

File No. 220000 Committee Item No. 2
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date March 14, 2022

Board of Supervisors Meeting

Date _____

Cmte Board

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OTHER

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>PC Reso No. 21003 093021</u> |
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Completed by: Erica Major Date March 10, 2022
Completed by: Erica Major Date _____

[Planning Code - Van Ness Special Use District - Exempting Institutional Community Use Development from Limitation on Nonresidential Uses - 1750 Van Ness Avenue]

Ordinance amending the Planning Code to exempt proposed new construction for an Institutional Community Use at 1750 Van Ness Avenue, Assessor's Parcel Block No. 0622, Lot No. 019, from nonresidential use limitations of the Van Ness Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 220000 and is incorporated herein by reference. The Board affirms this determination.

(b) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the amendment to the Planning Code proposed in this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No.

1 21003, which is incorporated herein by reference. A copy of said Resolution is on file with the
2 Clerk of the Board of Supervisors in File No. 220000.

3 (c) On September 30, 2021, the Planning Commission, in Resolution No. 21003,
4 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
5 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
6 Board adopts these findings as its own.

7
8 Section 2. Article 2 of the Planning Code is hereby amended by revising Section 243,
9 to read as follows:

10 **SEC. 243. VAN NESS SPECIAL USE DISTRICT.**

11 * * * *

12 (c) **Controls.** All provisions of the Planning Code applicable to an RC-4 District shall
13 apply except as otherwise provided in this Section.

14 * * * *

15 (8) **Limitation of Nonresidential Uses.**

16 (A) **Residential Uses; Ratio Established.** In newly constructed
17 structures, nonresidential uses shall only be permitted if the ratio between the amount of net
18 additional occupied floor area for residential uses, as defined in this paragraph below, to the
19 amount of occupied floor area for nonresidential uses in excess of the occupied floor area of
20 structures existing on the site at the time the project is approved is 3 to 1 or greater. In
21 additions to existing structures that exceed 20% ~~percent~~ of the gross floor area of the existing
22 structure, nonresidential uses shall be permitted in the addition in excess of 20% ~~percent~~ only
23 if the ratio between the amount of occupied floor area for residential use, as defined in this
24 paragraph below, to the area of occupied floor area for nonresidential use is 3 to 1 or greater.
25 This residential use ratio shall not apply to (i) development sites in the Van Ness Special Use

District that have less than 60 feet of street frontage on Van Ness Avenue and have no street frontage other than the Van Ness Avenue frontage, or (ii) development consisting of new construction proposed for an Institutional Community Use at 1750 Van Ness Avenue, Assessor's Parcel Block 0622, Lot 019. For purposes of this Section, "nonresidential uses" shall mean any use not defined as a Residential Use in Section 102 and principally or conditionally permitted in the Van Ness Special Use District.

* * * *

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: /s/ Victoria Wong
VICTORIA WONG
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code - Van Ness Special Use District - Exempting Institutional Community Use Development from Limitation on Nonresidential Uses - 1750 Van Ness Avenue]

Ordinance amending the Planning Code to exempt proposed new construction for an Institutional Community Use at 1750 Van Ness Avenue, Assessor's Parcel Block No. 0622, Lot No. 019, from nonresidential use limitations of the Van Ness Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Planning Code Section 243 requires that in newly constructed structures, nonresidential uses shall be permitted only if the ratio between the amount of net additional occupied floor area for residential uses to the amount of occupied floor area for nonresidential uses in excess of the occupied floor area of structures existing on the site at the time the project is approved is 3 to 1 or greater. This residential use ratio does not apply to development sites in the Van Ness Special Use District that have less than 60 feet of street frontage on Van Ness Avenue and have no street frontage other than the Van Ness Avenue frontage.

Amendments to Current Law

This ordinance would amend Section 243 to exempt new development proposed for an Institutional Community Use on Assessor's Parcel Block 0622, Lot 019.

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December 8, 2021

Ms. Angela Calvillo, Clerk
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 2016-015987PCA:
1750 Van Ness Avenue
Board File No. TBD

Planning Commission Recommendation: **Approval**

Dear Ms. Calvillo,

On September 30, 2021, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by the Project Sponsor that would amend Planning Code Section 243. At the hearing the Planning Commission recommended approval.

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.

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.

