLOCK 9580,  
 CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA

**SHEET**  
 1  
 OF  
 1

A

B

C

D

E

F

PROJECT NAME

**3832 18th St.**  
San Francisco, CA



SHEET TITLE

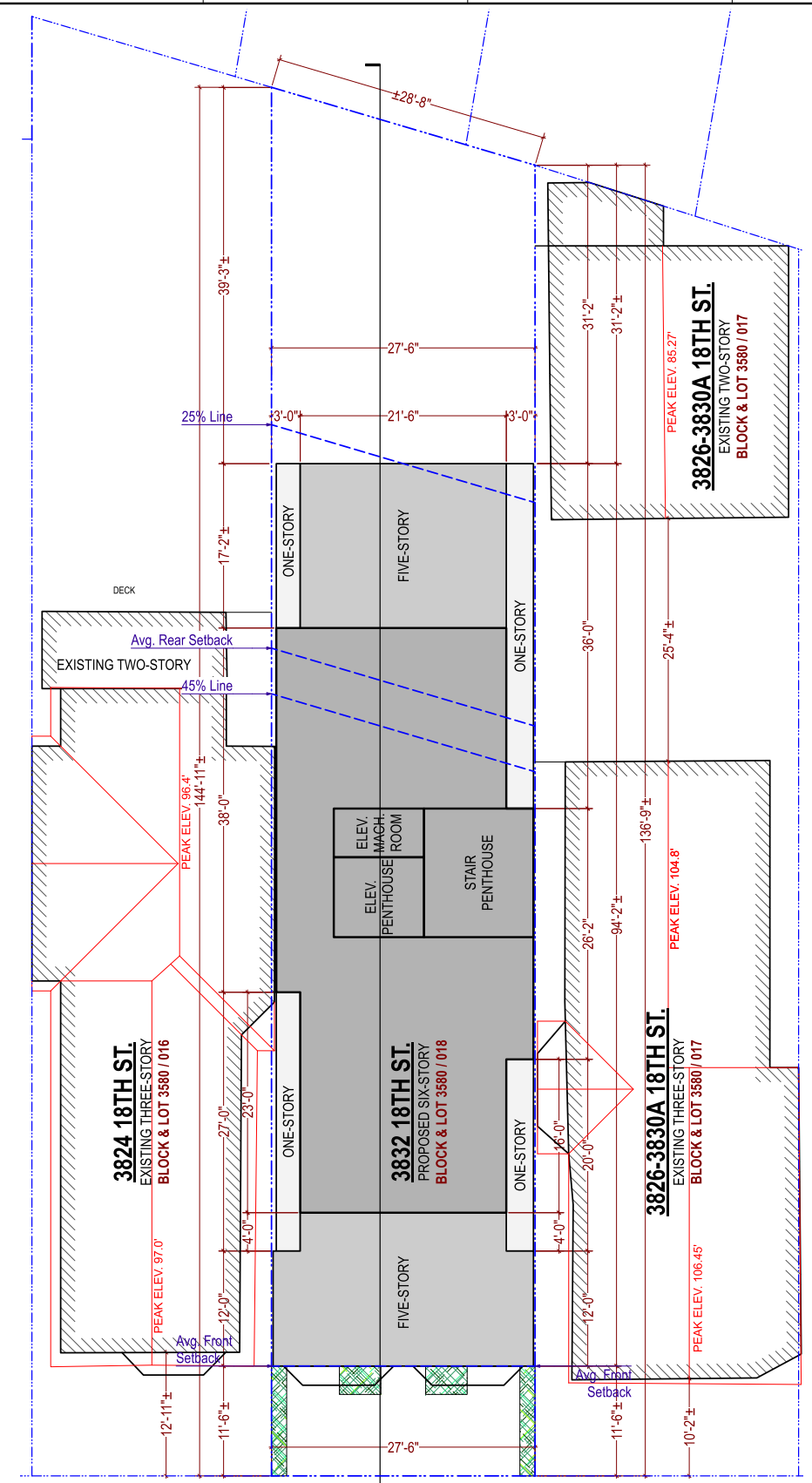
**(N) Site Plan**

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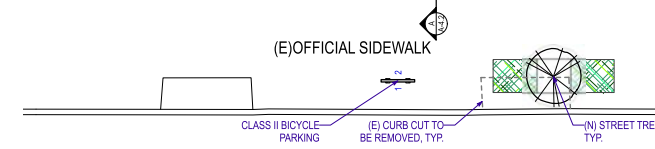
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SHEET NO.	

**A-1.1**



<b>REQ FRONT SETBACK AREA: 315 Sq.Ft.</b>	
20% LANDSCAPING: 20% of Front Setback Area: Landscaping Prov.	63 S.F. 67 S.F.
50% PERMEABLE: 50% of Front Setback Area: Total Permeable Area Prov.:	158 S.F. 160 S.F.



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

**18TH STREET**  
(64' WID)





PEAK ELEV. 96.4'

PROJECT NAME

**3832 18th St.**  
San Francisco, CA



SHEET TITLE

**Existing/Demo.  
Floor Plans**

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A-2.0

Avg. Front  
Setback

PEAK ELEV. 96.4'

45% Line

Avg. Rear

25% Line

Avg. Front  
Setback

**3826-3830A 18TH ST.**



1

**Existing/Demo. 1st Floor Plan**

Scale: 3/16" = 1'-0"

Avg. Front  
Setback

PEAK ELEV. 96.4'

45% Line

Avg. Rear

25% Line

Avg. Front  
Setback

**3826-3830A 18TH ST.**

EXISTING THREE-STORY  
BLOCK & LOT 3580 / 017

PEAK ELEV. 104.8'

PEAK ELEV. 85.27'

**3826-3830A 18TH ST.**

2

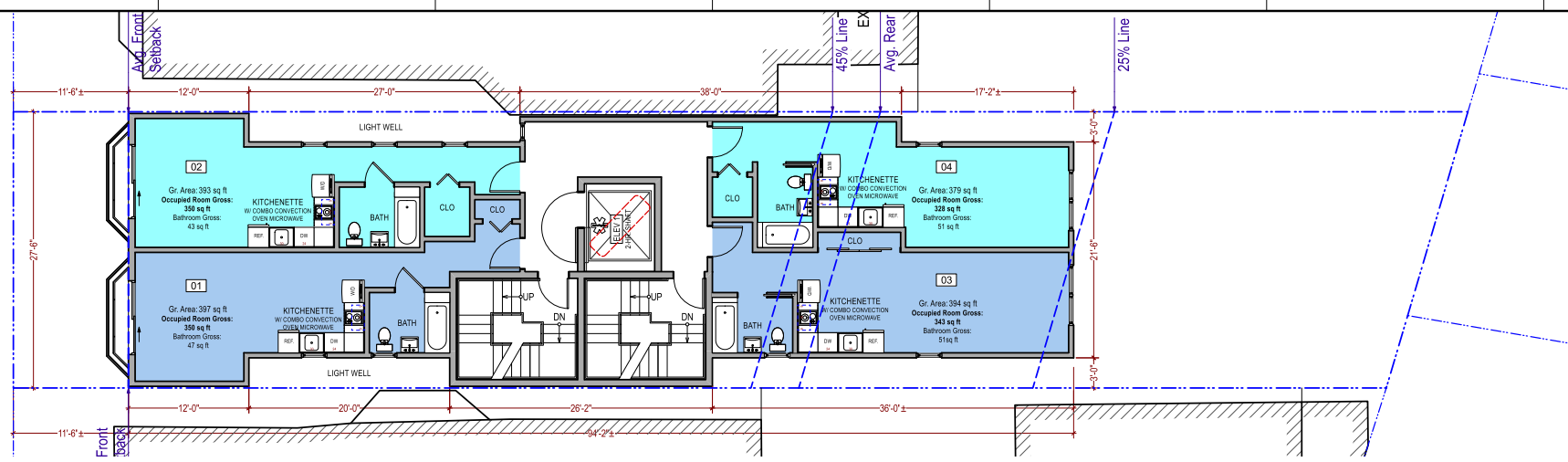
**Existing/Demo. 2nd Floor Plan**

Scale: 3/16" = 1'-0"

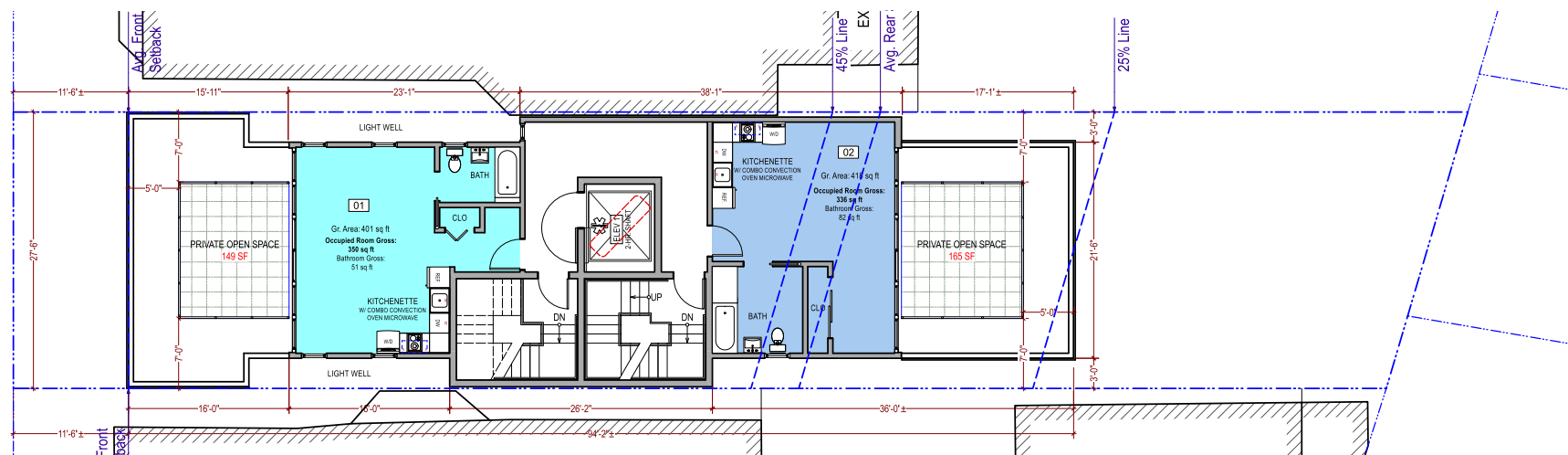




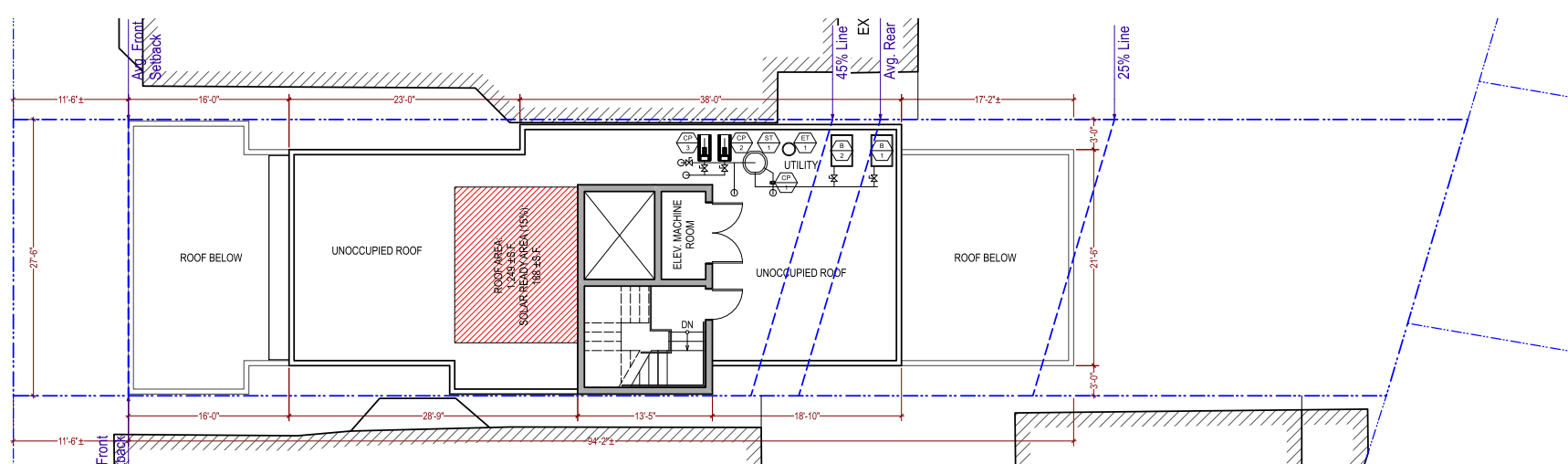




**1 Proposed Fifth Floor**  
Scale: 1/8" = 1'-0"



**2 Proposed Sixth Floor**  
Scale: 1/8" = 1'-0"



**3 Proposed Roof Plan**  
Scale: 1/8" = 1'-0"

PUMP & TANK SCHEDULE	
TAG.	DESCRIPTION
CP 1	DOMESTIC HOT WATER CIRCULATION PUMP IN-LINE PUMP, 120V/1 PH, 125W 5 GPM AT 15 FT. TDH, 15 LBS BELL & GOSSETT NBF-25 PROVIDE AS PART OF FLOWTHERM UL LISTED FTDW SKID PACKAGE
CP 2 3	SPACE HEATING HOT WATER PUMP IN-LINE PUMP, 208V/3 PH, 1.5 HP, ALL BRONZE CONSTRUCTION 90 GPM AT 33 FT. TDH, 100 LBS BELL & GOSSETT E-90 2AB PROVIDE AS PART OF FLOWTHERM UL LISTED FTDW SKID PACKAGE
ST 1	HOT WATER STORAGE TANK UL TONIUM GLASS LINING STORAGE TANK, 125 PSI TEST PRESSURE 175 GAL VERTICAL TANK, 30" DIA x 63" HIGH, 1970 LBS WITH 2" THK R-16 TOPCOAT INSULATION NILES STEEL TANK BH-30-63 PROVIDE AS PART OF FLOWTHERM UL LISTED FTDW SKID PACKAGE
ET 1	EXPANSION TANK TANK SIZE 22 GALLONS / ACCEPT : 16 GALLONS TANK TO BE CHARGED IN THE FIELD TO 40 PSIG. 16" DIA, 34"H, 300 LBS WESSELS MODEL TTA-42 PROVIDE AS PART OF FLOWTHERM UL LISTED FTDW SKID PACKAGE

