

BOARD of SUPERVISORS



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

March 14, 2019

Ms. Carmen Chu
Assessor-Recorder, City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 190
San Francisco, CA 94102

Re: Board of Supervisors Motion No. M19-049

Dear Assessor-Recorder Chu:

On January 29, 2019, the Board of Supervisors held a public hearing of persons interested in or objecting to the certification of a Conditional Use Authorization for a proposed project located at 3637-3657 Sacramento Street, issued by the Planning Department by its Motion No. 20336 dated November 8, 2018. On February 12, 2019, the Board of Supervisors adopted Motion No. M19-025 (Conditionally Disapproving Conditional Use Authorization and Approving with Additional Conditions - 3637-3657 Sacramento Street) and Motion No. M19-026 (Preparation of Findings Related to Conditional Use Authorization Appeal - 3637-3657 Sacramento Street).

On March 12, 2019, the Board of Supervisors adopted Motion No. M19-049 (Adoption of Findings Related to Conditional Use Authorization - 3637-3657 Sacramento Street Project).

Pursuant to Administrative Code, Section 34.3, the Clerk of the Board is forwarding the following documents to your attention:

- One certified copy of Motion No. M19-025 (File No. 181239)
- One certified copy of Motion No. M19-049 (File No. 190273)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


Angela Calvillo
Clerk of the Board



City and County of San Francisco

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

Certified Copy

Motion

181239 [Conditionally Disapproving Conditional Use Authorization and Approving with Additional Conditions - 3637-3657 Sacramento Street]

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20336, approving a Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657 Sacramento Street; and conditionally approving a Conditional Use Authorization for the same Planning Case and property with different conditions, subject to the adoption of written findings by the Board in support of this determination. (Clerk of the Board)

1/15/2019 Board of Supervisors - CONTINUED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

1/29/2019 Board of Supervisors - CONTINUED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

2/5/2019 Board of Supervisors - CONTINUED

Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

Absent: 1 - Haney

2/12/2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

2/12/2019 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Motion is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

March 14, 2019

Date



1 [Conditionally Disapproving Conditional Use Authorization and Approving with Additional
2 Conditions - 3637-3657 Sacramento Street]

3 **Motion conditionally disapproving the decision of the Planning Commission by its**
4 **Motion No. 20336, approving a Conditional Use Authorization identified as Planning**
5 **Case No. 2007.1347CUA for a proposed project at 3637-3657 Sacramento Street; and**
6 **conditionally approving a Conditional Use Authorization for the same Planning Case**
7 **and property with different conditions, subject to the adoption of written findings by**
8 **the Board in support of this determination.**

9
10 MOVED, That the Planning Commission's approval on November 8, 2018, of a
11 Conditional Use Authorization identified as Planning Case No. 2007.1347CUA, by its Motion
12 No. 20336, to allow a modification from the rear yard requirements of Planning Code,
13 Sections 134 and 136, as part of a project that would demolish three existing buildings and
14 construct a new four-story, 40-foot tall, mixed use building containing residential use
15 (approximately 17,100 gross square feet) with 18 dwelling units (consisting of six one-
16 bedroom units, and 12 two-bedroom units), retail/commercial space (approximately 6,500
17 gross square feet), medical offices (approximately 10,000 gross square feet), 64 off-street
18 parking spaces (including one car share space), and 35 bicycle parking spaces
19 (approximately 38,700 gross square feet), within the Sacramento Street Neighborhood
20 Commercial District and 40-X Height and Bulk District, for a proposed project located at:

21 3637-3657 Sacramento Street, Assessor's Parcel Block No. 1018, Lot Nos. 012
22 and 020, is hereby disapproved; and, be it

23 FURTHER MOVED, That the Board hereby approves a Conditional Use Authorization
24 for the same property with all conditions imposed by the Planning Commission and with the
25 additional conditions listed in the document titled "3637-3657 Sacramento Street Conditions,"

1 dated February 12, 2019, a copy of which is in Board File No. 181239, and which is
2 incorporated by reference herein; and, be it

3 FURTHER MOVED, That the disapproval of the Conditional Use Authorization and the
4 approval of the Conditional Use Authorization with different conditions are all subject to the
5 adoption of written findings of the Board in support of this determination.

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City and County of San Francisco
Tails
Motion: M19-025

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

File Number: 181239

Date Passed: February 12, 2019

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20336, approving a Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657 Sacramento Street; and approving a Conditional Use authorization for the same Planning Case and property with different conditions.

