

File No. 231137

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date: Nov. 27, 2023

Board of Supervisors Meeting:

Date: _____

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Introduction Form
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract / DRAFT Mills Act Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
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OTHER

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Prepared by: John Carroll

Date: Nov. 21, 2023

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

1 [Local Coastal Program Amendment - 2700-45th Avenue - Wawona Street and 45th Avenue
2 Cultural Center Special Use District]

3 **Resolution transmitting to the California Coastal Commission for review and**
4 **certification an amendment to the Implementation Program portion of the certified**
5 **Local Coastal Program for the creation of the Wawona Street and 45th Avenue Cultural**
6 **Center Special Use District on the parcel located at 2700-45th Avenue; and affirming**
7 **the Planning Department's determination under the California Environmental Quality**
8 **Act.**

9
10 WHEREAS, In 1986, the California Coastal Commission ("Coastal Commission")
11 certified the City's Local Coastal Program ("LCP"), which is comprised of the Land Use Plan –
12 the Western Shoreline Area Plan – and Implementation Program, which includes the portions
13 of the Planning Code and Zoning Map applicable in the Coastal Zone; and

14 WHEREAS, In 2018, the Coastal Commission certified the City's update to the Western
15 Shoreline Area Plan; and

16 WHEREAS, On July 27, 2023, after receiving public comment, the Planning
17 Commission adopted Resolution No. 21377 recommending approval of the Wawona Street
18 and 45th Avenue Cultural Center Special Use District ("SUD"); In this Resolution, which is on
19 file with the Clerk of the Board of Supervisors in File No. 230505, the Planning Commission
20 found that the SUD is consistent with the Western Shoreline Area Plan; and

21 WHEREAS, The SUD would amend the Planning Code and Zoning Map to facilitate
22 the construction of a community center at 2700-45th Avenue, a site located at the edge of the
23 Coastal Zone; specifically, the SUD would authorize additional permitted uses on the site and
24 the upper floors of the future community center, in addition to relaxing bulk, floor area ratio,
25 and rear-yard standards; and

1 WHEREAS, The new and expanded cultural center will provide the general public with
2 additional educational, cultural, social, entertainment, recreational, and retail opportunities in
3 the Coastal Zone, including an aquatic center with a kiddie pool, a gym and youth basketball
4 court, an art gallery, banquet event space, a library, a screening theater, cafes, restaurants, a
5 pub, and a parking garage; and

6 WHEREAS, The SUD constitutes an amendment to the Implementation Program of the
7 LCP; accordingly, the LCP Amendment will be subject to review and certification by the
8 Coastal Commission; and

9 WHEREAS, As described more fully below, the City posted and mailed a Notice of
10 Availability of the draft LCP Amendment for public review on October 31, 2023, in accordance
11 with California Code of Regulations, Section 13515 requirements for public participation and
12 agency coordination for LCP amendments; and

13 WHEREAS, The City mailed the Notice of Availability to all neighborhood organizations
14 that requested notice of hearings and applications in the geographic area where the SUD is
15 located; individuals who have made a specific written request to be notified of hearings and
16 applications pertaining to the subject lot; occupants of properties within 150 feet of the subject
17 lot; owners of properties within 300 feet of the subject lot; local governments contiguous with
18 the area that is the subject of the LCP Amendment; regional, state, and federal agencies that
19 may have an interest in or may be affected by the proposed LCP Amendment; and the local
20 library; the City also physically posted the Notice of Availability on the subject lot; copies of the
21 Notice of Availability and mailing list are on file with the Clerk of the Board of Supervisors in
22 File No. 230505; and

23 WHEREAS, On November 8, 2023, the City posted and mailed a notice of hearing
24 before the Land Use and Transportation Committee of the Board of Supervisors in
25 accordance with California Code of Regulations, Section 13515; the City posted the notice of

1 hearing on the subject lot and provided mailed notice as set forth above; copies of the hearing
2 notice and mailing list are on file with the Clerk of the Board of Supervisors in File No. 230505;
3 and

4 WHEREAS, On November 17, 2023, the City published a notice of hearing before the
5 Land Use and Transportation Committee of the Board of Supervisors in the San Francisco
6 Examiner, a copy of which is on file with the Clerk of the Board of Supervisors in File
7 No. 230505; and

8 WHEREAS, On November 27, 2023, the Land Use and Transportation Committee
9 received public comment on the LCP Amendment and SUD and forwarded the LCP
10 Amendment and SUD with a favorable recommendation to the full Board of Supervisors; and

11 WHEREAS, On December 5, 2023, the Board of Supervisors passed the LCP
12 Amendment and SUD on first reading, and on December 12, 2023, finally passed the LCP
13 Amendment and SUD on second reading; and

14 WHEREAS, The Planning Department has determined that the actions contemplated in
15 this Resolution comply with the California Environmental Quality Act (California Public
16 Resources Code, Sections 21000 et seq.); said determination is on file with the Clerk of the
17 Board of Supervisors in File No. 230505 and is incorporated herein by reference; the Board
18 affirms this determination; now, therefore, be it

19 RESOLVED, That the Board of Supervisors certifies that the LCP Amendment for the
20 Wawona Street and 45th Avenue Cultural Center SUD is intended to be carried out in a
21 manner fully in conformity with the Coastal Act (Public Resources Code, Sections 30000 et
22 seq.); and, be it

23 RESOLVED, That the Board of Supervisors directs the Director of the Planning
24 Department to submit the LCP Amendment for the Wawona Street and 45th Avenue Cultural
25 Center SUD to the California Coastal Commission for certification; the submission to the

1 Coastal Commission includes the SUD legislation in addition to all the materials on file with
2 the Clerk of the Board in File No. 230505 and referenced herein; and, be it

3 FURTHER RESOLVED, That the Director of the Planning Department shall have the
4 authority to supplement this submission with additional materials, including but not limited to
5 supplementary data, a summary of significant comments received and responses to the
6 comments, in addition to responses to further requests from the Coastal Commission; and
7 the Planning Department shall transmit any additional materials provided to the Coastal
8 Commission to the Clerk of the Board for inclusion in File No. 230505.

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From: [Evan Rosen](#)
To: [Carroll, John \(BOS\)](#)
Cc: [aeboken](#)
Subject: OPPOSITION to File #231137 Local Coastal Program Amendment Wawona Street and 45th Ave. Cultural Center Special Use District
Date: Tuesday, November 21, 2023 2:33:58 PM
Attachments: [image001.png](#)
[SPEAK Response Letter Opposing SUD-LCP Amendment 11-17-23.pdf](#)

Hi John,

We just realized that the BOS added an additional file number for this matter: #231137.

Please add my comments below to that file number as well. Also, I'm requesting on behalf of Eileen Boken, President of SPEAK, that SPEAK's letter (attached) for file #230505 also be added to file #231137.

Will the other comments in opposition that were submitted for file #230505 also be included in file #231137?

Thank you!
Evan Rosen

On 11/20/2023 4:21 PM, Carroll, John (BOS) wrote:

Thank you for your comment letter.

I am forwarding your comments to the members of the LUT committee, and I will include your comments in the file for this ordinance matter.

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

-

[Board of Supervisors File No. 230505](#)

John Carroll

Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

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public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

From: Evan Rosen <er@sonic.net>

Sent: Sunday, November 19, 2023 10:08 PM

To: Carroll, John (BOS) <john.carroll@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>; Souza, Sarah (BOS) <sarah.s.souza@sfgov.org>

Subject: OPPOSITION to "Wawona Street and 45th Avenue..." Special Use District/Local Coastal Program Amendment Ordinance-File #230505

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisors Melgar, Preston and Peskin:

If you examine the details, you will undoubtedly arrive at the same conclusion I have. I strongly OPPOSE the proposed "Wawona Street and 45th Avenue Cultural Center Special Use District"/Local Coastal Program (LCP) amendment ordinance (File #230505).

The Planning Commission never considered the proposed substantial amendment to this ordinance and to the Local Coastal Program. Planning added the amendment minutes before the October 30 LUTC meeting. Further, when this project came before the Planning Commission on July 27, 2023, there was no mention in either Planning's executive summary or the draft motions of any Local Coastal Program amendment or the need for Coastal Commission certification.

The last time San Francisco amended its Local Coastal Program in 2018, the city engaged in a transparent public process. In contrast, this "process" to amend the Local Coastal Program has been anything but transparent--and there have been numerous procedural irregularities throughout. These include an improperly-issued and improperly-approved Coastal Zone Permit. An appeal of the permit is scheduled to be heard at the Board of Appeals on March 13, 2024. In short, it's an embarrassment for the City.

Also, this is putting the cart before the horse. The proposed amendment to the zoning ordinance (implementation) component of the Local Coastal Program is not consistent with the Western Shoreline Area Plan (land use plan) and, therefore, is not consistent with the Coastal Act.

The proposed SUD ordinance/LCP amendment would significantly impact the Coastal Zone, the environment, climate, the City and County of San Francisco, and the State of California. This is not just a District 4 issue. The impact of the proposed SUD ordinance/LCP amendment goes well beyond the project and would impact adjacent parcels including 2700 Sloat Boulevard (also at Wawona and 45th Avenue) and also all NC-2 Small Scale Commercial zoning within San Francisco's Coastal Zone.

The reasonable approach is to table the proposed SUD ordinance/LCP amendment so that Planning can revisit the proposal in a manner that is consistent with the Planning Code, Local Coastal Program, Western Shoreline Area Plan and the Coastal Act.

Sincerely,

Evan Rosen

SPEAK SUNSET PARKSIDE EDUCATION AND ACTION COMMITTEE
1329 7th Avenue, San Francisco, CA 94122-2507

FROM: Eileen Boken, President of SPEAK

DATE: November 17, 2023

RE: OPPOSITION to Board File No. 230505, Planning Code, Zoning Map - Wawona Street and 45th Avenue Cultural Center Special Use District

Dear Supervisors Melgar, Preston and Peskin:

The irregularities, lack of transparency and eleventh-hour attempt to back door a substantial amendment to the zoning ordinance component of San Francisco's Local Coastal Program (LCP) warrants tabling this proposed Special Use District/LCP amendment ordinance. The proposed ordinance would have substantial impact on the City and County of San Francisco, the State of California and the Coastal Zone. It's not strictly a District 4 issue.

The generically-named "Wawona Street and 45th Avenue Cultural District Special Use District" also describes the location across 45th Avenue of the proposed 50-story residential tower concept at 2700 Sloat Boulevard which Planning has identified as a "cumulative project" with construction overlap.

This letter in opposition to the proposed Special Use District (SUD) / Local Coastal Program (LCP) amendment is a response to the letter dated October 30, 2023 from Gabriela Pantoja of the Planning Department. This is also a response to the Notice of Availability dated October 31, 2023 from the Clerk of the Board of Supervisors.

Ms. Pantoja sent her letter, which runs 509 pages including attachments, to this committee less than 30 minutes before the scheduled hearing time of 1:30 p.m on Monday, October 30, 2023. In an apparently coordinated effort, the sponsor submitted a proposed amendment ***[Exhibit A: Draft Amendment to Draft SUD/LCP amendment ordinance attached hereto and incorporated by reference, pdf page17]*** stating in part that:

"the Board of Supervisors adopts and incorporates the findings of the Planning Department in its letter dated October 30, 2023."

[Exhibit A: Draft SUD/LCP amendment, page 3, line 10, pdf page17]

These “findings” in Planning’s “letter” which were not written or considered during Planning’s two-year plan check stage essentially augment the SUD / LCP amendment with more than 50 new NC-2 neighborhood commercial “controls” in the Coastal Zone constituting a radical departure from the current LCP. ***[Exhibit B: Excerpt of Planning’s October 30, 2023 Letter/Proposed Augmentation of SUD/LCP Amendment attached hereto and incorporated by reference, pdf page19]***

In fact, for the first time in this project’s history, long after the two-year plan check stage and months after the Planning Commission’s action, SPEAK has learned the following from the “findings” in Planning’s October 30, 2023 “letter.”

“The Local Coastal Program amendment for the Special Use District also includes the existing NC-2 Planning Code controls that have not yet been certified by the Coastal Commission.”

[Exhibit B: Planning Letter Excerpt, page 5, 1st full paragraph, pdf page 23]

This is very different from seeking to “allow exceptions” to the Planning Code for an isolated project which is how the Planning Department marketed the proposed SUD in its Executive Summary (page 2, line 2, **pdf page 28**) for the Planning Commission ***[Exhibit C: Executive Summary for July 27, 2023 Planning Commission and draft CTZ/CUA/MAP/PCA/SHD attached hereto and incorporated by reference, pdf page 27]***. There is no mention in Planning’s documents and drafts prepared for the Planning Commission of any proposed Local Coastal Program (LCP) amendment or the requirement of Coastal Commission certification of the proposed SUD let alone the proposed broad LCP amendment tacked onto the proposed ordinance via Planning’s October 30, 2023 “letter.”

Based on how Planning’s October 30, 2023 “letter” is written, **more than 50 NC-2 Planning Code “controls” in this drastic augmentation would impact all development in NC-2 zoned areas in the Coastal Zone.** In contrast, Gabriela Patoja of the Planning staff said in response to Commissioner Diamond’s question during the July 27, 2023 Planning Commission hearing on this project:

“The SUD is crafted only for the subject lot. So there are no impacts and there is not an overlay district that will impact any adjacent properties, [including] 2700 Sloat Boulevard.”

[SF GOV TV, Planning Commission, 7-27-23, counter 2:15:19].

This apparent attempt to avoid public scrutiny, slip legislation by the committee impacting the Coastal Zone, and operate without transparency is nothing short of extraordinary. The proposed ordinance augmentation/amendment is clearly substantive despite a curious opinion to the contrary by the Deputy City Attorney.

The Notice of Public Hearing for the SUD at the Planning Commission improperly makes no reference to any of the “findings” ultimately included in Planning’s last-minute “letter” to the Board of Supervisors which dramatically expands the proposed SUD/LCP amendment into a full-scale, radical amendment/comprehensive update to the current zoning ordinance component of the LCP for all NC-2 development in San Francisco’s Coastal Zone.

The October 30, 2023 “letter” from Planning contains numerous factual errors and misleading statements. **Therefore, SPEAK is correcting the record and establishing that the proposed project and proposed Special Use District (SUD) are not remotely consistent with the Western Shoreline Area Plan, adopted by the Board of Supervisors and certified by the Coastal Commission as the land use plan component of the Local Coastal Program (LCP). Further, the proposed project and proposed SUD would per Planning’s October 30, 2023 augmentation “letter” constitute a radical departure from the current zoning ordinance component of the certified LCP.**

BACKGROUND

The Legislature passed the California Coastal Act of 1976 to protect coastal resources and maximize public access to the shoreline. The act made the Coastal Commission a permanent state agency with broad authority to regulate development within a defined coastal zone.

The Coastal Act provides for the Coastal Commission’s certification of local coastal programs prepared by counties and cities located in whole or in part within the Coastal Zone. Coastal Act §30108.6 defines a local coastal program as:

“a local government’s (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resources

areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, this division at the local level.”

The statute requires that each of these components be certified by the Coastal Commission [Coastal Act §30501].

The Coastal Commission certified the San Francisco Local Coastal Program (LCP) on March 14, 1986. The only amendment to the LCP was to the land use plan component—also known as the Western Shoreline Area Plan—which the Coastal Commission certified on May 10, 2018. At the time, the Coastal Commission staff prepared a staff report ***[Exhibit D: Summary of Staff Recommendation, Coastal Commission 4-20-2018 attached hereto and incorporated by reference, pdf page 90].***

“Commission staff have discussed the need for a full LCP update with the City....To be clear, however, this amendment is not that update. Rather, it should be considered a first step.”

[Exhibit D: CCC Staff Summary, page 2, first partial paragraph, line 5, pdf page 91]

More than five years later, **the City and County of San Francisco has failed to engage in the public process of a full LCP update.** There is no good reason for Planning’s failure, according to a September 20, 2023 email from Elizabeth Watty, Director of Current Planning, to Stephanie Rexing of the Coastal Commission staff. ***[Exhibit E: Email from Elizabeth Watty to Stephanie Rexing, September 20, 2023 attached hereto and incorporated by reference, pdf page 106].*** The email states:

“I have a hunch that ball got dropped on our end....”

[Exhibit E, middle of page, pdf page 106]]

Rather than pick up the ball, the **Planning Department is instead attempting to radically amend the zoning ordinance component of the LCP impacting all NC-2 development in the Coastal Zone without disclosure and transparency.**

In contrast, the last time San Francisco sought to amend the Local Coastal Program, the city embarked on a multi-year public process beginning with a grant received in 2015 from the Coastal Commission and the Ocean Protection Council. This effort culminated in the Board of Supervisors adding Objective 12: Coastal Hazards and six associated policies to the land use component known as the Western Shoreline Area Plan. BOS final action occurred on January 23, 2018 in BOS file #171095 as ordinance #009-18, and the Coastal Commission certified the amendment on May 10, 2018.

Unlike the proposed SUD/LCP amendment, the City developed the language for the 2018 amendment in close coordination with the Coastal Commission staff. *[Exhibit D: CCC Staff Summary, page 2, first line, pdf page 91].*

Rather than publicly announcing that per its October 30, 2023 “letter,” the SUD morphed into a proposed radical amendment to the LCP zoning ordinance component, Planning continues to market this as the generically-named “Wawona Street and 45th Avenue Cultural Center Special Use District,” supposedly for a single project.

This non-transparent process would be simply bad policy if the SUD/LCP amendment were consistent with the LCP land use component/Western Shoreline Area Plan passed by the Board of Supervisors and certified by the Coastal Commission. Considering the non-disclosed radical amendment to the zoning ordinance LCP component is not remotely consistent and has been pushed along in the dark, adopting the SUD/LCP “amendment” would not only be bad policy but also policy that is contrary to both the letter and the spirit of the land use component of the LCP, the Western Shoreline Area Plan.

PROPOSED PROJECT

The proposed project includes requests for Coastal Zone Permit, Conditional Use Authorization, Shadow Findings and Planning Code Text and Zoning Map Amendments to establish a Special Use District. On July 27, 2023, the Planning Commission recommended/authorized the generically-named “Wawona Street and 45th Avenue Cultural Center Special Use District” (SUD) which would modify Planning Code requirements regarding permitted uses and use categories and eliminate applicability of

large lot development and non-residential use size limit requirements. The Planning Commission also adopted Shadow Findings and adopted a Conditional Use Authorization for the proposed project which authorizes exceptions from zoning sections of the Planning Code for floor area ratio, rear yard setbacks, and bulk.



Rendering of proposed 2700 45th Avenue project and concept for 2700 Sloat Boulevard from video at <https://irishcenter2025.org>. This rendering shows a previous incarnation of a concept for 2700 Sloat Boulevard. The most recent concept is for a 50-story tower.

The project proposal includes demolition of the existing United Irish Cultural Center (UICC) and new construction of a six-story over 2-level basement, 91-foot tall mixed use building approximately 129, 538 square feet. The project would be located on 45th Avenue at Wawona Street across from the proposed new residential concept known as 2700 Sloat Boulevard per UICC renderings. Yet the renderings suggest that the two structures would be similar scale even though the scale is very different based on project proposals to date.

The 2700 45th Ave. CUA application suggests a link between projects and states that the proposed concept at 2700 Sloat “sets a precedent for development and massings of this scale in this neighborhood.” 2700 Sloat has been proposed as a 50-story tower in the Coastal Zone.

The same law firm is representing the sponsors/owners of both 2700 45th Avenue and 2700 Sloat Boulevard.

Construction cost estimates for the UICC 2700 45th Avenue project range from nearly \$46.7 million as stated in the Planning application to \$74 million on the UICC's Irish Center 2025 web site: <https://irishcenter2025.org>.

PROCEDURAL HISTORY

Before the July 27, 2023 Planning Commission hearing, the Planning Department posted a Notice of Public Hearing erroneously stating that the Board of Supervisors has final approval authority of the proposed SUD ordinance. This Notice failed to mention that, in fact, the ordinance is a Local Coastal Program amendment requiring Coastal Commission certification. On July 27, 2023, the Planning Commission approved a Coastal Zone Permit, Conditional Use Authorization (CUA), shadow findings and recommended the Board of Supervisors approve an ordinance that would amend the Planning Code to create a Special Use District for 2700 45th Ave [*RECORD NO. 2022-001407CTZ/CUA/MAP/PCA/SHD*]. The Coastal Zone Permit was improperly conditioned on a proposed future Special Use District / Local Coastal Program amendment [*Planning Commission Motion #21375, CZP, Condition #6*].

On August 9, 2023, SPEAK filed a Notice of Appeal of the Coastal Zone Permit with the Board of Appeals (Appeal #23-035). On August 23, 2023, SPEAK filed a substantial Appellant brief with the Board of Appeals. According to the brief, the Coastal Zone Permit was issued and approved in error in that the application and project are not consistent with the current Local Coastal Program (LCP) in significant ways. On September 1, 2023, Dan Carl, North Central Coast District Director for the Coastal Commission, sent an email to Gabriela Pantoja of Planning [*Exhibit F: Emails between Dan Carl and Gabriela Pantoja September 1-12, 2023 attached hereto and incorporated by reference, pdf page 108*] stating:

“Importantly, a CDP [coastal zone permit] cannot be conditioned on an LCP amendment, rather that application is required to be evaluated against the certified LCP in effect at the time the application is considered. Put another way, it sounds like your appellant is correct.” [*Exhibit F: Dan Carl 9-1-23 email, pdf page 111*]

On September 6, 2023, the Planning Department requested and was granted a continuance of the appeal hearing until November 1, 2023. On September 11, 2023, the BOS Land Use and Transportation Committee continued the hearing on the SUD.

On September 18, 2023, SF Planning Director Rich Hillis and Planning staff held an apparently unrecorded Microsoft Teams meeting with Dan Carl and Coastal Commission staff. No agenda, meeting minutes, notes or meeting summary exists, according to Planning's response to SPEAK's public records request.

On October 6, 2023, the Planning Department requested and was granted a second continuance of the appeal hearing until March 13, 2024 for the stated purpose of attempting to secure the SUD and LCP amendment before the appeal based on the current LCP can be heard.

On October 30, 2023, the BOS Land Use and Transportation Committee adopted certain amendments to the proposed ordinance—including language that the proposed SUD would require Coastal Commission certification—and continued the hearing on the SUD/LCP amendment ordinance until November 27, 2023. **However, the BOS LUTC declined to adopt the proposed last-minute SUD ordinance amendment that would have improperly augmented the Local Coastal Program with Planning's last-minute October 30, 2023 "findings" in its "letter." The "letter" effectively morphs the proposed SUD/LCP amendment ordinance into an undisclosed radical LCP zoning ordinance component amendment.**

On October 31, 2023, the Clerk of the Board of Supervisors for the first time in this matter issued a Notice of Availability of Local Coastal Program Amendments in accordance with the applicable provisions of the California Coastal Act and implementing regulations, for a six-week public review period beginning October 31, 2023. The Notice for the "Wawona Street and 45th Ave. Cultural Center Special Use District" makes no mention that the LCP amendment has morphed into a radical amendment to the zoning ordinance component of the LCP. The implications of this proposed LCP amendment now go well beyond the SUD for the United Irish Cultural Center.

STANDARD OF REVIEW

California Public Resources Code 30513(b), also known as the Coastal Act, provides that the Coastal Commission may only reject zoning ordinances, zoning district maps, or other implementing actions on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. Accordingly, **the LCP land use plan—also known as the Western Shoreline Area Plan—approved by the Board of Supervisors and certified by the Coastal Commission—is the standard of review for this committee in determining whether the SUD/LCP amendment ordinance should move forward.**

ARGUMENT

The proposed SUD/ LCP amendment is not remotely consistent with the LCP land use plan component known as the Western Shoreline Area Plan approved by the Board of Supervisors and certified by the Coastal Commission. The Western Shoreline Area Plan includes 12 objectives and 64 policies ***[Exhibit G: Western Shoreline Area Plan/LCP land use component attached hereto and incorporated by reference, pdf page 114].***

Of these 12 objectives and 64 policies, Planning’s October 30, 2023 “letter” cites supposed consistency with only Objective 1: Improve Public Transit Access to the Coast along with Policies 1.2 and 1.4 related to transit, Objective 6: Maintain and Enhance the Recreational Use of San Francisco’s Ocean Beach Shoreline, and Policy 11.7 related to maintaining a community business district. ***[Exhibit B, pages 2-5, pdf pages 20-23]***

In fact, the proposed SUD/LCP amendment is not consistent with any of the limited objectives and policies Planning cites. Neither the proposed SUD/LCP amendment nor the proposed project will do anything to improve public transit access to the coast per Objective 1 nor will it provide the transit connections per Policy 1.2 or the incentives for transit usage per Policy 1.4. Planning’s October 30, 2023 letter merely notes the location of public transit and describes plans to install real-time transportation information displays and “tailored marketing and communication campaigns.”

Further, the proposed SUD/LCP amendment is not remotely consistent with many other objectives and policies of the Western Shoreline Area Plan including:

Objective 11: Richmond and Sunset Residential Neighborhoods of the LCP Land Use Plan component / Western Shoreline Area Plan states:

“Preserve the scale of residential and commercial development along the Coastal Zone area.”

[Exhibit G: Western Shoreline A.P., Obj. 11, pdf page122]

Consistency with Objective 11 is glaringly absent from Planning’s October 30, 2023 letter. In fact, the proposed SUD would eliminate the applicability of Planning Code Sections 121.1 (Development of Large Lots, Neighborhood Commercial Districts) and 121.2 (Non-Residential Use Size Limits in Neighborhood Commercial and Neighborhood Commercial Transit Districts). Therefore, by definition, the SUD would change the scale of commercial development in the Coastal Zone. Clearly, this would violate both the spirit and the letter of Objective 11 of the Western Shoreline Area Plan.