BOILER SCHEDULE								
UNIT NO.	MANUFACTURER & MODEL NO.	NO. OF	SERVICE	HEATING BTUH		ELECTRICAL DATA		OPER. WT. (LBS.)
				INPUT	OUTPUT	HP/W	VOLTAGE	
B 1 2	LAARS NEOTHERM NTV 750	2	HOT WATER	750,000	705,000	1	120V/1PH	475

PROJECT NAME  
**3832 18th St.**  
San Francisco, CA

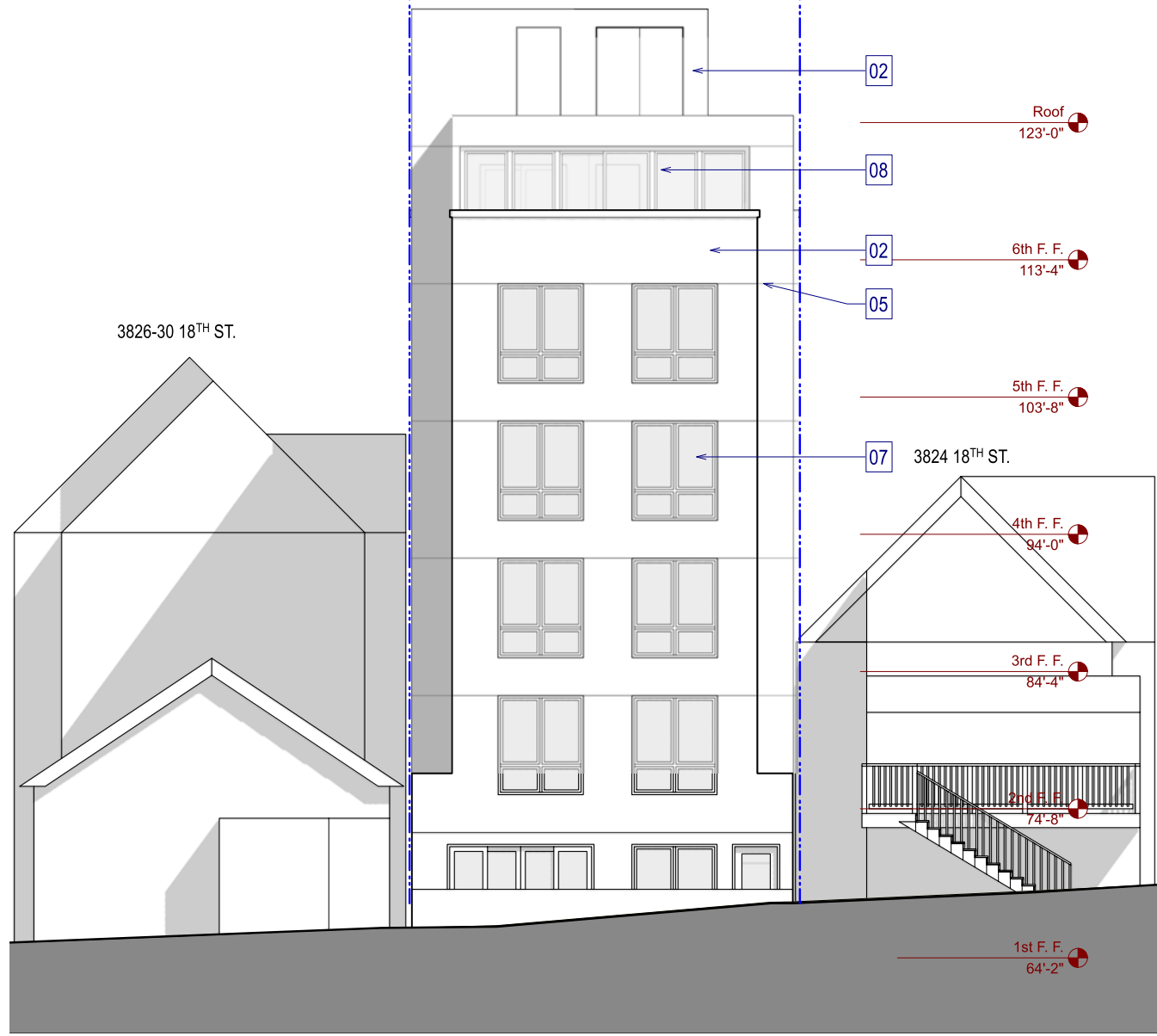
**SIA** consulting  
SIA CONSULTING CORPORATION  
4653 MISSION STREET  
SAN FRANCISCO CA 94112  
TEL: (415) 741.1292  
WWW.SIACONSULT.COM

SHEET TITLE  
**Proposed 5-6  
Floors & Roof  
Plans**

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2 Proposed Rear Elevation (South)  
Scale: 3/16" = 1'-0"

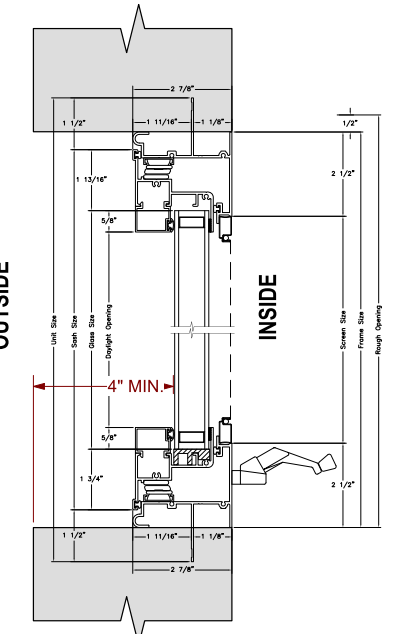


1 Proposed Front Elevation (North)  
Scale: 3/16" = 1'-0"

**FACADE MATERIALS KEY NOTES:**

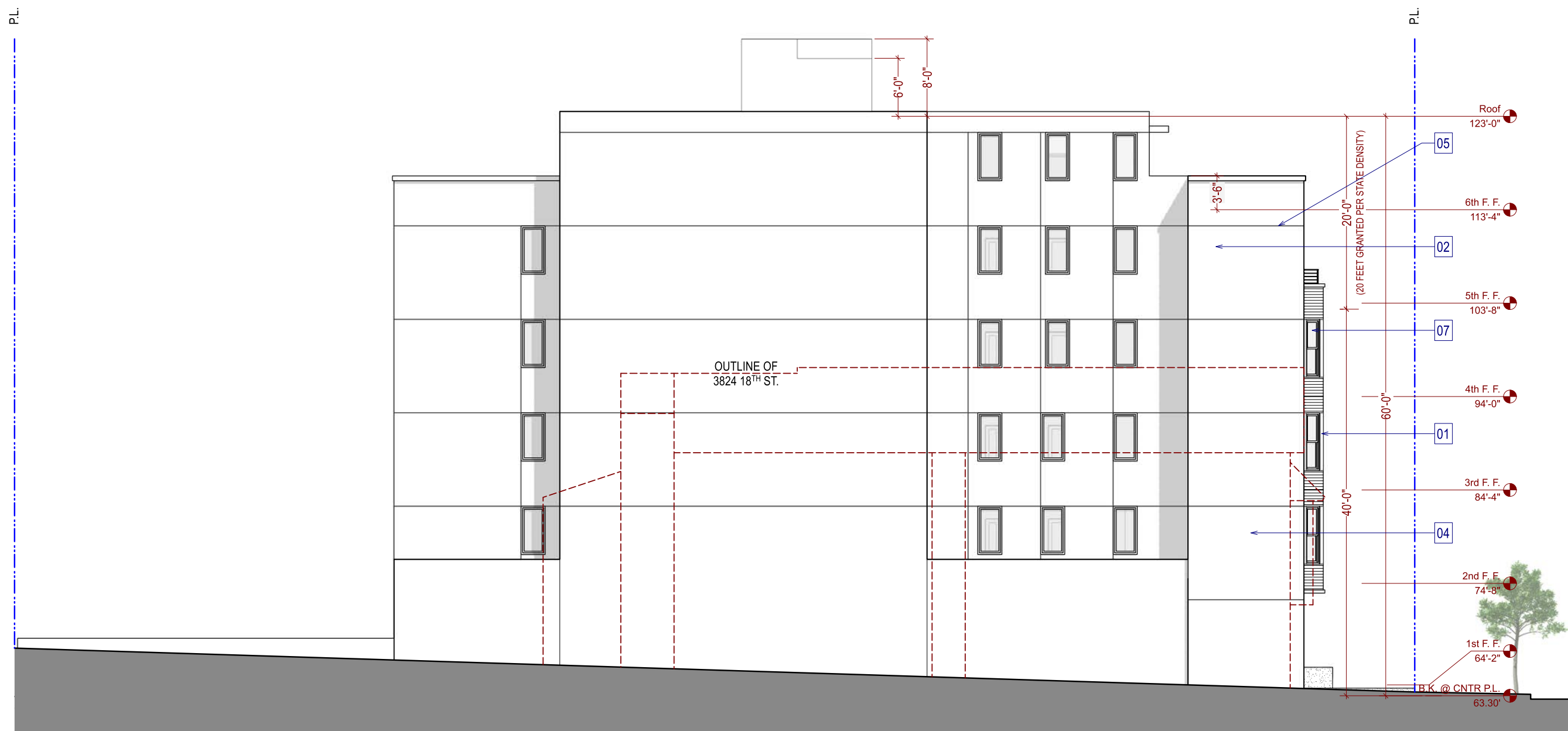
01	WOOD TRIM, TYP.
02	HIGH QUALITY SMOOTH STUCCO, TYP.
03	HORIZONTAL SIDING, TYP.
04	SMOOTH CONCRETE BLIND WALL, TYP.
05	CONTROL JOINTS, TYP.
06	PAINTED METAL / GLASS GUARDRAILS, PROV. 42" HIGH BARRIER, TYP.
07	ALUMINUM CLAD WOOD WINDOW, W/ DARK ANODIZED FINISH, TYP.
08	ALUMINUM CLAD PATIO DOOR W/ CLR. GLASS, TYP.
09	SOLID ENTRY DOOR

**NOTE:**  
PROJECT TO COMPLY WITH BIRD SAFE GLAZING REQ. PER PLANNING CODE SEC.139



Windows Typical Detail  
N.T.S.

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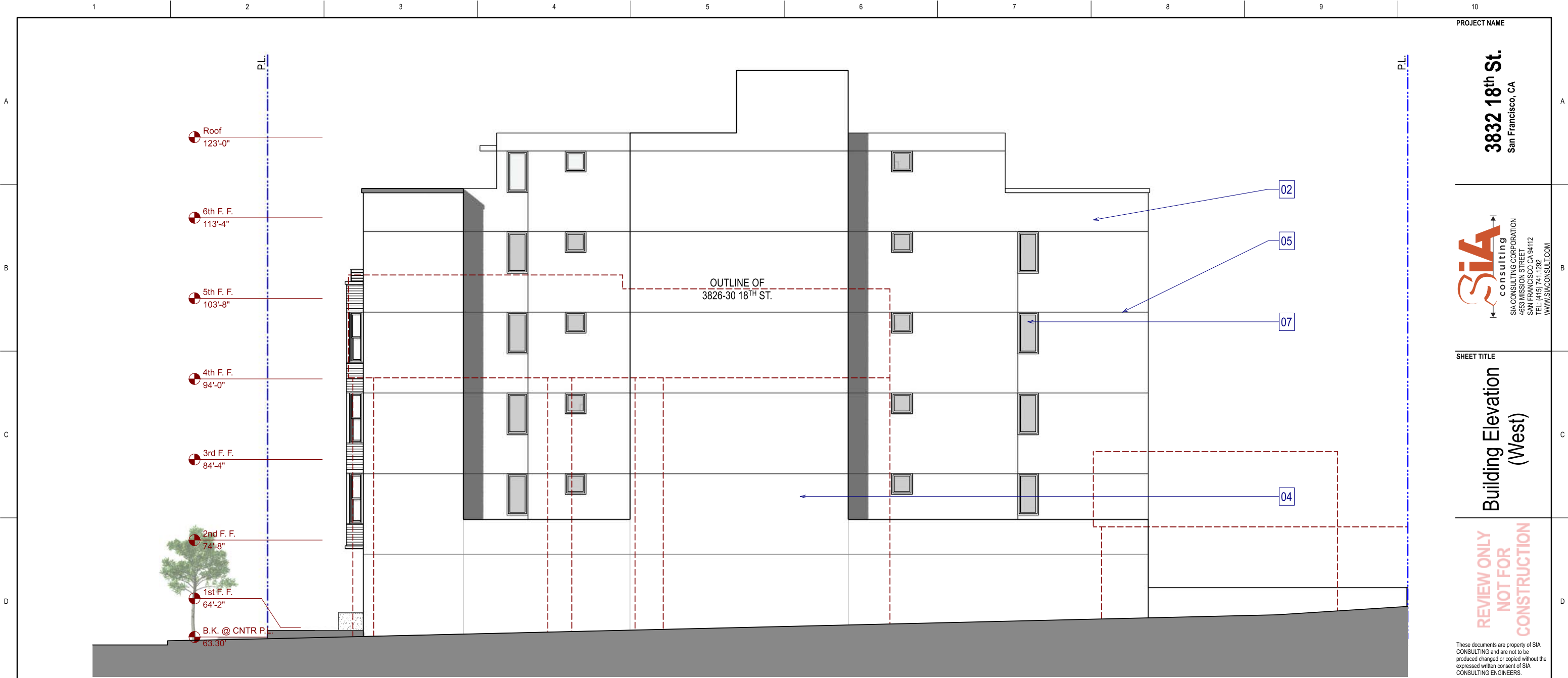
1 Proposed Left Elevation (East)  
Scale: 3/16" = 1'-0"

