

File No. 171184

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

Board Item No. 49

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

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

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

Board of Supervisors Meeting

Date: November 14, 2017

#### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input 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 type="checkbox"/>            | Public Correspondence                        |

#### OTHER

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Works Order No. 186601                                |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Tentative Map Decision                                       |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Planning Commission Motion No. 19552                         |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Notice of Special Restrictions                               |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Planning Department CEQA Categorical Exemption Determination |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Tax Certificates   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Final Maps   |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____  |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____  |

Prepared by: Lisa Lew

Date: November 8, 2017

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

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

1 [Final Map 9302 - 4171-24th Street]  
2

3 **Motion approving Final Map 9302, a five residential unit and one commercial unit,**  
4 **mixed-use condominium project, located at 4171-24th Street, being a subdivision of**  
5 **Assessor's Parcel Block No. 6506, Lot No. 032, and adopting findings pursuant to the**  
6 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**  
7

8       MOVED, That the certain map entitled "FINAL MAP 9302", a five residential unit and  
9 one commercial unit, mixed-use condominium project, located at 4171-24th Street, being a  
10 subdivision of Assessor's Parcel Block No. 6506, Lot No. 032, comprising three sheets,  
11 approved October 24, 2017, by Department of Public Works Order No. 186601 is hereby  
12 approved and said map is adopted as an Official Final Map 9302; and, be it

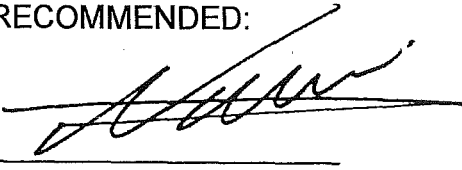
13       FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own  
14 and incorporates by reference herein as though fully set forth the findings made by the  
15 Planning Department, by its letter dated April 19, 2017, that the proposed subdivision is  
16 consistent with the objectives and policies of the General Plan, and the eight priority policies  
17 of Planning Code, Section 101.1; and, be it

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

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



Mohammed Nuru

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor



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



Edwin M. Lee, Mayor  
Mohammed Nuru, Director

Bruce R. Storrs, City and County Surveyor

**Public Works Order No: 186601**

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

APPROVING FINAL MAP 9302, 4171 24<sup>TH</sup> STREET, A 6 UNIT MIXED-USE CONDOMINIUM PROJECT,  
BEING A SUBDIVISION OF ASSESSORS PARCEL NUMBER 6506-032.

**A 6 UNIT MIXED-USE CONDOMINIUM PROJECT**

The City Planning Department in its letter dated April 19, 2017 stated that the subdivision is in conformity with the General Plan and the Priority Policies of City Planning Code Section 101.1.

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


Transmitted herewith are the following:

1. One (1) paper copy of the Motion approving said map – one (1) copy in electronic format.
2. One (1) mylar signature sheet and one (1) paper set of the "Final Map 9302", each comprising 3 sheets.
3. One (1) copy of the Tax Certificate from the Office of the Treasurer and Tax Collector certifying that there are no liens against the property for taxes or special assessments collected as taxes.
4. One (1) copy of the letter dated April 19, 2017, from the City Planning Department verifying conformity of the subdivision with the General Plan and the Priority Policies set forth in City Planning Code Section 101.1.

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

RECOMMENDED:

APPROVED:

  
 2017 OCT 27 PM 1:19  
 RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 6506-032



10/23/2017

10/24/2017

X Bruce R. Storrs

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

X Mohammed Nuru

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





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



### TENTATIVE MAP DECISION

Date: March 24, 2017

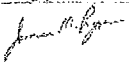
Department of City Planning  
 1650 Mission Street, Suite 400  
 San Francisco, CA 94103

Project ID: 9302			
Project Type: 6 Units New Construction			
Address#	StreetName	Block	Lot
4171	24TH ST	6506	032
Tentative Map Referral			

Attention: Mr. Scott F. Sanchez

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

Sincerely,

 James Ryan  
 2017.03.24 14:33:06 -08'00'

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

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from California Environmental Quality Act (CEQA) environmental review as categorically exempt Class 3, CEQA Determination Date 11/10/2014, based on the attached checklist. Subject to CUA conditions attached.

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

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

PLANNING DEPARTMENT

Signed Cathleen Campbell  
Digitally signed by Cathleen Campbell  
 DN: cn=Cathleen Campbell, ou=Planning Department,  
 ou=Current Planning, email=cathleen.campbell@sfgov.org,  
 o=US  
 Date: 2017.04.19 15:42:43 -0700

Date: 04/19/2017

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



# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

1650 Mission St.  
Suite 400  
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CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

## Planning Commission Motion No. 19552

HEARING DATE: JANUARY 21, 2016

*Date:* January 21, 2016  
*Case No.:* 2014 – 000437CUA  
*Project Address:* 4171 24TH STREET  
*Zoning:* 24<sup>th</sup> Street – Noe Valley NCD (Neighborhood Commercial) District  
 40-X Height and Bulk District  
*Block/Lot:* 6506/032  
*Project Sponsor:* BMW Properties, LLC  
 PO Box 460039  
 San Francisco, CA 94146  
*Project Applicant:* John Kevlin  
 Reuben, Junius & Rose, LLP  
 One Bush Street, Suite 600  
 San Francisco, CA 94104  
*Staff Contact:* Marcelle Boudreaux – (415) 575-9140  
[marcelle.boudreaux@sfgov.org](mailto:marcelle.boudreaux@sfgov.org)  
*Recommendation:* Approval with Conditions

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303, 317 AND 728.37 FOR THE REMOVAL OF A TWO-STORY SINGLE-FAMILY RESIDENTIAL DWELLING WITH GARAGE AND REPLACEMENT WITH A FOUR-STORY, FIVE RESIDENTIAL-UNIT BUILDING WITH GROUND-FLOOR COMMERCIAL USE.

### PREAMBLE

On November 4, 2015, John Kevlin of Reuben Junius Rose LLP (Project Applicant) for BMW Properties, LLC (Project Sponsor) filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303, 317 and 728.37 to demolish a two-story single-family dwelling with garage, and replace with a four-story, five residential-unit building with ground-floor commercial use at 4171 24<sup>th</sup> Street within the 24<sup>TH</sup> Street – Noe Valley NCD (Neighborhood Commercial) District and a 40-X Height and Bulk District.

On January 21, 2016 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014-000437CUA.

On January 22, 2015, the Project was determined by the Department not to be an historic resource under Case No. 2014-000437ENV. The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption. The Commission has reviewed and concurs with said determination. Further, on December 8, 2015, a shadow fan analysis was completed determining that the proposed project would not cast any new shadow on any properties under the jurisdiction of the Recreation and Parks Department (Section 295 of the Planning Code).