Sincerely,

Aaron D. Starr
Manager of Legislative Affairs

cc: Victoria Wong, Deputy City Attorney
Erica Major, Office of the Clerk of the Board
BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Attachments :

Planning Commission Resolution

Planning Department Executive Summary



PLANNING COMMISSION RESOLUTION NO. 21003

HEARING DATE: SEPTEMBER 30, 2021

Project Name: 1750 Van Ness Avenue
Case Number: 2016-015987PCA
Initiated by: Melinda Sarjapur – Project Sponsor
Staff Contact: Christopher May, Current Planning
Christopher.May@sfgov.org, (628) 652-7359
Reviewed by: Elizabeth Gordon-Jonckheer
Elizabeth.Gordon-Jonckheer@sfgov.org, (628) 652-7365

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE SECTION 243 TO EXEMPT THE SUBJECT PROPERTY FROM THE REQUIRED 3:1 RATIO OF RESIDENTIAL USES TO NON-RESIDENTIAL USES IN ASSOCIATION WITH A PROJECT THAT PROPOSES TO DEMOLISH THE EXISTING TWO-STORY RELIGIOUS INSTITUTIONAL BUILDING AND CONSTRUCT A NEW SIX-STORY-OVER-BASEMENT RELIGIOUS INSTITUTIONAL BUILDING (DBA SAN BAO TEMPLE); ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on June 13, 2016, Melinda Sarjapur (hereinafter “Project Sponsor”) submitted Planning Code Amendment Application No. 2016-015987PCA (hereinafter “Application”), which would amend Planning Code Section 243 to exempt the subject property from the required 3:1 ratio of residential uses to non-residential uses in association with a project that proposes to demolish the existing two-story Religious Institutional building and construct a new six-story-over-basement Religious Institutional building (dba San Bao Temple) (hereinafter “Project”);

WHEREAS, The Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on September 30, 2021; 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 49 South Van Ness Avenue, Suite 1400, San Francisco; and

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

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby approves the proposed ordinance.

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 will allow for the continuation of an existing community-serving Religious Institutional use, which contributes to the neighborhood character along the Van Ness Avenue corridor.
2. The Commission finds that the proposed Ordinance will not impede housing goals of the Van Ness SUD as the site is not currently occupied by residential uses and the remaining residential development potential within the Van Ness SUD exceeds original assumptions for maximum housing production.
3. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

VAN NESS AVENUE AREA PLAN

Objectives and Policies

OBJECTIVE 5

ENCOURAGE DEVELOPMENT WHICH REINFORCES TOPOGRAPHY AND URBAN PATTERN, AND DEFINES AND GIVES VARIETY TO THE AVENUE.

Policy 5.1

Establish height controls to emphasize topography and adequately frame the width of the Avenue.

Policy 5.2

Encourage a regular street wall and harmonious building forms along the Avenue.

OBJECTIVE 6

ENCOURAGE DISTINGUISHED ARCHITECTURE WHOSE SCALE, COMPOSITION, AND DETAILING ENHANCES THE OVERALL DESIGN STRUCTURE OF THE AVENUE AND RELATES TO HUMAN SCALE.

Policy 6.1

Design exterior facades which complement and enhance significant works of architecture along the Avenue.

Policy 6.3

Incorporate setbacks and/or stepping down of building form on new developments — and major renovations when necessary — to increase sun exposure on sidewalks.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1.2

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

Policy 1.3

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

OBJECTIVE 2

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

Policy 2.6

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

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 3.2

Avoid extreme contrasts in color, shape, and other characteristics.

Policy 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

Policy 3.5

Relate the height of buildings to important attributes of the city pattern.

Policy 3.6

Relate the bulk of buildings to the prevailing scale of development.

OBJECTIVE 4

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE, AND OPPORTUNITY

Policy 4.12

Install, promote and maintain landscaping in public and private areas.

Policy 4.13

Improve pedestrian areas by providing human scale and interest.

Policy 4.14

Remove and obscure distracting and cluttering elements.

Policy 4.15

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

COMMERCE AND INDUSTRY ELEMENT

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 which has substantial undesirable consequences that cannot be mitigated.

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.

As noted in the Van Ness Avenue Plan, Van Ness Avenue is the central north-south spine and one of the widest streets in the City. Van Ness Avenue provides access between a number of focal points, including landmark buildings, cultural centers, important view corridors, and the Bay. The juxtaposition on the Avenue of large, monumental structures with fine-grain urban fabric to the east creates an exciting contrast within the cityscape.