**FACADE MATERIALS KEY NOTES:**

01	WOOD TRIM, TYP.
02	HIGH QUALITY SMOOTH STUCCO, TYP.
03	HORIZONTAL SIDING, TYP.
04	SMOOTH CONCRETE BLIND WALL, TYP.
05	CONTROL JOINTS, TYP.
06	PAINTED METAL / GLASS GUARDRAILS, PROV. 42" HIGH BARRIER, TYP.
07	ALUMINUM CLAD WOOD WINDOW, W/ DARK ANODIZED FINISH, TYP.
08	ALUMINUM CLAD PATIO DOOR W/ CLR. GLASS, TYP.
09	SOLID ENTRY DOOR

**NOTE:**  
PROJECT TO COMPLY WITH BIRD SAFE  
GLAZING REQ. PER PLANNING CODE  
SEC.139

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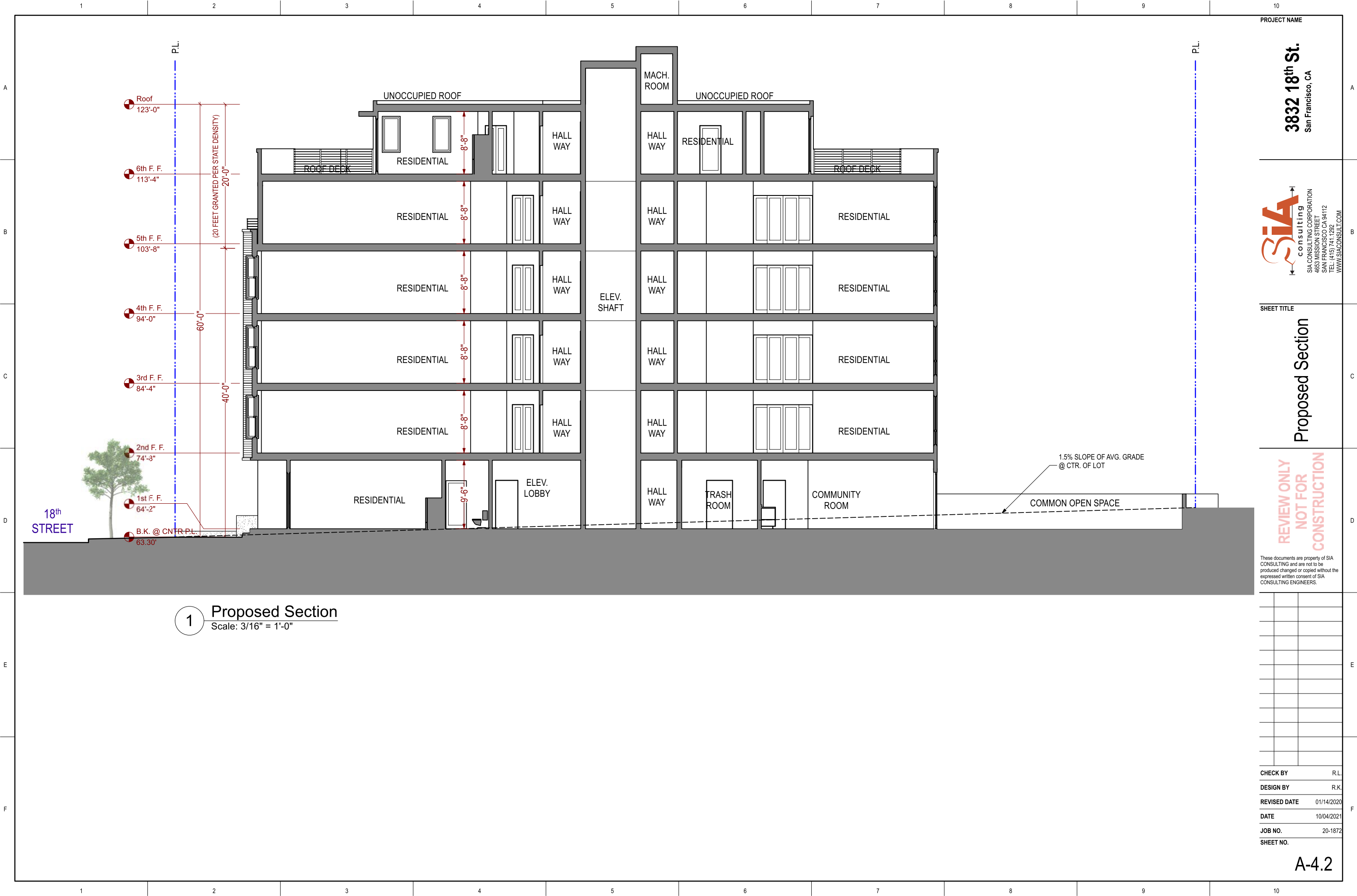
**1** Proposed Right Elevation (West)  
Scale: 3/16" = 1'-0"

**FACADE MATERIALS KEY NOTES:**

01	WOOD TRIM, TYP.
02	HIGH QUALITY SMOOTH STUCCO, TYP.
03	HORIZONTAL SIDING, TYP.
04	SMOOTH CONCRETE BLIND WALL, TYP.
05	CONTROL JOINTS, TYP.
06	PAINTED METAL / GLASS GUARDRAILS, PROV. 42" HIGH BARRIER, TYP.
07	ALUMINUM CLAD WOOD WINDOW, W/ DARK ANODIZED FINISH, TYP.
08	ALUMINUM CLAD PATIO DOOR W/ CLR. GLASS, TYP.
09	SOLID ENTRY DOOR

**NOTE:**  
PROJECT TO COMPLY WITH BIRD SAFE  
GLAZING REQ. PER PLANNING CODE  
SEC.139

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1 Proposed Section  
Scale: 3/16" = 1'-0"