Also, the proposed SUD would facilitate a sixth-floor rooftop restaurant and members-only bar and lounge. This is an evident lack of consistency with the scale of commercial development in the Coastal Zone per Objective 11.

Policy 11.1 states:

“Preserve the scale and character of existing residential neighborhoods by setting allowable densities at the density generally prevailing in the area and regulating new development so its appearance is compatible with adjacent buildings.”

[Exhibit G: Western Shoreline A.P., pdf page122]

In contrast to Policy 11.1, the project sponsor’s project application response letter ***[Exhibit H: Studio Banaa PRJ Application Response Letter attached hereto and incorporated by reference, pdf page 127]*** states:

“The new building design is inspired by the form of the Irish Ogham standing stones and the traditional thatched roof cottages of Ireland, and is expressed as a massing split into four distinct pieces, representing the four provinces of Ireland.”

[Exhibit H, page 2, first full paragraph, pdf page 128]

Further, the project sponsor's project application exhibit states:

“The building’s exterior façade utilizes a slate rainscreen cladding which evokes the slate roofs found in traditional Irish architecture.”

[Exhibit H, page 2, first full paragraph, pdf page 128]

The proposed SUD fails massively in maintaining the scale, character and an appearance compatible with adjacent buildings and is therefore not remotely consistent with Policy 11.1 of the Western Shoreline Area Plan. Further, the appearance of the proposed project is not remotely compatible with adjacent buildings. These include the single-story Java Beach Café, the two-story Pasquale's Pizza building, the two-story Mirage Inn & Suites, and the San Francisco Zoo which was built primarily in the 1930s and 1940s as a Works Progress Administration (WPA) project.

Policy 11.6 states:

“Protect the neighborhood environment of the Richmond and Sunset residential areas from the traffic and visitor impacts from the public using adjacent recreation and open space areas.”

[Exhibit G: Western Shoreline A.P., Policy 11.6, pdf page 122]

Yet the project's planned 52 underground parking spaces are hardly enough to accommodate the St. Patrick's room capacity of 800 people on the 2nd floor and 200 additional person capacity on the mezzanine level. In fact, Planning's October 30, 2023 letter states:

“Specifically for the immediate neighborhood of the subject site, the concern is the pressure that potential increase in demand for on-street parking associated with private businesses spills over to public beach parking, thereby limiting coastal access to only those people who live within walking or biking distance of the shoreline.”

[Exhibit B: Planning Letter, page 2, 2nd full paragraph, pdf page 20]

Policy 11.7 states:

“Maintain a community business district along Sloat Boulevard within the Coastal Zone to provide goods and services to residents of the outer Sunset and visitors to the Zoo and Ocean Beach.”

[Exhibit G: Western Shoreline A.P., pdf page 122]

Many areas and facilities of the proposed United Irish Cultural Center project are **members-only and off-limits** to neighborhood residents, visitors to the Zoo and Ocean Beach and to the general public. According to the project sponsor’s project application exhibit, members-only areas include the rooftop lounge and bar called the “members room,” gym, aquatics center, locker facilities, and offices. *[Exhibit H, page 3, pdf page 130]*. Also, according to the project sponsor’s application:

“The new building aims to become an iconic destination for Irish culture and activity on the Western Coast of the United States...”

[Exhibit H, page 2, first full paragraph, pdf page 128]

This statement is at odds with a project primarily serving Outer Sunset residents and visitors to the Zoo and Ocean Beach. Clearly, this project is not consistent with Policy 11.7 of the Western Shoreline Area Plan.

Policy 12.4, passed by the Board of Supervisors and certified by the Coastal Commission on May 10, 2018, establishes criteria for development in the immediate shoreline area. These include:

“The development is required to serve public recreational access and/or public trust needs and cannot be feasibly sited in an alternative area that avoids current and future hazards.”

[Exhibit G: Western Shoreline A.P., Policy 12.4, pdf page 124]

In contrast to Policy 12.4, **much of the proposed project’s recreational access is members-only and off limits to the public**. Members-only recreational access includes the aquatic center, gym, lockers, and top-floor bar and lounge known as the “members room.” *[Exhibit H, page 3, pdf page 130]*.

The public trust doctrine requires that the government hold in trust designated resources for the benefit of the people. Members-only access clearly violates the public trust doctrine in the Coastal Zone.

Also, there are many alternative sites in downtown San Francisco for a facility with members-only access areas. These alternative sites have far better public transportation access.

Planning's last-minute augmentation of the proposed SUD/LCP amendment via its October 30, 2023 "letter" with a far broader proposed LCP amendment impacting all NC-2 commercial development in the Coastal Zone is massively inconsistent with the Western Shoreline Area Plan. Moreover, **this proposed, last-minute augmentation is a crass and clumsy attempt to simply plop the Planning Code into the Local Coastal Program without appropriate transparency, input and a public process such as the City engaged in for the previous LCP amendment in 2018..**

CONCLUSION

For all of the above reasons, it is apparent that SUD ordinance proponents are attempting to use the SUD to back door a broad amendment to the zoning ordinance component of the Local Coastal Program, to set a precedent for development in the Coastal Zone including the proposed 2700 Sloat Boulevard project/concept across the street, and to ultimately turn Ocean Beach into Miami Beach.

The proposed generically-named "Wawona Street and 45th Avenue Cultural Center Special Use District" Local Coastal Program amendment is not remotely consistent with the key objectives and policies of the land use component of the Local Coastal Program (LCP), also known as the Western Shoreline Area Plan. This plan was approved by the Board of Supervisors and certified by the Coastal Commission. Per California Public Resources Code 30513(b), the SUD/LCP zoning ordinance component amendment fails this standard of review and also fails the City's prior standard for a comprehensive public process in amending the LCP.

The Planning Department clearly has made numerous procedural errors for this project. These include timely notification to the Coastal Commission, improper noticing of the Planning Commission hearing, improperly conditioning the Coastal Zone Permit on a future SUD/LCP amendment, attempting a last-minute augmentation of the SUD to

include a broad amendment/update to NC-2 commercial zoning within the Coastal Zone without transparency and failing to accurately advise the Clerk of the Board of Supervisors regarding timely noticing of the proposed LCP amendment and full disclosure of its broad nature.

The only appropriate "good government" decision is for this Committee to table the proposed SUD/LCP amendment ordinance. This will give Planning the opportunity to consider the comprehensive LCP update the Coastal Commission staff recommended five years ago. Presumably, this would be a public process with input from all stakeholders as was the 2018 LCP amendment process.

Also, tabling the SUD/LCP amendment will give Planning another opportunity to evaluate and process this particular project proposal in a manner that is consistent with the Planning Code, the Western Shoreline Area Plan, the entire Local Coastal Program and the Coastal Act.

Respectfully submitted,



Eileen Boken
President

Sunset-Parkside Education and Action Committee (SPEAK)

Exhibits

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EXHIBIT A

Enable Editing

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EXHIBIT B



FROM: Gabriela Pantoja, Senior Planner

DATE: October 30, 2023

RE: Board File No. 23050, Planning Code, Zoning Map - Wawona Street and 45th Avenue Cultural Center Special Use District

Dear Board of Supervisors Melgar, Preston, and Peskin,

On July 27, 2023, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Joel Engardio that would amend the Planning Code and amend Zoning Map No. SU13 to create the Wawona Street and 45th Avenue Cultural Center Special Use District at 2700 45th Avenue, Assessor's Parcel Block No. 2513, Lot No. 026. At the hearing the Planning Commission recommended approval.

The proposed Ordinance will facilitate the redevelopment and construction of modern community center for the United Irish Cultural Center. In summary, the proposed changes include:

- Principally permitting Retail Sales and Services, General Office, Wireless Telecommunication Facility, and Nighttime Entertainment on all floors. This revision will specifically permit the associated Project to provide Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses throughout the proposed building.
- Eliminating the applicability of Planning Code Sections 121.1 (Development of Large Lots, Neighborhood Commercial Districts) and 121.2 (Non-Residential Use Size Limits in Neighborhood Commercial and Neighborhood Commercial Transit Districts).
- Reducing the applicable Transportation Demand Management (TDM) point target to 30 percent.
- Authorizing exceptions from Floor Area Ratio (FAR), Rear Yard, and Bulk requirements via the issuance of a Conditional Use Authorization.

The Special Use District and associated Project are located in the Coastal Zone. The City's certified Local Coastal Plan ("LCP") governs development in the Coastal Zone. The LCP consists of two components: (1) the Land Use Plan (the Western Shoreline Area Plan) and (2) the Implementation Program, which includes all the applicable Planning Code and Zoning Map provisions within the Coastal Zone. Amending the portions of the Planning Code and Zoning Map that apply within the Coastal Zone requires an amendment of the Implementation Program portion of the LCP, which must be certified by the Coastal Commission. In order to certify an amendment to the Implementation Program of the LCP, the Coastal Commission must find that the amendments "conform with . . . the provisions of the certified land use plan." (Cal. Pub. Res. Code § 30513.)

This letter is intended to support the proposed Ordinance and associated Project's consistency with the Western Shoreline Plan and Local Coastal Program. For this Special Use District and associated Project,

applicable policies include: coastal access, public recreation, transportation, land use, and habitat protection within the coastal zone.

I. Transportation and Access

OBJECTIVE 1

IMPROVE PUBLIC TRANSIT ACCESS TO THE COAST.

POLICY 1.2

Provide transit connections amongst the important coastal recreational destinations

POLICY 1.4

Provide incentives for transit usage.

Since the adoption of the Western Shoreline Plan in 1984, an effort to improve and increase access to public transportation for the residents of the Outer Sunset, Parkside, and Lakeshore neighborhoods and visitors of the coast has been made by the City. The L-MUNI line which ferries tens of thousands of passengers daily between Embarcadero station and 48th Avenue (SF Zoo) in 1980s completed its transition to light rail from street cars. Considered one of the City's most reliable light rail lines, the L-MUNI services each stop every 10 minutes on weekdays. As one of the direct connections between San Francisco's downtown and coastline, improvements to the L-MUNI line begun in 2019 and are still underway. Improvements to the line include the construction of new transit priority traffic signals, bulbouts to make pedestrian crossings safer, new trees, high visibility crosswalks, safety boarding islands and increased accessibility. All these improvements are meant to increase pedestrian safety for riders and reliability of the line. Along with improvements to the L-MUNI line, the City has increased service coverage and frequency of bus lines along the western portion including the addition of the 57 and 58 bus lines. The 57 and 58 bus lines serve as connectors to light rail MUNI stops and the Daly City BART station. In total, 5 bus lines and two light rail MUNI lines serve the area south of the Golden Gate Park, west of Sunset Boulevard, and north of the Zoo.

Located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-MUNI line, the proposed Ordinance and associated Project will incent increased transit usage and further increase public access to the immediate neighborhood and coast. The Project will implement a Transportation Demand Management (TDM) plan that intends to decrease the number of single occupancy vehicle trips, and the pressures they add to San Francisco's limited public streets and rights-of-way, contributing to congestion, transit delays, and public health and safety concerns caused by motorized vehicles, air pollution, greenhouse gas (GHG) emissions, and noise, thereby negatively impacting the quality of life in the City. Specifically for the immediate neighborhood of the subject site, the concern is the pressure that potential increase in demand for on-street parking associated with private businesses spills over to public beach parking, thereby limiting coastal access to only those people who live within walking or biking distance of the shoreline. The TDM plan includes providing real time transportation information displays at the site, multimodal wayfinding signage, tailored marketing and communication campaigns for employees and attendees of the site and improving walking conditions. As part of the Project, the adjacent sidewalk will increase in width, new street trees will be planted, and new ADA ramps and bulbout will be provided at the intersection of Wawona Street and 45th Avenue.

In addition to incentivizing transit usage, the proposed Ordinance and associated Project will also encourage other means of transportation to the site and immediate neighborhood. As part of the TDM plan, the Project will provide four car-share spaces on site and 86 bicycle parking spaces either on site or within the adjacent public-right-of-way. Bicycle parking is a prominent form of transportation in the immediate neighborhood. The site is located less than four blocks from Great Highway, a prominent recreational and bike trail along the coast. Attendees and employees traveling by bicycle and looking to enjoy the Great Highway can easily access it via a connecting bike lane along Sloat Boulevard, directly south of the site.

The proposed Project will provide 54 off-street parking spaces, including ADA passenger spaces, and commercial loading spaces along the public-right-of-way. As identified in the project specific transportation study, the proposed Project will generate an estimated 352 net new vehicle trips during the weekday p.m. peak hour, including 334 trips by vehicle and 18 trips by taxi or transportation network company. However, the project site is located in an area where existing vehicle miles traveled (VMT) is more than 15 percent below the existing Bay Area regional average VMT per capita (or employee). The proposed project would not cause substantial additional VMT nor create significant public transit delay impacts. The number of proposed off-street parking spaces at the site will not generate a significant volume of vehicular traffic such that public transit operations on nearby roadways would be affected.

II. Land Use

POLICY 11.7

Maintain a community business district along Sloat Boulevard within the Coastal Zone to provide goods and services to residents of the outer Sunset and visitors to the Zoo and Ocean Beach.

The proposed Ordinance and associated Project will also reinforce and enhance the existing commercial corridor along Sloat Boulevard that includes the Zoo and Ocean Beach by introducing new patrons to the area. The surrounding neighborhood includes variety of land uses including residential, restaurant, motel, retail, and the Zoo. As one of the few community facilities on the west side of the City, the proposed new and improved community facility, operated by the United Irish Cultural Center, will continue to serve as a recreational outlet aside from the coast and Zoo and continue to enhance the lives of its community members by providing a space for informal activities and programs related to recreation, education and civic concerns of all age groups. While the center's programming will have a focus on preserving and reflecting the history of Irish community, the center will continue to enhance the community life of Outer Sunset residents by providing a space for all recreational, educational, and civic activities. Having served the community for more than 45 years, the United Irish Cultural Center, a non-profit organization, has deep roots in the neighborhood and is a respected and beloved member of the Parkside and Outer Sunset communities. For these reasons, supporters of the center include Cub Scout Park 0108, the Kennelly School of Irish Dance, Michel Dillion School of Irish Dance, SF Connaught Social and Athletic Club, and more than 260 public members,

Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will be prominent high-quality design that incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. The rooftop will be designed to include a roof deck that faces the coast and provides a view onto the Pacific Ocean. Located more than four blocks from the coast, the proposed Project will not impact protected views to and along the ocean and scenic coastal areas. As a new and improved United Irish Cultural Center with public and

civic importance, the building warrants a prominent design. The surrounding neighborhood is characterized by a mix of buildings with a variety of building heights, architectural styles, and materials. While there is a majority of smaller scale, one-to-three story residential and commercial buildings immediately adjacent to the subject property, the property is located within close proximity to a commercial corridor that includes buildings that are taller and bigger in size including a five-story-over-basement development at 2800 Sloat Boulevard.

III. Recreation and Habitat Protection

OBJECTIVE 6

MAINTAIN AND ENHANCE THE RECREATIONAL USE OF SAN FRANCISCO'S OCEAN BEACH SHORELINE.

The proposed Ordinance and proposed Project will also not significantly impact the enjoyment of the adjacent recreation areas or parks nor impact any candidate, sensitive, or special-status species, wetlands as defined by section 404 of the Clean Water Act, riparian habitat, or any other sensitive natural community identified in local or regional plans, policies, or regulations. The site does not contain any candidate, sensitive, or special-status species, wetlands as defined by section 404 of the Clean Water Act, riparian habitat, or any other sensitive natural community identified in local or regional plans, policies, or regulations.

A geotechnical investigation was prepared for the proposed Project that reviewed available geologic and geotechnical data in the site vicinity to develop preliminary recommendations regarding soil and groundwater conditions, site seismicity and seismic hazards, the most appropriate foundation type(s) for the proposed structure, and construction considerations, among other topics. The geotechnical report includes recommendations related to construction, including site preparation and grading, seismic design, foundations, retaining walls, slab-on-grade floors, site drainage, underpinning, temporary and finished slopes, and temporary shoring. Implementation of these recommendations, which would be overseen by the Department of Building Inspection, would ensure that the proposed project would not cause the soil underlying the project site to become unstable and result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. The potential for risk of loss, injury, or death related to landslides of liquefaction would be low as the site is also not in within landslide or liquefaction hazard zones, Alquist-Priolo Earthquake Fault Zone, nor within a 100-year flood hazard zone, or a tsunami or seiche hazard area.

Additionally, the proposed Ordinance and associated Project is the culmination of a collaborative effort between the applicants, United Irish Cultural Center, and the community. Prior to the submittal of the required applications, the applicants conducted a Pre-Application Meeting on August 4, 2021 and subsequently held a kick-off meeting on August 28, 2021. Both meetings were well attended. Since the kick-off meeting, the applicants have continued to provide community members with Project updates via a monthly newsletter and a dedicated website.

In conclusion, the proposed Ordinance and associated Project are consistent with the Western Shoreline Plan and Local Coastal Program, for the following reasons:

- Incentivize transit usage in the area;
- Encourage other modes of transportation including biking and car-share;
- Reinforce and enhance the existing commercial corridor along Sloat Boulevard;

- Maintain and expand a recreational use aside from the coast and Zoo;
- Reinforce the recreational use of the Great Highway and Zoo;
- Provide off-street parking spaces and ease demand on on-street parking for visitors of the neighborhood and coast;
- Improve pedestrian safety in the immediate neighborhood via street improvements;
- Protect environmental sensitive habitat areas and the scenic and visual qualities of the coast; and
- Minimize risks to life and property in landslide or liquefaction hazard zones, Alquist-Priolo Earthquake Fault Zone, nor within a 100-year flood hazard zone, or a tsunami or seiche hazard area.

Additionally, the controls specific to the Wawona Street and 45th Avenue Cultural Center Special Use District also incorporate applicable zoning controls in the Small-Scale Neighborhood Commercial (NC-2) Zoning District. Many – but not all – of these controls postdate the 1986 certification of the City’s Local Coastal Program. As such, the Local Coastal Program amendment for the Special Use District also includes the existing NC-2 Planning Code controls that have not yet been certified by the Coastal Commission. These controls are consistent with the Western Shoreline Plan and the City’s Local Coastal Program.

The property’s applicable Zoning District (NC-2), and Height and Bulk District (100-A) have not changed since the 1986 LCP certification. However, since 1986, the City has amended the NC-2 controls in accordance with Planning Code Section 302 and reflect the City’s evolving policies and goals. The amendments to the NC-2 controls are listed below:

- Planning Code Section 102, Definitions for Bar, Full-Service Restaurant, Community Facility, Private and Public, General Office, Nighttime Entertainment, and Wireless Telecommunication Facilities
- Planning Code Section 121.1, Development of Large Lots, Neighborhood Commercial Districts
- Planning Code Section 121.2, Non-Residential Use Size Limits in Neighborhood Commercial Transit Districts
- Planning Code Section 124, Floor Area Ratio
- Planning Code Section 132, Front Setback
- Planning Code Section 133, Side Yard, RH-1(D) District
- Planning Code Section 134, Rear Yards in R, RC, NC, M, CMUO, MUG, MUO, MUR, RED, RED-MX, SPD, UMU, and WMUG Districts; And Lot Coverage Requirements In C Districts
- Planning Code Section 135, Usable open Space for Dwelling Units and Group Housing, R, NC, Mixed-Use, C, and M Districts
- Planning Code Section 136, Obstructions Over Streets and Alleys and in Required Setbacks, Yards, And Usable Open Space
- Planning Code Section 136.1, Awnings, Canopies and Marquees
- Planning Code Section 138.1, Streetscape and Pedestrian Improvements
- Planning Code Section 139, Standards for Bird Safe Buildings
- Planning Code Section 140, All Dwelling Units in all Use Districts to Face an Open Area
- Planning Code Section 141, Screening of Rooftop Features in R, NC, M, WMG, WMUO, RED, RED-MX, SALI, and Mixed Use Districts
- Planning Code Section 142, Screening and Greening of Parking and Vehicular Use Areas
- Planning Code Section 145.1, Street Frontages in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed Use Districts
- Planning Code Section 145.2, Outdoor Activity Areas in NC Districts
- Planning Code Section 145.4, Required Ground Floor Commercial Uses

- Planning Code Section 149, Better Roofs, Living Roof Alternative
- Planning Code Section 150, Off-street Loading Requirements
- Planning Code Section 151, Schedule of Required Off-Street Parking Spaces
- Planning Code Section 152, Schedule of Required Off-Street Freight Loading and Service Vehicle Spaces in Downtown Residential (DTR) Districts
- Planning Code Section 153, Rules for Calculating of Required Spaces
- Planning Code Section 154, Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces
- Planning Code Section 155, General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading, and Service Vehicle Facilities
- Planning Code Section 155.1, Bicycle Parking: Definitions and Standards
- Planning Code Section 155.2, Bicycle Parking: Applicability and Requirements for Specific Uses
- Planning Code Section 155.4, Requirements for Shower Facilities and Lockers
- Planning Code Section 156, Parking Lots
- Planning Code Section 161, Exemptions and Exceptions from Off-Street parking, Freight Loading, and Service Vehicle Requirements
- Planning Code Section 166, Car Share
- Planning Code Section 169, Transportation Demand Management
- Planning Code Section 187.1, Automotive Service Stations, Electric Vehicle Charging Locations, and Gas Stations as Legal Non-Conforming Uses
- Planning Code Section 202.1, Zoning Control Tables
- Planning Code Section 202.2, Location and Operating Conditions
- Planning Code Section 202.4, Limitation on Change in Use or Demolition of Movie Theater Use
- Planning Code Section 204, Accessory Use, General
- Planning Code Section 204.5, Parking and Loading as Accessory Uses
- Planning Code Section 207, Dwelling Unit Density
- Planning Code Section 207.7, Dwelling Unit Mix
- Planning Code Section 208, Density Limitations for Group Housing or Homeless Shelters
- Planning Code Section 209.1, RH (Residential, House) Districts
- Planning Code Section 250-252, Height and Bulk District Established
- Planning Code Section 262, Additional Height Limits Applicable to Signs
- Planning Code Section 263.2, Special Height Exception: Additional Five Feet Height for Active Ground Floor Uses in Certain Districts
- Planning Code Section 260, Height Limits: Measurement
- Planning Code Section 261.1, Additional Height Limits for Narrow Streets and Alleys in R, RTO, NC, NCT, and Eastern Neighborhoods Mixed Use Districts
- Planning Code Section 295, Height Restrictions on Structures Shadowing Property Under the Jurisdiction of the Recreation and Park Commission
- Planning Code Section 270, Bulk
- Planning Code Section 271, Bulk Limits: Special Exceptions in Districts other than C-3
- Planning Code Section 302, Planning Code Amendments
- Planning Code Section 303, Conditional Uses
- Planning Code Section 303.1, Formula Retail
- Planning Code Section 304, Planned Unit Development
- Planning Code Section 305, Variances

- Planning Code Section 317, Loss of Residential and Unauthorized Units Through Demolition, Merger, and Conversion
- Planning Code Section 401-435, Article 4: Development Impact Fees and Project Requirements that Authorize the Payment of In-Lieu Fees
- Planning Code Section 601-611, Article 6: Signs
- Planning Code Section 703, Neighborhood Commercial District Requirements
- Planning Code Section 711, NC-2, Small-Scale Neighborhood Commercial District

For the reasons set forth below, these existing NC-2 controls are consistent with and promote the Western Shoreline Area Plan's policies regarding coastal access, public recreation, transportation, land use, and habitat protection within the coastal zone. Many of the NC-2 amendments reflect the City's goals to expand housing opportunities for all existing and future residents, facilitate thriving commerce and communities, promote and encourage recreational activities, foster safe and connected communities with improved public infrastructures including public transportation, and rectify and mitigate environmental impacts. For example, Planning Code Sections 138.1, 150-169, and 204.5 reflect the City's adoption of [Better Streets Plan](#), [Vision Zero](#), and Transit-First Policy. Relative to 1986, developments today are required to complete a number of public-right-of-way improvements (i.e. improving curb ramps, expanding sidewalk widths, bulbouts, public stairs, crosswalks) beyond the planting of street trees that will encourage access and use of the Coastal Zone. Developments today, unlike those in 1986, are also required to limit the number of off-street parking spaces while encouraging and providing other modes of transportation. Bicycle parking, car-share, freight loading, showers and lockers, and transportation demand management requirements were adopted after 1986. Planning Code Sections 102, 202.2, 202.4, 204, 303.1, 703, 711, 121.1, 121.2, 145.1, and 145.2 reflect the City's goal to maintain a healthy and diverse economy that provides essential jobs and services. Relative to 1986, land uses have also been better defined to reflect the evolving necessities and desires of the residents and visitors of the City and requirements have been imposed to mitigate their potential impacts including limiting use sizes, business types (i.e. big box), locations, and design of non-residential uses ground floors.

ATTACHMENTS

- Planning Code Sections
- Planning Code Comparison Chart
- Exhibit A-Plans
- Exhibit B- Environmental Determination
- Exhibit C- Land Use Data
- Exhibit D- Maps and Context Photos

EXHIBIT C



EXECUTIVE SUMMARY COASTAL ZONE PERMIT/CONDITIONAL USE AUTHORIZATION/PLANNING CODE TEXT AND ZONING MAP AMENDMENTS/SHADOW FINDINGS

HEARING DATE: JULY 27, 2023

Record No.: 2022-001407CTZ/CUA/MAP/PCA/SHD
Project Address: 2700 45th Avenue
Zoning: Neighborhood Commercial, Small Scale (NC-2) Zoning District
100-A Height and Bulk District
Cultural District: Sunset Chinese Cultural District
Block/Lot: 2513 / 026
Initiated by: Supervisor Joel Engardio / Introduced on May 2, 2023
Board File No.: 230505

Project Sponsor: Dane Bunton
Studio BANAA
2169 Folsom St., Suite #106
San Francisco, CA 94110
Property Owner: United Irish Cultural Center Inc.
San Francisco, CA 94116
Staff Contact: Gabriela Pantoja – (628) 652-7380
Gabriela.Pantoja@sfgov.org

**Environmental
Review:** Infill Exemption

Recommendation: Approval with Conditions

Planning Code Text / Zoning Map Amendments

The proposed ordinance will amend the Planning Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District (SUD) at 2700 45th Avenue, Assessor's Parcel Block No. 2513, Lot No. 026, to facilitate the redevelopment of the Irish Cultural Center and amend the Zoning Map to illustrate the Wawona Street and 45th Avenue Cultural Center SUD. To facilitate the redevelopment, the Wawona St. and 45th Ave. Cultural Center SUD outlines permitted land uses, including General Office, Institutional, Retail Sales and Service, Wireless Telecommunications Facility, and Nighttime Entertainment, reduces Transportation Demand Management

(TDM) requirements, eliminates applicability of Large Lot Development and Non-Residential Use Size Limit requirements, and allows exceptions from the Floor Area Ratio (FAR), Rear Yard, and Bulk Planning Code requirements via a Conditional Use Authorization.

The Way It Is Now:	The Way It Would Be:
2700 45 ^h Avenue, Assessor's Parcel Block No. 2513, Lot No. 026 is located within the NC-2 (Neighborhood Commercial, Small Scale) Zoning District and 100-A Height and Bulk District.	2700 45 ^h Avenue, Assessor's Parcel Block No. 2513, Lot No. 026 will be located within the NC-2 Zoning District, 100-A Height and Bulk District, and Wawona Street and 45 th Avenue Cultural Center Special Use District (SUD). Zoning Map SU13 will be amended to illustrate the Wawona St. and 45 th Ave. Cultural Center SUD at the subject property, Block 2513, Lot 026.
	The Wawona St. and 45 th Ave. Cultural Center SUD will principally permit General Office, Institutional Uses, Retail Sales and Services, Wireless Communication Facilities, and Nighttime Entertainment at all floors, reduced Transportation Demand Management (TDM) requirement, eliminate the applicability of Planning Code Sections 121.1 (Development of Large Lots in NC Zoning Districts) and 121.2 (Non-Residential Use Size Limits in NC Zoning Districts), and authorize exceptions from Floor Area Ratio (FAR), Rear Yard, and Bulk Planning Code requirements via a Conditional Use Authorization.

Project Description

The Project includes demolition of an existing two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet (sq. ft.)) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses. The proposed building will contain 54 off-street parking spaces, two car-share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulbout at the intersection of Wawona St. and 45th Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. A total of three signs will be erected at the site.

Required Commission Action

The proposed Ordinance, as introduced by District 4 Supervisor Joel Engardio, is before the Commission so that it may be approved, rejected, or approved with modifications.

In order for the Project to proceed, the Commission must adopt Shadow Findings pursuant to Planning Code Section 295, grant a Coastal Zone Permit pursuant to Planning Code Sections 330.4(a) and 330.2(e), and a grant a Conditional Use Authorization pursuant to Planning Code Section 303 to allow exceptions from the Floor Area Ratio (Planning Code Section 124), Rear Yard (Planning Code Section 134), and Bulk (Planning Code Section 270) requirements.

Issues and Other Considerations

- **Public Comment & Outreach.** Prior to the submittal of the listed applications, the Project Sponsors conducted a Pre-Application Meeting on August 4, 2021 and subsequently held a kick-off meeting on August 28, 2021. Both meetings were well attended. Since the kick-off meeting, the Sponsors have continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio. To date, the Department has not received any correspondence in opposition to the Project.
- **Sunset Chinese Cultural District.** The Project is located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.
- **General Plan Compliance.** The Project will develop a state-of-the-art community facility for San Francisco's Irish population and larger community. As one of the few community facilities on the west side of the City, the new and improved community facility, operated by the United Irish Cultural Center, will continue to serve as a center that enhances the lives of its community members by providing a space for informal activities and programs related to recreation, education and civic concerns for all age groups. While the center's programming will have a focus on preserving and reflecting the history of Irish community, the center will continue to enhance the community life of Outer Sunset residents by providing a space for all recreational, educational, and civic activities. Having served the community for more than 45 years, the United Irish Cultural Center, a non-profit organization, is a proven manager and operator of a large community facility.

The Project will also expand the existing community facility's ability to serve the neighborhood with additional neighborhood serving retail use opportunities, job opportunities, and business opportunities. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.

Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area. The Project will also beautify the immediately adjacent public right of way with improved pedestrian walkways that include new ADA curb ramps, street trees, and bicycle parking spaces.

In conclusion, on balance, the Project is consistent with the Objectives and Policies of the General Plan and

the Western Shoreline Area Plan.

- **Racial and Social Equity Analysis.** Understanding the benefits, burdens, and opportunities to advance racial and social equity that proposed Planning Code and Zoning Map amendments provide is part of the Department's Racial and Social Equity Initiative. This is also consistent with the Mayor's Citywide Strategic Initiatives for equity and accountability and with the forthcoming Office of Racial Equity, which will require all Departments to conduct this analysis.

In 1974, the establishment of the United Irish Cultural Center within the Outer Sunset neighborhood was a testament to the significant Irish-Celtic population in San Francisco and the greater Bay Area at the time. For decades, the Irish population was one of San Francisco's largest demographics and one of the most influential. Many notable Irish took part in the City's economic, political, and cultural history. However, since the late 1970's, the Irish population in San Francisco has been on a decline. By the 2000s, the Outer Sunset neighborhood was compromised mainly by the Asian American community. As of today, the United Irish Cultural Center remains one of the few active storytellers and anchor points of the long history of the Irish in San Francisco.

For more than 45 years, the United Irish Cultural Center has been a space that enhances the lives of both the Irish and non-Irish community. Although focused on providing programming that helps preserve and reflect the history of Irish community, the Center provides programming of all ages related to recreation, education, and civic concerns.

The Planning Code Text and Zoning Map Amendments will help preserve a key component of San Francisco's history and maintain a longstanding community facility in the Outer Sunset neighborhood. As one of the last remaining community facilities on the western section of San Francisco, the proposed Special Use District (SUD) will permit the development of an expanded space that better fits the needs of the Center and its partnering associations and offers the Center the ability to thrive during a challenging time. Without the SUD, the Project will not achieve its optimal massing, scale, and use. Thus, the SUD is required for the Center to remain an anchoring point of San Francisco's Irish history and to better serve the larger community.

Environmental Review

The Project is exempt from the California Environmental Quality Act ("CEQA") as an Infill Exemption per CEQA Guidelines Section 15183.3.

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 request for Conditional Use Authorization and Coastal Zone Permit for the Project and adopts findings that net new shadow on San Francisco Zoo by the proposed project would not be adverse to the use of San Francisco Zoo.

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Western Shoreline Area Plan and the Objectives and Policies of the General Plan. The Project will maintain a longstanding community member, United Irish Cultural Center, within the Outer Sunset neighborhood and help preserve an important part of San Francisco's history. Additionally, the Project will expand the Center's ability to enhance lives by providing informal activities for all ages related to recreation, education, and civic concerns with a focus on preserving and reflecting the history of the Irish community. The Project will also enhance and provide neighborhood serving retail use opportunities, job opportunities, and business opportunities to the residents of the neighborhood. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Attachments:

Draft Planning Commission Resolution
Exhibit A – Board of Supervisors File No.230505
Draft Motion – Conditional Use Authorization with Conditions of Approval (Exhibit B)
Draft Motion – Coastal Zone Permit
Draft Motion – Shadow Findings
Exhibit C – Plans and Renderings
Exhibit D – Environmental Determination
Exhibit E – Land Use Data
Exhibit F – Maps and Context Photos
Exhibit G – Project Sponsor Brief
Exhibit H – First Source Hiring Affidavit



PLANNING COMMISSION DRAFT RESOLUTION

HEARING DATE: JULY 27, 2023

Project Name: 2700 45th Avenue
Case Number: **2022-001407MAP/PCA [Board File No. 230505]**
Initiated by: Supervisor Joel Engardio / Introduced on May 2, 2023
Staff Contact: Gabriela Pantoja, Senior Planner
Gabriela.Pantoja@sfgov.org, (628) 652-7380
Reviewed by: Natalia Fossi, District 4 Manager
Natalia.Fossi@sfgov.org, (628) 652-7306

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE TO CREATE THE WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL USE DISTRICT AT 2700 45TH AVENUE, ASSESSOR'S PARCEL BLOCK NO. 2513, LOT NO. 026, AND AMEND ZONING MAP NO. SU13 TO ILLUSTRATE THE WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL USE DISTRICT; 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 May 2, 2023 Supervisor Engardio introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 230505, which would create Planning Code Section 249.96 for the Wawona Street and 45th Avenue Cultural Center Special Use District (SUD) and amend the Zoning Map SU13 to illustrate the Wawona Street and 45th Avenue Cultural Center SUD for Assessor's Parcel Block No. 2513, Lot No.026;

WHEREAS, the proposed Ordinance and associated Project has been determined is exempt from the California Environmental Quality Act ("CEQA") as an Infill Exemption per CEQA Guidelines Section 15183.3; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on July 27, 2023; 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. The Commission's proposed recommendation(s) is/are as follows:

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:

The Commission finds that the proposed Ordinance will support social, recreational, athletic, and cultural needs of the San Francisco and greater Bay Area Irish community and the redevelopment of a distinctive building that reflects the Irish heritage helps maintain a sense-of-place for the community.

General Plan Compliance

The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

Goals, Objectives, and Policies

GOAL 5. PROMOTE NEIGHBORHOODS THAT ARE WELL-CONNECTED, HEALTHY, AND RICH WITH COMMUNITY CULTURE.

OBJECTIVE 5.C

ELEVATE EXPRESSION OF CULTURAL IDENTITIES THROUGH THE DESIGN OF ACTIVE AND ENGAGING NEIGHBORHOOD BUILDINGS AND SPACES.

Policy 37

Facilitate neighborhoods where proximity to daily needs and high-quality community services and amenities promotes social connections, supports caregivers, reduces the need for private auto travel, and advances healthy activities

COMMUNITY FACILITIES ELEMENT

Objectives and Policies

OBJECTIVE 3

ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

Policy 3.1

Provide neighborhood centers in areas lacking adequate community facilities.

Policy 3.3

Develop centers to serve an identifiable neighborhood.

Policy 3.4

Locate neighborhood centers so they are easily accessible and near the natural center of activity.

Policy 3.5

Develop neighborhood centers that are multipurpose in character, attractive in design, secure and comfortable, and inherently flexible in meeting the current and changing needs of the neighborhood served.

Policy 3.6

Base priority for the development of neighborhood centers on relative need.

Policy 3.8

Provide neighborhood centers with a network of links to other neighborhood and citywide services.

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.

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.

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

Policy 3.2

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

WESTERN SHORELINE AREA PLAN

RICHMOND AND SUNSET RESIDENTIAL NEIGHBORHOODS

Objectives and Policies

OBJECTIVE 11

PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG THE COASTAL ZONE AREA.

Policy 11.7

Maintain a community business district along Sloat Boulevard within the Coastal Zone to provide goods and services to residents of the outer Sunset and visitors to the Zoo and Ocean Beach.

The Ordinance will facilitate the development of an expanded community facility for the United Irish Cultural Center, a longtime community member of the Outer Sunset neighborhood, within proximity to public transportation. The Ordinance will foster the development of a high-quality design and prominent mixed-use building that better meets the needs of an established community facility that provides recreational, educational, and civic opportunities for the residents of the Outer Sunset neighborhood. The Ordinance will also preserve an important part of San Francisco and its Irish community's history.

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:

1. 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.

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 would not have a negative effect on housing or neighborhood character.

3. 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.

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

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or 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 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.

6. 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.

7. 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.

8. 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.

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 July 27, 2023.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: July 27, 2023

EXHIBIT A

[Planning Code, Zoning Map - Wawona Street and 45th Avenue Cultural Center Special Use District]

Ordinance amending the Planning Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District (Assessor's Parcel Block No. 2513, Lot No. 026) to facilitate the redevelopment of a cultural center; amending the Zoning Map to show the Wawona Street and 45th Avenue Cultural Center Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

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 ~~strikethrough 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. CEQA 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. 230505 and is incorporated herein by reference. The Board affirms this determination.

(b) On _____, the Planning Commission, in Resolution No. _____, adopted findings that the actions contemplated in this ordinance are consistent, on balance,

1 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
3 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
5 amendments will serve the public necessity, convenience, and welfare for the reasons set
6 forth in Planning Commission Resolution No. _____, and the Board adopts such
7 reasons as its own. A copy of said resolution is on file with the Clerk of the Board of
8 Supervisors in File No. _____and is incorporated herein by reference.

9
10 Section 2. Background and Findings.

11 (a) The Irish Cultural Center ("Cultural Center") has operated at 2700 45th Avenue for
12 more than 45 years and has established a strong community presence by providing facilities
13 for social, recreational, athletic, and cultural activities. The Cultural Center has operated in
14 the original 2-story building since 1975 and has not been significantly renovated since it was
15 first constructed. To ensure the long-term viability of the Cultural Center and its ability to
16 continue serving the San Francisco community, a larger space that can better accommodate
17 its ongoing cultural, educational, and recreational activities is necessary.

18 (b) The Wawona Street and 45th Avenue Cultural Center Special Use District would
19 facilitate the construction of a modern, state-of-the-art community center that will reactivate
20 the street frontages and beautify the neighborhood. The Special Use District will allow for an
21 expanded Cultural Center that will provide the public with additional educational, cultural,
22 social, entertainment, recreational, and retail opportunities, including an aquatic center with a
23 kiddie pool, a gym and youth basketball court, art gallery, banquet event space, library, 99-
24 person screening theater, cafes, restaurants, and a pub. The proposed expansion of the
25

1 Cultural Center will also include nonprofit office space, classrooms, a children’s playroom, and
2 a member lounge.

3 (c) The Board of Supervisors finds that the proposed amendment will fulfill a public
4 purpose and serve the public convenience and general welfare by facilitating the continued
5 operation and expansion of the longstanding Cultural Center. The continuation of this use is
6 important to retain existing neighborhood character and will benefit area residents, visitors,
7 and the broader community for years to come.

8
9 Section 3. The Planning Code is hereby amended by adding Section 249.96, to read
10 as follows:

11
12 **SEC. 249.96. WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL**
13 **USE DISTRICT.**

14 *(a) **General.** A special use district entitled the “Wawona Street and 45th Avenue Cultural*
15 *Center Special Use District” consisting of Assessor’s Parcel Block No. 2513, Lot No. 026, is hereby*
16 *established for the purposes set forth below. The boundaries of the Wawona Street and 45th Avenue*
17 *Cultural Center Special Use District are designated on Sectional Map No. SU13 of the Zoning Map.*

18 *(b) **Purpose.** The purpose of this special use district is to provide for the development of a*
19 *community center with related educational, cultural, social, entertainment, recreational, and retail uses*
20 *to serve both the immediate neighborhood and the larger San Francisco community.*

21 *(c) **Development Controls.** Applicable provisions of the Planning Code shall control except as*
22 *otherwise provided in this Section 249.96. If there is a conflict between other provisions of the*
23 *Planning Code and this Section 249.96, this Section 249.96 shall prevail.*

(1) The following uses and use categories shall be permitted as principal uses on all floors: General Office, Institutional, Retail Sales and Service, Wireless Telecommunications Facility, and Nighttime Entertainment.

(2) The provisions of Planning Code Sections 121.1 (Development of Large Lots, Neighborhood Commercial Districts) and 121.2 (Non-Residential Use Size Limits in Neighborhood Commercial and Neighborhood Commercial Transit Districts) shall not apply.

(d) **Conditional Use Authorization.** Exceptions from otherwise applicable requirements of this Code may be appropriate to further the purpose of the Wawona Street and 45th Avenue Cultural Center Special Use District. The Planning Commission may authorize exceptions from the following Code requirements through a Conditional Use Authorization:

(1) **Floor Area Ratio.** The maximum Floor Area Ratio shall be 7.0:1.

(2) **Rear Yard Setbacks.** The provisions of Section 134 do not apply.

(3) **Bulk.** The applicable Bulk limits shall be a maximum length of 130 feet and a maximum diagonal of 176 feet, applying at a height of 40 feet and above.

Section 4. Pursuant to Sections 106 and 302(c) of the Planning Code, Sheet SU 13 of the Zoning Map of the City and County of San Francisco is hereby amended, as follows:

Assessor's Parcels (Block/Lot Numbers)	Special Use District Hereby Approved
2513/026	Wawona Street and 45th Avenue Cultural Center Special Use District

Section 5. 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.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Giulia Gualco-Nelson
GIULIA GUALCO-NELSON
Deputy City Attorney

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PLANNING COMMISSION DRAFT MOTION

HEARING DATE: July 27, 2023

Record No.: 2022-001407CUA
Project Address: 2700 45th Avenue
Zoning: Neighborhood Commercial, Small Scale (NC-2) Zoning District
100-A Height and Bulk District
Cultural District: Sunset Chinese Cultural District
Block/Lot: 2513 / 026
Project Sponsor: Dane Bunton
Studio BANAA
118 Precita Avenue
San Francisco, CA 94110
Property Owner: United Irish Cultural Center Inc.
San Francisco, CA 94116
Staff Contact: Gabriela Pantoja – (628) 652-7380
Gabriela.Pantoja@sfgov.org

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 249.96 AND 303 TO ALLOW THE DEMOLITION OF A TWO-STORY, COMMUNITY FACILITY AND NEW CONSTRUCTION OF A SIX-STORY-OVER-BASEMENT, 91-FT TALL, MIXED-USE BUILDING (APPROXIMATELY 129,538 SSQUARE FEET) OPERATED BY THE UNITED IRISH CULTURAL CENTER THAT CONTAINS PUBLIC AND PRIVATE COMMUNITY FACILITIES, RESTAURANT, BAR, OFFICE, NIGHTTIME ENTERTAINMENT, AND INSTRUCTIONAL LAND USES, 54 OFF-STREET PARKING SPACES, TWO CAR SHARE SPACES, 42 CLASS 1 AND 44 CLASS 2 BICYCLE PARKING SPACES LOCATED AT 2700 45TH AVENUE, BLOCK 2513 LOT 026 WITHIN THE NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE) ZONING DISTRICT, WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL USE DISTRICT, AND 100-A HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMNETAL QUALITY ACT.

PREAMBLE

On February 18, 2022, Dane Bunton of Studio BANAA (hereinafter "Project Sponsor") filed Application No. 2022-001407CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to allow the demolition of a two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. (hereinafter "Project") at 2700 45th Avenue, Block 2513 Lot 026 (hereinafter "Project Site").

, as set forth in the Memorandum dated July 17, 2023, The Project is consistent with the adopted zoning controls in the Balboa Park Station Area Plan and was encompassed within the analysis contained in the EIR. Since the EIR was finalized, there have been no substantive changes to the Balboa Park Station Area Plan and no substantive changes in circumstances that would require major revisions to the EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this Project, including the Balboa Park Station Area Plan EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

On July 17, 2023, the Department determined that the Project did not require further environmental review under Section 15183.3 of the CEQA Guidelines, as set forth in the Streamlined Review for Infill Projects and contained in the Application file.

The Streamlined Review for Infill Projects document concludes that the proposed project at 2700 45th Avenue: (1) is eligible for an infill streamlining exemption; (2) the effects of the infill project were analyzed in the Housing Element 2022 Update EIR and applicable mitigation measures from the EIR have been incorporated into the proposed project (through adoption of a Mitigation Monitoring and Reporting Program); (3) the proposed project would not cause new specific effects that were not already addressed in the Housing Element EIR; and (4) there is no substantial new information that shows that the adverse environmental effects of the infill project are more significant than described in the prior EIR. Therefore, no further environmental review is required for the project and the Streamlined Review for Infill Projects document comprises the full and complete CEQA evaluation necessary for the proposed project.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program ("MMRP") setting forth mitigation measures that were identified in the Housing Element EIR that are applicable to the Project. These mitigation measures are set forth in their entirety in the MMRP attached to the Motion as "EXHIBIT D."

On July 27, 2023, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2022-001407CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-001407CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2022-001407CUA, subject to the conditions contained in “EXHIBIT B” of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The proposal is for the demolition of an existing two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses. The proposed building will contain 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulbout at the intersection of Wawona St. and 45th Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. A total of three signs will be erected at the site.
- 3. Site Description and Present Use.** The subject property is an approximately 16,250 square foot irregular shaped lot located on the west side of 45th Avenue, between Wawona Street and Sloat Boulevard. The lot at maximum measures 132 feet 6 inches in depth and 125 feet in width and is developed with a two-story L-shaped building. Developed in 1974, the building is approximately 21,263 square feet in size and is composed of a library, store, restaurant, bar, member's lounge, office, ballroom, and social hall. A surface parking lot is located at the east section of the subject property and contains 12 off-street parking spaces. Since its opening in 1975, the "United Irish Cultural Center" has occupied the existing building and served the Irish community in San Francisco and the greater Bay Area.
- 4. Surrounding Properties and Neighborhood.** The subject property is located within the Neighborhood Commercial, Small Scale (NC-2) Zoning District, 100-A Height and Bulk District, and Coastal Zone area. The property is located within the Parkside neighborhood, adjacent to the Lakeshore neighborhood. The immediate neighborhood's context is predominantly mixed in character with one-to-three story residential and commercial developments. Immediately to the south of the subject property is a vacant parking lot and a one-story restaurant, Java Beach Café, to the east are four three-story multi-unit residential buildings, and to the southeast is a two-story motel. Across the street of the subject property is 2700 Sloat Blvd., the current home of the Sloat Garden Center. Other zoning districts in the vicinity of the subject property include RH-1 (Residential-House, One-Family), RM-2 (Residential-Mixed, Moderate Density), and P (Public) Zoning Districts.

The Project is located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The Sunset Chinese Cultural District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.

- 5. Public Outreach and Comments.** Prior to the submittal of the listed applications, the Project Sponsors conducted a Pre-Application Meeting on August 4, 2021 and subsequently held a kick-off meeting on August 28, 2021. Both meetings were well attended. Since the kick-off meeting, the Sponsors have

continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio. To date, the Department has not received any correspondence in opposition of the Project.

6. Planning Code Compliance. The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Use.** Pursuant to Planning Code Section 249.96, Wawona St. and 45th Ave. Cultural Center Special Use District, General Office, Institutional Uses, Retail Sales and Service Uses, and Nighttime Entertainment are principally permitted at all floors.

The Project will comply with this requirement. The Project proposes the construction of a six-story-over-basement, mixed-use building (United Irish Cultural Center) that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses.

- B. **Floor Area Ratio.** Planning Code Section 124 permits a Floor Area Ratio (FAR) of 2.5 to 1 for non-residential uses within the NC-2 Zoning District.

The proposed development will have an FAR of 6.7. The Project seeks an exception via a Conditional Use Authorization pursuant to the proposed Wawona St. and 45th Ave. Cultural Center Special Use District (Section 249.96), which allows a maximum FAR of 7.0 to 1 with a Conditional Use.

- C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard at the second story and above for a depth equal to 25 percent of the total depth of the lot, but in no case less than 15 feet within the NC-2 Zoning District.

The Project will provide a 15-foot rear yard at the third story and above. The Project seeks an exception via a Conditional Use Authorization pursuant to the proposed Wawona St. and 45th Ave. Cultural Center Special Use District (Section 249.96).

- D. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts 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. In addition, 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 that 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. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The Project will comply with this requirement. The proposed mixed-use building will contain an active use, as defined by Section 145.1(b)(2), within the first 25 feet in depth of the subject building along both street frontages (45th Avenue and Wawona Street), ground to floor ceiling heights of at minimum 14 feet in height, a garage opening no greater than 15 feet in width, and transparent windows and doors at the ground floor for more than 60 percent of the subject property's street frontage.

- E. **Off-Street Parking.** Pursuant to Planning Code Section 151, one off-street parking space is permitted for every 2,000 square feet of Occupied Floor Area (OFA) for Private and Public Community Facilities, 1.5 spaces for every 500 square feet of OFA for Office Use and Retail Sales and Service Uses, and 1.5 spaces for every 200 square feet of OFA for Eating and Drinking Uses (i.e. Restaurant and Bar).

The Project will comply with this requirement. The Planning Code allows up to 118 off-street parking spaces and the Project will provide 54 off-street parking spaces.

- F. **Off-Street Freight Loading.** Planning Section 152.1 of the Planning Code requires one off-street freight loading space for non-residential uses between 100,001 and 200,000 square feet of occupied floor area.

The Project will comply with this requirement. One off-street freight loading space will be provided at the garage located at the basement floor.

- G. **Bicycle Parking.** Planning Code Section 155 states that: one Class 1 bicycle parking space is required for every 7,500 square feet of Occupied Floor Area (OFA) and one Class 2 space for every 750 for Eating and Drinking Uses (i.e. Restaurant and Bar) OFA, one Class 1 bicycle for every 5,000 square feet of OFA and one Class 2 space for every 2,500 square feet of Private and Public Community Facilities OFA, one Class 1 and one Class 2 bicycle parking space for every 5,000 square feet of Office Use OFA.