The Ordinance will facilitate a project that will reinforce the existing urban pattern by constructing an attractive new temple, retaining and expanding the long-standing ABCS use. The Project will support the continued existence of a Community Institutional Use and will strengthen the preservation and enhancement of the pedestrian environment by drawing community members and visitors to the site thereby activating the public realm. The proposed building respects the scale and character of the development in the neighborhood, and will contribute to the enhancement of the visual and urban design quality of the street and has been thoughtfully designed to maximize light and air to adjacent developments and sidewalks. The building will reach a maximum height of 74 feet, which is consistent with the underlying 80-D Height and Bulk District and represents an appropriate scale of development along the notably wide Van Ness Avenue.

The new temple would be an inspirational, landmark-quality building, enhancing the overall design structure of the Avenue. Its modern design would complement the adjacent St. Luke's Episcopal Church structure as well as other notable area buildings.

The Project site is easily accessible via numerous public transit options, including MUNI lines 01, 01A, 1B, 19, 27, 12, 31A, 31B, 38A, 38B, 41, 47, 61, 76, 90 OWL, and the Van Ness BRT, which is nearing completion. The existing San Bao Temple has operated for nearly 20 years at this site, with many visitors, scholars and monastics walking, biking, or utilizing public transit. Future visitors to the new temple are expected to continue using these modes of transportation. On balance, the Ordinance is consistent with the Objectives and Policies of the General Plan.

4. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code 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 enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail. For more than 20 years, this site has been occupied by the American Buddhist Cultural Society's San Bao Temple. The Project would replace the existing temple with an enhanced religious institutional use. No neighborhood-serving retail uses would be displaced.

- B. 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 would not have a negative effect on housing, but will conserve and protect neighborhood character by allowing for the retention and expansion of an existing Religious Institutional use (dba San Bao Temple), which has occupied this site for more than 20 years.

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

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

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

The Property is located on Van Ness Avenue which is a major commercial thoroughfare. The area is well-served by public transit including the 1 and 1A California, 1B California, 19 Polk, 27 Bryant, 12 Folsom, 31A and 31B Balboa Express, 38A and 38B Geary Express, 41 Van Ness, 47 Van Ness, 61 California, 76 Marin Headlands, and 90 OWL MUNI bus lines, as well as the Van Ness Bus Rapid Transit (BRT) line, which is nearing completion. The BRT will enhance public transit options in the area by creating a dedicated bus lane for MUNI's 47 and 49 routes and Golden Gate Transit along two miles of Van Ness Avenue, including the area adjacent to the site. The existing San Bao Temple has operated for more than 20 years at this site, with many visitors, scholars and monastics walking, biking, or utilizing public transit. The Project would continue and expand this existing Religious Institutional use and is not anticipated to impede Muni transit or overburden neighborhood streets or 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 proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

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

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

- G. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

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

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

5. **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 as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on September 30, 2021.



Jonas P. Ionin
Commission Secretary

AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel

NOES: No

ABSENT: Chan

ADOPTED: September 30, 2021



EXECUTIVE SUMMARY

PLANNING CODE TEXT AMENDMENT, CONDITIONAL USE AUTHORIZATION & VARIANCE

HEARING DATE: SEPTEMBER 9, 2021

90-Day Deadline: When the 90-day review period ends or the new expiration date from an extension resolution

Case Number: 2016-015987PCACUAVAR
Project Address: 1750 Van Ness Avenue
Zoning: RC-4 (Residential-Commercial, High-Density) Zoning District
80-D Height and Bulk District
Van Ness Avenue Area Plan
Van Ness Special Use District
Block/Lot: 0646/003
Initiated by: Melinda Sarjapur, Project Sponsor
One Bush Street, Suite 600
San Francisco, CA 94104
Property Owner: American Buddhist Cultural Society
San Francisco, CA 94109
Staff Contact: Christopher May, Current Planning
Christopher.may@sfgov.org, (628) 652-7359
Reviewed by: Elizabeth Gordon-Jonckheer, Manager, Northwest Quadrant, Current Planning
Elizabeth.Gordon-Jonckheer@sfgov.org, (628) 652-7365

Recommendation: Approval

Planning Code Amendment

The proposed Ordinance would amend the Van Ness SUD (Planning Code Section 243) to exempt the subject property from the required 3:1 ratio of residential uses to non-residential uses in association with a project that proposes to demolish the existing two-story Religious Institutional building and construct a new six-story-over-basement Religious Institutional building.

The Way It Is Now:

The Van Ness SUD (Planning Code Section 243(c)(8)(A)) requires that in newly constructed structures, nonresidential uses shall only be permitted if the ratio between the amount of net additional occupied floor area for residential uses to the amount of occupied floor area for nonresidential uses in excess of the occupied floor area of structures existing on the site at the time the project is approved is 3 to 1 or greater.

The Way It Would Be:

The property at 1750 Van Ness Ave, Lot 019 in Assessor's Block 0622, would be exempt from the limitations of non-residential uses in the Van Ness Special Use District.

Project Description

The Project proposes the demolition of the existing 28,806 square-foot, two-story religious institutional building and the construction of a new six-story-over-basement Religious Institutional building (dba San Bao Temple) totaling approximately 40,687 gross square feet. On the ground floor, the Project proposes a retail bookstore and art gallery measuring approximately 1,185 square feet fronting Van Ness Avenue, and kitchen and dining facilities at the rear for communal dining offered services and events. On the second floor, a shrine area with seating for up to 300 members, two classrooms, and a lecture hall are proposed. At the third floor, the Project would feature a classroom along the Van Ness Avenue frontage, a landscaped outdoor roof deck featuring a meditation garden, as well as an enclosed meditation room at the rear, directly above and open to the main shrine area. In support of the Religious Institutional use, the Project would also provide three floors containing 30 private, no-cost efficiency dormitory rooms for short-term use by attendees of Temple events, monastics, scholars, and visiting volunteers engaged in supportive activity for the Temple. The Project will include one below-grade level with seven (7) off-street vehicular parking spaces and 18 Class One bicycle parking spaces, accessed from an existing curb cut along Clay Street.

Environmental Review

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.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

Issues and Considerations

Implementation

The Department has determined that this ordinance will not impact our current implementation procedures.

Design Review Comments

The project has changed in the following significant ways since the original submittal to the Department:

- Reduction of approximately 2,036 square feet of gross floor area;
- Reduction of rooftop mechanical penthouse from 13 feet in height to 4 feet in height;

- o Increase of ground floor façade transparency;

General Plan Compliance

Van Ness Avenue is the primary central north-south spine and is one of the widest streets in the City. It provides access between a number of focal points, including landmark buildings, cultural centers, important view corridors and the Bay. The Project will reinforce the existing pattern of large, monumental structures with fine-grain urban fabric by constructing an attractive new temple, retaining and expanding the long-standing Religious Institutional use. The Project has been thoughtfully designed to respect the scale and character of development in the neighborhood and to maximize light and air to adjacent developments and sidewalks. The building will reach a maximum height of 74 feet, which is consistent with the underlying 80-D Height and Bulk District and represents an appropriate scale of development along the notably wide Van Ness Avenue.

The Project site is easily accessible via numerous public transit options, including the Van Ness BRT, which is nearing completion. The existing San Bao Temple has operated for nearly 20 years at this site, with many visitors, scholars and monastics walking, biking, or utilizing public transit. Future visitors to the new temple are expected to continue using these modes of transportation. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

Public Comment

The Department has received 26 letters in support of the proposed project, including one from the Van Ness Corridor Neighborhoods Council and one from St. Luke's Episcopal Church, which is immediately to the north of the subject property. The Department has also received correspondence in opposition to the project from the homeowner's association for the adjacent condominium building directly to the south of the subject property. The opposition expressed concerns over the project's massing and its adverse effects on light and air for the residents of the building, as well as the project's lack of housing.

Required Commission Action

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 155(r), 209.3, 253, 253.2 and 303 to permit the retention of a curb cut on a transit-preferential street, to permit a non-residential use greater than 6,000 square feet, to permit a height greater than 50 feet and to permit an Institutional use as part of a project that would demolish the existing two-story Religious Institutional building and construct a new six-story-over-basement Religious Institutional building (dba San Bao Temple) within the RC-4 (Residential-Commercial, High-Density) Zoning District, an 80-D Height and Bulk District and the Van Ness Special Use District.

Recommendation

The Department recommends that the Commission *approve* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

The Department recommends that the Commission *approve* the requests for Conditional Use Authorization with the attached Conditions of Approval.

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Van Ness Avenue Area Plan and the Objectives and Policies of the General Plan. Although the Project does not result in any net new housing, it would significantly improve the appearance of the property, incorporating numerous attractively landscaped open areas, an entry garden, and the installation of a new street tree along Van Ness Avenue. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood because it will allow for the retention and expansion of the American Buddhist Cultural Society's ("ABCS") San Bao Temple, which has occupied the site for nearly 20 years, and not to be detrimental to persons or adjacent properties in the vicinity.