- 01 CLOSET / STORAGE
- 02 BATHROOM
- 03 KITCHEN
- 04 ENTERTAINMENT
- 05 SOFA / MURPHY BED

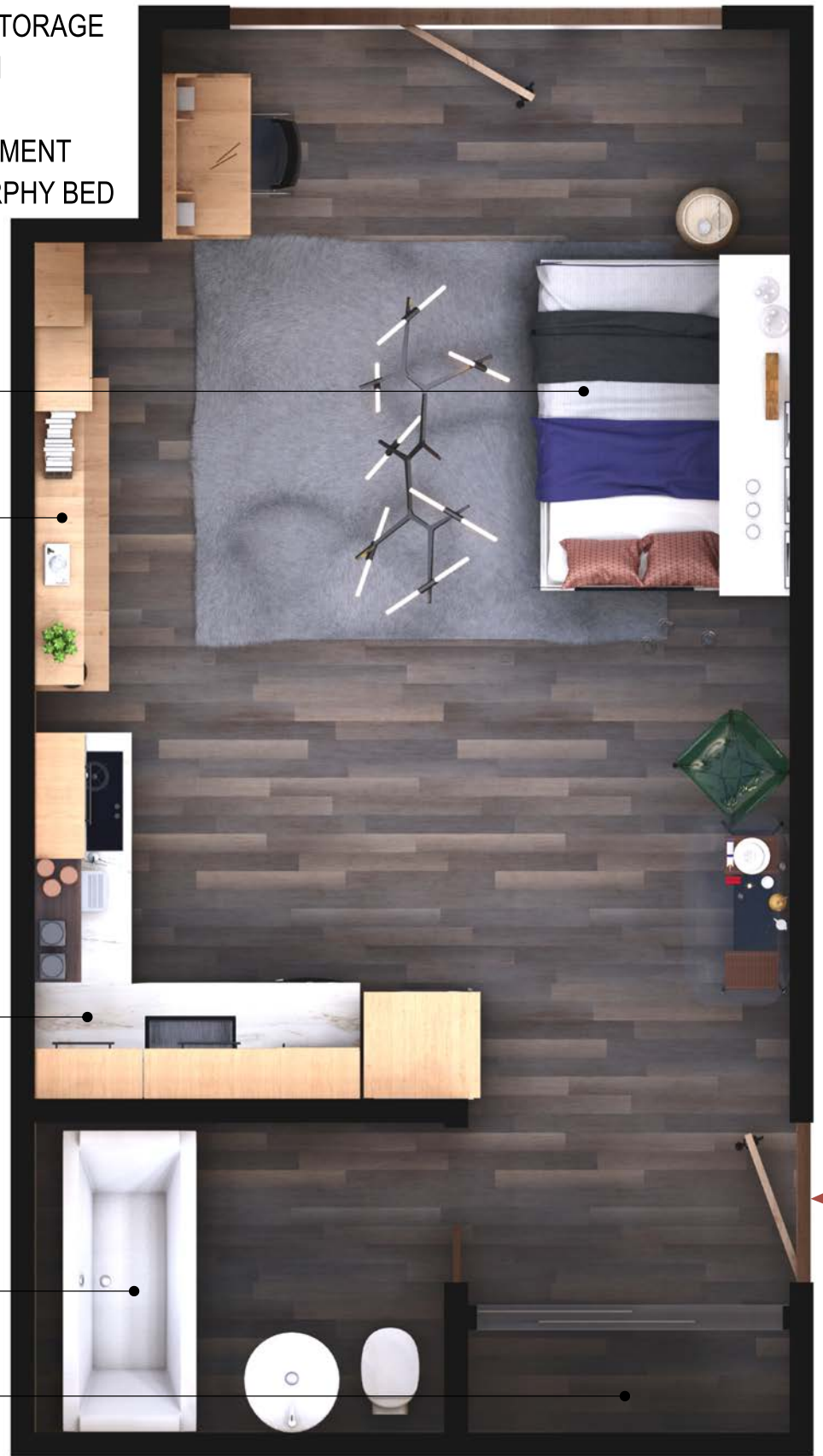
05

04

03

02

01



A

B

C

D

E

F

A

B

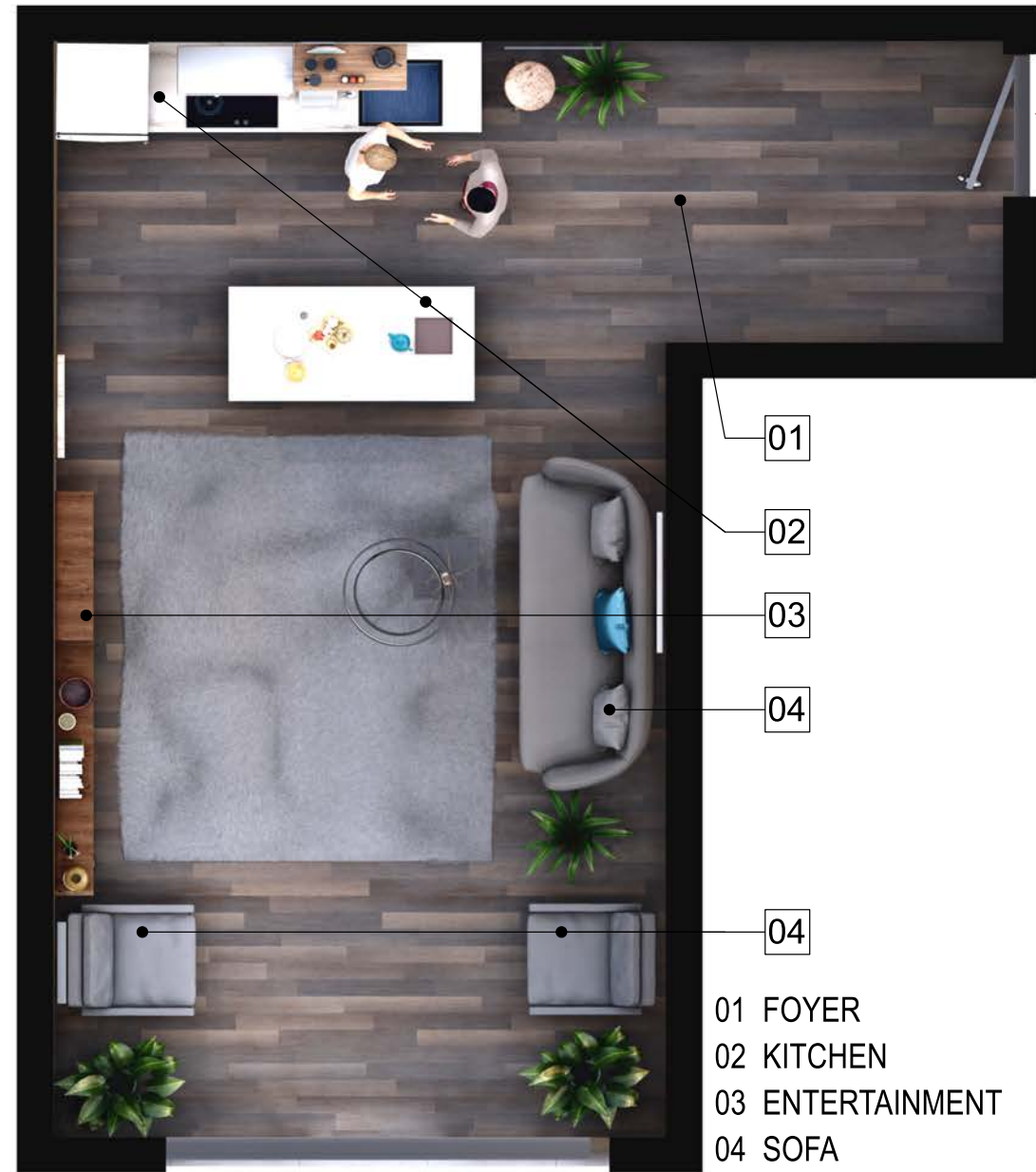
C

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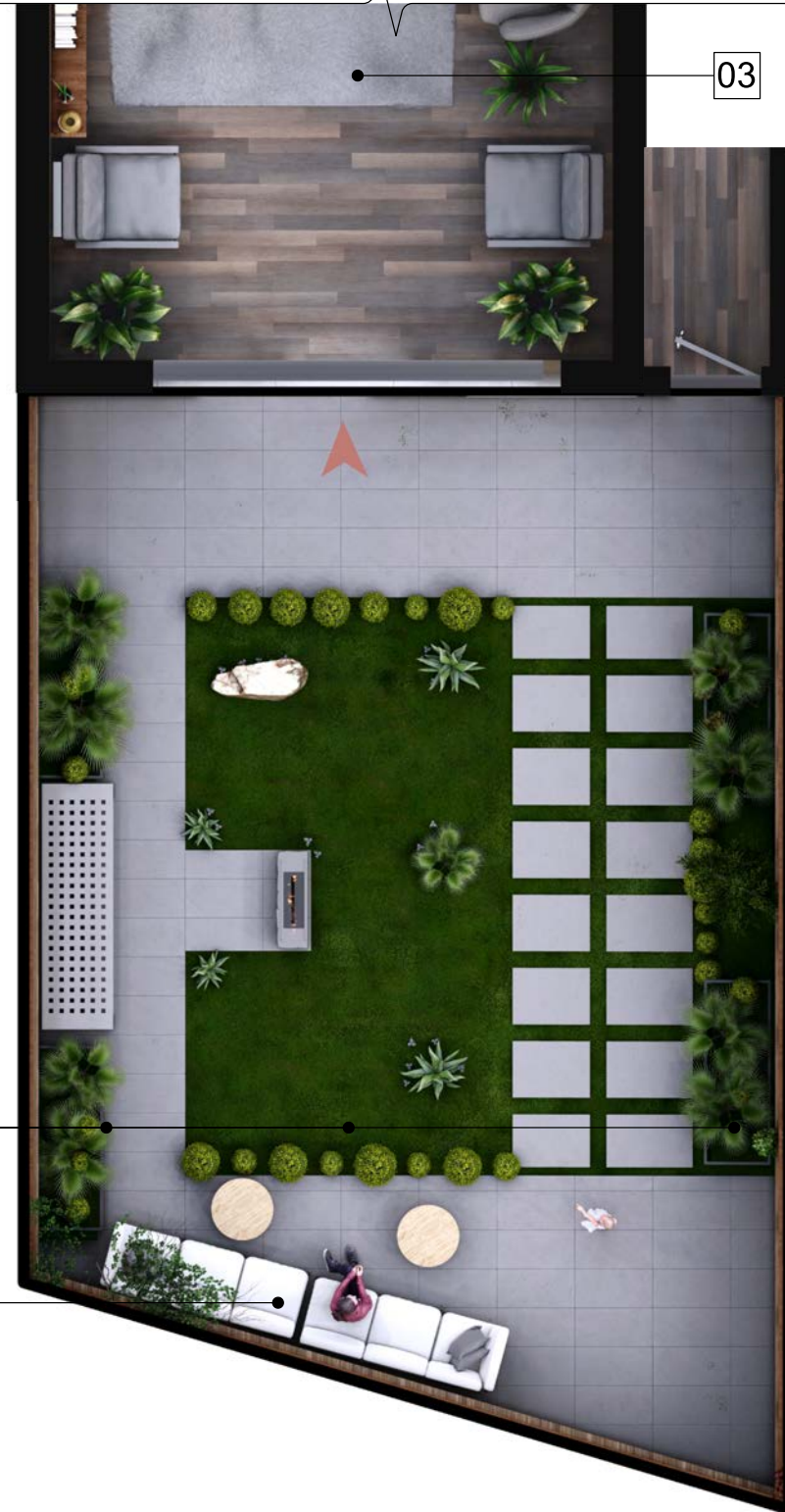


REAR YARD

A  
B  
C  
D  
E  
F



- 01 LANDSCAPE
- 02 SEATING
- 03 COMMUNITY ROOM



# GS1: San Francisco Green Building Site Permit Submittal Form

Form version: February 1, 2018 (For permit applications January 2017 - December 2019)

INSTRUCTIONS:			NEW CONSTRUCTION				ALTERATIONS + ADDITIONS					PROJECT INFO			
1. Select one (1) column to identify requirements for the project. For addition and alteration projects, applicability of specific requirements may depend upon project scope. 2. Provide the Project Information in the box at the right. 3. A LEED or GreenPoint Rated Scorecard is not required with the site permit application, but using such tools as early as possible is recommended. 4. To ensure legibility of DBI archives, submittal must be a minimum of 24" x 36". Attachment GS2, GS3, GS4, GS5 or GS6 will be due with the applicable addendum. A separate "FINAL COMPLIANCE VERIFICATION" form will be required prior to Certificate of Completion. For details, see Administrative Bulletin 93. For Municipal projects, additional Environment Code Chapter 7 requirements may apply; see GS6.			CHECK THE ONE COLUMN THAT BEST DESCRIBES YOUR PROJECT →											3832 18th St. PROJECT NAME 3580/018 BLOCK/LOT 3832 18th St. ADDRESS R-2 PRIMARY OCCUPANCY 11,147 ±S.F. GROSS BUILDING AREA DESIGN PROFESSIONAL or PERMIT APPLICANT (sign & date)	
LEED/GPR	TITLE	SOURCE OF REQUIREMENT	DESCRIPTION OF REQUIREMENT	LOW-RISE RESIDENTIAL	HIGH-RISE RESIDENTIAL	LARGE NON-RESIDENTIAL	OTHER NON-RESIDENTIAL	RESIDENTIAL MAJOR ALTERATIONS + ADDITIONS	OTHER RESIDENTIAL ALTERATIONS + ADDITIONS	NON-RESIDENTIAL MAJOR ALTERATIONS + ADDITIONS	FIRST-TIME NON-RESIDENTIAL INTERIORS	OTHER NON-RESIDENTIAL INTERIORS, ALTERATIONS + ADDITIONS			
	Required LEED or GPR Certification Level	SFGBC 4.103.1.1, 4.103.2.1, 4.103.3.1, 5.103.1.1, 5.103.3.1 & 5.103.4.1	Project is required to achieve sustainability certification listed at right.	R 1-3 Floors	R 4+ Floors	A,B,E,I,M 25,000 sq.ft. or greater	F,H,L,S,U or A,B,E,I,M less than 25,000 sq.ft.	R 25,000 sq.ft. or greater	R adds any amount of conditioned area	B,M 25,000 sq.ft. or greater	A,B,I,M 25,000 sq.ft. or greater	A,B,E,F,H,L,I,M,S,U more than 1,000 sq.ft. or \$200,000			
	LEED/GPR Point Adjustment for Retention/Demolition of Historic Features/Building	SFGBC 4.104, 4.105, 5.104 & 5.105	Enter any applicable point adjustments in box at right.												
MATERIALS	LOW-EMITTING MATERIALS	CALGreen 4.504.2.1-5 & 5.504.4.1-6, SFGBC 4.103.3.2, 5.103.1.9, 5.103.3.2 & 5.103.4.2	Use products that comply with the emission limit requirements of 4.504.2.1-5, 5.504.4.1-6 for adhesives, sealants, paints, coatings, carpet systems including cushions and adhesives, resilient flooring (80% of area), and composite wood products. Major alterations to existing residential buildings must use low-emitting coatings, adhesives and sealants, and carpet systems that meet the requirements for GPR measures K2, K3 and L2 or LEED EQc2, as applicable. New large non-residential interiors and major alterations to existing residential and non-residential buildings must also use interior paints, coatings, sealants, and adhesives when applied on-site, flooring and composite wood that meet the requirements of LEED credit Low-Emitting Materials (EQc2).	4.504.2.1-5	4.504.2.1-5	LEED EQc2	5.504.4.1-6	LEED EQc2 or GPR K2, K3 & L2	4.504.2.1-5	LEED EQc2	LEED EQc2	5.504.4.1-6			
	INDOOR WATER USE REDUCTION	CALGreen 4.303.1 & 5.303.3, SFGBC 5.103.1.2, SF Housing Code sec.12A10, SF Building Code ch.13A	Meet flush/flow requirements for: toilets (1.28gpf); urinals (0.125gpf wall, 0.5gpf floor); showerheads (2.0gpm); lavatories (1.2gpm private, 0.5gpm public/common); kitchen faucets (1.8gpm); wash fountains (1.8gpm); metering faucets (0.2gpc); food waste disposers (1gpm/8gpm). Residential projects must upgrade all non-compliant fixtures per SF Housing Code sec.12A10. Large non-residential interiors, alterations & additions must upgrade all non-compliant fixtures per SF Building Code ch.13A. New large non-residential buildings must also achieve minimum 30% indoor potable water use reduction as calculated to meet LEED credit Indoor Water Use Reduction (WEC2).			LEED WEC2 (2 pts)									
	NON-POTABLE WATER REUSE	Health Code art.12C	New buildings ≥ 40,000 sq.ft. must calculate a water budget. New buildings ≥250,000 sq.ft. must treat and use available rainwater, graywater, and foundation drainage and use in toilet and urinal flushing and irrigation. See www.sfwater.org for details.	n/r			n/r	n/r	n/r	n/r	n/r	n/r			
	WATER-EFFICIENT IRRIGATION	Administrative Code ch.63	New construction projects with aggregated landscape area ≥500 sq.ft., or existing projects with modified landscape area ≥1,000 sq.ft. shall use low water use plants or climate appropriate plants, restrict turf areas and comply with Model Water Efficient Landscape Ordinance restrictions by calculated ETAF (.55 for residential, .45 for non-residential or less) or by prescriptive compliance for projects with ≤2,500 sq.ft. of landscape area. See www.sfwater.org for details.												
ENERGY	WATER METERING	CALGreen 5.303.1	Provide submeters for spaces projected to consume >1,000gal/day (or >100gal/day in buildings >50,000 sq.ft.).	n/r	n/r			n/r	n/r						
	ENERGY EFFICIENCY	CA Energy Code	Comply with all provisions of the CA Title 24 Part 6 Energy Standards.												
	BETTER ROOFS	SFGBC 4.201.1 & 5.201.1.2	New non-residential buildings >2,000 sq.ft. and ≤10 occupied floors, and new residential buildings of any size and ≤10 occupied floors, must designate 15% of roof Solar Ready, per Title 24 rules. Install photovoltaics or solar hot water systems in this area. With Planning Department approval, projects subject to SFPUC Stormwater Requirements may substitute living roof for solar energy systems.		≤10 floors			n/r	n/r	n/r	n/r	n/r			
	RENEWABLE ENERGY	SFGBC 5.201.1.3	Non-residential buildings with ≥11 floors must acquire at least 1% of energy from on-site renewable sources, purchase green energy credits, or achieve 5 points under LEED credit Optimize Energy Performance (EAc2).	n/r	n/r			n/r	n/r	n/r	n/r	n/r			
PARKING	COMMISSIONING (Cx)	CALGreen 5.410.2 - 5.410.4.5.1	For projects ≥10,000 sq.ft. include OPR, BOD, and commissioning plan in design & construction. Commission to comply. Alterations & additions with new HVAC equipment must test and adjust all equipment.	n/r	n/r	LEED EAc1 opt. 1		n/r	n/r						
	BICYCLE PARKING	CALGreen 5.106.4, Planning Code 155.1-2	Provide short- and long-term bike parking equal to 5% of motorized vehicle parking, or meet SF Planning Code sec.155.1-2, whichever is greater.	SF Planning Code sec.155.1-2	SF Planning Code sec.155.1-2			if applicable SF Planning Code sec.155.1-2	if applicable SF Planning Code sec.155.1-2				if >10 stalls added		
	DESIGNATED PARKING	CALGreen 5.106.5.2	Mark 8% of total parking stalls for low-emitting, fuel efficient, and carpool/van pool vehicles.	n/r	n/r			n/r	n/r				if >10 stalls added		
WASTE DIVERSION	WIRING FOR EV CHARGERS	SFGBC 4.106.4 & 5.106.5.3	Permit application January 2018 or after: Construct all new off-street parking spaces for passenger vehicles and trucks with dimensions capable of installing EVSE. Install service capacity and panelboards sufficient to provide ≥40A 208 or 240V to EV chargers at 20% of spaces. Install ≥40A 208 or 240V branch circuits to ≥10% of spaces, terminating close to the proposed EV charger location. Installation of chargers is not required. Projects with zero off-street parking exempt. See SFGBC 4.106.4 or SFGBC 5.106.5.3 for details. Permit applications prior to January 2018 only: Install infrastructure to provide electricity for EV chargers at 6% of spaces for non-residential (CALGreen 5.106.5.3), 3% of spaces for multifamily with ≥17 units (CALGreen 4.106.4.2), and each space in 1-2 unit dwellings (CALGreen 4.106.4.1). Installation of chargers is not required.					applicable for permit application January 2018 or after	n/r	applicable for permit application January 2018 or after	n/r	n/r			
	RECYCLING BY OCCUPANTS	SF Building Code AB-088	Provide adequate space and equal access for storage, collection and loading of compostable, recyclable and landfill materials.												
HVAC	CONSTRUCTION & DEMOLITION (C&D) WASTE MANAGEMENT	SFGBC 4.103.2.3 & 5.103.1.3.1, Environment Code ch.14, SF Building Code ch.13B	For 100% of mixed C&D debris use registered transporters and registered processing facilities with a minimum of 65% diversion rate. Divert a minimum of 75% of total C&D debris if noted.		75% diversion	75% diversion						75% diversion			
	HVAC INSTALLER QUALS	CALGreen 4.702.1	Installers must be trained and certified in best practices.			n/r	n/r			n/r	n/r	n/r			
	HVAC DESIGN	CALGreen 4.507.2	HVAC shall be designed to ACCA Manual J, D, and S.			n/r	n/r			n/r	n/r	n/r			
GOOD NEIGHBOR	REFRIGERANT MANAGEMENT	CALGreen 5.508.1	Use no halons or CFCs in HVAC.	n/r	n/r			n/r	n/r						
	LIGHT POLLUTION REDUCTION	CA Energy Code, CALGreen 5.106.8	Comply with CA Energy Code for Lighting Zones 1-4. Comply with 5.106.8 for Backlight/Uplight/Glare.	n/r	n/r			n/r	n/r						
	BIRD-SAFE BUILDINGS	Planning Code sec.139	Glass facades and bird hazards facing and/or near Urban Bird Refuges may need to treat their glass for opacity.												
POLLUTION PREVENTION	TOBACCO SMOKE CONTROL	CALGreen 5.504.7, Health Code art.19F	For non-residential projects, prohibit smoking within 25 feet of building entries, air intakes, and operable windows. For residential projects, prohibit smoking within 10 feet of building entries, air intakes, and operable windows and enclosed common areas.												
	STORMWATER CONTROL PLAN	Public Works Code art.4.2 sec.147	Projects disturbing ≥5,000 sq.ft. in combined or separate sewer areas, or replacing ≥2,500 impervious sq.ft. in separate sewer area, must implement a Stormwater Control Plan meeting SFPUC Stormwater Management Requirements. See www.sfwater.org for details.					if project extends outside envelope	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope			
INDOOR ENVIRONMENTAL QUALITY	CONSTRUCTION SITE RUNOFF CONTROLS	Public Works Code art.4.2 sec.146	Provide a construction site Stormwater Pollution Prevention Plan and implement SFPUC Best Management Practices. See www.sfwater.org for details.	if disturbing ≥5,000 sq.ft.		if disturbing ≥5,000 sq.ft.	if disturbing ≥5,000 sq.ft.	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope	if project extends outside envelope			
	ACOUSTICAL CONTROL	CALGreen 5.507.4.1-3, SF Building Code sec.1207	Non-residential projects must comply with sound transmission limits (STC-50 exteriors near freeways/airports; STC-45 exteriors if 65db Leq at any time; STC-40 interior walls/floor-ceilings between tenants). New residential projects' interior noise due to exterior sources shall not exceed 45dB.					n/r	n/r						
	AIR FILTRATION (CONSTRUCTION)	CALGreen 4.504.1-3 & 5.504.1-3	Seal permanent HVAC ducts/equipment stored onsite before installation.												
	AIR FILTRATION (OPERATIONS)	CALGreen 5.504.5.3, SF Health Code art.38	Non-residential projects must provide MERV-8 filters on HVAC for regularly occupied, actively ventilated spaces. Residential new construction and major alteration & addition projects in Air Pollutant Exposure Zones per SF Health Code art.38 must provide MERV-13 filters on HVAC.	if applicable	if applicable			if applicable	n/r						
RESIDENTIAL	CONSTRUCTION IAQ MANAGEMENT PLAN	SFGBC 5.103.1.8	During construction, meet SMACNA IAQ guidelines; provide MERV-8 filters on all HVAC.	n/r	n/r	LEED EQc3	n/r	n/r	n/r	n/r	n/r	n/r	n/r	n/r	
	GRADING & PAVING	CALGreen 4.106.3	Show how surface drainage (grading, swales, drains, retention areas) will keep surface water from entering the building.					if applicable	if applicable	n/r	n/r	n/r			
	RODENT PROOFING	CALGreen 4.406.1	Seal around pipe, cable, conduit, and other openings in exterior walls with cement mortar or DBI-approved similar method.												
	FIREPLACES & WOODSTOVES	CALGreen 4.503.1	Install only direct-vent or sealed-combustion, EPA Phase II-compliant appliances.												
	CAPILLARY BREAK, SLAB ON GRADE	CALGreen 4.505.2	Slab on grade foundation requiring vapor retarder also requires a capillary break such as: 4 inches of base 1/2-inch aggregate under retarder; slab design specified by licensed professional.												
	MOISTURE CONTENT	CALGreen 4.505.3	Wall and floor wood framing must have <19% moisture content before enclosure.												
BATHROOM EXHAUST	CALGreen 4.506.1	Must be ENERGY STAR compliant, ducted to building exterior, and its humidistat shall be capable of adjusting between <50% to >80% (humidistat may be separate component).													

