



SAN FRANCISCO PLANNING DEPARTMENT

December 8, 2017

Ms. Angela Calvillo, Clerk
Honorable Supervisor Farrell
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**Re: Transmittal of Planning Department Case Number 2014-002181PCAMAP:
Creating the Geary-Masonic Special Use District
Board File No. 161109
Planning Commission Action: Approval with Modification**

Dear Ms. Calvillo and Supervisor Farrell,

On November 30, 2017, the Planning Commission conducted duly noticed public hearings at regularly scheduled meetings to consider the proposed Ordinance, introduced by Supervisor Farrell that would add Planning Code Section 249.20. At the hearing the Planning Commission voted to approve the ordinance with modifications.

The Commission's proposed modifications were as follows:

- Increase the on-site affordable housing rate from 18% to 23% for rental projects and from 20% to 26% for ownership projects at the AMI levels prescribed in Section 415 of the Planning Code; and
- Require that at least four (4) of the sixteen (16) proposed off-street parking spaces be reserved for car share use.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Supervisor Farrell, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes proposed by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron D. Starr', written over a circular stamp or mark.

Aaron D. Starr
Manager of Legislative Affairs

cc:

Audrey W. Pearson, Deputy City Attorney
Kanishka Karunaratne, Aide to Supervisor Farrell
Alisa Somera, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution
Planning Department Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20063

HEARING DATE: NOVEMBER 30, 2017

Project Name: Geary-Masonic Special Use District
Case Number: 2014-002181PCAMAP [Board File No. 161109]
Initiated by: Supervisor Farrell / Introduced November 14, 2017
Staff Contact: Christopher May
christopher.may@sfgov.org, 415-575-9087
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

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

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APPROVING, WITH MODIFICATIONS, A PROPOSED ORDINANCE TO AMEND THE PLANNING CODE BY ADDING SECTION 249.20 CREATING THE GEARY-MASONIC SPECIAL USE DISTRICT; AMENDING SHEET SU03 OF THE ZONING MAP TO ESTABLISH THE GEARY-MASONIC SPECIAL USE DISTRICT IN THE AREA GENERALLY BOUNDED BY GEARY BOULEVARD TO THE SOUTH, MASONIC AVENUE TO THE EAST, AND ASSESSOR'S PARCEL BLOCK NO. 1071, LOT NOS. 001 AND 004, TO THE NORTH AND WEST, RESPECTIVELY; BEING ALL OF LOT 003 IN ASSESSOR'S BLOCK 1071, WITHIN THE NC-3 (MODERATE SCALE NEIGHBORHOOD-COMMERCIAL) ZONING DISTRICT AND AN 80-D HEIGHT AND BULK DISTRICT; AND TO MAKE AND ADOPT ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1 AND THE GENERAL PLAN.

WHEREAS, on November 14, 2017, Supervisor Farrell introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 161109 which would amend the Planning Code to establish the Geary-Masonic Special Use District in the area generally bounded by Geary Boulevard to the south, Masonic Avenue to the east, and Assessor's Block 1071 Lots 001 and 004 to the north and west, respectively, and amending Sheet SU03 of the Zoning Map of the City and County of San Francisco;

The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on November 30, 2017; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c); and

WHEREAS, the Planning 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 Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby **approves with modifications** the proposed Ordinance. The modifications to the proposed Ordinance increase the required on-site affordable housing provision from 18% to 23% for rental projects and from 20% to 26% for ownership projects, at the AMI levels prescribed by Section 415.3 of the Planning Code, and require the provision of a minimum of four (4) car share spaces on site.

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 Commission finds that the proposed Ordinance, as modified, will allow for a project that will replace an underutilized site with 95 rental dwelling units, including 22 permanently affordable dwelling units at a range of income levels.
2. The Commission finds that the increase in the amount of required on-site affordable housing units, above that which would otherwise be required pursuant to Planning Code Section 415, is commensurate with the increase in dwelling unit density provided for by the proposed Geary-Masonic Special Use District.
3. The Commission finds that amount of proposed off-street parking is sufficient for the project, provided that at least four (4) of the sixteen (16) proposed parking spaces are dedicated for car share use.
4. **General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

HOUSING

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

Focus housing growth and infrastructure necessary to support growth according to community plans. Complete planning underway in key opportunity areas.

Policy 1.3:

Work proactively to identify and secure opportunity sites for permanently affordable housing.

Policy 1.6:

Consider greater flexibility in number and size of units within established building envelopes in community based planning processes, especially if it can increase the number of affordable units in multi-family structures.

Policy 1.8:

Promote mixed use development, and include housing, particularly permanently 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 current zoning on the subject property permits a maximum of 21 dwelling units, which is far less than the 80-foot height limit would allow in the absence of dwelling unit density restrictions. The proposed Ordinance would create the Geary-Masonic SUD which would remove the density controls to allow for a project that will provide a total of 95 dwelling units, including twenty-two (22) permanently affordable housing units.

OBJECTIVE 4:

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

Policy 4.1:

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

Policy 4.4:

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

Policy 4.5:

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

The proposed Ordinance would create the Geary-Masonic SUD which would require a unit mix with two- and three-bedroom units suitable for families with children. The proposed Ordinance would result in a rental housing project with 95 units, twenty-two (22) of which will be permanently affordable, as well as market-rate units. The affordable housing units would be allocated in a range of income tiers, with a diversity of units provided for households with low, medium and moderate incomes.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2:

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1:

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

The proposed Ordinance would create the Geary-Masonic SUD which would permit a maximum of 0.5 parking spaces per dwelling unit.

OBJECTIVE 11:

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

Policy 11.3:

Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

The Geary-Masonic SUD is located within a neighborhood well-served by public transportation and would allow for a project whose residents are expected to rely heavily on public transit, cycling or walking for the majority of their daily trips. Within a few blocks of the subject site, there are several MUNI bus lines, including the future Geary Boulevard bus rapid transit (BRT) line.

OBJECTIVE 34:

RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

Policy 34.1:

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 34.3:

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

Policy 34.5:

Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

The proposed Ordinance would create the Geary-Masonic SUD, which would permit a maximum of 48 off-street parking spaces, 0.5 per dwelling unit.

5. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code and Zoning Map are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. 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 subject site is located at the intersection of Masonic Avenue and Geary Boulevard and across from the City Center retail and commercial complex. The proposed Ordinance will create the Geary-Masonic Special Use District which will allow for a project that will introduce new residents who will visit and shop at the existing neighborhood retail and commercial establishments, thereby enhancing their businesses. The SUD will allow for a project that provides ground floor commercial space for future commercial uses.

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

The proposed Ordinance will create the Geary-Masonic Special Use District which will allow for a project that would not displace any existing housing or negatively affect the existing neighborhood character. Rather, the project would improve the existing character of the neighborhood by redeveloping an underutilized lot with new residential and commercial uses that will add economic diversity to the neighborhood, including a mix of dwelling unit types on-site.

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

There is currently no housing on the subject property, and therefore no affordable housing is proposed to be removed by the proposed Ordinance. Moreover, the proposed Ordinance will create the Geary-Masonic Special Use District which will allow for a project that would enhance the City's supply of affordable housing by providing twenty-two (22) on-site affordable dwelling units, in compliance with the Inclusionary Affordable Housing Program pursuant to Planning Code Section 415 and the additional affordable housing requirements established by the proposed Geary-Masonic Special Use District.

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

The subject site is well-served by public transit, particularly along the Geary Boulevard and Masonic Avenue corridors. The proposed Ordinance will create the Geary-Masonic Special Use District which will allow for a project that provides only sixteen (16) off-street parking spaces for the proposed 95 dwelling units, including four (4) spaces which would be reserved for car share use. As such, the project is not expected to generate much commuter traffic that would overburden local streets or affect neighborhood parking.

5. 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 proposed Ordinance will not displace any service or industry establishment or affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this Ordinance.

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

The proposed Ordinance will create the Geary-Masonic Special Use District which will allow for a project that is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

7. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

The proposed Ordinance will create the Geary-Masonic Special Use District which will allow for a project that will have no negative impact on existing parks and open spaces.

6. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby approves the proposed Ordinance with modifications as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on November 30, 2017.



Jonas P. Ionin
Commission Secretary

AYES: Hillis, Fong, Melgar, Koppel, Moore, Johnson and Richards

NOES: None

ABSENT: None

ADOPTED: November 30, 2017



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)
- Transportation Sustainability Fee (Sec. 411A)

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
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Planning Commission Motion No. 20065

HEARING DATE: NOVEMBER 30, 2017

Case No.: 2014-002181CUA
Project Address: 2670 GEARY BOULEVARD
Existing Zoning: NC-3 (Moderate Scale Neighborhood-Commercial) Zoning District
 80-D Height and Bulk District
Proposed Zoning: NC-3 (Moderate Scale Neighborhood-Commercial) Zoning District
 80-D Height and Bulk District
 Geary-Masonic Special Use District
Block/Lot: 1071/003
Project Sponsor: Riyadh Ghannam, RGA Architecture
 560 Third St
 San Francisco, CA 9417
Staff Contact: Christopher May – (415) 575-9087
christopher.may@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 121.1, 271, 303 AND PROPOSED SECTION 249.20 (GEARY-MASONIC SPECIAL USE DISTRICT) PROPOSING TO DEMOLISH THE EXISTING ONE-STORY COMMERCIAL BUILDING AND CONSTRUCT AN 8-STORY MIXED-USE BUILDING CONTAINING 95 RESIDENTIAL RENTAL DWELLING UNITS ABOVE APPROXIMATELY 1,756 SQUARE FEET OF GROUND FLOOR COMMERCIAL SPACE AND 16 PARKING SPACES WITHIN THE NC-3 (MODERATE-SCALE NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT, AN 80-D HEIGHT AND BULK DISTRICT AND THE PROPOSED GEARY-MASONIC SPECIAL USE DISTRICT.

PREAMBLE

On December 10, 2015, Riyadh Ghannam on behalf of RGA Architecture (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization, pursuant to Planning Code Sections 121.1, 271 and 303, proposing to demolish the existing one-story commercial building and construct a 7-story mixed-use building containing 21 residential rental dwelling units above approximately 9,463 square feet of ground floor commercial space, 35,224 square feet of medical office uses and 57 parking spaces within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and an 80-D Height and Bulk District.

On October 18, 2016, Supervisor Farrell introduced an ordinance at the Board of Supervisors that would amend the Planning Code by adding Section 249.20; and amend Sheet SU03 of the Zoning Map, to establish the Geary-Masonic Special Use District (SUD) in the area generally bounded by Geary Boulevard to the south, Masonic Avenue to the east, and Assessor's Parcel Block No. 1071, Lot Nos. 001 and 004, to the north and west, respectively. The SUD would provide for a mixed use development project with ground floor retail, and a combination of low income, moderate income, and market rate residential units, at densities higher than what otherwise would be permitted in the NC-3 Zoning District and 80-foot Height district, in an area well-served by transit. On November 14, 2017, Supervisor Farrell introduced a revised ordinance at the Board of Supervisors to include alternative dwelling unit mix requirements not proposed in the original Ordinance.

On October 9, 2017, the Project Sponsor revised their Conditional Use Authorization application, pursuant to Planning Code Sections 121.1, 271 and 303, to propose demolishing the existing one-story commercial building and instead construct an 8-story mixed-use building containing 95 residential rental dwelling units above approximately 1,756 square feet of ground floor commercial space and 16 parking spaces within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District, an 80-D Height and Bulk District, and the proposed Geary-Masonic Special Use District.

On November 30, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014-002181CUA.

On November 15, 2017, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

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. 2014-002181CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the northwest corner of Geary Boulevard and Masonic Avenue, Block 1071, Lot 003. The subject property is a corner lot with approximately 60 feet of frontage on Geary Boulevard and 157 feet of frontage on Masonic Avenue with a lot area of 12,730 square feet. The property is located in the NC-3 (Moderate Scale Neighborhood-Commercial) Zoning District, an 80-D Height and Bulk District and the proposed

Geary-Masonic Special Use District. The property is currently developed with a vacant one-story commercial (restaurant) building formerly d.b.a. The Lucky Penny. The subject property slopes upward from Geary Boulevard towards its north side lot line at an average slope of approximately 7%.