The Project will comply with this requirement. A total of 16 Class 1 and 44 Class 2 bicycle parking spaces are required for the Project. The Project will provide a total of 42 Class 1 spaces and 44 Class 2 bicycle parking spaces.

- H. **Showers Facilities and Lockers.** Pursuant to Planning Code Section 155.4 four showers and 24 lockers are required when the Occupied Floor Area (OFA) exceeds 50,000 square feet for Institutional Uses and Non-Retail Sales and Service Uses.

The Project is required to provide four showers and 24 lockers for short term use by the tenants or employees of the building. The Project will provide 38 showers and more than 24 lockers to be utilized by the tenants or employees of the building, and thus complies with this requirement.

- I. **Car Share.** Planning Code Section 166 requires one car share space when providing more than 50 off-street parking spaces plus one for every 50 additional parking spaces.

The Project will comply with this requirement. The Project will provide 54 off-street parking spaces and two car share spaces.

- J. **Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169, 249.46,

and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve 31 percent of a target of 29 points, or 9 points.

As currently proposed, the Project will achieve its required 9 points through the following TDM measures:

- Bicycle Parking (Option A)
- Bicycle Repair Station
- Car-share Parking (Option A)
- Delivery Support Amenities
- Multimodal Wayfinding Signage
- Real Time Transportation Displays
- Tailored Transportation Marketing Services (Option B)

- K. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 100-A Height and Bulk District, which limits height at 100 feet.

The Project will comply with this requirement. The proposed six-story-over-basement building will be approximately 91 feet in height.

- L. **Bulk.** Planning Code Section 270 requires that properties located with Bulk District “A” above 40 feet in height measure a maximum length of 100 feet and a maximum diagonal length of 125.

The proposed development will have a maximum length of 130 feet and a maximum diagonal length of 176 for any building massing above 40 feet. The Project seeks an exception from Bulk via a Conditional Use Authorization pursuant to the proposed Wawona St. and 45th Ave. Cultural Center Special Use District (Section 249.96), which allows a maximum length of 130 feet and a maximum diagonal length of 176 feet for any building massing above 40 feet with a Conditional Use.

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

A shadow analysis report, prepared by Fastcast, was submitted on June 28, 2023, analyzing the potential shadow impacts of a 91-foot-tall Project to properties under the jurisdiction of the Recreation and Parks Department (Record No. 2022-001407SHD). The memorandum concluded that the Project would cast approximately 85,818 square-foot hours of new shadow on San Francisco Zoo, equal to approximately 0.0007% of the TAAS on the Zoo, bringing the estimated total annual shading of the Zoo as a percentage of TAAS to 11.451% (previously at 11.45%).

The new shadow resulting from the Project would occur in the Spring and Summer and would be present for an average of 13.4 minutes in the mornings prior to 8:00 A.M. The largest max shadow (based on area) would occur on June 21st at 6:46 A.M and end by 7 A.M. covering an area of 14,449 square feet. The maximum shadow coverage would contribute net new shadow to the northwest corner of the Zoo over a portion of the access road and maintenance area within the Exploration Zone. There would be no net

new shadow after 8:00 AM on any date.

On July 20, 2023, the full Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by a 91-foot-tall Project would not be adverse to the use of the San Francisco Zoo.

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

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

The Project will develop a state-of-the-art community facility for San Francisco's Irish population and larger community. As one of the few community facilities on the west side of the City, the new and improved community facility, operated by the United Irish Cultural Center, will continue to serve as a center that enhances the lives of its community members by providing a space for informal activities and programs related to recreation, education and civic concerns of all age groups. The Project will provide land uses that are compatible with the already present mixed-use character of the surrounding neighborhood. The surrounding neighborhood includes variety of land uses including residential, restaurant, motel, retail, and the Zoo. The Project will provide a restaurant, bar, and office uses along with a private and public community facility that includes a ballroom, library, gym, classrooms, theater, and art gallery, and restaurant, bar, and administrative office spaces.

Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will be prominent high-quality design that incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a new and improved United Irish Cultural Center with public and civic importance, the building warrants a prominent design. The surrounding neighborhood is characterized by a mix of buildings with a variety of building heights, architectural styles, and materials. While there is a majority of smaller scale, one-to-three story residential and commercial buildings immediately adjacent to the subject property, the property is located within close proximity to a commercial corridor that includes buildings that are taller and bigger in size including a five-story-over-basement development at 2800 Sloat Boulevard.

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

The Project will create a new visual focal point to mark the presence of the Irish community in San Francisco and the greater Bay Area. At a building height of 91 feet, six-stories-over-basement, the mixed-use building will be taller than many surrounding buildings in the

immediate neighborhood. However, the subject property is located within proximity to a commercial corridor that includes buildings of larger scales and heights including a five-story-over-basement building at 2800 Sloat Blvd. The height of United Irish Cultural Center will be distinctive at an appropriate scale for the neighborhood, in that it will be an iconic, highly visible symbol associated with San Francisco's Irish community.

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

The Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will be provided along both 45th Ave. and Wawona Street.

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

The proposed use is subject to the standard conditions of approval for restaurants, bars, and entertainment facilities and outlined in Exhibit B, Conditions 27, 30, and 31.

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

The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulbout at the intersection of Wawona St. and 45th Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. Additionally, the Project will appropriately screen all off-street parking spaces. A total of three signs will be erected at the site.

- 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, pending the approval of the Wawona St. and 45th Ave. Cultural Center Special Use District (SUD), and is consistent with objectives and policies of the General Plan as detailed below.

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

The Project is consistent with the stated purposes of NC-2 Zoning District and Wawona St. and 45th Ave. Cultural Center SUD Pursuant to the SUD's Planning Code and Zoning Map Amendment Ordinance (File No. 230505), the purpose of this SUD is to facilitate the construction of a modern, state-of-the-art community center that will reactivate the street frontages and beautify the neighborhood. The Project will provide several benefits to the City and the Irish community in San

Francisco.

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

HOUSING ELEMENT

Goals, Objectives, and Policies

GOAL 5. PROMOTE NEIGHBORHOODS THAT ARE WELL-CONNECTED, HEALTHY, AND RICH WITH COMMUNITY CULTURE.

OBJECTIVE 5.C

ELEVATE EXPRESSION OF CULTURAL IDENTITIES THROUGH THE DESIGN OF ACTIVE AND ENGAGING NEIGHBORHOOD BUILDINGS AND SPACES.

Policy 37

Facilitate neighborhoods where proximity to daily needs and high-quality community services and amenities promotes social connections, supports caregivers, reduces the need for private auto travel, and advances healthy activities

COMMUNITY FACILITIES ELEMENT

Objectives and Policies

OBJECTIVE 3

ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

Policy 3.1

Provide neighborhood centers in areas lacking adequate community facilities.

Policy 3.3

Develop centers to serve an identifiable neighborhood.

Policy 3.4

Locate neighborhood centers so they are easily accessible and near the natural center of activity.

Policy 3.5

Develop neighborhood centers that are multipurpose in character, attractive in design, secure and comfortable, and inherently flexible in meeting the current and changing needs of the neighborhood served.

Policy 3.6

Base priority for the development of neighborhood centers on relative need.

Policy 3.8

Provide neighborhood centers with a network of links to other neighborhood and citywide services.

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.

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.

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

Policy 3.2

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

URBAN DESIGN ELEMENT

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 3.3

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

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.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 25

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

POLICY 25.2

Maintain and expand the planting of street trees and the infrastructure to support them.

POLICY 25.4

Preserve pedestrian-oriented building frontages

WESTERN SHORELINE AREA PLAN

RICHMOND AND SUNSET RESIDENTIAL NEIGHBORHOODS

Objectives and Policies

OBJECTIVE 11

PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG THE COASTAL ZONE AREA.

Policy 11.7

Maintain a community business district along Sloat Boulevard within the Coastal Zone to provide goods and services to residents of the outer Sunset and visitors to the Zoo and Ocean Beach.

On balance, the Project is consistent with the Objectives and Policies of the General Plan and the Western Shoreline Area Plan. The Project will develop a state-of-the-art community facility for San Francisco's Irish population and larger community. As one of the few community facilities on the west side of the City, the new and improved community facility, operated by the United Irish Cultural Center, will continue to serve as a center that enhances the lives of its community members by providing a space for informal activities and programs related to recreation, education and civic concerns of all age groups. While the center's programming will have a focus on preserving and reflecting the history of Irish community, the center will

continue to enhance the community life of Outer Sunset residents by providing a space for all recreational, educational, and civic activities. Having served the community for more than 45 years, the United Irish Cultural Center, a non-profit organization, is a proven manager and operator of a large community facility.

The Project will also expand the existing community facility's ability to serve the neighborhood with additional neighborhood serving retail use opportunities, job opportunities, and business opportunities. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.

Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area. The Project will also beautify the immediately adjacent public right of way with improved pedestrian walkways that include new ADA curb ramps, street trees, and bicycle parking spaces.

Located within proximity to public transportation, the Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the neighborhood's existing on-street parking availability. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will also be provided along both 45th Ave. and Wawona Street.

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

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

The Project will not remove or displace an existing neighborhood serving retail uses. The Project site is currently and will continue to be occupied by a community facility (United Irish Cultural Center). The Project will, however, enhance and provide neighborhood serving retail use opportunities, job opportunities, and business opportunities to the residents of the neighborhood. Furthermore, the Project will introduce new patrons to the area, and therefore, strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.

- 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 will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will maintain and help grow the presence of the United Irish Cultural Center within the Outer Sunset and Parkside neighborhoods by demolishing an existing two-story, community facility building and constructing a six-story-over-basement, mixed-use building with private and public community facilities, bar, restaurant, office, nighttime entertainment, and instructional uses. Additionally, the Project will reinforce and enhance

the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.

Reflecting the history and aspirations of the Irish community, the proposed building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area while respecting the scale and form of the surrounding neighborhood.

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

The Project does not currently possess any existing affordable housing.

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

The Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will be provided along both 45th Ave. and Wawona Street.

- 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 sectors due to a commercial office development and will not affect residents' employment and ownership opportunities of industrial and service sector. Rather, the Project will increase the future employment and ownership opportunities. The Project will demolish a two-story, community facility building and construct a much larger mixed-use building that includes private and public community facilities, restaurant, bar, office, nighttime entertainment, and instructional uses.

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

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

- G. That landmarks and historic buildings be preserved.

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

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

development.

The Project will create a new shadow on the San Francisco Zoo which is under the jurisdiction of the Recreation and Park Department. However, the amount of net new shadow cast onto the Zoo as a result of the Project will not be significant or adverse to the enjoyment of the park.

- 10. First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Administrative Code Section 83.11), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

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

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Permit Application No. 2022-001407CUA** subject to the following conditions attached hereto as “EXHIBIT B” in general conformance with plans on file, dated July 18, 2023, and stamped “EXHIBIT C”, which is incorporated herein by reference as though fully set forth.

The Planning Commission hereby adopts the MMRP attached hereto as “EXHIBIT D” and incorporated herein as part of this Motion by this reference thereto. All required improvement and mitigation measures identified in the Housing Element EIR and contained in the MMRP are included as Conditions of Approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 27, 2023.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: July 27, 2023

EXHIBIT B

Authorization

This authorization is for a conditional use to allow the demolition of an existing two-story, community facility and new construction of a six-story-over-basement, mixed-use building (approximately 129,538 square feet) to be operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses pursuant to Planning Code Sections 249.96, 303, and 330 within the NC-2 District, Wawona Street and 45th Avenue Cultural Center Special Use District, and a 100-A Height and Bulk District; in general conformance with plans, dated July 18, 2023, and stamped “EXHIBIT C” included in the docket for Record No. 2022-001407CUA and subject to conditions of approval reviewed and approved by the Commission on July 27, 2023 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 27, 2023 under Motion No. XXXXXX.

Printing of Conditions of Approval on Plans

The conditions of approval under the “Exhibit B” and “Exhibit D” of this Planning Commission Motion No. XXXXXX 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 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 628.652.7463, www.sfplanning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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 the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) became effective.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 6. Additional Project Authorization.** The Project must obtain a Coastal Zone Permit, Planning Code Text Amendment Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District at 2700 45th Avenue, Assessor's parcel Block No. 2513, Lot No. 026, and amend Zoning Map No. SU13 to illustrate the Wawona Street And 45th Avenue Cultural Center Special Use District (Board of Supervisor File No. 230505). The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Planning Director, shall apply.

This approval is contingent on, and will be of no further force and effect until the date that the San Francisco Board of Supervisors has approved by resolution approving the Planning Code Text Amendment and Map Amendment.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.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 architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, www.sfplanning.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 628.652.7380, www.sfplanning.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 415-558-6378, www.sfplanning.org

- 10. Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, www.sfplanning.org

- 11. 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 628.652.7380, www.sfplanning.org

- 12. Transformer Vault Location.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department in consultation with Public Works shall require the following locations for transformer vault(s) for this project: on the private property within transformer rooms or in underground vaults. The above requirement shall adhere to the Memorandum of Understanding regarding Electrical Transformer Locations for Private Development Projects between Public Works and the Planning Department dated January 2, 2019.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, www.sfpbpublicworks.org

- 13. Noise.** Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, www.sfplanning.org

- 14. Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, www.sfplanning.org

Parking and Traffic

- 15. Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project

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

Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 628.652.7340, www.sfplanning.org

- 16. Car Share.** Pursuant to Planning Code Section 166, no fewer than one (1) car share space 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.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 17. Bicycle Parking.** Pursuant to Planning Code Section 155, the Project shall provide no fewer than 60 bicycle parking spaces, 16 Class 1 and 44 Class 2 bicycle parking spaces. 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 628.652.7463, www.sfplanning.org

- 18. Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than four showers and 24 clothes lockers.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 19. Parking Maximum.** Pursuant to Planning Code Section 151, the Project shall provide no more than 118 off-street parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 20. Off-Street Loading.** Pursuant to Planning Code Section 152, the Project will provide one (1) off-street loading

spaces.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Provisions

- 22. 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

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

For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, www.sfplanning.org

- 24. Jobs-Housing Linkage.** The Project is subject to the Jobs Housing Linkage Fee, as applicable, pursuant to Planning Code Section 413.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, www.sfplanning.org

Monitoring - After Entitlement

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 26. 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 B 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 628.652.7463, www.sfplanning.org

- 27. Mitigation Measures.** Feasible mitigation measures from the programmatic EIR for the Housing Element EIR that are applicable to the project will be undertaken. These mitigation measures are necessary to avoid potential significant effects of the proposed project and are described in the project specific MMRP attached as Exhibit D. The measures have been agreed to by the project sponsor. Their implementation are conditions of project approval.

For information about compliance, contact Code Enforcement, Planning Department at 628-652-7463, www.sf-planning.org

Operation

- 28. Eating and Drinking Uses.** As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in [Section 102](#), shall be subject to the following conditions:

- A. The business operator 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 Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, [Section 34](#) of the San Francisco Police Code.

For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, www.sfpublishworks.org.

- B. When located within an enclosed space, 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 of 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 construction noise requirements, contact the Department of Building Inspection at 628.652.3200, www.sfdbi.org.

For information about compliance with the requirements for amplified sound, including music and television, contact the Police Department at 415.553.0123, www.sf-police.org

- C. 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 628.652.7600, www.sfplanning.org

- D. 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 the Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, www.sfpublishworks.org

- 29. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, www.sfpublishworks.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 31. Notices Posted at Bars and Entertainment Venues.** Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood, shall be well-lit and prominently displayed at all entrances to and exits from the establishment.

For information about compliance, contact the Entertainment Commission, at 415 554-6678, www.sfgov.org/entertainment

- 32. Other Entertainment.** The Other Entertainment shall be performed within the enclosed building only. The building 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. Bass and vibrations

shall also be contained within the enclosed structure. The Project Sponsor shall obtain all necessary approvals from the Entertainment Commission prior to operation. The authorized entertainment use shall also comply with all of the conditions imposed by the Entertainment Commission.

For information about compliance, contact the Entertainment Commission, at 628.652.6030, www.sfgov.org/entertainment

- 33. 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 628.652.7463, www.sfplanning.org



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: July 27, 2023

Record No.: 2022-001407CTZ
Project Address: 2700 45th Avenue
Zoning: Neighborhood Commercial, Small Scale (NC-2) Zoning District
100-A Height and Bulk District
Cultural District: Sunset Chinese Cultural District
Block/Lot: 2513 / 026
Project Sponsor: Dane Bunton
Studio BANAA
2169 Folsom Street, Suite #106
San Francisco, CA 94110
Property Owner: United Irish Cultural Center Inc.
San Francisco, CA 94116
Staff Contact: Gabriela Pantoja – (628) 652-7380
Gabriela.Pantoja@sfgov.org

ADOPTING FINDINGS RELATING TO THE GRANTING OF A COASTAL ZONE PERMIT PURSUANT TO PLANNING CODE SECTION 330 TO ALLOW THE DEMOLITION OF A TWO-STORY, COMMUNITY FACILITY AND NEW CONSTRUCTION OF A SIX-STORY-OVER-BASEMENT, 91-FT TALL, MIXED-USE BUILDING (APPROXIMATELY 129,538 SQUARE FEET) OPERATED BY THE UNITED IRISH CULTURAL CENTER THAT CONTAINS PUBLIC AND PRIVATE COMMUNITY FACILITIES, RESTAURANT, BAR, OFFICE, NIGHTTIME ENTERTAINMENT, AND INSTRUCTIONAL LAND USES, 54 OFF-STREET PARKING SPACES, TWO CAR SHARE SPACES, 42 CLASS 1 AND 44 CLASS 2 BICYCLE PARKING SPACES LOCATED AT 2700 45TH AVENUE, BLOCK 2513 LOT 026 WITHIN THE NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE) ZONING DISTRICT, WAWONA STREET AND 45TH AVENUE CULTURAL CENTER SPECIAL USE DISTRICT, AND 100-A HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On February 18, 2022, Dane Bunton of Studio BANAA (hereinafter "Project Sponsor") filed Application No. 2022-001407CTZ (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Coastal Permit Zone to allow the demolition of a two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. (hereinafter "Project") at 2700 45th Avenue, Block 2513 Lot 026 (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act ("CEQA") as an Infill Exemption per CEQA Guidelines Section 15183.3.

On July 27, 2023, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Coastal Zone Permit Application No. 2022-001407CTZ.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-001407CTZ is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Coastal Zone Permit as requested in Application No. 2022-001407CTZ, subject to the conditions contained in "EXHIBIT B" of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The proposal is for the demolition of an existing two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses. The proposed building will contain 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces. The Project will improve the pedestrian walkways with new ADA curb ramps, a new bulbout at the intersection of Wawona St. and 45th Ave., ADA passenger loading zones, street trees, and Class 2 bicycle parking spaces. A total of three signs will be erected at the site.
- 3. Site Description and Present Use.** The subject property is an approximately 16,250 square foot irregular shaped lot located on the west side of 45th Avenue, between Wawona Street and Sloat Boulevard. The lot at maximum measures 132 feet 6 inches in depth and 125 feet in width and is developed with a two-story L-shaped building. Developed in 1974, the building is approximately 21,263 square feet in size and is composed of a library, store, restaurant, bar, member's lounge, office, ballroom, and social hall. A surface parking lot is located at the east section of the subject property and contains 12 off-street parking spaces. Since its opening in 1975, the "United Irish Cultural Center" has occupied the existing building and served the Irish community in San Francisco and the greater Bay Area.
- 4. Surrounding Properties and Neighborhood.** The subject property is located within the Neighborhood Commercial, Small Scale (NC-2) Zoning District, 100-A Height and Bulk District, and Coastal Zone area. The property is located within the Parkside neighborhood, adjacent to the Lakeshore neighborhood. The immediate neighborhood's context is predominantly mixed in character with one-to-three story residential and commercial developments. Immediately to the south of the subject property is a vacant parking lot and a one-story restaurant, Java Beach Café, to the east are four three-story multi-unit residential buildings, and to the southeast is a two-story motel. Across the street of the subject property is 2700 Sloat Blvd., the current home of the Sloat Garden Center. Other zoning districts in the vicinity of the subject property include RH-1 (Residential-House, One-Family), RM-2 (Residential-Mixed, Moderate Density), and P (Public) Zoning Districts.

The Project is located within the boundaries of the Sunset Chinese Cultural District, which was established in July 2021. The Sunset Chinese Cultural District's mission is to recognize the neighborhood's history, preserve the legacy and traditions uniquely born in the Sunset, recognize and memorialize the Chinese American experience, and preserve and increase the depth and impact of the Chinese American legacy in San Francisco. Currently, this Cultural District does not include any land use regulations that apply to the Project.

- 5. Public Outreach and Comments.** Prior to the submittal of the listed applications, the Project Sponsors conducted a Pre-Application Meeting on August 4, 2021 and subsequently held a kick-off meeting on August 28, 2021. Both meetings were well attended. Since the kick-off meeting, the Sponsors have

continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio. To date, the Department has not received any correspondence in opposition of the Project.

- 6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

Pursuant to Planning Code Section 330, the Project is consistent with the Coastal Zone Permit process and conforms to the requirements and objectives of the San Francisco Local Coastal Program.

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

HOUSING ELEMENT

Goals, Objectives, and Policies

GOAL 5. PROMOTE NEIGHBORHOODS THAT ARE WELL-CONNECTED, HEALTHY, AND RICH WITH COMMUNITY CULTURE.

OBJECTIVE 5.C

ELEVATE EXPRESSION OF CULTURAL IDENTITIES THROUGH THE DESIGN OF ACTIVE AND ENGAGING NEIGHBORHOOD BUILDINGS AND SPACES.

Policy 37

Facilitate neighborhoods where proximity to daily needs and high-quality community services and amenities promotes social connections, supports caregivers, reduces the need for private auto travel, and advances healthy activities

COMMUNITY FACILITIES ELEMENT

Objectives and Policies

OBJECTIVE 3

ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

Policy 3.1

Provide neighborhood centers in areas lacking adequate community facilities.

Policy 3.3

Develop centers to serve an identifiable neighborhood.

Policy 3.4

Locate neighborhood centers so they are easily accessible and near the natural center of activity.

Policy 3.5

Develop neighborhood centers that are multipurpose in character, attractive in design, secure and comfortable, and inherently flexible in meeting the current and changing needs of the neighborhood served.

Policy 3.6

Base priority for the development of neighborhood centers on relative need.

Policy 3.8

Provide neighborhood centers with a network of links to other neighborhood and citywide services.

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.

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.

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

Policy 3.2

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

URBAN DESIGN ELEMENT

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 3.3

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

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.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 25

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

POLICY 25.2

Maintain and expand the planting of street trees and the infrastructure to support them.

POLICY 25.4

Preserve pedestrian-oriented building frontages

WESTERN SHORELINE AREA PLAN

RICHMOND AND SUNSET RESIDENTIAL NEIGHBORHOODS

Objectives and Policies

OBJECTIVE 11

PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG THE COASTAL ZONE AREA.

Policy 11.7

Maintain a community business district along Sloat Boulevard within the Coastal Zone to provide goods and services to residents of the outer Sunset and visitors to the Zoo and Ocean Beach.

On balance, the Project is consistent with the Objectives and Policies of the General Plan and the Western Shoreline Area Plan. The Project will develop a state-of-the-art community facility for San Francisco's Irish population and larger community. As one of the few community facilities on the west side of the City, the new and improved community facility, operated by the United Irish Cultural Center, will continue to serve as a center that enhances the lives of its community members by providing a space for informal activities and programs related to recreation, education and civic concerns of all age groups. While the center's programming will have a focus on preserving and reflecting the history of Irish community, the center will continue to enhance the community life of Outer Sunset residents by providing a space for all recreational, educational, and civic activities. Having served the community for more than 45 years, the United Irish Cultural Center, a non-profit organization, is a proven manager and operator of a large community facility.

The Project will also expand the existing community facility's ability to serve the neighborhood with additional neighborhood serving retail use opportunities, job opportunities, and business opportunities. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.

Designed with an eye on reflecting the history and aspirations of the Irish community, the proposed mixed-use building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area. The Project will also beautify the immediately adjacent public right of way with improved pedestrian walkways that include new ADA curb ramps, street trees, and bicycle parking spaces.

Located within proximity to public transportation, the Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the neighborhood's existing on-street parking availability. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will also be provided along both 45th Ave. and Wawona Street.

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

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

The Project will not remove or displace an existing neighborhood serving retail uses. The Project site is currently and will continue to be occupied by a community facility (United Irish Cultural Center). The Project will, however, enhance and provide neighborhood serving retail use opportunities, job opportunities, and business opportunities to the residents of the neighborhood. Furthermore, the Project will introduce new patrons to the area, and therefore, strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.

- 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 will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The Project will maintain and help grow the presence of the United Irish Cultural Center within the Outer Sunset and Parkside neighborhoods by demolishing an existing two-story, community facility building and constructing a six-story-over-basement, mixed-use building with private and public community facilities, bar, restaurant, office, nighttime entertainment, and instructional uses. Additionally, the Project will reinforce and enhance the nearby neighborhood serving commercial corridor by introducing additional patrons to the area.

Reflecting the history and aspirations of the Irish community, the proposed building will incorporate elements of the Irish culture including blue Kilkenny limestone and a rooftop that represents the four provinces of Ireland. As a prominent high-quality design, the new community facility will serve as a new visual focal point that marks the presence of the Irish community in San Francisco and the greater Bay Area while respecting the scale and form of the surrounding neighborhood.

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

The Project does not currently possess any existing affordable housing.

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

The Project is not expected to impede public transportation, vehicle traffic patterns, or overburden the immediate neighborhood's existing on-street parking availability; the Project site is well served by public transportation. The subject property is located less than a block from the 18 and 23 bus lines and less than a quarter mile from L-Muni line. Additionally, the Project will contain 54 off-street parking spaces and two car share spaces at the basement level of the subject building. On-street passenger and freight loading will be provided along both 45th Ave. and Wawona Street.

- 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 sectors due to a commercial office development and will not affect residents' employment and ownership opportunities of industrial and service sector. Rather, the Project will increase the future employment and ownership opportunities. The Project will demolish a two-story, community facility building and construct a much larger mixed-use building that includes private and public community facilities, restaurant, bar, office, nighttime entertainment, and instructional uses.

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

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

- G. That landmarks and historic buildings be preserved.

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

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

The Project will create a new shadow on the San Francisco Zoo which is under the jurisdiction of the Recreation and Park Department. However, the amount of net new shadow cast onto the Zoo as a result of the Project will not be significant or adverse to the enjoyment of the park.

9. 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.
10. The Commission hereby finds that approval of the Coastal Zone Permit 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 Costal Zone Permit Application No. 2022-001407CTZ** subject to the following conditions attached hereto as “EXHIBIT B” in general conformance with plans on file, dated July 18, 2023, and stamped “EXHIBIT C”, which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Coastal Zone Permit to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (628) 652-1150, 49 South Van Ness Ave., Suite 1475, San Francisco, CA 94103.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Coastal Zone Permit to the California Coastal Commission within ten (10) working days after the California Coastal Commission receives notice of final action from the Planning Department pursuant to the provisions of Section 330.9. Appeals to the California Coastal Commission are subject to the aggrieved party provisions in Section 330.2(a). An applicant is required to exhaust local appeals before appealing to the California Coastal Commission. For further information about appeals to the California Coastal Commission, including current fees, contact the North Central Coast District Office at (415) 904 - 5260.

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 July 27, 2023.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: July 27, 2023

EXHIBIT B

Authorization

This authorization is for a conditional use and coastal zone permit to allow the demolition of an existing two-story, community facility and new construction of a six-story-over-basement, mixed-use building (approximately 129,538 square feet) to be operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses pursuant to Planning Code Sections 249.96, 303, and 330 within the NC-2 District, Wawona Street and 45th Avenue Cultural Center Special Use District, and a 100-A Height and Bulk District; in general conformance with plans, dated July 18, 2023, and stamped “EXHIBIT C” included in the docket for Record No. 2022-001407CTZ and subject to conditions of approval reviewed and approved by the Commission on July 27, 2023 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 27, 2023 under Motion No. XXXXXX.

Printing of Conditions of Approval on Plans

The conditions of approval under the “Exhibit B” of this Planning Commission Motion No. XXXXXX 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 Coastal Zone Permit 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 Coastal Zone Permit.

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 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 628.652.7463, www.sfplanning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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 the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) became effective.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 6. Additional Project Authorization.** The Project must obtain a Conditional Use Authorization, Planning Code Text Amendment Code to create the Wawona Street and 45th Avenue Cultural Center Special Use District at 2700 45th Avenue, Assessor's parcel Block No. 2513, Lot No. 026, and amend Zoning Map No. SU13 to illustrate the Wawona Street And 45th Avenue Cultural Center Special Use District (Board of Supervisor File No. 230505). The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Planning Director, shall apply.

This approval is contingent on and will be of no further force and effect until the date that the San Francisco Board of Supervisors has approved by resolution approving the Planning Code Text Amendment and Map Amendment.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Parking and Traffic

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Monitoring - After Entitlement

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 9. 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 B 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 628.652.7463,
www.sfplanning.org*



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: JULY 27, 2023

Case No.: 2022-001407SHD
Project Address: 2700 45th Avenue
Zoning: Neighborhood Commercial, Small Scale (NC-2) Zoning District
100-A Height and Bulk District
Cultural District: Sunset Chinese Cultural District
Block/Lots: 2513 / 026
Project Sponsor: Dane Bunton
Studio BANAA
2169 Folsom Street, Suite #106
San Francisco, CA 94110
Staff Contact: Gabriela Pantoja – (628) 652-7380
Gabriela.Pantoja@sfgov.org

ADOPTING FINDINGS WITH THE RECOMMENDATION OF THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON SAN FRANCISCO ZOO BY THE PROPOSED PROJECT AT 2700 45TH AVENUE WOULD NOT BE ADVERSE TO THE USE OF SAN FRANCISCO ZOO.

Preamble

Under Planning Code Section 295, a building permit application for a project exceeding a height of 40 feet cannot be approved if there is any shadow impact on a property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission, upon recommendation from the Recreation and Park Commission, makes a determination that the shadow impact will not be significant or adverse.

On February 7, 1959, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595).

Planning Code Section 295 was adopted in 1985 in response to voter-approved Proposition K, which required Planning Commission disapproval of any structure greater than 40 feet in height that cast a shadow on property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission found the shadow would not be significant. In 1989, the Recreation and Park Commission and Planning Commission jointly adopted

a memorandum which identified quantitative and qualitative criteria for determinations of significant shadows in parks under the jurisdiction of the Recreation and Park Department.

The Proposition K Memorandum established generic criteria for determining a potentially permissible quantitative limit for additional shadows, known as the absolute cumulative limit, for parks not named in the memorandum. San Francisco Zoo was not named in the Proposition K memorandum and, at 100 acres (3,288,181 sq. ft.), is considered a large park which is shadowed less than 20 percent of the time during the year. As such, Proposition K Memorandum recommended that additional shadow of up to one percent could be potentially permitted if the shadow meets the qualitative criteria of the park. The qualitative criteria includes existing shadow profiles, important times of day and seasons in the year associated with the park's use, the size and duration of new shadows, and the public good served by the buildings casting new shadow. Approval of new shadow on San Francisco Zoo would require hearings at the Recreation and Park Commission and the Planning Commission.

The San Francisco Zoo is a 100-acre public zoo and garden located in the southwestern corner of San Francisco, California, in the Lakeshore neighborhood between Lake Merced and the Pacific Ocean along the Great Highway. The SF Zoo is a public institution, managed by the non-profit San Francisco Zoological Society and under the jurisdiction of the Recreation and Parks Department. The official hours of operation are from 10 a.m. to 5 p.m. daily, but special programs that include overnight stays and special evening programs are also offered.

The park contains over 350 species of animals and dozens of enclosures organized around seven major zones including the "Exploration Zone" situated on the northwestern corner of the park and due east of the main entry and exit. Additional zones include the "Outback Trail", "South America" and "Bear Country" along the northern quarter of the site bordering Sloat Boulevard. The "Cat Kingdom", "Primate Discovery Center", and "African Region" make up the southern half of the park. Onsite parking is provided and controlled along the western edge of the Zoo and is accessed from Great Highway.

The proposed Project has the potential to create approximately 85,818 sfh of net new shadow within the Zoo, which represents an increase of approximately 0.007% above the current level, resulting in an increase in the total annual shading from 11.45% to 11.451% of Total Annual Available Sunlight (TAAS). The new shadow resulting from the Project would be present between May and August in the early morning hours and would fall on the northwest section of the Zoo and cast new shadows on the Exploration Zone. The maximum potential impact occurs on the Summer Solstice, June 21 at 6:46 AM, and covers approximately 14,500 square feet of access road and maintenance area of the Exploration Zone's facility and represents 0.44% of the overall Zoo's area.

On May 31, 2023, Dane Bunton of Studio BANAA (hereinafter "Project Sponsor") filed Application No. 022-001407SHD (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Shadow Analysis to allow the demolition of a two-story, community facility and new construction of a six-story-over-basement, 91-ft tall, mixed-use building (approximately 129,538 square feet) operated by the United Irish Cultural Center that contains Public and Private Community Facilities, Restaurant, Bar, Office, Nighttime Entertainment, and Instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class 1 and 44 Class 2 bicycle parking spaces (hereinafter "Project") at 2700 45th Avenue, Block 2513, Lot 026 (hereinafter "Project Site"). The Project is located within the NC-2 (Neighborhood Commercial, Small Scale) Zoning District, Wawona St. and 45th Ave. Cultural Center Special Use District, and 100-A Height and Bulk District.

On an annual basis, the Theoretical Annual Available Sunlight ("TAAS") on San Francisco Zoo is approximately 12,236,637,026 square-foot hours of sunlight. Existing structures in the area cast shadows on San Francisco Zoo that total approximately 1,401,697,678 square-foot hours, or approximately 11.45% of the TAAS.

A shadow analysis report, prepared by Fastcast was submitted May 22, 2023, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Record No. 2022-001407SHD). The memorandum concluded that the Project would cast approximately 85,818 square-foot hours of new shadow on San Francisco Zoo, equal to approximately 0.0007% of the TAAS on San Francisco Zoo, bringing the estimated total annual shading of the Park as a percentage of TAAS to 11.451% (previously at 11.45%).

The Project is exempt from the California Environmental Quality Act ("CEQA") as an Infill Exemption per CEQA Guidelines Section 15183.3.

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2022-001407SHD is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

On July 27, 2023, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Shadow Analysis Application No. 2022-001407SHD.

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.

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. The additional shadow cast by the Project would not be adverse and is not expected to interfere with the use of the Park for the following reasons:
 - a. The magnitude of the additional shadow is well below one percent of TAAS on an annual basis, and amounts to a reasonable and small loss of sunlight for a park in an area intended for increased building heights and residential density.
 - b. When present, the new shadow would occur in the early morning entering the park before 8 AM, prior to the opening of the Zoo to the public, with an average duration of the net new shadow being 13.4 minutes.
 - c. Shading from the Project would be over a portion of the Exploration Zone and northern perimeter edge of the zoo which is accessed only by staff.
 - e. No single location within the park would be in continuous new shadow for longer than 13.4 minutes.

3. **Public Outreach and Comment.** Prior to the submittal of the listed applications, the Project Sponsors conducted a Pre-Application Meeting on August 4, 2021 and subsequently held a kick-off meeting on August 28, 2021. Both meetings were well attended. Since the kick-off meeting, the Sponsors have continued to provide community members with Project updates via a monthly newsletter and a dedicated website. Over 200 community members have already expressed support for the proposed development including Cub Scout Pack 0108, The Kennelly and Michael Dillon Schools of Irish Dance, SF Connaught Social and Athletic Club, and District 4 Board of Supervisor, Joel Engardio. To date, the Department has not received any correspondence in opposition of the Project.
4. A determination by the Planning Commission and the Recreation and Park Commission to allocate new shadow to the Project does not constitute an approval of the Project.

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 **DETERMINES**, under Shadow Analysis Application No. 2022-001407SHD that the net new shadow cast by the Project on San Francisco Zoo will not be adverse to the use of San Francisco Zoo.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 27, 2023.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: July 27, 2023

EXHIBIT D

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



Th9a

Prepared April 20, 2018 for the May 10, 2018 Hearing

To: Commissioners and Interested Persons

From: Jeannine Manna, District Manager
Stephanie Rexing, District Supervisor
Patrick Foster, Coastal Planner

Subject: San Francisco LCP Amendment Number LCP-2-SNF-18-0028-1 (Western Shoreline Area Plan)

SUMMARY OF STAFF RECOMMENDATION

The City and County of San Francisco (“the City”) proposes to amend its Local Coastal Program (LCP) Land Use Plan (LUP), also referred to as the Western Shoreline Area Plan, by adding new policies related to coastal hazards. The proposed amendment primarily addresses erosion, flooding, and sea level rise along the Ocean Beach shoreline in San Francisco’s coastal zone and transforms some of the broad visions on these points developed through the Ocean Beach Master Plan planning process¹ into a set of LCP policies that provide direction at a similarly broad level of detail. The proposed amendment requires the City to develop and implement proactive adaptation measures applicable to the most severe areas of erosion south of Sloat Boulevard, including managed retreat and beach nourishment, and outlines a framework for the development of future adaptation measures along the entire shoreline based upon best available science. In that sense, the proposed amendment text is primarily a statement of the City’s overall intentions, and a precursor to further LCP work. At the same time, the amendment includes several requirements applicable to the review of development proposed in potentially hazardous areas. As a whole, the amendment provides objectives and policies designed to help preserve, enhance and restore the Ocean Beach shoreline in light of the significant resources present there, including those related to public access, scenic quality, natural resources, and critical public infrastructure.

The proposed amendment is the outcome of an LCP Local Assistance Grant Award received by the City from the Commission and the State Ocean Protection Council in November 2014, and

¹ The Ocean Beach Master Plan (SPUR, 2012) is a collaborative document that represents the cooperation and involvement of the City/County of San Francisco and a host of federal, state, and local agencies, as well as community stakeholders in an 18-month planning process. The Plan presents recommendations for the management and protection of San Francisco’s Ocean Beach, addressing seven focus areas related to land use in San Francisco’s coastal zone: ecology, utility infrastructure, coastal dynamics, image and character, program and activities, access and connectivity, and management and stewardship.

the proposed policy language has been developed in close coordination with Commission staff, local stakeholders and the public. It is also the City's first attempt at an LCP amendment since the LCP was originally certified in 1986. Given that the original LCP lacks specificity on a range of coastal issues, including issues that have become more pronounced in over three decades since certification, Commission staff have discussed the need for a full LCP update with the City, including one that could transform the conclusions and recommendations of the full Ocean Beach Master Plan into LCP policies. To be clear, however, this amendment is not that update. Rather, it should be considered a first step, and one that is focused on at least providing a baseline of LCP policy language designed to address some of the most pressing issues facing the San Francisco shoreline, which will ultimately lead to the City's long-term goal of a more comprehensive LCP update to respond to changes in circumstances and understandings since original LCP preparation and adoption in the 1980s.

Staff believes that the proposed amendment can be found consistent with the coastal resource policies of Chapter 3 of the Coastal Act, and that it reflects the recommendations of the Commission's 2015 Sea Level Rise Policy Guidance. Indeed, some of the proposed policies codify Coastal Act language directly, including permitting requirements related to armoring and new development in the coastal zone. For example, the proposed text explicitly recognizes the threat posed by coastal hazards and the need to identify appropriate siting out of harm's way, while ensuring that armoring is avoided wherever feasible and that it be accompanied by appropriate mitigation when required to protect existing structures in danger from erosion. Also in line with the Coastal Act's mandate to protect coastal resources, and in light of the fact that the San Francisco shoreline is entirely publicly owned and entirely fronted by public development and infrastructure, the amendment discourages new development in areas subject to an increased risk of coastal hazards by limiting new public development in the Ocean Beach area to that which is required to serve public recreational access or public trust needs, cannot be feasibly sited in an alternative area that avoids current and future hazards, will not require new or expanded shoreline armoring, and will not contribute to bluff instability.

In short, the proposed amendment represents a first step towards a more comprehensive LCP update, and ensures that the City's LCP includes appropriate coastal hazards-related objectives and policies in the interim. No changes to the existing LUP or IP policies and procedures are proposed, so existing policies pertaining to other issues (e.g., coastal access, public recreation, transportation, land use, and habitat protection) remain entirely intact. The proposed text strengthens the LCP, is the result of a healthy collaboration between City and Commission staff, and staff recommends that the Commission approve the amendment as submitted. The motion and resolution are found on page 4 below.

Staff Note: LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on March 30, 2018. It amends the LUP only, and thus the 90-day action deadline is June 30, 2018 (pursuant to Coastal Act Sections 30512 and 30514(b)). Therefore, unless the Commission extends the action deadline (it may be extended by up to one year per Coastal Act Section 30517), the Commission has until June 30, 2018 to take a final action on this LCP amendment.

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APPENDICES

- Appendix A – Substantive File Documents
- Appendix B – Staff Contact with Agencies and Groups

EXHIBITS

- Exhibit 1 – City of San Francisco’s Proposed LCP Amendment

I. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, approve the proposed LCP Land Use Plan (LUP) amendment as submitted. This amendment applies to the LUP only, so the Commission needs to make only a single motion in order to act on this recommendation. Thus, staff recommends a **YES** vote on the motion below. Passage of the motion will result in the certification of the LUP amendment as submitted and adoption of the following resolution and findings. The motion passes only upon an affirmative vote of the majority of the appointed Commissioners.

Motion: *I move that the Commission **certify** Land Use Plan Amendment LCP-2-SNF-18-0028-1 as submitted by the City and County of San Francisco, and I recommend a yes vote.*

Resolution: *The Commission hereby certifies Land Use Plan Amendment LCP-2-SNF-18-0028-1 as submitted by the City and County of San Francisco and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.*

II. FINDINGS AND DECLARATIONS

A. BACKGROUND

The City and County of San Francisco prepared its Local Coastal Program (LCP), comprised of the Western Shoreline Area Plan and implementing policies of the City's Planning Code, in the early 1980s, and the City's LCP was originally certified by the Coastal Commission on March 14, 1986. There have been no amendments since that time, and thus this current amendment is the City's first attempt at modifying the LCP since it was certified over three decades ago.

In light of issues related to coastal hazards, including as informed by Commission CDP decisions in the late 2000s, the City began to explore options for a planning framework to address erosion and coastal access along the shoreline through the Ocean Beach Task Force and the Ocean Beach Vision Council, culminating in 2012 with the completion of the Ocean Beach Master Plan, prepared by the San Francisco Planning and Urban Research Association (SPUR), an urban planning nonprofit organization. The Ocean Beach Master Plan represents the cooperation and involvement of the City and the Coastal Commission, among other federal, state, and local agencies, as well as community stakeholders in an 18-month planning process addressing seven focus areas: ecology, utility infrastructure, coastal dynamics, image and character, program and activities, access and connectivity, and management and stewardship. In November of 2014, the City was awarded a LCP Local Assistance Grant Award from the Commission to amend its LCP in accordance with the Coastal Act to both better address and account for erosion and sea level rise, as well as to convert the vision presented in the Ocean Beach Master Plan into actionable LCP policies.

The proposed LCP amendment would lay the foundation for implementation of some of the recommendations of the Ocean Beach Master Plan, including those related to the stated goals of addressing sea level rise, protecting infrastructure, restoring coastal ecosystems and improving public access. Specifically, the proposed amendment requires the City to develop and implement proactive adaptation measures applicable to the most severe areas of erosion south of Sloat Boulevard, including managed retreat and beach nourishment, and outlines a framework for the development of future adaptation measures along the entire shoreline based upon best available science. In that sense, the proposed amendment text is primarily a statement of the City's broad intentions, and a precursor to further LCP work. At the same time, the amendment includes several requirements applicable to the review of development proposed in potentially hazardous areas. Overall, the amendment provides objectives and policies designed to help preserve, enhance and restore the Ocean Beach shoreline in light of the significant resources present there, including those related to public access, scenic quality, natural resources, and critical public infrastructure.

Work conducted by the City under the LCP Assistance Grant included a public and agency involvement strategy consisting of regular meetings with an Interagency Advisory Committee, the Ocean Beach Community Advisory Committee, and the general public, to solicit input and address questions or concerns. Existing data and analyses on coastal vulnerability and the potential impacts of sea level rise to the City's coastal zone were integrated to provide a baseline understanding of current and future risk to inform development of LCP policies. Coastal Commission staff worked closely with City staff and stakeholders throughout the grant term,

participating in the public and interagency meetings, as well as individual meetings with City staff, to ensure that LCP policy language reflects the objectives of the Coastal Act and recommendations in the Commission's Sea Level Rise Policy Guidance. The proposed policies are also best designed to fit the unique landscape of development in San Francisco's coastal zone where the immediate shoreline is entirely publicly owned and entirely fronted by public development and infrastructure, and thus presents a different set of challenges and objectives than those faced by other local governments, where much, if not most of the shoreline is fronted by private development and houses.

In addition, another unique fact set here is that the City's LCP has been untouched since it was originally certified in the 1980s. Given that the original LCP lacks specificity on a range of coastal issues, including issues that have become more pronounced in over three decades since certification, Commission staff have discussed the need for a full LCP update with the City, including one that could transform the conclusions and recommendations of the full Ocean Beach Master Plan into LCP policies. To be clear, however, this amendment is not that update. Rather, it should be considered a first step, and one that is focused on at least providing a baseline of LCP policy language designed to address some of the most pressing issues facing the San Francisco shoreline, which will ultimately lead to the City's long-term goal of a more comprehensive LCP update to respond to changes in circumstances and understandings since original LCP preparation and adoption in the 1980s.

B. DESCRIPTION OF PROPOSED LCP AMENDMENT

The proposed amendment will add a "Coastal Hazards" section to the existing LUP, comprised of an objective and policies that seek to address hazards unique to the coastal zone, including erosion, coastal flooding, and sea level rise. The amendment would transform some of the broad visions on these points developed through the Ocean Beach Master Plan planning process into a set of LCP policies that also provide direction at a similarly broad level of detail. The proposed amendment requires the City to develop and implement proactive adaptation measures applicable to the most severe areas of erosion south of Sloat Boulevard, including managed retreat and beach nourishment, and outlines a framework for the development of future adaptation measures along the entire shoreline based upon best available science. In that sense, the proposed amendment text is primarily a statement of the City's overall intentions, and a precursor to further LCP work. At the same time, the amendment includes several requirements applicable to review of development proposed in potentially hazardous areas. As a whole, the amendment provides objectives and policies designed to help preserve, enhance and restore the Ocean Beach shoreline in light of the significant resources present there, including those related to public access, scenic quality, natural resources, and critical public infrastructure.

The proposed amendment's overarching objective, which each of the six proposed policies is designed to implement, states:

Objective 12. Preserve, enhance, and restore the Ocean Beach shoreline while protecting public access, scenic quality, natural resources, critical public infrastructure, and existing development from coastal hazards.

Subsequently, each of the proposed policies is directed towards that broader vision. Specifically, LCP Policy 12.1 outlines specific managed retreat adaptation measures that the City will pursue in response to impacts from shoreline erosion and sea level rise between Sloat and Skyline Boulevards, including incremental removal of shoreline protection devices and other beach obstructions, relocation of public beach parking and restrooms to areas that will not require shoreline protective devices to ensure the safety of those structures, eventual closure of the Great Highway in the area, importation of sand for beach/dune restoration, extension of the coastal trail to Fort Funston and Lake Merced through construction of a multi-use pathway along the shoreline, and consideration of shoreline armoring to prevent damage to wastewater and stormwater infrastructure only when no feasible less environmentally damaging alternatives exist and subject to Coastal Act criteria in other proposed policies.

LCP Policy 12.2 provides an overarching framework for the City as they develop future adaptation measures for the entire shoreline. This policy directs the City to develop sea level rise adaptation measures using the best available science, including preparation of sea level rise vulnerability assessments, hazard maps, and related adaptation plans. The policy requires that such vulnerability assessments and maps be based on sea level rise projections for worst-case mid-century and worst case end-of-century sea level rise in combination with a 100-year storm event, and includes a scenario that does not rely on existing shoreline protection devices. According to this policy, adaptation plans must be designed to minimize coastal resource impacts and prioritize measures that preserve, enhance or restore sandy beach areas (e.g., nourishment, dune restoration, and managed retreat) over new or expanded shoreline armoring. Such plans must also consider a wide range of non-armoring alternatives, as well as the recommendations contained in the Ocean Beach Master Plan.

To further promote soft shoreline protection measures and maintain a sandy beach, LCP Policy 12.3 requires the City to pursue the development and implementation of a long-term beach nourishment program to preserve Ocean Beach as a public recreational resource and protect existing public infrastructure. The City is actively nourishing south Ocean Beach currently through the provisions of CDP 2-15-1357, and is exploring additional options and opportunities, specifically related to use of dredge spoils from the main Golden Gate Bridge channel dredging operations, that could significantly expand such efforts in the future.

Recognizing that sea level rise and erosion are expected to worsen over time, proposed LCP Policy 12.4 describes requirements to ensure that the Ocean Beach shoreline is developed in a responsible manner, including limiting new public development in the immediate shoreline area to that which is required to serve public recreational access and/or public trust needs only if certain criteria are met. The policy also requires that new development and substantial improvements to existing development be sited and designed to minimize risks to life and property, ensure stability and structural integrity, not contribute to geologic instability, and not require protective devices that would alter the natural bluff and shoreline landforms.

The proposed amendment also addresses the potential impacts of proposed shoreline armoring with a policy specifically entitled “Limit Shoreline Protective Devices” that provides stringent requirements for when such armoring may and may not be allowed. Specifically, LCP Policy 12.5 requires shoreline protection devices be avoided, allowing for them only where less

environmentally damaging alternatives are not feasible and where necessary to protect existing structures from a substantial risk of loss or major damage due to erosion. In addition, according to this proposed policy, new or expanded shoreline protection devices are discouraged to solely protect parking, restrooms, or other pedestrian or bicycle facilities. Further, LCP Policy 12.6 outlines measures to minimize impacts of otherwise allowable shoreline armoring, including a requirement that coastal permit applications for reconstruction, expansion, or replacement of existing shoreline protection devices include a re-assessment of the need for the device, the need for any repair or maintenance of the device, any additional required mitigation for unavoidable impacts to coastal resources, and the potential for removal or relocation based on changed conditions. In addition, the policy requires that such protective devices be designed and constructed to avoid, minimize and mitigate impacts to sand supply, sensitive habitat areas, the area's scenic qualities, and coastal access.

Thus, some of the proposed policies codify Coastal Act language directly, including permitting requirements related to armoring and new development in the coastal zone. For example, the proposed text explicitly recognizes the threat posed by coastal hazards and the need to identify appropriate siting out of harm's way, while ensuring that armoring is avoided wherever feasible and that it be accompanied by appropriate mitigation when required to protect existing structures in danger from erosion. Also in line with the Coastal Act's mandate to protect coastal resources, and in light of the fact that San Francisco's immediate shoreline is entirely publicly owned and entirely fronted by public development and infrastructure, the proposed policies discourage new development in areas subject to an increased risk of coastal hazards by limiting new public development in the Ocean Beach area to that which is required to serve public recreational access or public trust needs, cannot be feasibly sited in an alternative area that avoids current and future hazards, will not require a new or expanded shoreline armoring, and will not contribute to bluff instability.

In short, the proposed amendment represents a first step towards a more comprehensive LCP update, and ensures that the City's LCP includes appropriate coastal hazards-related objectives and policies in the interim. No changes to the existing LUP or IP policies and procedures are proposed, so existing policies pertaining to other issues (e.g., coastal access, public recreation, transportation, land use, and habitat protection) remain entirely intact. The proposed text is thereby designed to strengthen the LCP, and should be understood in that context.

Please see **Exhibit 1** for full text of the policies proposed for addition to the LCP through this amendment.

C. CONSISTENCY ANALYSIS

Standard of Review

The proposed amendment affects only the LUP component of the San Francisco LCP. Pursuant to Coastal Act Section 30512.2, the standard of review for LUP amendments is that they must conform with the Chapter 3 policies of the Coastal Act. Applicable Coastal Act policies include:

***Section 30235.** Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall*

be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.

Section 30253. *New development shall do all of the following:*

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. ...*
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

Section 30210. *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212(a)(1)(2) *(in relevant part). Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby...*

Section 30213 *(in relevant part). Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred...*

Section 30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

Section 30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Section 30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

The Coastal Act recognizes that development along the California shoreline can be affected by a wide variety of coastal hazards, ranging from strong storms and wave uprush to erosion, landslides and liquefaction. Therefore, the Act places a strong emphasis on minimizing risks associated with such hazards, and ensuring stability for development over time in such a way as to avoid adverse impacts to natural processes and coastal resources. The latter concept is particularly important at the shoreline and bluff interface where shoreline-altering development is often undertaken to protect private and public development, oftentimes with significant coastal resource consequences. Such shoreline altering development can lead to coastal resource impacts of many types, including adverse effects on sand supply and ecology, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site. Thus, the Coastal Act prohibits most shoreline protective devices with new development, and only allows armoring in limited circumstances, subject to impact avoidance and mitigation.

Coastal Act Section 30235 acknowledges that certain types of development (such as seawalls, revetments, retaining walls, groins and other such structural or “hard” methods designed to forestall erosion) can alter natural shoreline processes. Accordingly, along with coastal-dependent uses, Section 30235 authorizes such construction if “required to protect existing structures or public beaches in danger from erosion.” More specifically, Coastal Act Section 30235 requires approval of shoreline protective devices when specified criteria are met. Namely, when 1) they are necessary, 2) to protect existing structures or coastal-dependent uses, 3) in danger of erosion, 4) are designed to eliminate or mitigate adverse impacts to sand supply, 5) mitigate for other coastal resource impacts, and 6) are the least environmentally damaging feasible alternative. Therefore, in cases where shoreline protection can be approved, the coastal permit authorization must preserve public beach access, sand supply, coastal ecosystems, natural landforms, and other coastal resource values.

Relatedly, Coastal Act Section 30253 requires that risks be minimized, long-term stability and structural integrity be provided, and that new development be sited, designed, and built in such a way as to not require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. Thus, new development must be sited and designed in such a way as to avoid shoreline armoring over its lifetime that would substantially alter these key natural shoreline landforms while also ensuring that the public will not be exposed to hazardous structures or be held responsible for any future stability issues that may affect the development.

The Coastal Act’s access and recreation policies provide significant direction regarding not only protecting public recreational access, but also ensuring that access is provided and maximized. Specifically, Coastal Act Section 30210 requires that maximum public access and recreational opportunities be provided. This direction to maximize access and recreational opportunities represents a different threshold than to simply provide or protect such access, and is fundamentally different from other like provisions in this respect. In other words, it is not enough to simply provide access to and along the coast, and not enough to simply protect such access; rather such access must also be maximized. This terminology distinguishes the Coastal Act in certain respects, and provides fundamental direction with respect to significant public recreational areas along the California coast that raise public access issues, such as at Ocean Beach.

Beyond the fundamental mandate that public recreational access opportunities be maximized for all in the coastal zone, the Coastal Act provides a series of mechanisms designed to meet that objective and to ensure public access under appropriate time, manner, and place considerations. For example, Section 30211 prohibits development from interfering with the public's right of access to the sea when acquired by legislative authorization or by use. In approving new development, Section 30212(a) requires new development to provide access from the nearest public roadway to the shoreline and along the coast, except in certain limited exceptions, such as when there is existing adequate access nearby. Section 30212.5 identifies that public facilities are to be appropriately distributed throughout an area so as to help mitigate against overcrowding and overuse at any single location. Importantly, Section 30213 requires that lower-cost visitor and recreational access facilities be protected, encouraged, and provided, while giving a stated preference to development that provides public recreational access opportunities. Coastal Act Section 30220 requires that areas that provide water-oriented recreational activities, such as the offshore areas in this case, be protected, while Section 30221 states that oceanfront land suitable for recreational use shall be protected for recreational use and development. Similarly, Section 30223 protects upland areas necessary to support coastal recreational uses. All of these policies are implicated by the proposed coastal hazards policies in one form or another in this case.

Finally, the Coastal Act's various other policies protecting coastal resources such as water quality, sensitive habitat, and visual character are also affected by the proposed coastal hazard policies, especially when considering development (such as armoring) with the potential to affect such resources in potentially hazardous areas. Thus, as a whole, Chapter 3 of the Coastal Act requires that the proposed LUP amendment provide for initial siting and design of development out of harm's way, along with direction on what to do when existing development is endangered by erosion and how best to protect all of the significant coastal resources implicated by coastal hazards along San Francisco's shoreline at Ocean Beach. In short, the proposed LUP text must effectively translate these Coastal Act requirements in a way that addresses the range of coastal hazard issues present in San Francisco's coastal zone.

Coastal Act Consistency Analysis

The City's current 1986 LCP covers coastal access, public recreation, transportation, land use, and habitat protection within the coastal zone. However, the current LCP does not explicitly address coastal hazards or sea level rise at a policy level. The primary intent of the proposed LCP text is to provide a coastal hazards framework given coastal hazards are already impacting public access, recreation, and habitat resources along the San Francisco shoreline. Such hazards are also currently endangering critical public infrastructure and public recreational facilities, while existing shoreline armoring is leading to its own resource impacts, especially in the south Ocean Beach area.

In recent years, erosion of South Ocean Beach damaged the Great Highway and resulted in the loss of public beach parking and related public facilities, and now threatens to damage critical wastewater system infrastructure. Going forward, sea level rise and the increased frequency and severity of coastal storms anticipated due to global climate change is expected to continue to exacerbate these effects, demonstrating a need to approach the management of coastal hazards in a more proactive way. The proposed amendment is designed to help address such hazards by providing measures to begin to implement some of the recommended adaptation methods

identified in the collaborative Ocean Beach Master Plan for south of Sloat Boulevard, which focus on avoiding armoring in favor of nature-based solutions that will enhance public access, recreation, and scenic and visual qualities while still providing protection to important infrastructure. Further, the amendment outlines a framework for the development of future adaptation strategies based on best available science, includes requirements for evaluating and planning future development proposed in hazard areas, and addresses the impacts of new and existing shoreline protective devices for the City's coastal zone.

The large majority of San Francisco's western shoreline is publicly owned. Approximately 85 percent of the 1,771 acres which comprise the coastal zone area are owned and operated either by the City (Golden Gate Park, San Francisco Zoo, and Lake Merced), or the Federal Government (Golden Gate National Recreation Area, which includes all of Ocean Beach itself). The remaining land is privately owned, though this also includes the Olympic Club, which remains an area of deferred certification not subject to the LCP. Thus, San Francisco's LCP does not apply to either the Olympic Club or to areas managed by the National Park Service as part of the Golden Gate National Recreation Area, both of which are directly subject to Commission oversight (through CDP processes for the former, and through federal consistency processes for the latter). Due to San Francisco's unique shoreline configuration, there are no private property owners along the immediate shoreline, and although such inland private properties may indirectly benefit from the existing O'Shaughnessy, Taraval, and Noriega seawalls currently fronting the Great Highway, the City owns and maintains those facilities for public purposes. In addition, the City determined that no buildings are exposed to current coastal flood risk and only seven buildings (including public facilities) are predicted to experience temporary flooding through 2050 based on a high-end estimate of 24 inches of sea level rise by that time. Therefore, the proposed coastal hazard and sea level rise adaptation policies are not expected to affect private development in the City's coastal zone unless and until existing public infrastructure is abandoned or redeveloped to the extent that shoreline armoring is no longer necessary.

Although shoreline protective devices may offer protection to existing structures from ocean waves and storms, the devices can have negative impacts on recreational beach uses, scenic resources, natural landforms, and the supply of sand to shoreline areas, as well as the character of the City's coastal zone. The proposed amendment allows San Francisco's LCP to explicitly acknowledge these issues for the first time, and makes clear that the use of shoreline-altering protective devices must be avoided wherever feasible, while including appropriate mitigations when armoring is necessary and allowable. The LCP amendment also sets up a phased approach that will proactively address hazards in a way that not only limits the need for new armoring, but will result in the removal of armoring in favor of nature-based adaptation strategies including managed retreat and soft shoreline protection. The amendment further ensures impacts of shoreline protective devices are minimized by including a requirement that coastal permit applications for reconstruction, expansion, or replacement of existing shoreline protection devices include a re-assessment of the need for the device, the need for any repair or maintenance of the device, any additional required mitigation for unavoidable impacts to coastal resources, and the potential for removal or relocation based on changed conditions.

As described above, Coastal Act Section 30235 limits the circumstances when armoring must be approved. The proposed LUP policies carry out the requirements of 30235. In particular,

proposed Policy 12.5 states: “Shoreline protection devices such as rock revetments and seawalls shall be permitted only where necessary to protect existing critical infrastructure and existing development from a substantial risk of loss or major damage due to erosion and only where less environmentally damaging alternatives such as beach nourishment, dune restoration and managed retreat are determined to be infeasible.” Policy 12.6, in turn, ensures that any permitted protective devices are designed to avoid, minimize, and mitigate their impacts.

Accordingly, as with Section 30235, shoreline armoring will only be allowed under the LCP when necessary to protect certain existing structures at risk of erosion, where there are no feasible less damaging alternatives, and when impacts are avoided (and where unavoidable they are minimized and mitigated for). San Francisco’s coastal zone has a unique development pattern, and its approach to addressing hazards is also unique. In fact, there is very limited private development in the vulnerable area of San Francisco’s coastal zone (which was largely built out prior to the Coastal Act), and a distinct lack of any residential development in danger from current or reasonably foreseeable future erosion. Thus, the development that is or could become in danger from shoreline hazards in the future is all public infrastructure, such as the Great Highway which extends along the entire beach and which was originally built over a century ago, well before the Coastal Act. The Great Highway has been explicitly recognized by the Commission as a pre-Coastal Act structure that qualifies for consideration of shoreline armoring under the Coastal Act (see, for example, CDP 2-15-1357), and has been deemed in the past to meet the first test for when a shoreline armoring can be allowed consistent with Section 30235. As indicated, the Great Highway runs the length of Ocean Beach, and decisions relative to hazards and armoring will all be understood in that context, as well as in light of prior City commitments and requirements.²

² For example, in the South Ocean Beach area where significant public wastewater treatment infrastructure is in place, decisions must be understood in the context of CDP 2-15-1357 approved by the Commission in 2015. Specifically, in that CDP the Commission approved Phase I of a two-phased project to implement temporary coastal protection measures and a management strategy for the area south of Sloat Boulevard with the simultaneous goal of protecting critical public infrastructure and the coastal environment. Phase I involved temporary authorization of some revetment areas and sand bag structures, as well annual sand relocation from accreting areas of North Ocean Beach to the erosion hotspots identified at South Ocean Beach south of Sloat, and the placement of stacked sandbags on an as-needed basis. Phase I was designed as an interim project to be implemented while the Phase II long-term solution is developed for submittal and Coastal Commission action. The long-term solution envisions narrowing and ultimately abandoning the Great Highway south of Sloat, removing temporary armoring, and ultimately managing shoreline retreat in this area differently, all as called out in the Ocean Beach Master Plan. CDP 2-15-1357 requires the San Francisco Public Utilities Commission (PUC) to develop their preferred long term plan for Coastal Commission consideration consistent with the deadlines established in the California Coastal Protection Network and the City and County of San Francisco Settlement Agreement, and no later than the end of 2021 when authorization of the temporary measures expires, and to permit and implement the plan thereafter. The PUC’s preliminarily identified preferred approach would involve the removal of existing revetments and other shoreline protection measures that are currently in place, the restoration of the bluffs and beach, and the phased construction of a low-profile shoreline protection device landward of the current bluff face and adjacent to the Lake Merced Tunnel (SPUR/ESA PWA, April 24, 2015). However, the PUC is in the midst of an alternatives analysis and assessment that includes a variety of options, including relocation of affected infrastructure inland, and their plans may change moving forward. The main point, though, is that the adaptation discussion and project for South Ocean Beach is in process under those CDP provisions, all of which dovetails with the City’s proposed LCP on these points.

The second factor unique to San Francisco is that even though such development may qualify for protection under Section 30235, the City has gone further to set up a phased approach that will proactively address hazards in a way that not only limits the need for new armoring, but will result in the removal of existing armoring in favor of nature-based adaptation strategies for managed retreat and soft shoreline protection. Finally, the amendment includes a robust framework for requiring mitigation, not only for sand supply impacts, but also for other impacts to public access caused by shoreline protection. These factors, together, properly address the provisions of Section 30235, particularly given the development context in San Francisco.

Likewise, the proposed policies ensure consistency with Coastal Act Section 30253 by prohibiting new development that would require shoreline armoring for protection and requiring new development to ensure structural stability without the use of shoreline armoring that alters natural landforms. Furthermore, new development is discouraged in areas that would be exposed to an increased risk of coastal hazards through policies that limit new public development in the Ocean Beach area to that which is required to serve public recreational access or public trust needs, cannot be feasibly sited in an alternative area that avoids current and future hazards, will not require a new or expanded shoreline protective device, and will not contribute to bluff instability. Finally, in developing policies that implement some of the primary goals and approaches outlined in the Ocean Beach Master Plan, the proposed LCP will set up a phased approach that will proactively address hazards in a way that not only limits the need for new armoring, but will result in the removal of armoring in favor of nature-based adaptation strategies. In combination with this phased approach, the proposed LCP commits the City to develop sea level rise vulnerability assessments, adaptation plans, sea level rise hazard maps, and a long term beach nourishment program, thereby ensuring that Ocean Beach and the recreational opportunities it affords will be preserved over short-, medium-, and long-term horizons.

Overall, the proposed amendment adds adaptation policies to the LUP, recognizes the unique pattern of development and hazards in the City's coastal zone, and provides a framework for implementation in both the short and long term. The proposed amendment represents a first step towards a more comprehensive LCP update, and ensures that the City's LCP includes appropriate coastal hazards-related objectives and policies in the interim. For these reasons, the proposed LUP amendment conforms with the policies of Chapter 3 of the Coastal Act. While not the standard of review, certification of this amendment will additionally satisfy requirements of grants awarded to the City by the Coastal Commission and State Ocean Protection Council, and will help San Francisco's LCP implement the recommendations within the Coastal Commission's 2015 Sea Level Rise Policy Guidance.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA. Local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

The City and County of San Francisco determined that adoption of this LCP amendment is exempt from environmental review under CEQA pursuant to Public Resources Section 21080.9. Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP as amended conforms with CEQA provisions. This report has discussed the relevant coastal resource issues with the proposed amendment and concludes that the amendment would not result in an intensification of land uses, or have adverse impacts on coastal resources. The proposed LCP amendment promotes consideration of a variety of adaption measures and solutions to avoid and minimize hazards, as well as to minimize impacts of shoreline armoring. As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

- Ocean Beach Master Plan (SPUR, 2012)
- Sea Level Rise Adopted Policy Guidance (CCC, 2015)
- Sea Level Rise Existing Data and Analyses Technical Memorandum (ESA, 2016)

APPENDIX B – STAFF CONTACT WITH AGENCIES AND GROUPS

- City and County of San Francisco Planning Department
- City and County of San Francisco Public Utilities Commission
- Surfrider Foundation, San Francisco Chapter
- San Francisco Bay Area Planning and Urban Research Association (SPUR)
- San Francisco Recreation and Parks Department
- San Francisco Zoo
- San Francisco Municipal Transportation Agency
- San Francisco County Transportation Agency
- San Francisco Public Works
- Sierra Club San Francisco Bay Chapter
- United States National Park Service - Golden Gate National Recreation Area (GGNRA)

EXHIBIT E

From: Watty, Elizabeth (CPC)
Sent: Wed, 4 Oct 2023 01:20:58 +0000
To: Pantoja, Gabriela (CPC)
Subject: FW: SF Implementation Plan

FYI

Elizabeth Watty, LEED AP, Director
Current Planning Division

San Francisco Planning

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7362 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>
Sent: Thursday, September 21, 2023 11:00 AM
To: Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>; Henningsen, Luke@Coastal <luke.henningsen@coastal.ca.gov>
Subject: RE: SF Implementation Plan

Our website has a bunch of [LCP-related resources](#) for our local government partners, including specifically around processes related to preparation of an update, approval, and certification by the CCC (6th drop down on that webpage). After you review, if you have more detailed questions or want to meet again to talk more free form, we are happy to do that. Thanks!

Stephanie R. Rexing

From: Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>
Sent: Wednesday, September 20, 2023 3:49 PM
To: Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>; Henningsen, Luke@Coastal <luke.henningsen@coastal.ca.gov>
Subject: RE: SF Implementation Plan

Got it, that all makes sense. I have a hunch that ball got dropped on our end after the staff planner left who handled the LUP.

Is there anything I can review to understand what the steps/process/timeline would look like to have our IP, including zoning controls, etc., updated?

Thanks again for that insight.

Best,
Liz

Elizabeth Watty, LEED AP, Director

EXHIBIT F

Sent: Tue, 12 Sep 2023 19:21:43 +0000
To: Henningsen, Luke@Coastal
Subject: RE: Coastal Zone Permit for 2700 45th Ave. (SF Irish Cultural Center)

Hi Luke,

Thanks for checking with your team. Let me go ahead and send out the Teams meeting invite.

Gabriela (Gaby) Pantoja, Senior Planner
Districts 9 and 10, Current Planning Division

San Francisco Planning Department
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628-652-7380 | www.sfplanning.org
[San Francisco Property Information Map](#)

Note: I will be out of the office on August 25th and September 2nd through 11th

From: Henningsen, Luke@Coastal <luke.henningsen@coastal.ca.gov>
Sent: Tuesday, September 12, 2023 11:43 AM
To: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>
Subject: Fw: Coastal Zone Permit for 2700 45th Ave. (SF Irish Cultural Center)

Hi Gabriela - just checking in on this. Dan is also available Monday at 2, as of now. It's tough to get all the schedules aligned so hoping to get this on the calendar soon. Thanks!

Luke

From: Henningsen, Luke@Coastal <luke.henningsen@coastal.ca.gov>
Sent: Monday, September 11, 2023 12:55 PM
To: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>; Carl, Dan@Coastal <Dan.Carl@coastal.ca.gov>; Tillema, Logan@Coastal <logan.tillema@coastal.ca.gov>
Cc: Teague, Corey (CPC) <corey.teague@sfgov.org>; Fossi, Natalia (CPC) <Natalia.Fossi@sfgov.org>; Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>; GUALCO, GIULIA (CAT) <Giulia.Gualco-Nelson@sfcityatty.org>; YANG, AUSTIN (CAT) <Austin.Yang@sfcityatty.org>; Hillis, Rich (CPC) <rich.hillis@sfgov.org>; Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>
Subject: Re: Coastal Zone Permit for 2700 45th Ave. (SF Irish Cultural Center)

Hi Gabriela,

Monday the 18th works best for us. Our attorney Logan Tillema and the District Manager for North Central Coast, Stephanie Rexing, are joining. Not sure yet if Dan is free. Please send the invite at your convenience.

Thanks,
Luke

From: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>
Sent: Monday, September 11, 2023 12:12 PM
To: Carl, Dan@Coastal <Dan.Carl@coastal.ca.gov>; Tillema, Logan@Coastal <logan.tillema@coastal.ca.gov>
Cc: Henningsen, Luke@Coastal <luke.henningsen@coastal.ca.gov>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Fossi, Natalia (CPC) <Natalia.Fossi@sfgov.org>; Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>; GUALCO, GIULIA (CAT) <Giulia.Gualco-Nelson@sfcityatty.org>; YANG, AUSTIN (CAT) <Austin.Yang@sfcityatty.org>; Hillis, Rich (CPC) <rich.hillis@sfgov.org>; Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>
Subject: RE: Coastal Zone Permit for 2700 45th Ave. (SF Irish Cultural Center)

Hi Dan,

Thanks again for all your help on this.

There appears to be a slight misunderstanding about the zoning amendments included as part of this project and their relation to the Coastal Zone Permit. Director Hillis would like to meet to discuss and get on the same page. Is your team available for a meeting this week or next Monday, 9/18? If so, we are available the following days/times:

Tuesday, 9/12, at 10:30 AM
Wednesday, 9/13, at 10:30 AM
Monday, 9/18, at 2 PM

Thanks,
Gabriela

Gabriela (Gaby) Pantoja, Senior Planner
Districts 9 and 10, Current Planning Division

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Direct: 628-652-7380 | www.sfplanning.org
[San Francisco Property Information Map](#)

Note: I will be out of the office on August 25th and September 2nd through 11th

From: Carl, Dan@Coastal <Dan.Carl@coastal.ca.gov>
Sent: Monday, September 4, 2023 2:42 PM
To: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>; Tillema, Logan@Coastal <logan.tillema@coastal.ca.gov>
Cc: Henningsen, Luke@Coastal <luke.henningsen@coastal.ca.gov>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Fossi, Natalia (CPC) <Natalia.Fossi@sfgov.org>; Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>
Subject: Re: Coastal Zone Permit for 2700 45th Ave. (SF Irish Cultural Center)

Depends. Normally LCPs include zoning and code provisions applicable to the coastal zone. I'm not an expert on SF's LCP by any means, but would presume that to be the case here, and this is

thus 'part' of the LCP. Put another way, if it is going to be used as a standard of review for a coastal permit, and sounds like it is, then only the LCP serves as such a standard of review. In other words, non-LCP sections cannot be used as a legal standard for making coastal permit decisions. The LCP is that standard. Hope that helps...

From: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>
Date: Friday, September 1, 2023 at 4:49 PM
To: Carl, Dan@Coastal <Dan.Carl@coastal.ca.gov>, Tillema, Logan@Coastal <logan.tillema@coastal.ca.gov>
Cc: Henningsen, Luke@Coastal <luke.henningsen@coastal.ca.gov>, Teague, Corey (CPC) <corey.teague@sfgov.org>, Fossi, Natalia (CPC) <Natalia.Fossi@sfgov.org>, Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>
Subject: RE: Coastal Zone Permit for 2700 45th Ave. (SF Irish Cultural Center)

Hi Dan,

Thanks for the quick response. This is very helpful.

Is it correct to state that any zoning map and/or planning code changes that effect a parcel within the coastal zone would constitute an LCP amendment? Unlike the update made to our LCP in 2015 related to sea level rise, the proposed project's amendments wouldn't be changing the LCP itself.

Thanks again,
Gabriela

Gabriela (Gaby) Pantoja, Senior Planner
Districts 9 and 10, Current Planning Division

San Francisco Planning Department

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628-652-7380 | www.sfplanning.org

[San Francisco Property Information Map](#)

Note: I will be out of the office on August 25th and September 2nd through 11th

From: Carl, Dan@Coastal <Dan.Carl@coastal.ca.gov>
Sent: Friday, September 1, 2023 4:11 PM
To: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>; Tillema, Logan@Coastal <logan.tillema@coastal.ca.gov>
Cc: Henningsen, Luke@Coastal <luke.henningsen@coastal.ca.gov>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Fossi, Natalia (CPC) <Natalia.Fossi@sfgov.org>; Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>
Subject: Re: Coastal Zone Permit for 2700 45th Ave. (SF Irish Cultural Center)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Gaby,

Thanks for reaching out. I will be in Eureka for the CCC meeting next week, so can't help then. That said, if I understand the issues correctly from your framing, yes, if a project requires an LCP amendment (and changes to LCP zoning maps and planning provisions constitute such an amendment) in order for its coastal development permit (CDP) application to be found LCP consistent, then such amendment needs to be certified by the Commission before the City/County can rely on the amended LCP in taking a CDP action. In other words, in cases like this, there are two steps. The first step is to process the LCP amendment, and get it certified by the Coastal Commission. And then the second step is to consider the application measured against that now amended LCP.

In past cases that seem to track your scenario, some local governments have done conceptual or other types of approvals of the project dependent on the LCP being changed, but do not take a CDP action, and then do a final CDP action after the LCP is changed. Importantly, a CDP cannot be conditioned on an LCP amendment, rather that application is required to be evaluated against the certified LCP in effect at the time the application is considered. Put another way, it sounds like your appellant is correct.

Hope that helps clarify. And feel free to meet without me next week as need be, and I can circle back with folks afterwards. Hope that helps...

Dan

Dan Carl

District Director

North Central Coast and Central Coast Districts

California Coastal Commission

Web:

<https://url.avanan.click/v2/?url=www.coastal.ca.gov&url=YXAzOnNmZHQyOmE6bzo3Y2UyMGI3ZDE4NGMyZDIwMGE1ZDYxZjA2YWRIYmZiYjo2Ojk1OTE6ZDhlODg2MjFjYmE0ZmM0YTJlZWU5OTRjNDViODFmMTE5M2FiYzlhNjgwNDNkNWl3Mjk2YTZIYTFiMGJiOGQ1NjB0OIQ>

Email: dan.carl@coastal.ca.gov

North Central Coast District (Sonoma, Marin, San Francisco, and San Mateo Counties)

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Central Coast District (Santa Cruz, Monterey, and San Luis Obispo Counties)

725 Front Street, Suite 300

Santa Cruz, CA 95060

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From: Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>
Date: Friday, September 1, 2023 at 3:57 PM
To: Tillema, Logan@Coastal <logan.tillema@coastal.ca.gov>, Carl, Dan@Coastal <Dan.Carl@coastal.ca.gov>
Cc: Henningsen, Luke@Coastal <luke.henningsen@coastal.ca.gov>, Teague, Corey (CPC) <corey.teague@sfgov.org>, Fossi, Natalia (CPC) <Natalia.Fossi@sfgov.org>
Subject: Coastal Zone Permit for 2700 45th Ave. (SF Irish Cultural Center)

Hi Logan and Dan,

Hope all is well.

Luke kindly shared your contact info. with me. (Thanks again, Luke!). The reason I'm reaching out is that we recently received an appeal to SF's Board of Appeals related to the approval of the Coastal Zone Permit by the SF Planning Commission for the redevelopment of the Irish Cultural Center (2700 45th Ave., APN 2513/026). As part of the appellant's brief, they have stated that the Coastal Commission needs to take action on the proposed zoning map and planning codes amendments related to the redevelopment before we can state that "the project conforms to the requirements and objectives of the San Francisco Local Coastal Program" ([Planning Code Section 330](#)). As part of the project, zoning map and planning code amendments are proposed to create an overlay special use district that will facilitate the redevelopment.

Our response brief to the appeal is due on Thursday, 9/6, and we were hoping to steal a few minutes with you all on Tuesday, 9/5, to run through some questions with you all. I've cc'ed our Zoning Administrator, Corey Teague, who will be handling the appeal and would be meeting with you all. Are you all available for quick call on Tuesday? If so, what times work best for you all?

Thanks in advance for your help with this and apologies for such a short notice.
Gabriela

Gabriela (Gaby) Pantoja, Senior Planner
Districts 9 and 10, Current Planning Division

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EXHIBIT G

Western Shoreline Area Plan

INTRODUCTION

The conservation of the California coast has always been of interest and concern to San Francisco. From the early years of the city's history, the coastal beach and cliff areas have been an important recreational and natural resource to the people of San Francisco and the Bay Area. There has always been an intense interest among the city's citizens in maintaining the area for the use and enjoyment of the public. This position was underscored by the enthusiastic participation of the City in establishing the Golden Gate National Recreation Area and the overwhelming voter support for Proposition 20 in 1972 which led to the passage of the Coastal Act of 1976. Pursuant to that act San Francisco prepared a Local Coastal Program adopted by the City Planning Commission, and the Board of Supervisors, and certified by the California Coastal Commission on April 26, 1984.

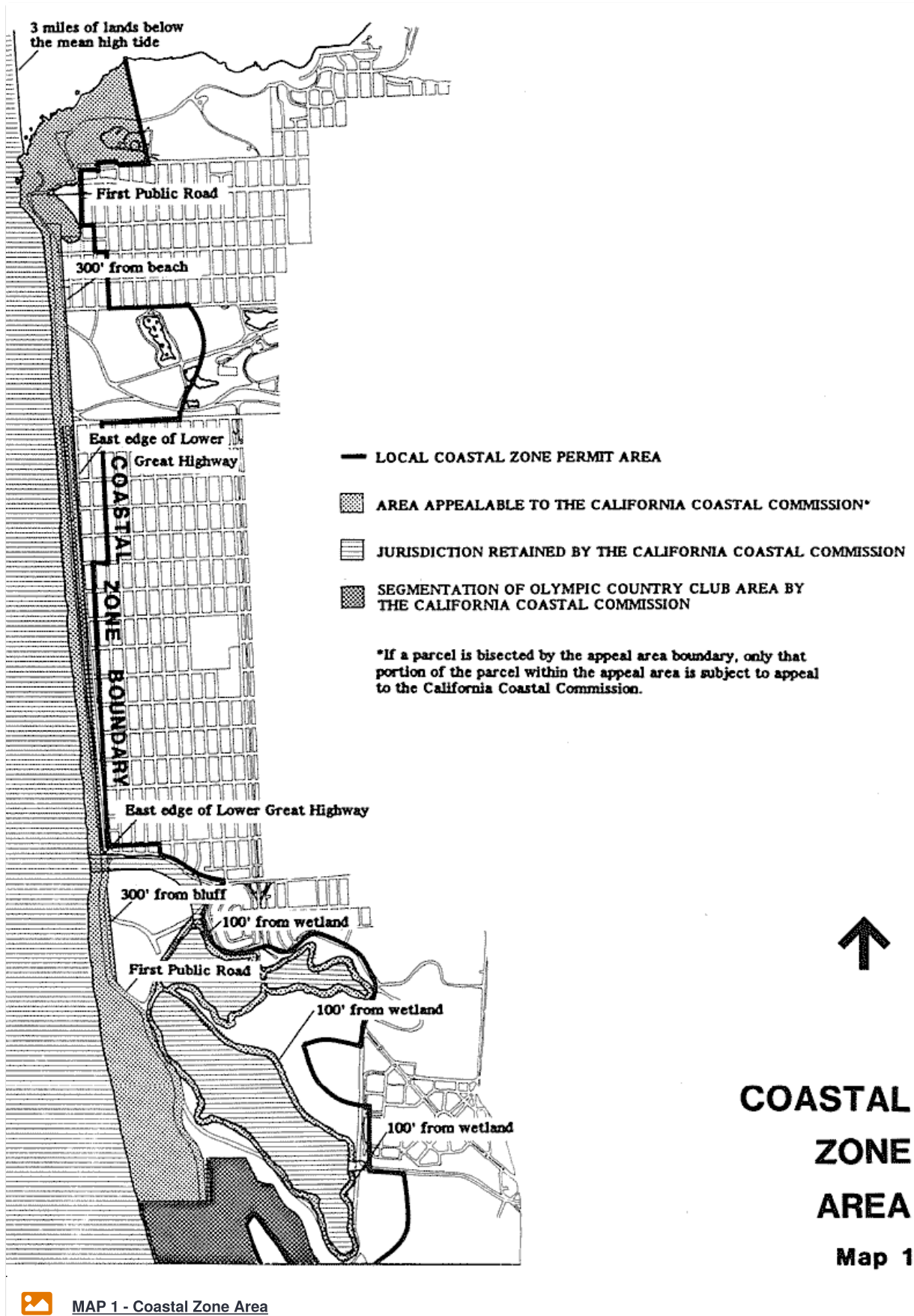
The City Planning Commission is responsible for adopting and maintaining a comprehensive long-term general plan for future development of the City and County of San Francisco known as the Master Plan. The Plan is divided into a number of functional elements, including Urban Design, Residence, Recreation and Open Space, Commerce and Industry, Environmental Protection, Transportation, and a number of subarea plans, including the Civic Center Plan, Northeastern Waterfront Plan and the Central Waterfront Plan.

The policies of the Local Coastal Program, together with the addition of summary objectives to the various section readings to make it compatible with other area plans, are being incorporated in the City's Master Plan, as an area plan under the title Western Shoreline Plan.

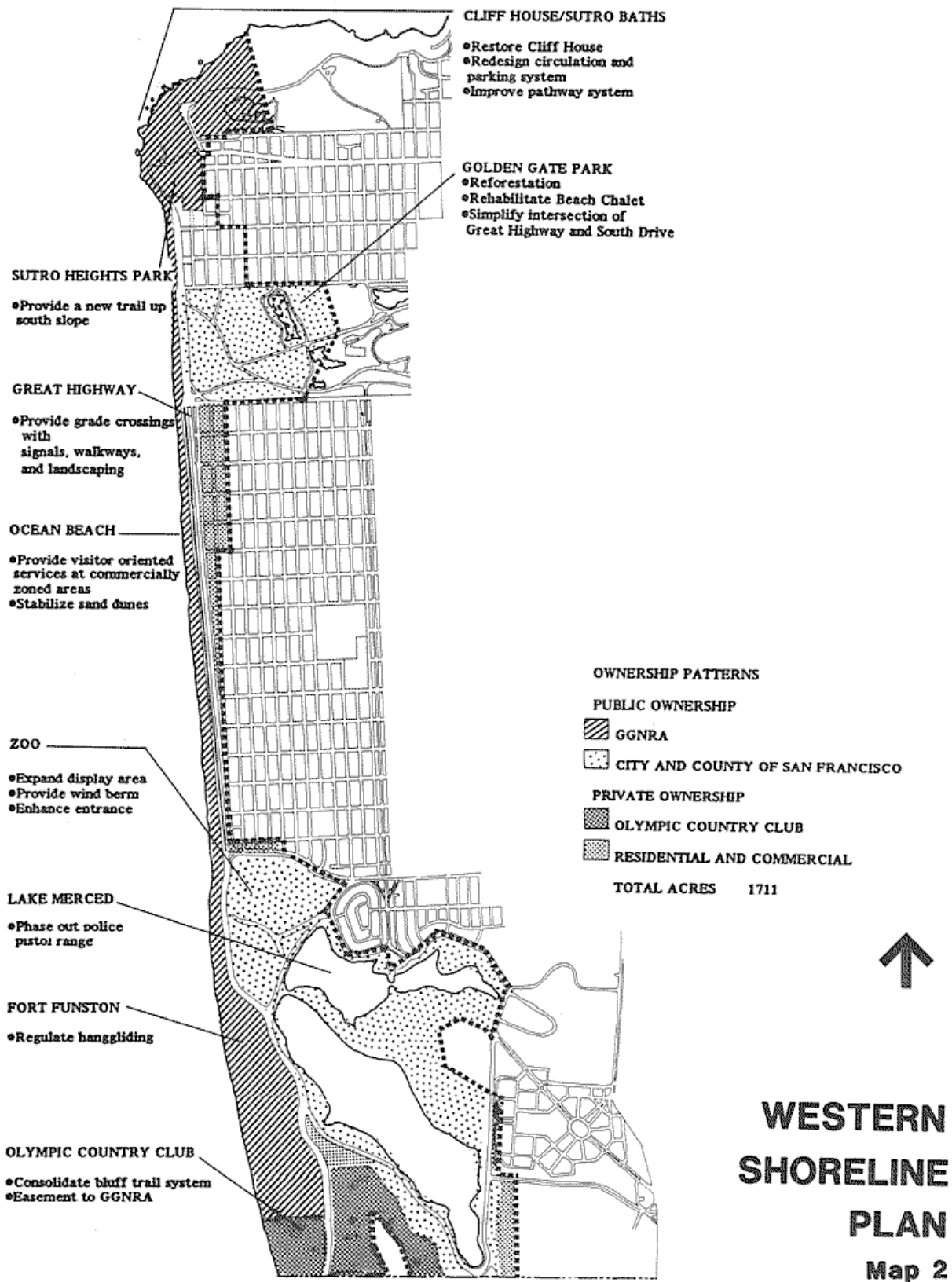
The San Francisco Coastal Zone extends approximately 6 miles along the western shoreline from the Fort Funston cliff area in the south to the Point Lobos recreational area in the north. The south end of the Coastal Zone includes the Lake Merced area, the Zoo, the Olympic Country Club, and the seashore and bluff area of Fort Funston. The Coastal Zone spans the Ocean Beach shoreline and includes Golden Gate Park west of Fortieth Avenue, the Great Highway corridor and the adjacent residential blocks in the Sunset and Richmond districts. The north end of the seashore includes the Cliff House and Sutro Baths area, Sutro Heights Park, and Point Lobos recreational area.

Most of the San Francisco western shoreline is publicly owned. Golden Gate Park, the Zoo, and Lake Merced contain 60% of the 1,771 acres which comprise the Coastal Zone area. Another 25% of the Coastal Zone is within the Golden Gate National Recreation Area (GGNRA). Only 14% of the land is privately owned, and 9% of this land is within the Olympic Country Club area. The remainder 5% is private residential and commercial property which fronts or lies in close proximity to the seashore.

The Coastal Zone is the area shown on Map 1.



The area covered by the Western Shoreline Plan is divided into ten subareas as listed below and shown on Map 2.



MAP 2 - Western Shoreline Plan

- [The Great Highway](#)
- [Golden Gate Park](#)
- [The Zoo](#)

- [Lake Merced](#)
- [Ocean Beach](#)
- [Sutro Heights Park](#)
- [Cliff House Sutro Baths](#)
- [Fort Funston](#)
- [Olympic Country Club](#)
- [Richmond and Sunset Residential Neighborhoods](#)

The Plan consists of transportation policies for the entire Coastal Zone and of specific policies relating to the ten subareas.

OBJECTIVES AND POLICIES

Transportation

OBJECTIVE 1

IMPROVE PUBLIC TRANSIT ACCESS TO THE COAST.

POLICY 1.1

Improve crosstown public transit connections to the coastal area, specifically Ocean Beach, the Zoo and the Cliff House.

POLICY 1.2

Provide transit connections amongst the important coastal recreational destinations

POLICY 1.3

Connect local transit routes with regional transit, including BART, Golden Gate Transit, and the Golden Gate National Recreation Transit.

POLICY 1.4

Provide incentives for transit usage.

POLICY 1.5

Consolidate the Municipal Railway turnaround at the former Playland-at-the-Beach site.

POLICY 1.6

Provide transit shelters at the beach for transit patrons.

The Great Highway

OBJECTIVE 2

REDESIGN THE GREAT HIGHWAY TO ENHANCE ITS SCENIC QUALITIES AND RECREATIONAL USE.

POLICY 2.1

Develop the Great Highway right-of-way as a four lane straight highway with recreational trails for bicycle, pedestrian, landscaping, and parking. Emphasize slow pleasure traffic and safe pedestrian access to beach.

POLICY 2.2

Maintain the landscaped recreational corridor adjacent to the development at the former Playland-at-the-Beach site to

provide a link between Golden Gate park and Sutro Heights park.

POLICY 2.3

Provide for a continuation of the bicycle trail by an exclusive bicycle lane on public streets between the Great Highway and Point Lobos.

POLICY 2.4

Improve public access to Ocean Beach from Golden Gate Park by providing a landscaped bridge over vehicular underpass, if funds are not available improve public access by providing grade crossings with signals, walkways, lighting and landscaping.

POLICY 2.5

Locate parking for users of Ocean Beach and other coastal recreational areas so that the Great Highway need not be crossed. Provide limited parking east of the highway for park use. Design parking to afford maximum protection to the dune ecosystem.

POLICY 2.6

Provide permanent parking for normal use required by beach users in the Great Highway corridor (taking into account the increased accessibility by transit); provide multiple use areas which could be used for parking at peak times, but could be used for recreational uses when not needed for parking.

POLICY 2.7

improve pedestrian safety by providing clearly marked crossings and installing signalization.

POLICY 2.8

Enhance personal safety by lighting parking areas and pedestrian crossings.

POLICY 2.9

Improve public access to Ocean Beach south of Lincoln Way by providing grade crossing with signals and walkways at every other block.

Golden Gate Park

OBJECTIVE 3

ENHANCE THE RECREATIONAL CONNECTION BETWEEN GOLDEN GATE PARK AND THE BEACH FRONTAGE.

POLICY 3.1

Strengthen the visual and physical connection between the park and beach. Emphasize the naturalistic landscape qualities of the western end of the park for visitor use. When possible eliminate the Richmond-Sunset sewer treatment facilities.

POLICY 3.2

Continue to implement a long-term reforestation program at the western portion of the park.

POLICY 3.3

Develop and periodically revise a Master Plan for Golden Gate Park to include specific policies for the maintenance and improvement of recreational access in the western portion of the park.

POLICY 3.4

Rehabilitate the Beach Chalet for increased visitor use.

The Zoo

OBJECTIVE 4

IMPROVE THE QUALITY OF THE ZOO AND ITS RELATIONSHIP TO THE COASTAL ZONE RECREATIONAL SYSTEM.

POLICY 4.1

Maintain the landscaped park-like atmosphere of the Zoo.

POLICY 4.2

Enhance visitor interest in the Zoo by pursuing a specific Zoo Master Plan for modernization and improvement of Zoo facilities and enhancement of the animal collection.

POLICY 4.3

Allow location of a sewage treatment plant and a pump station to serve the western area of San Francisco on Zoo property. Locate and design the facilities to maximize their joint use by the Zoo.

POLICY 4.4

Expand the existing Zoo area west toward the Great Highway and south toward Skyline Boulevard.

POLICY 4.5

Provide a wind berm along the Great Highway for protection and public viewing of Ocean Beach and the Pacific Ocean.

POLICY 4.6

Enhance the entrance to the Zoo by providing visitor amenities at the northwest corner.

POLICY 4.7

Provide parking near the entrance to the Zoo for those visitors who cannot reasonably use public transportation.

POLICY 4.8

Provide for the reasonable expansion of the Recreation Center for the Handicapped for recreation purposes. Accommodate that expansion in a way that will not inhibit the development of either the Zoo or the treatment plant.

Lake Merced

OBJECTIVE 5

PRESERVE THE RECREATIONAL AND NATURAL HABITAT OF LAKE MERCED.

POLICY 5.1

Preserve in a safe, attractive and usable condition the recreational facilities, passive activities, playgrounds and vistas of Lake Merced area for the enjoyment of citizens and visitors to the city.

POLICY 5.2

Maintain a recreational pathway around the lake designed for multiple use.

POLICY 5.3

Allow only those activities in Lake Merced area which will not threaten the quality of the water as a standby reservoir for emergency use.

POLICY 5.4

As it becomes obsolete, replace the police pistol range on the southerly side of South Lake with recreational facilities.

Ocean Beach

OBJECTIVE 6

MAINTAIN AND ENHANCE THE RECREATIONAL USE OF SAN FRANCISCO'S OCEAN BEACH SHORELINE.

POLICY 6.1

Continue Ocean Beach as a natural beach area for public recreation.

POLICY 6.2

Improve and stabilize the sand dunes where necessary with natural materials to control erosion.

POLICY 6.3

Keep the natural appearance of the beach and maximize its usefulness by maintaining the beach in a state free of litter and debris.

POLICY 6.4

Maintain and improve the physical condition and appearance of the Esplanade between Lincoln Way and the Cliff House.

POLICY 6.5

Enhance the enjoyment of visitors to Ocean Beach by providing convenient visitor-oriented services, including take-out food facilities.

POLICY 6.6

Extend the seawall promenade south to Sloat Boulevard as funds become available.

Sutro Heights Park

OBJECTIVE 7

PRESERVE AND RESTORE SUTRO HEIGHTS PARK.

POLICY 7.1

Continue the use of Sutro Heights Park as a park, preserve its natural features, and retain its quiet neighborhood orientation.

POLICY 7.2

Restore elements of the historic garden and landscaping and include minor interpretive displays and seating areas.

POLICY 7.3

Improve access between Golden Gate Park and Sutro Heights Park by providing a new trail system up the south slope of Sutro Heights Park within the La Playa Street right-of-way for equestrians, pedestrians and joggers.

POLICY 7.4

Protect the natural bluffs below Sutro Heights Park. Keep the hillside undeveloped in order to protect the hilltop landform, and maintain views to and from the park. Acquire the former Playland-at-the-Beach site north of Balboa if funds become available.

Cliff House - Sutro Baths

OBJECTIVE 8

MAINTAIN THE VISITOR ATTRACTIVENESS OF THE CLIFF HOUSE AND SUTRO BATH COMPLEX.

POLICY 8.1

Develop the Cliff House/Sutro Bath area as a nature-oriented shoreline park. Permit limited commercial-recreation uses if public ownership is retained and if development is carefully controlled to preserve the natural characteristics of the site.

POLICY 8.2

Restore the Cliff House to its 1909 appearance or, if financially feasible, to an accurate replica of the original 1890 structure.

POLICY 8.3

Insure hiker safety by providing a clearly marked and well maintained pathway system.

POLICY 8.4

Redesign parking and vehicular circulation in the area to relieve congestion and provide for the safety of pedestrians crossing Point Lobos.

POLICY 8.5

To increase visitor enjoyment, mitigate the noise and air pollution caused by tour buses by relocating bus waiting areas.

Fort Funston

OBJECTIVE 9

CONSERVE THE NATURAL CLIFF ENVIRONMENT ALONG FORT FUNSTON.

POLICY 9.1

Maximize the natural qualities of Fort Funston. Conserve the ecology of entire Fort and develop recreational uses which will have only minimal effect on the natural environment.

POLICY 9.2

Permit hanggliding but regulate it so that it does not significantly conflict with other recreational and more passive uses and does not impact the natural quality of the area.

Olympic Country Club

OBJECTIVE 10

RETAIN THE OPEN SPACE QUALITY OF THE OLYMPIC COUNTRY CLUB AREA.

POLICY 10.1

If the private golf course use is discontinued, acquire the area for public recreation and open space, if feasible.

POLICY 10.2

Maintain the existing public easement along the beach. Encourage the granting of an additional easement by the Olympic Country Club to the National Park Service for public use and maintenance of the sensitive bluff area west of Skyline Boulevard as part of the Golden Gate National Recreation Area.

POLICY 10.3

Protect the stability of the westerly bluffs by consolidating the informal trails along the bluff area into a formal trail system which would be clearly marked. Coordinate the lateral trail system along the bluff with the San Mateo trail system south of the San Francisco boundary.

Richmond and Sunset Residential Neighborhoods

OBJECTIVE 11

PRESERVE THE SCALE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT ALONG THE COASTAL ZONE AREA.

POLICY 11.1

Preserve the scale and character of existing residential neighborhoods by setting allowable densities at the density generally prevailing in the area and regulating new development so its appearance is compatible with adjacent buildings.

POLICY 11.2

Develop the former Playland-at-the-Beach site as a moderate density residential apartment development with neighborhood commercial uses to serve the residential community and, to a limited extent, visitors to the Golden Gate National Recreation Area.

POLICY 11.3

Continue the enforcement of citywide housing policies, ordinances and standards regarding the provision of safe and convenient housing to residents of all income levels, especially low- and moderate-income people.

POLICY 11.4

Strive to increase the amount of housing units citywide, especially units for low- and moderate-income people.

POLICY 11.5

Work with federal and state funding agencies to acquire subsidy assistance for private developers for the provision of low- and moderate-income units.

POLICY 11.6

Protect the neighborhood environment of the Richmond and Sunset residential areas from the traffic and visitor impacts from the public using adjacent recreation and open space areas.

POLICY 11.7

Maintain a community business district along Sloat Boulevard within the Coastal Zone to provide goods and services to residents of the outer Sunset and visitors to the Zoo and Ocean Beach.

Coastal Hazards

OBJECTIVE 12

PRESERVE, ENHANCE, AND RESTORE THE OCEAN BEACH SHORELINE WHILE PROTECTING PUBLIC ACCESS, SCENIC QUALITY, NATURAL RESOURCES, CRITICAL PUBLIC INFRASTRUCTURE, AND EXISTING DEVELOPMENT FROM COASTAL HAZARDS.

POLICY 12.1

Adopt Managed Retreat Adaptation Measures Between Sloat Boulevard and Skyline Drive.

Erosion of the bluff and beach south of Sloat Boulevard has resulted in damage to and loss of beach parking and portions of the Great Highway, and threatens existing critical wastewater system infrastructure. Sea level rise will likely exacerbate these hazards in the future. The City shall pursue adaptation measures to preserve, enhance, and restore public access, scenic quality, and natural resources along Ocean Beach south of Sloat Boulevard and to protect existing wastewater and stormwater infrastructure from impacts due to shoreline erosion and sea level rise. Federal projects in the Coastal Zone are not subject to city-issued coastal development permits. Local Coastal Program policies regarding adaptation within Golden Gate National Recreation Area simply provide guidance to both the National Park Service and California Coastal Commission, which review federal projects under the Coastal Zone Management Act. All

non-federal development on federal lands is subject to coastal development permit review by the California Coastal Commission.

Implementation Measures:

- (a) As the shoreline retreats due to erosion and sea level rise, incrementally remove shoreline protection devices, rubble that has fallen onto the beach, roadway surfaces, and concrete barriers south of Sloat Boulevard.
- (b) Relocate public beach parking and public restrooms to areas that will not be affected by shoreline erosion or sea level rise for their expected lifespan given current sea level rise projections and mapping. The relocated facilities should not require the construction of shoreline protection devices and should be relocated if they are threatened by coastal hazards in the future.
- (c) Close the Great Highway between Sloat and Skyline boulevards and make circulation and safety improvements along Sloat and Skyline boulevards to better accommodate bicyclists, pedestrians, and vehicles.
- (d) Import sand to restore the beach and construct dunes. Stabilize dunes with vegetation, beach grass straw punch, brushwood fencing, or other non-structural methods.
- (e) Extend the coastal trail to Fort Funston and Lake Merced by constructing a multi-use public access pathway along the shoreline from Sloat Boulevard to Skyline Boulevard.
- (f) Permit shoreline protection devices if necessary to protect coastal water quality and public health by preventing damage to existing wastewater and stormwater infrastructure due to shoreline erosion only when less environmentally damaging alternatives are determined to be infeasible.
- (g) Maintain service vehicle access necessary for the continued operation and maintenance of existing wastewater and stormwater infrastructure systems.

POLICY 12.2

Develop and Implement Sea Level Rise Adaptation Plans for the Western Shoreline.

Sea level rise and erosion threaten San Francisco's coastal resources and their impacts will worsen over time. San Francisco shall use the best available science to support the development of adaptation measures to protect our coastal resources in response to sea level rise and coastal hazards.

Implementation Measures:

- (a) Conduct detailed sea level rise vulnerability assessments and develop adaptation plans to minimize risks to life, property, essential public services, public access and recreation, and scenic and natural resources from shoreline erosion, coastal flooding and sea level rise for the Western Shoreline Area.
- (b) The vulnerability assessments shall be based on sea level rise projections for likely and worst-case mid-century and end-of-century sea level rise in combination with a 100-year storm event, and shall include one or more scenarios that do not rely on existing shoreline protection devices.
- (c) Adaptation measures shall be designed to minimize impacts on shoreline sand supply, scenic and natural resources, public recreation, and coastal access.
- (d) The adaptation plans shall consider a range of alternatives, including protection, elevation, flood proofing, relocation or partial relocation, and reconfiguration.
- (e) Adaptation measures that preserve, enhance, or restore the sandy beach, dunes, and natural and scenic resources such as beach nourishment, dune restoration, and managed retreat shall be preferred over new or expanded shoreline protection devices.
- (f) The adaptation plans shall consider the recommendations contained in the SPUR Ocean Beach Master Plan.
- (g) Create and maintain sea level rise hazard maps to designate areas within the coastal zone that would be exposed to an increased risk of flooding due to sea level rise. The maps shall include likely and worst case mid-century and end-of-century sea level rise projections in combination with a 100-year storm event. The maps shall include a scenario that does not include existing shoreline protection devices. The maps shall be updated when new information warranting significant adjustments to sea level rise projections becomes available.

POLICY 12.3

Develop and Implement a Beach Nourishment Program to Sustain Ocean Beach.

Shoreline erosion has substantially narrowed the sandy beach south of Sloat Boulevard. Sea level rise will likely exacerbate the loss of sandy beach south of Sloat Boulevard and may extend this effect to the north towards the Cliff House. The City shall pursue the development and implementation of a long-term beach nourishment program to maintain a sandy beach along the western shoreline to preserve Ocean Beach as a public recreational resource for future generations and to protect existing public infrastructure and development from coastal hazards.

Implementation Measure:

Work with the U.S. Army Corps of Engineers to develop and implement a beach nourishment program involving the placement of sand dredged from the San Francisco bar navigation channel offshore of the Golden Gate onto Ocean Beach. Other sources of suitable sand for beach nourishment may also be identified and permitted. Sand shall not be removed from stable dunes.

POLICY 12.4

Develop the Shoreline in a Responsible Manner.

Sea level rise and erosion impacts will worsen over time and could put private and public development in the Western Shoreline Area at risk of flooding. Given these future impacts, development in the Coastal Zone should be sited to avoid coastal hazard areas when feasible. If avoidance is infeasible, development shall be designed to minimize impacts to public safety and property from current or future flooding and erosion without reliance on current or future shoreline protection features.

New development and substantial improvements to existing development located in areas exposed to an increased risk of flooding or erosion due to sea level rise shall be designed and constructed to minimize risks to life and property.

New development and substantial improvements to existing development shall ensure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

New development and substantial improvements to existing development shall not require the construction of shoreline protective devices that would substantially alter natural landforms along bluffs and cliffs. If new development becomes imminently threatened in the future, it shall rely on alternative adaptation measures up to and including eventual removal.

Public recreational access facilities (e.g., public parks, restroom facilities, parking, bicycle facilities, trails, and paths), public infrastructure (e.g., public roads, sidewalks, and public utilities), and coastal-dependent development shall be sited and designed in such a way as to limit potential impacts to coastal resources over the structure's lifetime. As appropriate, such development may be allowed within the immediate shoreline area only if it meets all of the following criteria:

1. The development is required to serve public recreational access and/or public trust needs and cannot be feasibly sited in an alternative area that avoids current and future hazards.
2. The development will not require a new or expanded shoreline protective device and the development shall be sited and designed to be easy to relocated and/or removed, without significant damage to shoreline and/or bluff areas, when it can no longer serve its intended purpose due to coastal hazards.
3. The development shall only be allowed when it will not cause, expand, or accelerate instability of a bluff.

POLICY 12.5

Limit Shoreline Protection Devices

Shoreline protection devices such as rock revetments and seawalls can negatively impact coastal resources by disrupting sand transport and fixing the shoreline in a specific location, leading to the eventual narrowing and ultimate loss of sandy beaches. Such structures are expensive to construct and maintain, may be incompatible with recreational uses and the scenic qualities of the shoreline, and may physically displace or destroy environmentally sensitive habitat areas associated with bluffs, dunes, beaches, and intertidal areas. Because of these impacts, shoreline protection devices shall be avoided and only implemented where less environmentally damaging alternatives are not feasible.

Shoreline protection devices such as rock revetments and seawalls shall be permitted only where necessary to protect existing critical infrastructure and existing development from a substantial risk of loss or major damage due to erosion and only where less environmentally damaging alternatives such as beach nourishment, dune restoration and managed retreat are determined to be infeasible. New or expanded shoreline protection devices should not be permitted solely to protect parking, restrooms, or pedestrian or bicycle facilities.

POLICY 12.6

Minimize Impacts of Shoreline Protection Devices.

Shoreline protection devices may be necessary to protect existing critical infrastructure or development. These shoreline protection

devices shall be designed to minimize their impacts on coastal resources while providing adequate protection for existing critical infrastructure and existing development.

All shoreline protection devices shall be designed and constructed to avoid, minimize, and mitigate impacts on shoreline sand supply, environmentally sensitive habitat areas, scenic quality, public recreation, and coastal access.

Shoreline protection devices shall be designed to blend visually with the natural shoreline, provide for public recreational access, and include proportional mitigation for unavoidable coastal resource and environmentally sensitive habitat impacts.

Coastal permit applications for reconstruction, expansion, or replacement of existing shoreline protection devices shall include a re-assessment of the need for the device, the need for any repair or maintenance of the device, any additional required mitigation for unavoidable impacts to coastal resources and the potential for removal or relocation based on changed conditions. Coastal permits issued for shoreline protection devices shall authorize their use only for the life of the structures they were designed to protect.

Amendment by Board of Supervisors [Ordinance 0009-18](#) Adopted 01/23/2018.

Amendment by Board of Supervisors [Ordinance 0009-18](#) adopted on 5/10/2018.

San Francisco Planning Department
sfplanning.org

Questions or comments on the General Plan? Please email us at pic@sfgov.org.



EXHIBIT H



United Irish Cultural Center of San Francisco

2700 45th Avenue, San Francisco, CA 94116

PRJ Application - Exhibit A

02/17/2022

- 1. Property Description**
- 2. Project Description**
- 3. Requested Supplemental Information and Material from PPA Letter (2021-010236PPA)**

1. Property Description

The property is comprised of one lot located on 2700 45th Avenue (Accessor's Block 2513, Lot 026), situated on the corner of 45th Avenue and Wawona Street. It has a collective area of approximately 16,250 square feet and currently is home to the United Irish Cultural Center (UICC), an active 501c3 non-profit organization.

The property is located at the southern edge of the Parkside neighborhood, and just across Sloat Boulevard from the San Francisco Zoo. It is zoned within a neighborhood commercial, Small Scale, (NC-2) zoning district, and a 100-A Height and Bulk District.

Notably, to the West of the property (directly across 45th Avenue) holds the proposed development site of the Sloat Garden Center, which has been proposed to be developed into a 12-story (125') mixed use residential building containing approximately 400 dwelling units in addition to retail functions. South of the property is home to the Java Beach Café, and South-West of the property holds the Mirage Inn & Suites.

The existing steel and wood-frame building, constructed in 1975, is approximately 21,263 gross square feet, three stories, and 35' in height.

The building, which is very loosely based on vernacular Irish building traditions, has served the UICC for the last 46 years – providing a place to socialize and participate in cultural programs. The UICC was built in this location to be convenient to members of the Irish immigrant community, many of whom have lived in the Sunset and Parkside districts.

2. Project Description

The United Irish Cultural Center of San Francisco (aka the UICC) is a 501c3 nonprofit organization that has operated in the original three-story building since 1975. The Center, a cultural institution in the City of San Francisco, currently serves a variety of community functions, including a large event space (the St Patrick's Room), a library, a restaurant/pub, and several non-profit office spaces. For more than 45 years, the UICC has been operating out of it's current building which has not been significantly renovated since it was first constructed in 1975. Based on a feasibility



study performed in early 2020, it was determined that the Cultural Center's current facility cannot be sustained long term, and has outgrown the original space built over 45 years ago. To ensure the long-term viability of the Cultural Center and its ability to continue serving the San Francisco community, a larger space that can better accommodate its ongoing cultural, educational, and recreational activities is necessary. The Cultural Center intends to replace the existing building with a new center, which would continue and expand the long-standing community use, necessitating the Planning Code text amendment.

The proposed project will demolish the existing building, which fallen into a state of disrepair, in order to construct a 109,384 gross square foot, 91' height (six-story) state-of-the-art cultural and community center that will reactivate the street frontages and beautify the neighborhood. The new building design is inspired by the form of the Irish Ogham "standing stones and the traditional thatched roof cottages of Ireland, and is expressed as a massing split into four distinct pieces, representing the four provinces of Ireland. The new building aims to become an iconic destination for Irish culture and activity on the Western Coast of the United States, as well as a local hub for community in the western part of the city. The building's exterior façade utilizes a slate rainscreen cladding which evokes the slate roofs found in traditional Irish architecture.

The new UICC facility holds a variety of cultural and community based activities and will be fully open for the public's use:

- **Basement B2** – Swimming pool, kiddie pool, hot and cold tubs, and locker room facilities. Youth half court basketball court. Mezzanine for storage purposes.
- **Basement B1** – 52 parking spaces (some via parking lifts)
- **Floor 1** – Lobby/Entrance from the corner of 45th and Wawona will include an interactive art piece as well as a digital gallery displaying an immersive historical exhibit. Full service restaurant and commercial kitchen (same location as the original building) with entry from Wawona Street. Entry to the subterranean parking garage from Wawona Street.
- **Floor 2** – the "St. Patrick's Room" (carried over from the original building), will be a banquet and performance space holding approximately 300-800 people on the ground floor and approximately 200 more on the mezzanine above. In addition, a 99-person screening room theater and bar is located to the South-West corner of the floor.
- **Floor 3** – Museum and Library. Museum will hold digital/interactive displays involving Irish cultural, history, and heritage. Library will hold an Irish book collection and place to study.
- **Floor 4** – Offices (administrative for the UICC and other non-profits) and Classrooms (for Irish Music/Dance/Language classes)
- **Floor 5** – Gym with full locker room facilities, café and juice bar
- **Floor 6** – Rooftop restaurant with access to roof deck and garden. Member's Room (lounge and bar).

The UICC has held three public meetings and have held Q&A sessions with members of the neighborhood, as well as members of the Irish Center, some of whom have been original members of the Center. The project has received hundreds of letters of support.



The building will employ green building and sustainability practices, including the use of green roofs and solar power (panels located at the roof level). The project will require approval of a new Special Use District and Zoning Map amendment.

3. Requested Supplemental Information and Material from PPA Letter (2021-010236PPA)

All supplemental applications required by the PPA Letter have been submitted concurrent with this application, itemized below:

Requirement	Response
<u>Planning Code Review</u>	
1. Preapplication Meeting	Preapplication meeting was conducted on August 4 th , 2021. Please reference Preapplication Meeting notice form, Meeting Minutes, and Letters of Support
2. Conditional Use Authorization	Conditional Use Authorization application form is attached.
3. Legislative Amendment – Planning Code Text and Zoning Map	Legislative Amendment related to Special Use District is attached
4. Coastal Zone Permit	Coastal Zone Permit application form is attached
5. Transportation Demand Management Program	TDM form is attached
6. First Source Hiring	First Source Hiring form is attached
<u>Environmental Review</u>	
Environmental Review Fees	Fees will be paid.
Historic Resource Evaluation, Part 1 Draft	HRE is attached.
Site Circulation Study / Section Scope of Work	Child care function has been removed from project scope.
Noise Study / Section Scope of Work	Noise Study (complete) is attached.
Air Quality for Criteria Air Pollutants Scope of Work	Unclear what scope of work is needed for outside consultant based on PPA Table 1.
Greenhouse Gas Analysis Compliance Checklist	GHG Attached.
Wind Memorandum Scope of Work	Wind Scope of Work attached.
Consultant-Prepared Shadow Fan	Shadow Fan attached.
Geotechnical Study with foundation recommendations	Geotechnical Study with foundation recommendations is attached.
Phase 1 Environmental Site Assessment	Phase 1 Environmental Site Assessment is Attached.
Additional Information noted in 2.1c – general changes to public facilities; 2.3a – roadway changes during construction, 2.3b – roadway	Reference specific sections below.

changes – operation; 2.3c – school and child care drop-off and pickup management plan; 2.3i – transportation fees; 2.4b – mechanical equipment or other noise sources; 2.5a – stationary sources	
Other Required Approvals	
Shadow Impacts on Property under the Jurisdiction of the Recreation & Parks Commission	Shadow fan attached.
Variance	Building has been set back to accommodate a rear yard of 15' (sometimes more) on floors 2+, added to Special Use District language.
Additional Planning Code Requirements	
Gross Floor Area – Provide a breakdown of the Gross Floor Area, as defined in the Planning Code Section 102, for the proposed subject building	A0.1 Gross Floor Area breakdown has been provided, ref. "SQUARE FOOTAGE MATRIX – BY FLOOR"
Public Community Facility – given the provided definition, please identify and indicate those areas to be limited to paid members of the community facility	<p>Areas limited to paid members of the UICC: Gym, Aquatics Center, Locker Facilities, Member's Room, Offices</p> <p>Areas open to the public (with ticket/reservation): Lobby, Museum/Library, Digital Gallery, St Patrick's Room, Bar, & Screening Theater, Bar/Restaurants (at ground and 6th Floors), 6th Floor Roof deck</p>
Private Community Facility – given the provided definition, please identify and indicate those areas to be limited to paid members of the community facility. Note a private community facility requires a CUA at the second and above floors	See above.
Restaurant – Note, a restaurant use is not permitted beyond the second floor	Restaurant use beyond the second floor added to Special Use District.
Floor Area Ratio – the subject property is limited to a FAR of 2.5 to 1	FAR of 7 to 1 added to Special Use District.
Rear yard – the subject property is required to provide a rear yard setback equal to 25% of the lot's depth at the second floor and above. Please revise the Project to comply with Planning Code Section 134 or submit and justify a Variance from the Rear Yard requirement.	Building has been set back to accommodate a rear yard of 15' (sometimes more) on floors 2+, added to Special Use District language.
Permitted Obstructions – see above comment regarding rear yard	See above re: rear yard. No obstructions protrude into the rear yard 15' setback on levels 2+

Streetscape Plan – see attached appendix E for additional comments	See below responses to Appendix E.
Bird Safety – the subject property is located within 300 feet of a possible urban bird refuge and shall comply with the Planning Code Section 139. Please review the “Standards of Bird Safe Buildings” and revise the development accordingly	Bird collision zone indicated on the Exterior Elevations sheets A5 series. Note indicating that glass in the collision zone shall receive film to reflect UV light.
Required Active Use – please revise the project to provide an active use for the first 25’ of the building depth along the street frontages and at the first 15’ on the floors above. An active use excludes any area used for the storage of goods or vehicles and any mechanical, electrical, and plumbing features	The entire ground floor is an active use – lobby with art exhibit, Irish gift shop, public restaurant, digital art gallery.
Transparency & Fenestration – please provide information (calculation) indicating compliance with Planning Code Section 145c6 which indicates no less than 60% of the street frontage at the ground floor is fenestrated with transparent windows and doorways that allow visibility inside the proposed subject building	Transparency & Fenestration indicated on the Exterior Elevations sheets A5 series
Required Off-Street Parking – please provide a breakdown of the proposed subject building’s “occupied floor area” as defined in Planning Code Section 102. Given the Occupied Floor Area breakdown, please provide the respective amount of loading spaces as required per Planning Code Section 152.	Required off-street parking calculation for loading spaces provided on A0.1.
Bicycle Parking – Please provide a breakdown of the proposed subject building’s “Occupied Floor Area” (OFA) as defined in Planning Code Section 102. Given the Occupied Floor Area breakdown, the Project will be required to provide one Class 1 bicycle parking space for each 5,000 square feet and one Class 2 bicycle parking space for each 2,500 square feet of private or public community facility OFA. One Class 1 bicycle space will be required for every 7,500 square feet of restaurant use OFA and one Class 2 space for every 750 square feet of restaurant OFA. Note that Planning Code Section 155.1(c)(1-2) indicates the design and location requirements for each type of bicycle parking space.	Bicycle Parking calculation provided on A0.1. 54 total bicycle spaces shown in the plans.
Required Showers & Lockers - Pursuant to Planning Code Section 155.4, the Project shall provide four showers and 14 clothes lockers for utilization by the employees and visitors of both the private and public community facility.	Showers and lockers on the B2 Aquatics level will be provided for the utilization of employees and visitors of the Center.

Parking Exemptions - See comment above regarding required Off-Street Loading.	Required off-street loading calculation provided on A0.1.
Car-Share - Please provide one car-share parking space at the subject property. See Planning Code Section 166 for additional information.	Car sharing space added to sheet A2.3
Transportation Demand Management - See comments above regarding Car-Share, Showers and Lockers, and Bicycle Parking Spaces. Note that providing the required amount of the listed features required by the Planning Code provides the Project with a minimum number of points towards the Project's TDM target point total. Providing an abundance of the items provides additional points towards the target point total. See TDM Measures Appendix for more info.	TDM has been included in application.
Height Measurement - Please indicate on the provided plan set the street frontage elected to be utilized for a measurement and evaluation of the proposed building's height.	Note added to A5.2. Height measured from the 0'-0" level, property line at 45 th Avenue.
Bulk - Pursuant to Planning Code Section 270, the subject property is limited to a maximum length of 110 feet and a maximum diagonal dimension of 125 feet. The length and diagonal dimensions are applied at a height above 40 feet up to the height limit of 100 feet. Please revise the Project to comply with this requirement.	New bulk guidelines indicated in the Special Use District (<i>"The applicable Bulk limits shall be a maximum length of 140' feet and a maximum diagonal of 180' feet, applying at a height of 40 feet and above"</i>). Note, current bulk of 135'-6" (max length) and 176'-4" (max diagonal).
Development Impact Fees	
Transportation Sustainability Fee (TSF)	Fee will be paid.
Bicycle Parking In-Lieu Fee	Bicycle spaces meet requirements, In-Lieu fee not applicable.
Table 1. Potential Environmental Document	
1.1(a), 1.1(b), 1.1(e) – The proposal is a project subject to CEQA. The project could potentially qualify for a Class 32 Categorical Exemption (Pay applicable fees.). The assigned environmental planner will determine if an Initial Study would be needed to determine the CEQA document.	Applicant would like to be considered Class 32 Categorical Exemption until planner determines otherwise.
2.1(c) General – Changes to public facilities or infrastructure, excluding roadways. Please detail any proposed projects to public facilities or infrastructure during construction or operation.	n/a

2.2(a) Historic Preservation. Requires consultant-prepared Historic Resource Evaluation, Part 1	Draft HRE by consultant included in the application.
2.3(a) Transportation, Roadway Changes – Construction. The project sponsor must describe the location of any anticipated temporary changes to roadways during construction, including the duration and location of temporary construction closure or relocation of travel lanes, sidewalks, bus stops, etc.	It is expected construction traffic will require the closure of at least one lane of traffic along 45 th and/or Wawona during the busiest times of construction loading/offloading. Sidewalks surrounding the project will be closed at some point during initial stages of construction or will provide a protected overhead barrier for pedestrian traffic to continue.
2.3(b) Transportation, Roadway Changes – Operation. The project sponsor must describe the location and provide plans of typical roadway dimensions (e.g., lane dimensions/stripping drawings, on-street parking; loading; and bike, transit, and travel lane), including identifying any non-typical roadway dimension (e.g., turn pockets, bulb outs).	See Site Plan A1.1.
2.3(c) Transportation, Requires School and Child Care Drop-Off & Pick-up Management Plan Application	Not applicable, Child Care function removed from scope.
2.3(e) Requires department transportation planner coordination	Noted.
2.3(f) Transportation, Requires consultant-prepared Site Circulation Study Scope of Work	Per 2.3(e), transportation planner provided by city.
2.3(h) Transportation, Scope of Work Checklist. Refer to attached checklist which lists the likely transportation study scope requirements.	Per 2.3(e), transportation planner provided by city.
2.3(i) Transportation, Planning & SFMTA Fees for Transportation. Site Circulation Fee \$10,303 (Planning), Site-Circulation Review Fee \$5,720	Would like to be exempt from Site-Circulation Review fee, childcare function has been removed.
2.4(a) Noise – Requires consultant prepared Noise Study Scope of Work	Noise study “Draft ENR” included in application.
2.4(b) Noise – Mechanical equipment or other noise sources. The project sponsor must describe the location and provide plans with the number and size (horsepower) of stationary sources or mechanical equipment (e.g., fans, HVAC, backup diesel generators, fire pumps) or other noise sources.	Refer to Noise Study “Draft ENR” included in application
2.5(a) Air Quality – Stationary Sources. The project sponsor must describe the location and provide plans with the number, size	A single powered generator will be required for the project. It will be located partially underground, but will require a flue to extend

(horsepower), and engine tier level of stationary sources (e.g., backup diesel generators, fire pumps).	to the exterior as required by code. It's size is pending loading information from the Electrical Contractors. A monthly test is common with this type of equipment.
<p>2.5(c) Air Quality – Criteria Pollutants. Due to the broad array of proposed uses and the size of ground disturbance a Criteria Air Pollutants analysis is required.</p> <p>The project sponsor must describe estimated hours and number of days per week of construction, including by phase as defined in the CalEEMod Manual (i.e., demolition, site preparation, grading, building construction, architectural coatings, paving). The project sponsor must describe estimated number, size (horsepower), and use (daily and annual) of construction equipment by type, including trucks and any impact equipment, by phase. The project sponsor must describe the estimated number of daily diesel vehicle trucks during operation.</p>	Construction equipment and schedule matrix included in application.
2.6 Greenhouse Gas Emissions - Requires Greenhouse Gas Analysis Compliance Checklist	GHG compliance checklist included in application.
2.7(a) Wind - Requires consultant-prepared qualitative Wind Memorandum Scope of Work	Wind Memorandum Scope of Work included in application.
2.8 Wind/Shadow, Building Setbacks. The project sponsor must provide labeled and dimensioned plans of building setbacks and coverage at each above-grade level, including height of the roof, parapet, ridge, towers, and penthouses.	Exterior Elevations and Site Plan show dimensioned setbacks
2.9 Shadow, Shadow Analysis. The department prepared the attached Shadow Fan which shows potential net new shadow on publicly accessible open space under the jurisdiction of the Recreation and Park Commission, the San Francisco Zoo. A consultant-prepared shadow fan must be submitted with the Project Application. The consultant is not subject to a department list. The consultant-prepared shadow fan will be reviewed by staff to provide guidance on whether a scope of work and shadow study are required.	Shadow analysis included in application shows minimal impact on zoo (perimeter landscape area).
2.10(a) Biological Resources, Trees. The project sponsor must describe location and show on plans the number of trees on, over, or adjacent to the project site, including those significant, landmark, and street trees (see Public Works article 16 for definitions) and those removed and added by the project.	Trees shown on Site Plan A1.0 and A1.1. Due to proximity to the building and potential for disturbances during construction, existing trees along the northern property line are to be removed and replaced with new street trees along Wawona curb.

<p>2.11(b) Geology & Soils - The project sponsor must submit Geotechnical Study prepared by a qualified civil or geotechnical engineer with foundation recommendations and that addresses seismic hazard zones, if applicable to the site.</p> <p>The current geotechnical report must be updated to reflect current proposed design and building codes.</p>	<p>Geotechnical Study included in application.</p>
<p>2.12 Hazardous Materials – the project sponsor must submit a Phase 1 E</p>	<p>Phase 1 included in application.</p>
<p>TABLE 3. POST-ACCEPTED APPLICATION REQUIREMENTS</p>	
<p>Project sponsor must submit these materials after the department deems the project application accepted.</p>	<p>Noted, will provide answers upon request/acceptance of Project Application.</p>

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor [] inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. [] from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☒ 8. Substitute Legislation File No. 231137
- ☐ 9. Reactivate File No. []
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on []

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☒ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Supervisor Joel Engardio

Subject:

Local Coastal Program Amendment - 2700 45th Avenue - Wawona Street and 45th Avenue Cultural Center Special Use District

Long Title or text listed:

Resolution transmitting to the California Coastal Commission for review and certification an amendment to the Implementation Program portion of the certified Local Coastal Program for the creation of the Wawona Street and 45th Avenue Cultural Center Special Use District on the parcel located at 2700 45th Avenue; and affirming the Planning Department's determination under the California Environmental Quality Act.

Signature of Sponsoring Supervisor: []