**PROJECT NAME**  
3832 18th St.  
San Francisco, CA

**SIA consulting**  
SIA CONSULTING CORPORATION  
4653 MISSION STREET  
SAN FRANCISCO CA 94112  
TEL: (415) 741-1292  
WWW.SIACONSULT.COM

**SHEET TITLE**  
Greenpoint Checklist

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CHECK BY	R.L.
DESIGN BY	R.K.
REVISED DATE	01/14/2020
DATE	10/04/2021
JOB NO.	20-1872
SHEET NO.	G-1.0

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: File No. 211187  
**Date:** Wednesday, December 8, 2021 1:12:26 PM

---

**From:** Kay Koehneke <kkinthegarden@gmail.com>  
**Sent:** Sunday, December 5, 2021 8:51 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** File No. 211187

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Planning Case No. 2020-001610CUA

My name is Kay Koehneke. I live at, and am the owner of 3827 - 18th Street. I have lived here for 33 years. I object to the approval of the Conditional Use Authorization by the Planning Commission (Motion #21016). This CUA includes waivers from development standards, for rear yard, dwelling unit exposure, and maximum height limit.

As proposed, this out-of-scale and out-of-character project provides group housing for select individuals who do not need to cook, raise children, or care for an elderly relative. No space to raise families, or conduct a zoom meeting while the roommate is also working remotely. What exactly is this "group housing"? With only 3 of 19 units being offered at below market rate, I cannot see how this project of micro units will help build a neighborhood. I believe this project is an end-run for the developer to cash-in on a loophole.

We have been saddled with a state density bonus mandate that has tied the hands of all local input or local representation. All of the neighbors I know fully support adding housing units at 3832 - 18th Street. But what we want to add is housing not lodging. We are hoping for long term residents not a tech dormitory or Air B&B short term lodging. Please do not hold a neighborhood hostage to the laws of unintended consequences. If Sacramento wants to dictate what gets built and where, then they should find redevelopment funds to support projects and free developers to design neighborhood-friendly projects that benefit everyone.

Sincerely,  
Kay Koehneke



**From:** [Bintliff, Jacob \(BOS\)](#)  
**To:** [Gee, Natalie \(BOS\)](#); [Somera, Alisa \(BOS\)](#)  
**Cc:** [BOS Legislation, \(BOS\)](#); [PEARSON, ANNE \(CAT\)](#); [Mandelman, Rafael \(BOS\)](#); [Horn, Jeffrey \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Merlone, Audrey \(CPC\)](#)  
**Subject:** Continuance request - 211187 [Hearing - Appeal of Conditional Use Authorization Approval - 3832-18th Street]  
**Date:** Tuesday, February 1, 2022 11:16:41 AM

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Hi Natalie and Alisa,

The appellants (represented by Deborah Holley) and the project sponsor (represented by Ryan Patterson) on this CUA appeal have mutually agreed to seek a continuance of this hearing from the 2/8 BOS meeting to 3/15.

Could you please advise if this date will work for President Walton and the Clerk's office? If so, Sup. Mandelman will make a motion to continue at the meeting next week.

Please see below their confirmation of that request and agreement to waive Planning Code and SB 330 time limits and hearing limitations.

Thank you,

Jacob

**Jacob Bintliff**  
Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102  
(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)  
*Pronouns: he, him, his*

---

**From:** Ryan Patterson <ryan@zfplaw.com>  
**Sent:** Monday, January 31, 2022 5:07 PM  
**To:** Deborah Holley <deborah@holleyconsulting.com>; Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>  
**Cc:** Amir Afifi (amir@siaconsult.com) <amir@siaconsult.com>; Brian O'Neill <brian@zfplaw.com>; Chandni Mistry <chandni@zfplaw.com>; James Nunemacher <james@vanguardsf.com>; Jonathan Moftakhar <JonathanM@vanguardsf.com>; Michael Cassidy <bannerdevelopment@sbcglobal.net>; Reza Khoshnevisan (reza@siaconsult.com) <reza@siaconsult.com>; Scott Emblidge <emblidge@mosconelaw.com>; Thanos Diacakis <thanos@diacakis.com>; Rafa Sonnenfeld <rafa@yimbylaw.org>; Sonja Trauss <sonja@yimbylaw.org>  
**Subject:** RE: 3832 18th follow-up meeting

Thank you. March 15 works for us. We agree to waive the time limit for the hearing, and the continuance will not count as a hearing for SB 330.

Best,

Ryan

Ryan J. Patterson  
Zacks, Freedman & Patterson, PC  
601 Montgomery Street, Suite 400  
San Francisco, CA 94111  
Telephone: (415) 956-8100  
Facsimile: (415) 288-9755  
Email: ryan@zfplaw.com  
[www.zfplaw.com](http://www.zfplaw.com)

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**From:** Deborah Holley <deborah@holleyconsulting.com>  
**Sent:** Monday, January 31, 2022 3:43 PM  
**To:** Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>; Rafa Sonnenfeld <rafa@yimbylaw.org>; Sonja Trauss <sonja@yimbylaw.org>  
**Cc:** Amir Afifi (amir@siaconsult.com) <amir@siaconsult.com>; Brian O'Neill <brian@zfplaw.com>; Chandni Mistry <chandni@zfplaw.com>; James Nunemacher <james@vanguardsf.com>; Jonathan Moftakhar <JonathanM@vanguardsf.com>; Michael Cassidy <bannerdevelopment@sbcglobal.net>; Reza Khoshnevisan (reza@siaconsult.com) <reza@siaconsult.com>; Ryan Patterson <ryan@zfplaw.com>; Scott Emblidge <emblidge@mosconelaw.com>; Thanos Diacakis <thanos@diacakis.com>  
**Subject:** Re: 3832 18th follow-up meeting

Will do Jacob.

Given the BOS meeting cancellations, March 15 and April 5 are two dates that work for our team.

Ryan and team, do either of these dates work?

Thank you,

Deborah

**Holley Consulting**

[www.Holleyconsulting.com](http://www.Holleyconsulting.com)

[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)

220 Montgomery Street, Suite 2100

San Francisco, CA 94104

415 389-9329 office

415 609-9329 mobile

---



**From:** [Bintliff, Jacob \(BOS\)](#)  
**To:** [BOS Legislation, \(BOS\)](#); [Gee, Natalie \(BOS\)](#)  
**Cc:** [Mandelman, Rafael \(BOS\)](#); [PEARSON, ANNE \(CAT\)](#); [Ryan Patterson](#); [deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com); [Starr, Aaron \(CPC\)](#); [Horn, Jeffrey \(CPC\)](#)  
**Subject:** Continuance request 1/11 - 3832 18th CUA appeal 211187  
**Date:** Monday, January 3, 2022 12:33:01 PM

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Dear Clerk of the Board and Natalie,

Regarding the CUA appeal for 3832 18th St (BF 211187) currently scheduled for 1/11, Supervisor Mandelman proposes to move for a continuance to 2/8 on behalf of the project sponsor and appellant.

Please see below confirmation from the project sponsor and appellant agreeing to this continuance.

Would you please let us know if this date is ok for your and President Walton's office?

Thank you,

Jacob

**Jacob Bintliff**  
Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102  
(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)  
*Pronouns: he, him, his*

---

**From:** Ryan Patterson <[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>  
**Sent:** Monday, January 3, 2022 12:19 PM  
**To:** Deborah Holley <[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)>; Bintliff, Jacob (BOS) <[jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)>  
**Cc:** Thanos Diacakis <[thanos@diacakis.com](mailto:thanos@diacakis.com)>; Scott Emblidge <[emblidge@mosconelaw.com](mailto:emblidge@mosconelaw.com)>; Brian O'Neill <[brian@zfplaw.com](mailto:brian@zfplaw.com)>; Chandni Mistry <[chandni@zfplaw.com](mailto:chandni@zfplaw.com)>; James Nunemacher <[james@vanguardsf.com](mailto:james@vanguardsf.com)>; Sonja Trauss <[sonja@yimbylaw.org](mailto:sonja@yimbylaw.org)>; Jonathan Moftakhar <[JonathanM@vanguardsf.com](mailto:JonathanM@vanguardsf.com)>; Rafa Sonnenfeld <[rafa@yimbylaw.org](mailto:rafa@yimbylaw.org)>; Amir Afifi <[amir@siaconsult.com](mailto:amir@siaconsult.com)> <[amir@siaconsult.com](mailto:amir@siaconsult.com)>; Michael Cassidy <[bannerdevelopment@sbcglobal.net](mailto:bannerdevelopment@sbcglobal.net)>; Reza Khoshnevisan <[reza@siaconsult.com](mailto:reza@siaconsult.com)> <[reza@siaconsult.com](mailto:reza@siaconsult.com)>  
**Subject:** RE: 3832 18th follow-up meeting

Thank you all. Confirming the continuance to February 8 (pending the Clerk's confirmation of availability). We agree to waive the time limit for the hearing, and the continuance will not count as

a hearing for SB 330.