3. **Surrounding Properties and Neighborhood.** The project site is located at the southeastern edge of the Presidio Heights neighborhood, where it meets the Western Addition neighborhood to the east and the Inner Richmond neighborhood to the south. The immediate area contains a mix of apartment buildings, and commercial and public utility buildings on large lots with varied heights. Directly adjacent and west of the subject lot is a seven-story commercial storage building and directly adjacent and north of the subject lot is a one-story grocery store (Trader Joe's). Directly across Geary Boulevard and to the south of the subject lot is a three-story building containing commercial uses on the ground floor with two floors of residential uses above. Directly across Masonic Avenue and to the east of the subject lot is a two-story building which occupies the entire block and is owned by the SFMTA for vehicle storage and office uses. Across the intersection, on the southeast corner of Geary Boulevard and Masonic Avenue is a large regional shopping complex (City Center), which also occupies the entire block. The central portion of Geary Boulevard, including two lanes of vehicular traffic in both directions, is tunneled beneath Masonic Boulevard, while the outer portions, including one lane of vehicular traffic and curbside parking, are located at grade and form two separate intersections with Masonic Avenue.
4. **Project Description.** The project sponsor proposes to demolish the existing one-story commercial building and construct an 8-story mixed-use building containing 95 residential dwelling units (64 studios, 29 two-bedroom units and 2 three-bedroom units) above approximately 1,756 square feet of ground floor commercial space, sixteen (16) off-street parking spaces and 120 bicycle parking spaces within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District, an 80-D Height and Bulk District and the proposed Geary-Masonic Special Use District. The studio units would be approximately 344 square feet in size, the two-bedroom units would range in size from approximately 700 square feet to approximately 811 square feet, and the three-bedroom units would be approximately 900 square feet and approximately 1,006 square feet in size. Usable open space for the dwelling units would be provided on an approximately 5,576 square-foot shared rooftop deck. Two interior courtyards on the 2nd floor totaling approximately 1,787 square feet would provide additional non-qualifying open space. The sixteen (16) off-street parking spaces would be located behind the ground floor commercial space and beneath the residential lobby and lounge, and would be accessed via a relocated curb cut on Geary Boulevard. One other existing curb cut on Masonic Avenue would be removed. One hundred and twelve (112) Class 1 bicycle parking spaces would be provided in a secure, weather protected area on the ground floor level. Eight (8) Class 2 bicycle parking spaces would be provided outside along the Geary Boulevard and Masonic Avenue sidewalks.
5. **Proposed Geary-Masonic Special Use District.** To implement the proposed project, modifications to the Planning Code are required. On October 18, 2016, Supervisor Farrell introduced an ordinance at the Board of Supervisors that would amend the Planning Code by adding Section 249.20; and amend Sheet SU03 of the Zoning Map, to establish the Geary-Masonic

Special Use District. The proposed Geary-Masonic SUD would apply the provisions of Planning Code Section 752 for NCT-3 Zoning Districts to the subject property except:

- (1) Non-residential uses 3,000 square feet and above shall require a Conditional Use Authorization. Non-residential uses more than 6,000 square feet in size are not permitted.
 - (2) No parking shall be permitted above .5 cars for each Dwelling Unit.
 - (3) Parking and Loading access from Masonic Avenue is not permitted.
 - (4) The project is required to provide affordable housing on-site at the current on-site inclusionary housing requirements. The "grandfathering" provisions in Section 415 would not apply to projects within the SUD.
 - (5) A minimum dwelling unit mix of either (A) at least 40% two and three bedroom units, including at least 10% three bedroom units; or (B) Any dwelling unit mix which includes some three bedroom or larger units such that 50% of all bedrooms within the Project are provided in units with more than one bedroom, is required.
6. **Affordable Housing.** Commensurate with the removal of the dwelling unit density controls pursuant to the proposed SUD, which would significantly increase the total number of dwelling units allowed on the site, the Commission amends the proposed Geary-Masonic SUD to further increase the on-site affordable housing rate to 23% for rental projects or 26% for ownership projects. This recommendation is based on staff review of the level of density increase provided by the proposed SUD, as well as other current relevant City policies, including the Inclusionary Affordable Housing Program as recently revised and effective August 26, 2017, the HOME-SF program that was recently established and effective as of July 13, 2017, and the City's 2016 Residential Affordable Housing Nexus Study, which establishes the maximum legally supported inclusionary rates for most projects. Given that the proposed SUD confers density increases that are commensurate with the level of increase contemplated in the HOME-SF program, but does not confer other associated development standard exceptions, it is the best judgment of Planning Department staff that an appropriate on-site requirement for projects within the SUD be 23% for rental projects or 26% for ownership projects. These requirements are above the minimum requirements set forth in Section 415 and also comfortably below the legal maximums established in the Nexus Study, while the analysis supporting the HOME-SF program indicates that these requirements are both appropriate and financially feasible for projects in the SUD.
7. **Public Comment.** As of November 15, 2017, in advance of the Planning Commission hearing on November 30, 2017, the Department has received two telephone inquiries requesting additional information about the project, but has received no formal public comment either in support of or in opposition to the proposed project.
8. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
- A. **Development of Large Lots.** Planning Code Section 121.1 states that in order to promote, protect, and maintain a scale of development which is appropriate to each district and compatible with adjacent buildings, new construction or significant enlargement of existing

buildings on lots in excess of 10,000 square feet in the NC-3 (Moderate Scale Neighborhood Commercial) Zoning District shall be permitted only as conditional uses.

The Project proposes the development of a 12,730 square foot lot and therefore requires Conditional Use Authorization. The additional required findings are listed below under Subsection 8.

- B. Building Height.** Per Planning Code Section 260, the maximum height limit for the subject property is 80 feet.

The Project proposes a total building height of 80 feet, measured from the curb at the centerlines of both building steps, which is compliant with the provisions of Planning Code Section 260.

- C. Bulk.** Planning Code Section 270 states that in the D Bulk District, the maximum length of a building is 110 feet with a maximum diagonal dimension of 140 feet above 40 feet.

The Project proposes a building length of 153 feet and a diagonal dimension of 176 feet. As the Project exceeds both the maximum permitted building length and diagonal dimension, a bulk exception is being sought. The additional required findings are listed below under Subsection 10.

- D. Neighborhood Notification.** Planning Code Section 312 requires notification to all owners and occupants within 150 feet of the subject property when new construction is proposed in the Neighborhood Commercial District.

The proposal is located in the NC-3 (Moderate Scale Neighborhood Commercial) Zoning District and proposes the construction of an eight-story, mixed-use building. This new construction requires Neighborhood Notification per Planning Code Section 312. Accordingly, notification was conducted in conjunction with the noticing for the Conditional Use Authorization. The applicant also conducted a pre-application meeting prior to submission on October 30, 2015.