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

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2014-000437CUA, 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 project proposes to demolish the existing two-story with garage, single-family residential building. The proposed replacement is a four-story-over-basement building with five residential units (5,793 square feet) and ground floor commercial space (755 square feet). Four of the five dwelling units are family-sized (two or greater bedrooms), and the dwelling units range from a 765 square foot one-bedroom unit to a 1,314 square foot three-bedroom unit. Five bicycle parking spaces are provided on site for the residential units; no off-street parking for vehicles is provided. Two bicycle parking spaces are provided for the proposed commercial use on the sidewalk. Private and common open space is provided through a combination of access to the rear yard and roof decks. The overall proposed height is 45 feet. Pursuant to Section 263.20 of the Planning Code, in order to encourage generous ground floor ceiling heights for commercial and other active uses up to an additional 5 feet of height is allowed in certain NCT and NCD areas, including the 24th Street – Noe Valley NCD.

Pursuant to Planning Code Section 728.37, within the 24th Street – Noe Valley NCD, residential demolition at the 2nd story requires Conditional Use Authorization. Further, pursuant to Planning Code 317 (c), "where an application for a permit that would result in the loss of one or more Residential Units is required to obtain Conditional Use Authorization by other sections of this Code, the application for a replacement building or alteration permit shall also be subject to



Conditional Use requirements." This report includes findings for a Conditional Use Authorization in addition to Demolition Criteria established in Planning Code Section 317.

3. **Site Description and Present Use.** The project site is located on the south side of 24th Street between Castro and Diamond Streets, Lot 032 in Assessor's Block 6506, in Noe Valley. The project site is within the 24th Street – Noe Valley NCD (Neighborhood Commercial) District and a 40-X Height and Bulk district. The project site currently contains a vacant, two-story single-family dwelling with garage. The lot is 25 feet wide and 114 in depth, containing approximately 2,848 square feet in lot area.
4. **Surrounding Properties and Neighborhood.** The project site is located approximately in the middle of the block-face flanked by buildings on either side. The adjacent building to the east is two-story over garage four-unit condominium residential building. The adjacent building to the west is a three-story residential structure setback from the property line, with a one-story commercial structure at the sidewalk. The block-face on the north and the south are characterized by one- to four-story buildings, and of mixed architectural style. At the street level, some buildings exhibit commercial use and some exhibit residential use (defined by entryways and garages); the majority of use at the ground floor is commercial. The buildings also vary in density from single-family residences to small multi-unit apartment buildings. Approximately 2/5-mile to the east is the Muni J-Church line on Church Street, three Muni bus lines run within ¼-mile of the site (nos. 24, 35, 48), and the regional serving BART stop at 24th Street-Mission is less than a one mile from the subject property.
5. **Public Comment.** The Department has received no direct communication in support or in objection to the project.
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. **Residential Demolition – Section 317:** Pursuant to Planning Code Sections 728.17 and 317, Conditional Use Authorization is required for applications proposing to remove residential units, located at the second floor or above. 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 have been incorporated as findings a part of this Motion. See Item 8 , "Additional Findings pursuant to Section 317" below.*
  - B. **Rear Yard Requirement.** Planning Code Section 134 requires, in the 24<sup>TH</sup> Street- Noe Valley NCD, a rear yard measuring 25 percent of the total depth.

*The Project proposes an approximately 28-foot 6-inch rear yard, which is equal to 25 percent of lot depth.*

- C. **Street Frontages in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that NC Districts containing specific uses have at least ½ the total width of the new or altered structure at the commercial street frontage devoted to entrances to commercially used space, windows or display space at the pedestrian eye-level. Such windows shall use clear, un-tinted glass, except for decorative or architectural accent. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind such windows, shall be at least 75 percent open to perpendicular view and no more than six feet in height above grade.

*The Project site has approximately 25 feet of lineal street frontage along 24th Street with approximately 15 feet of street frontage devoted to either the potential commercial entrance or storefront window space. The proposed windows are un-tinted. As designed, the storefront windows are transparent and unobstructed, with exception of the window casework and bulkhead.*

- D. **Floor Area Ratio, Non-Residential Uses.** Planning Code Section 728.21 restricts floor area ratio to 1.8 to 1.

*Approximately 5,130 gross square feet of non-residential use is permitted pursuant to this Section of the Code. The project would provide approximately 755 gross square feet of non-residential use, which is within the permitted limits.*

- E. **Use Size, Non-Residential.** Planning Code Section 728.21 permits use sizes up to 2,499 square feet, with a Conditional Use Authorization required for use sizes of 2,500 square feet and above, as defined by Planning Code Section 790.130.

*The proposed size for the commercial space is 755 square feet, therefore is permitted.*

- F. **Parking, Commercial.** Planning Code Section 151 generally requires one automobile parking space for commercial uses with greater than 5,000 occupied square feet. Planning Code Section 155.2(b)(6) requires two Class 2 bicycle parking spaces.

*No automobile parking is provided. The proposed commercial square footage area is 755 square feet, below the threshold for required automobile parking. Two Class 2 bicycle parking spaces are proposed, although the commercial use has not been identified at this time. Where a project proposes to construct new non-residential uses or increase the area of existing non-residential uses, for which the project has not identified specific uses at the time of project approval by the Planning Department or Planning Commission, the project shall provide the amount of non-residential bicycle parking required for Retail Sales.*

- G. **Parking, Residential.** Planning Code Section 151 requires one automobile parking space per dwelling unit. However, Planning Code Section 155.1(d) permits the reduction of required automobile parking for all districts when fulfilling bicycle parking requirements. Planning Code Section Table 155.2 requires one Class 1 bicycle parking space for each dwelling unit.

*The Project proposes five (5) Class 1 bicycle parking spaces, one for each dwelling unit. The bicycle parking for the residential units will be provided in an enclosed room in the basement accessible by an elevator.*

- H. **Density of Dwelling Units.** The ratio of dwelling units in the 24<sup>th</sup> Street – Noe Valley (NCD) Neighborhood Commercial District is generally one dwelling unit per 600 square feet, pursuant to Planning Code Section 728.91. Pursuant to Planning Code Section 207.1, fractions of one-half or more are rounded up.

*The lot area is approximately 2,848 square feet, thus five dwelling units are permitted.*

- I. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 40-X Height and Bulk District, with a 40-foot height limit. Pursuant to Planning Code Section 263.20, an additional 5 feet of height is permitted.

*The project proposes a replacement building of approximately 45 feet in height, with permitted exceptions such as stair and elevator penthouses. In order to encourage generous ground floor ceiling heights for commercial and other active uses up to an additional overall height of 5 feet is allowed in certain NCT and NCD areas, including the 24th Street – Noe Valley NCD. The proposed ground floor commercial ceiling height is approximately 15 feet at the street.*

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

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

*The use and size of the proposed project is compatible with the immediate neighborhood. The replacement building increases the number of units at the project site by four, and increases the number of bedrooms by eight. The replacement building is also designed to be compatible with the existing development pattern and the neighborhood character. The ground floor commercial is in keeping with the pedestrian-oriented neighborhood commercial district.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The proposal will generally conform with the neighborhood's pattern of development, scale and character, preserving mid-block open space. The Project is consistent with the type and size of structures in the district, and with the majority of the block-face, by providing a ground floor occupied by commercial use and upper levels occupied by residential uses. The existing buildings in the district are generally two- to four-story tall buildings with no front setback, and include multiple dwelling units, and the four-story, five residential unit and ground floor commercial proposal is compatible with adjacent structures and the district.*

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

*The project includes a ground-floor commercial use, which is expected to be neighborhood serving and be easily accessible by foot, public transportation or bicycle. There is no proposed off-street automobile parking, thereby minimizing any change in traffic volume directly at the subject site. The site is 2/5-mile from the Muni J-Church line, the Muni 24, 35 and 48 bus lines run with ¼ miles of the site, and the regional BART stop at 24th Street-Mission is less than one-mile from the site.*

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

*As the proposed project is primarily residential, the proposed residential use is not considered to have the potential to produce noxious or offensive emissions. The commercial use has not been determined at this time. The Project will implement necessary safeguards to prevent noxious or offensive emissions such as noise, glare, dust and odor.*

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

*The Project will include the necessary treatments as appropriate. The commercial use at the Property will comply with Article 6 of the Planning Code.*

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

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

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable 24<sup>th</sup> St- Noe Valley NCD District.

*The proposed project is consistent with the stated purpose of this named NCD.*

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:

- i. Whether the Project Sponsor has demonstrated that the residential structure is unsound, where *soundness* is an economic measure of the feasibility of upgrading a residence that is deficient with respect to habitability and Housing Code requirements, due to its original construction. The *soundness factor* for a structure shall be the ratio of a construction upgrade to the replacement cost, expressed as a percent. A building is unsound if its soundness factor exceeds 50-percent. A residential building that is unsound may be approved for demolition.

*Criterion not applicable.*

*Not applicable. Soundness is not a criterion for review in the neighborhood commercial districts.*

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

*Project meets criterion.*

*A review of the Planning Department database showed no enforcement cases for the subject property. A review of the Department of Building Inspection showed no violations.*

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

*Project meets criterion.*

*The structure appears to be in decent condition.*

- iv. Whether the property is an "historic resource" under CEQA;

*Project meets criterion.*

*Although the existing structure is more than 45 years old, a review of the historic resource evaluation resulted in a determination that the structure is not an historical resource.*

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

*Project meets criterion.*

*The structure is not an historical resource.*

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

*Project meets criterion.*

*The Project does not convert rental housing to other forms of tenure or occupancy, as the existing building is being used as a single-family residence. There are no restrictions on whether the new units will be rental or ownership.*

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

*Project meets criterion.*

*No rent controlled units will be removed. Single-family dwellings are not subject to rent control.*

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

*Project does not meet criterion.*

*The Project proposes demolition of a two-bedroom single-family dwelling. The replacement structure will bring on-line four additional units of varying size, and eight additional bedrooms at the project site.*

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

*Project meets criterion.*

*The replacement buildings conserve neighborhood character with appropriate scale, design, and materials, and improve cultural and economic diversity by providing four of the five units with multiple bedrooms, which provides family-sized housing. The project would provide a net gain of four dwelling units and eight bedrooms to the City's housing stock.*

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

*Project meets criterion.*

*The Project does not protect the relative affordability of existing housing, as the project proposes demolition of the existing building and construction of a new building. However, it should be taken into consideration that the proposed structure offers an increased number of units and a variety of unit sizes.*

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

*Project does not meet criterion.*

*The Project is not subject to the provisions of Planning Code Section 415, as the project proposes less than ten units.*

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

*Project meets criterion.*

*The Project has been designed to be in keeping with the scale and development pattern of the established neighborhood character.*

- xiii. Whether the Project creates quality, new family housing;

*Project meets criterion.*

*The Project proposes four opportunities for family-sized housing. One three-bedroom unit is proposed, and three, two-bedroom units are proposed within the five-unit building.*

- xiv. Whether the Project creates new supportive housing;

*Project does not meet criterion.*

*The Project does not create supportive housing.*

- xv. Whether the Project promotes construction of well-designed housing to enhance existing neighborhood character;

*Project meets criterion.*

*The overall scale, design, and materials of the proposed buildings are consistent with the block-face and compliment the neighborhood character with a contemporary design.*

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

*Project meets criterion.*

*The Project increases the number of on-site units by four.*

- xvii. Whether the Project increases the number of on-site bedrooms.

*Project meets criterion.*

*The project proposes ten bedrooms: eight bedrooms more than that of the existing building.*

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

## **HOUSING ELEMENT**

### **OBJECTIVE 1:**

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

#### **Policy 1.8:**

Promote mixed-use development, and include housing, particularly permanent affordable housing, in new commercial, institutional or other single-use development projects.

#### **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.

*The Project will build a new mixed –use development on the Property, where a vacant single-family residence exists. The Project will add five dwelling units in a district well-served by public transportation, within a neighborhood commercial district.*

**OBJECTIVE 4:**

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

**Policy 4.1:**

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

*This project will create four family-sized units.*

**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.

*This new construction project will conform to the scale and character of the district, respecting the neighborhood character in design and use.*

**Policy 11.4:**

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

*The project conforms to the zoning and height districts for the named NCD.*

**COMMERCE AND INDUSTRY ELEMENT**

**OBJECTIVE 6:**

**MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.**

**Policy 6.3:**

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

**Policy 6.7:**

Promote high-quality urban design on commercial streets.



*The Project will contribute to the mixed commercial-residential character of the NCD by constructing a mixed-use building with commercial and residential uses. The Project will be located on 24<sup>th</sup> Street – Noe Valley NCD.*

## **URBAN DESIGN**

### **OBJECTIVE 1:**

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

#### **Policy 1.2:**

Recognize, protect and reinforce the existing street pattern, especially as it is related to topography.

*The project proposes demolition of an existing single-family dwelling, setback from the street. Similar to other existing structures on the block-face, the replacement structure, built to the property line, will be mixed-use with ground-floor commercial and residential units above.*

#### **Policy 1.3:**

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

*The proposed replacement buildings reflect the existing neighborhood character and development pattern, particularly by proposing buildings of similar mass, width and height as the existing structures along the block-face. The front setbacks of the building reflects the prevailing pattern of front setbacks – built to the property line at the public right-of-way.*

### **OBJECTIVE 2:**

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

#### **Policy 2.6:**

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

*The massing of the replacement buildings' main front façades has been designed to be compatible with the prevailing street wall height, particularly the height and proportions of the adjacent buildings. Although interpreted in a contemporary architectural style, the proposed building proportions and exterior materials have been selected to be compatible with the adjacent buildings and the immediate neighborhood character.*

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

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

*The Project would improve on-site and nearby neighborhood-serving retail uses. It will provide an additional neighborhood-serving commercial space where one does not currently exist and will provide future opportunities for the employment of the neighborhood's residents in the proposed commercial use.*

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

*The Property is currently vacant. The Project will improve the existing housing and neighborhood character by contributing a new neighborhood-serving commercial use and new housing. In addition, the replacement structure respects the neighborhood's mixed-use character, scale, mass, and proportions.*

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

*The project will have no effect on the existing affordable housing.*

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

*The neighborhood is well-served by Muni service, and the modest increase of dwelling units will not impede that service. Also because the Property is well-served by public transportation, it is expected that new residents will not overburden the nearby streets or neighborhood parking, due to their reliance on the Muni and BART systems, and alternate modes of transportation.*

- 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 does not currently include or propose industrial or office use. It will contribute to a diverse economic base by adding a new neighborhood-serving commercial use on the Property, which currently consists of a vacant building. Demolition and construction will create new temporary jobs, and the ground-floor commercial use will add new permanent jobs.*

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

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

- G. That landmarks and historic buildings be preserved.

*Neither Landmark nor historic buildings occupy the Project site.*

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

*The project will have no effect on existing parks and open spaces. The proposed height is greater than 40 feet, therefore a shadow fan analysis was completed determining that the proposed project would not cast any new shadow on any properties under the jurisdiction of the Recreation and Parks Department (Section 295 of the Planning Code).*

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

### DECISION

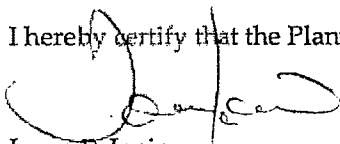
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2014-000437CUA** subject to the following conditions attached hereto as "EXHIBIT A" which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 19552. 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 94012.

**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 January 21, 2016



Jonas P. Ionin  
Commission Secretary

**AYES:** Fong, Wu, Antonini, Hillis, Moore, Richards

**NAYS:** None

**ABSENT:** Johnson

**ADOPTED:** January 21, 2016

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow demolition of a two-story single-family dwelling with garage and replacement with a four-story five residential-unit building with ground-floor commercial use located at 4171 24<sup>TH</sup> Street, Block 6506, Lot 032, pursuant to Planning Code Section(s) 303, 317, 728.37 within the 24TH Street – Noe Valley NCD (Neighborhood Commercial) District and a 40-X Height and Bulk District; in general conformance with plans, dated December 22, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2014-000437CUA and subject to conditions of approval reviewed and approved by the Commission on January 21, 2016 under Motion No 19552. 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 January 21, 2016 under Motion No 19552.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19552 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

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

### PERFORMANCE

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

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

### DESIGN – COMPLIANCE AT PLAN STAGE

2. **Final Design.** The Project Sponsor shall continue to work with Staff on the following design related issued:
  - a. At the top level, provide a 15 foot front setback from the front building wall;
  - b. The roof deck to be setback from building edges so firewalls are not required;
  - c. At the third floor in rear, provide a 14 foot setback from rear building wall;
  - d. At ground floor level, provide greater definition to separate retail entry and residential entry;
  - e. Review interior stairs for number and placement for better efficiency;
  - f. Rear window size for compatibility and privacy;
  - g. Compatibility with the neighborhood.
3. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

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

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

## DESIGN

5. **Signage.** Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code.

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

## MONITORING

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

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

## OPERATION

7. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfupw.org/>*

**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

**RECORDING REQUESTED BY:** )  
 )  
**And When Recorded Mail To:** )  
 )  
**Name:** John C. Kevlin )  
 )  
**Address:** Reuben, Junius & Rose, LLP )  
 One Bush Street, Ste. 600 )  
**City:** San Francisco )  
 )  
**State:** California **Zip:** 94104 )

03/22/2016, 2016K220465  
RECORDED  
MAR 22 2016  
SAN FRANCISCO

**Space Above this Line For Recorder's Use**

**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

24th STREET PROPERTIES, LLC, a California limited liability company

I, (We) \_\_\_\_\_, the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows: (or see attached sheet marked "Exhibit A" on which property is more fully described):

**BEING ASSESSOR'S BLOCK:** 6506, **LOT(S):** 032 ;  
**COMMONLY KNOWN AS:** 4171 24<sup>th</sup> Street ;

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

Said restrictions consist of conditions attached to the Conditional Use Application No. 2014-000437CUA approved by the Planning Commission of the City and County of San Francisco on January 21, 2016, as set forth in Planning Commission Motion No. 19552.



## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

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

### **AUTHORIZATION**

This authorization is for a conditional use to allow demolition of a two-story single-family dwelling with garage and replacement with a four-story five residential-unit building with ground-floor commercial use located at 4171 24<sup>TH</sup> Street, Block 6506, Lot 032, pursuant to Planning Code Section(s) 303, 317, 728.37 within the **24TH Street – Noe Valley NCD (Neighborhood Commercial) District** and a **40-X Height and Bulk District**; in general conformance with plans, dated **December 22, 2015**, and stamped "EXHIBIT B" included in the docket for Case No. **2014-000437CUA** and subject to conditions of approval reviewed and approved by the Commission on **January 21, 2016** under Motion No. **19552**. 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 **January 21, 2016** under Motion No. **19552**.

### **Printing of conditions of approval on plans**

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **19552** 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.

## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

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

#### Performance

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

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

#### DESIGN – compliance at plan stage

2. **Final Design.** The Project Sponsor shall continue to work with Staff on the following design related issues:
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  - f. Rear window size for compatibility and privacy;
  - g. Compatibility with the neighborhood.
3. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*
4. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

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

**Design**

- 5. **Signage.** Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code.

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

**Monitoring**

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

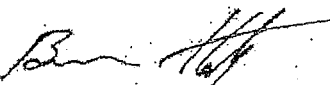
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**Operation**

- 7. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*

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

24th STREET PROPERTIES, LLC, a California limited liability company

  
\_\_\_\_\_  
(Signature)

BRIAN HARTY  
\_\_\_\_\_  
(Print Name) MANAGER

Dated: 3/22, 2016 at SAN FRANCISCO, California.  
(Month, Day) (City)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

CIVIL CODE §1189

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 this document.

State of California )

County of San Francisco )

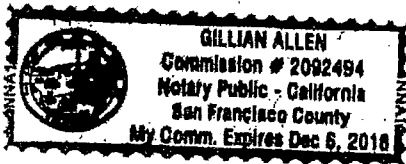
On March 22, 2016 before me, Gillian Allen, Notary Public  
*Here Insert Name and Title of the Officer*

personally appeared Brian Martin Harty  
*Name(s) of Signer(s)*

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

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature *Gillian Allen*  
*Signature of Notary Public*

## **EXHIBIT A**

**The land referred to is situated in the County of San Francisco, City of San Francisco, State of California, and is described as follows:**

**Commencing at a point on the Southerly line of Twenty-fourth Street distant thereon 160 feet Easterly from the Easterly line of Diamond Street; running thence Easterly and along said Southerly line of Twenty-fourth Street, 25 feet; thence at a right angle Southerly 114 feet; thence at a right angle Westerly 25 feet; thence at a right angle Northerly 114 feet to the Southerly line of 24th Street and the point of commencement.**

**Being a portion of Homer's Additions Block No. 184.**

**Assessor's Lot 032; Block 6506**



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
4171 24TH Street		6506/032 <sup>JAG</sup>	
Case No.	Permit No.	Plans Dated	
2014-000437ENV	201410169154 <sup>JAG</sup>	11/10/2014 <sup>JAG</sup>	
<input type="checkbox"/> Addition/ Alteration	<input checked="" type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input checked="" type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			
DEMOLITION OF EXISTING HOME AND CONSTRUCT NEW 4 STORIES, 1 BASEMENT, 5 UNITS MULTI-FAMILY RESIDENCE.			

### STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

<b>*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*</b>	
<input checked="" type="checkbox"/>	<b>Class 1 – Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	<b>Class 3 – New Construction/ Conversion of Small Structures.</b> Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class __

### STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b>	
<input type="checkbox"/>	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<input type="checkbox"/>	<b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i> Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Soil Disturbance/Modification:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	<b>Noise:</b> Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, or grading on a lot with a slope average of 20% or more? <i>Exceptions: do not check box for work performed on a previously developed portion of site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <b>If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, grading –including excavation and fill on a landslide zone – as identified in the San Francisco General Plan? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1000 sq ft, shoring, underpinning, retaining wall work, or grading on a lot in a liquefaction zone? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required</b>
<input type="checkbox"/>	<b>Serpentine Rock:</b> Does the project involve any excavation on a property containing serpentine rock? <i>Exceptions: do not check box for stairs, patio, deck, retaining walls, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Serpentine)
<b>*If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>
Comments and Planner Signature (optional): Laura Lynch <small>San Francisco Planning Department</small>	
Archeo clearance.	

**STEP 3: PROPERTY STATUS – HISTORIC RESOURCE  
TO BE COMPLETED BY PROJECT PLANNER**

<b>PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)</b>	
<input type="checkbox"/>	<b>Category A: Known Historical Resource. GO TO STEP 5.</b>
<input checked="" type="checkbox"/>	<b>Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.</b>
<input type="checkbox"/>	<b>Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.</b>

**STEP 4: PROPOSED WORK CHECKLIST**  
**TO BE COMPLETED BY PROJECT PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. <b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the <i>Residential Design Guidelines</i> .
<input type="checkbox"/>	5. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. <b>Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
<b>Note: Project Planner must check box below before proceeding.</b>	
<input checked="" type="checkbox"/>	Project is not listed. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project does not conform to the scopes of work. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves four or more work descriptions. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves less than four work descriptions. <b>GO TO STEP 6.</b>

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW**  
**TO BE COMPLETED BY PRESERVATION PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. <b>Interior alterations to publicly accessible spaces.</b>
<input type="checkbox"/>	3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .



<input type="checkbox"/>	8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator) _____
<input checked="" type="checkbox"/>	10. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: _____ (attach HRER) b. Other (specify): Per PTR form dated 1/22/2105
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an Environmental Evaluation Application to be submitted. GO TO STEP 6.
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature: Justin Greving <small>Digitally signed by Justin Greving</small>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION**  
TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review <b>STOP! Must file an Environmental Evaluation Application.</b>
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.
Planner Name: Justin A Greving	Signature: <b>Justin Greving</b> <small>Digitally signed by Justin Greving DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Justin Greving, email=Justin.Greving@sfgov.org Date: 2015.01.22 16:49:37 -0800</small>
Project Approval Action: <b>Building Permit</b> *If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.	

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT**

**TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

**PROPERTY INFORMATION/PROJECT DESCRIPTION**

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

**DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION**

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required <b>CATEX FORM</b>	

**DETERMINATION OF NO SUBSTANTIAL MODIFICATION**

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:



# SAN FRANCISCO PLANNING DEPARTMENT

## PRESERVATION TEAM REVIEW FORM

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

<b>Preservation Team Meeting Date:</b>		<b>Date of Form Completion:</b>	1/13/2015
--	--	---------------------------------	-----------

PROJECT INFORMATION:		
<b>Planner:</b>	<b>Address:</b>	
Justin Greving	4171 24th Street	
<b>Block/Lot:</b>	<b>Cross Streets:</b>	
6506/032	Diamond and Castro streets	
<b>CEQA Category:</b>	<b>Art. 10/11:</b>	<b>BPA/Case No.:</b>
B	n/a	2014-000437ENV

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

<b>DATE OF PLANS UNDER REVIEW:</b>	11/10/2014
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PROJECT ISSUES:
<input checked="" type="checkbox"/> Is the subject Property an eligible historic resource?
<input type="checkbox"/> If so, are the proposed changes a significant impact?
<b>Additional Notes:</b>
Submitted: Historic Resource Evaluation prepared by Tim Kelley Consulting (dated September, 2014)
Proposed project: Demolition of existing home and construct new 4 stories, 1 basement, 5 units, multi-family residence

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

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

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

PRESERVATION TEAM COMMENTS	
<p>According to the Historic Resource Evaluation (HRE) prepared by Tim Kelley Consulting (dated September, 2014) and information found in the Planning Department files, the subject property at 4171 24th Street contains a one-and-a-half story over garage wood-frame single-family residence constructed in 1894 (source: water tap records). The subject property was constructed in the vernacular architectural style with minimal Queen Anne decorative elements. The residence was built by Stephen A. Born for Charles Adair, a messenger for Wells Fargo Bank, and his wife Mary. The property changed ownership a few times before being bought by Albert and Agnes Meyer in 1960. The Meyers lived next door and maintained the subject property as a rental investment property.</p> <p>Known exterior alterations to the property include recladding with asbestos siding (1938), and repair and reconstruction of the front steps (1979). Additional visual inspection reveals that exterior detailing was likely removed or covered when the asbestos shingles were added, the main door was replaced with a contemporary door, and a garage was inserted in the basement.</p> <p>No known historic events occurred at the subject property (Criterion 1). The subject property was constructed by speculative builder Stephen A. Born, who built a number of houses both individually and later as part of larger developments throughout San Francisco and the larger Bay Area. If Born is identified as a significant San Francisco builder, this property would not be a representative sample of his work. None of the owners or occupants have been identified as important to history (Criterion 2). The building is not architecturally distinct such that it would qualify individually for listing in the California Register under Criterion 3.</p> <p>The subject property is not located within the boundaries of any identified historic district. The subject property is located in the Noe Valley neighborhood on a block that exhibits a variety of architectural styles, construction dates, and later alterations to the earliest buildings. Together the block does not comprise a significant concentration of historically or aesthetically unified buildings and does not retain sufficient historic integrity from this era to be considered a historic district.</p> <p>Therefore the subject property is not eligible for listing in the California Register under under any criteria individually or as part of a historic district.</p>	

Signature of a Senior Preservation Planner / Preservation Coordinator	Date
<i>Jmada</i>	<i>1-22-2015</i>

# HISTORICAL RESOURCE EVALUATION PART 1

4171 24<sup>TH</sup> STREET

SAN FRANCISCO, CALIFORNIA



TIM KELLEY CONSULTING, LLC

HISTORICAL RESOURCES

2912 DIAMOND STREET #330

SAN FRANCISCO, CA 94131

415.337-5824

TIM@TIMKELLEYCONSULTING.COM



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

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

Block No. 6506 Lot No. 032

Address: 4171 24Th St

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

David Augustine, Tax Collector

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

Dated this 17th day of October. This certificate is valid for the earlier of 60 days from this date or December 31, 2017. If this certificate is no longer valid please contact the Office of Treasurer and Tax Collector to obtain another certificate.



**CERTIFICATE SHOWING TAXES A LIEN, BUT NOT YET DUE**

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

Block No.            6506            Lot No. 032

Address:            4171 24Th St

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

Map:                        \$2,085,776

Established or estimated tax rate:                        1.2000%

Estimated taxes liened but not yet due:                        \$24,452.00

Amount of Assessments not yet due:                        \$1,318.00

These estimated taxes and special assessments have been paid.

David Augustine, Tax Collector

Dated this 17th day of October. This certificate is valid for the earlier of 60 days from this date or December 31, 2017. If this certificate is no longer valid please contact the Office of Treasurer and Tax Collector to obtain another certificate.

**OWNER'S STATEMENT**

THE UNDERSIGNED OWNER IS THE ONLY PARTY HAVING RECORD TITLE INTEREST TO THE CONSENT, TO THE PREPARATION AND THE FILING OF THIS MAP COMPRISING OF THREE (3) SHEETS, BY MY SIGNATURE HERETO I HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE

BMW Properties, LLC ("1171 24th Street", a Delaware limited liability company)

BY: Brian Martin Harty  
Brian Martin Harty, Manager

**OWNER'S ACKNOWLEDGMENT**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED AND NOT THE TRUTHFULNESS, ACCURACY OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO  
ON 10-17-2017 BEFORE ME David Yuen  
A NOTARY PUBLIC, PERSONALLY APPEARED Brian Martin Harty

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITIE(S) AND BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.  
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:


SIGNATURE David Yuen

(NOTE: SEAL OPTIONAL IF THE FOLLOWING INFORMATION IS COMPLETED)

NOTARY PUBLIC, STATE OF CA COMMISSION NO. 2124716  
MY COMMISSION EXPIRES: 08/24/2019  
COUNTY OF PRINCIPAL PLACE OF BUSINESS: San Francisco

**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF THE OWNER'S AS SHOWN HEREON ON FEBRUARY 2, 2017. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 31, 2017, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

Edmund West Oct. 3, 2017  
L.S. 7778  
  
RECORDER'S STATEMENT  
FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF CONDOMINIUM MAPS AT PAGES \_\_\_\_\_  
AT THE REQUEST OF WESTOVER SURVEYING, INC.  
SIGNED \_\_\_\_\_ COUNTY RECORDER

**CITY AND COUNTY SURVEYOR'S STATEMENT**

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATION THEREOF; THAT ALL PROVISIONS OF THE CALIFORNIA SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; AND THAT I AM SATISFIED THIS MAP IS TECHNICALLY CORRECT.

BRUCE R. STORRS, CITY AND COUNTY SURVEYOR

CITY AND COUNTY OF SAN FRANCISCO

BY: Bruce R. Storrs  
BRUCE R. STORRS, L.S. 6914



DATE: October 26 2017

**CLERK'S STATEMENT**

I, ANGELA CALVILLO, CLERK OF THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, HEREBY STATE THAT SAID BOARD OF SUPERVISORS BY ITS MOTION NO. \_\_\_\_\_ ADOPTED

"FINAL MAP 9302", 20\_\_\_\_, APPROVED THIS MAP ENTITLED

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY HAND AND CAUSED THE SEAL OF THE OFFICE TO BE AFFIXED

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
CLERK OF THE BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO  
STATE OF CALIFORNIA

**TAX STATEMENT**

I, ANGELA CALVILLO, CLERK OF THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE SUBDIVIDER HAS FILED A STATEMENT FROM THE TREASURER AND TAX COLLECTOR OF THE CITY AND COUNTY OF SAN FRANCISCO, SHOWING THAT ACCORDING TO THE RECORDS OF HIS OR HER OFFICE THERE ARE NO LIENS AGAINST THIS SUBDIVISION OR ANY PART THEREOF FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES, OR SPECIAL ASSESSMENTS COLLECTED AS TAXES.

DATED: \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CLERK OF THE BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO  
STATE OF CALIFORNIA

**APPROVALS**

THIS MAP IS APPROVED THIS 24<sup>TH</sup> DAY OF October, 2017.  
BY ORDER NO. 186601

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

MOHAMMED NURU  
DIRECTOR OF PUBLIC WORKS AND ADVISORY AGENCY  
CITY AND COUNTY OF SAN FRANCISCO  
STATE OF CALIFORNIA

**APPROVED AS TO FORM**

DENNIS J. HERRERA, CITY ATTORNEY

DEPUTY CITY ATTORNEY  
CITY AND COUNTY OF SAN FRANCISCO

**BOARD OF SUPERVISOR'S APPROVAL**

ON \_\_\_\_\_, 20\_\_\_\_, THE BOARD OF SUPERVISOR'S OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA APPROVED AND PASSED MOTION NO. \_\_\_\_\_, A COPY OF WHICH IS ON FILE IN THE OFFICE OF THE BOARD OF SUPERVISOR'S IN FILE NO. \_\_\_\_\_

**FINAL MAP 9302**

A 5 RESIDENTIAL UNIT, ONE COMMERCIAL UNIT MIXED USE CONDOMINIUM PROJECT

A SUBDIVISION OF THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED APRIL 18, 2016 AS DOCUMENT NUMBER 2016-K21237-00, OFFICIAL RECORDS, BEING A PORTION OF HORNERS ADDITION BLOCK NO. 104

CITY AND COUNTY OF SAN FRANCISCO  
OCTOBER, 2017

 336 CLAREMONT BLVD. STE 1  
SAN FRANCISCO, CA 94127  
TEL: 415 242-5400  
WWW.WESTOVERSURVEYING.COM  
SHEET 1 OF 3 SHEETS  
APR 8/2017 4171 24TH STREET

3204



## CONDOMINIUM GENERAL NOTES

a) This map is the survey map portion of a condominium plan as described in California Civil Code Sections 4120 and 4285. This Condominium Project is limited to a maximum of five (5) residential and one (1) commercial condominium units.

b) All ingress(es), egress(es), path(s) of travel, fire/emergency exit(s) and exiting components, exit pathway(s) and passageway(s), stairway(s), corridor(s), elevator(s), and common use accessible feature(s) and facilities such as restrooms that the Building Code requires for common use shall be held in common undivided interest.

c) Unless specified otherwise in the governing documents of a condominium homeowners' association, including its conditions, covenants, and restrictions, the homeowners association shall be responsible, in perpetuity, for the maintenance, repair, and replacement of:

- (i) All general use common area improvements; and
- (ii) All fronting sidewalks, all permitted or unpermitted private encroachments and privately maintained street trees fronting the property, and any other obligation imposed on property owners fronting a public right-of-way pursuant to the Public Works Code or other applicable Municipal Codes.

d) In the event the areas identified in (c) (i) are not properly maintained, repaired, and replaced according to the City requirements, each homeowner shall be responsible to the extent of his/her proportionate obligation to the homeowners' association for the maintenance, repair, and replacement of those areas. Failure to undertake such maintenance, repair, and replacement may result in City enforcement and abatement actions against the homeowners' association and/or the individual homeowners, which may include, but not be limited to imposition of a lien against the homeowner's property.

e) Approval of this map shall not be deemed approval of the design, location, area, density or use of any structure(s) or ancillary areas of the property associated with structures, new or existing, which have not been reviewed or approved by appropriate City agencies nor shall such approval constitute a waiver of the subdividers' obligation to abate any outstanding municipal code violations. Any structures constructed subsequent to approval of this Final Map shall comply with all relevant municipal codes, including but not limited to fire planning, housing and building codes, in effect at the time of any application for required permits.

f) Bay windows, fire escapes and other encroachments (if any shown hereon, that exist, or that may be constructed) onto or over 24th Street are permitted through and are subject to the restrictions set forth in the Building Code and Planning Code of the City and County of San Francisco. This map does not convey any ownership interest in such encroachment areas to the condominium unit owner(s).

g) Significant encroachments, to the extent they were visible and observed, are noted hereon. However, it is acknowledged that other encroachments from onto adjoining properties may exist or be constructed. It shall be the responsibility solely of the property owners involved to resolve any issues that may arise from any encroachments whether depicted hereon or not. This map does not purport to convey any ownership interest in an encroachment area to any property owner.

## REFERENCES

THE FOLLOWING DOCUMENTS AND MAPS WERE REVIEWED AND CONSIDERED ON THIS SURVEY.

- (R1) GRANT DEED RECORDED APRIL 18, 2016 AS DOCUMENT NUMBER 2016-K231237-00, ON FILE IN THE OFFICE OF THE CITY AND COUNTY RECORDER.
- (R2) MONUMENT MAP NO. 231 AND MAP NO. 236 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.
- (R3) PARCEL MAP FILED 7/11/1997 IN BOOK 63 CM AT PAGES 154-155, ON FILE IN THE OFFICE OF THE CITY AND COUNTY RECORDER.
- (R4) PARCEL MAP FILED 8/17/2007 IN BOOK 102 CM AT PAGES 85-88, ON FILE IN THE OFFICE OF THE CITY AND COUNTY RECORDER.
- (R5) PARCEL MAP FILED 9/21/2008 IN BOOK 105 CM AT PAGES 152-153, ON FILE IN THE OFFICE OF THE CITY AND COUNTY RECORDER.
- (R6) PARCEL MAP FILED 1/5/2010 IN BOOK 112 CM AT PAGES 200-201, ON FILE IN THE OFFICE OF THE CITY AND COUNTY RECORDER.
- (R7) PARCEL MAP FILED 10/2/2014 IN BOOK 125 CM AT PAGES 17-18, ON FILE IN THE OFFICE OF THE CITY AND COUNTY RECORDER.
- (R8) BLOCK DIAGRAM FILE NAMED 6506a WITH NO DATE ON RECORD AT THE OFFICE OF THE CITY AND COUNTY SURVEYOR.

## BASIS OF SURVEY

THE MONUMENT LINES WERE ESTABLISHED BY RECORD OFFSET MEASUREMENTS FROM FOUND MONUMENTS AS SHOWN ON MONUMENT MAP NO'S 231 AND 236. THE 24TH STREET MONUMENT LINE WAS USED AS THE BASIS OF ORIENTATION FOR THIS SURVEY.

THE SOUTHERLY LINE OF 24TH STREET WAS ESTABLISHED AT AN OFFSET OF 18' 17" FROM THE MONUMENT LINE WHICH AGREES WITH THE FOUND TAGS AS SHOWN HEREON ALONG 24TH STREET AND DIAMOND STREET.

THE EASTERLY LINE OF DIAMOND STREET WAS ESTABLISHED AT AN OFFSET OF 27.67' FROM THE MONUMENT LINE PER (R7).

THE NORTHERLY LINE OF JERSEY STREET WAS ESTABLISHED PARALLEL AND 228.00' SOUTHERLY OF THE SOUTHERLY LINE OF 24TH STREET WHICH IS SUPPORTED BY MATCHING RECORD DISTANCE OF 14.80' FROM FOUND TAGS PER (R5).

THE SUBJECT PARCEL WAS ESTABLISHED BY RECORD DIMENSIONS PER DEED (R1).

## GENERAL NOTES

1. ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.
2. ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF.
3. ALL MEASURED VALUES ARE EQUAL TO RECORD VALUES SHOWN ON REFERENCES UNLESS OTHERWISE NOTED.
4. MONUMENT MARKS PER (R2) WITHIN THE SUBJECT BLOCK NOT SHOWN HEREON WERE SEARCH FOR AND NOT FOUND.
5. DIMENSIONS FROM PROPERTY LINES TO BUILDING CORNERS ARE FOR INFORMATIONAL PURPOSES ONLY AND REQUESTED BY THE OCCUPY SURVEYOR. THEY ARE NOT TO BE USED FOR RETRACEMENT OF THIS SURVEY.

## SPECIAL RESTRICTIONS

THIS FINAL MAP IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE RECORDED MARCH 22, 2016 IN OFFICIAL RECORDS UNDER DOCUMENT NUMBER 2016-K220455-00, ON FILE IN THE OFFICE OF THE CITY AND COUNTY RECORDER.

## NOTE:

THE PROPOSED ASSESSOR PARCEL NUMBERS SHOWN HEREON ARE FOR INFORMATIONAL USE ONLY AND SHOULD NOT BE RELIED UPON FOR ANY OTHER PURPOSE.

UNIT NO.	PROPOSED ASSESSOR PARCEL NUMBER
UNIT 101	6506-062
UNIT 102	6506-063
UNIT 201	6506-064
UNIT 202	6506-065
UNIT 301	6506-066
UNIT 401	6506-067

## FINAL MAP 9302

A 5 RESIDENTIAL UNIT, ONE COMMERCIAL UNIT MIXED USE CONDOMINIUM PROJECT

A SUBDIVISION OF THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED APRIL 18, 2016 AS DOCUMENT NUMBER 2016-K231237-00, OFFICIAL RECORDS, BEING A PORTION OF HORNERS ADDITION, BLOCK NO. 194

CITY AND COUNTY OF SAN FRANCISCO

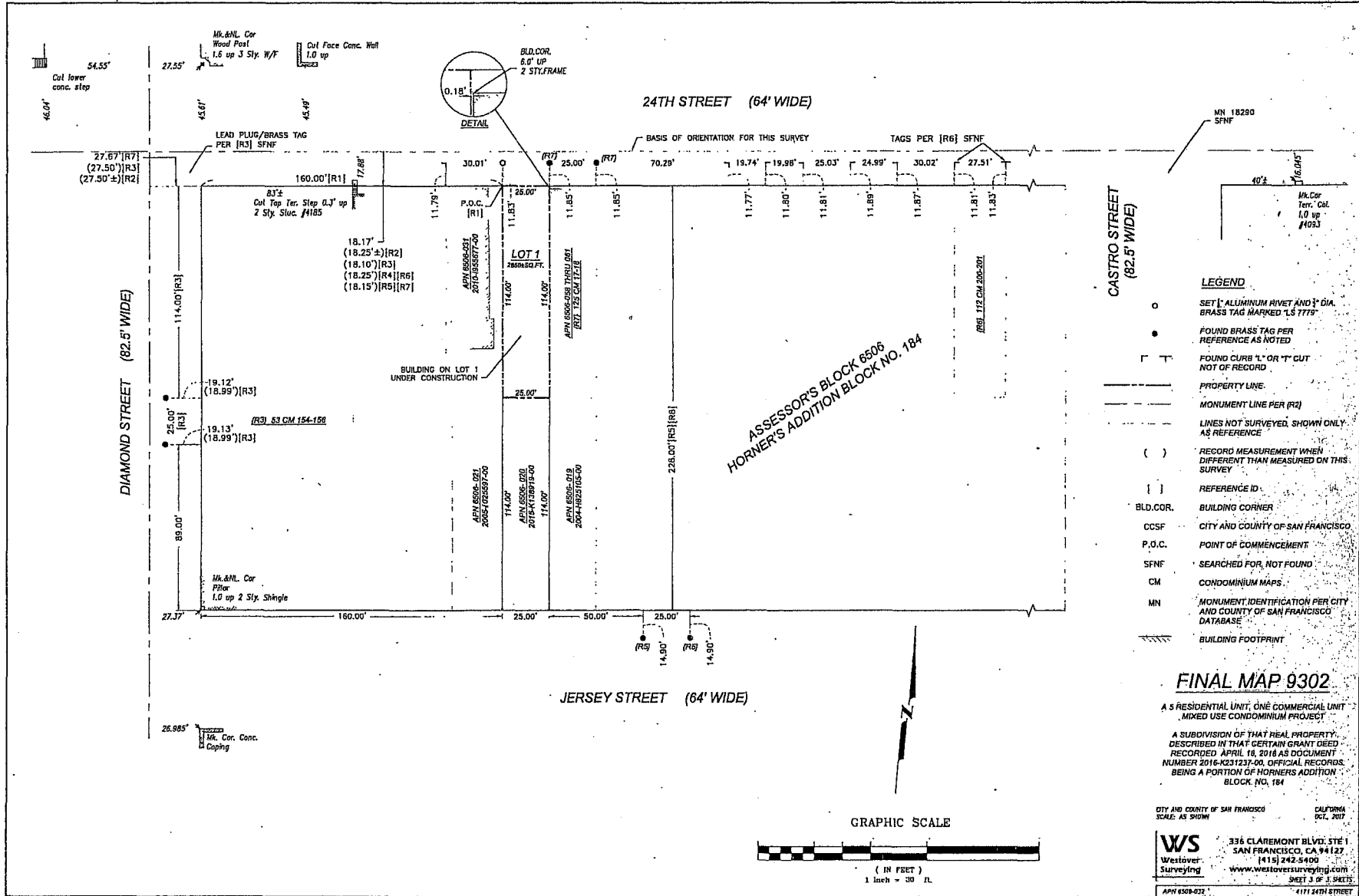
CALIFORNIA  
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APN 6506-032

4111 24TH STREET



**LEGEND**

- SET 1" ALUMINUM RIVET AND 3" DIA. BRASS TAG MARKED 'LS 7779'
- FOUND BRASS TAG PER REFERENCE AS NOTED
- ┌ ┘ FOUND CURB 1" OR 1 1/2" CUT NOT OF RECORD
- — — — — PROPERTY LINE
- — — — — MONUMENT LINE PER (R2)
- - - - - LINES NOT SURVEYED, SHOWN ONLY AS REFERENCE
- ( ) RECORD MEASUREMENT WHEN DIFFERENT THAN MEASURED ON THIS SURVEY
- { } REFERENCE ID
- BLD.COR. BUILDING CORNER
- COSF CITY AND COUNTY OF SAN FRANCISCO
- P.O.C. POINT OF COMMENCEMENT
- SFNF SEARCHED FOR, NOT FOUND
- CM CONDOMINIUM MAPS
- MN MONUMENT IDENTIFICATION PER CITY AND COUNTY OF SAN FRANCISCO DATABASE
- ▤▤▤▤▤▤▤▤▤▤ BUILDING FOOTPRINT

**FINAL MAP 9302**

A 5 RESIDENTIAL UNIT, ONE COMMERCIAL UNIT MIXED USE CONDOMINIUM PROJECT

A SUBDIVISION OF THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED APRIL 18, 2016 AS DOCUMENT NUMBER 2016-K231237-00, OFFICIAL RECORDS, BEING A PORTION OF HORNER'S ADDITION BLOCK NO. 184

CITY AND COUNTY OF SAN FRANCISCO CALIFORNIA  
SCALE: AS SHOWN OCT. 2017

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