Best,

Ryan

Ryan J. Patterson  
Zacks, Freedman & Patterson, PC  
601 Montgomery Street, Suite 400  
San Francisco, CA 94111  
Telephone: (415) 956-8100  
Facsimile: (415) 288-9755  
Email: ryan@zfplaw.com  
[www.zfplaw.com](http://www.zfplaw.com)

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---

**From:** Deborah Holley <deborah@holleyconsulting.com>  
**Sent:** Monday, January 3, 2022 11:52 AM  
**To:** Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>; Ryan Patterson <ryan@zfplaw.com>  
**Cc:** Thanos Diacakis <thanos@diacakis.com>; Scott Emblidge <emblidge@mosconelaw.com>; Brian O'Neill <brian@zfplaw.com>; Chandni Mistry <chandni@zfplaw.com>; James Nunemacher <james@vanguardsf.com>; Sonja Trauss <sonja@yimbylaw.org>; Jonathan Moftakhar <JonathanM@vanguardsf.com>; Rafa Sonnenfeld <rafa@yimbylaw.org>; Amir Afifi (amir@siaconsult.com) <amir@siaconsult.com>; Michael Cassidy <bannerdevelopment@sbcglobal.net>; Reza Khoshnevisan (reza@siaconsult.com) <reza@siaconsult.com>  
**Subject:** Re: 3832 18th follow-up meeting

Hi Ryan,  
That's fine with us as well assuming waiving the hearing limit under SB 330.  
In addition, the 2/15 hearing date does not work for our team due to travel schedules. We'd need a hearing date before 2/12 or after 3/2.

Thank you,

Deborah

**Holley Consulting**

[www.Holleyconsulting.com](http://www.Holleyconsulting.com)

[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)

220 Montgomery Street, Suite 2100

San Francisco, CA 94104

415 389-9329 office

415 609-9329 mobile

---

**From:** Bintliff, Jacob (BOS) <[jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)>

**Date:** Monday, January 3, 2022 at 11:48 AM

**To:** Ryan Patterson <[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>, Deborah Holley <[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)>

**Cc:** Thanos Diacakis <[thanos@diacakis.com](mailto:thanos@diacakis.com)>, Scott Emblidge <[emblidge@mosconelaw.com](mailto:emblidge@mosconelaw.com)>, Brian O'Neill <[brian@zfplaw.com](mailto:brian@zfplaw.com)>, Chandni Mistry <[chandni@zfplaw.com](mailto:chandni@zfplaw.com)>, James Nunemacher <[james@vanguardsf.com](mailto:james@vanguardsf.com)>, Sonja Trauss <[sonja@yimbylaw.org](mailto:sonja@yimbylaw.org)>, Jonathan Moftakhar <[JonathanM@vanguardsf.com](mailto:JonathanM@vanguardsf.com)>, Rafa Sonnenfeld <[rafa@yimbylaw.org](mailto:rafa@yimbylaw.org)>, Amir Afifi ([amir@siaconsult.com](mailto:amir@siaconsult.com)) <[amir@siaconsult.com](mailto:amir@siaconsult.com)>, Michael Cassidy <[bannerdevelopment@sbcglobal.net](mailto:bannerdevelopment@sbcglobal.net)>, Reza Khoshnevisan ([reza@siaconsult.com](mailto:reza@siaconsult.com)) <[reza@siaconsult.com](mailto:reza@siaconsult.com)>

**Subject:** Re: 3832 18th follow-up meeting

Thanks, Ryan.

The Supervisor is fine with continuing the hearing another time (would suggest 2/15), provided that both sides agree, and that you also acknowledge waiving the hearing limit under SB 330 for this continuance. And, we could then push this meeting back a week or two accordingly. Otherwise, I think we should proceed.

Deborah, please let us know the appellants' preference.

Thank you,

Jacob

**Jacob Bintliff**  
Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102  
(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)  
*Pronouns: he, him, his*

---

**From:** Ryan Patterson <[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>

**Sent:** Monday, January 3, 2022 11:35 AM

**To:** Deborah Holley <[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)>; Bintliff, Jacob (BOS) <[jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)>

**Cc:** Thanos Diacakis <[thanos@diacakis.com](mailto:thanos@diacakis.com)>; Scott Emblidge <[emblidge@mosconelaw.com](mailto:emblidge@mosconelaw.com)>; Brian O'Neill <[brian@zfplaw.com](mailto:brian@zfplaw.com)>; Chandni Mistry <[chandni@zfplaw.com](mailto:chandni@zfplaw.com)>; James Nunemacher <[james@vanguardsf.com](mailto:james@vanguardsf.com)>; Sonja Trauss <[sonja@yimbylaw.org](mailto:sonja@yimbylaw.org)>; Jonathan Moftakhar

<[JonathanM@vanguardsf.com](mailto:JonathanM@vanguardsf.com)>; Rafa Sonnenfeld <[rafa@yimbylaw.org](mailto:rafa@yimbylaw.org)>; Amir Afifi ([amir@siaconsult.com](mailto:amir@siaconsult.com)) <[amir@siaconsult.com](mailto:amir@siaconsult.com)>; Brian O'Neill <[brian@zfplaw.com](mailto:brian@zfplaw.com)>; Chandni Mistry <[chandni@zfplaw.com](mailto:chandni@zfplaw.com)>; Michael Cassidy <[bannerdevelopment@sbcglobal.net](mailto:bannerdevelopment@sbcglobal.net)>; Reza Khoshnevisan ([reza@siaconsult.com](mailto:reza@siaconsult.com)) <[reza@siaconsult.com](mailto:reza@siaconsult.com)>

**Subject:** RE: 3832 18th follow-up meeting

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Hi Deborah,

Happy New Year. We are still trying to gather this information, which has unfortunately taken longer than expected due to the holidays. I suggest that we continue our discussion and move the hearing back a month. We can still talk today if you'd like, but I think it will be more productive to talk in two or three weeks when we have more information.

Thanks,

Ryan

Ryan J. Patterson  
Zacks, Freedman & Patterson, PC  
601 Montgomery Street, Suite 400  
San Francisco, CA 94111  
Telephone: (415) 956-8100  
Facsimile: (415) 288-9755  
Email: [ryan@zfplaw.com](mailto:ryan@zfplaw.com)  
[www.zfplaw.com](http://www.zfplaw.com)

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---

**From:** Deborah Holley <[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)>

**Sent:** Monday, January 3, 2022 8:29 AM

**To:** Ryan Patterson <[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>; Bintliff, Jacob (BOS) <[jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)>

**Cc:** Thanos Diacakis <[thanos@diacakis.com](mailto:thanos@diacakis.com)>; Scott Emblidge <[emblidge@mosconelaw.com](mailto:emblidge@mosconelaw.com)>; Brian O'Neill <[brian@zfplaw.com](mailto:brian@zfplaw.com)>; Chandni Mistry <[chandni@zfplaw.com](mailto:chandni@zfplaw.com)>

**Subject:** Re: 3832 18th follow-up meeting

Hi Ryan,  
Happy New Year!

Bringing this to the top of your inbox.  
Will you have responses for us before our meeting at noon today?  
Thank you,  
Deborah

---

**From:** Deborah Holley <[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)>  
**Date:** Tuesday, December 28, 2021 at 12:51 PM  
**To:** Ryan Patterson <[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>, Bintliff, Jacob (BOS) <[jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)>  
**Cc:** Thanos Diacakis <[thanos@diacakis.com](mailto:thanos@diacakis.com)>, Scott Emblidge <[emblidge@mosconelaw.com](mailto:emblidge@mosconelaw.com)>, Brian O'Neill <[brian@zfplaw.com](mailto:brian@zfplaw.com)>, Chandni Mistry <[chandni@zfplaw.com](mailto:chandni@zfplaw.com)>  
**Subject:** Re: 3832 18th follow-up meeting

Hi Ryan,  
I hope you've been enjoying the holidays. I am following up on the list of requests. We'll need that information in order to have a productive meeting next Monday.  
Can you provide the responses or report on the status?  
Thanks very much,  
Deborah

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**From:** Ryan Patterson <[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>  
**Sent:** Tuesday, December 14, 2021 5:16 PM  
**To:** Deborah Holley; Bintliff, Jacob (BOS)  
**Cc:** Thanos Diacakis; Scott Emblidge; Brian O'Neill; Chandni Mistry  
**Subject:** RE: 3832 18th follow-up meeting

Hi Deborah and Jacob,

Thank you for sending the list of requests. We will discuss these internally. January 3 from 12:00-1:00 works for our team for the follow-up meeting.

Best,

Ryan

Ryan J. Patterson  
Zacks, Freedman & Patterson, PC  
601 Montgomery Street, Suite 400  
San Francisco, CA 94111  
Telephone: (415) 956-8100  
Facsimile: (415) 288-9755  
Email: [ryan@zfplaw.com](mailto:ryan@zfplaw.com)  
[www.zfplaw.com](http://www.zfplaw.com)

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---

**From:** Deborah Holley <[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)>  
**Sent:** Monday, December 13, 2021 3:14 PM  
**To:** Bintliff, Jacob (BOS) <[jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)>; Ryan Patterson <[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>  
**Cc:** Thanos Diacakis <[thanos@diacakis.com](mailto:thanos@diacakis.com)>; Scott Emblidge <[emblidge@mosconelaw.com](mailto:emblidge@mosconelaw.com)>  
**Subject:** Re: 3832 18th follow-up meeting

Hi Jacob,  
Thank you for hosting today. I will email the larger group later today with the follow-up items we discussed.

January 3 from 12-1 PM works for our team for the next meeting.

Best,

Deborah

**Holley Consulting**

[www.Holleyconsulting.com](http://www.Holleyconsulting.com)

[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)

220 Montgomery Street, Suite 2100

San Francisco, CA 94104

415 389-9329 office

415 609-9329 mobile

---

**From:** Bintliff, Jacob (BOS) <[jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)>  
**Sent:** Monday, December 13, 2021 1:05 PM  
**To:** Ryan Patterson <[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>; Deborah Holley <[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)>  
**Subject:** 3832 18th follow-up meeting

Hi Ryan and Deborah,

Thank you and your clients for meeting today. As we agreed, would you please let me know if we could hold a one-hour follow-up meeting on 1/3, from 12:00 - 2:00 or 1/4, from 2:00 - 3:00?

Briefing materials for the 1/11 appeal are due to the Clerk's office COB Thursday 1/6.

Thank you,

Jacob

**Jacob Bintliff**  
Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102  
(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)  
*Pronouns: he, him, his*

**From:** [Gee, Natalie \(BOS\)](#)  
**To:** [Bintliff, Jacob \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Cc:** [PEARSON, ANNE \(CAT\)](#); [deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com); [Thanos Diacakis](#); [Ryan Patterson](#); [Mandelman, Rafael \(BOS\)](#); [Temprano, Tom \(BOS\)](#); [Starr, Aaron \(CPC\)](#); [Horn, Jeffrey \(CPC\)](#)  
**Subject:** Re: Continuance request - 211187 - Hearing - Appeal of Conditional Use Authorization Approval - 3832-18th Street  
**Date:** Thursday, December 2, 2021 1:39:21 PM

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Good afternoon all,

This works for our office. Thank you!

Natalie Gee 朱凱勤, Chief of Staff  
President Shamann Walton, District 10  
San Francisco Board of Supervisors  
Sent on my mobile phone, please pardon any typos!

---

**From:** Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>  
**Sent:** Thursday, December 2, 2021 12:09:41 PM  
**To:** Somera, Alisa (BOS) <alisa.somera@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>  
**Cc:** Gee, Natalie (BOS) <natalie.gee@sfgov.org>; PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; [deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com) <[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)>; Thanos Diacakis <[thanos@diacakis.com](mailto:thanos@diacakis.com)>; Ryan Patterson <[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>; Mandelman, Rafael (BOS) <[rafael.mandelman@sfgov.org](mailto:rafael.mandelman@sfgov.org)>; Temprano, Tom (BOS) <[tom.temprano@sfgov.org](mailto:tom.temprano@sfgov.org)>; Starr, Aaron (CPC) <[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)>; Horn, Jeffrey (CPC) <[jeffrey.horn@sfgov.org](mailto:jeffrey.horn@sfgov.org)>  
**Subject:** Re: Continuance request - 211187 - Hearing - Appeal of Conditional Use Authorization Approval - 3832-18th Street

Thanks, Alisa.

Natalie, please let us know if that works for your office.

Thank you,

Jacob

**Jacob Bintliff**  
Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102  
(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)  
*Pronouns: he, him, his*

---

**From:** Somera, Alisa (BOS) <alisa.somera@sfgov.org>  
**Sent:** Thursday, December 2, 2021 9:39 AM



**To:** Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>

**Cc:** Gee, Natalie (BOS) <natalie.gee@sfgov.org>; PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; deborah@holleyconsulting.com <deborah@holleyconsulting.com>; Thanos Diacakis <thanos@diacakis.com>; Ryan Patterson <ryan@zfplaw.com>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Temprano, Tom (BOS) <tom.temprano@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Horn, Jeffrey (CPC) <jeffrey.horn@sfgov.org>

**Subject:** RE: Continuance request - 211187 - Hearing - Appeal of Conditional Use Authorization Approval - 3832-18th Street

Hello Jacob,

The Leg Clerks have confirmed that we received the waivers from the appellants/project sponsors so a continuance to January 11<sup>th</sup> would be okay. Currently, there is only a COW for the IRFD scheduled on January 11<sup>th</sup>, which shouldn't take long.

Natalie is copied on this email and can provide final confirmation on behalf of the President. If she approves, we will include the note on the agenda.