- E. Rear Yard.** Planning Code Section 134 requires that the project provide a rear yard equal to 25 percent of the total lot depth at the lowest level containing a residential unit, and at each succeeding level or story of the building, but in no case less than 15 feet. On a corner lot, the required rear yard may be substituted with an open area equal to 25 percent of the lot area which is located at the same levels as the required rear yard in an interior corner of the lot, an open area between two or more buildings on the lot, or an inner court.

The subject property is a corner lot and may therefore provide a modified required rear yard in an alternate location on the property equal to 25 percent of the lot area, which in this instance would amount to approximately 3,183 square feet. The project proposes a rear yard of approximately 1,300 square feet in an interior corner of the lot at the first floor as well as a two-level terraced central courtyard approximately 1,428 square feet in size at the first and second floors, for a total of approximately 2,728 square feet representing 21 percent of the lot area. As such, a rear yard modification pursuant to Planning Code Section 134 is required. The Zoning Administrator indicated an intent to approve the rear yard modification request concurrently with the Planning Commission's consideration of the Conditional Use Authorization request at the November 30, 2017, hearing.

- F. **Usable Open Space.** Planning Code Section 135 requires that the project provide a minimum of 80 square feet of open space per dwelling unit, if not publically accessible. Alternatively, common useable open space, at a rate of 100 square feet per dwelling unit, shall be at least 15 feet in every horizontal dimension and shall be a minimum of 300 square feet. The area of an inner court may be credited as common usable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area, and if the height of the walls above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

Sixty-four (64) of the proposed dwelling units measure less than 350 square feet plus a bathroom, and therefore a total of 2,133 square feet of common usable open space is required for those units. The remaining thirty-one (31) units would require a minimum of 3,100 square feet of common usable open space. While the project would provide approximately 1,787 square feet of outdoor amenity space in the modified rear yard areas, the heights of the walls surrounding both interior courtyards would not meet the requirements of Planning Code Section 135. However, the project meets the requirements of Planning Code Section 135 by providing qualifying common open space areas on two rooftop decks totaling approximately 5,576 square feet.

- G. **Obstructions Over Streets.** Planning Code Section 136(c)(1)(B) allows overhead horizontal projections of a purely architectural or decorative character such as cornices, eaves, sills and belt courses, with a vertical dimension of no more than two feet six inches, not increasing the floor area or the volume of space enclosed by the building, and not projecting more than one foot over a street, provided they leave at least 7½ feet of headroom.

The project proposes fifteen vertical projections of a purely architectural and decorative character on the Masonic Avenue frontage which are approximately 90 feet tall, project approximately 1.5 feet over the street and leave more than 7½ feet of headroom. Because these decorative "fins" do not meet the spatial requirements of Planning Code Section 136(c)(1)(B), a variance is required. The Zoning Administrator indicated an intent to approve the requested variance concurrently with the Planning Commission's consideration of the Conditional Use Authorization request at the November 30, 2017, hearing.

- H. **Dwelling Unit Density.** Planning Code Section 712 permits a maximum residential density of one dwelling unit per 600 square feet of lot area. The proposed Geary-Masonic Special Use District applies the provisions of the NCT-3 Zoning District to the subject property. The NCT-3 Zoning District does not limit dwelling unit density based on lot area.

The subject property is approximately 12,730 square feet, which would allow for a total of 21 dwelling units pursuant to Planning Code Section 712, while the project proposes 95 dwelling units. The proposed Geary-Masonic SUD would remove the dwelling unit density controls.

- I. **Dwelling Unit Exposure.** Planning Code Section 140 states that in each dwelling unit, the windows of at least one room of 120-square-foot minimum dimensions shall face directly onto a public street, public alley at least 20 feet in width, side yard at least 25 feet in width, a Code-complying rear yard, or an open area which is unobstructed and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located

and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

While the first floor interior court is at least 25 feet in every horizontal dimension, it does not increase by five feet in every horizontal dimension at each subsequent floor and therefore eighteen (18) of the dwelling units facing onto this interior court would not meet the requirements of Planning Code Section 140; and therefore, a variance is required. The Zoning Administrator indicated an intent to approve the dwelling unit exposure variance request concurrently with the Planning Commission's consideration of the Conditional Use Authorization request at the November 30, 2017, hearing.

- J. **Off-Street Parking and Loading.** Section 151 of the Planning Code requires a minimum of one (1) off-street parking space per dwelling unit, but does not require any off-street parking for retail sales and services uses smaller than 5,000 square feet in size in the NC-3 Zoning District. Planning Code Section 152 does not require any off-street loading spaces for non-residential uses with a gross floor area less than 10,000 square feet. The proposed Geary-Masonic SUD permits a maximum of 0.5 off-street parking spaces per dwelling unit.

The project proposes sixteen (16) off-street parking spaces, including one handicap-accessible spaces and one car-share space in the garage level accessed from Geary Boulevard. The proposed Geary-Masonic SUD permits a maximum of 48 off-street parking spaces. As such, the project complies with these requirements. The Commission finds that the sixteen (16) proposed parking spaces is sufficient for the project, provided that at least four (4) are dedicated for car share use.

- K. **Non-Residential Bicycle Parking.** Planning Code Section 155.2 requires the provision of at least one (1) Class 2 bicycle parking space for every 2,500 square feet of occupied floor area, but no less than two, for retail uses.

The Project would provide two (2) Class 2 bicycle parking spaces for the proposed retail uses, which complies with the Planning Code requirements.

- L. **Residential Bicycle Parking.** Planning Code Section 155.2 requires the provision of at least one (1) Class 1 bicycle parking space per dwelling unit and one (1) Class 2 bicycle parking space per 20 dwelling units for residential uses.

The Project would provide a total of one hundred and twelve (112) Class 1 bicycle parking spaces in a bicycle storage area on the first floor. Six (6) Class 2 bicycle parking spaces for the proposed residential uses would be provided which complies with the Planning Code requirements.

- M. **Street Frontage in Neighborhood-Commercial Districts.** Section 145.1 of the Planning Code requires that, with the exception of space allowed for parking and loading access, building egress, and access to mechanical systems, space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. Building systems including mechanical, electrical, and plumbing features may be exempted from this requirement by the Zoning Administrator only in instances where those features are provided in such a fashion as to not negatively impact the quality of the ground floor space. Building lobbies are considered active uses, so long as they do not exceed 40 feet or 25 percent of building frontage, whichever is larger. The

floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. No more than one-third of the width or 20 feet, whichever is less, of any given street frontage shall be devoted to parking ingress or egress. Ground floor non-residential uses in all Neighborhood Commercial districts shall have a minimum floor-to-floor height of 14 feet.

The proposed building would front onto both Geary Boulevard and Masonic Avenue and active uses are required along both frontages. Approximately 12 feet of the Geary Boulevard frontage is dedicated to parking ingress/egress, approximately 4 feet is occupied by doors providing access to gas meters and approximately 7 feet is occupied by the secondary building ingress/egress corridor, all of which are exempted from the provisions of Planning Code Section 145.1. The remainder of the Geary Boulevard frontage is occupied by a proposed commercial space ranging in depth from approximately 25 feet to 40 feet with a floor-to-floor ground floor ceiling height of approximately 16 feet. Approximately 60% of the ground floor along the Geary Boulevard frontage will be fenestrated with transparent windows.

On the Masonic Avenue frontage, approximately 25 feet is occupied by doors providing access to an electrical transformer and back flow preventer, both of which are exempted from the provisions of Planning Code Section 145.1. The remainder of the Masonic Avenue frontage is occupied by the residential lobby and lounge, and the commercial space which is approximately 25-40 feet in depth. Approximately 60% of the ground floor along the Masonic Avenue frontage will be fenestrated with transparent windows. As such, the proposed uses and ground floor layout along the two street frontages complies with the requirements of Planning Code Section 145.1.

- N. **Dwelling Unit Mix.** The proposed Geary-Masonic Special Use District requires any dwelling unit mix which includes some three bedroom or larger units such that 50% of all bedrooms within the Project are provided in units with more than one bedroom.

The two- and three-bedroom units contain a total of sixty-four (64) bedrooms, and there are sixty-four (64) studio units. As such, 50% of all the bedrooms are located within units with more than one bedroom.

- O. **Shadow.** Planning Code Section 295 restricts net new shadow, cast by structures exceeding a height of 40 feet, upon property under the jurisdiction of the Recreation and Park Commission. Any project in excess of 40 feet in height and found to cast net new shadow must be found by the Planning Commission, with comment from the General Manager of the Recreation and Parks Department, in consultation with the Recreation and Park Commission, to have no adverse impact upon the property under the jurisdiction of the Recreation and Park Commission.

Based upon a shadow analysis, the Project does not cast any net new shadow upon property under the jurisdiction of the Recreation and Parks Commission.

- P. **Entertainment Commission Outreach.** Planning Code Section 314 requires that the Planning Department and Planning Commission consider the compatibility of uses when approving residential uses adjacent to or near existing permitted Places of Entertainment and shall take all reasonably available means through the City's design review and approval processes to ensure that the design of such new residential development project takes into account the needs and interests of both the Places of Entertainment and the future residents of the new development.

The subject property is not located within 300 feet of a place of entertainment.

- Q. **Transportation Sustainability Fee.** Planning Code Section 411A is applicable to any development project that results in the construction of more than twenty (20) new dwelling units.

The Project proposes the construction of ninety-five (95) new dwelling units and is therefore subject to the Transportation Sustainability Fee. These fees must be paid prior to the issuance of the first construction document.

- R. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior to Planning Department approval of the first Building Permit or Site Permit. Projects with a completed Environmental Evaluation Application prior to September 4, 2016, must only achieve 50% of the point target established in the TDM Program Standards.

The Project submitted a completed Environmental Evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 7.5 points. As currently proposed, the Project will achieve 15 points through the following TDM measures:

- *Unbundled Parking*
- *Parking Supply*
- *Car Sharing*
- *Bicycle Parking*
- *On-Site Affordable Housing*

- S. **Inclusionary Affordable Housing.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units. The applicable percentage is generally dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application, but in instances where a specific affordable housing requirement is set forth in a Special Use District, the higher requirement shall apply. The proposed Geary-Masonic SUD would require the project to satisfy its Inclusionary Affordable Housing Program obligations by providing affordable housing units on-site at the AMI levels prescribed by Section 415.3 of the Planning Code, and would remove the grandfathering provisions of Section 415.3 applicable to the subject property.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project or submit to the Department a contract demonstrating that the project's on- or off-site units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. and submits an Affidavit of such to the Department. All such contracts entered into with the City and County of San Francisco must be reviewed and approved by the Mayor's Office Housing and Community Development and the City Attorney's Office. The Project Sponsor has indicated the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit on November 10, 2017.

The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on June 2, 2015; however the project would be subject to the provisions of the proposed Geary-Masonic SUD, as modified by the Planning Commission, which would remove the grandfathering provisions pursuant to Planning Code Section 415.3. As such, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 18% of the total proposed dwelling units as affordable, with a minimum of 10% of the units affordable to low-income households, 4% of the units affordable to moderate-income households, and 4% of the units affordable to middle-income households, as defined by the Planning Code and Procedures Manual. Commensurate with the removal of the dwelling unit density controls pursuant to the proposed SUD, which would significantly increase the total number of dwelling units allowed on the site, the Commission modifies the proposed SUD to further increase the on-site affordable housing rate to 23% for rentals (2014-002181PCAMAP, Board File No. 161109). If the Board of Supervisors vote to adopt a 23% on-site Inclusionary rate, twenty-two (22) units (15 studios, and 7 two-bedrooms) of the total 95 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable. The Conditions of Approval of this Motion include the on-site rental rate recommended by the Planning Department.

- T. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program

approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

Prior to issuance of a building permit, the Project Sponsor will submit a First Source Hiring Affidavit and will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

- U. **Child Care Fee.** Planning Code Section 414A requires payment of a child care impact fee for a project that results in one net new dwelling unit.

The Project proposes 95 new dwelling units and will be required to pay a fee for each net new gross square foot of residential development.

- 9. **Development of Large Lots.** In addition to the criteria of Section 303(c) of the Planning Code, as it pertains to the development of large lots, the City Planning Commission shall consider the extent to which the following criteria are met:

- A. The mass and facade of the proposed structure are compatible with the existing scale of the district.

The scale of development along Geary Boulevard is mixed, with varying architectural building types and many blocks featuring large building footprints with no prevailing style or dominant visual pattern. The project's proposed eight-story massing and articulated façade is compatible with the existing scale of the surrounding neighborhood commercial district.

- B. The facade of the proposed structure is compatible with design features of adjacent facades that contribute to the positive visual quality of the district.

The façade of the proposed structure is compatible with the surrounding development in that the project would demolish an existing one-story commercial building with little street presence surrounded by surface parking, and replace it with a new eight-story building with a strong street presence along both street frontages which will enhance the visual quality of the neighborhood commercial district.

- 10. **Conditional Use Authorization Findings.** Planning Code Section 303(c) 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 proposed Geary-Masonic Special Use District would remove the existing density limit on the site, which currently permits a maximum of 21 dwelling units. While denser than the NC-3 Zoning District would allow and somewhat bulkier than the D Bulk District permits, the project is within the

height limit allowed in the 80 Height District and is compatible with the heights and uses at the intersection of Geary Boulevard and Masonic Avenue, particularly the adjacent 7-story storage building. The size of the proposed mixed-use building is necessary and desirable, as it will add 95 dwelling units, including 22 permanently affordable units, to the City's housing stock. The project is reflective of density that would support the planned Geary Boulevard bus rapid transit (BRT) line. The proposed project would also replace the currently vacant 1-story commercial building and surface parking lot with a neighborhood-serving ground floor commercial space.

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 proposed size, shape and arrangement of the proposed building would not be detrimental to persons residing or working in the vicinity, as the new building, in general, is consistent with the massing and height of other tall buildings found within the immediate vicinity, particularly the seven-story storage building directly to the west of the subject property. The proposed project represents the appropriate infill of a lot that is currently underdeveloped.

- 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 would provide sixteen (16) unbundled off-street parking spaces for the residential uses in a garage located behind the ground floor commercial space and below the residential lobby. The Planning Code does not require parking or loading for the proposed 1,756 square feet of commercial uses. The project would eliminate the existing curb cut currently providing access to the site on the Masonic Avenue frontage and would relocate the curb cut on the Geary Boulevard frontage to be further from the intersection, reducing the potential for pedestrian and vehicular conflicts. Parking access would be located solely on Geary Boulevard so as to not impede the westbound turning lane on Masonic Avenue. Four of the sixteen (16) proposed parking spaces will be dedicated for car share use.

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

The project is not expected to cause any negative noise, glare, dust or odor impacts.

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

The project locates residential parking in the basement level, beneath the residential lobby and behind the commercial space fronting both Geary Boulevard and Masonic Avenue. The upper portion of the outer court facing Masonic Avenue on the second floor would be landscaped as a

green roof and would be fully visible from the residential units fronting the interior court. Likewise, the first floor interior courtyard would be landscaped and fully accessible from a residential lounge and fitness room. The project proposes approximately 5,576 square feet of usable open space on two shared rooftop decks. The project sponsor has completed the required Tree Planting and Protection Checklist and has identified that eleven (11) street trees are required by the project. The feasibility of planting the required number of street trees at the project will be determined by the Department of Public Works, Urban Forestry Division.

- 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. Where the project deviates from the standard provisions of the Planning Code, the project sponsor is requesting the necessary exceptions and variances as required by the Planning Code. The project is consistent with objectives and policies of the General Plan as detailed below.

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

The proposed project is consistent with the stated purposes of NC-3 District in that it proposes high-density housing with ground floor commercial uses that are compatible with other uses nearby.

11. **Bulk Exception Findings.** Pursuant to Planning Code Section 270, the "D" Bulk District shall have a maximum length of 110 feet and a maximum diagonal dimension of 140 feet for the portion of a building greater than 40 feet in height.

The Project proposes a building length of 153 feet and a diagonal dimension of 176 feet, therefore the project requires a bulk exception pursuant to Planning Code Section 271.

Planning Code Section 271 establishes criteria to allow exceptions to the Bulk limit with Conditional Use Approval. On balance, the project does comply with said criteria in that:

- A. The appearance of the bulk in the building, structure or development shall be reduced by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass.
- i. Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass;

The bulk of the building is interrupted by a large central courtyard from the second floor up on the Masonic Avenue frontage measuring approximately 1,250 square feet (25 feet by 50 feet), thus creating a break in the building mass and giving the appearance of two distinct masses.

- ii. Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements;

In response to the laterally sloping topography of the site from south to north, there is one additional story on the northern portion of the building. This, along with the central courtyard, helps to visually break the building into separate elements.

- iii. Differences in materials, colors or scales of the facades that produce separate major elements;

All facades are treated with exterior materials of various textures and colors to create a building scale and massing that is appropriate within the surrounding context. The ground floor is also differentiated by its height, scale and materials.

- iv. Compensation for those portions of the building, structure or development that may exceed the bulk limits by corresponding reduction of other portions below the maximum bulk permitted; and

The large central courtyard along the Masonic Avenue frontage, along with the varying number of floors at the top of the building creates the appearance of two distinct masses, each of which would meet the bulk limits if measured as separate elements.

- v. In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.

This criterion is not applicable as only one tower is proposed.

- B. In every case the building, structure or development shall be made compatible with the character and development of the surrounding area by means of all of the following factors:

- i. A silhouette harmonious with natural land-forms and building patterns, including the patterns produced by height limits;

The building height and silhouette is harmonious with the surrounding topography on the Geary Boulevard and Masonic Avenue corridors. Further, the Commission adopts a recommended condition of approval requiring that any building elements above the roof surface other than the proposed 42-inch tall parapets be transparent or translucent (semi-transparent) so that light will be able to pass through and that any framing or support for those elements be minimal.

- ii. Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character;

The height, setbacks and placement of architectural detailing references the building heights and scale in the surrounding neighborhood.

- iii. Use of materials, colors and scales either similar to or harmonizing with those of nearby development; and

The scale and selection of exterior materials on the ground floor reflect the mix of commercial uses along the Geary Boulevard corridor. The window proportions and use of balconies reflect the residential uses contained within the upper portion of the building.

- iv. Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

The majority of the subject property adjacent to the sidewalk is currently occupied by surface parking. The project proposes pedestrian-scale commercial uses at-grade, immediately adjacent to the sidewalk along both the Masonic Avenue and Geary Boulevard frontages. The removal of the curb cut on Masonic Avenue and the proposed retail space will enhance pedestrian activity along that frontage.

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

HOUSING

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

Focus housing growth and infrastructure necessary to support growth according to community plans. Complete planning underway in key opportunity areas.

Policy 1.3:

Work proactively to identify and secure opportunity sites for permanently affordable housing.

Policy 1.6:

Consider greater flexibility in number and size of units within established building envelopes in community based planning processes, especially if it can increase the number of affordable units in multi-family structures.

Policy 1.8:

Promote mixed use development, and include housing, particularly permanently 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 current zoning on the subject property permits a maximum of 21 dwelling units, which is far less than the 80-foot height limit would allow in the absence of dwelling unit density restrictions. The proposed Geary-Masonic SUD would remove the density controls to allow for a project that will provide a total of 95 dwelling units, including twenty-two (22) permanently affordable housing units. The subject property is located in a Moderate Scale Neighborhood-Commercial (NC-3) Zoning District, which has been identified as an area where existing and planned infrastructure can support residential and commercial growth. Future residents of the proposed building will be able to rely on public transit, walking and bicycling for the majority of their daily trips.

OBJECTIVE 4:

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

Policy 4.1:

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

Policy 4.4:

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

Policy 4.5:

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

The project will provide 29 two-bedroom units and 2 three-bedroom units, which would be suitable for families with children. All ninety-five units will be offered as rental housing, twenty-two (22) of which will be permanently affordable, as well as market-rate units. The affordable housing units would be allocated in a range of income tiers, with a diversity of units provided for households with low, medium and moderate incomes.

OBJECTIVE 12:

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

Policy 12.1:

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

Policy 12.2:

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

Policy 12.3:

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

The subject site is already adequately served by the City's water, and sewer systems, electricity and gas utilities, MUNI public transit, and receives solid waste and recycling collection.

OBJECTIVE 13:

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.3:

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

The project would provide a total of 120 bicycle parking spaces for its residents, and for patrons and employees of the ground floor commercial space, to encourage bicycling, and is located within walking distance to several public transit lines, including the future Geary Boulevard bus rapid transit (BRT) line.

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed project will provide approximately 1,756 square feet of commercial space on the ground floor, which will contribute positively to the diversity of commercial uses and services found in the surrounding neighborhood.

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The Project will offer ground floor space for new commercial activity and will enhance the diverse economic base of the City.

OBJECTIVE 6:

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

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

The project is proposing a commercial space that would enable the district to achieve optimal diversity in the types of goods and services available in the neighborhood.

Policy 6.2:

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

An independent entrepreneur is sponsoring the proposal. The proposed use is a neighborhood serving use. No Formula Retail use is being proposed.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2:

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1:

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

The project proposes to create high-density housing within walking distance of MUNI lines 1AX, 2, 31AX, 31BX, 38, 38AX, 38BX, 38R, 43, and NX. In addition, the subject site is near the Geary Boulevard transit corridor, which is proposed to be redesigned for a bus rapid transit (BRT) line in the near future. The project would provide only sixteen off-street parking spaces, for a total of 0.2 spaces per dwelling unit, and will not provide any parking for the proposed commercial uses which will encourage transit usage amongst residents and patrons of the ground floor retail spaces.

OBJECTIVE 11:

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

Policy 11.3:

Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

The project is located within a neighborhood well-served by public transportation and, with only 0.2 off-street parking spaces per dwelling unit, occupants of the proposed building are expected to rely heavily on public transit, cycling or walking for the majority of their daily trips. Within a few blocks of the subject site, there are several MUNI bus lines, including the future Geary Boulevard bus rapid transit (BRT) line.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 28.3:

Provide parking facilities which are safe, secure, and convenient.

The project will provide 112 Class 1 bicycle parking spaces within a secure, weather protected area within the building as well as 8 Class 2 bicycle parking spaces along the Geary Boulevard and Masonic Avenue frontages that will accommodate both employees and patrons of the building's commercial uses as well as guests of the residential units above.

OBJECTIVE 34:

RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

Policy 34.1:

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 34.3:

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

Policy 34.5:

Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

The proposed Geary-Masonic SUD would permit a maximum of 48 off-street parking spaces, 0.5 per dwelling unit. The project proposes sixteen (16) off-street parking spaces for the residents of the building, including four (4) spaces to be dedicated for car share use. The proposed commercial uses do not require nor propose any off-street parking or loading. As such, the project is consistent with the objectives of the General Plan for parking reduction for new buildings in residential and commercial areas adjacent to transit centers.

URBAN DESIGN

Objectives and Policies

OBJECTIVE 3:

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:

Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

In order to respond to the surrounding context in terms of bulk and massing, the project proposes a large central courtyard along the east (Masonic Avenue) elevation, thus creating a break in the building mass and giving the appearance of two buildings. The exposed north side elevation facing the Trader Joe's site will be treated with pre-finished architectural panels and will feature reveal joints to create visual interest until such time that the adjacent property redevelops.

13. **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 subject site is located at the intersection of Masonic Avenue and Geary Boulevard and across from the City Center retail and commercial complex. The project will introduce new residents who will visit and shop at the existing neighborhood retail and commercial establishments, thereby enhancing their businesses. Although the existing vacant building formerly occupied by a restaurant use on the subject property will be demolished, the project will provide approximately 1,756 square feet of ground floor commercial space for future commercial uses.

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

The project would not displace any existing housing or negatively affect the existing neighborhood character. The project would improve the existing character of the neighborhood by redeveloping an underutilized lot with new residential and commercial uses that will add economic diversity to the neighborhood, including a mix of dwelling unit types on-site. The proposed ground floor retail spaces are consistent with the pedestrian-oriented uses in the immediate area.

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

There is currently no housing on the subject property, and therefore no affordable housing is proposed to be removed for this project. Moreover, the project would enhance the City's supply of affordable housing by providing twenty-two (22) on-site affordable dwelling units, in compliance with the Inclusionary Affordable Housing Program pursuant to Planning Code Section 415 and the additional affordable housing requirements established by the proposed Geary-Masonic Special Use District.

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

The project is well-served by public transit, particularly along the Geary Boulevard and Masonic Avenue corridors. With only sixteen (16) off-street parking spaces for the proposed 95 dwelling units, including four (4) spaces dedicated for car share use, the project is not expected to generate much commuter traffic that would overburden local streets or affect neighborhood parking.

- 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 will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

A shadow analysis was prepared and the project's shadow does not reach any parks or open spaces under the jurisdiction of the Department of Recreation and Parks. The project will have no negative impact on existing parks and open spaces.

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

DECISION

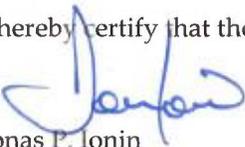
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2014-002181CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 30, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 20065. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on November 30, 2017.



Jonas P. Ionin
Commission Secretary

AYES: Hillis, Fong, Melgar, Koppel, Moore, Johnson and Richards

NAYS: None

ABSENT: None

ADOPTED: November 30, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the construction of an 8-story building with 95 dwelling units above approximately 1,756 square feet of ground floor commercial space, sixteen off-street parking spaces and 120 bicycle parking spaces located at 2670 Geary Boulevard, Block 1071, Lot 003, pursuant to Planning Code Sections 121.1, 249.20, 271 and 303 within the NC-3 Zoning District, an 80-D Height and Bulk District and the proposed Geary-Masonic Special Use District; in general conformance with plans, dated November 30, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2014-002181CUA and subject to conditions of approval reviewed and approved by the Commission on November 30, 2017 under Motion No 20065. 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 November 30, 2017 under Motion No 20065.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 20065 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

6. **Reclassification/Rezoning.** This Conditional Use Authorization is contingent upon the final adoption of the draft Ordinance by the City and County of San Francisco Board of Supervisors amending the Planning Code by adding Section 249.20 to create the Geary-Masonic Special Use District and amending Sheet SU03 of the Zoning Map to add the Geary-Masonic Special Use District. Should either of these actions fail to receive approval, be disapproved, or otherwise modified to require a lower affordable housing requirement than indicated in Condition No. 22, all proposed entitlements for the subject Project shall be null and void.

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

DESIGN – COMPLIANCE AT PLAN STAGE

7. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The building will have a 42-inch tall solid parapet above the roof surface on all sides of the building (north, east, west and south) which will be made of the same material as the building facade. Subject to the Building, Fire, Planning and all other applicable codes, any building elements above the roof surface (such as roof screening or other wind control measures), other than the solid 42-inch tall parapets shown on the north, east, west and south sides of the building in the plan set dated 11/29/2017, that are visible from Emerson Street, Wood Street or Lupine Avenue shall be transparent or translucent (semi-transparent) so that light will be able to pass through such building element, and any framing or support for the screening will be the minimum needed to secure the building element. 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 415-575-9087, www.sf-planning.org

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

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org

9. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org

10. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org

11. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- b. On-site, in a driveway, underground;
- c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

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

12. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, www.sfmta.org

PARKING AND TRAFFIC

13. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be

made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

14. **Car Share.** Pursuant to Planning Code Section 166, no fewer than four (4) car share spaces shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers. Should no certified car share organization express interest in leasing the spaces, they may revert back to residential parking.

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

15. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 120 bicycle parking spaces (112 Class 1 spaces and 6 Class 2 spaces for the residential portion of the Project and 2 Class 2 spaces for the commercial portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

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

16. **Parking Requirement.** Pursuant to Planning Code Section 151, the Project shall provide sixteen (16) independently accessible off-street parking spaces.

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

17. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

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

PROVISIONS

18. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.
For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org
19. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.
For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org
20. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.
For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org
21. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.
For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org

AFFORDABLE HOUSING

Affordable Units. The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.

22. **Number of Required Units.** Pursuant to Planning Code Section 415.3 and the requirements of the Geary-Masonic SUD, the Project is required to provide 23% of the proposed dwelling units as affordable to qualifying households. The Project contains 95 units; therefore, twenty-two (22) affordable units are required. The Project Sponsor will fulfill this requirement by providing the 22 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").
For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.
23. **Mixed Income Levels for Affordable Units.** Pursuant to Planning Code Section 415.3 and the requirements of the Geary-Masonic SUD, the Project is required to provide 23% of the proposed dwelling units as affordable to qualifying households. At least 13% must be affordable to low-

income households, at least 5% must be affordable to moderate income households, and at least 5% must be affordable to middle income households. Rental Units for low-income households shall have an affordable rent set at 55% of Area Median Income or less, with households earning up to 65% of Area Median Income eligible to apply for low-income units. Rental Units for moderate-income households shall have an affordable rent set at 80% of Area Median Income or less, with households earning from 65% to 90% of Area Median Income eligible to apply for moderate-income units. Rental Units for middle-income households shall have an affordable rent set at 110% of Area Median Income or less, with households earning from 90% to 130% of Area Median Income eligible to apply for middle-income units. For any affordable units with rental rates set at 110% of Area Median Income, the units shall have a minimum occupancy of two persons. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

24. **Unit Mix.** The Project contains 64 studios and 29 two-bedroom units; therefore, the required affordable unit mix is 15 studios and 7 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

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

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

26. **Minimum Unit Sizes.** The affordable units shall meet the minimum unit sizes standards established by the California Tax Credit Allocation Committee (TCAC) as of May 16, 2017. One-bedroom units must be at least 450 square feet, two-bedroom units must be at least 700 square feet, and three-bedroom units must be at least 900 square feet. Studio units must be at least 300 square feet pursuant to Planning Code Section 415.6(f)(2).

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

27. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twenty-three percent (23%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

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

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

29. **Reduction of On-Site Units After Project Approval.** Pursuant to Planning Code Section 415.5(g)(3), any changes by the project sponsor which result in the reduction of the number of on-site affordable units shall require public notice for hearing and approval from the Planning Commission.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

30. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.

- b. If the units in the building are offered for rent, the affordable unit(s) shall be rented to qualifying households, with a minimum of 10% of the units affordable to low-income households, 4% to moderate-income households, and the remaining 4% of the units affordable to middle-income households such as defined in the Planning Code and Procedures Manual. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. Studio units offered for rent to middle-income households as defined in the Planning Code and the Procedures Manual may not be occupied by fewer than two people.
- d. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- e. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- f. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- g. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions (as defined in California Government Code Section 65915 et seq.) provided herein. The Project Sponsor has executed the Costa Hawkins agreement and will record a Memorandum of Agreement prior to issuance of the first construction document or must revert payment of the Affordable Housing Fee.
- h. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.

- i. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

MONITORING - AFTER ENTITLEMENT

31. **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
32. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

33. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>
34. **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>
35. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, www.sf-police.org

36. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

37. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

38. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

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

TRANSPORTATION DEMAND MANAGEMENT

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

Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City

and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9087, www.sf-planning.org