January 15, 2019 Board of Supervisors - CONTINUED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

January 29, 2019 Board of Supervisors - CONTINUED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

February 05, 2019 Board of Supervisors - CONTINUED

Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee
Absent: 1 - Haney

February 12, 2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

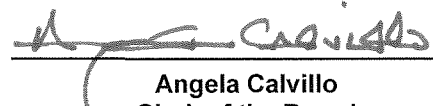
Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

February 12, 2019 Board of Supervisors - APPROVED AS AMENDED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 181239

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 2/12/2019 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

3637-3657 Sacramento Street Conditions

1. Design Modifications:

The Project Sponsor shall modify the fourth floor and Sacramento Street façade as follows;

- (a) To reduce the building mass and height profile from the street and further complement the adjacent buildings. The fourth floor shall be set back approximately three feet deep by twenty feet wide at the east and west ends of the building (Units 403 and 407 shown on sheet A2.7 of the plan set), and
- (b) To reduce massing height appearance at the central portion of the proposed building the 60' x 1'-6" x 4' projecting façade cornice at the top of the central portion of the building will be removed and replaced with a new cornice design incorporating a horizontal band at the top of the building.

Regarding the facade, the Project Sponsor shall proportion the windows so they are more in keeping with the neighborhood. De-emphasize the balconies by replacing the glazing with metal railings more like the neighborhood, and use horizontal siding or brick to comport with the neighborhood and better defined termination at the ends of the building. Project sponsor to work with Planning Department's design staff on the above for a design more compatible with neighborhood character.

2. Medical Office Space Size & Use Limitations:

The Project Sponsor will restrict medical space on the second floor to no more than 3,500 square feet per tenant and restrict usage to low impact.

3. Assessment of "Nearby Structures/ Properties"

The Project Sponsor shall perform the following:

- (a) Pre-Construction Assessment: Conduct pre-construction surveys for all immediately adjacent lots, with owner's consent. The surveys shall include photographic and video documentation for these properties. The Project Sponsor will archive and provide these evaluation reports to those property owners.
- (b) During Construction: Provide periodic monitoring of those same properties over the course of construction activities. This monitoring should entail site observations to identify changes in structural conditions throughout the properties and be conducted at least four times throughout the construction project (once prior to construction, twice during construction, and once following construction).
- (c) Post-Construction Assessment: Upon completion of construction, the Project Sponsor shall have a post-construction survey of those same properties. The survey shall include photographic and video documentation for these structures. These evaluation reports shall be provided to those property owners.

4. Vibration Plan

After consultations between the Project Sponsor's contractor and engineer and the Department of Building Inspection, the Project Sponsor shall prepare and submit a vibration plan detailing the procedures to be implemented during construction.

5. Noise Control Plan

The Project Sponsor Shall:

- (a) To the extent it is reasonable feasible, place temporary barriers such as sound blankets or sound curtains around the parameter of the project site during excavation, demolition, shoring and slab foundation.
- (b) After consultations between the Project Sponsor's contractor and the Department of Building Inspection, require that equipment (including trucks) used for project construction have appropriate noise control technology (e.g., improved mufflers, equipment redesign, intake silencers, ducts, engine enclosures, acoustically attenuating shields or shrouds);
- (c) After consultations between the Project Sponsor's contractor and engineer and the Department of Building Inspection, the Project sponsor will prepare and implement a daytime construction-noise monitoring program for the entirety of the construction period. The noise data should also be made available to the community.
- (d) To the extent permissible by law, no backup alarms (beeping noise) from construction equipment allowed on Saturdays, or on weekdays before 9:00 a.m.

6. Dust Control Plan.

After consultations between the Project Sponsor's contractor and engineer and the Department of Public Health, the Project Sponsor shall prepare a SITE-SPECIFIC DUST CONTROL PLAN per SEC. 1242 of the San Francisco Health Code.

Additionally the Project Sponsor shall:

- (a) To the extent reasonably feasible, "shrink wrap" the building, on all sides if possible but at least the front and back of the entire building, at the earliest feasible opportunity.
- (b) Cleaning. Project Sponsor shall perform the following:
 1. Weekly power washing of sidewalks on Sacramento Street to address dust and other cleanliness issues during demolition, excavation, and slab foundation. After this, power washing of sidewalks shall occur quarterly until the end of the project.
 2. Weekly window cleaning for merchants on Sacramento Street and all buildings located on properties that share a lot line with the project during demolition, excavation, and slab foundation. After this, window cleaning shall occur quarterly until the end of the project.
 3. Five power washings of all buildings located on properties (including those on Sacramento and California Street) that share a lot line with the project, with the owners' consent. These shall occur after each of the following phases: demolition, excavation, slab foundation, structure erection, and at the end of the project.

7. Tree Health

The Project Sponsor shall:

- (a) Hire a qualified arborist to visit adjacent sites, in particular at the rear yards of 433 Locust and 3530/32 California Street lots, to denote sensitive areas and suggest ways to preserve existing root structures of adjacent trees.
- (b) Include periodic monitoring during excavation time frame.
- (c) To the extent reasonably feasible, implement arborist-recommended measures designed to preserve the existing trees.

8. Parking During Construction

The Project Sponsor shall:

- (a) Provide free parking from 8am - 5pm, Monday- Saturday, in their parking lot at Locust and California for patrons or clients of businesses on the 3600 block of Sacramento who present a parking ticket validated by one of those businesses.
- (b) During demolition and excavation, project sponsor shall provide valet parking services from the hours of 9am-4pm, also based on a validation system, from a business on the 3600 block of Sacramento St.
- (c) Provide Construction workers parking in their parking lot at Locust and California.

9. Construction Equipment

The Project Sponsor shall:

- (a) Stage dump trucks and cement mixers out of the area, so that to the extent possible by law only one truck or pourer is on site at any time. A construction staging plan showing the proposed off-site staging area and proposed truck routes shall be submitted to the Department of Building Inspection as part of the demolition permit process.
- (b) Insure that no heavy equipment is parked on Sacramento Street overnight, other than on or immediately in the street frontage in front of the two parcels at 3637-57 Sacramento.
- (c) Limit street construction “no parking” signs on Sacramento Street to the street frontage of the parcels plus the space needed for any pedestrian ramps to create accessible safe pedestrian access across the project frontage.
- (d) Direct its contractors not to park construction equipment or vehicles on the North side of California Street between Locust and Spruce Streets.

10. Hours of Construction:

The Project Sponsor shall limit construction hours to the following:

- (a) Construction hours will be 7:00 a.m. to 6:00 p.m. Monday - Saturday, with Saturdays limited to “interior-only” work, i.e. after windows are installed.
- (b) During the demolition and excavation portions, hours will be restricted to 9:00 a.m- 4:00p.m. Monday - Friday for significant noise-generating activities.

11. Community Liaison:

The Project Sponsor shall hire a construction management firm, or use a community liaison with experience in construction management, to help promptly address community issues that arise during the entirety of the construction period. The liaison will also distribute notices describing construction stages and timing so that neighbors and merchants can plan accordingly.

12. Assistance For Affected Businesses for the 3600 block of Sacramento and including any other businesses within 150 feet of the project site:

Project Sponsor shall:

- (a) Provide temporary office space to the therapists who regularly see patients on the 3600 Block of Sacramento Street, during the demolition and excavation phases of the project. The office space will be located at 350 Sansome Street, San Francisco and will be provided free of charge to the therapists.
- (b) Work with Patrick Richards Salon at 3631 Sacramento Street to address his concerns since his business will be greatly impacted by the construction.



City and County of San Francisco

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

Certified Copy

Motion

190273 [Adoption of Findings Related to Conditional Use Authorization - 3637-3657 Sacramento Street Project]

Motion adopting findings in support of the Board of Supervisors' disapproval of Planning Commission Motion No. 20336 approving a Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657 Sacramento Street, and the Board's approval of a Conditional Use Authorization for the same Planning Case and property with different conditions; and adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

3/12/2019 Board of Supervisors - APPROVED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

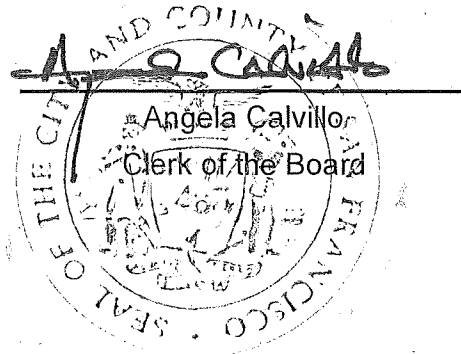
CLERK'S CERTIFICATE

I do hereby certify that the foregoing Motion is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

March 14, 2019

Date



1 [Adoption of Findings Related to Conditional Use Authorization - 3637-3657 Sacramento
2 Street Project]

3 **Motion adopting findings in support of the Board of Supervisors' disapproval of**
4 **Planning Commission Motion No. 20336 approving a Conditional Use Authorization**
5 **identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657**
6 **Sacramento Street, and the Board's approval of a Conditional Use Authorization for the**
7 **same Planning Case and property with different conditions; and adopting findings of**
8 **consistency with the General Plan, and the eight priority policies of Planning Code,**
9 **Section 101.1.**

10
11 WHEREAS, On November 8, 2018, the Planning Commission approved a Conditional
12 Use Authorization identified as Planning Case No. 2007.1347CUA, by its Motion No. 20336,
13 to allow a modification from the rear yard requirements of Planning Code Sections 134
14 and 136, as part of a project that would demolish three existing buildings and construct a new
15 four-story, 40-foot tall, mixed use building containing residential use (approximately 17,100
16 gross square feet) with 18 dwelling units (consisting of six one-bedroom units, and 12 two-
17 bedroom units), retail/commercial space (approximately 6,500 gross square feet), medical
18 offices (approximately 10,000 gross square feet), 64 off-street/underground parking spaces
19 (including one car share space), and 35 bicycle parking spaces (approximately 38,700 gross
20 square feet), within the Sacramento Street Neighborhood Commercial District and 40-X
21 Height and Bulk District, for a proposed project located at: 3637-3657 Sacramento Street,
22 Assessor's Parcel Block No. 1018, Lot Nos. 012 and 020; and

23 WHEREAS, On December 7, 2018, Brandon Ponce, Jennifer Kopczynski, Alexander
24 W. Thompson, Marcia E. Herman, Susan Foslien, Jack Kaus, Patrick Richards, John M.
25 Burns, and Douglas Engmann, on behalf of the California-Locust Neighbors' Association

1 ("Appellants") filed a timely appeal with the Board of Supervisors of the categorical exemption
2 filed a timely appeal protesting the approval of the Conditional Use Authorization by the
3 Planning Commission; and

4 WHEREAS, On February 5, 2019 and February 12, 2019, this Board held duly noticed
5 public hearings to consider the appeal; and

6 WHEREAS, Following the conclusion of the public hearing on February 12, 2019, the
7 Board voted to conditionally disapprove the decision of the Planning Commission and to
8 approve the requested Conditional Use Authorization with different conditions, subject to
9 adoption of written findings by the Board, as reflected in Board of Supervisors Motion
10 No. 19-025; and

11 WHEREAS, In deciding the appeal, the Board reviewed and considered the entire
12 written record before the Board and all the presentations and public comments made in
13 support of and in opposition to the appeal; now, therefore, be it

14 MOVED, That the Board finds that with the conditions imposed by the Board at the
15 February 12, 2019, hearing, the proposed project is necessary or desirable for, and
16 compatible with, the neighborhood and the community; and, be it

17 FURTHER MOVED, That the location on the project site of a four-story, 40-foot tall,
18 mixed use building containing approximately 6,500 gross square feet of retail/commercial use
19 on the first floor, approximately 10,000 gross square feet of medical offices on the second
20 floor, and 18 dwelling units (approximately 17,100 gross square feet) on the third and fourth
21 floors, with two levels of below-grade parking, 21 Class 1 bicycle parking spaces and 14
22 Class 2 bicycle parking spaces, and a dwelling unit mix consisting of 12 two-bedroom units,
23 and 6 one-bedroom units will provide the surrounding neighborhood with notable benefits,
24 protecting the existing character of the neighborhood and the operation of other local medical
25

1 offices and other businesses while complementing those businesses and providing new
2 housing in the neighborhood; and, be it

3 FURTHER MOVED, That the conditions imposed by the Board of Supervisors in
4 Motion No. 19-025 will prevent adverse impacts of the authorized activities at the site by
5 incorporating design modifications to bring the Project more in keeping with the neighborhood;
6 restricting medical space on the second floor to complement neighborhood medical practices;
7 assessing neighboring structures before, during and after construction for potential changes in
8 structural conditions; preparing and submitting vibration, noise reduction and dust control
9 plans; hiring a qualified arborist to address issues with trees on neighboring properties as a
10 result of construction activities; providing free parking during specified hours for patrons or
11 clients of businesses on the 3600 block of Sacramento and providing construction workers
12 parking offsite; staging construction equipment usage and parking and limiting construction
13 hours; providing a community liaison to help promptly address community issues that arise
14 during the entirety of the construction period; providing temporary office space to the
15 therapists who regularly see patients on the 3600 Block of Sacramento Street during the
16 demolition and excavation phases of the Project; and working with one neighboring business
17 that will be particularly impacted by the construction to address any potential impacts; and, be
18 it

19 FURTHER MOVED, That these conditions are consistent with and supported by the
20 Planning Commission's findings of consistency with the General Plan and Planning Code
21 Section 101.1, and the Board hereby incorporates these findings and adopts them as its own.
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City and County of San Francisco

Tails

Motion: M19-049

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

File Number: 190273

Date Passed: March 12, 2019

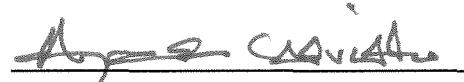
Motion adopting findings in support of the Board of Supervisors' disapproval of Planning Commission Motion No. 20336 approving a Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657 Sacramento Street, and the Board's approval of a Conditional Use Authorization for the same Planning Case and property with different conditions; and adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

March 12, 2019 Board of Supervisors - APPROVED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190273

I hereby certify that the foregoing Motion was APPROVED on 3/12/2019 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board