*Alisa Somera*

Legislative Deputy Director  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
415.554.7711 direct | 415.554.5163 fax  
[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)

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information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

---

**From:** Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>  
**Sent:** Wednesday, December 1, 2021 6:55 PM  
**To:** BOS Legislation, (BOS) <bos.legislation@sfgov.org>  
**Cc:** Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Gee, Natalie (BOS) <natalie.gee@sfgov.org>; PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; deborah@holleyconsulting.com; Thanos Diacakis <thanos@diacakis.com>; Ryan Patterson <ryan@zfplaw.com>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Temprano, Tom (BOS) <tom.temprano@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Horn, Jeffrey (CPC) <jeffrey.horn@sfgov.org>  
**Subject:** Re: Continuance request - 211187 - Hearing - Appeal of Conditional Use Authorization Approval - 3832-18th Street

Hi Alisa,

Could you let us know if 1/11 is available for a continuance on this one? We'd like to ask that note to be added to the agenda for next week's meeting if so.

Thank you,

Jacob

**Jacob Bintliff**  
Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102  
(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)  
*Pronouns: he, him, his*

---

**From:** Bintliff, Jacob (BOS) <[jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)>  
**Sent:** Tuesday, November 30, 2021 4:38 PM  
**To:** BOS Legislation, (BOS) <[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)>  
**Cc:** Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>; Gee, Natalie (BOS) <[natalie.gee@sfgov.org](mailto:natalie.gee@sfgov.org)>; PEARSON, ANNE (CAT) <[Anne.Pearson@sfcityatty.org](mailto:Anne.Pearson@sfcityatty.org)>; [deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com) <[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)>; Thanos Diacakis <[thanos@diacakis.com](mailto:thanos@diacakis.com)>; Ryan Patterson <[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>; Mandelman, Rafael (BOS) <[rafael.mandelman@sfgov.org](mailto:rafael.mandelman@sfgov.org)>; Temprano, Tom (BOS) <[tom.temprano@sfgov.org](mailto:tom.temprano@sfgov.org)>; Starr, Aaron (CPC) <[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)>; Horn, Jeffrey (CPC) <[jeffrey.horn@sfgov.org](mailto:jeffrey.horn@sfgov.org)>  
**Subject:** Re: Continuance request - 211187 - Hearing - Appeal of Conditional Use Authorization Approval - 3832-18th Street

Looping in Planning staff as well FYI.

Thank you,

Jacob

**Jacob Bintliff**  
Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102  
(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)  
*Pronouns: he, him, his*

---

**From:** Bintliff, Jacob (BOS)

**Sent:** Tuesday, November 30, 2021 4:35 PM

**To:** BOS Legislation, (BOS) <[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)>

**Cc:** Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>; Gee, Natalie (BOS) <[natalie.gee@sfgov.org](mailto:natalie.gee@sfgov.org)>;  
PEARSON, ANNE (CAT) <[Anne.Pearson@sfcityatty.org](mailto:Anne.Pearson@sfcityatty.org)>; [deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)  
<[deborah@holleyconsulting.com](mailto:deborah@holleyconsulting.com)>; Thanos Diacakis <[thanos@diacakis.com](mailto:thanos@diacakis.com)>; Ryan Patterson  
<[ryan@zfplaw.com](mailto:ryan@zfplaw.com)>; Mandelman, Rafael (BOS) <[rafael.mandelman@sfgov.org](mailto:rafael.mandelman@sfgov.org)>; Temprano, Tom  
(BOS) <[tom.temprano@sfgov.org](mailto:tom.temprano@sfgov.org)>

**Subject:** Continuance request - 211187 - Hearing - Appeal of Conditional Use Authorization Approval  
- 3832-18th Street

Dear Clerk of the Board and Natalie,

Regarding the above hearing scheduled for next week's Board meeting, I have communicated with the appellant and the project sponsor/property owner and all parties (copied here) would like to seek a continuance to after the new year for this item. January 11th is a mutually agreeable date for both, and if this date is amendable to yours and President Walton's office, Supervisor Mandelman would like to make a motion to continue this item 1/11. Would you please confirm if this date is available?

I am also including correspondence from Deborah Holley, representing the Appellant Mr. Diacakis, and Ryan Patterson, representing the project sponsor/property owner, acknowledging this request and waiving required timeframes under Planning Code Sec 308.1.

Thank you,

Jacob

**Jacob Bintliff**  
Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102

(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)

*Pronouns: he, him, his*

**From:** [Deborah Holley](#)  
**To:** [Bintliff, Jacob \(BOS\)](#)  
**Cc:** [Scott Emblidge](#)  
**Subject:** Re: 3832 18th Street Appeal Continuance  
**Date:** Tuesday, November 30, 2021 11:54:56 AM

---

Hi Jacob,

My client, as the 3832 18th Street appellant, agrees with this continuance to January 11, and acknowledges that this will in effect waive the requirements of Planning Code Section 308.1, which generally requires that the Board render a decision within 30 days of when the hearing is initially scheduled.

Do you have a written agreement from the project sponsor yet?

Thank you,

Deborah

**Holley Consulting**

[www.Holleyconsulting.com](http://www.Holleyconsulting.com)

deborah@holleyconsulting.com

220 Montgomery Street, Suite 2100

San Francisco, CA 94104

415 389-9329 office

415 609-9329 mobile

---

**From:** Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>  
**Sent:** Tuesday, November 30, 2021 11:49 AM  
**To:** Deborah Holley <deborah@holleyconsulting.com>  
**Cc:** Scott Emblidge <emblidge@mosconelaw.com>  
**Subject:** Re: 3832 18th Street Appeal Continuance

Hi Deborah,

Once both parties have confirmed in writing, I will notify the Clerk's office of Supervisor Mandelman's intention to make a motion for continuance at the meeting next week. The item will still appear on the calendar next week, with a note stating that the President may entertain a motion to continue the item to the date stated. There will be public comment on the motion to continue itself, but if that motion passes then there will be no presentation or public comment on the item as the hearing itself will have been moved.

To confirm, would you please respond here by the end of the day to confirm that your client as the appellant agrees with this continuance, and that you acknowledge this will in effect waive the requirements of Planning Code Section 308.1, which generally requires that the Board render a decision within 30 days of when the hearing is initially scheduled? By agreeing to this continuance, you are essentially restarting that clock on the new hearing date.

Thank you,

Jacob

**Jacob Bintliff**

Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102  
(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)

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---

**From:** Deborah Holley <deborah@holleyconsulting.com>  
**Sent:** Tuesday, November 30, 2021 11:12 AM  
**To:** Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>  
**Cc:** Scott Emblidge <emblidge@mosconelaw.com>  
**Subject:** Re: 3832 18th Street Appeal Continuance

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Hi Jacob,

When will we have official confirmation that the hearing date has been continued to January 11?

Thank you,

Deborah

**Holley Consulting**

[www.Holleyconsulting.com](http://www.Holleyconsulting.com)

deborah@holleyconsulting.com

220 Montgomery Street, Suite 2100

San Francisco, CA 94104

415 389-9329 office

415 609-9329 mobile

---

**From:** Deborah Holley  
**Sent:** Monday, November 29, 2021 6:24 PM  
**To:** Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>  
**Cc:** Scott Emblidge <emblidge@mosconelaw.com>  
**Subject:** 3832 18th Street Appeal Continuance

Hi Jacob,

I am writing to confirm that our client agrees to the continuance of the CU Appeal for 3832

18th Street to January 11, 2022.

Thank you,

Deborah

**Holley Consulting**

[www.Holleyconsulting.com](http://www.Holleyconsulting.com)

deborah@holleyconsulting.com

220 Montgomery Street, Suite 2100

San Francisco, CA 94104

415 389-9329 office

415 609-9329 mobile

**From:** [Ryan Patterson](#)  
**To:** [Bintliff, Jacob \(BOS\)](#)  
**Cc:** [Chandni Mistry](#); [Brian O'Neill](#)  
**Subject:** RE: 3832 18th St CUA appeal - continuance  
**Date:** Tuesday, November 30, 2021 3:43:51 PM

---

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Hi Jacob,

Thanks for confirming. My client does not oppose the continuance to January 11, waives the 30-day rule for purposes of this continuance, and does not waive the five-hearing limit of SB 330.

Best,

Ryan

Ryan J. Patterson  
Zacks, Freedman & Patterson, PC  
601 Montgomery Street, Suite 400  
San Francisco, CA 94111  
Telephone: (415) 956-8100  
Facsimile: (415) 288-9755  
Email: [ryan@zfplaw.com](mailto:ryan@zfplaw.com)  
[www.zfplaw.com](http://www.zfplaw.com)

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**From:** Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>  
**Sent:** Tuesday, November 30, 2021 11:46 AM  
**To:** Ryan Patterson <ryan@zfplaw.com>  
**Subject:** 3832 18th St CUA appeal - continuance

Hi Ryan,

Per our discussion, the appellants have agreed to a continuance to the January 11 Board meeting.

Would you please respond here by the end of the day to confirm that your client as the



project sponsor/property owner agrees with this continuance, and that you acknowledge this will in effect waive the requirements of Planning Code Section 308.1, which generally requires that the Board render a decision within 30 days of when the hearing is initially scheduled? By agreeing to this continuance, you are essentially restarting that clock on the new hearing date.

Thank you,

Jacob

**Jacob Bintliff**

Legislative Aide

Office of Supervisor Rafael Mandelman  
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 284  
San Francisco, California 94102

(415) 554-7753 | [jacob.bintliff@sfgov.org](mailto:jacob.bintliff@sfgov.org)

*Pronouns: he, him, his*

**From:** [BOS Legislation, \(BOS\)](#)  
**To:** [thanos@diacakis.com](mailto:thanos@diacakis.com); [Mark Loper](mailto:Mark Loper); [Jonathan@VanguardProperties.com](mailto:Jonathan@VanguardProperties.com)  
**Cc:** [Ryan, James \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Wong, Jason \(DPW\)](#); [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Horn, Jeffrey \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** Hearing Notice - Appeal of Conditional Use Authorization - Proposed 3832-18th Street Project - Appeal Hearing - December 7, 2021  
**Date:** Wednesday, November 24, 2021 8:10:14 AM  
**Attachments:** [image001.png](#)

---

Greetings,

The Office of the Clerk of the Board has scheduled a remote hearing for Special Order before the Board of Supervisors on **December 7, 2021, at 3:00 p.m.**, to hear an appeal of a Conditional Use Authorization, for the proposed 3832-18th Street project.

**Please find the following link to the hearing notice for the matter:**

[Public Hearing Notice - November 24, 2021](#)

The President may entertain a motion to continue this Hearing to the Board of Supervisors meeting of September 14, 2021. Public Comment will be taken on the continuance only.

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 211187](#)

Best regards,

**Jocelyn Wong**

San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T: 415.554.7702 | F: 415.554.5163  
[jocelyn.wong@sfgov.org](mailto:jocelyn.wong@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**(VIRTUAL APPOINTMENTS)** To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

*Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services*



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*a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

## NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO  
Sent via Email and/or U.S. Postal Service

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

**Date:** Tuesday, December 7, 2021

**Time:** 3:00 p.m.

**Location:** REMOTE MEETING VIA VIDEOCONFERENCE

**Watch:** [www.sfgovtv.org](http://www.sfgovtv.org)

**Watch:** SF Cable Channel 26, 78 or 99 (*depending on your provider*) once the meeting starts, the telephone number and Meeting ID will be displayed on the screen.

**Public Comment Call-In:** <https://sfbos.org/remote-meeting-call>

**Subject:** **File No. 211187.** Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 209.2, 253, 303, and 317, of the Planning Code, for a proposed project at 3832-18th Street, Assessor's Parcel Block No. 3580, Lot No. 018, identified in Planning Case No. 2020-001610CUA, issued by the Planning Commission by Motion No. 21016, dated October 14, 2021, to allow demolition of a single-family residence and approval of an individually requested state density bonus project pursuant to Planning Code, Section 206.6 (using the State Density Bonus Law (California Government Code, Sections 65915-65918)) for the project invoking waivers from the development standards for rear yard (Planning Code, Section 134), dwelling unit exposure (Planning Code, Section 140) and maximum height limit (Planning Code, Section 260) that would construct a new five-story, 50-foot tall, residential building (approximately 10,023 square feet) with 19 group housing units located within the RM-1 (Residential-Mixed, Low Density) Zoning District and a 40-X Height and Bulk District. (District 8) (Appellant: Athanassios Diacakis) (Filed November 12, 2021)

On March 17, 2020, the Board of Supervisors (Board) authorized their Board and Committee meetings to convene remotely and allow remote public comment via teleconference. Effective June 29, 2021, the Board and staff began to reconvene for in-person Board proceedings. Committee meetings will continue to convene remotely until further notice. Visit the SFGovTV website at ([www.sfgovtv.org](http://www.sfgovtv.org)) to stream the live meetings, or to watch meetings on demand.

**PUBLIC COMMENT CALL-IN**

**WATCH:** SF Cable Channel 26, 78 or 99 (*depending on your provider*) once the meeting starts, the telephone number and Meeting ID will be displayed on the screen; or

**VISIT:** <https://sfbos.org/remote-meeting-call>

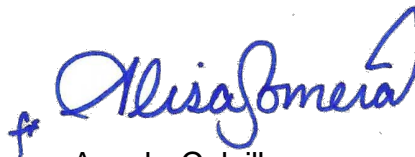
In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email ([board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)). Information relating to this matter is available in the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, December 3, 2021.

For any questions about this hearing, please contact one of the Legislative Clerks:

Lisa Lew ([lisa.lew@sfgov.org](mailto:lisa.lew@sfgov.org)) ~ (415) 554-7718)

Jocelyn Wong ([jocelyn.wong@sfgov.org](mailto:jocelyn.wong@sfgov.org)) ~ (415) 554-7702)

**Please Note:** *The Department is open for business, but employees are working from home. Please allow 48 hours for us to return your call or email.*



Angela Calvillo  
Clerk of the Board of Supervisors  
City and County of San Francisco

jw:ll:ams

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
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**PROOF OF MAILING**

Legislative File No. 211187

Description of Items: Hearing - Hearing - Appeal of Conditional Use Authorization Approval - 3832-18th Street - 389 Notices Mailed

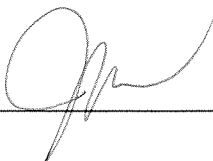
I, Jocelyn Wong, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: November 23, 2021

Time: 9:15 a.m.

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

**From:** [BOS Legislation. \(BOS\)](#)  
**To:** [Ko, Yvonne \(CPC\)](#); [Yeung, Tony \(CPC\)](#)  
**Cc:** [BOS-Operations](#); [BOS Legislation. \(BOS\)](#)  
**Subject:** APPEAL CHECK PICKUP: Appeal of Conditional Use Authorization - Proposed 3832-18th Street Project - Appeal Hearing December 7, 2021  
**Date:** Friday, November 19, 2021 3:45:00 PM  
**Attachments:** [image001.png](#)  
[Appeal Check Pickup.doc](#)

---

Hi Yvonne and Tony,

We have a check ready for pick up for the appeal of 3832-18th Street, ready to be picked up at the Clerk's Office, Monday through Friday from 8:00 a.m. to 5:00 p.m. No fee waiver has been submitted for this appeal.

Ops,

Check #1362 by Athanassios Diacakis should be in your possession currently. Please have Planning sign and date the attached form and scan it to leg clerks when completed. Thank you.

Best regards,

**Jocelyn Wong**

San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T: 415.554.7702 | F: 415.554.5163  
[jocelyn.wong@sfgov.org](mailto:jocelyn.wong@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

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---

**From:** BOS Legislation, (BOS) <bos.legislation@sfgov.org>

**Sent:** Friday, November 19, 2021 3:42 PM

**To:** Thanos Diacakis <thanos@diacakis.com>; Mark Loper <mloper@reubenlaw.com>; Jonathan@VanguardProperties.com

**Cc:** Ryan, James (DPW) <james.ryan@sfdpw.org>; Tse, Bernie (DPW) <bernie.tse@sfdpw.org>; Huff, Nicolas (DPW) <nicolas.huff@sfdpw.org>; Wong, Jason (DPW) <jason.c.wong1@sfdpw.org>; PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>; Jain, Devyani (CPC) <devyani.jain@sfgov.org>; Navarrete, Joy (CPC) <joy.navarrete@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Sanchez, Scott (CPC) <scott.sanchez@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Horn, Jeffrey (CPC) <jeffrey.horn@sfgov.org>; Rosenberg, Julie (BOA) <julie.rosenberg@sfgov.org>; Longaway, Alec (BOA) <alec.longaway@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative\_aides@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>

**Subject:** Appeal of Conditional Use Authorization - Proposed 3832-18th Street Project - Appeal Hearing December 7, 2021

Greetings,

The Office of the Clerk of the Board has scheduled for a remote hearing Special Order before the Board of Supervisors on **December 7, 2021**, at 3:00 p.m. Please find linked below an appeal letter regarding the proposed 3832-18th Street project, as well as direct links to the Public Work's determination letter, and an informational letter from the Clerk of the Board.

[Appeal Letter – November 12, 2021](#)

[Public Work's Letter - November 18, 2021](#)

[Clerk of the Board Letter – November 18, 2021](#)

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 211187](#)

Best regards,

**Jocelyn Wong**

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

[jocelyn.wong@sfgov.org](mailto:jocelyn.wong@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)



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BOARD of SUPERVISORS



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San Francisco 94102-4689  
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TDD/TTY No. (415) 554-5227

November 18, 2021

**File No. 211187-211190**  
**Planning Case No. 2020-001610CUA**

Received from the Board of Supervisors Clerk's Office one check, one in the amount of Six Hundred Eighty One Dollars (\$681) the filing fee paid by Athanassios Diacakis for the appeal of the Conditional Use Authorization for the proposed 3832-18th Street project:

**Planning Department By:**

Tony Young  
Print Name

[Signature] 11/22/21  
Signature and Date

**From:** [BOS Legislation, \(BOS\)](#)  
**To:** [Thanos Diacakis](#); [Mark Loper](#); [Jonathan@VanguardProperties.com](#)  
**Cc:** [Ryan, James \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Wong, Jason \(DPW\)](#); [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Horn, Jeffrey \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** Appeal of Conditional Use Authorization - Proposed 3832-18th Street Project - Appeal Hearing December 7, 2021  
**Date:** Friday, November 19, 2021 3:41:50 PM  
**Attachments:** [image001.png](#)

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Greetings,

The Office of the Clerk of the Board has scheduled for a remote hearing Special Order before the Board of Supervisors on **December 7, 2021**, at 3:00 p.m. Please find linked below an appeal letter regarding the proposed 3832-18th Street project, as well as direct links to the Public Work's determination letter, and an informational letter from the Clerk of the Board.

[Appeal Letter – November 12, 2021](#)  
[Public Work's Letter - November 18, 2021](#)  
[Clerk of the Board Letter – November 18, 2021](#)

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 211187](#)

Best regards,

**Jocelyn Wong**

San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T: 415.554.7702 | F: 415.554.5163  
[jocelyn.wong@sfgov.org](mailto:jocelyn.wong@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

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Fax No. (415) 554-5163  
TDD/TTY No. (415) 544-5227

November 18, 2021

Athanassios Diacakis  
3830-18th Street  
San Francisco, CA 94114

**Subject: File No. 211187 - Appeal of Conditional Use Authorization  
3832-18th Street Project**

Dear Mr. Diacakis:

The appeal filing period for the Conditional Use approval for the proposed project at 3832-18th Street closed on November 15, 2021.

The City and County Surveyor has informed the Board of Supervisors, by letter received on November 18, 2021, (attached) that the signatures submitted with your appeal filing on November 12, 2021, have been checked pursuant to the Planning Code and represent owners of more than 20% of the property involved, which is sufficient to qualify your appeal.

Pursuant to Planning Code, Section 308.1, a remote hearing date has been scheduled for **Tuesday, December 7, 2021, at 3:00 p.m.**, at the Board of Supervisors meeting.

The Planning Department has provided a list of interested parties with mailing and email contact information to individuals and organizations who will be receiving a copy of the public hearing notice. If you have additional names and addresses of interested parties to be notified of the hearing, kindly provide your list as soon as possible.

If there is supporting documentation you wish to include for the hearing, please email an electronic copy by 12:00 noon on Thursday, December 2, 2021, to [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org). Any materials received after this date may not be a part of the meeting packet materials, but will still be distributed to all parties and included as part of the official legislative file.

(continues on next page)

If you have any questions, please feel free to contact Legislative Clerks, Lisa Lew at (415) 554-7718, or Jocelyn Wong at (415) 554-7702.

Very truly yours,



Angela Calvillo  
Clerk of the Board

jw:ll:ams

- c: Anne Pearson, Deputy City Attorney
- Kristen Jensen, Deputy City Attorney
- James Ryan, Acting City and County Surveyor, Public Works
- Bernie Tse, Bureau of Street Use and Mapping, Public Works
- Nicolas Huff, Bureau of Street Use and Mapping, Public Works
- Jason Wong, Bureau of Street Use and Mapping, Public Works
- Lisa Gibson, Environmental Review Officer, Planning Department
- Devyani Jain, Deputy Environmental Review Officer, Planning Department
- Joy Navarrete, Environmental Planning, Planning Department
- Corey Teague, Zoning Administrator, Planning Department
- Scott Sanchez, Acting Deputy Zoning Administrator, Planning Department
- Dan Sider, Director of Executive Programs, Planning Department
- Aaron Starr, Manager of Legislative Affairs, Planning Department
- Jonas Ionin, Planning Commission Secretary
- Jeffrey Horn, Staff Contact, Planning Department
- Julie Rosenberg, Executive Director, Board of Appeals
- Alec Longaway, Legal Process Clerk, Board of Appeals



London N. Breed  
Mayor

Carla Short  
Interim Director

Nicolas Huff  
Bureau of Street-Use and  
Mapping Manager

Office of the  
City and County Surveyor

Street-Use and Mapping  
49 South Van Ness Ave.,  
Suite 300,  
San Francisco, CA 94103  
Phone: (628) 271-2000

[sfpublicworks.org](http://sfpublicworks.org)  
[facebook.com/sfpublicworks](https://facebook.com/sfpublicworks)  
[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

November 18, 2021

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

RE: Planning Case No. 2020-001610CUA  
3832 18<sup>th</sup> Street – Conditional Use Authorization Appeal  
APN 3580 LOT 017

Dear Ms. Calvillo:

This letter is in response to your November 12, 2021, request for our Department to check the sufficiency of the signatures with respect to the above referenced appeal. Please be advised that per our calculations the appellants' signatures represent 24.61% of the area, which is greater than 20% of the area involved and is therefore enough for an appeal.

Sincerely,

A handwritten signature in blue ink that reads "James M. Ryan".

James Ryan  
Acting City & County Surveyor

**From:** [BOS Legislation, \(BOS\)](#)  
**To:** [Ryan, James \(DPW\)](#)  
**Cc:** [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Wong, Jason \(DPW\)](#); [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Horn, Jeffrey \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** Appeal of Conditional Use Authorization - Proposed Project at 3832 18th Street - Verification of Signatures  
**Date:** Friday, November 12, 2021 3:03:44 PM  
**Attachments:** [Appeal Ltr 111221.pdf](#)  
[11.12.21 - COB Ltr - Req Determination - CU - 3832 18th Street-signed.pdf](#)  
[image001.png](#)

---

Dear Mr. Ryan,

The Office of the Clerk of the Board is in receipt of an appeal of the Conditional Use Authorization for the proposed project at 3832-18th Street. The appeal was filed by Athanassios Diacakis on November 12, 2021.

Please find attached the appeal filing packet with signatures, and a letter requesting verification of signatures submitted with the appeal filing.

Kindly review for verification of signatures and submit your determination no later than 5:00 p.m. on November 17, 2021. Thank you.

Kind regards,

**Jocelyn Wong**

San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T: 415.554.7702 | F: 415.554.5163  
[jocelyn.wong@sfgov.org](mailto:jocelyn.wong@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

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*public documents that members of the public may inspect or copy.*

**BOARD of SUPERVISORS**



**City Hall**  
**1 Dr. Carlton B. Goodlett Place, Room 244**  
**San Francisco 94102-4689**  
**Tel. No. (415) 554-5184**  
**Fax No. (415) 554-5163**  
**TDD/TTY No. (415) 554-5227**

November 12, 2021

James Ryan  
Acting City and County Surveyor, Public Works  
49 South Van Ness Avenue, Suite 300  
San Francisco, CA 94103

**Re: Planning Case No. 2020-001610CUA**  
**3832-18th Street - Conditional Use Authorization Appeal**

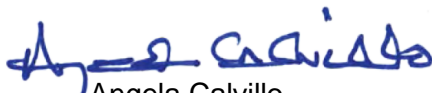
Dear Mr. Ryan:

The Office of the Clerk of the Board is in receipt of an appeal filed by Athanassios Diacakis, from the decision of the Planning Commission on October 14, 2021, relating to an approval of a Conditional Use Authorization (Case No. 2020-001610CUA) to allow demolition of a single-family residence and approval of an individually requested state density bonus project pursuant to Planning Code, Section 206.6 (using the State Density Bonus Law; California Government Code, Sections 65915-65918) for the project invoking waivers from the development standards for rear yard (Planning Code, Section 134), dwelling unit exposure (Planning Code, Section 140), and maximum height limit (Planning Code, Section 260) that would construct a new six-story, 60-foot tall, residential building (approximately 11,147 square feet) with 19 group housing units within the RM-1 (Residential-Mixed, Low Density) Zoning District and a 40-X Height and Bulk District. The proposed project is located at:

3832-18th Street, Assessor's Parcel Block No. 3580, Lot No. 018

By copy of this letter, the City and County Surveyor is requested to determine the sufficiency of the signatures in regards to the percentage of the area represented by the appellant. Please submit your determination no later than 5:00 p.m. on November 17, 2021.

Sincerely,

  
Angela Calvillo  
Clerk of the Board

jw:ll:ams

c: Bernie Tse, Public Works  
Nicolas Huff, Public Works  
Jason Wong, Public Works  
Anne Pearson, Deputy City Attorney  
Kristen Jensen, Deputy City Attorney  
Lisa Gibson, Planning Department  
Devyani Jain, Planning Department  
Joy Navarrete, Planning Department

Corey Teague, Planning Department  
Scott Sanchez, Planning Department  
Dan Sider, Planning Department  
Aaron Starr, Planning Department  
Jonas Ionin, Planning Commission  
Jeffrey Horn, Planning Department  
Julie Rosenberg, Board of Appeals  
Alec Longaway, Board of Appeals

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor  inquires"
- 5. City Attorney request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

**Subject:**

**The text is listed below or attached:**

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 209.2, 253, 303, and 317, of the Planning Code, for a proposed project at 3832-18th Street, Assessor's Parcel Block No. 3580, Lot No. 018, identified in Planning Case No. 2020-001610CUA, issued by the Planning Commission by Motion No. 21016, dated October 14, 2021, to allow demolition of a single-family residence and approval of an individually requested state density bonus project pursuant to Planning Code, Section 206.6 (using the State Density Bonus Law (California Government Code, Sections 65915-65918)) for the project invoking waivers from the development standards for rear yard (Planning Code, Section 134), dwelling unit exposure (Planning Code, Section 140) and maximum height limit (Planning Code, Section 260) that would construct a new five-story, 50-foot tall, residential building (approximately 10,023 square feet) with 19 group housing units located within the RM-1 (Residential-Mixed, Low Density) Zoning District and a 40-X Height and Bulk District. (District 8) (Appellant:

Athanassios Diacakis) (Filed November 12, 2021)

Signature of Sponsoring Supervisor: \_\_\_\_\_

For Clerk's Use Only: