

File No. 191039

Committee Item No. _____

Board Item No. 26

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: November 12, 2019

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Introduction Form
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Correspondence

OTHER (Click on the text of checked items to view documents)

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Appeal Letter - October 7, 2019</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Project Sponsor Appeal Response - November 7, 2019</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Planning Department Appeal Response - November 4, 2019</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Hearing Notice and Clerical Documents</u>
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Prepared by: Brent Jalipa

Date: November 7, 2019

Prepared by: _____

Date: _____

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

**NOTICE TO BOARD OF SUPERVISORS OF APPEAL
FROM ACTION OF THE CITY PLANNING COMMISSION**

2019 OCT -7 PM 3:12

BY Bj

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.

The property is located at 3333 California Street (Block 1032, Lot 003)

September 5, 2019

Date of City Planning Commission Action
(Attach a Copy of Planning Commission's Decision)

October 7, 2019

Appeal Filing Date

_____ The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No. _____.

_____ The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No. _____.

X The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2015-014028CUA.

_____ The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No. _____.

Statement of Appeal:

- a) Set forth the part(s) of the decision the appeal is taken from:

The approval of Conditional Use Authorization / PUD No. 2015-014028CUA including ^{recommended} increased heights and non-residential uses as set forth in accompanying letter of Laurel Heights Improvement Association.

- b) Set forth the reasons in support of your appeal:

As set forth in the accompanying letter of Laurel Heights Improvement Association, the project fails to meet the City's conditional use requirements and the recommended height limit increases are not a minor discrepancy.

Person to Whom
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Laurel Heights Improvement Assn. Laurel Heights Improvement Assn.
Kathryn Devincenzi, President By: Kathryn Devincenzi, President
 Name Name

22 Iris Avenue
San Francisco, CA 94118

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San Francisco, CA 94118

(415) 221-4700
Telephone Number

(415) 221-4700
Telephone Number

KRDevincenzi@gmail.com KRDevincenzi@gmail.com

Laurel Heights Imp. Assn.
By: Kathryn Demmeri, President
Signature of Appellant or
Authorized Agent



SAN FRANCISCO
PLANNING DEPARTMENT

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:12

BY 34

Planning Commission Motion No. 20516

HEARING DATE: SEPTEMBER 5, 2019

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Record No.: 2015-014028CUA
Project Address: 3333 California Street
Zoning: RM-1 (Residential – Mixed, Low Density)
3333 California Street Special Use District
40-X, 67-X, 80-X, and 92-X Height and Bulk Districts
Block/Lot: 1032 / 003
Project Sponsor: Laurel Heights Partners, LLC
c/o: PSKS
150 Post Street, Suite 320
San Francisco, CA 94108
Property Owner: Laurel Heights Partners, LLC
c/o: PSKS
150 Post Street, Suite 320
San Francisco, CA 94108
Staff Contact: Nicholas Foster, AICP, LEED GA – (415) 575-9167
nicholas.foster@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION AND PLANNED UNIT DEVELOPMENT THAT WOULD ALLOW STRUCTURES TO EXCEED 40 FEET IN HEIGHT WITHIN AN RM ZONING DISTRICT AND 3333 CALIFORNIA STREET SPECIAL USE DISTRICT AND FOR AN EXISTING CHILD CARE FACILITY TO CHANGE OF USE TO RESIDENTIAL USE, PURSUANT TO SECTIONS 253, 303, AND 304 OF THE PLANNING CODE MODIFICATIONS TO THE REAR YARD REQUIREMENTS (SECTION 134), PERMITTED OBSTRUCTIONS (SECTION 136), DWELLING UNIT EXPOSURE (SECTION 140), GENERAL STANDARDS FOR OFF-STREET PARKING, FREIGHT LOADING, AND SERVICE VEHICLE FACILITIES (SECTION 155); DWELLING UNIT DENSITY (SECTION 207), AND MEASUREMENT OF HEIGHT (SECTION 260) AT 3333 CALIFORNIA STREET (ASSESSOR'S BLOCK 1032, LOT 003) WITHIN THE RM-1 ZONING DISTRICT AND A 40-X, 67-X, 80-X, AND 92-X HEIGHT AND BULK DISTRICT, AND TO MAKE FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On March 29, 2016, Don Bragg on behalf of Laurel Heights Partners, LLC (hereinafter "Project Sponsor") filed an Environmental Evaluation Application with the San Francisco Planning Department (hereinafter "Department") for the 3333 California Street Mixed-Use Project (hereinafter "Project") located at 3333 California Street within the RM-1 (Residential – Mixed, Low Density) and 40-X Height and Bulk District. On June 30, 2017, the Project Sponsor filed an application for Conditional Use Authorization and Planned Unit Development.

The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Code. Regs. Title 14, section 15000 *et seq.*, hereinafter "CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").

The Department determined that an environmental impact report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on September 20, 2017. The Department held a public scoping meeting on October 16, 2017 in order to solicit public comment on the scope of the project's environmental review.

On April 25, 2018, the Department published an initial study and provided public notice in a newspaper of general circulation of the availability of the initial study for public review and comment; this notice was mailed to the Department's list of persons requesting such notice, and to property owners and occupants within a 300-foot radius of the site on April 25, 2018.

On November 7, 2018, the Department published the draft EIR (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment, and of the date and time of the Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice, and to property owners and occupants within a 300-foot radius of the site on November 7, 2018. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the Site on November 7, 2018.

On November 7, 2018, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse. A notice of completion was filed with the State Secretary of Resources via the State Clearinghouse on November 7, 2018.

The Historic Preservation Commission held a duly advertised hearing on said DEIR on December 5, 2018 at which the Historic Preservation Commission formulated its comments on the DEIR.

The Commission held a duly advertised public hearing on said DEIR on December 13, 2018 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on January 8, 2019.

The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 62-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a response to comments document, published on August 22, 2019, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

The Department prepared a final EIR (hereinafter "FEIR") consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the responses to comments document, all as required by law.

On July 30, 2019, Supervisor Catherine Stefani introduced at the Board of Supervisors: (1) the Planning Code and Zoning Map amendments in Board File No. 190844, which amends the Planning Code to create the 3333 California Street Special Use District and amend the Height and Bulk Districts applicable to the Site; and (2) the Development Agreement in Board File No. 190845.

On August 19, 2019, the Project Sponsor submitted a letter amending its application for Conditional Use Authorization and Planned Unit Development to request authorization to construct the Variant to the proposed Project.

On September 5, 2019, the Commission reviewed and considered the information contained in the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

On September 5, 2019, in Motion No. 20513, the Commission approved findings required by CEQA, including a statement of overriding considerations and adoption of a Mitigation Monitoring and Reporting Program (MMRP), under Case No. 2015-014028CUA, for approval of the Project, which findings are found in Attachment X to this Resolution No. 20516 and incorporated by reference as though fully set forth herein.

On September 5, 2019, the Commission conducted a duly notice public hearing at a regularly scheduled meeting and adopted: (1) Resolution No. 20514, recommending that the Board of Supervisors approve the requested Planning Code Text and Map Amendments set forth in Board File No. 190844; and (2) Resolution No. 20515 recommending that the Board of Supervisors approve the draft Development Agreement in Board File No. 190845.

The Planning Department Commission Secretary is the Custodian of Records, located in the File for Case No. 2015-014028CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

On September 5, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-014028CUA.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2015-014028CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project would redevelop the subject property with a mix of residential, retail, child care, open space, and parking uses. The existing 14,000 gross-square-foot (gsf) annex building, surface parking lots and ramp structures would be demolished, and the existing 455,000 gsf office building ("Center Office Building"), would be partially demolished and adaptively reused for residential uses (as two separate buildings, "Center Building A" and "Center Building B") with up to three stories added to each. The Project would also construct thirteen new buildings, ranging from 4-story duplex townhouses to 6-story apartment buildings, as residential-only buildings ("Masonic"; "Euclid"; "Mayfair"; and the seven "Laurel Duplex" buildings), and mixed-use buildings ("Plaza A"; "Plaza B"; and "Walnut") containing non-residential uses on the ground and second floors. Overall, the Project includes a total of approximately 1,428,000 gsf of new and rehabilitated floor area, comprising: approximately 978,000 gsf of residential floor area (include 744 dwelling units); approximately 35,000 gsf of retail floor area; an approximately 15,000 gsf childcare facility (accommodating approximately 175 children); approximately 400,000 gsf devoted to off-street parking with 857 parking spaces (including approximately 10 car share spaces); and 839 bicycle spaces.

A total of 25% of the Project's dwelling units will be deed-restricted, on-site affordable units designated for low-income senior households. These affordable units will be located in the proposed Walnut Building on California Street and consist of 185 studio and 1-bedroom units for seniors plus 1 on-site manager's unit.

The Project would provide 52 percent of the overall lot area (approximately 233,000 square feet) as grade-level open area, some of which would be public open space and some of which would be private open space exclusively for residents. The Project would include a total of approximately 125,000 square feet (or roughly 2.88 acres) of publicly-accessible landscaped open space with multi-purpose plazas, lawns, and pathways. New public pedestrian walkways would cross the property in a north-south direction between California Street and the intersection of Masonic and Euclid avenues approximately along the line of Walnut Street and in an east-west direction between Laurel Street and Presidio Avenue along the line of Mayfair Drive. The Project would also include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site. These physical improvements to the Site are in service of meeting the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk expansion; enhanced paving; installation of new street trees and street lighting on various public rights-of-way. Some of these improvements require a major encroachment permit from the Department of Public Works and are subject to Board of Supervisors approval.

The proposed scope of work before the Commission was analyzed in the EIR as the "Project Variant" (or just "Variant"). The primary difference between the base project and the Variant is that the Variant includes 185 senior affordable dwelling units plus 1 on-site manager's unit instead

of office use within the Walnut Building. Under the Variant, the Walnut Building would also contain four additional floors (22 feet taller) to accommodate the residential uses. On August 19, 2019, the Project Sponsor submitted a letter to the Department requesting Conditional Use Authorization of the Variant.

3. **Site Description and Present Use.** The Project Site ("Site") is 447,361-square-foot, or 10.25-acre, single parcel located on Lot 003 on Assessor's Block 1032. The irregularly shaped parcel is bounded by California Street to the north, Presidio Avenue to the east, Masonic Avenue to southeast, Euclid Avenue to the south, and Laurel Street/Mayfair Drive to the west. The two-story building that houses the SF Fire Credit Union, located on a triangular-shaped lot at the northeast corner of Assessor's Block 1032 (corner of California Street and Presidio Avenue), is on a separate parcel and is not part of the Site. The Site, which serves as the University of California, San Francisco (UCSF) Laurel Heights Campus, is developed with a four-story, 455,000 gsf office building (including a 93,000 gsf, three-level, partially below-grade parking garage) at the center of the site; a one-story, 14,000 gsf annex building at the corner of California and Laurel Streets; three surface parking lots; and landscaping or landscaped open space. Approximately 63 percent of the Site is covered by buildings or other impermeable surfaces (e.g., internal roadways and surface parking lots) and 37 percent is landscaping or landscaped open space. Current uses on the Site are office, research, laboratory, child care, and parking. UCSF is in the process of shifting its uses to other campus locations in the city. The Site has been identified as being individually eligible for listing in the California Register of Historical Resources under Criterion 1 (events), and Criterion 3 (design/construction). The Site is eligible under Criterion 1 for its association with the broad pattern of development in San Francisco as a corporate campus adapted to an urban environment. The subject property represents an important and new approach to corporate office planning as a unique adaptation of the suburban corporate campus property type. The Site is also eligible under Criterion 3 for its overall Midcentury Modern architecture designed by Edward B. Page, set within a Midcentury Modern landscape designed by Eckbo, Royston & Williams.
4. **Surrounding Properties and Neighborhood.** The Site is located within the Laurel Heights area of San Francisco's Presidio Heights neighborhood. It is adjacent to the Pacific Heights and Western Addition neighborhoods (to the east) and just north of the Anza Vista area of the Inner Richmond neighborhood. The parcel is located within an RM-1 Zoning District and a 40-X Height and Bulk District. Low- to mid-rise residential uses surround the Site to the north, east, south, and west across California Street, Presidio Avenue, Euclid Avenue, and Laurel Street. Other land uses near the Site include the SF Fire Credit Union, at the southwest corner of California Street and Presidio Avenue, adjacent to the Site; the Jewish Community Center of San Francisco (JCCSF), at the northwest corner of California Street and Presidio Avenue, across the street from the Site; San Francisco Fire Station No. 10, across Masonic Avenue southeast of the Site; the San Francisco Municipal Railway's (Muni) Presidio Division and Yard at 875 Presidio Avenue (a bus storage, maintenance depot, and administration building, across Euclid and Masonic avenues south of the Site); and the Laurel Village Shopping Center along California Street, across Laurel Street west of the Site.

5. **Public Outreach and Comments.** To date, the Department has received one letter in opposition to the proposed Project prior to the official 20-day neighborhood notification period. The Project Sponsor held over 150 community meetings since 2015.
6. **CEQA Findings.** On September 5, 2019, by Motion No. 20512, the Commission certified as adequate, accurate and complete the FEIR for the 3333 California Mixed-Use Project. A copy of Commission Motion No. 20512 is in the file for Case No. 2015-014028ENV. Also, on September 5, 2019, by Motion No. 20513, in Attachment A to said Motion, the Commission adopted findings, including a statement of overriding considerations and an MMRP, pursuant to CEQA. In accordance with the actions contemplated herein, the Commission has reviewed the FEIR and adopts and incorporates by reference as though fully set forth herein the findings, including the statement of overriding considerations, pursuant to CEQA, adopted by the Commission on September 5, 2019 in Motion No. 20513. Attachment A.
7. **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 (Sections 202.2(f)(1), 209.2, 249.86, and 713).** Planning Code Sections 209.2 (RM-1), 249.86 (3333 California Street SUD), and 713 (NC-S) list allowable land uses, including residential and non-residential uses as either principally permitted, conditionally permitted, or not permitted.

The Project proposes residential uses throughout the Site, and both residential and non-residential uses within buildings with frontage on California Street. The underlying zoning district (RM-1) permits residential uses, including Senior Housing, and the 3333 California Street SUD (Planning Code section 249.86 (Board File No. 190844) allows certain non-residential uses as principally permitted within the ground and second floor of all buildings with frontage along California Street, including Flexible Retail Uses; Social Service or Philanthropic Facilities; and non-residential uses, subject to the use controls of the NC-S Zoning District. In addition to residential uses, the Project also includes a replacement Child Care Facility, which, is a principally permitted use in the RM-1 and 3333 California Street SUD Zoning Districts. Therefore, the uses at the Project would comply with the Planning Code.

- B. **Use Size (Sections 121.2, 713).** The Planning Code permits non-residential uses up to 5,999 square feet and requires Conditional Use Authorization for 6,000 square feet or above within the NC-S Zoning District.

The Project proposes non-residential uses within buildings with frontage on California Street, as allowed in the 3333 California Street Special Use District (Planning Code Text and Map Amendment Ordinance (Board File No. 190884). At the time of entitlement, specific sizes for non-residential uses are unknown. However, under the 3333 California Street SUD, (Planning Code Text Amendment and Map Ordinance in Board File No. 190844), use size controls for non-residential uses would be subject to the use controls of the NC-S Zoning District, with conditional use authorization required to establish any non-residential use above 6,000 square feet.

- C. **Floor Area Ratio (Sections 123, 124, and 713).** The Planning Code establishes a basic floor area ratio (FAR) of 1.8:1 for non-residential uses within the NC-S Zoning District.

The Site is 447,361 square feet in size. Therefore, up to 805,250 gsf of non-residential uses is permitted under the basic FAR limit. The Project proposes 34,496 gsf of non-residential uses within buildings with frontage on California Street, resulting in an FAR of 0.08:1, well below the maximum allowable FAR of 1.8:1. Therefore, the Project complies with Sections 123, 124 and 713.

- D. **Front Setback Areas (Section 132).** The Planning Code requires that new developments in RM-1 Districts provide front setbacks where one or both of the buildings adjacent to the subject property have front setbacks along a street or alley. If situated on a corner lot, the owner may elect which street or alley to designate as the front of the property.

As a corner lot, as defined by the Code, the Project Sponsor elects Laurel Street as the front of the Site, for purposes of establishing the Front Setback Area. (Of the Site's five street frontages, Laurel Street represents the longest linear frontage.) Given there are no adjacent buildings along the Laurel Street frontage separated from the subject lot, the Project is therefore not subject to the Front Setback requirements of the Code.

- E. **Rear Yard (Section 134(a)(2)).** The Planning Code requires that the Project provide a rear yard equal to 45 percent of the lot depth, or, the average of adjacent properties. If averaged, no less than 25 percent of lot depth or 15 feet, whichever is greater.

The Project does not provide a rear yard conforming to the strict requirements specified in the Code, and is therefore seeking a modification of section 134(a)(2) through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- F. **Useable Open Space (Section 135).** The Planning Code requires that a minimum of 100 square feet of private usable open space, or 133 square feet of common usable open space be provided for Dwelling Units in RM-1 Zoning Districts. The area counting as usable open space must meet minimum requirements for area, horizontal dimensions, and exposure.

In the 3333 California Street SUD, Planning Code Section 249.86, useable open space has been designated on an SUD-wide basis (Planning Code Text and Map Ordinance (Board File No. 190844).) Accordingly, compliance with usable open space requirements for any building in the SUD shall be evaluated on a project-wide basis and for consistency with the terms of the Development Agreement (Board File No. 190845).

The Project would provide private useable open space for 117 of the 744 Dwelling Units, therefore 11,700 square feet (sf) of private open space and 83,391 sf of common open space would be required. The Project satisfies this requirement by providing 11,700 sf of private usable open and 29,570 sf of common useable open space within the eight of the proposed buildings. The Project provides 54,470 sf of additional

common useable open space: Cypress Square + Eastern Mayfair Walk (24,780 sf); Lower Walnut Walk (14,950 sf); California Plaza (4,290 sf); and The Overlook (10,450 sf). This additional common useable open space fully satisfies the total amount of common useable open space required by Code. Additionally, the Project provides 70,756 sf of privately-owned, publicly-accessible open space that provides a benefit to both future residents of the Project as well as the General Public. On the whole, the Project provides a combination of private and common useable open space that meets the requirements of the Code. Therefore, the Project complies with Sections 135 and 249.86.

- G. Permitted Obstructions (Section 136).** The Planning Code outlines the requirements for features, which may be permitted over street, alleys, setbacks, yards or useable open space.

The Project includes bay windows that exceed the dimensional limits allowed per Code and is therefore seeking a modification of section 136 through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- H. Streetscape and Pedestrian Improvements (Section 138.1).** Planning Code Section 138.1 requires that additions of Gross Floor Area equal to 20 percent or more to an existing building provide streetscape improvements consistent with the Better Streets Plan.

The Project would include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site including Presidio, Masonic, and Euclid Avenues, as well as Laurel Street, and Mayfair Drive. These physical improvements meet the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk widening; enhanced paving; installation of new street trees and street lighting on various adjacent public rights-of-way.

A key element of the Project's public improvements includes the reconfiguration of existing traffic slip lanes at the intersections of Presidio Avenue and Pine Street/Masonic Avenue and at Masonic and Euclid Avenues. These public improvements consist of bulb outs and other sidewalk improvements where two separate slip lanes are currently located. With the public improvements, the slip lane areas will remain publicly accessible, but will no longer be accessible to motorized vehicles. The Project public improvements that would be constructed in the expanded public sidewalk would require a sidewalk width change approval from the Department of Public Works. Installation of both the slip lane reconfiguration and the sidewalk expansion would be subject to a Street Improvement Permit issued by the Department of Public Works, all of these actions would be implemented through the major encroachment permit described below

Certain Project streetscape improvements include enhanced paving and landscaping where the Project's pedestrian pathways meet the public sidewalk. These improvements require a major encroachment permit from the Department of Public Works that is subject to Board of Supervisors approval. The encroachment permit imposes long-term maintenance responsibility and liability for these improvements on the Project Sponsor.

Related to encroachments onto or over sidewalks, the Project proposes a total of 6 curb cuts, or vehicular access points (ingress and/or egress) to the Site (5 driveways accessing the Site from public rights-of-way and the privately-owned Walnut Street extension, extending southerly from California Street). The vehicular access plan was carefully reviewed by City staff, including, but not limited to, representatives from Planning, Public Works, and the Municipal Transportation Agency. All of the off-street parking and freight loading locations are completely enclosed and the driveway widths were reduced to minimum amounts required to accommodate safe and efficient vehicle circulation so as to preserve the pedestrian character of the district. Therefore, the Project is consistent with the Better Streets Plan and complies with Section 138.1

- I. **Standards for Bird-Safe Buildings (Section 139).** The Planning Code outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards.

The Site is not located in close proximity to an Urban Bird Refuge as defined in Section 139. As such, the Project will include feature-related standards. Therefore, the Project complies with Section 139.

- J. **Dwelling Unit Exposure (Section 140).** The Planning Code requires that at least one room of each dwelling unit must face onto a public street, a rear yard, or other open area that meets minimum requirements for area and horizontal dimensions.

The Project includes Dwelling Units that do not face onto an open area as defined by the Code, and is therefore seeking a modification through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- K. **Street Frontages (Section 144).** The Planning Code restricts entrances to off-street parking to no more than one-third of the width of the ground story along the front lot line, or along a street side lot line, or along a building wall that is set back from any such lot line; but in no case less than 10 feet or more than 20 feet. Where two or more separate entrances are provided there shall be a minimum separation between such entrances of six feet.

The Project proposes a total of seven entrances to off-street parking, with entrances ranging between 12-feet and 20-feet wide, as allowed by Code. Along the Presidio Avenue frontage, the Project provides a 15-foot entrance for off-street parking, and a 20-foot entrance for off-street freight loading, separated by seven feet, as allowed by Code. Therefore, the Project complies with Section 144.

- L. **Moderation of Street Fronts (Section 144.1).** The Planning Code requires that new dwellings within the RM-1 and RM-2 Districts be compatible with the established mixture of houses and apartment buildings in terms of apparent building width, requiring that on wider lots the front of the building be divided visually into narrower segments, according to the predominant existing scale in such areas.

As a corner lot, as defined by the Code, the Project Sponsor elects Laurel Street as the front of the Site. As such, the Project's Laurel Street frontage is subject to the provisions of Section 144.1. The Project includes three sets of buildings fronting Laurel Street: The Plaza A building, the Mayfair building, and the seven Laurel Duplex buildings. Each of the three sets of buildings provide variations in the horizontal depth of the front building walls by creating an organized rhythm of projections and notches ranging between 2 feet and 13 feet along the front building walls of each of the buildings, at intervals of not more than 35 feet. Therefore, the Project complies with Section 144.1.

- M. Off-Street Parking (Section 151.1).** The Planning Code does not require off-street parking spaces be provided, but instead provides maximum parking amounts, permitted as accessory, based on land use type.

The Project would provide a total 847 off-street accessory parking spaces. For residential uses, up to 1.5 spaces per Dwelling Unit is permitted as accessory. With 744 Dwelling Units, up to 1,116 parking spaces would be allowed per Code. The Project proposes 744 parking spaces (a ratio of 1 parking space per Dwelling Unit), which, is within the maximum amount permitted by Code. For non-residential uses, the Planning Code permits off-street parking as accessory in the following amounts: up to 53 spaces would for Retail Sales and Service Uses; 78 spaces for Eating and Drinking Uses (food and beverage retail uses); and 11 spaces for Child Care Facility Use.

The DEIR (p. 4.C.80) identifies a required Mitigation Measure ("M-TR-2: Reduce Retail Parking Supply") to lessen the impact of the proposed Project's or Project Variant's parking supply for retail uses to less-than-significant levels. The Mitigation Measure limits parking for Retail Sales and Service Uses to 2.14 spaces per 1,000 gross square feet. Pursuant to Mitigation Measure M-TR-2, the Project is limited to a total of 74 off-street parking spaces for all retail uses. The Project proposes a total of 74 spaces for all retail uses.

For Child Care Facility Use, the Project proposes 29 spaces where 11 are permitted by Code as accessory. Therefore, the Project requires legislation to permit parking for Child Care Facility Use in an amount greater than is otherwise permitted by Code. Through a Planning Code Text and Map Ordinance (Board File No. 190844), the Planning Code would be amended to add Section 249.86, creating the 3333 California Street Special Use District. The Ordinance would allow off-street parking for any Child Care Facility Use at a rate of 1.5 spaces for each 9 children who could be accommodated in the Child Care Facility under the applicable child care licensing requirements at any one time. The Project proposes 29 off-street spaces for the Child Care Facility where 29 would be allowed under the Ordinance. Therefore, the Project complies with Section 151.1.

- N. Off-Street Freight Loading (Section 152).** The Planning Code requires certain amounts of off-street freight loading space based on the type and size of uses in a project.

The Project would provide a total of six off-street loading spaces where five are required by Code (the additional space provide as accessory). Three of the loading spaces would be located within the Walnut

Building (accessible from Presidio Avenue), and the other three loading spaces would be located within the Masonic Building (accessible from Masonic Avenue). Therefore, the Project complies with Section 152.

- O. **General Standards of Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155).** The Planning Code establishes general standards as to location and arrangement for required off-street parking and freight loading facilities.

The Project would include both off-street parking and freight loading spaces not necessarily on the same lot as the use served after the proposed subdivisions of the Site, and is therefore seeking a modification through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- P. **Bicycle Parking (Sections 155.1, 155.2).** The Planning Code establishes bicycle parking requirements for new developments, depending on use. A Class 1 space is located in a secure, weather-protected facility and intended for long-term use by residents and employees. A Class 2 space is located in a publicly-accessible and visible location, and intended for use by visitors, guests, and patrons.

The Project includes 762 Class 1 and 77 Class 2 bicycle parking spaces (where 274 Class 1 and 69 Class 2 spaces are required by Code). The Class 1 bicycle parking spaces will be provided within each building, located within a secure, weather-projected facility, with independent access meeting the dimensional requirements of the Code. The Class 2 bicycle parking spaces would be located along each of the five street frontages encompassing the Site, near all main pedestrian entries to the uses (residential or non-residential) to which they are accessory. Therefore, the Project complies with Sections 155.1 and 155.2.

- Q. **Shower Facilities and Lockers (Section 155.4).** The Planning Code requires shower facilities and lockers for Non-Retail Sales and Service Uses in the following amounts: two showers and 12 clothes lockers where the Occupied Floor Area exceeds 20,000 square feet but is no greater than 50,000 square feet, and four showers and 24 clothes lockers are required where the Occupied Floor Area exceeds 50,000 square feet.

The Project includes less than 50,000 square feet of non-residential uses and thus a total of 2 showers 12 lockers are required per Code. The Project would provide one shower and six lockers within each of the Plaza B and Walnut buildings. Therefore, the Project complies with Section 155.4.

- R. **Car Sharing (Section 166).** The Planning Code establishes requirements for new developments to provide off-street parking spaces for car-sharing services. The number of spaces depends on the amount and type of residential or office use. The car-share spaces must be made available to a certified car-share organization at the building site or within 800 feet.

The Project includes 10 car share spaces on the Site for both the residential and non-residential uses where 10 are required by Code. Therefore, the Project complies with Section 166.

- S. **Unbundled Parking (Section 167).** The Planning Code requires all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more, or in new conversions of non-residential buildings to residential use of 10 dwelling units or more, shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space.

The Project will lease or sell all accessory off-street parking spaces separately from the rental or purchase fees for dwelling units for the life of the Dwelling Units. Therefore, the Project complies with Section 167.

- T. **Transportation Demand Management (TDM) Plan (Section 169).** The Planning Code requires applicable projects to finalize a TDM Plan prior Planning Department approval of the first building permit or site permit.

The Project Sponsor submitted a completed Environmental Evaluation Application prior to July 14, 2016. Therefore, under Planning Code section 169, the Project must achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 39 points (50% of 78).

The Developer shall implement a site-specific Transportation Demand Management Plan included as part of a Development Agreement (Board File No. 190845). While the Project would be subject to Planning Code Section 169.3(e)(1) and required to implement a minimum of 50% of the applicable target points, the Project Sponsor commits through the Development Agreement, to be subject to Planning Code Section 169.3(e)(2) and to implement 75% of applicable target points, resulting in a target of 59 points (75% of 78). Otherwise, the Project remains subject to all of the provisions of Planning Code Section 169 et seq. Therefore, the Project complies with Section 169.

As currently proposed, the Project will achieve 59 points through the following TDM measures:

- Improve Walking Conditions (Option A)
- Bicycle Parking (Option C)
- Showers and Lockers
- Bicycle Repair Station
- Bicycle Maintenance Services
- Fleet of Bicycles
- Car Share Parking (Option B)
- Delivery Supportive Amenities
- Provide Delivery Services
- Family TDM Amenities (Options A + B)
- On-site Childcare
- Multimodal Wayfinding Signage
- Real Time Transportation Information Displays
- Tailored Transportation Marketing Services (Option C)
- On-site Affordable Housing (Option B)
- Unbundled Parking (Option D)

- Parking Pricing

- U. **Compliance with Special Restrictions (Section 174).** In 1952, the Commission adopted Resolution 4109 which approved a rezoning of the subject property to a First Residential District and included additional stipulations subject to future development of the Site. The Site has subsequently undergone additional rezoning, as it is now within an RM-1 District. However, the stipulations of future development as outlined in Resolution 4109 continue to apply, absent modification per Planning Code Section 174.

Through a proposed Planning Code Text and Map Ordinance (Board File No. 190844), Commission Resolution No. 4109, and all related conditions, stipulations, special restrictions, and other limitations imposed in connection with Resolution No. 4109 will no longer apply and will be extinguished effective the date of the Ordinance.

- V. **Residential Density (Sections 207, 209.2, 304).** The Planning Code regulates residential density by zoning district. Within the RM-1 Zoning District, up to 3 units per lot or up to one dwelling unit per 800 square feet of lot area is permitted.

The Project proposes a residential density that exceeds what is permitted within the RM-1 Zoning District. Therefore, the Project seeks a modification through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- W. **Dwelling Unit Mix (Section 207.7).** The Planning Code requires that no less than 25% of the total number of proposed dwelling units shall contain at least two bedrooms and that no less than 10% of the total number of proposed dwelling units shall contain at least three bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units and units counted towards the three-bedroom requirement may also count towards the requirement for units with two or more bedrooms

The Project would meet the dwelling unit mix requirement on a site-wide basis, as opposed to an individual building basis, with one-bedroom, two-bedroom, and three-bedroom units distributed across the Site, while the Plaza A building would contain the majority of the studio units, and the Laurel Duplexes would contain the majority of the four-bedroom units. The Project will provide the following dwelling unit mix: 27 studio units (3%); 392 one-bedroom units (53%), 195 two-bedroom units (26%), 103 three-bedroom units (14%); and 27 four-bedroom units (4%). With 44% of the dwelling units containing at least two bedrooms, the Project exceeds the dwelling unit mix requirement. Therefore, the Project complies with Section 207.7.

- X. **Height (Sections 260 and 261).** Planning Code requires that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height.

Given the Project proposes both new structures and alterations to an existing legal, nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District, the Project requires relief from the Code. Through a proposed Planning Code Text and Map Ordinance (Board File No. 190844), the Site's underlying Height and Bulk District is 40-X, 45-X, 67-X, 80-X, and 92-X, accommodating the maximum height of each of the 13 buildings, as proposed by the Project. The Project seeks a modification through the Planned Unit Development (PUD) process, pursuant to Section 304, for minor deviations from the provisions for measurement of height in Sections 260 and 261 (see Section No. 8 for additional findings).

- Y. Shadows on Parks (Section 295).** The Planning Code requires a shadow analysis for projects over 40 feet in height to ensure that new buildings do not cast new shadows on properties that are under the jurisdiction of the San Francisco Recreation and Park Department.

The Planning Department prepared an initial shadow fan that indicated the proposed Project may cast a shadow on either Laurel Hill Playground, or Presidio Heights Playground, both of which are properties under the jurisdiction of the San Francisco Recreation and Park Department ("Recreation and Park Department"). A detailed shadow analysis was performed by a qualified consultant that indicated the Project would not cast any new shadow on either Laurel Hill Playground or Presidio Heights Playground, nor any other open space under the jurisdiction of Section 295. As such, a No Impact Letter was issued on August 7, 2019.

- Z. Transportation Sustainability Fee (TSF) (Section 411A).** Section 411a requires projects that result in more than twenty new dwelling units or new construction of a non-residential use exceeding 800 square feet to pay the TSF to help meet the demands imposed on the City's transportation system by new developments, funding transit capital maintenance, transit capital facilities and fleet, and pedestrian and bicycle infrastructure.

The Project will comply with Section 411A.

- AA. Jobs Housing Linkage Fee (Section 413).** Section 413 shall apply to any project that increases by 25,000 or more gross square feet the total amount of any combination of the following uses; entertainment, hotel, Integrated PDR, office, research and development, retail, and/or Small Enterprise Workspace.

The Project will comply with Section 413.

- BB. Child Care Requirement for Residential Projects (Section 414A).** Section 414A shall apply to any residential development project that results in at least one net new residential unit.

Under the requirements of section 249.86 (3333 California Street Special Use District, Board File No. 190844), the provisions of Section 414A do not apply to the Project so long as the Development Agreement is in effect. Instead, the Development Agreement (Board File No. 190845) stipulates that the Project provide a 14,665 square-foot child care facility, including an outdoor activity area, capable

of accommodating at least 175 children, with 10% of the maximum number of permitted slots to be provided to children in low-income households.

CC. Inclusionary Affordable Housing Program (Section 415). The Planning Code sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units.

Under the provisions of Planning Code Section 249.86, (3333 California Street Special Use District, Board File No. 190844), the provisions of Section 415 do not apply to the Project for as long as the Development Agreement is in effect. The Development Agreement (Board File No. 190845) outlines terms for the Project's affordable inclusionary housing provisions. At buildout, 25% of the Project's units will be deed-restricted, on-site affordable units designated for low-income senior households with incomes below 80% of Area Median Income (AMI), with an overall average of not more than 59% of AMI, as established by the Mayor's Office of Housing and Community Development (MOHCD). These affordable units will be located within the Walnut Building and consist of 185 studio and 1-bedroom units for seniors plus 1 on-site manager's unit.

8. **Planning Code Section 303** establishes criteria for the Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:
- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The Project is necessary and desirable in that it will create a new mixed-used infill development within the Laurel Heights neighborhood at a scale that appropriately preserves the diversity and vitality of the neighborhood, while also maintaining and contributing to the important aspects of the existing neighborhood, such as providing new housing opportunities with no displacement of any existing residential uses. The size and intensity of the proposed development is consistent with the policies and objectives of the General Plan and is necessary and desirable for this neighborhood and the surrounding community because it will provide new opportunities for housing and add new site amenities, including privately-owned, publicly-accessible open space, retail uses, and a child care facility, that will contribute to the character of the surrounding neighborhood. The pedestrian pathways (Mayfair and Walnut Walk) will open and connect the Site to the surrounding community by extending the neighborhood urban pattern and surrounding street grid into the Site. The Project would revitalize an underutilized development lot that is predominately occupied by surface parking lots, driveways, and a large, existing legal nonconforming structure containing existing non-complying non-residential uses (office use). The Project would introduce new residential uses across the entirety of the Site, with retail and childcare uses contained within structures fronting California Street. The influx of new residents will contribute to the economic vitality of the existing neighborhood by adding new patrons for the nearby retail uses.

Above all, housing is a top priority for the City and County of San Francisco and the Project would maximize residential density on the Site through approvals as a Planned Unit Development (PUD).

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project is an infill development that replaces existing buildings and surface parking lots with a new mixed-use development that is on balance consistent with the General Plan. The Site is substantial in size at approximately 447,000 square feet (or roughly 10.25 acres). The Project maximizes residential density while also introducing new pedestrian connections, hard- and soft scape open space, and allowing for a scale of development that is consistent with existing and proposed development in the area. The overall site plan, along with the design of each building, has been carefully crafted to allow for a consistent street wall and active ground floor spaces along California Street, with an appropriate variation in building design, texture and scale. The arrangement and sculpting of buildings is also designed to frame the network of pedestrian and visual pathways through the site and to its major open spaces, creating a sense of permeability and connectivity with the surrounding neighborhood.

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

The Project has been designed to provide improved pedestrian and vehicular connections to the Site, as well as new pedestrian connections through the Site. Sufficient off-street parking, including for both the retail uses and child care facility, would be provided in underground parking garages, which would be appropriately accessed from the Walnut Street extension, Presidio Avenue, and Laurel Street.

The Project includes a total of six off-street loading spaces, two on-street commercial loading zones (on California Street), three on-street passenger loading zones (on Masonic Avenue, Euclid Avenue, and Laurel Street), and approximately 74 on-street public parking spaces. On-street freight and passenger loading zones are strategically placed nearest building entrances, with freight loading supporting the retail and non-residential uses along California Street.

The proposed Project also includes a TDM program in compliance with the TDM Ordinance and TDM Program Standards, and includes 10 car share parking spaces as required by Planning Code Section 166, as well as ample bicycle parking. Accessibility and traffic patterns, the type and volume of traffic, and the proposed off-street parking and loading are all discussed in additional detail in

Project's Transportation Impact Study and other Project CEQA documents on file with the Planning Department. The Project is in close proximity to numerous public transit options, with various bus routes along California Street, and nearby along both the Geary Avenue and Sacramento Street commercial corridors.

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

The Project is primarily a residential development and therefore is not anticipated to create any noxious or offensive emissions or odors. The Project sponsor will comply with the City's standard construction-related conditions designed to minimize temporary dust impacts during the construction period. All potential Project impacts on noise, glare, and dust are discussed in the Project's FEIR, including the MMRP. In light of the nature of the development, applicable Code requirements and standard conditions of approval, and the conclusions reached in the Project's FEIR on file with the Planning Department, no noxious or offensive emissions such as noise, glare, dust, and odor are expected.

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

The Project will create a series of privately-owned, publicly-accessible new north/south and east/west pedestrian connections across the Site, including substantial new landscaping around and throughout the Site, and major new privately-owned, publicly-accessible open space. The open space plan and landscape design includes features such as plaza and garden elements, and over 300 new trees (including new and replacement trees). Lighting and signage will be incorporated as the Project design progresses, and will comply with applicable Code requirements. These and other Project elements will be consistent with the City's Better Streets Program.

- 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 will generally comply with the provisions of the Planning Code, as amended in Board File No. 190844 and with the Development Agreement (Board File No. 190845). The Project will be, on balance, consistent with the General Plan, particularly with plans and policies related to locating dwelling unit density near transportation, creating new housing, including affordable/supportive housing, providing new publicly-accessible private open space, creating new pedestrian connections to and through the neighborhood, and implementing streetscape improvements. Further, the Project seeks a number of modifications to the requirements of the Code through the PUD process. The purpose of the PUD process is to allow well-designed development on larger sites to request modifications from the strict requirements of the Planning Code, provided that the project generally meets the intent of these Planning Code requirements and will not adversely affect the General Plan. The requested modifications,

and compliance with the PUD criteria and consistency with the General Plan are discussed under Section No. 8 and incorporated here by reference.

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

The Project is consistent with the stated purpose of RM-1 Zoning District and the 3333 California Street Special Use District. RM-1 Zoning Districts, as described in Section 209.2, contain a mixture of the dwelling types that broaden the range of unit sizes and the variety of structures, outdoor space at ground and upper levels regardless of form of structures, and non-residential uses to provide for the needs of residents. Shopping facilities and transit lines may be found within a short distance of these districts. On balance, the Project provides a range of unit sizes within a variety of structures, privately-owned, publicly-accessible open space, and retail uses to provide for the needs of residents. The site is located on and within walking distance of existing transit lines and located within walking distance of existing shopping facilities. The Project will include residential uses, and non-residential uses in a size that provides for the needs of residents.

- E. The use or feature satisfies any criteria specific to the use or feature in Subsections (g), *et seq.* of this Section.

On February 26, 2019, a resolution (Board File No. 190230) was introduced, imposing interim zoning controls for 18 months to require a Conditional Use Authorization for a change of use from a Child Care Facility to another use. Any consideration of a Conditional Use Authorization for a change of use from a Child Care Facility to another use shall take into account the following factors:

- i. Any findings by the Office of Early Care and Education regarding the capacity of the existing Child Care Facility Use, the population served, and the nature and quality of services provided;

The childcare facility currently located on the Site is operated by Bright Horizons, a national provider of childcare services. According to information on file with the Office of Early Care and Education, the existing facility is licensed for a total of 129 children, with an infant license for 42 children and a preschool license for 87 children. In addition, the Office believes that the existing facility has what is known as a 'Toddler Option' in order to also serve toddlers. However, the toddler license does not increase the total licensed capacity of 129. The existing facility is a National Association for the Education of Young Children (NAEYC) accredited program, which, is a nationally-recognized measure of early education quality.

- ii. The impact of the change of use on the neighborhood and community;

The Project proposes to replace the existing childcare facility with a new childcare facility with capacity to serve approximately 175 children under current licensing requirements. While there

may be a period of time during which the existing facility has ceased operations and the new facility is under construction, the Development Agreement (Board File No. 190845) requires the facility to be built as part of construction of the Walnut Building.

In addition, Bright Horizons will be opening a new childcare facility in the City Center project on Geary and Masonic that will accommodate the children who are enrolled at the existing facility. Because it is located on what is currently a UCSF campus property, the existing Bright Horizons facility gives preference to UCSF families, regardless of whether they live in the neighborhood. Pursuant to the Development Agreement (Board File No. 190845), the new childcare facility will be open to the general public. As such, it will result in expanded access to childcare for the neighborhood.

- iii. Whether there are sufficient licensed child care slots available within a one-mile radius of the site; and

According to the Office of Early Care and Education, there are 19 licensed child care centers and 26 Family Child Care homes in the 94118 Zip Code's geographic area.

- iv. Whether the Child Care Facility Use to be converted will be relocated or replaced.

The Project proposes to provide a new childcare facility with capacity to serve approximately 175 children under current licensing requirements. Bright Horizons, which operates the existing facility, anticipates opening a new childcare facility in the City Center project on Geary and Masonic.

- 9. **Planning Code Section 304** establishes procedures for Planned Unit Developments, which are intended for projects on sites of considerable size, including an area of not less than half-acre, developed as integrated units and designed to produce an environment of stable and desirable character, which will benefit the occupants, the neighborhood and the City as a whole. In the cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well-reasoned modification of certain provisions contained elsewhere in the Planning Code.

- A. **Modifications.** The Project Sponsor requests the following modification from the requirements of the Planning Code. These modifications are listed below, along with a reference to the relevant discussion for each modification.

- i. **Rear Yard (Section 134):** *The Project does not provide a code-complying rear yard. As such, the Project is seeking a modification of the rear yard requirement defined in Planning Code Section 134. The Commission finds this modification warranted, since the Project provides for a comparable amount of open space accessible to residents of the development, in lieu of the required rear yard.*

The Site encompasses nearly the entirety of Block 1032, fronting several streets, with no existing pattern of mid-block open space since the majority of the Site is currently occupied by existing buildings and surface parking lots. As such, the Site is not configured in a manner that adheres to (or necessarily benefits from) the traditional rear yard requirements of the Code. The Project would improve existing conditions by creating new connections to the surrounding street grid and providing new open space through a series of private and public open spaces and landscaped areas, including private usable open space (residential), common usable open space, privately-owned, publicly-accessible open space, private open space for the child care facility, and other open areas (e.g., inner and outer courtyards).

On the whole, the Project would provide 52 percent of the overall lot area (approximately 233,000 square feet) as grade-level open area, some of which would be privately-owned, publicly-accessible public open space and some of which would be private open space exclusively for residents. The Project would include streetscape improvements and a total of approximately 125,000 square feet (or roughly 2.88 acres) of privately-owned, publicly-accessible landscaped open space with multi-purpose plazas, lawns, and pathways.

- ii. **Permitted Obstructions (Section 136):** *The Project includes bay windows that exceed the dimensional limits allowed per Code. As such, the Project is seeking a modification of the permitted obstructions requirements defined in Planning Code Section 136. The Commission finds this modification warranted, since the Project, in an attempt to improve the overall visual interest of the buildings, provides a varied bay window design within each of the buildings.*

The Project includes bay windows within the Plaza B building on floors 1 through 4 that would not meet the strict requirements of the Code Sectioning governing permitted obstructions. The Project, in an attempt to improve the overall visual interest of the building through a varied bay window design, is providing five bay windows, ranging between 12'-0" to 19'-8", all of which exceed the nine-foot linear allowance per Code.

- iii. **Dwelling Unit Exposure (Section 140):** *The Project includes Dwelling Units that do not face onto an open area as defined by the Code. As such, the Project is seeking a modification of the dwelling unit exposure requirements defined in Planning Code Section 140. The Commission finds this modification warranted, since the Project has been designed in a manner that the majority of the units (97%) meet the requirements for dwelling unit exposure.*

The Project has been designed to maximize dwelling unit exposure along street frontages, inner courts and/or open spaces between buildings that meet the strict requirements of the Code. Of the 744 Dwelling Units proposed, only 21 Dwelling Units (or approximately 3 percent of the total unit count) would not comply with the strict dimensional requirements of the Code.

- iv. **General Standards of Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155). (Sections 155):** *The Project would include both off-street parking and*

freight loading spaces not necessarily on the same lot as the use served after the proposed subdivisions of the Site. As such, the Project is seeking a modification of the general standards of off-street parking and freight loading requirements defined in Planning Code Section 155. The Commission finds this modification warranted, since the Project provides sufficient off-street parking and freight loading for the uses served within enclosed garages with the minimum number of access points as is necessary as to reduce the total number of curb cuts on the Site.

Pursuant to Section 155(a), required off-street parking and freight loading shall be located on the same lot as the use(s) served. While the Project is compliant with the amount of provided accessory off-street parking and required freight loading, the locations of both the off-street parking and freight loading spaces would not necessarily be provided on the same lot as the use served after the proposed subdivisions of the Site. The proposed site plan for four below-grade garages allows connection between garages, thereby reducing unnecessary on-street vehicular circulation around the Site.

- v. **Dwelling Unit Density (Sections 207, 209.3):** *The Project includes residential uses with a total of 744 Dwelling Units, exceeding the number of units permitted within the RM-1 Zoning District. As such, the Project is seeking a modification of the dwelling unit density limits as defined in Planning Code Sections 207 and 209.3. The Commission finds this modification warranted, since the Project would provide much-needed housing, with a range of unit types, including the provision of senior affordable housing units.*
- vi. **Measurement of Height (Section 260):** *The Project includes proposed amendments to the underlying Height and Bulk Districts of 40-X, 45-X, 67-X, 80-X, and 92-X, as amended in the Zoning Map Ordinance (Board File No. 190844). The Project proposes both new structures and alterations to an existing nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District. As such, the Project is seeking minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site. The Commission finds this modification warranted, given the Site's unique configuration and the desire to maximize residential density at the Site. With the proposed height and bulk district amendments in Board File No. 190844, and the deviations from the provisions for measuring height, the maximum height of each of the 13 buildings would be accommodated.*

The Site's topography varies significantly across the Site generally upsloping from east to west, and from north to south, with an approximately 67 foot total difference in elevation across the Site. The Site contains two existing buildings, the largest of which (Center Office Building), at 52'-10" tall, is deemed a legal, noncomplying structure pursuant to Code Section 180. The Project proposes an adaptive reuse of the Center Office Building, and the construction of 13 new buildings on the Site. The proposed heights of each of the buildings contained within the Project are as follows: the Mayfair, Laurel Duplexes (seven individual buildings), Euclid, and Masonic buildings, each reaching a maximum height of 40 feet; the Plaza A and Plaza B Buildings, each reaching a maximum

height of 45 feet; the Walnut Building reaching a maximum height of 67 feet; the Center Building A reaching a maximum height of 80 feet, and the Center Building B reaching a height of 92 feet. The Project proposed minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site as follows:

Plaza A Building: The Plaza A Building fronts both Laurel Street and California Street. As such, the Project utilizes Laurel Street for the purposes of measuring height, pursuant to Section 260(a)(1)(D). Laurel Street has a slope of less than 5% and thus is measured at the midpoint of the frontage at existing curb. The measurement from Laurel Street is down-sloping and is carried to the line equidistant between Laurel Street and the Walnut Street Extension. The measurement is taken to 45 feet, to allow an additional 5 feet to accommodate adequate retail floor-to-floor heights.

Plaza B Building: The majority of the Plaza B Building is measured from the Walnut Street Extension per Section 260(a)(1)(B). A small portion of the NW corner is measured in the same manner as the Plaza A Building. The slope of Walnut Street varies, with the southern portion under 5% and the portion closer to California requiring stepping. Pursuant to Section 260(a)(3), the portion closer to California Street is measured in 55-ft segments. Measuring from the Walnut Street Extension is up-sloping and complies with Section 260(a)(1)(C), with the first 10-ft measured from the centerline of the segment at new curb, thereafter measured at the average of new grades on either side of the section. The measurement is taken to 45 feet, to allow an additional 5 feet to accommodate adequate retail floor-to-floor heights.

Walnut Building: The Walnut Building fronts California Street, Walnut Street Extension and Presidio Streets. For the western portions of the building the Project elects to measure down-sloping from the Walnut Street Extension per Section 260(a)(1)(D). The slope of the Walnut Street Extension varies, with the southern portion under 5% and the portion closer to California Street requiring stepping. Per Table 260 the portion closer to California Street is measured in 55-foot segments. The measurement from the Walnut Street Extension is down-sloping and is carried to the line equidistant between Walnut Street and Presidio Avenue. The eastern portions of the Walnut building is measured up-sloping from Presidio Avenue per Section 260(a)(1)(B). The slope of Presidio Avenue is less than 5% and is therefore measured at the midpoint of the frontage. Measuring from Presidio Avenue is up-sloping and complies with Section 260(a)(1)(C), with the first 10-ft measured from the centerline of frontage at existing curb, thereafter measured from the average of new grades on either side of the building. The measurement is taken to 67 feet, to accommodate adequate retail floor-to-floor heights, in addition to the additional floors accommodating the affordable housing building that will have 185 senior units and 1 on-site manager's unit, as proposed under the EIR Variant.

Euclid Building: The Euclid Building fronts onto Euclid Avenue and Walnut Walk. This area is measured from Euclid Avenue per Section 260(a)(1)(D). This site is up-sloping and is therefore measured per Section 260(a)(1)(C). Since Euclid Avenue slopes at 10%, the allowable height is measured at multiple cross-sections perpendicular to the building, taken at a maximum of 65-foot

increments per Table 260. Each of the given reference points is derived from the existing grade at each cross-section, to arrive at the allowable height for points along that cross section.

Laurel Duplexes: The Laurel Duplexes front onto Laurel Street, and the heights of the buildings are measured from Laurel Street. This area of the Site is up-sloping and is therefore measured per Section 260(a)(1)(C). Since Laurel Street slopes at 7%, the allowable height is measured at a cross-section perpendicular to the building, taken at the centerline of each duplex and no more than 65-foot apart per Table 260. Each of the given reference points is derived from the existing grade at each cross-section to arrive at the allowable height for points along that cross section.

Mayfair Building: The Mayfair Building fronts onto Laurel Street, and the height of the building is measured from Laurel Street. This site is up-sloping and is therefore measured per Section 260(a)(1)(C). Since Laurel Street slopes at 7%, the allowable height is measured at a cross-section perpendicular to the building, taken at the centerline of each building step and no more than 65-foot apart per Table 260. Each of the given reference points is derived from the existing grade at each cross-section, to arrive at the allowable height for points along that cross section.

Center Buildings A and B: The measurement of height for the adapted Center Buildings A and B is the same process as the measurement of height of the existing, single Center Office Building, as taken from Laurel Street. As measured from Laurel Street, the existing Center Office Building is 52'-10" tall; as such, the structure is deemed an existing legal, noncomplying structure pursuant to Section 180. The Project would include the adaptive reuse of the Center Office Building for residential uses (as two separate buildings: Center Building A and Center Building B, linked by an above-grade pedestrian passage). For the adapted Center Building A, the measurement is taken to 80 feet, and for the adapted Center Building B, the measurement is taken to 92 feet, adding two and three floors to each building, respectively. The additional floors are necessary to accommodate the addition of 190 dwelling units between the two buildings, completing the adaptive reuse from a former office building into repurposed residential building.

- B. **Criteria and Limitations.** Section 304(d) establishes criteria and limitations for the authorization of PUDs over and above those applicable to Conditional Uses in general and contained in Section 303 and elsewhere in the Code. On balance, the Project complies with said criteria in that it:

- 1) Affirmatively promotes applicable objectives and policies of the General Plan;

The Project promotes many of the objectives and policies of the various Elements of the General Plan, as discussed in greater detail below and incorporated here by reference.

- 2) Provides off-street parking adequate for the occupancy proposes.

The Project would provide sufficient off-street parking to adequately serve the residential and non-residential uses, with a maximum of 857 off-street vehicle parking spaces, inclusive of 10 car share spaces, which will accommodate the 744 residential units (including 185 senior housing units) as well as the retail and child care uses proposed.

- 3) Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;

The Project would contain approximately 52 percent of the overall lot area (approximately 233,000 square feet – excluding green roofs) as open area, with portions to be developed with a combination of privately-owned, publicly-accessible open space, common open space (some of which would be open to the public) and private open space for residents. The Project would include a total of 125,226 square feet (or 2.88 acres) of publicly-accessible landscaped open space with multi-purpose plazas, lawns, and pathways. The Project would provide 71,405 square feet of open space in excess of that required under Section 135 of the Code.

- 4) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;

As the Site is located within the RM-1 Zoning District, the Site would be limited to a residential density equal to one fewer unit than what is permitted within the RM-2 Zoning District. With a modification of residential density as a PUD, with a site area of 447,361 square feet, the residential density on the Site would be limited to a maximum of 745 Dwelling Units. The Project proposes a total of 744 Dwelling Units, below the maximum allowed residential density as a PUD.

- 5) In R Districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include commercial uses only according to the provisions of Section 230 of this Code;

The Project would contain commercial uses along California Street that would serve residents of the immediate vicinity and would be subject to commercial use size and Formula Retail controls in the NC-S zoning district, as specified in section 249.86, the 3333 California Special Use District. SUD (Planning Code Text and Map Ordinance (Board File No. 190844)). Because each of the buildings along California Street would include commercial uses that are less than 6,000 feet, the retail uses would be smaller in scale and would therefore serve the immediate vicinity, and would not be expected to attract customers on a regional level.

- 6) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.

The Project proposes both new structures and alterations to an existing nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District, as modified by the Planning Code map ordinance in Board File No. 190844. As such, the Project is seeking minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site.

- 7) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of the Code;

Through a proposed Planning Code Text and Map Ordinance (Board File No. 190844), the Planning Code would be amended to add Section 249.86, creating the 3333 California Street Special Use District. However, the Site would remain within the RM-1 Zoning District. As such, the Site is not located within an NC Zoning District, as defined within Article 7 of the Code.

- 8) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code;

Not applicable since the Site is located within a RM-1 Zoning District.

- 9) In RTO and NCT Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation.

Not applicable since the Site is located within a RM-1 Zoning District.

- 10) Provide street trees as per the requirements of Section 138.1 of the Code.

In total, the Project would provide 88 street trees. The Project would replace the existing 15 street trees along California Street, with 31 new street trees along California Street. Along the Laurel Street, Euclid Avenue, and Masonic Avenue frontages, up to 57

additional new street trees would be planted. The Project would pay the in-lieu fee for any required street trees that could not be planted. If any underground utilities or other barriers prevent a street tree from being planted, the proposed Project would be consistent with the requirements of Section 138.1(c)(2)(C)(iii). Additionally, eleven (11) key trees located on the Site would be preserved.

- 11) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

The Project is not subject to the requirements of Planning Code Section 132(g) and (h); however, the Project would provide new streetscape elements, including new street trees, new landscape areas and new sidewalk paving adjacent to the Site.

10. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan for the reasons as set forth below:

GENERAL PLAN: HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

Policy 1.8

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

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4:

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

Policy 4.1

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

Policy 4.4

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

Policy 4.5

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

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4:

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

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

OBJECTIVE 12

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

Policy 12.1

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

Policy 12.2

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

Policy 12.3

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

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support "smart" regional growth that located new housing close to jobs and transit.

Policy 13.3

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

GENERAL PLAN: COMMERCE AND INDUSTRY

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 3

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

Policy 3.2

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

GENERAL PLAN: TRANSPORTATION

OBJECTIVE 2

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

Policy 2.1

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

Policy 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

Policy 23.1

Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.

GENERAL PLAN: URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2

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

Policy 1.3

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

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

GENERAL PLAN: RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1:

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

Policy 1.1

Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

The Project would provide a mixed-used development with residential (including substantial new affordable housing), retail, and open space uses, leveraging the Site's location along transit corridors and allowing people to work and live within close proximity to transit, consistent with numerous Housing Element and Transportation Element policies that encourage residential and mixed-use development near transit. Furthermore, as detailed in the Development Agreement (Board File No. 190845), the Project exceeds the Planning Code's inclusionary affordable housing requirements, and will provide a 25% level of on-site affordable housing at Project buildout, fulfilling the Housing Element's objective of encouraging affordable housing.

The Site is located in a transit-rich location, within close proximity to various bus lines. Future residents can walk, bike, or access MUNI, or regional bus service from the Site. The Project includes a detailed, TDM program tailored to the Project uses, with various performance measures, monitoring and enforcement measures designed to incentivize use of transit and other alternatives to single occupancy vehicle trips. In addition, the Project's streetscape design would enhance vehicular, bicycle, and pedestrian access and connectivity through the site. The Project would be easily accessed by bicyclists and pedestrians. These Project attributes are consistent with numerous General Plan policies encouraging development that includes environmentally sustainable patterns of movement.

The Project would remove portions of—and re-develop the remainder of—a large-scale building and rest of the site with a series of smaller state-of-the-art buildings designed to be consistent with the neighborhood character and scale. The Project's high-quality architectural and landscape design encourages variety, compatibility with the surrounding context, and strong urban design with prominent corners. The Project would incorporate varying heights, massing, and scale, creating a strong, consistent streetwall along the various street frontages, consistent with the Urban Design Element's objective to emphasize the characteristic pattern which gives to the City and its neighborhoods an image, a sense of purpose, and a means of orientation. The Project has been designed to promote community interaction, both within the Project through common residential open space and with the broader community, through access to the privately-owned, publicly-accessible open space on the Site. The Project would also create new connections to the surrounding street grid, including new pedestrian connections, and other street and streetscape improvements.

The Project is located in an area that is well-served by retail and other neighborhood services, and would provide additional neighborhood-serving retail space along California Street. The Project would help meet the job creation goals, consistent with the Commerce and Industry Element, and as established in the City's Economic Development Strategy by generating new employment opportunities, and by providing expanded employment opportunities for City residents at varying employment levels both during and after construction. The

Development Agreement's community benefit programs include commitments to construction and operations workforce first source hiring, as well as local business enterprise requirements for construction and end use jobs.

The Project would include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site including Presidio, Masonic, and Euclid Avenues, as well as Laurel Street, and Mayfair Drive, consistent with the Urban Design Element's goal to recognize, protect and reinforce the existing street pattern. These physical improvements also meet the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk widening; enhanced paving; installation of new street trees and street lighting on various adjacent public rights-of-way. These improvements require a major encroachment permit from the Department of Public Works that is subject to Board of Supervisors approval. The encroachment permit imposes long-term maintenance responsibility and liability for these improvements on the Project Sponsor.

On the whole, the Project would add a significant amount of housing to a site that is currently underutilized, well-served by existing and future transit, and is within walking distance of substantial goods and services. The Project would create appropriate residential density at a location that is well served by transit and would include substantial new on-site open space to support and activate the new active ground floor and open space uses in the proposed Project and to serve the broader neighborhood. The Project balances significant housing production with new and improved infrastructure and related public benefits, including an on-site child care facility.

11. **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 would have a positive effect on existing neighborhood-serving retail uses because it would bring additional residents to the neighborhood, thus increasing the customer base of existing neighborhood-serving retail.

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

The Project would not negatively affect the existing housing and neighborhood character. The Project would not displace any housing given the existing building contains only non-residential uses (primarily office use). Like the neighborhoods surrounding the Site, which includes a variety of uses, such as single family homes, multi-unit apartment buildings, the Jewish Community Center, the Laurel Village Shopping Center, and the Muni bus storage yard, the Project is mixed-use and mixed-income, and would provide a range of improvements, housing, and services that would preserve the neighborhood's cultural

and economic diversity. It would include approximately 744 units, 185 units of which would be affordable units for seniors with 1 on-site manager's unit. The remaining (market rate) units would consist of a range of unit sizes to accommodate a diverse set of residents.

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

The Project would enhance the City's supply of affordable housing through its affordable housing commitments in the Development Agreement (Board File No. 190845), which will result in a total of 25% on-site affordable housing units.

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

The Project would not impede MUNI transit service or overburden streets and neighborhood parking. The Project is at a location well-served by transit and future residents and employees of the Project could access the Site via existing MUNI transit service. The Project does not include any commercial office uses that would generate commuter traffic, and the Project includes sufficient off-street parking and a robust transportation program with an on-site Transportation Demand Management (TDM) program.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not include commercial office development, and does not displace any industrial or service uses. In addition, the proposed retail uses and other non-residential uses would provide future opportunities for resident employment and ownership in the service sector.

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

The Project includes substantial investment in upgrades to an existing building and construction of new buildings to comply with all current structure and seismic requirements under the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

There are no existing landmarked buildings on the Site. However, the Site, which is considered an historic resource for CEQA purposes and is listed in the California Register of Historic Resources, will be re-developed to include reuse of the existing Center Building and construction of 13 new buildings to accommodate 744 dwelling units, retail, child-care and parking along with significant landscaping and open space. The Project will comply with Mitigation Measure M-CR-1a, Documentation of Historical Resource, which requires the documenting and presenting of the site's history and character. In addition,

the Project will comply with Mitigation Measure M-CR-1b, Interpretation of the Historical Resource, which requires the sponsor to develop an interpretive program focused on the history of the Site.

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

The Site does not currently contain public parks or open spaces, and the Project would create major new privately-owned, publicly accessible open spaces. The Project would not affect any of the City's existing parks or open space or their access to sunlight and vistas. The shadow diagrams prepared as part of the Project's CEQA review demonstrate that the Project would not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. The location, orientation and massing of structures on the Site has been designed to maximize solar access to the Project's open spaces, including the major new privately-owned, publicly-accessible open space. The current open space at the corner of Euclid Avenue and Mayfair Street will remain as part of the Project.

12. **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 First Source Hiring Program requirements are set forth in the Development Agreement. The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will comply with the applicable First Source Hiring Program requirements of the Development Agreement (Board File No. 190845).

13. 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.
14. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

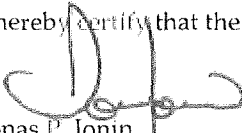
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2015-014028CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 20, 2019, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. 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 September 5, 2019.


Jonas P. Ionin
Commission Secretary

AYES: Fung, Hillis, Koppel, Johnson, Melgar, Moore, Richards

NAYS: None

ABSENT: None

ADOPTED: September 5, 2019



Laurel Heights Improvement Association of San Francisco, Inc.

BY HAND

October 7, 2019

San Francisco Board of Supervisors
c/o Clerk of the Board of Supervisors
City and County of San Francisco
City Hall, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 OCT -7 PM 3:12
BY *[Signature]*

Re: 3333 California Street, San Francisco, CA
Record Number: 2015-014028CUA
Appeal of Planning Commission's Approval of Conditional Use/ Planned Unit Development

As President of Laurel Heights Improvement Association of San Francisco, Inc. (LHIA), I am authorized to file this Notice of Appeal and the accompanying appeal from the conditional use authorization and planned unit development authorization approved by the San Francisco Planning Commission on September 5, 2019 for 3333 California Street, Case No. 2015-014028CUA. I am authorized to act as agent of LHIA for all purposes of this appeal.

Appellant LHIA and its officers submitted comments objecting to these approvals to the Planning Commission both orally and in writing at the public hearings on the approvals.

Members of LHIA reside in properties that are within 300 feet of the 3333 California Street site on Laurel Street and Euclid Avenue as shown in the approximate annotations I have made on the map attached as Exhibit A to LHIA's accompanying letter of appeal, and other LHIA members reside in properties nearby the 3333 California Street site. Members of LHIA will be affected by the construction and operational noise, traffic, air emissions, impairment of the historical resource, excavation, destruction of trees and other impacts caused by the proposed project.

Attached are declarations of subscribers to this Notice of Appeal by owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

Laurel Heights Improvement Association of SF, Inc.

Kathryn Devincenzi

By: Kathryn Devincenzi, President

ATTACHED SIGNATURES

94118

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BOARD OF SUPERVISORS
SAN FRANCISCO
City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:12

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>411 LAUREL</u>	<u>1019-002</u>	<u>JAMES LEE</u>	
2.			<u>PAUL LEE</u>	
3.				
4.			<u>Ben Lee</u>	<u>[Signature]</u>
5.			<u>Sandy Lee</u>	
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SAN FRANCISCO

2019 OCT -7 PM 3:13

City Planning Commission
Case No. 2015-014028CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. [REDACTED]	1019-007	SHER FAMILY	[Signature]
2. [REDACTED]		TRUST	
3. 3400 CALIFORNIA ST			
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
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22. _____	_____	_____	_____

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

DONALD L. FEURZEIG, ESQ.
Titchell, Maltzman, Mark & Ohleyer, P.C.
650 California Street, 25th Floor
San Francisco, CA 94108

San Francisco Assessor-Recorder
Doris M. Ward, Assessor-Recorder
DOC- 2001-G990984-00

Check Number 2107

Thursday, AUG 02, 2001 11:23:21

Ttl Pd \$12.00

Nbr-0001057785

REEL H943 IMAGE 0346
ear/TD/1-2

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

DOCUMENTARY TRANSFER TAX \$ -0-

Computed on the consideration or value of property conveyed OR

Computed on the consideration or value less liens or encumbrances remaining at time of sale

Donald L. Feurzeig
Signature of Declarant or Agent determining tax - First Name

FOR NO CONSIDERATION

Y. CLEMENT SHEK and LISA T. SHEK, his wife, in joint tenancy,
hereby GRANT to

Y. CLEMENT SHEK and LISA T. SHEK, husband and wife, as community property,
that certain real property in the City and County of San Francisco, State of California, described on
Attached "Exhibit A" hereby referred to and made a part hereof.

AP#: Block 1019, Lot 007

Dated: July 7, 2001

STATE OF CALIFORNIA)
COUNTY OF SAN FRANCISCO) ss

On July 7th, 2001, before me,
TERENCE C. LEE Notary Public,
personally appeared Y. CLEMENT SHEK and LISA T. SHEK,
personally known to me (or proved to me on the basis of
satisfactory evidence) to be the persons whose names are
subscribed to the within instrument and acknowledged to me
that they executed the same in their authorized capacities, and
that by their signatures on the instrument the persons, or the
entity upon behalf of which the persons acted, executed the
instrument.

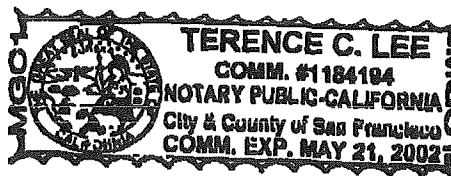
WITNESS my hand and official seal.

Signature

Terence C. Lee
Notary Public

Y. Clement Shek
Y. CLEMENT SHEK

Lisa T. Shek
LISA T. SHEK



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE:

Mr. and Mrs. Y. Clement Shek
Name

57 Beaumont Drive
Address

San Francisco, California 94132
City, State, Zip

BEGINNING at a point formed by the intersection of the northerly line of California Street with the westerly line of Laurel Street; running thence northerly along said westerly line of Laurel Street 32 feet 7-1/8 inches; thence at a right angle westerly 87 feet, 6 inches; thence at a right angle southerly 32 feet, 7-1/8 inches to the northerly line of California Street; thence easterly along said line of California Street 87 feet 6 inches to the said westerly line of Laurel Street and the point of beginning.

BEING a portion of Western Addition Block No. 817.

AP#: Block 1019, Lot 007

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor	Name
		Date					Grantee	
2001	G990985-00	08/02/2001	H943	0347	DEED	R		SHEK LISA T
						R		SHEK Y CLEMENT
						E		SHEK FAMILY TRUST
						E		SHEK LISA T
						E		SHEK Y CLEMENT

94118


RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:13

City Planning Commission
Case No. 2015-014028CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3519 SACRAMENTO STREET	1019-034	DONALD E MITCHELL	
2.			APLORABLE TRUST	Trustee -
3.				
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RECORDING REQUESTED BY:

Old Republic Title Company

Order No.: 0224027481-CB

APN: Lot 034; Block 1019

When Recorded Mail Document and Tax Statements to:

Donald E. Mitchell Revocable Trust dated October 10, 2002

PO Box 11116

Lahaina, HI 96761



San Francisco Assessor-Recorder
D. Hoa Nguyen, Acting Assessor-Recorder

DOC- 2012-J563079-00

Acct 4-OLD REPUBLIC Title Company

Friday, DEC 14, 2012 08:00:00

Ttl Pd \$6,218.00 Rcpt # 0004574405

REEL K793 IMAGE 0258

ofa/AB/1-3

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$6,188.00

(X) computed on full value of property conveyed, or

() computed on full value less of liens and encumbrances remaining at time of sale.

() Unincorporated area: (X) City of San Francisco

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Hans Martin Senn and Kimberly S. Senn, husband and wife

hereby GRANT(S) to

Donald E. Mitchell, Trustee of Donald E. Mitchell Revocable Trust dated October 10, 2002

that property in City of San Francisco, San Francisco County, State of California, described as:

See "Exhibit A" attached hereto and made a part hereof. Property: 3519 Sacramento Street, San Francisco *

Date: December 11, 2012

Hans Martin Senn

Kimberly S. Senn

State of

California

County of

San Francisco

On December 12, 2012

before me,

Y. Barrueta-Digesti

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

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

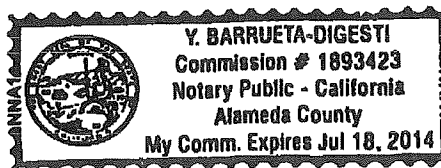
WITNESS my hand and official seal.

Signature

Name

Y. Barrueta-Digesti

(typed or printed)



(Area reserved for official notarial seal)

EXHIBIT A

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

Condominium Unit No. 3519, Lot No. 34, as shown upon the Condominium Map and diagrammatic floor plan entitled "Parcel Map of 3515, 3517, 3519 Sacramento Street, a Condominium Project" which was filed for record on July 31, 1995 in Condominium Map Book 47, at pages 18 - 19, inclusive in the Office of the Recorder of the city and County of San Francisco, State of California (referred to herein as "the Map"), and as further defined in the Declaration of Covenants Conditions and Restrictions recorded on August 3, 1995 in Book G437, Page 70 and following, Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration").

Excepting therefrom, any portion of the common area lying within said Unit. Also excepting therefrom:

(a) Easements through said Unit, appurtenant to the Common Area and all other Units, for support and repair of the common area and all other units.

(b) Easements, appurtenant to the common area for encroachment upon the air space of the Unit by otiose portions of the common area located within the Unit,

Parcel II:

An undivided 37.0474% Interest In and to the Common Area as shown and defined on the Map, excepting therefrom the following:

(a) Exclusive easements, other than Parcel III, as designated on the Map and reserved by the Grantor to units for use as designated in the Declaration; and

(b) Nonexclusive easements appurtenant to all units for ingress and egress, support, repair and maintenance.

Parcel III:

The following easements appurtenant to Parcel I above as set forth and defined in the Declaration:

(a) The exclusive easement to use the Parking area(s) designated as P-1 on the Map.

(b) The exclusive easement to use the Storage area(s) designated as S-1 on the Map.

Parcel IV:

A nonexclusive easement appurtenant to Parcel I above for support, repair and maintenance, and for Ingress and egress through the Common Area in accordance with California Civil Code Section 1361(a).

Parcel V:

Encroachment easements appurtenant to the Unit in accordance with the provisions of the Declaration.

Assessor's Lot 034; Block 1019



Access to Public Records
for County Government

[CRIIS Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantee		Name
		Date					GranteeE	GranteeR	
2012	J563079-00	12/14/2012		K793	0258	DEED		R	SENN HANS MARTIN
								R	SENN KIMBERLY S
								E	DONALD E MITCHELL REVOCABLE TRUST
								E	MITCHELL DONALD E



Walnut Street LLC
521 Iris Ln.
San Ramon, CA 94583

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BOARD OF SUPERVISORS
SAN FRANCISCO
City Planning Commission
Case No. 2015-014028CUA

2015 OCT -7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	441 Walnut	1020005	Walnut Street LLC	Franklee
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Zhubin Fardis & Shannon Fong
436 Laurel St.
SF, CA 94118

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BOARD OF SUPERVISORS
SAN FRANCISCO




City Planning Commission

Case No. 2015-014028CUA

2019 OCT -7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 436 Laurel St.	1020016	Zhubin Fardis & Shannon Fong	
2. _____	_____	Zhubin Fardis	
3. _____	_____	Shannon Fong	
4. _____	_____	_____	_____
5. _____	_____	_____	_____
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22. _____	_____	_____	_____

Dennis A. & Jo Anne McKenna
2201 Sacramento St. Apt. 403
SF, CA 94115

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BOARD OF SUPERVISORS
SAN FRANCISCO
City Planning Commission
Case No. 2015-014028CUA
2015 OCT 7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 420-424 Laurel St.	1020017A	Dennis A. & Jo Anne McKenna	Jo Anne McKenna
2. _____	_____	_____	_____
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BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission

Case No. 2015-014028CWA

2019 OCT -7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1438 LAUREL ST.	1020-042	DAN LAWLER	
2.		MARY KEATINGE	
3.			
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Please correct any discrepancies
Tx Dick Frisbie

7 of 69

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission

Case No. 2015-014028CUA

2019 OCT -7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
3328 CALIFORNIA ST	1020-056	PHILLIP & MARY	
2. #4		GUYTON TRS	
3.		Phillip Paul and	Phillip Paul, trustee
4.		Mary E Guyton Living	Mary E Paul, trustee
5.		Trust	
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Please correct any discrepancies
Mx Dick 2047

8 of 69

Recording Requested By
Leland, Parachini, et al

When Recorded Mail To

Paul A Weiss, Esq
c/o Leland, Parachini, et al
199 Fremont Street, 21st Floor
San Francisco, CA 94105-2171

San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2017-K544892-00

Check Number 8083

Tuesday, DEC 05, 2017 07 42 10

Ttl Pd \$27.00

Rept # 0005719944

oes/ES/1-4

TRUST TRANSFER DEED

The undersigned grantor declares Documentary transfer tax is NONE
[Transfer of Grantor's interest into a revocable living trust,
which is not a sale, and is exempt per Rev & TC Sec 11930]
FOR NO MONETARY CONSIDERATION,

MARY E GWYNN AND PHILLIP H PAUL, wife and husband, as community property
with right of survivorship, Grantors

hereby GRANT to PHILLIP H PAUL AND MARY E GWYNN, AS TRUSTEES OF THE
PHILLIP H PAUL AND MARY E GWYNN LIVING TRUST AGREEMENT dated November
10, 2017, all of GRANTORS' interest in and to the following described real property in the City and
County of San Francisco, State of California

See legal description attached hereto as Exhibit "A" and made a part hereof
Property Address 3328 California Street, #4, San Francisco, California 94118
APN lot 056 block 1020

Dated Nov 10, 2017


MARY E GWYNN

Dated Nov 10, 2017


PHILLIP H PAUL

Mail Tax Statement to

Mary E Gwynn and Phillip H Paul, 3328 California Street #4, San Francisco CA 94118

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California)
County of San Francisco)

On Nov 19, 2017, 2017, before me, Debra E Rice, a Notary Public, personally appeared MARY E GWYNN and PHILLIP H PAUL, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal

Signature

Debra E Rice

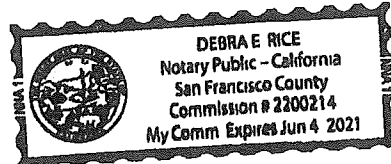


EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS

PARCEL I

CONDOMINIUM UNIT NO 4, LOT 56, AS SHOWN UPON THE CONDOMINIUM MAP AND DIAGRAMMATIC FLOOR PLAN ENTITLED, "PARCEL MAP OF 3328 CALIFORNIA STREET, A RESIDENTIAL CONDOMINIUM PROJECT", WHICH WAS FILED FOR RECORD ON APRIL 25, 2001 IN CONDOMINIUM MAP BOOK 67 AT PAGES 107 TO 110, INCLUSIVE, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS THE MAP"), AND AS FURTHER DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED ON APRIL 26, 2001, SERIES NO 2001-G938351-00, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE DECLARATION")

EXCEPTING THEREFROM ANY PORTION OF THE COMMON AREA LYING WITHIN SAID UNIT

ALSO EXCEPTING THEREFROM

(A) EASEMENTS THROUGH SAID UNIT, APPURTENANT TO THE COMMON AREA AND ALL OTHER UNITS, FOR SUPPORT AND REPAIR OF THE COMMON AREA AND ALL OTHER UNITS

(B) EASEMENTS, APPURTENANT TO THE COMMON AREA FOR ENCROACHMENT UPON THE AIR SPACE OF THE UNIT BY THOSE PORTIONS OF THE COMMON AREA LOCATED WITHIN THE UNIT

PARCEL II

AN UNDIVIDED 28 50% INTEREST IN AND TO THE COMMON AREA AS SHOWN AND DEFINED ON THE MAP, EXCEPTING THEREFROM THE FOLLOWING

(A) EXCLUSIVE EASEMENTS, OTHER THAN PARCEL III, AS DESIGNATED ON THE MAP AND RESERVED TO UNITS FOR USE AS DESIGNATED IN THE DECLARATION, AND

(B) NONEXCLUSIVE EASEMENTS APPURTENANT TO ALL UNITS FOR INGRESS AND EGRESS, SUPPORT, REPAIR AND MAINTENANCE

PARCEL III

(A) THE EXCLUSIVE EASEMENT TO USE THE PARKING AREA DESIGNATED P-4 ON THE MAP

(B) THE EXCLUSIVE EASEMENT TO USE THE DECK AREA DESIGNATED D-4 ON THE MAP

(C) THE EXCLUSIVE EASEMENT TO USE THE STORAGE AREA DESIGNATED S-L ON THE MAP

PARCEL IV

A NONEXCLUSIVE EASEMENT APPURTENANT TO PARCEL I ABOVE FOR SUPPORT, REPAIR AND MAINTENANCE AND FOR INGRESS AND EGRESS THROUGH THE COMMON AREA IN ACCORDANCE WITH CALIFORNIA CIVIL CODE SECTION 1361(A)

PARCEL V

ENCROACHMENT EASEMENTS APPURTENANT TO THE UNIT IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION

APN LOT 056, BLOCK 1020



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record				GrantoR			
Year	Document	Date	Reel	Image	Document Type	GranteE	Name		
2017	K544892-00	12/05/2017			DEED	R	GWYNN MARY E		
						R	PAUL PHILLIP H		
						E	GWYNN MARY E		
						E	PAUL PHILLIP H		
						E	PHILLIP H PAUL & MARY E GWYNN LVG TR 201		



PEPPER CORN 057

3318 + 3326

ROBERT M. PEPPER CORN
JUDY S. PEPPER CORN

City Planning Commission
Case No. 2015-014028CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
3326 CALIFORNIA ST.	1020-057	ROBERT PEPPER CORN TRUST	Robert M. Pepper Mrs. Trustee Judy Pepper
2. _____	_____	_____	_____
3318 CALIFORNIA ST.	1020-066	Pepper corn Revocable Trust of 1993 owns both properties	Judy Pepper AM Pepper Mrs. Trustee Judy Pepper
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
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22. _____	_____	_____	_____

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SAN FRANCISCO
2019 OCT -7 PM 3:13
BY [Signature]

Recording Requested By

North American Title Company, Inc.
File No. 56605-1448904-16

AND WHEN RECORDED MAIL TO:

Name: The Peppercorn Revocable Trust of
1993
Street Address 3326 California Street #1
City & State San Francisco, CA 94118

20169K31500800003
San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC 2016-K315008-00
Acct 5001-North American Title Company
Monday, AUG 29, 2016 09:15:55
Ttl Pd \$9,406.00 Nbr-0005443059
tn2/RE/1-3

SPACE ABOVE THIS LINE FOR RECORDER'S USE

- ✓ Property Address: **3326 California Street #1, San Francisco, CA 94118**
✓ Lot Number: **057** Block Number: **1020** APN: **07-1020-057-01**

File No.: 56605-1448904-16

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX **\$9,375.00**; CITY TRANSFER TAX \$NONE;

- [☒] computed on the consideration or full value of property conveyed, OR
[] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[] unincorporated area; [☒] City of **San Francisco**, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **Erin S. Gore, an unmarried woman**

hereby GRANTS to **Robert Michael Peppercorn and Judy Sommer Peppercorn, Trustees of The Peppercorn Revocable Trust of 1993**

the following described property in the City of **San Francisco**, County of **San Francisco**, State of **California**:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF

Dated: **August 23, 2016**



Erin S. Gore

EXHIBIT A

PARCEL I:

CONDOMINIUM UNIT NO. 1, LOT 57, AS SHOWN UPON THE CONDOMINIUM MAP AND DIAGRAMMATIC FLOOR PLAN ENTITLED "PARCEL MAP OF 3326 CALIFORNIA STREET, A RESIDENTIAL CONDOMINIUM PROJECT" WHICH WAS FILED FOR RECORD ON APRIL 25, 2001 IN CONDOMINIUM MAP BOOK 67, AT PAGES 121 THROUGH 124, INCLUSIVE, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE MAP"), AND AS FURTHER DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ESTABLISHING A PLAN OF OWNERSHIP FOR 3326 CALIFORNIA STREET RECORDED ON APRIL 26, 2001 AS DOCUMENT NO. 2001-G938350-00, IN BOOK H875 PAGE 364 AND FOLLOWING, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE DECLARATION").

EXCEPTING THEREFROM, ANY PORTION OF THE COMMON AREA LYING WITHIN SAID UNIT.

RESERVING THEREFROM:

(A) EASEMENTS THROUGH SAID UNIT, APPURTENANT TO THE COMMON AREA ALL OTHER UNITS FOR SUPPORT AND REPAIR OF THE COMMON AREA AND ALL OTHER UNITS.

(B) EASEMENTS, APPURTENANT TO THE COMMON AREA FOR ENCROACHMENT UPON AIR SPACE OF THE UNIT BY THOSE PORTIONS OF THE COMMON AREA LOCATED WITHIN THE UNIT.

PARCEL II:

AN UNDIVIDED 16.51% INTEREST IN AND TO THE COMMON AREA AS SHOWN AND DEFINED ON THE MAP, RESERVING THEREFROM THE FOLLOWING:

(A) EXCLUSIVE EASEMENTS, OTHER THAN PARCEL III, AS DESIGNATED ON THE MAP AND RESERVED BY GRANTOR TO UNITS FOR USE AS DESIGNATED IN THE DECLARATION; AND

(B) NONEXCLUSIVE EASEMENTS APPURTENANT TO ALL UNITS FOR INGRESS AND EGRESS, SUPPORT, REPAIR AND MAINTENANCE.

PARCEL III:

(A) THE EXCLUSIVE EASEMENT TO USE THE PARKING AREA(S) DESIGNATED P- 1 ON THE MAP.

PARCEL IV:

A NONEXCLUSIVE EASEMENT APPURTENANT TO PARCEL I ABOVE FOR SUPPORT, REPAIR AND MAINTENANCE, AND FOR INGRESS AND EGRESS THROUGH THE COMMON AREA IN ACCORDANCE WITH CALIFORNIA CIVIL CODE SECTION 1361 (A).

PARCEL V:

ENCROACHMENT EASEMENTS APPURTENANT TO THE UNIT IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION.

A.P.N.: 07-1020-057-01

File No.: 56605-1448904-16

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CA)SS
COUNTY OF SF)
On 8/24/16, before me, E. Glazener, Notary
Public, personally appeared Evan S. Gore.

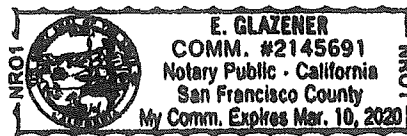
_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the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

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

WITNESS my hand and official seal.

Signature

E. Glazener



This area for official notarial seal

Search Results

Document Details

		Record				GrantoR	
Year	Document	Date	Reel	Image	Document Type	GranteE	Name
2016	K315008-00	08/29/2016			DEED	R	GORE ERIN S
						E	PEPPERCORN JUDY SOMMER
						E	PEPPERCORN REVOC TRUST OF 1993
						E	PEPPERCORN ROBERT MICHAEL

FWPN-3551900328
Recording Requested by:

CHICAGO TITLE COMPANY

When Recorded Mail to:

The Peppercorn Revocable Trust of 1993
668 Gabriel Avenue
Yuba City, CA 95993

20199K75413200005

San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC 2019-K754132-00

Acct 2001-Chicago Title Company Concord

Monday, APR 15, 2019 11:43:44

Ttl Pd\$13,873.50

Nbr-0005981340

ofa/RE/1-5

Assessor Parcel Number (APN): Block 1020 Lot 066

Street Address: 3318 California St. #2 SF CA 94118

Grant Deed

(Please fill in Document Title(s) above this line)

This document is exempt from the \$75 Building Homes and Jobs Act Fee (per Government Code §27388.1) because:

- ☒ Document is a transfer of real property subject to the imposition of transfer tax
- ☐ Document is a transfer of real property that is a residential dwelling to an owner-occupier
- ☐ Document is recorded in connection with an exempt transfer of real property (i.e., subject to transfer tax or owner-occupied). If not recorded concurrently, provide recording date and document number of related transfer document:
Recording date _____ Document Number _____
- ☐ The \$225 per transaction cap is reached
- ☐ Document is not related to real property

This page added to provide adequate space for recording information
(additional recording fee applies)

RECORDING REQUESTED BY:
Chicago Title Company

**When Recorded Mail Document
and Tax Statement To:**

The Peppercorn Revocable Trust of 1993
668 Gabriel Avenue
Yuba City, CA 95993

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Escrow Order No.: FWPN-3551900328

Exempt from fee per GC 27388.1 (a) (2); recorded in connection with a transfer subject to
the imposition of documentary transfer tax.

Property Address: 3318 California Street, #2,
San Francisco, CA 94118

APN/Parcel ID(s): Lot 066, Block 1020

GRANT DEED

The undersigned grantor(s) declare(s)

- ☐ This transfer is exempt from the documentary transfer tax.
☒ **The documentary transfer tax is \$13,837.50 and is computed on:**
 ☒ the full value of the interest or property conveyed.
 ☐ the full value less the liens or encumbrances remaining thereon at the time of sale.
The property is located in ☒ the **City of San Francisco**.

**FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, David C. Bercovich, a married man
who acquired title as a single man**

**hereby GRANT(S) to Robert M. Peppercorn and Judy Sommer Peppercorn, as Trustees of the Peppercorn Revocable
Trust of 1993**

the following described real property in the City of San Francisco, County of San Francisco, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

MAIL TAX STATEMENTS AS DIRECTED ABOVE

GRANT DEED
(continued)

APN/Parcel ID(s): Lot 066, Block 1020

Dated: April 10, 2019

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.



David C. Bercovich

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA

County of SAN FRANCISCO

On 4/12/19 before me, David Lau, Notary Public,
(here insert name and title of the officer)

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

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

WITNESS my hand and official seal.


Signature

(Seal)

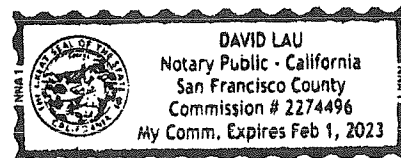


EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): Lot 066, Block 1020

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

CONDOMINIUM UNIT NO. 2, LOT NO. 66, AS SHOWN UPON THE CONDOMINIUM MAP AND DIAGRAMMATIC FLOOR PLAN ENTITLED "PARCEL MAP OF 3318 CALIFORNIA STREET, A RESIDENTIAL CONDOMINIUM PROJECT" WHICH WAS FILED FOR RECORD ON APRIL 25, 2001 IN CONDOMINIUM MAP BOOK 67, AT PAGES 117-120, INCLUSIVE, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE MAP"), AND AS FURTHER DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ESTABLISHING A PLAN OF OWNERSHIP FOR 3318 CALIFORNIA STREET RECORDED ON APRIL 26, 2001 IN BOOK H-875, PAGE 362 AND FOLLOWING, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE DECLARATION").

EXCEPTING THEREFROM, ANY PORTION OF THE COMMON AREA LYING WITHIN SAID UNIT.

ALSO EXCEPTING THEREFROM:

(A) EASEMENTS THROUGH SAID UNIT, APPURTENANT TO THE COMMON AREA AND ALL OTHER UNITS, FOR SUPPORT AND REPAIR OF THE COMMON AREA AND ALL OTHER UNITS.

(B) EASEMENTS, APPURTENANT TO THE COMMON AREA FOR ENCROACHMENT UPON THE AIR SPACE OF THE UNIT BY THOSE PORTIONS OF THE COMMON AREA LOCATED WITHIN THE UNIT.

PARCEL B:

AN UNDIVIDED 21.46% INTEREST IN AND TO THE COMMON AREA AS SHOWN ON THE MAP AND DEFINED IN THE DECLARATION, EXCEPTING THEREFROM THE FOLLOWING:

(A) EXCLUSIVE EASEMENTS, OTHER THAN THOSE SHOWN IN PARCEL "C" HEREIN, AS SHOWN ON THE MAP AND EXCEPTING BY GRANTOR TO UNITS FOR USE AS DEFINED IN THE DECLARATION; AND

(B) NON-EXCLUSIVE EASEMENTS APPURTENANT TO ALL UNITS FOR INGRESS AND EGRESS, SUPPORT, REPAIR AND MAINTENANCE.

PARCEL C:

THE FOLLOWING EASEMENTS APPURTENANT TO PARCEL A ABOVE AS SET FORTH AND DEFINED IN THE DECLARATION:

(A) THE EXCLUSIVE EASEMENT TO USE THE PARKING AREA DESIGNATED AS P-2 ON THE MAP.

(B) THE EXCLUSIVE EASEMENT TO USE THE REAR YARD AREA DESIGNATED AS RY-1 ON THE MAP.

PARCEL D:

A NON-EXCLUSIVE EASEMENT APPURTENANT TO PARCEL A ABOVE FOR SUPPORT, REPAIR AND MAINTENANCE, AND FOR INGRESS AND EGRESS THROUGH THE COMMON AREA IN ACCORDANCE WITH CALIFORNIA CIVIL CODE SECTION 1361(A).

EXHIBIT "A"
Legal Description
(continued)

PARCEL E:

ENCROACHMENT EASEMENTS APPURTENANT TO THE UNIT IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION.



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

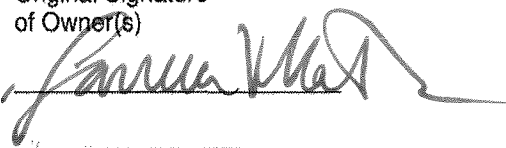
Year	Document	Record		Reel	Image	Document Type	Grantor		Name
		Date					Grantee		
2019	K754132-00	04/15/2019				DEED	R		BERCOVICH DAVID C
							E		PEPPERCORN JUDY SOMMER
							E		PEPPERCORN REVOC TRUST OF 1993
							E		PEPPERCORN ROBERT M



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
City Planning Commission
Case No. 2015-014028CUA
2019 OCT -7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 3326 CALIFORNIA ST. #3	1020/ 059	LAWRENCE V. MATHAN, TREE	
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____
11. _____	_____	_____	_____
12. _____	_____	_____	_____
13. _____	_____	_____	_____
14. _____	_____	_____	_____
15. _____	_____	_____	_____
16. _____	_____	_____	_____
17. _____	_____	_____	_____
18. _____	_____	_____	_____
19. _____	_____	_____	_____
20. _____	_____	_____	_____
21. _____	_____	_____	_____
22. _____	_____	_____	_____

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Lara N. Gilman
Farella Braun & Martel LLP
235 Montgomery Street, #3000
San Francisco, CA 94104

MAIL TAX STATEMENTS TO:

Laurence V. Mathews
3326 California Street, #3
San Francisco, CA, 94118

APN: 1020-059

San Francisco Assessor-Recorder
Mabel S. Teng, Assessor-Recorder
DOC- 2003-H430264-00
Recd 4-OLD REPUBLIC Title Company
Monday, MAY 05, 2003 15:20:15
Ttl Pd \$15.00 Nbr-0002151664
REEL 1380 IMAGE 0607
oed/ER/1-3

TRUST TRANSFER DEED

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$ 0 (minimum tax)

() computed on full value of property conveyed, or

() computed on full value less value of liens and encumbrances remaining at time of sale

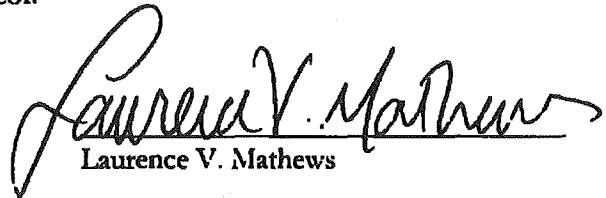
() Unincorporated area:

(X) Realty not sold. NO CONSIDERATION. Transfer to Revocable Trust FBO Grantors.

FOR VALUABLE CONSIDERATION, receipt of which hereby acknowledged,

Laurence V. Mathews, an unmarried man, hereby grants to Laurence V. Mathews, or his successor(s), as Trustee of the Laurence V. Mathews 2002 Revocable Trust u/a/d December 18, 2002, that certain real property in the City and County of San Francisco, State of California, commonly known as 3326 California Street, #3, San Francisco, California 94118, and more particularly described in Exhibit A, attached hereto and by this reference made a part hereof.

Date 12/18/02


Laurence V. Mathews

STATE OF CALIFORNIA)

)ss.

COUNTY OF SAN FRANCISCO)

On 12/18/02, before me, the undersigned notary public, personally appeared Laurence V. Mathews, personally known to me or proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.



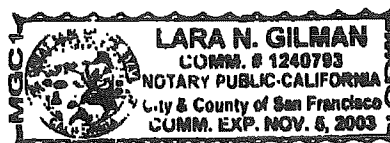


EXHIBIT A

Legal Description

The property in the City and County of San Francisco, State of California, described as follows:

PARCEL I:

Condominium Unit No. 3, Lot 59, as shown upon the Condominium Map and diagrammatic floor plan entitled "Parcel Map of 3326 California Street, a Residential Condominium Project" which was filed for record on April 25, 2001 in Condominium Map Book 67, at pages 121 through 124, inclusive, in the Office of the Recorder of the City and County of San Francisco, State of California (referred to herein as "the Map"), and as further defined in the Declaration of Covenants, Conditions and Restrictions Establishing a Plan of Ownership for 3326 California Street recorded on April 26, 2001 as document No. 2001-G938350-00, in Book H875 Page 364 and following, Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration").

Excepting therefrom, any portion of the common area lying within said Unit.

Reserving therefrom:

- (a) Easements through said Unit, appurtenant to the common area and all other Units, for support and repair of the common area and all other Units.
- (b) Easements, appurtenant to the common area for encroachment upon the air space of the Unit by those portions of the common area located within the Unit.

PARCEL II:

An undivided 33.36% interest in and to the Common Area as shown and defined on the Map, reserving therefrom the following:

- (a) Exclusive easements, other than PARCEL III, as designated on the Map and reserved by Grantor to units for use as designated in the Declaration; and
- (b) Nonexclusive easements appurtenant to all units for ingress and egress, support, repair and maintenance.

PARCEL III:

- (a) The exclusive easement to use the Parking area(s) designated P-4 on the Map.
- (b) The exclusive easement to use the Storage area(s) designated S-1 on the Map.

- (c) The exclusive easement to use the Deck area(s) designated D-3 on the Map.
- (d) The exclusive easement to use the Roof Deck area(s) designated RD-3 on the Map.

PARCEL IV:

A nonexclusive easement appurtenant to Parcel I above for support, repair and maintenance, and for ingress and egress through the Common Area in accordance with California Civil Code Section 1361(a).

PARCEL V:

Encroachment easements appurtenant to the Unit in accordance with the provisions of the Declaration.

(Commonly known as 3326 California Street, #3, San Francisco, CA 94118
APN: 1020-0059)



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record				GrantoR			
Year	Document	Date	Reel	Image	Document Type	GranteE	Name		
2003	H430264-00	05/05/2003	I380	0607	DEED	R	MATHEWS LAURENCE V		
						E	LAURENCE V MATHEWS 2002 REVOC TR		
						E	MATHEWS LAURENCE V		



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA

2015 OCT -7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
B320 CALIFORNIA	1020-063	CATALANO VARRONE	Juan M Varrone
2. STREET #3		TRIS	
3.			
4.			
5.			
6.			
7.			
8.			
9.			
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18.			
19.			
20.			
21.			
22.			

Please correct any discrepancies
Mx Dick 2069

RECORDING REQUESTED BY:

Old Republic Title Company

Order No.: 0224027922-CB

APN: Lot 063; Block 1020

When Recorded Mail Document and Tax Statements to:

Catalano Varrone Living Trust, dated August 22, 2006
and any amendments thereto
3320 California Street, #3
San Francisco, CA 94118

San Francisco Assessor-Recorder
D. Hoa Nguyen, Acting Assessor-Recorder
DOC- 2013-J579160-00
Acct 4-OLD REPUBLIC Title Company
Tuesday, JAN 08, 2013 08:00:00
Ttl Pgs 13,905.00 Rcpt # 0004592606
REEL K808 IMAGE 0200
081/FT/1-3

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$13,875.00

(X) computed on full value of property conveyed, or

() computed on full value less of liens and encumbrances remaining at time of sale.

() Unincorporated area: (X) City of San Francisco

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Stephen Kawaja and Jennifer Kawaja, husband and wife

hereby GRANT(S) to

Joseph J. Catalano and Joan M. Varrone, Trustees, or their successors in trust under the Catalano Varrone Living Trust, dated August 22, 2006 and any amendments thereto

that property in City of San Francisco, San Francisco County, State of California, described as:

See "Exhibit A" attached hereto and made a part hereof. Property: 3320 California Street, #3, San Francisco, CA

Date: January 02, 2013

Stephen Kawaja

Jennifer Kawaja

State of CALIFORNIA

County of SAN FRANCISCO

On 1.3.13

before me, Kristin Therre

Notary Public, personally appeared STEPHEN KAWAJA & JENNIFER KAWAJA, a who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

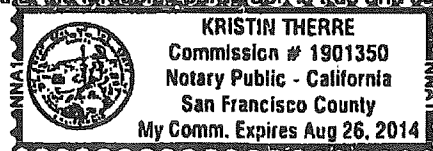
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Name

(typed or printed)



(Area reserved for official notarial seal)

EXHIBIT A

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

Parcel I:

Condominium Unit No. 3, Lot 63, as shown upon the Condominium Map and diagrammatic floor plan entitled "Parcel Map of 3320 California Street, a Residential Condominium Project" which was filed for record on April 25, 2001 in Condominium Map Book 67, at Pages 129 through 132, inclusive, in the Office of the Recorder of the City and County of San Francisco, State of California (referred to herein as "the Map"), and as further defined in the Declaration of Covenants, conditions and restriction establishing a plan of Ownership for 3320 California Street recorded on April 26, 2001 as document no. 2001-G938349-00, in Book H875 Page 363 and following, Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration").

Excepting therefrom, any portion of the common area lying within said Unit.

Reserving therefrom:

- (a) Easements through said Unit, appurtenant to the common area and all other Units, for support and repair of the common area and all other Units.
- (b) Easements, appurtenant to the common area for encroachment upon the air space of the Unit by those portions of the common area located within the Unit.

Parcel II:

An undivided 34.14% interest in and to the Common Area as shown and defined on the Map, reserving therefrom the following:

- (a) Exclusive easements, other than Parcel III, as designed on the Map and reserved by Grantor to units for use as designed in the Declaration; and
- (b) Nonexclusive easements appurtenant to all units for ingress and egress, support, repair, and maintenance.

Parcel III:

- (a) The exclusive easement to use the Parking area(s) designated P-4 on the Map.
- (b) The exclusive easement to use the Storage area(s) designated S-1 on the Map.
- (c) The exclusive easement to use the Deck area(s) designated D-3 on the Map.
- (d) The exclusive easement to use the Roof Deck area(s) designated RD-3 on the Map.

Parcel IV:

A nonexclusive easement appurtenant to Parcel I above for support, repair and maintenance, and for ingress and egress through the Common area in accordance with California Civil Code Section 1261 (a).

Parcel V:

Encroachment easements appurtenant to the Unit in accordance with the provisions of the Declaration.

APN: Lot 063, Block 1020



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor		Name
		Date					Grantee		
2013	J579160-00	01/08/2013	K808	0200	DEED		R		KAWAJA JENNIFER
							R		KAWAJA STEPHEN
							E		CATALANO JOSEPH J
							E		CATALANO VARRONE LIVING TRUST
							E		VARRONE JOAN M



The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
3320 CALIFORNIA ST # 4	1020-064	JAMES J. JESSICA BASSUK TRS	
2.			
3.			
4.			
5.			
6. 3320 CALIFORNIA ST # 2	1020-062	ARLENE BERKLEY + DANIEL BERKLEY TRUST	
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			

Recording Requested By:

Deborah L. Breiner, Esq.
MacDonald, Practzel, Mitchell,
Hedin & Breiner
1000 Fourth St., Ste. 570
San Rafael, CA 94901

When Recorded Mail To and
Mail Tax Statements to:

James Y. Bassuk
Jessica A. Bassuk
3320 California St. #4
San Francisco, CA 94118


San Francisco Assessor-Recorder
Mabel S. Teng, Assessor-Recorder
DOC- 2005-H884750-00
Check Number 2638
Friday, JAN 07, 2005 13:08:53
Ttl Pd \$18.00 Nbr-0002662946
REEL I801 IMAGE 0454
ear/AB/1-4

4 03

Lot 64, Block 1020
3320 California St. #4
San Francisco, CA

Space Above this Line for Recorder's Use

GRANT DEED

The Grantors, James Y. Bassuk and Jessica A. Bassuk, hereby declare:

Documentary transfer tax is \$ -0- R&T 11930, 11911 (transfer to revocable trust)
() Unincorporated area: (X) City of San Francisco
(X) Realty not sold.

This transfer is not pursuant to a sale and is exempt from Documentary Transfer Tax.



This transfer is both a "trust transfer" under Section 62 of the Revenue and Taxation Code, i.e., a transfer to a revocable trust, and an interspousal transfer, under Section 63 of the Revenue and Taxation Code, and does not constitute a "change in ownership" for property tax purposes.

NOW, THEREFORE, James Y. Bassuk and Jessica A. Bassuk hereby grant to James Y. Bassuk and Jessica A. Bassuk, as Trustees of The James Y. Bassuk and Jessica A. Bassuk 2004 Revocable Trust, dated 22 November, 2004, all of the grantors' interest in and to that certain real property in the City and County of San Francisco, State of California, and more particularly described as follows:

SEE LEGAL PROPERTY DESCRIPTION ATTACHED HERETO AS EXHIBIT A AND INCORPORATED HEREIN.

SEE ALSO EXHIBIT B ATTACHED HERETO AND INCORPORATED HEREIN

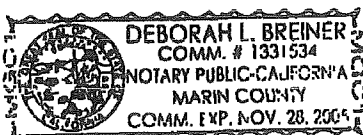
Dated: Nov 22, 2004



James Y. Bassuk

Jessica A. Bassuk

STATE OF CALIFORNIA)
) ss.
COUNTY OF MARIN)

On Nov. 22, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared James Y. Bassuk and Jessica A. Bassuk, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.




Deborah L. Breiner
Notary Public
2075

The property in the City and County of San Francisco, State of California, described as follows:

PARCEL I:

Condominium Unit No. 4, Lot 64, as shown upon the Condominium Map and diagrammatic floor plan entitled "Parcel Map of 3320 California Street, a Residential Condominium Project" which was filed for record on April 25, 2001 in Condominium Map Book 67, at pages 129 through 132, inclusive, in the Office of the Recorder of the City and County of San Francisco, State of California (referred to herein as "the Map"), and as further defined in the Declaration of Covenants, Conditions and Restrictions Establishing a Plan of Ownership for 3320 California Street recorded on April 26, 2001 as document no. 2001-G938349-00, in Book H875 Page 363 and following, Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration").

Excepting therefrom, any portion of the common area lying within said Unit.

Reserving therefrom:

- (a) Easements through said Unit, appurtenant to the common area and all other Units, for support and repair of the common area and all other Units.
- (b) Easements, appurtenant to the common area for encroachment upon the air space of the Unit by those portions of the common area located within the Unit.

PARCEL II:

An undivided 28.58% interest in and to the Common Area as shown and defined on the Map, reserving therefrom the following:

- (a) Exclusive easements, other than PARCEL III, as designated on the Map and reserved by Grantor to units for use as designated in the Declaration; and
- (b) Nonexclusive easements appurtenant to all units for ingress and egress, support, repair and maintenance.

PARCEL III:

- (a) The exclusive easement to use the Parking area(s) designated P-3 on the Map.
- (b) The exclusive easement to use the Deck area(s) designated D-4 on the Map.

* * * DESCRIPTION CONTINUES ON FOLLOWING PAGE * * *

EXHIBIT B

This Deed is made and accepted subject to all the provisions contained in that certain Declaration recorded on April 26, 2001, as document number 2001-G938349-00 in Book/Reel H875 at Page/Image 363 of Official Records in the Office of the Recorder of the City and County of San Francisco, State of California and subsequent amendment thereto, and all the provisions of said Declaration are hereby incorporated by reference into the body of this Deed, as if and as though fully set forth at length herein.

Dated: NOV 22, 2004

Accepted:

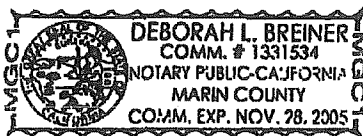
James Y. Bassuk
James Y. Bassuk

Jessica A. Bassuk
Jessica A. Bassuk

STATE OF CALIFORNIA)
) ss.
COUNTY OF MARIN)

On NOV. 22, 2004, before me, the undersigned, a Notary Public in and for said County and State, personally appeared James Y. Bassuk and Jessica A. Bassuk, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.



Deborah L. Breiner
Deborah L. Breiner
Notary Public

PARCEL IV:

A nonexclusive easement appurtenant to Parcel I above for support, repair and maintenance, and for ingress and egress through the Common Area in accordance with California Civil Code Section 1361 (a).

PARCEL V:

Encroachment easements appurtenant to the Unit in accordance with the provisions of the Declaration.

EXHIBIT "A"



[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record				Grantor	
Year	Document	Date	Reel	Image	Document Type	Grantee	Name
2005	H884750-00	01/07/2005	1801	0454	DEED	R	BASSUK JAMES Y
						R	BASSUK JESSICA A
						E	BASSUK JAMES Y
						E	BASSUK JESSICA A
						E	JAMES Y & JESSICA A BASSUK 2004 REVOC TR



MAIL TAX STATEMENT TO:
DANIEL T. BERKLEY
ARLENE L. BERKLEY
3320 California Street, # 2
San Francisco, California 94118
(No Change)

San Francisco Assessor-Recorder
Doris M. Ward, Assessor-Recorder
DOC- 2002-H205095-00

Check Number 3285
Friday, JUL 19, 2002 09:51:46
Ttl Pd \$21.00 Nbr-0001901184
REEL I183 IMAGE 0417
ced/TD/1-5

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

HARRY B. MARING
ATTORNEY AT LAW
601 MONTGOMERY STREET, SUITE 325
SAN FRANCISCO, CA 94111
(415) 989-8406

TRUST TRANSFER DEED

GRANT DEED (Excluded from Reappraisal Under Proposition 13, i.e., Calif Const. Art 13A §1 et. seq.)

The undersigned grantor(s) declare(s) under penalty of perjury that the following is true and correct:

THERE IS NO CONSIDERATION FOR THIS TRANSFER.

Documentary Transfer Tax is \$SEE BELOW

- ☐ Computed on full value of property conveyed, or
☐ Computed on full value less value of liens and encumbrances remaining at time of sale
☒ TRANSFER TO A REVOCABLE TRUST
☐ Unincorporated area (X) City of San Francisco

Tax Parcel No. 1020/62 3320 California St., # 2

GRANTORS: DANIEL T. BERKLEY and ARLENE L. BERKLEY, husband and wife hereby GRANTS to: DANIEL T. BERKLEY and ARLENE L. BERKLEY, TRUSTEES (and any successor trustee) U/D/T DATED the 5 day of APRIL, 20 02 entitled the DANIEL T. BERKLEY and ARLENE L. BERKLEY Revocable Trust, as amended from time to time,

all of Grantor's right, title and interest in the following described property in the City of San Francisco, County of San Francisco, State of California:

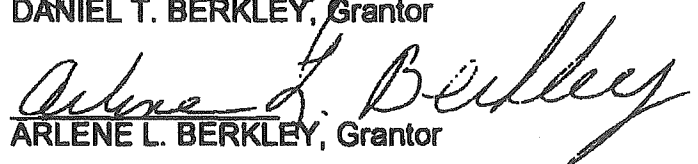
SEE ATTACHED EXHIBIT A

***THIS CONVEYANCE IS NOT PURSUANT TO A SALE, BUT IS TO A REVOCABLE TRUST CREATED BY THE GRANTOR(S) AND DOES NOT CONSTITUTE A CHANGE OF OWNERSHIP AND IS NOT SUBJECT TO REASSESSMENT PURSUANT TO REVENUE AND TAXATION CODE SECTION 62, NOR IS IT SUBJECT TO LOCAL TRANSFER TAX.**

H205095

Dated the 5th day of APRIL, 2002.


DANIEL T. BERKLEY, Grantor

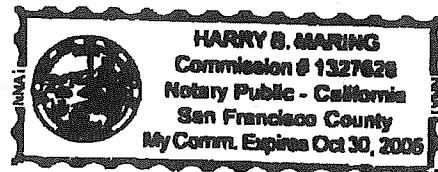

ARLENE L. BERKLEY, Grantor

State of California
County of San Francisco

On the 5th day of APRIL, 2002 before me, a notary in and for said state, personally appeared DANIEL T. BERKLEY and ARLENE L. BERKLEY, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal this 5th day of APRIL, 2002.


Notary Public



The property in the City and County of San Francisco, State of California, described as follows:

G952325

PARCEL I:

Condominium Unit No. 2, Lot 62, as shown upon the Condominium Map and diagrammatic floor plan entitled "Parcel Map of 3320 California Street, a Residential Condominium Project" which was filed for record on April 25, 2001 in Condominium Map Book 67, at pages 129 through 132, inclusive, in the Office of the Recorder of the City and County of San Francisco, State of California (referred to herein as "the Map"), and as further defined in the Declaration of Covenants, Conditions and Restrictions Establishing a Plan of Ownership for 3320 California Street recorded on April 26, 2001 as document no. 2001-G938349-00, in Book H875 Page 363 and following, Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration").

Excepting therefrom, any portion of the common area lying within said Unit.

Reserving therefrom:

- (a) Easements through said Unit, appurtenant to the common area and all other Units, for support and repair of the common area and all other Units.
- (b) Easements, appurtenant to the common area for encroachment upon the air space of the Unit by those portions of the common area located within the Unit.

PARCEL II:

An undivided 20.39% interest in and to the Common Area as shown and defined on the Map, reserving therefrom the following:

- (a) Exclusive easements, other than PARCEL III, as designated on the Map and reserved by Grantor to units for use as designated in the Declaration; and
- (b) Nonexclusive easements appurtenant to all units for ingress and egress, support, repair and maintenance.

PARCEL III:

- (a) The exclusive easement to use the Parking area(s) designated P-2 on the Map.
- (b) The exclusive easement to use the Rear Yard area(s) designated RY-1 on the Map.

* * * DESCRIPTION CONTINUES ON FOLLOWING PAGE * * *

H205095

Order No. FC-312215-PF

G952325

PARCEL IV:

A nonexclusive easement appurtenant to Parcel I above for support, repair and maintenance, and for ingress and egress through the Common Area in accordance with California Civil Code Section 1361 (a).

PARCEL V:

Encroachment easements appurtenant to the Unit in accordance with the provisions of the Declaration.

EXHIBIT "A"

PAGE 2-7 (3)

EXHIBIT "B"

This Deed is made and accepted subject to all the provisions contained in that certain Declaration recorded on April 26, 2001, as document number 2001-G938349-00 in Book/Reel H875 at Page/Image 363 of Official Records in the Office of the Recorder of the City and County of San Francisco, State of California and subsequent amendment thereto, and all the provisions of said Declaration are hereby incorporated by reference into the body of this Deed, as if and as though fully set forth at length herein.

Dated ... 5-15-01

STATE OF CALIFORNIA)
COUNTY OF San Francisco)ss.

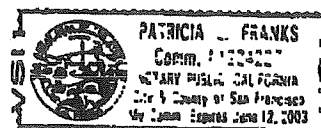
On May 15, 2001
before me, Patricia L. Franks, personally
appeared Daniel T. Berkley
Arlene L. Berkley

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

Signature Daniel T. Berkley

Accepted:

Daniel T. Berkley
Daniel T. Berkley
Arlene L. Berkley
Arlene L. Berkley



(This area for official notarial seal)



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record				Grantor	
Year	Document	Date	Reel	Image	Document Type	Grantee	Name
2002	H205095-00	07/19/2002	I183	0417	DEED	R	BERKLEY ARLENE L
						R	BERKLEY DANIEL T
						E	BERKLEY ARLENE L
						E	BERKLEY DANIEL T
						E	DANIEL T & ARLENE L BERKLEY REVOC TR




City Planning Commission
Case No. 2015-014028CUA

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2015 OCT -7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
3318 CALIFORNIA ST. #3	1020-067	GROVER VISUAL MONAZ MEHTA	
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____
11. _____	_____	_____	_____
12. _____	_____	_____	_____
13. _____	_____	_____	_____
14. _____	_____	_____	_____
15. _____	_____	_____	_____
16. _____	_____	_____	_____
17. _____	_____	_____	_____
18. _____	_____	_____	_____
19. _____	_____	_____	_____
20. _____	_____	_____	_____
21. _____	_____	_____	_____
22. _____	_____	_____	_____

Please correct any discrepancies
Mx Dick Frisbie

Email'd

City Planning Commission
Case No. 2015-014028CUA

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
B 316 CALIFORNIA ST	1020-082	GAIL BOYER TRS	Gail Boyer
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____
11. _____	_____	_____	_____
12. _____	_____	_____	_____
13. _____	_____	_____	_____
14. _____	_____	_____	_____
15. _____	_____	_____	_____
16. _____	_____	_____	_____
17. _____	_____	_____	_____
18. _____	_____	_____	_____
19. _____	_____	_____	_____
20. _____	_____	_____	_____
21. _____	_____	_____	_____
22. _____	_____	_____	_____

*Please correct any discrepancies
Mr. Dick Frisbie*



San Francisco Assessor-Recorder
Doris M. Ward, Assessor-Recorder
DOC- 2002-H215416-00

Check Number 9814

Monday, AUG 05, 2002 14:33:46

Ttl Pd \$15.00

Nbr-0001913033

REEL I194 IMAGE 0329

ser/CP/1-3

RECORDING REQUESTED BY

Susan J. Tamura

AND WHEN RECORDED MAIL TO

Gail Boyer

3316 California Street, #4

San Francisco, CA 94118

APN: Block 1020 Lot 82

Space above line for Recorder's Use

NO TAX DUE.

TRUST TRANSFER DEED

Documentary transfer tax is NONE. (NO CONSIDERATION *Gail Boyer*)

Unincorporated area X City of San Francisco

Mail tax statements to: same address as above.

FOR NO CONSIDERATION FOR TRANSFER TO A REVOCABLE TRUST,

GRANTOR Gail Boyer hereby **GRANTS TO** Gail Boyer, trustee of the Gail Boyer Trust dated June 26, 2002, that real property in the City of San Francisco, County of San Francisco, State of California, described in Exhibit "A" attached hereto and incorporated herein.

*3316 CALIFORNIA ST #4

Dated: June 26, 2002

Gail Boyer
Gail Boyer

State of California)

) ss

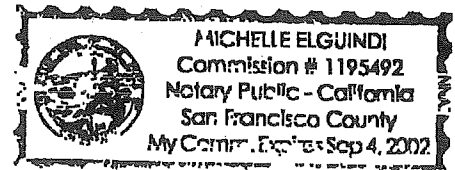
City and County of San Francisco)

On June 26, 2002, before me, Michelle Elguindi, a notary public in and for the State of California, personally appeared Gail Boyer, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Michelle Elguindi

(SEAL)



TRUST TRANSFER DEED
APN: BLOCK 1020, LOT 82
PAGE 2

EXHIBIT A

PARCEL I:

Condominium Unit No. 4, Lot 82, as shown upon the Condominium Map and diagrammatic floor plan entitled "Parcel Map of 3316 California Street, a residential condominium project" which was filed for record on April 25, 2001 in Condominium Map Book 67, at pages 125 through 128, inclusive, in the Office of the Recorder of the City and County of San Francisco, State of California (referred to herein as "the Map"), and as further defined in the Declaration of Covenants, Conditions and Restrictions Establishing a Plan for Ownership for 3316 California Street recorded on April 26, 2001 as document no. 2001-G938347-00 in Book H875 Page 361 and following, Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration").

Excepting therefrom, any portion of the common area lying within said Unit.

Reserving therefrom:

- (a) Easements through said Unit, appurtenant to the common area and all other Units, for support and repair of the common area and all other units.
- (b) Easements, appurtenant to the common area for encroachment upon the air space of the Unit by those portions of the common area located within the Unit.

PARCEL II:

An undivided 30.30% interest in and to the Common Area as shown and defined on the Map, reserving therefrom the following:

- (a) Exclusive easements, other than PARCEL III, as designated on the Map and reserved by Grantor to units for use as designated in the Declaration; and
- (b) Nonexclusive easements appurtenant to all units for ingress and egress, support, repair and maintenance.

PARCEL III:

- (a) The exclusive easement to use the Parking area(s) designated P-3 on the Map.
- (b) The exclusive easement to use the Deck area(s) designated D-4 on the Map.

TRUST TRANSFER DEED
APN: BLOCK 1020, LOT 82
PAGE 3

PARCEL IV:

A nonexclusive easement appurtenant to Parcel 1 above for support, repair and maintenance, and for ingress and egress through the Common Area in accordance with California Civil Code Section 1361 (a).

PARCEL V:

Encroachment easements appurtenant to the Unit in accordance with the provisions of the Declaration.



[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record	Reel	Image	Document Type	Grantor	Name
		Date				Grantee	
2002	H215416-00	08/05/2002	1194	0329	DEED	R	BOYER GAIL
						E	
						E	GAIL BOYER TRUST





THALHEIMER: 088+089

RECEIVED
BOARD OF SUPERVISORS
City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
3330 CALIFORNIA ST.	1020-088	RICHARD THALHEIMER REV. TRUST	
2.			
3.			
3330 CALIFORNIA ST.	1020-089	RICHARD THALHEIMER CHILDRENS TRUST	
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			

Please make corrections.

11
RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL DOCUMENT TO:
Richard J. Thalheimer Revocable Trust
2301 Kerner Blvd., Ste. C
San Rafael, CA 94901


San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2013-J717883-00
Acct 3-FIRST AMERICAN Title Company
Friday, AUG 02, 2013 08:00:00
Ttl Pgs 13,906.00 Rcpt # 0004750963
REEL K952 IMAGE 0011
001/AB/1-3

Space Above This Line for Recorder's Use Only

A.P.N.: LOT: 088 BLOCK: 1020

File No.: 3809-4435691 (PF)

Property Address: **3330 California Street #1, San Francisco, CA 94118**
Lot Number: **088**
Block Number: **1020**

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$13,875.00; CITY TRANSFER TAX \$0.00;
SURVEY MONUMENT FEE \$10.00

- [☒] computed on the consideration or full value of property conveyed, OR
[☐] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[☐] unincorporated area; [☒] City of San Francisco, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Gilbert K. Freeman, Trustee of
The Gilbert K. Freeman Revocable Trust, Dated February 8, 2002, as restated

hereby GRANTS to Richard J. Thalheimer, Trustee of The Richard J. Thalheimer Revocable Trust Dated
March 6, 1989, as amended and restated

the following described property in the City of San Francisco, County of San Francisco, State of California:

PARCEL I:

CONDOMINIUM UNIT NO. 1 (LOT NO. 88), AS SHOWN UPON THE CONDOMINIUM PLAN
RECORDED ON OCTOBER 26, 2007 IN BOOK/REEL J505 AT PAGE/IMAGE 0078, DOCUMENT
NO. 2007-I480964, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN
FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE PLAN") BEING A
SUBDIVISION OF THE LAND AS SHOWN ON THAT CERTAIN MAP RECORDED ON OCTOBER
25, 2007, IN CONDOMINIUM MAP BOOK 102 AT PAGE(S) 200 TO 201, INCLUSIVE
(REFERRED TO HEREIN AS "THE MAP"), AND AS FURTHER DEFINED IN THE DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS ESTABLISHING A PLAN FOR
CONDOMINIUM OWNERSHIP OF 3330 CALIFORNIA STREET AND CONDOMINIUM PLAN FOR
3330 CALIFORNIA STREET, SAN FRANCISCO, CALIFORNIA RECORDED ON OCTOBER 26,
2007, IN BOOK/REEL J505 AT PAGE/IMAGE 0078, DOCUMENT NO. 2007-I480964, OFFICIAL
RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA
(REFERRED TO HEREIN AS "THE DECLARATION").

EXCEPTING THEREFROM, ANY PORTION OF THE COMMON AREA LYING WITHIN SAID UNIT.

EXCEPTING THEREFROM:

(A) EASEMENTS THROUGH SAID UNIT, APPURTENANT TO THE COMMON AREA AND ALL
OTHER UNITS, FOR SUPPORT AND REPAIR OF THE COMMON AREA AND ALL OTHER UNITS.

Date: 07/22/2013

(B) EASEMENTS, APPURTENANT TO THE COMMON AREA FOR ENCROACHMENT UPON THE AIR SPACE OF THE UNIT BY THOSE PORTIONS OF THE COMMON AREA LOCATED WITHIN THE UNIT.

PARCEL II:

AN UNDIVIDED 41.71% INTEREST IN AND TO THE COMMON AREA AS SHOWN AND DEFINED ON THE PLAN, RESERVING THEREFROM THE FOLLOWING:

(A) EXCLUSIVE EASEMENTS, OTHER THAN PARCEL III, AS DESIGNATED ON THE PLAN AND RESERVED BY GRANTOR TO UNITS FOR USE AS DESIGNATED IN THE DECLARATION; AND

(B) NONEXCLUSIVE EASEMENTS APPURTENANT TO ALL UNITS FOR INGRESS AND EGRESS, SUPPORT, REPAIR AND MAINTENANCE.

PARCEL III:

(A) THE EXCLUSIVE EASEMENT TO USE THE PARKING AREA(S) DESIGNATED P-2 ON THE PLAN.

(B) THE EXCLUSIVE EASEMENT TO USE THE PATIO AREA(S) DESIGNATED PA-1 AND PA-2 ON THE PLAN.

(C) THE EXCLUSIVE EASEMENT TO USE THE REAR YARD AREA(S) DESIGNATED RY-1 ON THE PLAN.

(D) THE EXCLUSIVE EASEMENT TO USE THE STORAGE AREA(S) DESIGNATED S-1 ON THE PLAN.

PARCEL IV:

A NONEXCLUSIVE EASEMENT APPURTENANT TO PARCEL I ABOVE FOR SUPPORT, REPAIR AND MAINTENANCE, AND FOR INGRESS AND EGRESS THROUGH THE COMMON AREA IN ACCORDANCE WITH CALIFORNIA CIVIL CODE SECTION 1361 (A).

PARCEL V:

ENCROACHMENT EASEMENTS APPURTENANT TO THE UNIT IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION.

Date: 07/22/2013

A.P.N.: LOT: 088 BLOCK: 1020

File No.: 3809-4435691 (PF)

Dated: 07/22/2013

Gilbert K. Freeman, Trustee of The Gilbert K.
Freeman Revocable Trust, Dated February 8,
2002, as restated

Gilbert K. Freeman, Trustee
Gilbert K. Freeman, Trustee

STATE OF California)SS
COUNTY OF San Francisco

On July 25, 2013, before me, Patricia L. Franks, Notary
Public, personally appeared Gilbert K. Freeman

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

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

WITNESS my hand and official seal.

Signature

Patricia L. Franks



My Commission Expires: July 2, 2015

This area for official notarial seal

Notary Name: _____

Notary Phone: _____

Notary Registration Number: _____

County of Principal Place of Business: _____



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record					GrantoR		
Year	Document	Date	Reel	Image	Document Type	GranteE	Name		
2013	J717883-00	08/02/2013	K952	0011	DEED	R	FREEMAN GILBERT K		
						R	GILBERT K FREEMAN REVOCABLE TRUST		
						E	RICHARD J THALHEIMER REVOCABLE TRUST		
						E	THALHEIMER RICHARD J		



RECORDING REQUESTED BY
First American Title Company

**AND WHEN RECORDED MAIL DOCUMENT
AND TAX STATEMENT TO:**

Richard Thalheimer Children's Trust
c/o Comyns, Smith, McCleary &, Deaver LLP
3470 Mt. Diablo Blvd., Ste. A-110
Lafayette, CA 94549



San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2008-1560304-00

Acct 3-FIRST AMERICAN Title Company

Tuesday, APR 01, 2008 08:00:00

Ttl Pd\$10,413.50 Rcpt # 0003431264

REEL J610 IMAGE 0020

081/00/1-4

Space Above This Line for Recorder's Use Only

A.P.N.: Lot: 089, Block: 1020

File No.: 3809-2928004 (PF)

Property Address: **3330 California Street, Unit 2, San Francisco, CA**

Lot Number: **089**

Block Number: **1020**

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$10,387.50; CITY TRANSFER TAX \$0.00;
SURVEY MONUMENT FEE \$10.00

- ☒ computed on the consideration or full value of property conveyed, OR
☐ computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
☐ unincorporated area; ☒ City of San Francisco, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **3330 California Street LLC, a California limited liability company**

hereby GRANTS to **John Comyns, Trustee of the Richard Thalheimer Children's Trust of 1989**

the following described property in the City of **San Francisco**, County of **San Francisco**, State of **California**:

PARCEL I:

CONDOMINIUM UNIT NO. 2 (LOT NO. 89), AS SHOWN UPON THE CONDOMINIUM PLAN RECORDED ON OCTOBER 26, 2007 IN BOOK/REEL J505 AT PAGE/IMAGE 0078, DOCUMENT NO. 2007-1480964, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE PLAN") BEING A SUBDIVISION OF THE LAND AS SHOWN ON THAT CERTAIN MAP RECORDED ON OCTOBER 25, 2007, IN CONDOMINIUM MAP BOOK 102 AT PAGE(S) 200 TO 201, INCLUSIVE (REFERRED TO HEREIN AS "THE MAP"), AND AS FURTHER DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF 3330 CALIFORNIA STREET AND CONDOMINIUM PLAN FOR 3330 CALIFORNIA STREET, SAN FRANCISCO, CALIFORNIA RECORDED ON OCTOBER 26, 2007, IN BOOK/REEL J505 AT PAGE/IMAGE 0078, DOCUMENT NO. 2007-1480964, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE DECLARATION").

EXCEPTING THEREFROM, ANY PORTION OF THE COMMON AREA LYING WITHIN SAID UNIT.

RESERVING THEREFROM:

(A) EASEMENTS THROUGH SAID UNIT, APPURTENANT TO THE COMMON AREA AND ALL OTHER UNITS, FOR SUPPORT AND REPAIR OF THE COMMON AREA AND ALL OTHER UNITS.

Date: 03/20/2008

(B) EASEMENTS, APPURTENANT TO THE COMMON AREA FOR ENCROACHMENT UPON THE AIR SPACE OF THE UNIT BY THOSE PORTIONS OF THE COMMON AREA LOCATED WITHIN THE UNIT.

PARCEL II:

AN UNDIVIDED 31.35% INTEREST IN AND TO THE COMMON AREA AS SHOWN AND DEFINED ON THE PLAN, RESERVING THEREFROM THE FOLLOWING:

(A) EXCLUSIVE EASEMENTS, OTHER THAN PARCEL III, AS DESIGNATED ON THE PLAN AND RESERVED BY GRANTOR TO UNITS FOR USE AS DESIGNATED IN THE DECLARATION; AND

(B) NONEXCLUSIVE EASEMENTS APPURTENANT TO ALL UNITS FOR INGRESS AND EGRESS, SUPPORT, REPAIR AND MAINTENANCE.

PARCEL III:

(A) THE EXCLUSIVE EASEMENT TO USE THE PARKING AREA(S) DESIGNATED P-1 ON THE PLAN.

PARCEL IV:

A NONEXCLUSIVE EASEMENT APPURTENANT TO PARCEL I ABOVE FOR SUPPORT, REPAIR AND MAINTENANCE, AND FOR INGRESS AND EGRESS THROUGH THE COMMON AREA IN ACCORDANCE WITH CALIFORNIA CIVIL CODE SECTION 1361 (A).

PARCEL V:

ENCROACHMENT EASEMENTS APPURTENANT TO THE UNIT IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION.

Dated: 03/20/2008

3330 California Street LLC, a California limited liability company

By:  Mitch Menaged, Co-Managing

By: Anasazi Properties Incorporated 1945,
Co-Managing Member

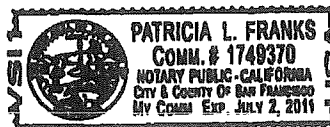

By: John E. McInerney, III, President

Date: 03/20/2008

STATE OF California)SS
COUNTY OF San FranciscoOn March 31, 2008, before me, Patricia L. Franks, Notary
Public, personally appeared John E. McFarlane III, who proved to me on the basis of satisfactory evidence to
be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on
the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is
true and correct.

WITNESS my hand and official seal.

Signature

Patricia L. FranksMy Commission Expires: July 2, 2011

This area for official notarial seal

Notary Name: Patricia L. FranksNotary Phone: 415-771-8168Notary Registration Number: 1749370County of Principal Place of Business: San Francisco

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: 3809-2928004 (PF)

APN No: Lot: 089, Block: 1020

STATE OF California)
COUNTY OF San Francisco)

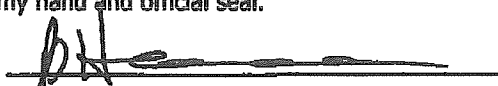
On March 28, 2008 before me, B. Hammer, Notary Public, personally appeared Mitch Menaged

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

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

WITNESS my hand and official seal.

Signature



This area for official notarial seal.

OPTIONAL SECTION CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER(S) TITLE(S)
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER

SIGNER IS REPRESENTING:

Name of Person or Entity

Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: Grant Deed

NUMBER OF PAGES _____ DATE OF DOCUMENT March 20, 2008

SIGNER(S) OTHER THAN NAMED ABOVE John E. McInerney, III

Reproduced by First American Title Company 11/2007



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record						Grantor	
Year	Document	Date	Reel	Image	Document Type	Grantee	Name		
2008	I560304-00	04/01/2008	J610	0020	DEED	R	3330 CALIFORNIA ST LLC		
						E	COMYNS JOHN		
						E	RICHARD THALHEIMER CHLDRNS TR OF 1989		



691 5th Ave.
315
924118

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028C4A-7 PM 3:13
2019 OCT 1

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1731-1733 LYONS ST	1031-006	DAVID C. THOMSON	David C. Thomson
2.	1731-1733 LYONS ST		BARBARA THOMSON	Barbara P. Thomson
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390 E. WASHINGTON AVE

Sunnyvale

94086

RECEIVED
BOARD OF SUPERVISORS
CITY PLANNING COMMISSION
SAN FRANCISCO
Case No. 2015-014028CUA

2019 OCT -7 PM 3:19

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 390 E WASHINGTON	1031-013	FMR INVESTMENTS	
2. AVENUE		LLC	
3. 3012-3014 PINE ST			MANAGING MEMBER OWEN
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
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22. _____	_____	_____	_____

RECORDING REQUESTED BY:

When Recorded Mail Document To:
FMZ INVESTMENTS, LLC
Parviz Zavareh
390 E. Washington Avenue
Sunnyvale, CA 94086



San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2013-J807775-00
Friday, DEC 20, 2013 14:26:40
Ttl Pd \$24.00 Rcpt # 0004854058
REEL L048 IMAGE 0501
of a/JL/1-3

APN/Parcel ID(s): Lot 13, Block 1031

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s)

☒ This transfer is exempt from the documentary transfer tax.

"This conveyance changes the manner in which title is held, grantor(s) and grantee(s) remain the same and continue to hold the same proportionate interest, R & T 11925."

Transfer to LLC with the same parties as before

☐ The documentary transfer tax is \$ -0- and is computed on:

☐ the full value of the interest or property conveyed.

☐ the full value less the liens or encumbrances remaining thereon at the time of sale.

The property is located in ☒ the City of San Francisco.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Mehrzad Saidi-Nejad and Farzaneh B. Saidi husband and wife and Parviz Zavareh, a married man as his sole and separate property,

hereby GRANT(S) to

FMZ INVESTMENTS, LLC, a California limited liability company

the following described real property in the City and County of San Francisco, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Property known as 3012, 3014, 3014A Pine Street, San Francisco
CA, 94115; Lot 13, Block 1031

MAIL TAX STATEMENTS AS DIRECTED ABOVE

GRANT DEED
(continued)

APN/Parcel ID(s): Lot 13, Block 1031

Dated: November 25, 2013

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

MEHRZAD SAIDI-NEJAD BY [Signature]

Mehrzad Saidi-Nejad HIS ATTORNEY IN FACT

FARZANEH SAIDI BY [Signature]

Farzaneh Saidi HER ATTORNEY IN FACT

[Signature]
Parviz Zavareh

State of

California

County of

San Mateo

On December 1, 2013

before me,

Julie A Fitzgerald

Notary Public, personally

appeared

Parviz Zavareh

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

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

WITNESS my hand and official seal.

[Signature]
Signature

(Seal)



EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): Lot 13, Block 1031

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO , COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Commencing at a point on the northerly line of Pine Street distant thereon 130 feet westerly from northwesterly corner of Pine and Lyon Street; running thence northerly parallel with the westerly line of Lyon Street 100 feet, thence at a right angle westerly 23 feet 3-1/2 inches, thence, southerly 72 feet, more or less, to center line of Old Cemetery Avenue (now closed), which point is distant in said center line, 28 feet 6 inches northerly from the northerly line of Pine Street; thence southerly 28 feet 3 inches, more or less, to point on the northerly line of Pine Street distant 161 feet 2 inches westerly from the westerly line of Lyon Street; thence easterly along the northerly line of Pine Street 31 feet 2 inches to the point of commencement.

Being a portion of Western Addition Block No. 621.



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record	Reel	Image	Document Type	GrantorR	Name
		Date				GranteeE	
2013	J807775-00	12/20/2013	L048	0501	DEED	R	SAIDI FARZANEH B
						R	SAIDI-NEJAD MEHRZAD
						R	ZAVAREH PARVIZ
						E	FMZ INVESTMENTS LLC



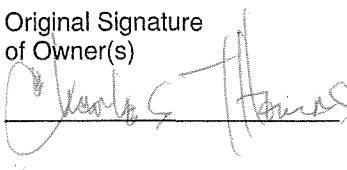
94119

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-01402860A-7 PM 3:13


The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3042 PINE ST	1031-017	CHARLES THOMAS REDC TRUST	
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RECORDING REQUESTED BY:
Charles Thomas
3042 Pine Street
San Francisco, CA 94115

WHEN RECORDED MAIL TO:
Charles Thomas
3042 Pine Street
San Francisco, CA 94115


San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2018-K638252-00
Wednesday, JUL 11, 2018 14:52:01
Ttl Pd \$92.00 Rpt # 0005833906
OYY/YY/1-2

Mail Tax Statements To:
(Same As Above)

No consideration for transfer to Revocable Living Trust
Exempt 11930 Grantees are a Trust for the
benefit of the Grantors

A.P.N. 1031-017 3042 Pine Street, San Francisco, CA

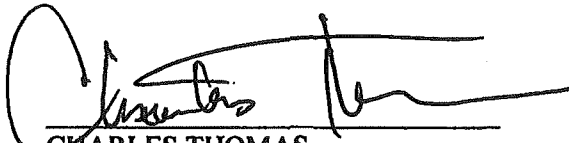
QUIT CLAIM DEED

By this instrument, for no consideration.

I, **CHARLES THOMAS, AN UNMARRIED MAN**, do hereby remise, release and forever quit claim unto **CHARLES THOMAS**, as Trustee of the **CHARLES THOMAS REVOCABLE TRUST, U. D. T.** ("Under Declaration of Trust") dated March 23, 2018, ALL that REAL PROPERTY situated in the City of San Francisco, County of SAN FRANCISCO, State of California, bounded and described as follows:

BEGINNING at a point on the northerly line of Pine Street, distant thereon 75 feet easterly from the easterly line of Presidio Avenue; running thence easterly along the northerly line of Pine Street 25 feet; thence at a right angle northerly 70 feet; thence at a right angle westerly 25 feet; and thence at a right angle southerly 70 feet to the point of beginning; being portion of Western Addition Block No. 621.

Executed on July 10, 2018 at San Francisco, California.


CHARLES THOMAS

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Francisco

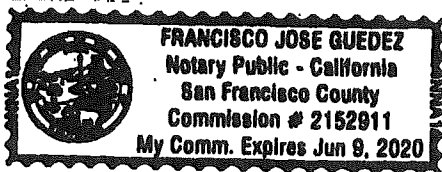
On July 10th, 2018 before me, Francisco J. GuedeZ, Notary Public

personally appeared CHARLES THOMAS
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

- ☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____



Access to Public Records
for County Government

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Search Results

Document Details

		Record				GrantoR	
Year	Document	Date	Reel	Image	Document Type	GranteE	Name
2018	K638252-00	07/11/2018			DEED	R	THOMAS CHARLES
						E	CHARLES THOMAS REVOC TR U/D/T
						E	THOMAS CHARLES



City Planning Commission
Case No. 2015-014028CUA

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:13

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 3195 CALIFORNIA	1031-023	ERIKA ANDREAS	<i>Erika Andreas</i>
2. 3195 CALIFORNIA	1031-023	ARTHUR ANDREAS	<i>Arthur Andreas</i>
3. _____	_____	(ARTHUR & ERIKA ANDREAS TRUST)	
4. _____	_____	_____	_____
5. _____	_____	_____	_____
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RECORDING REQUESTED BY

A T T O R N E Y

And when recorded mail to:

GEOFFREY ADAMS, ESQ.
870 Market Street, Suite 916
San Francisco, CA 94102

Mail tax statements to:

Arthur and Erika Andreas, Trustees
2548 Washington Street
San Francisco, California 94115



San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC- 2016-K242789-00

Check Number 1821

Wednesday, MAY 11, 2016 08:53:51

Ttl Pd \$21.00

Rept # 0005361687

ofa/FT/1-2

GRANT DEED

The undersigned grantor(s) declare:

Documentary transfer tax is \$ NONE

FOR NO CONSIDERATION,

ARTHUR ANDREAS and ERIKA ANDREAS, Husband and Wife, who hold title as their community property,

hereby GRANT(S) to

ARTHUR ANDREAS and ERIKA ANDREAS, as Trustees of the ARTHUR ANDREAS AND ERIKA ANDREAS REVOCABLE TRUST (Created by a declaration of trust dated May 1, 2004), the following described real property situated in the City and County of San Francisco, State of California:

COMMENCING at the point of intersection of the southerly line of California Street, and the easterly line of Presidio Avenue; running thence easterly and along said line of California Street 35 feet; thence at a right angle southerly 100 feet; thence at a right angle westerly 35 feet to the easterly line of Presidio Avenue; thence at a right angle northerly and along said line of Presidio Avenue 100 feet to the point of commencement.

BEING part of Western Addition Block No. 621.

APN: Block 1031, Lot 023

3195 California Street, San Francisco
500-514 Presidio Avenue, San Francisco

This conveyance is to a revocable trust, the ARTHUR ANDREAS AND ERIKA ANDREAS REVOCABLE TRUST, Arthur Andreas and Erika Andreas, trustees and settlors and does not constitute a change of ownership and is not subject to reassessment pursuant to Revenue and Taxation Code Section 62.

Dated: 5/10, 2016

Arthur Andreas
ARTHUR ANDREAS

Erika Andreas
ERIKA ANDREAS

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

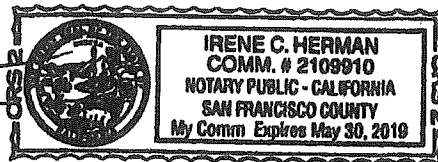
COUNTY OF SAN FRANCISCO) ss.

On MAY 10TH, 2016, before me, Irene C. Herman, a Notary Public, personally appeared ARTHUR ANDREAS and ERIKA ANDREAS, who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

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

WITNESS my hand and official seal.

Notary Public



Search Results

Document Details

		Record				GrantoR		
Year	Document	Date	Reel	Image	Document Type	GranteE	Name	
2016	K242789-00	05/11/2016			DEED	R	ANDREAS ARTHUR	
						R	ANDREAS ERIKA	
						E	ANDREAS ARTHUR	
						E	ANDREAS ERIKA	
						E	ARTHUR & ERIKA ANDREAS REVOCABLE TRUST	

94119

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission

Case No. 2015-014028CUA 2019 OCT -7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	560 PRESIDIO AVE #1	1031-032	NOLLY CALABRECHT TRUST	Nolly S. Calabrecht
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RECORDING REQUESTED BY:

Old Republic Title Company

Escrow No.: 1113030022

APN: Assessor's Lot 032; Block 1031

When Recorded Mail Document and Tax Statements to:

Holly Sue Galbrecht

560 Presidio Ave. #2

SM: San Francisco, CA 94115

20169K37304600003

San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC 2016-K373046-00

Acct 5002-Old Republic Title Company

Wednesday, DEC 14, 2016 10:19:00

Ttl Pd \$24.00 Nbr-0005511368

tn2/RE/1-3

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$0.00 R&T 11930

(X) computed on full value of property conveyed, or

() computed on full value less of liens and encumbrances remaining at time of sale.

() Unincorporated area: (X) City of San Francisco

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Holly Sue Galbrecht, an unmarried woman

hereby GRANT(S) to

Holly Sue Galbrecht, Trustee (an any successor trustee) udt october 24, 2007 entitled to the Holly Sue Galbrecht Revocable Trust

that property in City of San Francisco, San Francisco County, State of California, described as:

See "Exhibit A" attached hereto and made a part hereof.

Date: December 06, 2016



Holly Sue Galbrecht

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA
County of SAN FRANCISCO

On 12-6-2012 before me, MILTON L. HOWTON a Notary Public, personally appeared HOLLY SUE GALBRECHT, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature: Milton L. Howton

Name: MILTON L. HOWTON
(Typed or Printed)

(Seal)

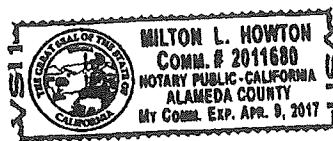


EXHIBIT A

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

Parcel A:

Unit No. 2, Lot 32, as shown on that certain map entitled, "Map of 560 Presidio Avenue, a Condominium, being a Resubdivision of Lot 19, Portion of Assessor's Block No. 1031, San Francisco, California", which Map was filed for record in the Office of the Recorder of the City and County of San Francisco, State of California, on July 2, 1980 in Book 15 of Condominium Maps, at Pages 37 to 39, inclusive.

Excepting therefrom, the following:

- (a) Non-exclusive easements through said Units, appurtenant to the Common Area and all other Units, for ingress, egress, support and repair of the Common Area and all Units;
- (b) Non-exclusive easements, appurtenant to the Common Area, for encroachment upon the air space of the Unit by those portions of the Common Area located within the Unit.

Parcel B:

Together with the following appurtenant easements:

- (a) A non-exclusive easement for ingress, egress, support and repair through the Common Area, as shown on the Map;

Parcel C:

A undivided 12.954% interest, as tenants in common with all other Unit Owners, in and to the Common Area, as shown on the Map.

Excepting therefrom, exclusive easements for use of Parking Areas, other than those shown in Parcel "B", above, in favor of the Units, as shown on the Map.

Parcel D:

Together with the following easements appurtenant to the Common Area:

- (a) Non-exclusive easements for encroachments upon the air space of all of the Units by and for the portions of the Common Area lying within the Units.

Assessor's Lot 032; Block 1031



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record			Grantor	
Year	Document	Date	Reel	Image	Grantee	Name
2016	K373046-00	12/14/2016			R	GALBRECHT HOLLY SUE
					E	
					E	HLLY SUE GALBRECHT REVOCABLE TRUST



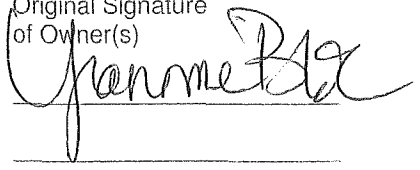
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-01402801A

2015 OCT -7 PM 3:14

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	560 Presidio Ave #3	1031/033	Jeannine Black Trust	
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20199K79654000003
San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC 2019-K796540-00
Acct 5024-Chicago Title Company PIRT
Tuesday, JUL 23, 2019 08:54:53
Ttl Pd \$20.00 Nbr-0006033235
RS1/RE/1-3

RECORDING REQUESTED BY:
Chicago Title Company

When Recorded Mail Document
and Tax Statement To:
JEANNINE BLACK
560 PRESIDIO AVENUE, #3
SAN FRANCISCO, CA 94115

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Escrow Order No.: FCPF-0911906051

Exempt from fee per GC 27388.1 (a) (2); recorded in connection with a transfer of real property that is a residential dwelling to an owner-occupier.

APN/Parcel ID(s): 1031-033

GRANT DEED

The undersigned grantor(s) declare(s)

- ☒ This transfer is exempt from the documentary transfer tax.
"The grantors and the grantees in this conveyance are comprised of the same parties who continue to hold the same proportionate interest in the property, R & T 11925(d)."

- ☐ The documentary transfer tax is \$0.00 and is computed on:
☐ the full value of the interest or property conveyed.
☐ the full value less the liens or encumbrances remaining thereon at the time of sale.

The property is located in ☒ the City of SAN FRANCISCO.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, JEANNINE BLACK, AS TRUSTEE OF THE JEANNINE BLACK TRUST U/A DTD AUGUST 11, 2015, WHO ACQUIRED TITLE AS JEANNINE BLACK UFFELMAN, AS TRUSTEE OF THE JEANNINE BLACK TRUST U/A DTD AUGUST 11, 2015,

hereby GRANT(S) to JEANNINE BLACK, AS TRUSTEE OF THE JEANNINE BLACK TRUST U/A DTD AUGUST 11, 2015,

the following described real property in the City of SAN FRANCISCO, County of San Francisco, State of California:

For APN/Parcel ID(s): 1031-033

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

UNIT NO. 3, LOT 33, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "MAP OF 560 PRESIDIO AVENUE, A CONDOMINIUM, BEING A RESUBDIVISION OF LOT 19, PORTION OF ASSESSOR'S BLOCK NO. 1031, SAN FRANCISCO, CALIFORNIA", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, ON JULY 02, 1980, IN BOOK 15 OF CONDOMINIUM MAPS, AT PAGES 37 TO 39, INCLUSIVE.

EXCEPTING THEREFROM, THE FOLLOWING:

(A) NON-EXCLUSIVE EASEMENTS THROUGH SAID UNITS, APPURTENANT TO THE COMMON

GRANT DEED
(continued)

APN/Parcel ID(s): 1031-033

AREA AND ALL OTHER UNITS, FOR INGRESS, EGRESS, SUPPORT AND REPAIR OF THE COMMON AREA AND ALL UNITS;

(B) NON-EXCLUSIVE EASEMENTS, APPURTENANT TO THE COMMON AREA, FOR ENCROACHMENT UPON THE AIR SPACE OF THE UNIT BY THOSE PORTIONS OF THE COMMON AREA LOCATED WITHIN THE UNIT.

PARCEL B:

TOGETHER WITH THE FOLLOWING APPURTENANT EASEMENTS:

(A) A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, SUPPORT AND REPAIR THROUGH THE COMMON AREA, AS SHOWN ON THE MAP.

(B) AN EXCLUSIVE EASEMENT FOR PARKING SPACE NO. P-2, AS SHOWN ON THE MAP.

PARCEL C:

AN UNDIVIDED 12.880% INTEREST, AS TENANTS IN COMMON WITH ALL OTHER UNIT OWNERS, IN AND TO THE COMMON AREA, AS SHOWN ON THE MAP.

EXCEPTING THEREFROM, EXCLUSIVE EASEMENTS FOR THE USE OF PARKING AREAS, OTHER THAN THOSE SHOWN IN PARCEL "B", ABOVE, IN FAVOR OF THE UNITS, AS SHOWN ON THE MAP.

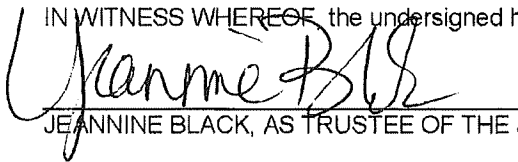
PARCEL D:

TOGETHER WITH THE FOLLOWING EASEMENTS APPURTENANT TO THE COMMON AREA:

(A) NON-EXCLUSIVE EASEMENTS FOR ENCROACHMENTS UPON THE AIR SPACE OF ALL OF THE UNITS BY AND FOR THE PORTIONS OF THE COMMON AREA LYING WITHIN THE UNITS.

Dated: 7/15/19

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.


JEANNINE BLACK, AS TRUSTEE OF THE JEANNINE BLACK TRUST U/A DTD AUGUST 11, 2015

GRANT DEED

(continued)

APN/Parcel ID(s): 1031-033

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Francisco

On July 15 2019 before me, Chenelle McCoy, Notary Public (here insert name and title of the officer), personally appeared JEANNINE BLACK, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

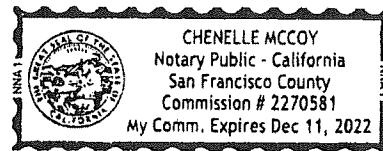
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Chenelle McCoy

(Seal)





Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	GrantoR		Name
		Date					GranteE		
2019	K796540-00	07/23/2019				DEED		R	BLACK JEANNINE
								R	JEANNINE BLACK TRUST
								E	BLACK JEANNINE
								E	JEANNINE BLACK TRUST



94115

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BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-01402800A-7 PM 3:14

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	560 PRESIDIO AVE #4	1831-034	JOHN OGRADY TRUST	John Ogrady, Trustee, John E. Ogrady 200 Trust w/Ad 1/11/00
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Recording Requested By
And When Recorded, Mail To:

Mr. John E. O'Grady
560 Presidio Avenue #4
San Francisco, CA 94115

Send Tax Statements To:

JOHN E. O'GRADY as Trustee of THE JOHN E.
O'GRADY 2000 TRUST u/a/d 1/11/00
560 Presidio Avenue #4
San Francisco, CA 94115



San Francisco Assessor-Recorder
Mabel S. Teng, Assessor-Recorder
DOC- 2005-H996973-00

Check Number 1030

Monday, JUL 25, 2005 09:05:04

Ttl Pd \$15.00 Nbr-0002791879

REEL I938 IMAGE 0267

ota/TD/1-3

DOCUMENTARY TRANSFER TAX IS ZERO. The Transfer is made without consideration; it is not made pursuant to a sale.


John E. O'Grady

TRUST TRANSFER DEED

JOHN E. O'GRADY, GRANTOR,

hereby GRANTS to JOHN E. O'GRADY as Trustee of THE JOHN E. O'GRADY 2000 TRUST
u/a/d 1/11/00

the real property located in the County of San Francisco, State of California, described in Exhibit
"A", which is attached hereto and incorporated by reference.

Dated:

6/14/05


JOHN E. O'GRADY

Commonly known as:

560 Presidio Avenue #4 San Francisco, CA 94115
APN: Lot 34, Block 1031

Exhibit A

PARCEL A:

Unit No. 4. Lot 34, as shown on that certain map entitled, "Map of 560 Presidio Avenue, a Condominium, being a resubdivision of Lot 19, portion of Assessor's Block No. 1031, San Francisco, California", which map was filed for record in the office of the Recorder of the City and County of San Francisco, State of California, on July 02, 1980, in Book 15 of Condominium Maps, at pages 37 to 39, inclusive.

Excepting therefrom, the following:

- (a) Non-exclusive easements through said units, appurtenant to the common area and all other units, for ingress, egress, support and repair of the common area and all units;
- (b) Non-exclusive easements, appurtenant to the common area, for encroachment upon the air space of the unit by those portions of the common area located within the unit.

PARCEL B:

Together with the following appurtenant easements:

- (a) A non-exclusive easement for ingress, egress, support and repair through the common area, as shown on the map.

PARCEL C:

An undivided 12.046% interest, as tenants in common with all other unit owners, in and to the common area, as shown on the map.

Excepting therefrom, exclusive easements for the use of Parking Areas, other than those shown in Parcel "B", above, in favor of the units, as shown on the map.

PARCEL D:

Together with the following easements appurtenant to the common area:

- (a) Non-exclusive easements for encroachments upon the air space of all of the units by and for the portions of the common area lying within the units.

Assessors Parcel No.: Lot 34, Block 1031

Commonly known as: 560 Presidio Avenue #4 San Francisco, CA 94115
APN: Lot 34, Block 1031

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

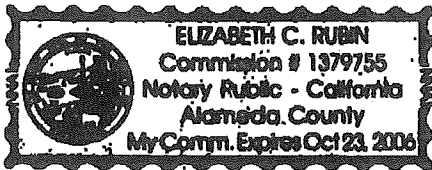
County of SAN FRANCISCO } ss.

On 14 JUNE 2005 before me, ELIZABETH C. RUBIN,
Date Name and Title of Officer (a.k.a. "Notary Public")

personally appeared JOHN E. O'SPAAY,
Name(s) of Signer(s)

☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

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



WITNESS my hand and official seal.

Elizabeth C. Rubin
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: TRUST TRANSFER DEED

Document Date: 06-14-2005 Number of Pages: 1 + EX.

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer

Signer's Name: JOHN E. O'SPAAY

☒ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney-in-Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: SELF



Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor	
		Date					Grantee	Name
2005	H996973-00	07/25/2005	I938	0267	DEED		R	OGRADY JOHN E
							E	JOHN E OGRADY 2000 TRUST
							E	OGRADY JOHN E

94115

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO


City Planning Commission
Case No. 2015-014028CUA
2015 OCT -7 PM 3:14

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	560 PRESIDIO AVE #6	1031-135	SUSAN MCCONKEY TRUST	<i>[Signature]</i>
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RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
Name SUSAN MCCONKEY
Address 560 Presidio Avenue #6
City San Francisco
State California 94115


San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2009-1756835-00
Check Number 1316
Tuesday, MAY 05, 2009 14:32:16
Ttl Pd \$13.00 Rcpt # 0003660364
REEL J884 IMAGE 0443
ofa/FT/1-2

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

Grant Deed (Excluded from Reappraisal under Proposition 13, i.e., Calif. Const. Art 13A § 1 et.seq.) The undersigned grantor declares that the following is true and correct:

THERE IS NO CONSIDERATION FOR THIS TRANSFER.

There is no Documentary transfer tax due. This is a Trust Transfer under § 62(d) of the Revenue and Taxation Code: Transfer to a revocable trust. This conveyance transfers the Grantor's interest into his or her revocable trust, R&T 11930.


GRANTOR: SUSAN MCCONKEY, hereby grants to SUSAN MCCONKEY, trustee of the SUSAN MCCONKEY TRUST DATED APRIL 13, 2009, the following described real property in the County of San Francisco, State of California:

See EXHIBIT A (attached)

Assessor Parcel Number: Lot 35, Block 1031
Property Address or Location: 560 Presidio Avenue #6, San Francisco, California 94115

Dated April 13, 2009

Grantor:


SUSAN MCCONKEY

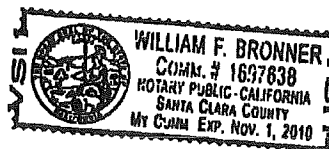
State of California)
County of Santa Clara)

On April 13, 2009 before me, William F. Bronner, Notary Public, personally appeared SUSAN MCCONKEY, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature  (Seal)



Mail future tax statements to SUSAN MCCONKEY, 560 Presidio Avenue #6, San Francisco, California 94115

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

Unit No. 5, Lot 35, as shown on that certain map entitled, "Map of 560 Presidio Avenue, a Condominium, being a resubdivision of Lot 19, portion of Assessor's Block No. 1031, San Francisco, California", which map was filed for record in the office of the Recorder of the City and County of San Francisco, State of California, on July 02, 1980, in Book 15 of Condominium Maps, at pages 37 to 39, inclusive.

Excepting therefrom, the following:

- (a) Non-exclusive easements through said units, appurtenant to the common area and all other units, for ingress, egress, support and repair of the common area and all units;
- (b) Non-exclusive easements, appurtenant to the common area, for encroachment upon the air space of the unit by those portions of the common area located within the unit.

PARCEL B:

Together with the following appurtenant easements:

- (a) A non-exclusive easement for ingress, egress, support and repair through the common area, as shown on the map.
- (b) An exclusive easement for parking space No. P-3, as shown on the map.

PARCEL C:

An undivided 12.120% interest, as tenants in common with all other unit owners, in and to the common area, as shown on the map.

Excepting therefrom, exclusive easements for the use of Parking Areas, other than those shown in Parcel "B", above, in favor of the units, as shown on the map.

PARCEL D:

Together with the following easements appurtenant to the common area:

- (a) Non-exclusive easements for encroachments upon the air space of all of the units by and for the portions of the common area lying within the units.



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	GrantoR	
		Date					GranteE	Name
2009	I756835-00	05/05/2009	J884	0443	DEED		R	MCCONKEY SUSAN
							E	
							E	SUSAN MCCONKEY TRUST



Part

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO


2019 OCT -7 PM 3:14

BY *BA*

City Planning Commission
Case No. 2015-014028CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	560 PRESIDIO Ave No. 8	1031/038	GILDA POLIARIN	
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RECORDING REQUESTED BY AND
WHEN RECORDED MAIL DOCUMENT
AND TAX STATEMENTS TO:

GILDA POLIAKIN
56 Presidio Avenue, No. 8
San Francisco, CA 94115

San Francisco Assessor-Recorder
Mabel Teng, Assessor-Recorder
DOC- 2003-H356107-00

Check Number 1805

Tuesday, FEB 11, 2003 13:54:02

Ttl Pd \$12.00

Nbr-0002070263

REEL I322 IMAGE 0866

ear/AB/1-2

APN: 8-1031-38

Commonly known as: 56 Presidio Avenue, No. 8, San Francisco

QUITCLAIM DEED

THE UNDERSIGNED QUITCLAIMOR DECLARES:

Documentary transfer tax \$0 CO.

\$0 CY.

☒ COMPUTED ON FULL VALUE OF PROPERTY CONVEYED, OR
☐ COMPUTED ON FULL VALUE LESS LIENS REMAINING AT TIME OF SALE

CITY OF San Francisco UNINCORPORATED

FOR NO VALUABLE CONSIDERATION, GILDA POLIAKIN, hereby QUITCLAIMS to GILDA POLIAKIN, Trustee, GILDA POLIAKIN 2002 Trust dated December 6, 2002, all her right, title and interest in the following described real property in the City of San Francisco, County of San Francisco, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

NOTE #1: CONVEYANCE TRANSFERRING QUITCLAIMOR'S INTEREST INTO A REVOCABLE LIVING TRUST. This conveyance transfers the Quitclaimor's interest into her revocable living trust which is not pursuant to a sale and is exempt pursuant to Rev. & Tax Code Section 11911.

NOTE #2: QUITCLAIMOR GILDA POLIAKIN IS THE SAME PERSON AS TRUSTEE GILDA POLIAKIN. This conveyance is to a revocable trust and, pursuant to Rev. & Tax Code Section 62(d)(2), does not constitute a change in ownership and does not subject the property to reassessment.

Dated: December 6, 2002

Gilda Poliak
GILDA POLIAKIN

ALL-PURPOSE CERTIFICATE

State of California

County of MARICOPA

On December 6, 2002, before me, John Peter Kelley (Notary Public), personally appeared GILDA POLIAKIN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

John Peter Kelley

(Seal)

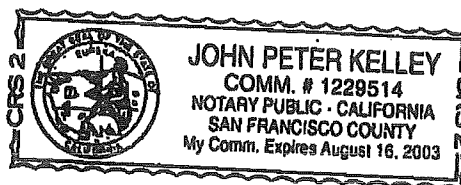


EXHIBIT A

The property in the City and County of San Francisco, State of California, described as follows:

PARCEL A:

UNIT NO. 8, Lot 38, as shown on that certain Map entitled, "MAP OF 560 PRESIDIO AVENUE, a Condominium, Being a Resubdivision of Lot 19, Portion of Assessor's Block 1031, San Francisco, California", which Map was filed for record in the office of the Recorder of the City and County of San Francisco, State of California, on July 2, 1980, in Book 15 of Condominium Maps, at pages 37 to 39, inclusive.

PARCEL B:

TOGETHER WITH the following appurtenant easements:

- (a) A non-exclusive easement for ingress, egress, support and repair through the Common Area, as shown on the Map;
- (b) An exclusive easement to use Parking Space No. P-4, as shown on the Map.

PARCEL C:

AN UNDIVIDED 12.046% INTEREST, as Tenants in Common with all other Unit Owners, in and to the Common Area, as shown on the Map.

PARCEL D:

TOGETHER WITH the following easements appurtenant to the Common Area:

- (a) Non-exclusive easements for encroachments upon the air space of all of the Units by and for the portions of the Common Area lying within the Units.



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor	
		Date					Grantee	Name
2003	H356107-00	02/11/2003	I322	0866	DEED		R	POLIAKIN GILDA
							E	GILDA POLIAKIN 2002 TRUST
							E	POLIAKIN GILDA



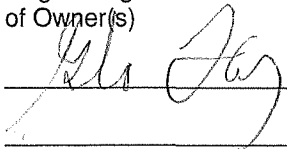
673 Catamaran St #
Foster City
94044

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA -7 PM 3:14

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	673 CATAMARAN ST #2	1031-041	GLORIA FAZENDIN TRUST	
2.				
3.	189 CALIFORNIA ST.			
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Recording Requested by:
Gloria Fazendin

When Recorded Mail to:
Gloria Fazendin
744 Edgewater Blvd., #107
Foster City, CA 94404

Mail Tax Statements to:
Same as Above



San Francisco Assessor-Recorder
D. Hoa Nguyen, Acting Assessor-Recorder
DOC- 2013-J597669-00

Check Number 1126

Friday, FEB 01, 2013 15:31:27

Ttl Pd \$20.00 Rcpt # 0004613367

REEL K825 IMAGE 0717
odm/AK/1-2

Trust Transfer Deed

NOTICE: THIS CONVEYANCE IS TO A TRUST, REVOCABLE BY THE GRANTOR, AND NOT PURSUANT TO A SALE. IT DOES NOT CONSTITUTE A CHANGE IN OWNERSHIP FOR INCOME TAX PURPOSES. IT DOES NOT SUBJECT THE PROPERTY TO A REASSESSMENT AND IS EXEMPT FROM ALL TAXES. THE UNDERSIGNED IS BOTH THE DECLARANT AND THE TRUSTEE ON THE EFFECTIVE DATE OF THIS INSTRUMENT.

APN: Block 1031 and Lot 041

Common Address: 3189 California St., San Francisco, CA 94115

THE UNDERSIGNED GRANTOR DECLARE DOCUMENTARY TRANSFER TAX IS \$ NONE.

- ☐ computed on full value of property conveyed, or (To a Trust - R&T 11930)
☐ computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR NO CONSIDERATION, and in order to only change formal title, I, GLORIA D. FAZENDIN, having taken title as an unmarried woman, hereby grant all of my rights, titles, and interests in said real property to THE GLORIA D. FAZENDIN FAMILY TRUST DATED JANUARY 10, 1990, whose Trustee is, at the time of recording, GLORIA D. FAZENDIN, and whose successors and appointees are also named in said Trust Agreement, all that real property described as follows:

See Exhibit "A" (Legal Description), attached hereto and made a part hereof

This real property includes all the tenements, hereditaments, and appurtenances thereunto belonging, and the reversions, remainders, rents, issues, and profits thereof.

Dated

OCTOBER 20, 2012

Gloria D. Fazendin
GLORIA D. FAZENDIN

NOTARY ACKNOWLEDGMENT

State of California)
County of San Mateo)

On OCTOBER 20, 2012, before me, RON NESSON, a Notary Public, personally appeared GLORIA D. FAZENDIN, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Ron Nesson
NOTARY PUBLIC, State of California



Notary Seal

EXHIBIT "A"

(LEGAL DESCRIPTION)

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

PARCEL A:

UNIT NO. 3189, Lot 41, as shown on that certain map entitled, "Map of 3183 - 3193 California Street, a Residential Condominium Project, Being a Subdivision of the premises described in that deed recorded in Book F296 at Page 344 of the Official Records of the City and County of San Francisco, Also Being a Subdivision of Lot 24 of Assessor's Block 1031, Being a portion of Western Addition Block 621, San Francisco, California", which map was filed for record in the office of the Recorder of the City and County of San Francisco, State of California, on May 27th, 1997 in Book 53 of Condominium Maps, at Pages 52 to 56, inclusive.

EXCEPTING THEREFROM, the following:

- (a) Non-exclusive easements through said Units, appurtenant to the Common Area and all other Units, for ingress, egress, support and repair of the Common Area and all Units;
- (b) Non-exclusive easements, appurtenant to the Common Area, for encroachment upon the air space of the Unit by those portions of the Common Area located within the Unit.

PARCEL B:

TOGETHER WITH the following appurtenant easements:

- (a) A non-exclusive easement for ingress, egress, support and repair through the Common Area, as shown on the Map;
- (b) An exclusive easement to use Storage Area No. S-4, as shown on the Map;

PARCEL C:

AN UNDIVIDED 16.66% interest, as Tenants in Common with all other Unit owners, in and to the Common Area, as shown on the Map.

EXCEPTING THEREFROM, exclusive easements for use of Storage Areas other than those shown in Parcel "B", above, in favor of the Units, as shown on the Map.

PARCEL D:

TOGETHER WITH the following easements appurtenant to the Common Area:

- (a) Non-exclusive easements for encroachments upon the air space of all of the Units by and for the portions of the Common Area lying within the Units.

Assessor's Block No. 1031, Lot No. 041

END OF EXHIBIT "A" (LEGAL DESCRIPTION)



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor		Name
		Date					Grantee		
2013	J597669-00	02/01/2013		K825	0717	DEED	R		FAZENDIN GLORIA D
							E		
							E		GLORIA D FAZENDIN FMLY TR



99115

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BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-0140280A

2019 OCT -7 PM 3:14

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 3183 CALIFORNIA ST	1031-042	ROBIN BISHOP	<i>Robin Bishop</i>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
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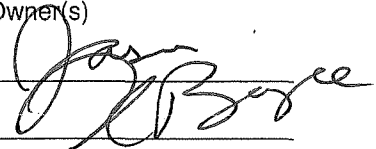
94115

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA
2019 OCT -7 PM 3:14

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3191 CALIFORNIA ST	1031-043	JASON	
2.			KRISTINA BOYCE	
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94115

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SAN FRANCISCO

City Planning Commission
Case No. 2015-0140280UA7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3193 CALIFORNIA ST	1631-045	KAREN LOREN	
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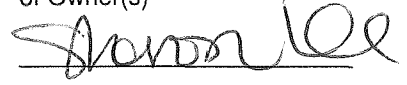
City Planning Commission
Case No. 2015-014028CUA

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BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:14

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3187 CALIFORNIA ST	1031-046	SHARON LEE	
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BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:14

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 3020 PINE ST	1031-052	Edwin C Marmitz	Edwin C. Marmitz
2. 3020 PINE ST	1031-052	Noel Adams	Noel Adams
3. _____	_____	_____	_____
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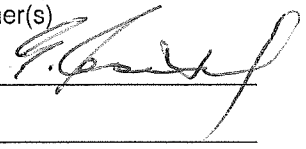
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BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-0140286

2015 OCT -7 PM 3:14

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	530 PRESIDIO AVE	1031-053	ELIANDER ROSENTHAL TR	
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RECORDING REQUESTED BY:

Ann Marshall Robbeloth, Esq.

WHEN RECORDED MAIL TO

Ann Marshall Robbeloth

2391 The Alameda, Suite 205

Santa Clara, CA 95050

MAIL TAX STATEMENTS TO:

Eleanor Rosenthal

530 Presidio Avenue

San Francisco, CA 94115

APN: Lot 53 (formerly portion of
Lot 22A), Block 1031

San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC- 2013-J800504-00

Check Number 3588

Wednesday, DEC 04, 2013 13:24:26

Ttl Pd \$21.00

Rcpt # 0004845391

REEL L036 IMAGE 0575

ofa/FT/1-2

Documentary Transfer Tax \$0

TRUST TRANSFER DEED

This is a transfer of property to a revocable living trust established for the benefit of the Grantors, and not pursuant to a sale. There is no consideration for the transfer, and no transfer tax is due. Grantee is a Trust for the benefit of the Grantors, exempt from reassessment pursuant to Revenue and Taxation Code § 11930.


 Ann Marshall Robbeloth, ESQ.
FOR NO CONSIDERATION, GRANTOR, Eleanor Rosenthal, a single woman hereby

GRANT(S) TO: Eleanor Rosenthal, Trustee of the Eleanor Rosenthal Revocable Trust, that real property commonly known as 530 Presidio Avenue, in the City of San Francisco, County of San Francisco, State of California, and more particularly described as follows:

LEGAL DESCRIPTION ATTACHED AS EXHIBIT A AND INCORPORATED BY REFERENCE HEREIN

Executed on this 9/26/13, 2013, at San Francisco, California.

 Eleanor Rosenthal

State of California

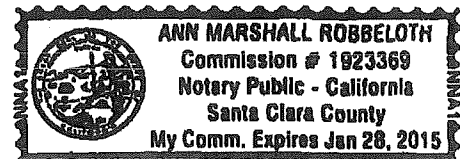
County of San Francisco

On 9/26, 2013 before me, Ann Marshall Robbeloth, a Notary Public, personally appeared Eleanor Rosenthal, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature


 Ann Marshall Robbeloth


(SEAL)

EXHIBIT A
LEGAL DESCRIPTION

All that certain real property situated in the City of San Francisco, County of San Francisco, State of California, more particularly described as follows:

PARCEL A:

Condominium Unit No. 530, Lot No. 53, as delineated and shown upon the "Condominium Plan of 530-532 Presidio Avenue" (referred to herein as "the Plan"), as shown in Exhibit "A" of the "Declaration of Restrictions and Condominium Plan of 530-532 Presidio Avenue, San Francisco, California, a Condominium Project," recorded on July 10, 2008, Instrument/File No. 2008-1609444-00, Book J-680, Page 0122, Official Records of the City and County of San Francisco, State of California, and as further defined in said "Declaration of Restrictions and Condominium Plan of 530-532 Presidio Avenue, San Francisco, California, a Condominium Project", referred to hereinabove (referred to herein as "the Declaration").

Excepting and reserving therefrom, any portion of the common area lying within said Unit.

Also excepting and reserving therefrom:

- (a) Easements through said Unit, appurtenant to the Common Area and all other Units, for support and repair of the common area and all other units.
- (b) Easements, appurtenant to the common area for encroachment upon the air space of the Unit by those portion of the common area located within the Unit.

PARCEL B:

An undivided 52.9% interest in and to the Common Area as shown on the Plan and defined in the Declaration, excepting and reserving therefrom the following:

- (a) Exclusive easements, other than those shown in Parcel C herein, as shown on the Plan and excepting by Grantor to units for use as defined in the Declaration;
- (b) Non-exclusive easements appurtenant to all units for ingress and egress, support, repair and maintenance.

PARCEL C:

The following easements appurtenant to Parcel A above as set forth and defined in the Declaration:

- (a) The exclusive easement to use the Parking area(s) designated as P-2 on the Plan.
- (b) The exclusive easement to use the Storage area(s) designated as S-2 on the Plan.

PARCEL D:

A non-exclusive easement appurtenant to Parcel A above for support, repair and maintenance, and for ingress and egress through the Common Area in accordance with California Civil Code Section 1361(a).

PARCEL E:

Encroachment easements appurtenant to the Unit in accordance with the provisions of the Declaration.

EACH of the foregoing Grants is subject to the lien of property taxes and assessments not delinquent, the Restrictions referred to below, and all covenants, easements, restrictions and liens of record. The property herein granted is a Condominium, as defined in Section 783 of the California Civil Code, and the Project as hereinafter defined is subject to the provisions of the Davis-Stirling Common Interest Development Act commencing with Section 1350 et seq. of said CODE

"RESTRICTIONS" means that certain "Declaration of Restrictions and Condominium Plan of 530-532 Presidio Avenue, San Francisco, California, a Condominium Project," executed by Eleanor Rosenthal and Sharon A. Esker, Trustee of the Sharon Esker Revocable Trust dated February 1, 2006, recorded on July 10, 2008, Instrument/File No. 2008-1609444-00, Book J-680, Page 0122, Official Records of the City and County of San Francisco, State of California and any subsequent amendments thereto.

THIS DEED is made and accepted subject to all the provisions contained in that certain Document defined herein as "RESTRICTIONS", all of which are incorporated herein by reference with the same effect as though fully set forth herein, and by this conveyance said Restrictions are imposed on said land.

Address: 530 Presidio Avenue, San Francisco, CA 94115

APN: Lot 53 (formerly portion of Lot 22A), Block 1031

MAIL TAX STATEMENTS to Eleanor Rosenthal, 530 Presidio Avenue, San Francisco, CA 94115



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record					GrantoR		
Year	Document	Date	Reel	Image	Document Type	GranteE	Name		
2013	J800504-00	12/04/2013	L036	0575	DEED	R	ROSENTHAL ELEANOR		
						E	ELEANOR ROSENTHAL REVOCABLE TRUST		
						E	ROSENTHAL ELEANOR		



94115

City Planning Commission
Case No. 2015-014028CUA

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BOARD OF SUPERVISORS
SAN FRANCISCO

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The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	539 PRESIDIO	1031-054	SHARON EKER	Sharon Eker
2.	AVE		TRUST	
3.				
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RECORDING REQUESTED BY:

Chicago Title Company
Escrow No.: 11-35017902-CC
Locate No.: CACT17738-7738-2350-0035017902
Title No.: 11-35017902-MG

When Recorded Mail Document
and Tax Statement To:

Sharon Esker, Trustee
532 Presidio Avenue
San Francisco, CA 94115



San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2011-J137847-00

Acct 1-CHICAGO Title Company
Thursday, FEB 17, 2011 08:00:00
Ttl Pd \$14.00 Rept # 0004094811
REEL K335 IMAGE 0114
ota/ER/1-2

APN: Lot 054 Block 1031

SPACE ABOVE THIS LINE FOR RECORDER'S USE

632 Presidio Ave.

GRANT DEED

The undersigned grantor(s) declare(s)

Documentary transfer tax is \$ 0 City Transfer Tax is \$

- [X] computed on full value of property conveyed, or
[] computed on full value less value of liens or encumbrances remaining at time of sale,
[] Unincorporated Area City of San Francisco,

"This conveyance confirms a change of name, and the grantor and grantee are the same party, R & T 11911."

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Sharon Esker, as Trustee under that certain Declaration of Trust entitled the Sharon Esker Revocable Trust dated February 1st 2006

hereby GRANT(S) to Sharon Esker, Trustee of the Sharon Esker Revocable Trust dated February 1, 2006, as amended the following described real property in the City of San Francisco, County of San Francisco, State of California: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

DATED: February 9, 2011

State of California
County of SAN FRANCISCO

On 2/9/11 before me,
DAVID LAU Notary Public
(here insert name and title of the officer), personally appeared
SHARON ESKER

The Sharon Esker Revocable Trust dated February 1, 2006

By: Sharon Esker, Trustee

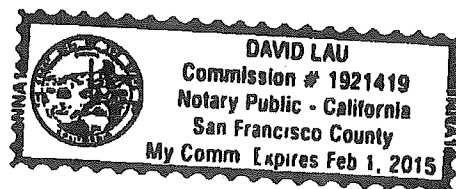
Trustee

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

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

WITNESS my hand and official seal: [Signature]

Signature _____ (Seal)



MAIL TAX STATEMENTS AS DIRECTED ABOVE

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

Condominium Unit No. 532, Lot No. 54, as delineated and shown upon the "Condominium Plan of 530-532 Presidio Avenue" (referred to herein as "the Plan"), as shown in Exhibit "A" of the "Declaration of Restrictions and Condominium Plan of 530-532 Presidio Avenue, San Francisco, California, a Condominium Project", recorded on July 10, 2008, Instrument/File No. 2008-1609444-00, Book J-680, Page 0122, Official Records of the City and County of San Francisco, State of California, and as further defined in said "Declaration of Restrictions and Condominium Plan of 530-532 Presidio Avenue, San Francisco, California, a Condominium Project", referred to hereinabove (referred to herein as "the Declaration").

Excepting and reserving therefrom, any portion of the common area lying within said Unit.

Also excepting and reserving therefrom:

- (a) Easements through said Unit, appurtenant to the Common Area and all other Units, for support and repair of the common area and all other units.
- (b) Easements, appurtenant to the common area for encroachment upon the air space of the Unit by those portions of the common area located within the Unit.

PARCEL B:

An undivided 47.1% interest in and to the Common Area as shown on the Plan and defined in the Declaration, excepting and reserving therefrom the following:

- (a) Exclusive easements, other than those shown in Parcel C herein, as shown on the Plan and excepting by Grantor to units for use as defined in the Declaration;
- (b) Non-exclusive easements appurtenant to all units for ingress and egress, support, repair and maintenance.

PARCEL C:

The following easements appurtenant to Parcel A above as set forth and defined in the Declaration:

- (a) The exclusive easement to use the Parking area(s) designated as P-1 on the Plan.
- (b) The exclusive easement to use the Storage area(s) designated as S-1 on the Plan.
- (c) The exclusive easement to use the Deck area(s) designated as D-532 on the Plan.

PARCEL D:

A non-exclusive easement appurtenant to Parcel A above for support, repair and maintenance, and for ingress and egress through the Common Area in accordance with California Civil Code Section 1361(a).

PARCEL E:

Encroachment easements appurtenant to the Unit in accordance with the provisions of the Declaration.

APN: Lot 054 Block 1031

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor	
		Date					Grantee	Name
2011	J137847-00	02/17/2011	K335	0114	DEED		R	ESKER SHARON
							R	SHARON ESKER REVOC TR
							E	ESKER SHARON
							E	SHARON ESKER REVOC TR

Case No. 2015-00490

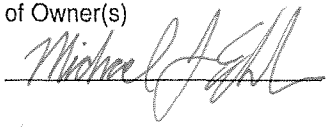
704928C+7 PM 3: 14

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission 2019 OCT -7 PM 3:14
Case No. 2015-014028CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3171-3181 CALIFORNIA ST.	1031-060	MICHAEL EDDE TRUSTEE	
2.				
3.				
4.				
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City Planning Commission
Case No. 2015-014028C

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	Collins St.	1044-001	Lee Trust Helen Lee	Helen Lee
2.				
3.				
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RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Name **LEE & LEE**
Street **PO BOX 590246**
Address
City **SAN FRANCISCO**
State **CA**
Zip **94159**



San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC-2005-1056749-00

Check Number **3311**
Friday, OCT 21, 2005 08:34:40
Ttl Pd **\$24.00** Nbr-0002859895
REEL J001 IMAGE 0241
ear/AB/1-3

Space above this line for recorder's use

DSF
300

WOLCOTT'S FORMS, INC.

WWW.WOLCOTT'SFORMS.COM

SINCE 1893

CALIFORNIA TRUST TRANSFER DEED

Grant Deed, excluded from Reassessment under Proposition 13, California Constitution Article 13 A §1 et seq.

The undersigned Grantor(s) declare(s) under penalty of perjury that the following is true and correct:

1. There is no consideration for this transfer.
2. The Documentary Transfer Tax is \$ -0-.
 - ☐ Computed on full value on property conveyed, or
 - ☐ Computed on full value less value of liens and encumbrances remaining at time of sale or transfer.
 - ☐ Unincorporated area: ☐ City of _____
 - ☒ There is no Documentary Transfer Tax due because TRANSFER IS T A REVOCABLE LIVING TRUST AND GRANTORS ARE TRUSTEES AND TRUSTORS
3. ☐ Property is in an unincorporated area of _____ County.
☒ Property is in the City of SAN FRANCISCO.
4. This is a Trust Transfer under §62 of the Revenue and Taxation Code. Grantor must check the applicable exclusion.
 - ☒ Transfer is to a revocable trust.
 - ☐ Transfer is to a short-term trust not exceeding 12 years with Trustor holding the reversion.
 - ☐ Transfer is to a trust where the Trustor or the Trustor's spouse is the sole beneficiary.
 - ☐ This is a change of Trustee holding title.
 - ☐ Transfer is from Trust to Trustor or Trustor's spouse where prior transfer was excluded from reappraisal and for a valuable consideration, receipt of which is acknowledged.
 - ☐ Other _____

I/We, SUI T LEE & HELEN S LEE, Grantor(s),
hereby grant(s) to LEE FAMILY LIVING TRUST 11/6/2003
the following described real property in the City of SAN FRANCISCO, or unincorporated area of,
_____, County, State of California:

Assessor's Parcel No. 1044 1
X _____
DATE

SUI T LEE
X Sui T. Lee 10-19-05
AUTOGRAF
X HELEN S LEE 10-19-05
AUTOGRAF

Address 1 COLLIER ST

Wolcotts Forms, our resellers and agents make no representations or warranty, express or implied, as to the fitness of this form for any specific use or purpose. If you have any question, it is always best to consult a qualified attorney before using this or any legal document.



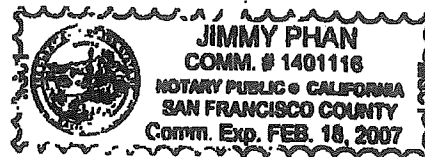
Individual

STATE OF California
COUNTY OF San Francisco } SS.

On this 19th day of October in the year 2005, before me,
Jimmy Phan, a Notary Public, duly
commissioned and qualified in above said County and State,
personally appeared Sui T Lee and Helen S. Lee.
☐ personally known to me or ☒ proved to me on this basis of
satisfactory evidence consisting of an identifying document or
☐ the oath of _____ to be the
person(s) whose name(s) is/are subscribed to the within instrument
and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s) or the entity upon
behalf of which the person(s) acted, executed the same.

WITNESS my hand and official seal.

Jimmy Phan
AUTOGRAF



(Seal)

Corporate or Partnership

STATE OF _____
COUNTY OF _____ } SS.

On this _____ day of _____ in the year _____, before me,
_____, a Notary Public, duly
commissioned and qualified in above said County and State,
personally appeared _____.
☐ personally known to me or ☐ proved to me on this basis of
satisfactory evidence consisting of an identifying document or
☐ the oath of _____ to be the
person(s) whose name(s) is/are subscribed to the within instrument
and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), as _____,
and that by his/her/their signature(s) on the instrument on behalf of
_____, a _____,
organized under the laws of _____,
executed the same.

WITNESS my hand and official seal.

AUTOGRAF

(Seal)

RECORDING REQUESTED BY

Attorney

RECORDED AT REQUEST C

ATTORNEY

1976 DEC 23 PM 3:49

SAN FRANCISCO, CALIF.

2056170

RECORDER

RECORDING FEE \$3.00

WHEN RECORDED MAIL TO

Sui T. Lee

1 Collins Street

San Francisco, Ca.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

(Escrow No.)

By this instrument dated December 21, 1976, for a valuable consideration,

SUI T. LEE and HELEN S. LEE, his wife

hereby GRANTS to SUI T. LEE and HELEN S. LEE, husband and wife, as their community property

The following described Real Property in the State of California, County of San FranciscoCity of San Francisco

All of Lot 1 and a portion of Lot 2, in Block 1044, according to that certain map entitled, "Map of Resubdivision of Part of Laurel Heights, San Francisco, Calif.", filed November 20, 1947, in Book "P" of Maps, Pages 62 to 66, in the Office of the Recorder of the City and County of San Francisco, State of California, described as a whole as follows:

Beginning at a point on the westerly line of Collins Street, at the southerly terminus of the curve with a radius of 15 feet which connects said line of Collins Street with the southerly line of Mayfair Drive; running thence southerly along said line of Collins Street 36.063; thence south 80° 54' west parallel with said southerly line of Mayfair Drive, 95.785 feet to the westerly line of said Lot 2; thence north 9° 06' west along the westerly line of said Lots 2 and 1, a distance

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor	
		Date					Grantee	Name
2005	I056749-00	10/21/2005	J001	0241	DEED		R	LEE HELEN S
							R	LEE SUI T
							E	LEE FAMILY LVG TR

City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:15

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.11 <u>Collins St</u>	<u>1044-002</u>	<u>Michael Thompson</u>	<u>[Signature]</u>
2. _____	_____	<u>Joanna Thompson</u>	<u>[Signature]</u>
3. _____	_____	<u>Michael Thomson</u>	<u>[Signature]</u>
4. _____	_____	<u>Joanna Thomson</u>	<u>[Signature]</u>
5. _____	_____	_____	_____
6. _____	_____	_____	_____
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21. _____	_____	_____	_____
22. _____	_____	_____	_____

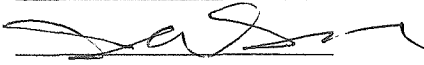
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BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:1

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>31 COLLINS ST.</u>	<u>1044-004</u>	<u>SCHAUMBERG REV.</u>	
2. _____	_____	<u>TRUST</u>	
3. _____	_____	<u>JOH ALLAN SCHAUMBERG</u>	
4. _____	_____	<u>KATHLEEN PIERCE SCHAUMBERG</u>	<u>Kathleen Pierce Schaumberg</u>
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
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21. _____	_____	_____	_____
22. _____	_____	_____	_____

RECORDING REQUESTED BY
Attorneys
APN: BLOCK 1044, LOT 4
WHEN RECORDED MAIL TO
Hilary L. Lamar, Esq.
Tobin & Tobin
500 Sansome Street, 8th Floor
San Francisco, CA 94111-3214

San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2008-1688607-00
Check Number 989
Tuesday, DEC 09, 2008 13:17:02
Ttl Pd \$13.00 Rcpt # 0003581518
REEL J783 IMAGE 0323
skc/KC/1-2

Space above this

Grant Deed

The undersigned grantor(s) declares(s):

Documentary transfer tax is \$-0- TRANSFER TO TRUST- NO CONSIDERATION PER REV & TAX \$11930

() computed on the full value of the property conveyed, or

() computed on full value less value of liens and encumbrances remaining at time of sale.

() Unincorporated area: (XX) City of: SAN FRANCISCO

(XX) Realty not sold.

FOR A VALUABLE CONSIDERATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED,

JON A. SCHAUMBERG and KATHLEEN P. SCHAUMBERG, husband and wife as community property
with rights of survivorship

HEREBY GRANT(S) TO

JON A. SCHAUMBERG and KATHLEEN P. SCHAUMBERG, or successors in Trust, as Trustees of the
SCHAUMBERG REVOCABLE TRUST dated November 21, 2008

Their interest in that property in the City and County of San Francisco, State of California, described as:
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Commonly known as 31 Collins Street San Francisco, California 94118

MAIL TAX STATEMENTS TO: Mr. and Mrs. Jon Schaumberg 31 Collins Street, San Francisco, CA 94118

State of California)
County of San Francisco)

On November 21, 2008 before me, Kimberly Goodhope,
Notary Public, personally appeared JON A. SCHAUMBERG
and KATHLEEN P. SCHAUMBERG, who proved to me on
the basis of satisfactory evidence to be the persons whose
names are subscribed to the within instrument and
acknowledged to me that they executed the same in their
authorized capacities, and that by their signatures on the
instrument the persons, or the entity upon behalf of which the
persons acted, executed the instrument.

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

Witness my hand and official seal

Kimberly Goodhope

2165

Jon A. Schaumberg
JON A. SCHAUMBERG

Kathleen P. Schaumberg
KATHLEEN P. SCHAUMBERG

Sss/schaumbergSFdeed

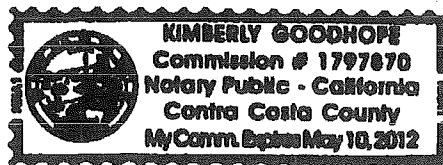


EXHIBIT "A"
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO , COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Commencing at a point on the westerly line of Collins Street distant thereon 130.77 feet southerly from the southerly terminus of the curve with a radius of 15 feet which connects said line of Collins Street with the southerly line of Mayfair Drive; running thence southerly along said line of Collins Street 47 feet; thence south $80^{\circ} 54'$ west 97.123 feet; thence at a right angle northerly 47 feet; thence at a right angle easterly 97.234 feet to the point of commencement.

Being part of Lots 4 and 5, In Block 1044, according to the Map of Resubdivison of part of Laurel Heights, San Francisco, Calif., filed November 20, 1947, in Liber P of Maps, Pages 62 to 66, inclusive, in the office of the Recorder of the City and County of San Francisco, State of California.

APN: Assessor's Lot 4, Block 1044.



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor		Name
		Date					Grantee		
2008	I688607-00	12/09/2008	J783	0323	DEED		R		SCHAUMBERG JON A
							R		SCHAUMBERG KATHLEEN P
							E		SCHAUMBERG JON A
							E		SCHAUMBERG KATHLEEN P
							E		SCHAUMBERG REVOCABLE TRUST



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission

Case No. 2015-014028CUA

2018 OCT -7 PM 3:15

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 12 Mansanito Ave.	1044-027	Michael Moore	Michael B. Moore
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
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22. _____	_____	_____	_____

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SAN FRANCISCO

City Planning Commission

Case No. 2015-0140286UA

2015 OCT -7 PM 3:15

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
2. <u>Manzanita Way</u>	<u>1044-028</u>	<u>Gary Namura</u> <u>Hirona Namura</u>	<u>[Signature]</u> <u>[Signature]</u>
3. _____	_____	_____	_____
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19. _____	_____	_____	_____
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21. _____	_____	_____	_____
22. _____	_____	_____	_____

MAIL TO: 2491 HILL VIEW LANE
PINOLE, CA 94564

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission

Case No. 2015-014028C

OCT -7 PM 3:15

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	1 MAYFAIR DRIVE	1045-001	LAWRENCE, ESTHER LAI TRS	
2.			Lawrence Lai	Lawrence Lai
3.			Esther Lai	Esther Lai
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San Francisco Assessor-Recorder
Doris M. Ward, Assessor-Recorder
DOC- 2002-H214686-00
Check Number 2848
Friday, AUG 02, 2002 10:40:18
Ttl Pd \$9.00 Nbr-0001912112
REEL I193 IMAGE 0316
of a/FT/1-1

RECORDING REQUESTED BY
and when recorded mail documents and
Tax Statements to:
Lawrence & Esther Lai
2491 Hill View Lane, Pinole, CA 94564

GRANT DEED

1-3 Mayfair Drive, SF, CA
APN: 08-1045-01

ORIGINAL

Documentary Transfer Tax \$ *** NONE *** Exempt - Transfer to Grantor Rev. Trust
City Transfer Tax: \$ *** NONE *** Exempt - Transfer to Grantor Rev. Trust
City of San Francisco, California APN: 08-1045; 1-3 Mayfair Drive, SF, Ca

 Signature of Declaring Agent

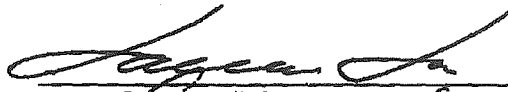
FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Lawrence Lai & Esther Lai,
hereby grant(s) to:

Lawrence Lai & Esther Lai, Trustees
2002 Lawrence Lai and Esther Lai Revocable Trust dated May 16, 2002

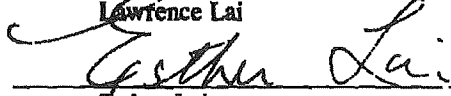
THE FOLLOWING DESCRIBED REAL PROPERTY in the City of San Francisco, San Francisco County, State
of California described as follows:

Lot 1, Block 1045, Map of Resubdivision of part of Laurel Heights, San Francisco, California,
filed November 20, 1947, in Map Book P. Page 62, City and County of San Francisco: APN: 08-
1045-01

DATED: June 15, 2002


Lawrence Lai

DATED: June 15, 2002


Esther Lai

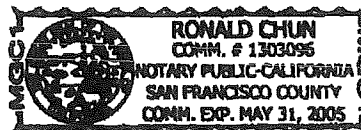
ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN FRANCISCO)

On June 15, 2002 before me, Ronald Chun, Notary Public, personally appeared,
LAWRENCE LAI and ESTHER LAI, personally known to me (or proved to me on the basis of satisfactory
evidence) to be the persons(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me
that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s)
on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS MY HAND AND OFFICIAL SEAL


Notary Public



MAIL TAX STATEMENTS AS DIRECTED ABOVE



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record						GrantoR			
Year	Document	Date	Reel	Image	Document Type	GranteE	Name				
2002	H214686-00	08/02/2002	I193	0316	DEED	R	LAI ESTHER				
						R	LAI LAWRENCE				
						E	LAI ESTHER				
						E	LAI LAWRENCE				
						E	LAWRENCE & ESTHER LAI REVOC TR 2002				



City Planning Commission
Case No. 2015-014028CUA

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:15

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>525 LAUREL ST.</u>	<u>1045-002</u>	<u>FRISBIE - WENNERGREN</u>	
2.			<u>F. Richard Frisbie</u>	<u>[Signature]</u>
3.			<u>Janet Wennergren Frisbie</u>	<u>[Signature]</u>
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RECORDING REQUESTED BY:

Old Republic Title Company

Order No.: 0221007645-LG

APN: 1045-002

When Recorded Mail Document and Tax Statements to:

21 F. Richard Frisbie & J. M. Wennergren Frisbie
525 Laurel Street
San Francisco, CA 94118

San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2011-J173303-00
Acct 4-OLD REPUBLIC Title Company
Friday, APR 29, 2011 08:00:00
Ttl Pd \$15,021.00 Rcpt # 0004135574
REEL K385 IMAGE 0021
OKC/KC/1-2

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

525 Laurel St.

Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$15,000.00

(X) computed on full value of property conveyed, or

() computed on full value less of liens and encumbrances remaining at time of sale.

() Unincorporated area:

(X) City of San Francisco

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Gregory Maged, Trustee of The Gregory Maged and Sharon Kedar 2004 Trust and Sharon Kedar, Trustee of The Gregory Maged and Sharon Kedar 2004 Trust

hereby GRANT(S) to

F. Richard Frisbie and Janet Wennergren Frisbie, Trustees of The Frisbie-Wennergren Family Trust U/A dtd. June 27, 2008

that property in City of San Francisco, San Francisco County, State of California, described as:

See "Exhibit A" attached hereto and made a part hereof.

Date: April 01, 2011

The Gregory Maged and Sharon Kedar 2004 Trust

By:

Gregory Maged, Trustee

The Gregory Maged and Sharon Kedar 2004 Trust

By:

Sharon Kedar, Trustee

State of CA

County of San Francisco

gfh J.M.

On 4th day of April, 2011 before me, Janette Marcelo, a Notary Public, personally appeared Gregory Maged & Sharon Kedar, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

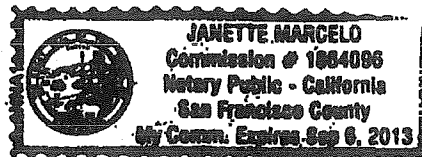
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Name

Janette Marcelo
(typed or printed)



(Area reserved for official notarial seal)

Grant Deed

MAIL TAX STATEMENTS AS DIRECTED ABOVE

EXHIBIT A

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

Beginning at a point on the Westerly line of Laurel Street distant thereon 314.660 feet Northerly from the Northerly terminus of the curve with a radius of 15 feet which connects said line of Laurel Street with the Northerly line of Euclid Avenue; running thence Northerly along said line of Laurel Street 47.015 feet; thence Southerly $80^{\circ} 54'$ West 95.496 feet; thence at a right angle Southerly 47 feet and thence at a right angle Easterly 96.677 feet to the point of beginning.

Being Lot 2 and a portion of Lot 3, in Block 1045, according to Map of Resubdivision of part of Laurel Heights, San Francisco, California, filed November 20, 1947, in Book "P" of Maps, at pages 62 to 66 inclusive, in the office of the Recorder of the City and County of San Francisco, State of California.

Assessor's Lot 002; Block 1045

Search Results

Document Details


		Record				Grantee		
Year	Document	Date	Reel	Image	Document Type	Grantee	Name	
2011	J173303-00	04/29/2011	K385	0021	DEED	R	GREGORY MAGED & SHARON KEDAR 2004 TR	
						R	KEDAR SHARON	
						R	MAGED GREGORY	
						E	FRISBIE F RICHARD	
						E	FRISBIE JANET WENNERGREN	
						E	FRISBIE-WENNERGREN FMLY TR	

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-01402800
2015 OCT -7 PM 3:15

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	535 LAUREL ST	1045-003	TINA KWOK TRT	
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Recording Requested by:

Fidelity National TITLE COMPANY

When Recorded Mail to:

TINA KWOK
30 DALTON ST., APT. #1908
BOSTON, MA 02115

20189K57557100004

San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC 2018-K575571-00

Acct 2005-Fidelity Title Company Concord

Tuesday, FEB 06, 2018 09:21:35

Ttl Pd \$23.00 Nbr-0005756920

o/jl/RE/1-4

Assessor Parcel Number (APN): Block 1045 Lot 003

Street Address: 535 LAUREL STREET

GRANT DEED

(Please fill in Document Title(s) above this line)

This document is exempt from the \$75 Building Homes and Jobs Act Fee (per Government Code §27388.1) because:

- ☐ Document is a transfer of real property subject to the imposition of transfer tax
- ☒ Document is a transfer of real property that is a residential dwelling to an owner-occupier
- ☐ Document is recorded in connection with an exempt transfer of real property (i.e., subject to transfer tax or owner-occupied). If not recorded concurrently, provide recording date and document number of related transfer document:
Recording date _____ Document Number _____
- ☐ The \$225 per transaction cap is reached
- ☐ Document is not related to real property

This page added to provide adequate space for recording information
(additional recording fee applies)

RECORDING REQUESTED BY:
Fidelity National Title Company

**When Recorded Mail Document
and Tax Statement To:**

Tina Kwok
30 Dalton St., Apt. #1908
Boston, MA 02115

Escrow Order No.: FSFM-0061800002

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Property Address: 535 Laurel Street,
San Francisco, CA 94118
APN/Parcel ID(s): Lot 003, Block 1045

GRANT DEED

The undersigned grantor(s) declare(s)

☒ This transfer is exempt from the documentary transfer tax.

**"This conveyance confirms a change of name, and the grantor and grantee are the same party, R
& T 11911."**

☒ The documentary transfer tax is \$ 0 and is computed on:

☐ the full value of the interest or property conveyed.

☐ the full value less the liens or encumbrances remaining thereon at the time of sale.

The property is located in ☒ the **City of San Francisco**.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Tina Kwok, Trustee of The Tina Kwok Intervivos Trust dated June 27, 2005, as amended and restated, who acquired title as Tina Y. Y. Kwok, Trustee of the Tina Kwok Intervivos Trust dated June 27th, 2005

hereby GRANT(S) to

Tina Kwok, Trustee of The Tina Kwok Intervivos Trust dated June 27, 2005, as amended and restated

the following described real property in the City of San Francisco, County of San Francisco, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

MAIL TAX STATEMENTS AS DIRECTED ABOVE

GRANT DEED

(continued)

APN/Parcel ID(s): Lot 003, Block 1045

Dated: January 29, 2018

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Tina Kwok, Trustee of The Tina Kwok Intervivos Trust dated June 27, 2005, as amended and restated

BY: *Tina Kwok*
Tina Kwok, Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of MA

County of Suffolk

On Jan 31 2018 before me, Michael J. Sullivan, Notary Public,
(here insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature

(Seal)

Michael J. Sullivan
My Com Exp 3/2/20


 MICHAEL J. O'SULLIVAN
Notary Public
Commonwealth of Massachusetts
My Commission Expires March 2, 2023

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): Lot 003, Block 1045

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF LAUREL STREET, DISTANT THEREON 267.655 FEET NORTHERLY FROM THE NORTHERLY TERMINUS OF THAT CURVE WITH A RADIUS OF 15 FEET WHICH CONNECTS SAID LINE OF LAUREL STREET WITH THE NORTHERLY LINE OF EUCLID AVENUE; RUNNING THENCE NORTHERLY ALONG SAID LINE OF LAUREL STREET 47.005 FEET; THENCE SOUTH 80° 54' WEST 96.677 FEET; THENCE AT A RIGHT ANGLE SOUTHERLY 47 FEET; THENCE AT A RIGHT ANGLE EASTERLY 97.303 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF LOTS 3 AND 4, BLOCK 1045, ACCORDING TO MAP OF RESUBDIVISION OF A PART OF LAUREL HEIGHTS, SAN FRANCISCO, CALIFORNIA, FILED NOVEMBER 20, 1947, IN BOOK "P" OF MAPS, PAGES 62 TO 66, INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA.

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	GrantoR		Name
		Date					GranteE		
2018	K575571-00	02/06/2018				DEED	R		KWOK TINA
							R		KWOK TINA Y Y
							R		TINA KWOK INTERVIVOS TRUST
							E		KWOK TINA
							E		TINA KWOK INTERVIVOS TRUST

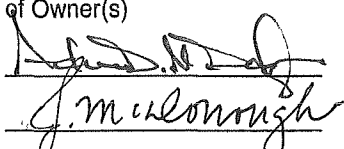
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission

Case No. 2015-014028CUA019 OCT -7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	545 LAUREL ST.	1045 004	LAW-MCDONOUGH REVOCABLE TRUST 2010	
2.				
3.			ADAM & JENNIFER MCDONOUGH, TRUSTEES	
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RECORDING REQUESTED BY
First American Title Company

**MAIL TAX STATEMENT
AND WHEN RECORDED MAIL DOCUMENT TO:**
Adam D. McDonough and Jennifer S. McDonough
545 Laurel Street
San Francisco, CA 94118

20179K55137800003
San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC 2017-K551378-00
Acct 6002-First American Title Co.- Redwood City
Wednesday, DEC 13, 2017 11:38:35
Ttl Pd \$24.00 Nbr-0005727158
ofa/RE/1-3

Space Above This Line for Recorder's Use Only

A.P.N.: Block 1045 - Lot 004

File No.: 3809-5565674 (MS)

545 Laurel St.

GRANT DEED

The Undersigned Grantor(s) declare(s): DOCUMENTARY TRANSFER TAX \$; CITY TRANSFER TAX \$;
SURVEY MONUMENT FEE \$

This conveyance transfers Grantor's interest into or out of his/her revocable trust and is EXEMPT from the imposition of the Documentary Transfer Tax pursuant to § 11930 of the Revenue and Taxation Code.

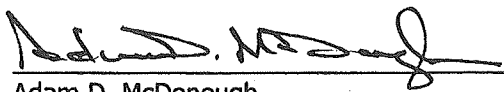
FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Adam D. McDonough and Jennifer S. McDonough, husband and wife as community property with right of survivorship

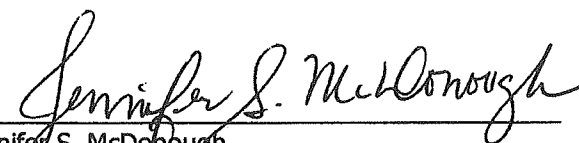
hereby GRANT(s) to **Adam D. McDonough and Jennifer S. McDonough, as Trustees of the 2010 Law-McDonough Revocable Trust dated June 7, 2010**

the following described property in the City of **San Francisco**, County of **San Francisco**, State of **California**:

See Exhibit A attached hereto for legal description.

Dated: December 04, 2017


Adam D. McDonough


Jennifer S. McDonough

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CA)SS
COUNTY OF SAN FRANCISCO)

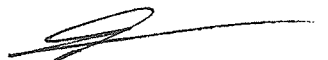
On DEC. 08, 2017, before me, Denny S. Wu, Notary Public, Notary
Public, personally appeared ADAM D. McDONOUGH & JENNIFER S. McDONOUGH

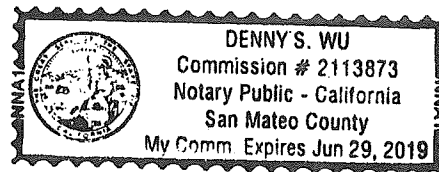
_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are
subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~
authorized capacity(ies), and that by ~~his~~ ~~her~~ ~~their~~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

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

WITNESS my hand and official seal.

This area for official notarial seal


Notary Signature



Situs Address: 545 Laurel Street, San Francisco, CA 94118

EXHIBIT A

BEGINNING AT A POINT ON THE WESTERLY LINE OF LAUREL STREET, DISTANT THEREON 220.655 FEET NORTHERLY FROM THE NORTHERLY TERMINUS OF THE CURVE WITH A RADIUS OF 15 FEET WHICH CONNECTS SAID LINE OF LAUREL STREET WITH THE NORTHERLY LINE OF EUCLID AVENUE; RUNNING THENCE NORTHERLY ALONG SAID LINE OF LAUREL STREET 47 FEET; THENCE SOUTH 80° 54' WEST 97.303 FEET; THENCE AT A RIGHT ANGLE SOUTHERLY 47 FEET; AND THENCE AT A RIGHT ANGLE EASTERLY 97.372 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF LOTS 4 AND 5 IN BLOCK 1045, ACCORDING TO THE MAP OF RESUBDIVISION OF A PART OF LAUREL HEIGHTS, SAN FRANCISCO, CALIFORNIA, FILED NOVEMBER 20, 1947, IN BOOK "P" OF MAPS, AT PAGES 62 TO 66 INCLUSIVE, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA.



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record				Grantor	
Year	Document	Date	Reel	Image	Document Type	Grantee	Name
2017	K551378-00	12/13/2017			DEED	R	MCDONOUGH ADAM D
						R	MCDONOUGH JENNIFER S
						E	LAW-MCDONOUGH REVOC TRUST 2010
						E	MCDONOUGH ADAM D
						E	MCDONOUGH JENNIFER S



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	565 LAUREL ST	1045 DG	TREVOR LUM	Trevor Lum
2.			KIMBERLY RUTTA LUM	
3.			THOMAS GRANGE LUM	Thomas D. Lum
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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

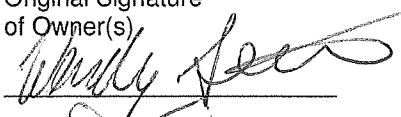

City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:16

BY BL

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	575 LAURELS	1045-07	WENDY STOVELL	
2.			JANCO STOVELL	
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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA

BY [Signature]

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	585 LAUREL ST.	1045-008	LINDA GLICK	[Signature]
2.	585 LAUREL ST.	1045-008	STEPHEN COHEN	[Signature]
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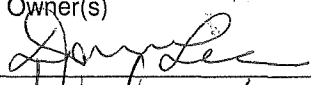
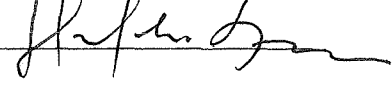
City Planning Commission

Case No. 2015-014028

OCT -7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	200 Euclid Ave	1045-209	DONNA LEE	
2.			ITGLAN LEE	
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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-01402800A

2015 OCT -7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>242 ENCLID AVE</u>	<u>1045-012</u>	<u>LOUISE CHEN TRS</u>	<u>Louise Cheng</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
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18.	_____	_____	_____	_____
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20.	_____	_____	_____	_____
21.	_____	_____	_____	_____
22.	_____	_____	_____	_____

RECORDING REQUESTED BY AND MAIL TO

NAME MS. LOUISE KA-YIU CHENG
STREET 950 STOCKTON STREET, SUITE 208
CITY SAN FRANCISCO
STATE CA 94108

San Francisco Co Assessor-Recorder
Doris M. Ward, Assessor-Recorder

DOC - 98-G327291-00
Monday, MAR 30, 1998 11:24:12
REC \$5.00/PAG \$1.00/MIC \$1.00
STP \$0.00/ARF \$2.00/
Ttl Pd \$9.00 Nbr-0000895050
REEL H100 IMAGE 0234 oed/ER/1-1

GRANT DEED

(deed to or by a trustee not pursuant to a sale)

LOUISE KA-YIU CHENG, AN UNMARRIED WOMAN

grantors

the undersigned grantor(s), for a valuable consideration,
receipt of which is hereby acknowledged, do hereby remise,
release and forever quitclaim to

TRANSFER TITLE TO LIVING TRUST

DOCUMENTARY TRANSFER TAX
AMERICAN TRUST INSTITUTION
Signature of Declarant or Agent determining tax.

LOUISE KA-YIU CHENG AS TRUSTEE OF THE LOUISE KA-YIU CHENG REVOCABLE TRUST, DATED 1/23/98

the following described real property in the City of SAN FRANCISCO
County of SAN FRANCISCO State of California:

LOT 12, BLOCK 1045, ACCORDING TO MAP ENTITLED, "MAP OF RESUBDIVISION OF PART OF LAUREL
GILGHTS, SAN FRANCISCO, CALIFORNIA", FILED NOVEMBER 20, 1947, IN BOOK "P" OF MAPS, PAGES
62 TO 66, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE
OF CALIFORNIA.

Assessor's parcel No LOT 12, BLOCK 1045

Executed on 1/23/1998, at San Francisco

Louise Ka-yiu Cheng
LOUISE KA-YIU CHENG

STATE OF CALIFORNIA)
COUNTY OF San Francisco) ss.

On 1/23/98 before me,
Kouey Pan personally
appeared LOUISE KA-YIU CHENG

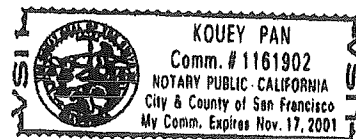
personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the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

WITNESS my hand and official seal.

Signature

Kouey Pan

For notary seal or stamp



MAIL TAX STATEMENTS TO "SAME AS ABOVE"



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record Date	Reel	Image	Document Type	GrantoR GranteE	Name
2012	J366348-00	03/05/2012	K596	0574	DEED	R E	JEW EDWARD CHENG LOUISE K





Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record				Grantor	
Year	Document	Date	Reel	Image	Document Type	Grantee	Name
1998	G327291-00	03/30/1998	H100	0234	DEED	R	CHENG LOUISE KA-YIU
						E	
						E	LOUISE KA-YIU CHENG REVOC TRUST



City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:16

BY

BA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>48 COLLINS ST.</u>	<u>1045-018</u>	<u>SHIM - PARK TRS</u>	<u><i>[Signature]</i></u>
2.	<u>50 Collins St.</u>	<u></u>	<u>SHIM - Park Trust</u>	<u><i>[Signature]</i></u>
3.	<u></u>	<u></u>	<u></u>	<u></u>
4.	<u></u>	<u></u>	<u></u>	<u></u>
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21.	<u></u>	<u></u>	<u></u>	<u></u>
22.	<u></u>	<u></u>	<u></u>	<u></u>

20199K81570600004

San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC 2019-K815706-00

Acct 2005-Fidelity Title Company Concord

Thursday, AUG 15, 2019 09:03:36

Ttl Pd \$23.00 Nbr-0006054675

okc/RE/1-4

RECORDING REQUESTED BY:

Fidelity National Title Company

Escrow Order No.: FSFM-0061900765

When Recorded Mail Document and Tax

Statement To:

Allen S. Shim and Michelle J. Park, as Trustees
of The Shim-Park Family Revocable Trust dated
August 19, 2016

50 Collins Street

San Francisco, CA 94118

Property Address: 48-50 Collins Street, San
Francisco, CA 94118

APN/Parcel ID(s): Lot 018, Block 1045

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Exempt from fee per GC 27388.1 (a) (2); recorded in connection with a transfer of real
property that is a residential dwelling to an owner-occupier.

Grant Deed

This document is exempt from the \$75 Building Homes and Jobs Act Fee (Per Government Code GC §27388.1)
because:

Reason for exemption:

☐ Document is a transfer of real property subject to the imposition of transfer tax

☒ Document is a transfer of real property that is a residential dwelling to an owner-occupier

☐ Document is recorded in connection with an exempt transfer of real property (i.e, subject to
transfer tax or owner-occupied). If not recorded concurrently, provide recording date and
document number of related transfer document:

Recording date _____ Document Number _____

☐ The \$225.00 per transaction cap is reached.

☐ Document is not related to real property.

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(Additional recording fee applies)

RECORDING REQUESTED BY:
Fidelity National Title Company

**When Recorded Mail Document
and Tax Statement To:**
Allen S. Shim and Michelle J. Park, as Trustees
of The Shim-Park Family Revocable Trust
dated August 19, 2016
50 Collins Street
San Francisco, CA 94118

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Escrow Order No.: FSFM-0061900765

Exempt from fee per GC 27388.1 (a) (2); recorded in connection with a transfer of real
property that is a residential dwelling to an owner-occupier.

Property Address: 48-50 Collins Street,
San Francisco, CA 94118
APN/Parcel ID(s): Lot 018, Block 1045

GRANT DEED

The undersigned grantor(s) declare(s)

- ☒ This transfer is exempt from the documentary transfer tax.
"This conveyance confirms a change of name, and the grantor and grantee are the same party, R
& T 11911."
- ☒ The documentary transfer tax is \$ 0 and is computed on:
- ☐ the full value of the interest or property conveyed.
 - ☐ the full value less the liens or encumbrances remaining thereon at the time of sale.
- The property is located in ☒ the **City of San Francisco**.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Allen S. Shim and Michelle J. Park, as Trustees of The Shim-Park Family Revocable Trust dated August 19, 2016, who acquired title as Allen Shim and Michelle Park as Trustees of Shim-Park Revocable trust date 08/19/2016

hereby GRANT(S) to Allen S. Shim and Michelle J. Park, as Trustees of The Shim-Park Family Revocable Trust dated August 19, 2016

the following described real property in the City of San Francisco, County of San Francisco, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

MAIL TAX STATEMENTS AS DIRECTED ABOVE

GRANT DEED
(continued)

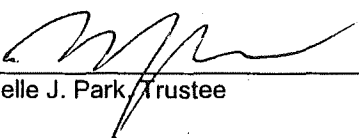
APN/Parcel ID(s): Lot 018, Block 1045

Dated: August 7, 2019

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Allen S. Shim and Michelle J. Park, as Trustees of The Shim-Park Family Revocable Trust dated August 19, 2016

BY: 
Allen S. Shim, Trustee

BY: 
Michelle J. Park, Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.


State of California
County of San Francisco

On 09 AUG 2019 before me, Tina Tan, Notary Public,
(here insert name and title of the officer)

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

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

WITNESS my hand and official seal.


Signature

(Seal)



EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): Lot 018, Block 1045

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT NO. 18, IN BLOCK 1045 AS SAID LOT AND BLOCK ARE DELINEATED AND SO DESIGNATED UPON THAT CERTAIN MAP ENTITLED "MAP OF RESUBDIVISION OF PART OF LAUREL HEIGHTS, SAN FRANCISCO, CALIFORNIA", FILED NOVEMBER 20, 1947, IN LIBER "P" OF MAPS, AT PAGES 62 TO 66 INCLUSIVE, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA.

Enrolled

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
24 COLLINS ST.	1045-21	KELLY FAMILY TRUST	Shirley (TRUSTEE) Dag (TRUSTEE)
2. _____	_____	_____	3406 Clay St
3. _____	_____	_____	SF CA 94118
4. _____	_____	_____	WE OBJECT!
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
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18. _____	_____	_____	_____
19. _____	_____	_____	_____
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21. _____	_____	_____	_____
22. _____	_____	_____	_____

Please correct any discrepancies
Max Dick

RECORDING REQUESTED BY:
Fidelity National Title Company
Order No.: FSFM-2021500126

When Recorded Mail Document To:
Michael A. Kelly and Patricia Lynn Kelly
3406 Clay Street
San Francisco, CA 94118

20159K03716100003
San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC 2015-K037161-00
Acct 6003-Fidelity National Title - San Francisco
Friday, MAR 20, 2015 11:21:47
Ttl Pd \$24.00 Nbr-0005121577
odm/RE/1-3

Property Address: 24-26 Collins Street,
San Francisco, CA 94118
APN/Parcel ID(s): Lot 021, Block 1045

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s)

☒ This transfer is exempt from the documentary transfer tax.
"This conveyance confirms a change of name, and the grantor and grantee are the same party, R
& T 11911."

☐ The documentary transfer tax is \$ 0 and is computed on:
☐ the full value of the interest or property conveyed.
☐ the full value less the liens or encumbrances remaining thereon at the time of sale.

The property is located in ☒ the City of San Francisco.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Michael A. Kelly and Patricia Lynn Kelly, Trustees of The Kelly Family Trust of 2011 dated March 4, 2011, who acquired title as Michael A. Kelly and Patricia Lynn Kelly, as Trustees of the Kelly Family Trust of 2011

hereby GRANT(S) to Michael A. Kelly and Patricia Lynn Kelly, Trustees of The Kelly Family Trust of 2011 dated March 4, 2011

the following described real property in the City of San Francisco, County of San Francisco, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

MAIL TAX STATEMENTS AS DIRECTED ABOVE

GRANT DEED
(continued)

APN/Parcel ID(s): Lot 021, Block 1045

Dated: March 16, 2015

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

The Kelly Family Trust of 2011 dated March 4, 2011

BY: _____

Michael A. Kelly
Trustee

BY: _____

Patricia Lynn Kelly
Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Francisco

On March 20, 2015 before me, Connie Ho, Notary Public (here insert name and title of the officer), personally appeared Michael A. Kelly and Patricia Lynn Kelly, ~~Trustees of The Kelly Family Trust of 2011 dated March 4, 2011~~, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature _____

(Seal)



EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): Lot 021, Block 1045

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT NO. 21, IN BLOCK NO. 1045, ACCORDING TO THAT CERTAIN MAP ENTITLED, "MAP OF RESUBDIVISION OF PART OF LAUREL HEIGHTS, SAN FRANCISCO, CALIFORNIA", FILED NOVEMBER 20, 1947, IN BOOK "P" OF MAPS, AT PAGES 62-66, INCLUSIVE, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA

2013 OCT -7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>32 Collins St</u>	<u>1045032</u>	<u>DEAN HOWE</u>	<u>Dean Howe</u>
2.	<u>32 Collins St</u>	<u>1045032</u>	<u>BEVERLY DAY</u>	<u>Beverly Day</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
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18.	_____	_____	_____	_____
19.	_____	_____	_____	_____
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21.	_____	_____	_____	_____
22.	_____	_____	_____	_____

2019 OCT -7 PM 3:16

City Planning Commission
Case No. 2015-014028CUA

BA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>42 Collins St.</u>	<u>1045-37</u>	<u>Lin Lan Family Tr</u>	<u><i>[Signature]</i> (ELTON LIN)</u>
2.				
3.				<u><i>[Signature]</i> (LISA LAN)</u>
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RECORDING REQUESTED BY:
BAY WEALTH LEGAL GROUP LLP

WHEN RECORDED MAIL TO:
BAY WEALTH LEGAL GROUP LLP
Quynh T. Tran, Esq.
909 Laurel Street
San Carlos, CA 94070

San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2018-K674868-00
Check Number 2615
Thursday, SEP 20, 2018 07:57:06
Ttl Pd \$20.00 Rcpt # 0005879035
OYY/YY/1-3

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

Elton Lin, Trustee
Lisa Lan, Trustee
42 Collins Street
San Francisco, CA 94118

The undersigned Grantors declare:

DOCUMENTARY TRANSFER TAX is \$ -0-

NO CONSIDERATION: This conveyance is to a revocable inter vivos trust for the benefit of the Grantors, which is not pursuant to a sale and is therefore exempt. R&T Code § 11930.

APN: Block 1045, Lot 037

OWNER OCCUPIED This document is exempt from the \$75 Building Homes and Jobs Act Fee (per Government Code §27388.1) because: Document is a transfer of real property that is a residential dwelling to an owner-occupier.

TRUST TRANSFER DEED

This is a Trust Transfer under section 62 of the Revenue and Taxation Code and Grantors are entitled to the following applicable exclusions:

- Transfer to a revocable trust;
- Transfer to a trust where the trustor or trustor's spouse is the sole beneficiary.

GRANTORS: LISA LAN and ELTON LIN, wife and husband as community property with right of survivorship,


hereby **GRANT to:** ELTON LIN and LISA LAN, as Trustees of the LIN LAN FAMILY TRUST dated August 22, 2018,

the following described real property in the City and County of San Francisco, State of California:

SEE ATTACHED EXHIBIT "A" FOR COMPLETE LEGAL DESCRIPTION

Commonly known as: 42 Collins Street, San Francisco, California

Dated: August 22, 2018



LISA LAN



ELTON LIN

MAIL TAX STATEMENTS AS DIRECTED ABOVE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN MATEO)

On August 22, 2018, before me, Quynh T. Tran, a Notary Public, personally appeared ELTON LIN and LISA LAN, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature  (SEAL)

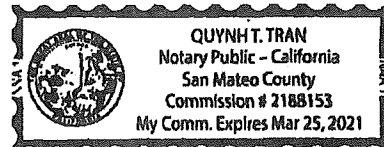


EXHIBIT A

LEGAL DESCRIPTION

For APN/Parcel ID(s): Lot 037, Block 1045

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL I:

CONDOMINIUM UNIT 42, LOT 37, AS SHOWN ON THE CONDOMINIUM MAP ENTITLED "40-42 COLLINS STREET, A RESIDENTIAL CONDOMINIUM PROJECT", (REFERRED TO HEREIN AS "THE MAP") WHICH WAS FILED FOR RECORD ON JANUARY 20, 2004 IN CONDOMINIUM MAP BOOK 84, AT PAGES 171 THROUGH 174, INCLUSIVE, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND AS AMENDED AND FURTHER DEFINED IN THE FIRST AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR 40-42 COLLINS STREET AND AMENDMENT OF CONDOMINIUM PLAN RECORDED NOVEMBER 13, 2014 IN DOCUMENT 2014-J971214-00 IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE DECLARATION").

EXCEPTING THEREFROM ANY PORTION OF THE COMMON AREA LYING WITHIN SAID UNIT.

ALSO EXCEPTING THEREFROM:

(A) EASEMENTS THROUGH SAID UNIT, APPURTENANT TO THE COMMON AREA AND ALL OTHER UNITS, FOR SUPPORT AND REPAIR OF THE COMMON AREA AND ALL OTHER UNITS.

(B) EASEMENTS, APPURTENANT TO THE COMMON AREA FOR ENCROACHMENT UPON THE AIR SPACE OF THE UNIT BY THOSE PORTIONS OF THE COMMON AREA LOCATED WITHIN THE UNIT.

PARCEL II:

AN UNDIVIDED 50% INTEREST IN AND TO THE COMMON AREA AS SHOWN AND DEFINED ON THE DECLARATION, EXCEPTING THEREFROM THE FOLLOWING:

(A) EXCLUSIVE EASEMENTS, OTHER THAN PARCEL III, AS SHOWN ON THE MAP AND RESERVED FOR USE TO UNITS IN THE DECLARATION.

(B) NON-EXCLUSIVE EASEMENTS APPURTENANT TO ALL UNITS FOR INGRESS AND EGRESS, SUPPORT, REPAIR AND MAINTENANCE.

PARCEL III:

(A) THE EXCLUSIVE EASEMENT TO USE THE STORAGE AREA DESIGNATED S-1 ON THE MAP.

(B) THE EXCLUSIVE EASEMENT TO USE THE EXCLUSIVE USE COMMON AREAS EUCA-42-A, EUCA-42-B, AND EUCA-42-C ON THE MAP.

(C) THE EXCLUSIVE EASEMENT TO USE THE PARKING AREA DESIGNATED P-1 ON THE MAP.

PARCEL IV:

A NON-EXCLUSIVE EASEMENT APPURTENANT TO PARCEL I ABOVE FOR SUPPORT, REPAIR AND MAINTENANCE, AND FOR INGRESS AND EGRESS THROUGH THE COMMON AREA IN ACCORDANCE WITH CALIFORNIA CIVIL CODE SECTION 4505.

PARCEL V:

ENCROACHMENT EASEMENTS APPURTENANT TO THE UNIT IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION.



[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	GrantoR	
		Date					GranteE	Name
2018	K674868-00	09/20/2018				DEED	R	LAN LISA
							R	LIN ELTON
							E	LAN LISA
							E	LIN ELTON
							E	LIN LAN FAMILY TRUST



RECEIVED
BOARD OF SUPERVISOR
SAN FRANCISCO

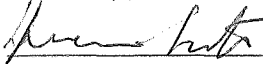
City Planning Commission

Case No. 2015-014028CUA

2019 OCT -7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	650 Presidio #101	1046-039	LUCIANO S Di Vettimo	
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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA-7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.


	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	63 Lupine Ave.	1057 002	Catherine Magee	Catherine Magee
2.			Paul Magee	Paul Magee
3.	None			
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2013 OCT -7 PM 3:16

City Planning Commission
Case No. 2015-014028CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	65 Lupine Ave	1057-003	Nancy Yee	
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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:16

City Planning Commission
Case No. 2015-014028CUA ⁰⁷

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>77 Lupine</u>	<u>1051, Lot 4</u>	<u>Tane O. Chan</u>	<u>Tane O. Chan</u>
2.	<u>67-71 Lupine</u>	<u>1051, Lot 5</u>	<u>Tane O. Chan</u>	<u>Tane O. Chan</u>
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RECORDING REQUESTED BY:

Old Republic Title Company

Order No.: 0224018982-JP

APN: Lot 4; Block 1057

When Recorded Mail Document and Tax Statements to:

Tane Ong Chan & Mark Joey Chan
77 Lupine Street
San Francisco, CA 94118



San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2010-J003553-00

Recd 4-OLD REPUBLIC Title Company

Monday, JUL 26, 2010 08:00:00

Ttl Pd \$14.00 Rcpt # 0003944067

REEL K193 IMAGE 0001

ots/TD/1-2

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

Grant Deed

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$0.00

(X) computed on full value of property conveyed, or

() computed on full value less of liens and encumbrances remaining at time of sale.

() Unincorporated area: (X) City of San Francisco


FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Tane Ong Chan, a widow

hereby GRANT(S) to

Tane Ong Chan, Trustee of The 2004 Tane Ong Chan Trust

that property in City of San Francisco, San Francisco County, State of California, described as:
See "Exhibit A" attached hereto and made a part hereof.

Date: July 15, 2010


Tane Ong Chan

State of California

County of San Francisco


On 7/16/10 before me, Jill Penrod, a
Notary Public, personally appeared Tane Ong Chan, who proved to me on the basis of satisfactory evidence to be the person(s)
whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

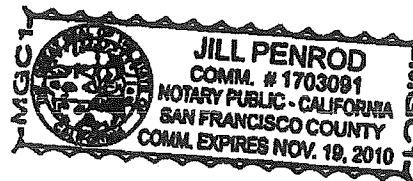
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Name


Jill Penrod
(typed or printed)



(Area reserved for official notarial seal)

EXHIBIT A

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

Lot 4, Block 1057, according to Map entitled, "Map of Re-subdivision of part of Laurel Heights, San Francisco, California", filed in the office of the Recorder of the City and County of San Francisco, State of California, November 20, 1947 and recorded in Map Book "P" at Pages 62 to 66 inclusive.

Assessor's Lot 004; Block 1057

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor	
		Date					Grantee	Name
2010	J003553-00	07/26/2010	K193	0001	DEED		R	CHAN TANE ONG
							E	
							E	TANE ONG CHAN TRUST 2004

P.O. Box 507, SAN Geronimo, CA 94068

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BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:16

BY BJ

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	600 Laurel	1057-13	Bernard Family Trust	Julie Bernard
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Same.
No copy of
Trust
Just delivered

soory - we will be out of town 2218/21

57 of 69

14960 Karl Avenue, Monte Sereno

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:16

City Planning Commission
Case No. 2015-014028CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	33 Lupine Ave	1057-015	Christopher S. Fowler	
2.			1994 Revoc I-V TR	
3.			Christopher S. Fowler	Christopher S. Fowler
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RECORDING REQUESTED BY
Cornerstone Title Company

AND WHEN RECORDED MAIL DOCUMENT TO:
The Christopher S. Fowler 1994 Revocable Inter-Vivos Trust
14960 Karl Avenue
Monte Sereno, CA 95030

20169K34161700003
San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC 2016-K341617-00
Acct 6001-Cornerstone Title Company
Wednesday, OCT 12, 2016 11:46:25
Ttl Pd \$24.00 Nbr-0005474748
oar/RE/1-3

Space Above This Line for Recorder's Use Only

A.P.N.: 1057-015

File No.: CU-6161 (SS)

33 Lupine Avenue

GRANT DEED

The Undersigned Grantor(s) declare(s): DOCUMENTARY TRANSFER TAX \$0.00 ; CITY TRANSFER TAX \$0.00 SURVEY MONUMENT FEE \$0.00

This conveyance transfers Grantor's interest into or out of his/her revocable trust and is EXEMPT from the imposition of the Documentary Transfer Tax pursuant to § 11930 of the Revenue and Taxation Code. This Deed is being recorded to add the word 'Revocable' to the owners vesting

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

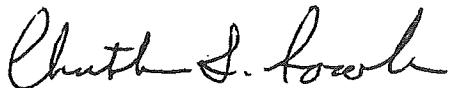
Christopher S. Fowler, Trustee of the Christopher S. Fowler 1994 Revocable Inter-Vivos Trust who acquired title as Christopher S. Fowler, Trustee of the Christopher S. Fowler 1994 Inter-Vivos Trust

hereby GRANT(s) to Christopher S Fowler, Trustee of The Christopher S. Fowler 1994 Revocable Inter-Vivos Trust

the following described property in the City of San Francisco, County of **San Francisco**, State of **CA**:

See Exhibit A attached hereto for legal description.

Dated: October 6, 2016



Christopher S Fowler, Trustee

Mail Tax Statements To: SAME AS ABOVE

A notary public or other officer completing this certificate verifies only the identity of the individual who signs the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

STATE OF California)
COUNTY OF Santa Clara)

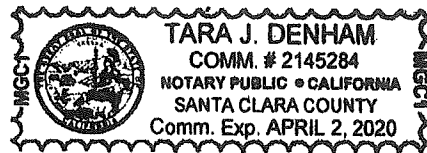
On October 7, 2016, before
me, Tara J. Denham, Notary Public, personally
appeared Christopher S. Fowler -

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

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

WITNESS my hand and official seal.

Signature



My Commission Expires: 4-2-2020

This area for official notarial seal

Notary Name: Tara J. Denham

Notary Phone: (408) 858-7151

Notary Registration Number: 2145284

County of Principal Place of Business: Santa Clara

Exhibit A

LEGAL DESCRIPTION

All of the following real property, situated in CITY OF SAN FRANCISCO, County of SAN FRANCISCO State of California, described as follows:

LOT 15, IN BLOCK 1057, ACCORDING TO MAP ENTITLED, "MAP OF RESUBDIVISION OF PART OF LAUREL HEIGHTS, SAN FRANCISCO, CALIFORNIA", FILED NOVEMBER 20, 1947, IN BOOK "P" OF MAPS, AT PAGES 62 TO 66, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA.

APN: 1057-015



[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record				Grantor	
Year	Document	Date	Reel	Image	Document Type	Grantee	Name
2016	K341617-00	10/12/2016			DEED	R	CHRISTOPHER S FOWLER 1994 INTER-VIVOS TR
						R	FOWLER CHRISTOPHER S
						E	CHRISTOPHER S FOWLER REV INTER-VIVOS TR
						E	FOWLER CHRISTOPHER S



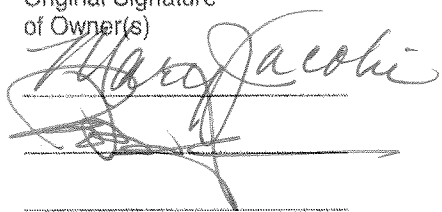
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	41 Lupine	1057-017	Jacobi Children	
2.	43 Lupine		Trust	
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Please correct any discrepancies
2224
Dale Frisbie

59 of 69

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

NICOLE R. WEBB
COOLEY LLP
101 California Street, 5th Floor
San Francisco, California 94111-5800

San Francisco Assessor-Recorder
D. Hoa Nguyen, Acting Assessor-Recorder
DOC- 2013-J604683-00
Check Number 0277
Wednesday, FEB 20, 2013 11:45:35
Ttl Pd \$26.00 Rcpt # 0004621849
REEL K837 IMAGE 0340
oar/MA/1-4

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned declares under penalty of perjury: Documentary Transfer Tax is -0-. TRANSFER IS A BONAFIDE GIFT AND THE GRANTORS RECEIVED NOTHING IN RETURN. R & T 11930.
Signature of Declarant: 

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, PETER A. JACOBI and MARY LOUISE JACOBI, Trustees of the PETER A. JACOBI AND MARY LOUISE JACOBI LIVING TRUST AGREEMENT dated October 19, 1999, as community property, fbo PETER A. JACOBI ("Grantors"),

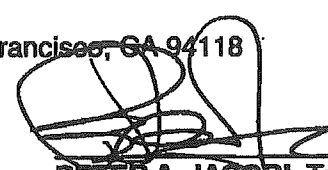
hereby GRANT to: PETER A. JACOBI and MARY LOUISE JACOBI, Co-Trustees of THE JACOBI 2012 IRREVOCABLE CHILDREN'S TRUST w/a/d 12/14/2012 ("Grantee"),


an undivided 25% interest in that certain real property located in the City and County of San Francisco, State of California, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Commonly known as: 41 Lupine Avenue, San Francisco, CA 94118
A.P.N.: Block 1057, Lot 17

Date: December 14, 2012


PETER A. JACOBI, Trustee of the PETER A. JACOBI AND MARY LOUISE JACOBI LIVING TRUST AGREEMENT dated October 19, 1999


MARY LOUISE JACOBI, Trustee of the PETER A. JACOBI AND MARY LOUISE JACOBI LIVING TRUST AGREEMENT dated October 19, 1999

MAIL TAX STATEMENTS TO:
Peter and Mary Louise Jacobi, Trustees
11 Via Vandyke
Mill Valley, CA 94941

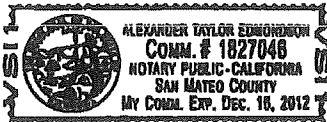
STATE OF CALIFORNIA

COUNTY OF San Francisco

ss.

On December 14, 2012, before me, Alexander Taylor Edmondson, a Notary Public, personally appeared **PETER A. JACOBI**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

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



Witness my hand and official seal.

Alexander Taylor Edmondson
Signature of the Notary

CAPACITY CLAIMED BY SIGNER
Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ Individual
☐ Corporate Officer(s)
☐ Partner(s) ☐ Limited
☐ General
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other: _____

SIGNER IS REPRESENTING:
Name of person(s) or entity(ies)

This certificate must be attached to the document described at right:

Title or Type of Document: _____

Number of Pages: _____

Date of Document: _____

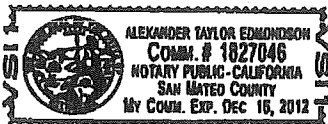
Signer other than named above: _____

SS.

On December 14, 2012, before me, Alexander Taylor Edmundson, a Notary

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

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



Witness my hand and official seal.


Signature of the Notary

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ Individual
☐ Corporate Officer(s)

☐ Partner(s) ☐ Limited
 ☐ General
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other: _____

SIGNER IS REPRESENTING:

Name of person(s) or entity(ies)

This certificate must be attached to the document described at right:

Title or Type of Document: _____

Number of Pages: _____

Date of Document: _____

Signer other than named above: _____

EXHIBIT A

Lot No. 17, in Block No. 1057, according to map entitled "Map of Resubdivision of Laurel Heights, San Francisco, California" filed November 20, 1947, in Book "P" of Maps, pages 52 to 66 inclusive, in the office of the Recorder of the City and County of San Francisco, State of California.

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor		Name
		Date					Grantee		
2013	J604683-00	02/20/2013	K837	0340	DEED		R		JACOBI MARY LOUISE
							R		JACOBI PETER A
							R		PETER A & MARY L JACOBI LVG TR
							E		JACOBI 2012 IRREVOC CHLDN'S TR
							E		JACOBI MARY LOUISE
							E		JACOBI PETER A



2770 Lyon Street, San Francisco, CA 94123

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BOARD OF SUPERVISORS
SAN FRANCISCO
2019 OCT -7 PM 3:16

City Planning Commission
Case No. 2015-014028CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	45-47 Lupine Ave	1057-018	Donati Investments	
2.			Donati	
3.			Donati	
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2019 OCT -7 PM 3:16

City Planning Commission
Case No. 2015-014028CUA

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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>49-57 Larpine Ave</u>	<u>1057-019</u>	<u>Pun Kin-Kee</u>	<u>Pun Kin-Kee</u>
2. _____	_____	<u>Lao Veronica M</u>	<u>Veronica M</u>
3. _____	_____	_____	_____
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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:16

City Planning Commission
Case No. 2015-014028CUA

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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	53-55 Lupine Ave	1057-020	Young TRS	
2.			Lee Paul	Paul Lee
3.			Eun Young	Eun Young
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Recording Requested by:
North American Title

When Recorded Mail to:
Paul Lee and Eunyoung Lee
1600 Post Street
San Francisco, CA 94115

20199K74178600003
San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC 2019-K741786-00
Acct 2084-North American Title - UT
Tuesday, MAR 12, 2019 09:32:14
Ttl Pd\$17,280.00 Nbr-0005965472
oar/RE/1-3

Assessor Parcel Number (APN): Block 1057 Lot 020

Street Address: 53-55 Lupine Ave, SF, CA 94118

GRANT DEED

(Please fill in Document Title(s) above this line)

This document is exempt from the \$75 Building Homes and Jobs Act Fee (per Government Code §27388.1) because:

- ☒ Document is a transfer of real property subject to the imposition of transfer tax
- ☐ Document is a transfer of real property that is a residential dwelling to an owner-occupier
- ☐ Document is recorded in connection with an exempt transfer of real property (i.e., subject to transfer tax or owner-occupied). If not recorded concurrently, provide recording date and document number of related transfer document:
Recording date _____ Document Number _____
- ☐ The \$225 per transaction cap is reached
- ☐ Document is not related to real property

This page added to provide adequate space for recording information
(additional recording fee applies)

RECORDING REQUESTED BY
North American Title Company, Inc.

AND WHEN RECORDED MAIL TO:
Name: **Paul Lee and Eunyoung Lee**
Address: **53-55 Lupine Avenue**
City, State, Zip: **San Francisco, CA 94118**

Space Above This Line for Recorder's Use Only

Property Address: **53-55 Lupine Avenue, San Francisco, CA 94118**
Lot Number: Block Number: **APN: BLK: 1057 LOT: 020**

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$**17,250.00** ; CITY TRANSFER TAX \$_____;

- [☒] computed on the consideration or full value of property conveyed, OR
[] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[] unincorporated area; [☒] City of San Francisco, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **Douglas Young, Successor Trustee of the Young Marital Trust dated March 18, 1991**

hereby GRANTS to **Paul Lee and Eunyoung Lee, husband and wife as community property with right of survivorship**

the following described property in the City of **San Francisco**, County of **San Francisco**, State of **California**:

ALL OF LOT NO. 20, IN BLOCK NO. 1057, AS SAID LOT AND BLOCK ARE DELINEATED AND SO DESIGNATED ON THAT CERTAIN MAP ENTITLED "MAP OF RESUBDIVISION OF LAUREL HEIGHTS, SAN FRANCISCO, CALIFORNIA," FILED NOVEMBER 20, 1947, IN BOOK "P" OF MAPS AT PAGES 62 TO 66 INCLUSIVE, IN THE OFFICE OF THE RECORDER OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA.

Dated: March 05, 2019

Douglas Young, Successor Trustee of the Young
Marital Trust dated March 18, 1991

Douglas Young
Douglas Young, Successor Trustee

A notary public or other Officer completing this
certificate verifies only the identity of the
individual who signed the document to which this
certificate is attached and not the truthfulness,
accuracy, or validity of that document.

STATE OF CA)SS
COUNTY OF SAN FRANCISCO)

On MARCH 6, 2019, before me, KAREN TAM,
Notary Public, personally appeared DOUGLAS YOUNG

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

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

WITNESS my hand and official seal.

Signature

[Signature]



This area for official notarial seal



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	GrantoR	
		Date					GranteE	Name
2019	K741786-00	03/12/2019				DEED	R	YOUNG DOUGLAS
							R	YOUNG MARITAL TRUST
							E	LEE EUNYOUNG
							E	LEE PAUL

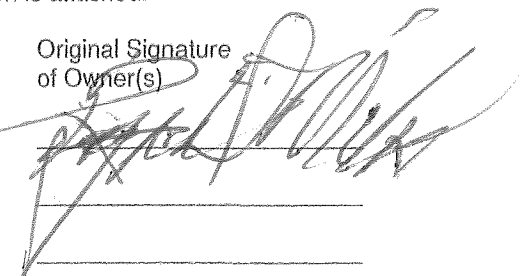


City Planning Commission
Case No. 2015-014028CUA

2019 OCT -7 PM 3:16

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
59 1. LUPINE AVE.	1057-024	Roger D. Miles TRUST	
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
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19. _____	_____	_____	_____
20. _____	_____	_____	_____
21. _____	_____	_____	_____
22. _____	_____	_____	_____

Please correct any discrepancies
Mx Dick Frisbie

RECORDING REQUESTED BY:

**CARR, McCLELLAN, INGERSOLL,
THOMPSON & HORN**
Professional Law Corporation

WHEN RECORDED MAIL TO:

CARR, McCLELLAN
Laurelle Gutierrez-Lundquist, Esq.
P.O. Box 513
Burlingame, CA 94011-0513



San Francisco Assessor-Recorder
Mabel S. Teng, Assessor-Recorder
DOC- 2004-H848370-00

Check Number 5809

Tuesday, NOV 09, 2004 13:29:11

Ttl Pd \$12.00

Nbr-0002622232

REEL 1761 IMAGE 0556

car/AB/1-2

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

Mr. Roger D. Miles
59 Lupine Avenue, No. 6
San Francisco, CA 94118

The undersigned Grantor declares:

DOCUMENTARY TRANSFER TAX is \$ -0-
NO CONSIDERATION: This conveyance is to a revocable
inter vivos trust for the benefit of the Grantor which is not
pursuant to a sale and is therefore exempt.

2
3
4

APN: 1057-024

TRUST TRANSFER DEED

This is a Trust Transfer under section 62 of the Revenue and Taxation Code and Grantor is entitled to the following applicable exclusions:

- Transfer to a revocable trust;
- Transfer to a trust where the trustor or trustor's spouse is the sole beneficiary.

GRANTOR: ROGER D. MILES, an unmarried man

hereby **GRANTS to: ROGER D. MILES, Trustee of THE ROGER D. MILES TRUST** under agreement dated August 13, 2004

the following described real property in the City and County of San Francisco, State of California:

SEE ATTACHED LEGAL DESCRIPTION

Commonly known as: 59 Lupine Avenue, San Francisco, California

Dated: September 24, 2004

STATE OF CALIFORNIA }
COUNTY OF SAN MATEO } ss.



ROGER D. MILES

On September 24, 2004, before me, the undersigned, a notary public, personally appeared ROGER D. MILES, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature 



(This area for official notarial seal)

LEGAL DESCRIPTION

Lots 1, 21, 22 and 23, in Block 1057, according to Map entitled Map of Resubdivision of part of Laurel Heights, San Francisco, Calif.", filed in the Office of the Recorder of the City and County of San Francisco, State of California, November 20, 1947 and recorded in Map Book "P", at Pages 62 and 66, inclusive.

Assessor's Parcel No.: Lot 24, Block 1057.

25499.00099\BOLIB\1231183.1

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	GrantoR	
		Date					GrantaE	Name
2004	H848370-00	11/09/2004	I761	0556	DEED		R	MILES ROGER D
							E	
							E	ROGER D MILES TRUST

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission

Case No. 2015-014028CUA

2019 OCT -7 PM 3:16

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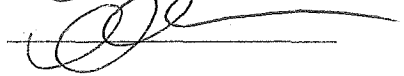
Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 38-40 Wupike Ave	1058-005	ZARIN E. RANDERIA	Zarin E. Randera
2. _____	_____	PERVIZ E. RANDERIA	P. E. Randera
3. _____	_____	_____	_____
4. _____	_____	_____	_____
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22. _____	_____	_____	_____

2019 OCT -7 PM 3:16

City Planning Commission
Case No. 2015-014028CUA

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 28 Lupine Avenue	1058 / 014	Erik Olson	
2. 28 Lupine Avenue	1058 / 014	Laura Rubenstein	
3. _____	_____	_____	_____
4. _____	_____	_____	_____
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22. _____	_____	_____	_____

450 El Camino Del Mar, SF, CA 94121

City Planning Commission
Case No. 2015-014028CUA

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:16

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If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.


Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 15 lupine Ave	1069-038	DAT & LAT 2010	
2. _____	_____	family Trust	
3. _____	_____		
4. _____	_____	Tarantino	Dominic Tarantino
5. _____	_____		Linda Tarantino
6. _____	_____		
7. _____	_____		
8. _____	_____		
9. _____	_____		
10. _____	_____		
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16. _____	_____		
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18. _____	_____		
19. _____	_____		
20. _____	_____		
21. _____	_____		
22. _____	_____		

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO

Farella Braun + Martel LLP
235 Montgomery Street, 17th Floor
San Francisco, CA 94109
Attn: R. Frederick Caspersen

Mail Tax Statements to:
Dominic Tarantino and Leona Tarantino
549 Indian Field Road, MD PT
Greenwich, CT 06830

APN: Block 1069, Lot 38
15-17 Lupine Avenue, SF


San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2010-1954434-00
Check Number 4433
Monday, APR 19, 2010 11:24:03
Ttl Pd \$13.00 Rept # 0003887927
REEL K124 IMAGE 0167
eta/TD/1-2

TRUST TRANSFER DEED

The undersigned Grantor declares documentary transfer tax is \$ 0.00

- () Computed on full value of property conveyed.
() Computed on full value less value of liens and encumbrances remaining at time of sale.
(X) Property not sold. Transfer is to a revocable trust FBO grantor. Exempt per CA Rev & Tax Code § 11930

FOR GOOD AND VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Dominic A. Tarantino, a married man, as his sole and separate property, hereby transfers to.

Dominic Tarantino and Leona Tarantino, as Trustees of the DAT and LAT 2010 Family Trust dated January 6, 2010, and any amendments thereto,

the real property in the City and County of San Francisco, State of California, commonly known as 15-17 Lupine Avenue, San Francisco, California 94109, and more particularly described as:

Lot 38, Block 1069, according to the "Map of Resubdivision of Part of Laurel Heights, San Francisco, California", filed November 20, 1947, in Book "P" of Maps, pages 62 to 66, in the office of the Recorder of the City and County of San Francisco, State of California.

Date: 1/6/10



Dominic A. Tarantino

CERTIFICATE OF ACKNOWLEDGEMENT

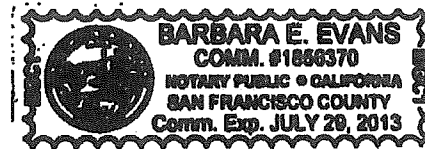
STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN FRANCISCO)

On JANUARY 6, 2010, before me, BARBARA E. EVANS,
a Notary Public, personally appeared Dominic A. Tarantino, who proved to me on the
basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/~~she~~/they executed the same in
his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed
the instrument.

I certify under Penalty of Perjury under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Barbara E. Evans
Notary Public



(Notary Seal)

Search Results

Document Details

Year	Document	Record		Reel	Image	Document Type	Grantor	
		Date					Grantee	Name
2010	I954434-00	04/19/2010	K124	0167	DEED		R	TARANTINO DOMINIC A
							E	DAT & LAT 2010 FAMILY TRUST
							E	TARANTINO DOMINIC
							E	TARANTINO LEONA

City Planning Commission

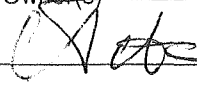
Case No. 2015-014028CUA

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:16

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	9 Lupine Ave	1069-047	Tatum Revocable Trust	
2.				
3.			Tatum	
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20.				
21.				
22.				

P/A: 9 Lupine Avenue

RECORDING REQUESTED BY:
Stewart Title of California, Inc.

WHEN RECORDED MAIL TO:
MAIL TAX STATEMENT TO:

Christopher Tatum and Ruthanne Tatum, Trustees of the
Tatum Revocable Trust Dated September 23, 2003
9 Lupine Avenue
San Francisco, CA 94118

ORDER NO.
ESCROW NO. 01180-5277
APN: 08-1069-047-01



San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2012-J544938-00

Acct 8-STEWART Title Company

Monday, NOV 19, 2012 08:00:00

Ttl Pd \$20.00 Rcpt # 0004554022

REEL K776 IMAGE 0069

gar/MA/1-2

200

SPACE ABOVE THIS LINE FOR RECORDERS USE

GRANT DEED

This conveyance transfers the grantor's interest into his/her/their trust (R & T 11930)

APN: 08-1069-047-01

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is: \$0

CITY TAX \$0

Monument Preservation Fee is: \$

computed on full value of property conveyed, or
computed on full value less value of liens or encumbrances
remaining at time of sale.

Unincorporated area: City of San Francisco, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Christopher Tatum and Ruthanne Tatum, husband and wife

hereby GRANT(S) to Christopher Tatum and Ruthanne Tatum, Trustees of the Tatum Revocable Trust Dated September 23, 2003

the following described real property in the City of San Francisco, County of San Francisco, State of California:

Parcel A:

Condominium Unit No. 9, Lot No. 47, as shown upon the Condominium map and diagrammatic floor plan entitled "Parcel Map of 9-11 Lupine Avenue, a Residential Condominium Project" which was filed for record on June 18, 1998, in Condominium Map Book 56, at Pages 225 to 227, inclusive, in the Office of the Recorder of the City and County of San Francisco, State of California (referred to herein as "the Map"), and as further defined in the declaration of covenants, conditions and restrictions of 9-11 Lupine Avenue Homeowners Association recorded on December 9, 1999, in Book H527, Page 141 and following, official records of the City and County of San Francisco, State of California (referred to herein as "the declaration").

Excepting therefrom, any portion of the common area lying within said unit.

Also excepting therefrom:

(a) Easements through said unit, appurtenant to the common area and all other units, for support and repair of the common area and all other units.

(b) Easements, appurtenant to the common area for encroachment upon the air space of the unit by those portions of the common area located within the unit.

Parcel B:

An undivided 48.9% interest in and to the common area as shown on the map and defined in the declaration, excepting

File No.: 01180-5277
Grant Deed 1 BP SCE

therefrom the following:

(a) Exclusive easements, other than those shown in Parcel "C" herein, as shown on the map and excepting by Grantor to units for use as defined in the declaration; and

(b) Non-exclusive easements appurtenant to all units for ingress and egress, support, repair and maintenance.

Parcel C:

The following easements appurtenant to Parcel A above as set forth and defined in the declaration:

(a) The exclusive easement to use the parking area(s) designated as P-9 on the map.

(b) The exclusive easement to use the Storage area(s) designated as S-9 on the map.

Parcel D:

A nonexclusive easement appurtenant to Parcel A above for support, repair and maintenance, and for ingress and egress through the common area in accordance with California Civil Code Section 1351(a).

Parcel E:

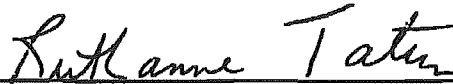
Encroachment easements appurtenant to the unit in accordance with the provisions of the declaration.

Date: November 09, 2012



Christopher Tatum

State of California
County of SAN FRANCISCO



Ruthanne Tatum

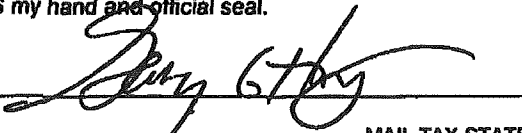
On 11/09/2012 before me GARY G. HONG
Notary Public personally appeared CHRISTOPHER
TATUM and RUTHANNE TATUM

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

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.



Signature



(seal)

MAIL TAX STATEMENT AS DIRECTED ABOVE



Access to Public Records
for County Government

[CRiis Home](#) [Contact](#) [AtPac Home](#)

Search Results

Document Details

		Record						GrantoR	Name
Year	Document	Date	Reel	Image	Document Type	GranteE			
2005	I041815-00	09/26/2005	1982	0228	DEED		R	DEVERA FLAVIANA	
							R	PORFIRIO & FLAVIANA DEVERA REVOC LVG TR	
							E	DEVERA FLAVIANA	
							E	PORFIRIO & FLAVIANA DEVERA REVOC TR	
							E	SURVIVORS TRUST	



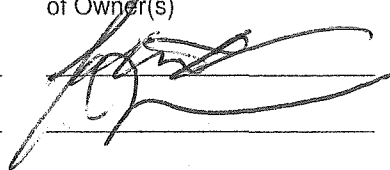
City Planning Commission
Case No. 2015-014028CUA

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT -7 PM 3:16

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>1 Lupine Ave</u>	<u>1069-049</u>	<u>John Atkins</u>	
2.			<u>Jody Lyn Atkins</u>	
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94118

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

City Planning Commission
Case No. 2015-014028C-1A

2015 OCT -7 PM 3:16

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 415 LAUREL	1019-003	SURVIVORS TRUST	Evangeline Mendez, POA for Flaviana De Vera
2. _____	_____	_____	_____
3. _____	_____	_____	_____
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20. _____	_____	_____	_____
21. _____	_____	_____	_____
22. _____	_____	_____	_____




Laurel Heights Improvement Association of San Francisco, Inc.

BY HAND

October 7, 2019

San Francisco Board of Supervisors
c/o Clerk of the Board of Supervisors
City and County of San Francisco
City Hall, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 OCT -7 PM 3:12
BY 

Re: 3333 California Street, San Francisco, CA

Record Number: 2015-014028CUA/PCA/MAP/DUA

Appeal of Planning Commission's Approval of Conditional Use/ Planned Unit Development

Laurel Heights Improvement Association of San Francisco, Inc. (LHIA) hereby appeals from the conditional use authorization and planned unit development authorization approved by the San Francisco Planning Commission on September 5, 2019 for 3333 California Street. As President of LHIA, I am authorized to file this appeal on behalf of LHIA.

Appellant LHIA and its officers submitted comments objecting to these approvals to the Planning Commission both orally and in writing at the public hearings on the approvals.

Members of LHIA reside in properties that are within 300 feet of the 3333 California Street site on Laurel Street and Euclid Avenue as shown in the approximate annotations I have made on the map attached as Exhibit A, and other LHIA members reside in properties nearby the 3333 California Street site. Members of LHIA will be affected by the construction and operational noise, traffic, air emissions, impairment of the historical resource, excavation, destruction of trees and other impacts caused by the proposed project.

1. The Board Should Overturn or Modify the Conditional Use Authorization Because the Proposed Project, At the Size and Intensity Contemplated, Is Not Necessary or Desirable for, and Compatible With, the Neighborhood or the Community.

The Board should overturn or modify the Conditional Use authorization for retail uses and other non-residential uses because they are not necessary or desirable for the neighborhood under Planning Code section 303. The project site is directly adjacent to Laurel Village shopping center and near Sacramento Street shops, Trader Joe's, Target, and Geary Street and Presidio Avenue retail store, so retail is not needed on the project site. The retail sector is in decline and competition from project retail uses could adversely impact the viability of existing retail uses in the adjacent Laurel Village. A Laurel Village merchant told me that after Target moved into the nearby City Center, business at Laurel Village declined. Also, recently there have been

approximately four vacancies within a short period of time in Laurel Village, which is an unprecedented situation. Owners of Bryan's and Cal-Mart have stated that the surrounding neighborhoods are now well served by a diversity of retail businesses in Laurel Village, Sacramento Street, Presidio Avenue, Trader Joe's, and Target at an expanding City Center. Ex. B.

Retail uses are also not necessary or desirable because the number of project retail parking spaces has been reduced from 188 spaces to 74 spaces. Ex. A, Responses to Comments on Draft EIR 2.33, excerpt. The reduction in retail parking spaces is not necessary or desirable for the Laurel Village merchants and community because the reduction will likely cause project retail customers to park in the adjacent Laurel Village parking lot, which is an above-ground lot.

This reduction in retail parking was disclosed late in the proceeding. The Project's July 3, 2019 plan sheet VAR.01b states that the proposed project variant would have 74 retail parking spaces, 29 childcare parking spaces, 744 residential parking spaces, no office parking spaces, no commercial parking spaces, for a total of 857 parking spaces. (Ex. C, July 3, 2019 plan sheet VAR.01b) The Draft EIR stated that the proposed 744-unit Project Variant would provide 188 retail parking spaces, 744 residential parking spaces and 29 "Other Non-residential (Daycare)" parking spaces, for a total of 961 parking spaces. DEIR4.C.77.

The volume of traffic from the retail uses at the Project would also be undesirable. The Draft EIR projected that the project retail uses would cause 8,153 daily auto trips. Ex. M, DEIR Traffic Appendix Chart. Even though the retail uses were reduced in the Special Use District from 54,117 square feet to 34,496 square feet, the proportionally reduced retail traffic would still be substantial at 5,196 auto trips per day from retail uses. Ex. C, 8-17-2017 Plan sheet G3.02a and 8-30-2019 plan sheet

2. In the Alternative, the Board Should Modify the Conditional Use Authorization/Planned Unit Development to Recommend that NC-1 Controls be Used in the Special Use District Rather than the More Intensive NC-S Controls.

NC-1 District controls are prescribed for retail uses authorized in Residential districts in Planned Unit Developments under Planning Code section 304:

In R Districts, include Commercial Uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, **subject to the limitations for NC-1 Districts under this Code.** (Ex. D, excerpts Planning Code section 304, emphasis added)

NC-1 Districts "are intended to serve as local neighborhood shopping districts" under Planning Code section 710 and permit operations from 6 a.m. to 11 p.m, with conditional use authorization for operations from 11 p.m. to 2 a.m. (Ex. E, excerpts Planning Code section 710)

NC-S Districts are more intensive and “are intended to serve as small shopping centers or supermarket sites which provide retail goods and services for primarily car-oriented shoppers under Planning Code section 713. (Ex. F, excerpts Planning Code section 713) NC-S controls are intended to serve “the immediate and nearby neighborhoods” but Planned Unit development authorizations are allowed “only to the extent that such uses are necessary to serve residents of the immediate vicinity.” Planning Code section 304. Since the Project would provide only 74 retail parking spaces, the Project would not sufficiently serve primarily car-oriented shoppers in an NC-S District. Also, NC-S districts permit operations from 6 a.m. to 2 a.m., with conditional use authorization for 24-hour operations. (Ex. E) These controls are not desirable for the area, which is predominantly residential.

NC-1 controls would be consistent with the SUD’s description of “34,396 square feet of neighborhood-serving retail.”

3. Alternatively, the Board Should Limit Permitted Hours of Operation to 6 a.m. to 11 pm.

The Board should change permitted hours of operation for non-residential uses in the Special Use District to 6 a.m. to 11 p.m., as allowed for NC-1 Districts authorized for a Planned Unit Development, rather than 2 a.m., which would be allowed in an NC-S District.

4. Alternatively, the Board Should Eliminate Flexible Retail and Social Service and Philanthropic Facilities from the Special Use District Because they Were Not Disclosed in the EIR and Are Not Necessary For or Compatible With the Neighborhood.

The EIR did not disclose potential Flexible Retail, Social Service or Philanthropic Facility use, and such uses are not permitted in an NC-S District. (Planning Code section 713) It is not necessary or desirable to add such uses to the Special Use District, as the project would not provide parking for office uses, which Social Service or Philanthropic Facility uses are classified as under Transportation Demand Management Program. Ex. G, TDM excerpts. The EIR disclosed only general retail uses, ---- full-service restaurant uses and ----composite restaurant uses.

Flexible retail uses are not desirable in the area because they would not require neighborhood notification for multiple uses in the same space (with 2 uses required and up to 5 permitted) unless the underlying zoning classification required notice. (Board of Supervisors File 180806)

5. Alternatively, to Conform With the Historical Resource Design Guidelines, the Board Should Modify the Project to Limit the Proposed Rooftop Addition to the Main Building to One Story.

The historically significant site is listed on the California Register of Historical Places. (Ex. A to accompanying appeal as to adequacy of Final EIR.) The Secretary of the Interior's Standards for Treatment of Historic Properties (Secretary's Standards) are the standards used by CEQA to mitigate impacts upon historic resources to below a level of significance. 14 Cal.Code Regs. Section 15126.4(b)(1) and (2). (Ex. H, excerpts, Secretary's Standards) The Secretary's Standards recommend "Limiting a rooftop addition to one story in height to minimize its visibility and its impact on the historic character of the building." (Ex. H, excerpts, Secretary's Standards) Thus, instead of a two-story addition, the Board should modify the proposed project to utilize a one-story addition.

6. Alternatively, the Board Should Order the Project Modified to Remove New Construction From the Green Spaces at the Top of Laurel Street and along Euclid Avenue.

The Board should set the Euclid Building back approximately 30 feet from the Euclid green to avoid impairment to that green space and remove 2 Laurel Duplexes from the top of the green at Laurel Street to preserve the natural green space in those areas. (Ex. I, rendering showing areas to be left open)

7. Alternatively, the Board Should Order a Portal Cut Through the First Two Floors of the Main Building With a Light Well on Top, Rather than an Approximate 40-Foot Cut Through the Top of the Main Building.

The Project proposes to significantly impair the historic main building by cutting a 40-foot pathway through it that would divide the building into two pieces. The EIR admits that the Project would cause a substantial adverse change in the significance of a historic resource. One of the character-defining features of the main building is its horizontality. (Ex. D to October 7, 2019 LHIA appeal of certification of Final EIR. Adding a set-back, one story addition would conform with the Secretary's Standards for treatment of historic properties.

As explained in the accompanying appeal of certification of the Final EIR, the Planning Department only requested a north/south portal and did not request a cut all the way through the main building. Changing the 40-foot cut to a portal would reduce construction time and cost.

8. The Board Should Overturn the Conditional Use/Planned Unit Development Authorization Because the Commercial Uses, Height Limit Increases and Shaded Open Spaces are Not Necessary or Desirable for the Neighborhood.

The Planned Unit Development criteria of Planning Code section 304(d)(6) state that the proposed development “shall”:

(6) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code.

The Special Use Districts would allow heights of 92 feet, 80 feet, 67 feet and 45 feet, which are greater than the 40-foot height limit now applicable to the site. (Ex. J, proposed height map) The Board should overturn the Planning Commission’s authorization of heights in excess of the existing 40-foot height limit because the authorization is not consistent with the criteria for authorization of a Planned Unit Development.

Increased heights are also not necessary or desirable because adding two additional stories to the top of a divided main building would impair the characteristic horizontality of the historic resource.

The Board should also overturn the conditional use authorization because significant portions of open space in the project would be shaded most of the time and are not desirable. The Initial Study admits that “the network of proposed new common open spaces, walkways, and plazas within the project site” “would be shaded mostly by proposed new buildings for much of the day and year.” Initial Study p. 161; Ex. K, open space plan and excerpts of project shadow study).

The Board should also overturn the conditional use authorization because the non-residential uses described above are not necessary or desirable for, and compatible with, the neighborhood and community.

For the reasons stated herein, the Board should not adopt the Planning Code amendments recommended by the Planning Commission, including without limitation the adoption of the proposed Special Use District, changes to the height limit map, and any other Planning Code amendments recommended by the Commission. The public necessity, convenience and general welfare do not require the proposed amendment because the project was not designed in accordance with the Secretary’s Standards, which would serve as feasible mitigation for the project’s impacts on the historic resource, and alternatives are feasible that would reduce or avoid the project’s impacts on the historic resource, but the Commission erroneously rejected them, as more fully discussed in the accompanying appeal as to certification of the Final EIR.

The project is also not necessary or desirable because it conflicts with the Residential Design Guideline that “New buildings and additions to existing buildings cannot disregard or significantly alter the existing topography of the site. The surrounding context guides the manner in which new structures fit into the streetscape, particularly along slopes and hills. This can be

achieved by designing the building so it follows the topography in a manner similar to surrounding buildings.” (Residential Design Guidelines, p. 11) These guidelines must be followed in Residential Districts. Planning Code section 311. The project would excavate substantial portions of Laurel Hill, in violation of this Guideline. (Ex. L, plan sheet G2.08)

9. If the Board Overturns the Planning Commission’s Certification of the Final EIR, the Board Must Also Overturn the Approval of the Tentative Conditional Use/PUD Authorization by the Planning Commission.

For the reasons stated in LHIA’s appeal of the Planning Commission’s certification of the Final EIR for 3333 California Street, the Final EIR is inadequate, and if overturned by the Board of Supervisors, the Board must grant this appeal of the approval of the conditional use/planned unit development authorization. The Final EIR is the CEQA document upon which the approval of the conditional use/PUD is based, and if the Final EIR is overturned, the approval of the conditional use/PUD must necessarily also be overturned. The Final EIR identified significant adverse impacts which the Project would have, so CEQA review must have been completed in a lawful manner before the conditional use/PUD authorizations can be valid.

Planning Commission Resolution No. 20514 adopted on September 5, 2019 states at page 1 that a proposed Ordinance introduced on July 30 and amended on September 3, 2019 “would enable the Project” and at page 10 that “the Commission recommends approval of the proposed Ordinance” with certain modifications. Thus, the Planning Commission did not approve the rezoning needed for the project to be approved.

10. Approval of the Conditional Use/PUD Authorization Must Be Overturned If the Board of Supervisors Does Not Approve the Zoning Changes Required to Allow the Proposed Project to be Built.

The Preliminary Project Assessment explains that only the Board of Supervisors can change the height limits requested by the Project or change the Planning Commission Resolution 4109 that prohibits development of the parcel in the manner proposed by the Project. (Ex. M to June 8, 2018 Comments of Devincenzi on 3333 California Street Initial Study, PPA excerpts)

If the Board does not approve the zoning changes set forth in the proposed Special Use District, the Board must overturn the approval of the conditional use/PUD authorization.

Conclusion

For the foregoing reasons, the Board should overturn or modify the conditional use/planned use development authorization approved by the Planning Commission because the uses or features at the size and intensity contemplated and at the proposed location will not

Board of Supervisors
October 7, 2019
Page 7

provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

Further, the project would not provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code, as required for a planned unit development by Planning Code section 304(d)(3). Significant portions of the open spaces proposed by the Project would be shaded most of the day.

The proposed project would be inconsistent with provisions of the Urban Design Element and Housing Element of the General Plan because the bulk of the buildings does not relate to the prevailing scale of development and would have an overwhelming or dominating appearance, and the height of buildings does not relate to important attributes of the city patterns and the height and character of existing development. Urban Design Element Policies 3.5 and 3.6. Policy 3.6 explains that it was intended to avoid disruption to the city's character from buildings that reach extreme bulk, by exceeding the prevailing height and prevailing horizontal dimensions of existing buildings in the area which "can overwhelm other buildings."

Respectfully submitted,

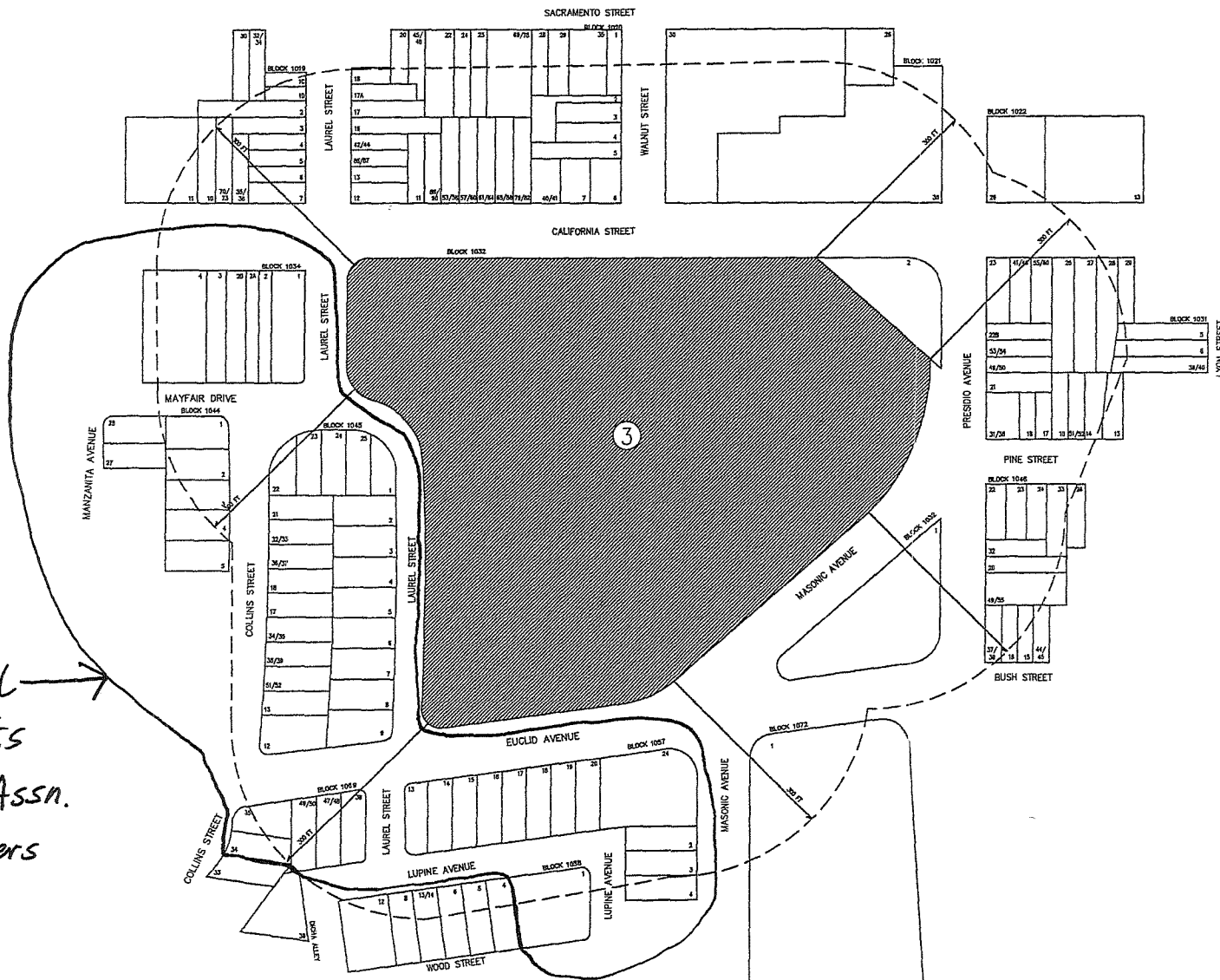
Laurel Heights Improvement Association of SF, Inc.

A handwritten signature in cursive script that reads "Kathryn Devincenzi".

By: Kathryn Devincenzi, President

Attachments: A through M

EXHIBIT A



Laurel
Heights
Imp. Assn.
Members

The information contained herein has been obtained from sources that we deemed reliable and current at the time of preparation. We have no reason to doubt its accuracy but we do not guarantee it.



1221 Harrison Street, Suite 18
San Francisco, CA 94103-4449
(415) 391-4775

BLOCK 1032
LOT 3

San Francisco, CA



SCALE: 1" = 75' - 0"

DATE: 10/10/00

JOB NO: 10320003
DATE: 10/10/00
DRAWN: DC
CHECKED: DC

300 FOOT
RADIUS MAP

02

EXHIBIT B

IMPACT OF PSKS 3333 DEVELOPMENT PLAN ON LAUREL VILLAGE

1. The surrounding neighborhoods are well served by a diversity of retail businesses in Laurel Village, Sacramento Street, Presidio Avenue, Trader Joe's, an expanding City Center with both Target a Whole Foods-all within two blocks of 3333 California St.
2. The proprietors of Laurel Village have ample capacity to serve the residents of 3333 California St. as well as 3700 California St. especially considering that these new residents will replace the approx. 1,500 employees of UCSF that shopped at Laurel Village for many years.
3. Cal Mart & Bryan's presently operate their checkout lines at approx. 50% capacity and can double the throughput as needed.
4. There is already room for more retail along Sacramento St. as a number of storefronts remain empty.
5. The recent closures of Beautiful and Noah's Bagels, preceded by Gymboree, and the potential closure of others strongly reinforces the position that new retail is both unneeded and unwanted.
6. Laurel Village Merchants have requested that PSKS cease creating the erroneous impression that there would be "long lines" in the Laurel Village stores if PSKS is not allowed to change 3333's zoning and add additional retail.
7. The retail traffic associated with 3333 would negatively impact the parking lot for Laurel Village which is already insufficient for Laurel Village's needs. In addition, 3333 retail parking does not fully meet the retail traffic demands generated at 3333 and this overflow traffic will park in Laurel Village further harming the Customers, and Merchants of Laurel Village.
8. PSKS's plan to charge for parking at 3333 will only exacerbate this harmful situation. Furthermore, it is blatantly unfair to have Laurel Village Merchants provide parking for the competition at 3333.
9. The 7-15 year construction period will be catastrophic to Laurel Village. During last year's streetscape fiasco Cal Mart's business declined over 30%. According to Ron Giampoli of Cal Mart it is doubtful that Cal Mart would remain in business with a 7-15 year construction period. Other businesses in Laurel Village were impacted equally and would be put under immense pressure by the development plan for 3333.
10. Bryan's and Cal Mart are unique and iconic stores that serve Customers from all parts of the city. The loss of one or both would immeasurably impoverish the surrounding neighborhoods.

Ronald Giampoli

T. Flannery

EXHIBIT C

PROJECT AREAS

PROJECT TOTALS	Bldg	Residential Gross SF	Retail Gross SF	Office Gross SF	Childcare Gross SF	Garage Gross SF	TOTAL GSF
	Plaza A	66,150	14,178	0	0	64,550	144,878
	Plaza B	72,220	11,328	0	0	62,070	145,618
	Walnut	0	24,324	49,999	14,690	174,440	263,453
	Center Bldg A	89,463	0	0	0	0	89,463
	Center Bldg B	233,423	0	0	0	19,258	252,681
	Masonic	88,903	0	0	0	35,986	124,889
	Euclid	177,345	4,287	0	0	51,991	233,623
	Laurel Duplexes	54,111	0	0	0	4,728	58,839
	Mayfair	43,071	0	0	0	15,750	58,821
	Total	824,691	54,117	49,999	14,690	428,773	1,372,270

UNIT MIX/COUNT

PROJECT TOTALS	Level	JR	1-BED	2-BED	3-BED	4-BED or PH	TOTAL
	Plaza A	18	22	23	4	0	67
	Plaza B	9	21	25	6	0	61
	Walnut	0	0	0	0	0	0
	Center Bldg A	0	24	11	10	6	51
	Center Bldg B	0	50	51	29	9	139
	Masonic	0	27	24	10	0	61
	Euclid	0	50	54	31	0	135
	Laurel Duplexes	0	0	1	1	12	14
	Mayfair	0	14	6	10	0	30
	Total	27	208	195	101	27	558
		5%	37%	35%	18%	5%	100%

PARKING PROVIDED

PROJECT TOTALS	Bldg	Residential Parking	Retail Parking *	Office Parking	Childcare Parking	Commercial Parking	Total	Car share	Loading Areas
	Plaza A	67	43	0	0	0	-	0	0
	Plaza B	61	34	0	0	60	-	10	0
	Walnut	0	48	100	29	0	-	0	3
	Center Bldg A	51	0	0	0	0	-	0	0
	Center Bldg B	139	0	0	0	0	-	0	0
	Masonic	61	0	0	0	0	-	0	3
	Euclid	137	13	0	0	0	-	0	0
	Laurel Duplexes	12	0	0	0	0	-	0	0
	Mayfair	30	0	0	0	0	-	0	0
	Total	558	138	100	29	60	885	10	6
	* Plaza A+B retail parked at 3/1000, assumed half of area at 2/1000 "retail general" and half of area 4/1000 "food and beverage"								
	* Walnut retail parked at 2/1000, assumed "retail general"								
	* Euclid retail parked at 4/1000, assumed to be "food and beverage" and are located in the California Street garage								
	* The parking spaces for the Laurel townhomes without a garage are located in the Euclid garage (2)								
	* 6 Plaza A Residential spaces are located in the Plaza B parking area								

BIKE PARKING (SEC. 155):
 REQUIRED CLASS ONE:
 RES: 100 + 1/4 DU OVER 100 = 215
 OFFICE: 1/5,000 GSF = 49,999/5,000 = 10
 RETAIL: 1/7,500 GSF = 54,117/7,500 = 8
 CHILDCARE: 1/20 CHILDREN = 172/20=9
 PROVIDED:
 558 - COMPLIES
 10 - COMPLIES
 14 - COMPLIES / EXCEEDS
 10 - COMPLIES

REQUIRED CLASS TWO:
 RES: 1 / 20 DU = 558/20 = 28
 OFFICE: 2 REQ'D IF <50,000 GSF
 RETAIL: 10 + 1/10,000 >50K GSF = 10
 FOOD/BEV: 1/750 SF = 16,882/750 = 23
 CHILDCARE: 1/20 CHILDREN = 8
 PROVIDED:
 37 - COMPLIES / EXCEEDS
 2 - COMPLIES
 10 - COMPLIES
 23 - COMPLIES
 10 - COMPLIES / EXCEEDS

3333 CALIFORNIA STREET SAN FRANCISCO, CA

PROJECT DATA - SUMMARY



08.17.2017
 PLANNING APPLICATION SUBMITTAL

G3.02a

WALNUT VARIANT AREAS

Level	Residential Gross SF	Retail SF	Retail Food and Bev. SF	Office Gross SF	Childcare Gross SF	Garage Gross SF	TOTAL GSF
5	26,910	0	0	0	0	0	26,910
4	29,445	0	0	0	0	0	29,445
3	29,445	0	0	0	0	0	29,445
2	29,445	0	0	0	0	0	29,445
1	31,180	0	0	0	0	0	31,180
B1	1,165	8,500	0	0	13,465	39,635	62,765
B2	0	0	0	0	1,200	47,865	49,065
B3	0	0	0	0	0	78,445	78,445
Total	147,590	8,500	0	0	14,665	165,945	336,700

WALNUT VARIANT UNIT MIX

Level	JR	1-BED	2-BED	3-BED	4-BED	TOTAL
5	0	36	0	0	0	36
4	0	39	0	0	0	39
3	0	39	0	0	0	39
2	0	37	0	0	0	37
1	0	34	1	0	0	35
B1	0	0	0	0	0	0
B2	0	0	0	0	0	0
B3	0	0	0	0	0	0
Total	0	185	1	0	0	186
Percentage	0%	99%	1%	0%	0%	100%

VARIANT TOTALS AREAS

Bldg	Residential Gross SF	Retail Gross SF	Retail Food and Bev. SF	Office Gross SF	Childcare Gross SF	Garage Gross SF	TOTAL GSF
Plaza Bldg A	66,755	7,408	7,408	0	0	69,329	150,900
Plaza Bldg B	72,035	5,590	5,590	0	0	69,329	152,544
Walnut Variant	147,590	8,500	0	0	14,665	165,945	336,700
Center Bldg A	89,735	0	0	0	0	0	89,735
Center Bldg B	231,667	0	0	0	0	22,731	254,398
Masonic	83,505	0	0	0	0	14,220	97,725
Euclid	184,170	0	0	0	0	42,360	226,530
Laurel Duplexes	55,300	0	0	0	0	4,960	60,260
Mayfair	46,680	0	0	0	0	12,360	59,040
Total	977,437	21,498	12,998	0	14,665	401,234	1,427,832

VARIANT UNIT MIX TOTALS

Level	JR	1-BED	2-BED	3-BED	4-BED or PH	TOTAL
Plaza Bldg A	18	22	23	4	0	67
Plaza Bldg B	9	21	25	6	0	61
Walnut Variant	0	185	1	0	0	186
Center Bldg A	0	24	11	10	6	51
Center Bldg B	0	51	49	30	9	139
Masonic	0	22	25	10	0	57
Euclid	0	55	54	30	0	139
Laurel Duplexes	0	0	0	2	12	14
Mayfair	0	12	7	11	0	30
Total	27	392	195	103	27	744
	4%	53%	26%	14%	4%	100%

3333 CALIFORNIA STREET SAN FRANCISCO, CA

EIR VARIANT 1: DATA



SKS

JAMES
CORNER
FIELD
OPERATIONS

ARUP

BAR architects

JENSEN



SCP

07.03.2019
PLANNING APPLICATION RESUBMITTAL

VAR.01a

PARKING PROVIDED

VARIANT PARKING	Bldg	Dwelling Units	Res 0 to 1.5 / DU	Res Total TDM Provided	Childcare	Childcare Req'd 1.5/25 children	Total TDM Provided	Retail (general) x 0.8 *	Retail (general) Code 1.5/500 osf	Total Retail TDM Provided	Retail (F&B) x 0.8*	Retail (F&B) Code 1.5/200 osf	Total Retail TDM Provided	Office x 0.8*	Office Req'd 1.5/500 osf	Total Office TDM Provided	Commercial	Commercial Req'd	Total Com. Provided
	Plaza Bldg A	67	101	67	0	0	0	5,926	18	16	5,926	44	14	0	0	0	0	0	0
	Plaza Bldg B	61	92	61	0	0	0	4,472	14	12	4,472	34	14	0	0	0	0	0	
	Walnut	186	279	186	179 children	11	29	6,800	21	18	0	0	0	0	0	0	0	0	
	Center Bldg A	51	77	51	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Center Bldg B	139	209	139	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Masonic	57	86	57	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Euclid	139	209	139	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Laurel Duplexes	14	21	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Mayfair	30	45	30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total			1,116	744	11		29	53		46	78		28	0		0	0		0
Car Share		5 Required Residential			3 Required Non-Residential			8 Total Required		10	Total Car Share Provided							Total Parking on Site: 857	
* Occupied Floor Area (OFA) is assumed to be 80% of tenant floor area per NOPDR1																			

CLASS ONE BIKE	Bldg	Dwelling Units	Stalls Req'd 1/du to 100 then 1/4du	Total Res. Provided	Childcare	Stalls Req'd 1/20 children	Total Provided	Retail (general) x 0.8	Retail (general) Req'd 1/7,500sf	Total Retail Provided	Retail (F&B) x 0.8	Retail (F&B) Req'd 1/7,500sf	Total Retail Provided	Office x 0.8	Office Req'd 1/5000sf	Total Office Provided
	Plaza Bldg A	67	67	67	0	0	0	5,926	1	0*	5,926	1	0*	0	0	0
	Plaza Bldg B	61	61	61	0	0	0	4,472	1	2	4,472	1	2	0	0	0
	Walnut	186	122	186	179 children	9	10	6,800	1	4	0	0	0	0	0	0
	Center Bldg A	51	51	51	0	0	0	0	0	0	0	0	0	0	0	0
	Center Bldg B	139	110	139	0	0	0	0	0	0	0	0	0	0	0	0
	Masonic	57	89	57	0	0	0	0	0	0	0	0	0	0	0	0
	Euclid	139	110	139	0	0	0	0	0	0	0	0	0	0	0	0
	Laurel Duplexes	14	14	14	0	0	0	0	0	0	0	0	0	0	0	0
	Mayfair	30	30	30	0	0	0	0	0	0	0	0	0	0	0	0
	Total		653	744		9	10		2	6		2	2		0	0
* Class 1 bike parking for retail in the Plaza buildings is centralized at the B1 level in Plaza B and adjacent to a locker and shower room																Total on Site: 762

CLASS TWO BIKE	Bldg	Dwelling Units	Stalls Req'd 1/20 du	Total Res. Provided	Childcare	Stalls Req'd 1/20 children	Total Provided	Retail (general) x 0.8	Retail (general) Req'd 1/2,500sf	Total Retail Provided	Retail (F&B) x 0.8	Retail (F&B) Req'd 1/750sf	Total Retail Provided	Office x 0.8	Office min 2, plus 1/50,000 sf	Total Office Provided
	Plaza Bldg A	67	3	4	0	0	0	5,926	2	2	5,926	8	8	0	0	0
	Plaza Bldg B	61	3	4	0	0	0	4,472	2	2	4,472	6	6	0	0	0
	Walnut	186	9	9	179 children	9	10	6,800	3	4	0	0	0	0	0	0
	Center Bldg A	51	3	4	0	0	0	0	0	0	0	0	0	0	0	0
	Center Bldg B	139	7	8	0	0	0	0	0	0	0	0	0	0	0	0
	Masonic	61	3	4	0	0	0	0	0	0	0	0	0	0	0	0
	Euclid	139	7	8	0	0	0	0	0	0	0	0	0	0	0	0
	Laurel Duplexes	14	1	2	0	0	0	0	0	0	0	0	0	0	0	0
	Mayfair	30	2	2	0	0	0	0	0	0	0	0	0	0	0	0
	Total		38	45		9	10		8	8		14	14		0	0
																Total on Site: 77

3333 CALIFORNIA STREET SAN FRANCISCO, CA

EIR VARIANT 1: PARKING SUMMARY



07.03.2019
PLANNING APPLICATION RESUBMITTAL

VAR.01b

EXHIBIT D

holder of the entitlement bears the burden of proving to the City that the proposed or existing use is not a Formula Retail use.

(i) **Performance-Based Design Guidelines.** All new, enlarged, intensified or non-intensified Formula Retail uses or establishments must comply with the Commission's adopted Performance-Based Design Guidelines for Formula Retail, as directed by the Planning Department and Planning Commission.

(j) **Change of Use.** Changes of Formula Retail establishments are generally described below, except that a change of a Formula Retail use that is also a nonconforming use pursuant to Section 182 is prohibited. In all other instances, changes of Formula Retail establishments from one use category to another, including a change from one use to another within the sub-categories of uses set forth in the definition of Retail Sales and Services in Section 102 and in Section 890.102 for Mixed Use Districts, require a new Conditional Use authorization as a new Formula Retail use. Changes of Formula Retail owner or operator within the same use category that are determined to be an enlargement or intensification of use pursuant to subsection 178(c) are required to obtain Conditional Use authorization and shall meet the Commission's adopted Performance-Based Design Guidelines for Formula Retail. In cases determined not to be an enlargement or intensification of use, the Performance-Based Design Guidelines for Formula Retail may be applied and approved administratively by the Planning Department, unless the applicant requests a Conditional Use hearing at the Planning Commission. The applicant shall also pay an administrative fee to compensate Planning Department and City staff for its time reviewing the project under this subsection (j), as set forth in Section 360 of this Code.

(k) **Accessory Uses.** Conditional Use authorization shall be required for all Accessory Uses within those use categories subject to Formula Retail controls as defined in this Section 303.1, except for the following:

- (1) Single automated teller machines falling within the definition of Limited Financial Services that are located at the street front that meet the Commission's adopted Performance-Based Design Guidelines for automated teller machines;
- (2) Automated teller machines located within another use that are not visible from the street;
- (3) Vending machines that do not exceed 15 feet of street frontage or occupy more than 200 square feet of area facing a public right of way.

(Added by Ord. 235-14, File No. 140844, App. 11/26/2014, Eff. 12/26/2014; amended by Ord. 22-15, File No. 141253, App. 2/20/2015, Eff. 3/22/2015; Ord. 129-17, File No. 170203, App. 6/30/2017, Eff. 7/30/2017; Ord. 229-17, File No. 171041, App. 12/6/2017, Eff. 1/5/2018; Ord. 202-18, File No. 180557, App. 8/10/2018, Eff. 9/10/2018; Ord. 179-18, File No. 180423, App. 7/27/2018, Eff. 8/27/2018, Oper. 1/1/2019; Ord. 296-18, File No. 180184, App. 12/12/2018, Eff. 1/12/2019)


AMENDMENT HISTORY

Divisions (c)(18) and (19) added; Ord. 22-15, Eff. 3/22/2015. Division (a)(9) amended; former divisions (c)(1)-(19) merged into division (c) and current division (c) amended; divisions (d) and (e)(4) amended; former divisions (e)(5) and (e)(9) deleted; former divisions (e)(6)-(8) and (e)(10)-(12) redesignated as (e)(5)-(10) and amended; divisions (g), (j), and (k) amended; Ord. 129-17, Eff. 7/30/2017. Division (c) amended; Ord. 229-17, Eff. 1/5/2018. Divisions (c), (f)(4)-(6), (f)(8)-(9), and (j) amended; Ord. 202-18, Eff. 9/10/2018. Division (g) amended; Ord. 179-18, Oper. 1/1/2019. Divisions (e)(13)¹ and (f)(10) added; Ord. 296-18, Eff. 1/12/2019.

CODIFICATION NOTE

1. So in Ord. 296-18.

SEC. 304. PLANNED UNIT DEVELOPMENTS.

 In districts other than C-3, the Eastern Neighborhoods Mixed Use Districts, or the DTR Districts, the North Beach Special Use District,¹ the Planning Commission may authorize as Conditional Uses, in accordance with the provisions of Section 303, Planned Unit Developments subject to the further requirements and procedures of this Section 304. After review of any proposed development, the Planning Commission may authorize such development as submitted

or may modify, alter, adjust or amend the plan before authorization, and in authorizing it may prescribe other conditions as provided in Section 303(d). The development as authorized shall be subject to all conditions so imposed and shall be excepted from other provisions of this Code only to the extent specified in the authorization.

(a) **Objectives.** The procedures for Planned Unit Developments are intended for projects on sites of considerable size, developed as integrated units and designed to produce an environment of stable and desirable character which will benefit the occupants, the neighborhood and the City as a whole. In cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well reasoned modification of certain of the provisions contained elsewhere in this Code.

(b) **Nature of Site.** The tract or parcel of land involved must be either in one ownership, or the subject of an application filed jointly by the owners of all the property included or by the Redevelopment Agency of the City. It must constitute all or part of a Redevelopment Project Area, or if not must include an area of not less than ½ acre, exclusive of streets, alleys and other public property that will remain undeveloped.

(c) **Application and Plans.** The application must describe the proposed development in detail, and must be accompanied by an overall development plan showing, among other things, the use or uses, dimensions and locations of structures, parking spaces, and areas, if any, to be reserved for streets, open spaces and other public purposes. The application must include such pertinent information as may be necessary to a determination that the objectives of this Section are met, and that the proposed development warrants the modification of provisions otherwise applicable under this Code.

(d) **Criteria and Limitations.** The proposed development must meet the criteria applicable to conditional uses as stated in Section 303(c) and elsewhere in this Code. In addition, it shall:

- (1) Affirmatively promote applicable objectives and policies of the General Plan;
- (2) Provide off-street parking appropriate to the occupancy proposed and not exceeding principally-permitted maximum amounts;
- (3) Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;
- (4) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;
- (5) In R Districts, include Commercial Uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include Commercial Uses only according to the provisions of Section 231 of this Code;
- (6) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections;
- (7) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of this Code;
- (8) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code; and

(9) In RTO and NCT Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation.

(10) Provide street trees as per the requirements of Section 138.1 of the Code.

(11) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

(Amended by Ord. 414-85, App. 9/17/85; Ord. 69-87, App. 3/13/87; Ord. 115-90, App. 4/6/90; Ord. 72-08, File No. 071157, App. 4/3/2008; Ord. 298-08, File No. 081153, App. 12/19/2008; Ord. 84-10, File No. 091453, App. 4/22/2010; Ord. 56-13, File No. 130062, App. 3/28/2013, Eff. 4/27/2013; Ord. 188-15, File No. 150871, App. 11/4/2015, Eff. 12/4/2015; Ord. 129-17, File No. 170203, App. 6/30/2017, Eff. 7/30/2017; Ord. 296-18, File No. 180184, App. 12/12/2018, Eff. 1/12/2019; Ord. 311-18, File No. 181028, App. 12/21/2018, Eff. 1/21/2019)

AMENDMENT HISTORY

Division (d)(1) amended; Ord. 56-13, Eff. 4/27/2013. Division (d)(5) amended; Ord. 188-15, Eff. 12/4/2015. Undesignated introductory paragraph amended; Ord. 129-17, Eff. 7/30/2017. Undesignated introductory paragraph amended; Ord. 296-18, Eff. 1/12/2019. Undesignated introductory paragraph and division (d)(2) amended; Ord. 311-18, Eff. 1/21/2019.

CODIFICATION NOTE

1. So in Ord. 296-18.

SEC. 304.5. INSTITUTIONAL MASTER PLANS.

(a) **Purposes.** The principal purposes of the requirements for institutional master plans contained in this Section are:

(1) To provide notice and information to the Planning Commission, community and neighborhood organizations, other public and private agencies and the general public as to the plans of each affected institution at an early stage, and to give an opportunity for early and meaningful involvement of these groups in such plans prior to substantial investment in property acquisition or building design by the institution;

(2) To enable the institution to make modifications to its master plan in response to comments made in public hearings prior to its more detailed planning and prior to any request for authorization by the City of new development proposed in the Master Plan; and

(3) To provide the Planning Commission, community and neighborhood organizations, other public and private agencies, the general public, and other institutions with information that may help guide their decisions with regard to use of, and investment in, land in the vicinity of the institution, provision of public services, and particularly the planning of similar institutions in order to insure that costly duplication of facilities does not occur.

(b) **When Required.** Each Hospital and each Post-Secondary Educational Institution in the City and County of San Francisco (for the purposes of this Section collectively referred to as "institution(s)"), including Group Housing affiliated with and operated by any such institution shall have on file with the Planning Department a current Institutional Master Plan describing the existing and anticipated future development of that institution as provided in Subsection (c) below. Institutions of less than 50,000 square feet or of less than 100,000 square feet in the C-3 district may submit an Abbreviated Institutional Master Plan as described in Subsection (d) below.

Thereafter, at intervals of two years, each such institution shall file an Update with the Planning Department describing the current status of its Institutional Master Plan. The requirements for an Update are provided in Subsection (f) below.

The Zoning Administrator shall be notified whenever the following occur to determine whether a new Institutional Master Plan or an Update shall be required: there are significant revisions to the information contained in the Institutional Master Plan; or 10 years have passed since the last Institutional Master Plan was submitted and heard by the Planning Commission (as

EXHIBIT E

SEC. 710. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.

NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours.

These NC-1 Districts are characterized by their location in residential neighborhoods, often in outlying areas of the City. The commercial intensity of these districts varies. Many of these districts have the lowest intensity of commercial development in the City, generally consisting of small clusters with three or more commercial establishments, commonly grouped around a corner; and in some cases short linear commercial strips with low-scale, interspersed mixed-use (residential-commercial) development.

Building controls for the NC-1 District promote low-intensity development which is compatible with the existing scale and character of these neighborhood areas. Commercial development is limited to one story. Rear yard requirements at all levels preserve existing backyard space.

NC-1 commercial use provisions encourage the full range of neighborhood-serving convenience retail sales and services at the first story provided that the use size generally is limited to 3,000 square feet. However, commercial uses and features which could impact residential livability are prohibited, such as auto uses, financial services, general advertising signs, drive-up facilities, hotels, and late-night activity; eating and drinking establishments are restricted, depending upon the intensity of such uses in nearby commercial districts.

Housing development in new buildings is encouraged above the ground story in most districts. Existing residential units are protected by prohibitions of conversions above the ground story and limitations on demolitions. Accessory Dwelling Units are permitted within the District pursuant to subsection 207(c)(4) of this Code.

**Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1
ZONING CONTROL TABLE**

Zoning Category		NC-1
§ References		Controls
BUILDING STANDARDS		
Massing and Setbacks		
Height and Bulk Limits.	§§ <u>102</u> , <u>105</u> , <u>106</u> , <u>250–252</u> , <u>260</u> , <u>261.1</u> , <u>270</u> , <u>271</u> . See also Height and Bulk District Maps	Varies, but generally 40-X. See Height and Bulk Map Sheets HT02-08, HT10-13 for more information. Height sculpting required on Alleys per § <u>261.1</u> .
5 Foot Height Bonus for Active Ground Floor Uses	§ <u>263.20</u>	P(1) in some districts

Rear Yard	§§ <u>130</u> , <u>134</u> , <u>134(a)(e)</u> , <u>136</u>	Required at Grade level and at each succeeding level or Story: 25% of lot depth, but in no case less than 15 feet
Front Setback and Side Yard	§§ <u>130</u> , <u>131</u> , <u>132</u> , <u>133</u>	Not Required.
Street Frontage and Public Realm		
Streetscape and Pedestrian Improvements	§ <u>138.1</u>	Required
Street Frontage Requirements	§ <u>145.1</u>	Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.
Ground Floor Commercial	§ <u>145.4</u>	Required on some streets, see § <u>145.4</u> for specific districts.
Vehicular Access Restrictions	§ <u>155(r)</u>	Restricted on some streets, see § <u>155(r)</u> for specific districts
Miscellaneous		
Lot Size (Per Development)	§§ <u>102</u> , <u>121.1</u>	P up to 4,999 square feet; C 5,000 square feet and above
Planned Unit Development	§ <u>304</u>	C
Awning	§ <u>136.1</u>	P
Canopy or Marquee	§ <u>136.1</u>	NP
Signs	§§ <u>262</u> , <u>602-604</u> , <u>607</u> , <u>607.1</u> , <u>608</u> , <u>609</u>	As permitted by § <u>607.1</u>
General Advertising Signs	§§ <u>262</u> , <u>602,604</u> , <u>608</u> , <u>609</u> , <u>610</u> , <u>611</u>	NP
Design Guidelines	General Plan Commerce and Industry Element	Subject to the Urban Design Guidelines

Zoning Category § References Controls

RESIDENTIAL STANDARDS AND USES

Development Standards

Usable Open Space [Per Dwelling Unit]	§§ <u>135</u> , <u>136</u>	100 square feet per unit if private, or 133 square feet per unit if common
Off-Street Parking Requirements	§§ <u>145.1</u> , <u>150</u> , <u>151</u> , <u>153</u> - <u>156</u> , <u>161</u> , <u>166</u> , <u>204.5</u>	No car parking required. Maximum permitted per § <u>151</u> . ¹ Bike parking required per § <u>155.2</u> . If car parking is provided, car share spaces are required when a project has 50 units or more per § <u>166</u> .
Dwelling Unit Mix	§ <u>207.6</u>	Not required

Use Characteristics

Single Room Occupancy	§ <u>102</u>	P
Student Housing	§ <u>102</u>	P

Residential Uses

Controls by Story

		1st	2nd	3rd+
Residential Uses	§ <u>102</u>	P	P	P
Accessory Dwelling Unit Density	§§ <u>102</u> , <u>207(c)(4)</u> , <u>207(c)(6)</u>	P per Planning Code Sections <u>207(c)(4)</u> and <u>207(c)(6)</u> .		
Dwelling Unit Density	§§ <u>102</u> , <u>207</u>	1 unit per 800 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.		
Group Housing Density	§ <u>208</u>	1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential District, whichever is greater.		
Homeless Shelters Density	§§ <u>102</u> , <u>208</u>	Density limits regulated by the Administrative Code		
Senior Housing	§§ <u>102</u> , <u>202.2(f)</u> , <u>207</u>	P up to twice the number of dwelling units		

Density		otherwise permitted as a Principal Use in the district and meeting all the requirements of § <u>202.2(f)(1)</u> . C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of § <u>202.2(f)(1)</u> , except for § <u>202.2(f)(1)(D)(iv)</u> , related to location.		
Loss of Dwelling Units		Controls by Story		
		1st	2nd	3rd+
Residential Conversion	§ <u>317</u>	C	NP	NP
Residential Demolition and Merger	§ <u>317</u>	C	C	C

Zoning Category § References Controls
NON-RESIDENTIAL STANDARDS

Development Standards		
Floor Area Ratio	§§ <u>102</u> , <u>123</u> , <u>124</u>	1.8 to 1
Use Size	§ <u>102</u>	P up to 2,999 square feet; C 3,000 square feet and above
Off-Street Parking Requirements	§§ <u>145.1</u> , <u>150</u> , <u>151</u> , <u>153</u> - <u>156</u> , <u>161</u> , <u>166</u> , <u>204.5</u>	No car parking required... ¹ Maximum permitted per § <u>151</u> . Bike parking required per Section <u>155.2</u> . Car share spaces required when a project has 25 or more parking spaces per § <u>166</u> .
Off-Street Freight Loading	§§ <u>150</u> , <u>152</u> , <u>153</u> - <u>155</u> , <u>161</u> , <u>204.5</u>	None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §§ <u>155</u> and <u>161</u> .
Commercial Use Characteristics		
Drive-up Facility	§ <u>102</u>	NP
Formula Retail	§§ <u>102</u> , <u>303.1</u>	C
Hours of Operation	§ <u>102</u>	P 6 a.m. - 11 p.m.; C 11 p.m. - 2 a.m.
Maritime Use	§ <u>102</u>	NP
Open Air Sales	§§ <u>102</u> , <u>703(b)</u>	See § <u>703(b)</u>

Outdoor Activity Area	§ <u>102</u> , <u>145.2</u>	P if located in front of building; C if located elsewhere		
Walk-up Facility	§ <u>102</u>	P		
NON-RESIDENTIAL USES		Controls by Story		
		1st	2nd	3rd+
Agricultural Use Category				
Agriculture, Industrial	§§ <u>102</u> , <u>202.2(c)</u>	NP	NP	NP
Agriculture, Large Scale Urban	§§ <u>102</u> , <u>202.2(c)</u>	C	C	C
Agriculture, Neighborhood	§§ <u>102</u> , <u>202.2(c)</u>	P	P	P
Automotive Use Category				
Automotive Uses*	§ <u>102</u>	NP	NP	NP
Parking Garage, Private	§ <u>102</u>	C	C	C
Parking Garage, Public	§ <u>102</u>	C	NP	NP
Parking Lot, Private	§§ <u>102</u> , <u>142</u> , <u>156</u>	C	C	C
Parking Lot, Public	§§ <u>102</u> , <u>142</u> , <u>156</u>	C	NP	NP
Entertainment, Arts and Recreation Use Category				
Entertainment, Arts and Recreation Uses*	§§ <u>102</u> , <u>202.4</u>	NP	NP	NP
Arts Activities	§ <u>102</u>	NP(7)	NP(8)	NP(8)
Entertainment, General	§ <u>102</u>	C	NP	NP
Entertainment, Nighttime	§ <u>102</u>	C	NP	NP
Open Recreation Area	§ <u>102</u>	C	C	C
Passive Outdoor Recreation	§ <u>102</u>	C	C	C
Industrial Use Category				

Industrial Uses	§ <u>102</u> , <u>202.2(d)</u>	NP	NP	NP
Institutional Use Category				
Institutional Uses*	§ <u>102</u>	P	C	NP
Child Care Facility	§ <u>102</u>	P	P	P
Hospital	§ <u>102</u>	NP	NP	NP
Medical Cannabis Dispensary	§§ <u>102</u> , <u>202.2(e)</u>	NP(<u>6</u>)	NP(<u>6</u>)	NP
Philanthropic Admin. Services	§ <u>102</u>	NP	NP	NP
Public Facilities	§ <u>102</u>	C	C	C
Religious Institution	§ <u>102</u>	P	C	NP
Residential Care Facility	§ <u>102</u>	P	P	P
Sales and Service Use Category				
Retail Sales and Service Uses*	§ <u>102</u>	P(<u>2</u>)(<u>3</u>)	<u>NP</u>	<u>NP</u>
<u>Adult Business</u>	§ <u>102</u>	NP	NP	NP
Animal Hospital	§ <u>102</u>	NP	NP	NP
Bar	§§ <u>102</u> , <u>202.2(a)</u>	P(<u>2</u>)(<u>6</u>)	<u>NP</u>	<u>NP</u>
<u>Cannabis Retail</u>	§§ <u>102</u> , <u>202.2(a)</u>	NP(<u>6</u>)	NP(<u>6</u>)	NP
Flexible Retail	§ <u>102</u>	NP(<u>7</u>)	NP	NP
Gym	§ <u>102</u>	P	NP	NP
Hotel	§ <u>102</u>	NP	NP	NP
Kennel	§ <u>102</u>	NP	NP	NP
Liquor Store	§ <u>102</u>	P(<u>6</u>)	NP	NP
Massage Establishment	§ <u>102</u>	NP	NP	NP
Massage, Foot/Chair	§ <u>102</u>	NP	NP	NP
Mortuary	§ <u>102</u>	NP	NP	NP
Motel	§§ <u>102</u> , <u>202.2(a)</u>	NP	NP	NP

Services, Financial	§ 102	NP	NP	NP
Services, Fringe Financial	§ 102	NP	NP	NP
Services, Health	§ 102	P	NP	NP
Services, Instructional	§ 102	P	NP	NP
Services, Limited Financial	§ 102	P	NP	NP
Services, Personal	§ 102	P	NP	NP
Services, Retail Professional	§ 102	P	NP	NP
Storage, Self	§ 102	NP	NP	NP
Tobacco Paraphernalia Establishment	§ 102	C	NP	NP
Trade Shop	§ 102	P	NP	NP
Non-Retail Sales and Service*	§ 102	NP	NP	NP
Design Professional	§ 102	P	NP	NP
Trade Office	§ 102	P	NP	NP
Utility and Infrastructure Use Category				
Utility and Infrastructure*	§ 102	C(5)	C(5)	C(5)
Power Plant	§ 102	NP	NP	NP
Public Utilities Yard	§ 102	NP	NP	NP

* Not listed below

■(1) Additional 5 feet for NC-1 parcels with a Commercial use on the ground floor within the following areas:

(a) Within the boundaries of Sargent Street to Orizaba Avenue to Lobos Street to Plymouth Avenue to Farellones Street to San Jose Avenue to Alemany Boulevard to 19th Avenue to Randolph Street to Monticello Street and back to Sargent Street.

(b) On Noriega, Irving, Taraval and Judah Streets west of 19th Avenue.

<p>■(2) P if located more than one-fourth mile from any NC District or Restricted Use Subdistrict with more restrictive controls; otherwise, same as more restrictive control.</p>
<p>■(3) TARAVAL STREET RESTAURANT SUBDISTRICT. Applicable only for the Taraval Street NC-1 District between 40th and 41st Avenues and between 45th and 47th Avenues as mapped on Sectional Maps 5 SU and 6 SU. Restaurants and Limited Restaurants are C; Formula Retail Restaurants and Limited Restaurants are NP.</p>
<p>■(4) [Note deleted.]</p>
<p>■(5) C if a Macro WTS Facility; P if a Micro WTS Facility.</p>
<p>■(6) C in the area comprising all of that portion of the City and County commencing at the point of the intersection of the shoreline of the Pacific Ocean and a straight-line extension of Lincoln Way, and proceeding easterly along Lincoln Way to 17th Avenue, and proceeding southerly along 17th Avenue to Judah Street, and proceeding westerly along Judah Street to 19th Avenue, and proceeding southerly along 19th Avenue to Sloat Boulevard, and proceeding westerly along Sloat Boulevard, and following a straight-line extension of Sloat Boulevard to the shoreline of the Pacific Ocean and proceeding northerly along said line to the point of commencement.</p>
<p>■(7) P in the geographic area described as Flexible Retail Zones in Section <u>202.9</u>.</p>
<p>■(8) C in the geographic area described as Flexible Retail Zones in Section <u>202.9</u>.</p>

(Added by Ord. 69-87, App. 3/13/87; amended by Ord. 445-87, App. 11/12/87; Ord. 412-88, App. 9/10/88; Ord. 42-89, App. 2/8/89; Ord. 229-99, File No. 990991, App. 8/20/99; Ord. 87-00, File No. 991963, App. 5/19/2000; Ord. 260-00, File No. 001424, App. 11/17/2000; Ord. 275-05, File No. 051250, App. 11/30/2005; Ord. 289-06, File No. 050176, App. 11/20/2006; Ord. 269-07, File No. 070671, App. 11/26/2007; Ord. 244-08, File No. 080567, App. 10/30/2008; Ord. 245-08, File No. 080696; Ord. 51-09, File No. 081620, App. 4/2/2009; Ord. 5-10, File No. 090319, App. 1/22/2010; Ord. 66-11, File No. 101537, App. 4/20/2011, Eff. 5/20/2011; Ord. 140-11, File No. 110482, App. 7/5/2011, Eff. 8/4/2011; Ord. 75-12, File No. 120084, App. 4/23/2012, Eff. 5/23/2012; Ord. 175-12, File No. 120241, App. 8/7/2012, Eff. 9/6/2012; Ord. 56-13, File No. 130062, App. 3/28/2013, Eff. 4/27/2013; Ord. 287-13, File No. 130041, App. 12/26/2013, Eff. 1/25/2014; Ord. 235-14, File No. 140844, App. 11/26/2014, Eff. 12/26/2014; Ord. 14-15, File No. 141210, App. 2/13/2015, Eff. 3/15/2015; Ord. 20-15, File No. 110548, App. 2/20/2015, Eff. 3/22/2015; redesignated and amended by Ord. 30-15, File No. 140954, App. 3/26/2015, Eff. 4/25/2015; amended by Ord. 161-15, File No. 150804, App. 9/18/2015, Eff. 10/18/2015; Ord. 33-16, File No. 160115, App. 3/11/2016, Eff. 4/10/2016; Ord. 162-16, File No. 160657, App. 8/4/2016, Eff. 9/3/2016; Ord. 166-16, File No. 160477, App. 8/11/2016, Eff. 9/10/2016; Ord. 129-17, File No. 170203, App. 6/30/2017, Eff. 7/30/2017; Ord. 130-17, File No. 170204, App. 6/30/2017, Eff. 7/30/2017; Ord. 189-17, File No. 170693, App. 9/15/2017, Eff. 10/15/2017; Ord. 229-17, File No. 171041, App. 12/6/2017, Eff. 1/5/2018; Ord. 199-18, File No. 180482, App. 8/10/2018, Eff. 9/10/2018; Ord. 202-18, File No. 180557, App. 8/10/2018, Eff. 9/10/2018; Ord. 277-18, File No. 180914, App. 11/20/2018, Eff. 12/21/2018; Ord. 285-18, File No. 180806, App. 12/7/2018, Eff. 1/7/2019; Ord. 303-18, File No. 180915, App. 12/21/2018, Eff. 1/21/2019; Ord. 311-18, File No. 181028, App. 12/21/2018, Eff. 1/21/2019; Ord. 116-19, File No. 181156, App. 6/28/2019, Eff. 7/29/2019)

AMENDMENT HISTORY

Zoning Control Table: 710.69C and 710.69D added; Ord. 66-11, Eff. 5/20/2011. Zoning Control Table: 710.10 and 710.17 amended; Specific Provisions: 710.68 added, 710.84 amended; Ord. 140-11, Eff. 8/4/2011. Zoning Control Table: 710.43 and 710.44 amended, former categories 710.42, 710.67, and 710.69A deleted; Specific Provisions: 710.40 through 710.44 amended; Ord. 75-12, Eff. 5/23/2012. Zoning Control Table: 710.10 amended; Ord. 175-12, Eff. 9/6/2012. Zoning Control Table: 710.13 and 710.69B amended; Ord. 56-13, Eff. 4/27/2013. Zoning Control Table: former categories 710.38 and 710.39 redesignated as 710.36 and 710.37 and amended; Ord. 287-13, Eff. 1/25/2014. Zoning Control Table: 710.26 amended; Ord. 235-14, Eff. 12/26/2014. Zoning Control Table: 710.92b added; Ord. 14-15, Eff. 3/15/2015. Zoning Control Table: 710.14, 710.15, 710.16, and 710.17 amended; Ord. 20-15, Eff. 3/22/2015. Section redesignated (formerly Sec. 710.1); Zoning Control Table: 710.54, 710.91, and 710.92 amended; Ord. 30-15, Eff. 4/25/2015. Introductory material amended; Zoning Control Table: 710.91 amended; Specific Provisions: 710.91 added; Ord. 161-15, Eff. 10/18/2015. Zoning Control Table: former categories 710.36 and 710.37 deleted, 710.96 added; Ord. 33-16, Eff. 4/10/2016. Introductory material amended; Specific Provisions: 710.91 amended; Ord. 162-16, Eff. 9/3/2016. Zoning Control Table: 710.33A added; Ord. 166-16, Eff. 9/10/2016. Zoning Control Table: 710.33A added; Ord. 166-16, Eff. 9/10/2016. New Zoning Control Table and notes added;

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Table amended; Notes (9) and (10) added; Ord. 285-18, Eff. 1/7/2019. Zoning Control Table amended; Ord. 311-18, Eff. 1/21/2019. Zoning Control Table amended; Ord. 116-19, Eff. 7/29/2019.

CODIFICATION NOTE

1. So in Ord. 129-17.

****Editor's Note:**

Ordinance 186-17, effective October 15, 2017, requires that "No more than three MCDs shall be permitted at any given time within the boundaries of Supervisorial District 11."

SEC. 713. NC-S – NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT.

NC-S Districts are intended to serve as small shopping centers or supermarket sites which provide retail goods and services for primarily car-oriented shoppers. They commonly contain at least one anchor store or supermarket, and some districts also have small medical office buildings. The range of services offered at their retail outlets usually is intended to serve the immediate and nearby neighborhoods. These districts encompass some of the most recent (post-1945) retail development in San Francisco's neighborhoods and serve as an alternative to the linear shopping street.

Shopping centers and supermarket sites contain mostly one-story buildings which are removed from the street edge and set in a parking lot. Outdoor pedestrian activity consists primarily of trips between the parking lot and the stores on-site. Ground and second stories are devoted to retail sales and some personal services and offices.

The NC-S standards and use provisions allow for medium-size commercial uses in low-scale buildings. Rear yards are not required for new development. Most neighborhood-serving retail businesses are permitted at the first and second stories, but limitations apply to fast-food restaurants and take-out food uses. Some auto uses are permitted at the first story. Limited storage and administrative service activities are permitted with some restrictions.

Housing development in new buildings is permitted. Existing residential units are protected by limitations on demolitions and prohibitions of upper-story conversions. Accessory Dwelling Units are permitted within the District pursuant to subsection 207(c)(4) of this Code.

**Table 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S
ZONING CONTROL TABLE**

**Table 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S
ZONING CONTROL TABLE**

NC-S	
Zoning Category § References	Controls
BUILDING STANDARDS	
Massing and Setbacks	
Height and Bulk Limits.	<p>§§ <u>102</u>, <u>105</u>, <u>106</u>, <u>250</u>–<u>252</u>, <u>253.3</u>, <u>260</u>, <u>261.1</u>, <u>270</u>, <u>271</u>. See also Height and Bulk District Maps</p> <p>Varies, but generally 40-X. Lakeshore Plaza SUD requires C for buildings above 26 feet (<u>1</u>). See Height and Bulk Map Sheets</p>

		HT02-05, HT07, and HT10-13 for more information. Height sculpting required on Alleys per § <u>261.1</u> .
5 Foot Height Bonus for Active Ground Floor Uses	§ <u>263.20</u>	NP
Rear Yard	§§ <u>130</u> , <u>134</u> , <u>134(a)(e)</u> , <u>136</u>	Not Required.
Front Setback and Side Yard	§§ <u>131</u> , <u>132</u> , <u>133</u>	Not Required.
Street Frontage and Public Realm		
Streetscape and Pedestrian Improvements	§ <u>138.1</u>	Required
Street Frontage Requirements	§ <u>145.1</u>	Required; controls apply to above-grade parking setbacks, parking and loading entrances, active uses, ground floor ceiling height, street-facing ground-level spaces, transparency and fenestration, and gates, railings, and grillwork. Exceptions permitted for historic buildings.
Ground Floor Commercial	§ <u>145.4</u>	Required on certain streets, see § <u>145.4</u> for specific districts.
Vehicular Access Restrictions	§ <u>155(r)</u>	Restricted on some streets, see § <u>155(r)</u> for specific districts
Miscellaneous		
Lot Size (Per Development)	§ <u>102</u> , <u>121.1</u>	N/A
Planned Unit Development	§ <u>304</u>	C
Awning, Canopy, or Marquee	§§ <u>102</u> , <u>136</u>	P
Signs	§§ <u>262</u> , <u>602-604</u> , <u>607</u> , <u>608</u> , <u>609</u>	As permitted by § <u>607.1</u>

General Advertising Signs	§§ <u>262</u> , <u>602</u> , <u>604</u> , <u>608</u> , <u>609</u> , <u>610</u> , <u>611</u>	NP(1)
Design Guidelines	General Plan Commerce and Industry Element	Subject to the Urban Design Guidelines

Zoning Category | § References | Controls
RESIDENTIAL STANDARDS AND USES

Development Standards				
Usable Open Space [Per Dwelling Unit]	§§ <u>135</u> , <u>136</u>	Generally, either 100 square feet if private, or 133 square feet if common.(1)		
Off-Street Parking Requirements	§§ <u>145.1</u> , <u>150</u> , <u>151</u> , <u>153</u> - <u>156</u> , <u>161</u> , <u>166</u> , <u>204.5</u>	No car parking required. Maximum permitted per § <u>151</u> . Bike parking required per § <u>155.2</u> . If car parking is provided, car share spaces are required when a project has 50 units or more per § <u>166</u> .		
Dwelling Unit Mix	§ <u>207.6</u>	Not required		
Use Characteristics				
Single Room Occupancy	§ <u>102</u>	P		
Student Housing	§ <u>102</u>	P		
Residential Uses		Controls by Story		
		1st	2nd	3rd+
Residential Uses	§ <u>102</u>	P	P	P
Accessory Dwelling Unit Density	§§ <u>102</u> , <u>207(c)(4)</u> , <u>207(c)(6)</u>	P per Planning Code Sections <u>207(c)(4)</u> and <u>207(c)(6)</u> .		
Dwelling Unit Density	§§ <u>102</u> , <u>207</u>	1 unit per 800 square feet lot area, or the density permitted in the nearest Residential District, whichever is greater.(1)(4)		
Group Housing Density	§ <u>208</u>	1 bedroom per 275 square foot lot area, or the density permitted in the nearest Residential		

		District, whichever is greater.(1)
Homeless Shelter Density	§§ <u>102</u> , <u>208</u>	Density limits regulated by the Administrative Code
Senior Housing Density	§§ <u>102</u> , <u>202.2(f)</u> , <u>207</u>	P up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all the requirements of § <u>202.2(f)(1)</u> . C up to twice the number of dwelling units otherwise permitted as a Principal Use in the district and meeting all requirements of § <u>202.2(f)(1)</u> , except for § <u>202.2(f)(1)(D)(iv)</u> , related to location.
Loss of Dwelling Units		Controls by Story
		1st 2nd 3rd+
Residential Conversion	§ <u>317</u>	C NP NP
Residential Demolition and Merger	§ <u>317</u>	C C C

Zoning Category § References Controls
NON-RESIDENTIAL STANDARDS

Development Standards

Floor Area Ratio	§§ <u>102</u> , <u>123</u> , <u>124</u>	1.8 to 1
Use Size	§ <u>102</u> , <u>121.2</u>	P up to 5,999 square feet; C 6,000 square feet and above
Off-Street Parking Requirements	§§ <u>145.1</u> , <u>150</u> , <u>151</u> , <u>153-156</u> , <u>161</u> , <u>166</u> , <u>204.5</u>	No car parking required ¹ Maximum permitted per § <u>151</u> . Bike parking required per Section <u>155.2</u> . Car share spaces required when a project has 25 or more parking spaces per § <u>166</u> .
Off-Street Freight Loading	§§ <u>150</u> , <u>152</u> , <u>153</u> - <u>155</u> , <u>161</u> , <u>204.5</u>	None required if gross floor area is less than 10,000 square feet. Exceptions permitted per §§ <u>155</u> and <u>161</u> .

Commercial Use Characteristics

Drive-up Facility	§ <u>102</u>	C
Formula Retail	§§ <u>102</u> , <u>303.1</u>	C

Hours of Operation	§ <u>102</u>	P 6 a.m. - 2 a.m., C 2 a.m. - 6 a.m. <u>(1)</u>		
Maritime Use	§ <u>102</u>	NP		
Open Air Sales	§§ <u>102</u> , <u>703(b)</u>	See § <u>703(b)</u>		
Outdoor Activity Area	§§ <u>102</u> , <u>145.2(a)</u>	P if located in front; C if located elsewhere		
Walk-up Facility	§§ <u>102</u> , <u>145.2(b)</u>	P		
NON-RESIDENTIAL USES		Controls by Story		
		1st	2nd	3rd+
Agricultural Use Category				
Agriculture, Industrial	§§ <u>102</u> , <u>202.2(c)</u>	NP	NP	NP
Agriculture, Large Scale Urban	§§ <u>102</u> , <u>202.2(c)</u>	C	C	C
Agriculture, Neighborhood	§§ <u>102</u> , <u>202.2(c)</u>	P	P	P
Automotive Use Category				
Automotive Uses*	§ <u>102</u>	NP	NP	NP
Automotive Sale/Rental	§ <u>102</u>	C	NP	NP
Automotive Service Station	§§ <u>102</u> , <u>202.2(b)</u>	P	NP	NP
Automotive Wash	§§ <u>102</u> , <u>202.2(b)</u>	C	NP	NP
Gas Station	§§ <u>102</u> , <u>187.1</u> , <u>202.2(b)</u>	C	NP	NP
Parking Garage, Private	§ <u>102</u>	C	C <u>(1)</u>	C <u>(1)</u>
Parking Garage, Public	§ <u>102</u>	P	P	NP
Parking Lot, Private	§§ <u>102</u> , <u>142</u> , <u>156</u>	C	C <u>(1)</u>	C <u>(1)</u>
Parking Lot, Public	§§ <u>102</u> , <u>142</u> , <u>156</u>	P	P	NP
Entertainment, Arts and Recreation Use Category				
Entertainment, Arts and Recreation Uses*	§ <u>102</u>	NP	NP	NP

Amusement Game Arcade	§ 102	C	NP	NP
Arts Activities	§ 102	NP(6)	NP(7)	NP(7)
Entertainment, General	§ 102	P(1)	P(1)	NP
Entertainment, Nighttime	§ 102	P(1)	P(1)	NP
Movie Theater	§§ 102, 202.4	P(1)	NP(1)	NP
Open Recreation Area	§ 102	C	C	C
Passive Outdoor Recreation	§ 102	C	C	C
Industrial Use Category				
Industrial Uses*	§§ 102, 202.2(d)	NP	NP	NP
Institutional Use Category				
Institutional Uses*	§ 102	P(1)	P(1)	NP(1)
Child Care Facility	§ 102	P(1)	P(1)	P(1)
Hospital	§ 102	NP	NP	NP
Medical Cannabis Dispensary**	§§ 102, 202.2(e)	C	C	NP
Philanthropic Admin. Services	§ 102	NP	NP	NP
Public Facilities	§ 102	C	C	C
Residential Care Facility	§ 102	P(1)	P(1)	P(1)
Sales and Service Use Category				
Retail Sales and Service Uses*	§ 102	P	P	NP
Adult Business	§ 102	NP	NP	NP
Animal Hospital	§ 102	C	C	NP
Bar	§§ 102, 202.2(a)	P(1)	P(1)	NP
Cannabis Retail	§§ 102, 202.2(a)	C	C	NP
Flexible Retail	§ 102	NP(6)	NP	NP

Hotel	§ <u>102</u>	C(4)	C(4)	C(4)
Kennel	§ <u>102</u>	C	C	NP
Liquor Store	§ <u>102</u>	P	NP	NP
Massage Establishment	§ <u>102</u> , <u>303(o)</u>	C	C	NP
Massage, Foot/Chair	§ <u>102</u>	P	C	NP
Mortuary	§ <u>102</u>	C(1)	C(1)	NP
Motel	§§ <u>102</u> , <u>202.2(a)</u>	NP(4)	NP(4)	NP(4)
Restaurant, Limited	§§ <u>102</u> , <u>202.2(a)</u>	P(1)	P(1)	NP
Services, Financial	§ <u>102</u>	P	P	NP(1)
Services, Fringe Financial	§ <u>102</u>	P	NP	NP
Services, Health	§ <u>102</u>	P	P	NP(1)
Services, Instructional	§ <u>102</u>	P	P	NP(1)
Services, Limited Financial	§ <u>102</u>	P	P	NP
Services, Personal	§ <u>102</u>	P	P	NP(1)
Storage, Self	§ <u>102</u>	C	C	NP
Tobacco Paraphernalia Establishment	§ <u>102</u>	C	NP	NP
Non-Retail Sales and Service*	§ <u>102</u>	NP	NP	NP
Design Professional	§ <u>102</u>	P	P	NP
Service, Non-Retail Professional	§ <u>102</u>	C	C	NP(1)
Trade Office	§ <u>102</u>	P	P	NP
Utility and Infrastructure Use Category				
Utility and Infrastructure*	§ <u>102</u>	C(5)	C(5)	C(5)
Power Plant	§ <u>102</u>	NP	NP	NP

* Not listed below
<p>■ (1) LAKESHORE PLAZA SPECIAL USE DISTRICT</p> <p>Boundaries: Applicable only for the Lakeshore Plaza NC-S District as mapped on Sectional Map SU13 and HT13.</p> <p>Controls: Special controls on various features and uses, and residential standards per Section <u>780.1</u>, and special Height controls per Section <u>253.3</u>.</p>
■ (2) [Note deleted.]
■ (3) [Note deleted.]
<p>■ (4) BAYSHORE-HESTER SPECIAL USE DISTRICT</p> <p>Boundaries: Applicable only for the Bayshore-Hester Special Use District NC-S District as mapped on the Sectional Map 10SU.</p> <p>Controls: Hotels and Motels may be permitted as a Conditional Use.</p>
■ (5) C if a Macro WTS Facility; P if a Micro WTS Facility.
■ (6) P in the geographic area described as Flexible Retail Zones in Section <u>202.9</u> .
■ (7) C in the geographic area described as Flexible Retail Zones in Section <u>202.9</u> .

(Added by Ord. 69-87, App. 3/13/87; amended by Ord. 445-87, App. 11/12/87; Ord. 412-88, App. 9/10/88; Ord. 42-89, App. 2/8/89; Ord. 331-97, App. 8/19/97; Ord. 87-00, File No. 991963, App. 5/19/2000; Ord. 260-00, File No. 001424, App. 11/17/2000; Ord. 275-05, File No. 051250, App. 11/30/2005; Ord. 289-06, File No. 050176, App. 11/20/2006; Ord. 269-07, File No. 070671, App. 11/26/2007; Ord. 244-08, File No. 080567, App. 10/30/2008; Ord. 245-08, File No. 080696; Ord. 51-09, File No. 081620, App. 4/2/2009; Ord. 66-11, File No. 101537, App. 4/20/2011, Eff. 5/20/2011; Ord. 47-12, File No. 111315, App. 3/16/2012, Eff. 4/15/2012; Ord. 75-12, File No. 120084, App. 4/23/2012, Eff. 5/23/2012; Ord. 56-13, File No. 130062, App. 3/28/2013, Eff. 4/27/2013; Ord. 287-13, File No. 130041, App. 12/26/2013, Eff. 1/25/2014; Ord. 235-14, File No. 140844, App. 11/26/2014, Eff. 12/26/2014; Ord. 14-15, File No. 141210, App. 2/13/2015, Eff. 3/15/2015; Ord. 20-15, File No. 110548, App. 2/20/2015, Eff. 3/22/2015; redesignated and amended by Ord. 30-15, File No. 140954, App. 3/26/2015, Eff. 4/25/2015; amended by Ord. 161-15, File No. 150804, App. 9/18/2015, Eff. 10/18/2015; Ord. 33-16, File No. 160115, App. 3/11/2016, Eff. 4/10/2016; Ord. 162-16, File No. 160657, App. 8/4/2016, Eff. 9/3/2016; Ord. 166-16, File No. 160477, App. 8/11/2016, Eff. 9/10/2016; Ord. 129-17, File No. 170203, App. 6/30/2017, Eff. 7/30/2017; Ord. 130-17, File No. 170204, App. 6/30/2017, Eff. 7/30/2017; Ord. 189-17, File No. 170693, App. 9/15/2017, Eff. 10/15/2017; Ord. 229-17, File No. 171041, App. 12/6/2017, Eff. 1/5/2018; Ord. 202-18, File No. 180557, App. 8/10/2018, Eff. 9/10/2018; Ord. 277-18, File No. 180914, App. 11/20/2018, Eff. 12/21/2018; Ord. 285-18, File No. 180806, App. 12/7/2018, Eff. 1/7/2019; Ord. 303-18, File No. 180915, App. 12/21/2018, Eff. 1/21/2019; Ord. 311-18, File No. 181028, App. 12/21/2018, Eff. 1/21/2019; Ord. 116-19, File No. 181156, App. 6/28/2019, Eff. 7/29/2019)

AMENDMENT HISTORY

Zoning Control Table: 713.69C and 713.69D added; Ord. 66-11, Eff. 5/20/2011. Zoning Control Table: 713.61 amended; Ord. 47-12, Eff. 4/15/2012. Zoning Control Table: 713.43 and 713.44 amended, former categories 713.42, 713.67, and 713.69A deleted; Ord. 75-12, Eff. 5/23/2012. Zoning Control Table: 713.13, 713.54, and 713.69B amended; Specific Provisions: 713.54 added; Ord. 56-13, Eff. 4/27/2013. Zoning Control Table: former categories 713.38 and 713.39 redesignated as 713.36 and 713.37 and amended; Ord. 287-13, Eff. 1/25/2014. Zoning Control Table: 713.26 amended; Specific Provisions: 713.54 amended; Ord. 235-14, Eff. 12/26/2014. Zoning Control Table: 713.92b added; Ord. 14-15, Eff. 3/15/2015. Zoning Control Table: 713.14, 713.15, 713.16, 713.17, and 713.30 amended; Ord. 20-15, Eff. 3/22/2015. Section redesignated (formerly Sec. 713.1); Zoning Control Table: 713.54, 713.91, and 713.92 amended; Ord. 30-15, Eff. 4/25/2015. Introductory material amended; Zoning Control Table: 713.91 amended; Specific Provisions: 713.91 ("Accessory Dwelling Units") added; Ord. 161-15, Eff. 10/18/2015. Zoning Control Table: former categories 713.36 and 713.37 deleted, 713.96 and 713.97 added; Ord. 33-16, Eff. 4/10/2016. Introductory material amended; Specific Provisions: 713.91 amended; Ord. 162-16, Eff. 9/3/2016. Zoning Control Table: 713.33A added; Ord. 166-16, Eff. 9/10/2016. New Zoning Control Table and notes added; Ord. 129-17, Eff. 7/30/2017. Previous Zoning Control Table and Specific Provisions deleted; Ord. 130-17, Eff. 7/30/2017. Zoning Control Table amended; Note (2) deleted; Ord. 189-17, Eff. 10/15/2017. Zoning Control Table amended; Ord. 229-17, Eff. 1/5/2018. Zoning Control Table amended; Ord. 202-18, Eff. 9/10/2018. Zoning Control Table amended; Ord. 277-18, Eff. 12/21/2018. Zoning Control Table amended; Notes (6) and (7) added; Ord. 285-18, Eff. 1/7/2019. Zoning Control Table amended; Note (3) deleted; Ord. 303-

18, Eff. 1/21/2019. Zoning Control Table amended; Ord. 311-18, Eff. 1/21/2019. Zoning Control Table amended; Ord. 116-19, Eff. 7/29/2019.

CODIFICATION NOTE

1. So in Ord. 311-18.

****Editor's Note:**

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EXHIBIT G



PLANNING COMMISSION

STANDARDS FOR THE TRANSPORTATION DEMAND MANAGEMENT PROGRAM



ADOPTED AUGUST 4, 2016

Updated June 7, 2018



San Francisco
Planning



SAN
FRANCISCO

SECTION 2

Transportation Demand Management Plan

This section provides the standards a property owner uses in developing a TDM Plan.

2.1 DETERMINE APPLICABILITY

Any Development Project that meets the applicability criteria of Planning Code Section 169.3 shall be subject to the TDM Program requirements of Planning Code Section 169 and the TDM Program Standards. The TDM Program Standards require each land use within a Development Project to be categorized as one of four separate land use categories (see Section 2.2(a)(1) below), and each land use category within a Development Project to trigger individual TDM targets within the overall TDM Plan (see Section 2.2(a) below). As such, the TDM Program Standards allow for a mixed use Development Project to have some land uses that must meet a TDM target within the TDM Plan, and some land uses that will not be required to meet a TDM target.

For a Development Project that involves a Change of Use, the Change of Use must result in an intensification of use for the TDM Program to apply. An intensification of use is described as going from a lower land use category to a higher land use category, according to the estimated number of vehicle trips per parking space provided for the primary user. For example, a change from land use category D to land use category B constitutes an intensification of use. If the Change of Use does not result in an intensification of use, the base target score is zero points and the Development Project is not required to submit a TDM Plan or monitoring and reporting.

2.2 TDM PLAN STANDARDS

Any Development Project subject to the TDM Program shall submit a TDM Plan Application and administrative fee¹ along with its first Development Application. The TDM Plan shall document the Development Project's compliance with the TDM Program.

2.2(a) Targets. The TDM Program Standards require each Development Project subject to the TDM Program to meet a target, without exceptions. The target is based upon the land use(s) associated with the Development Project and the number of Accessory Parking spaces proposed for the land use.^{2, 3} The Planning Code contains definitions for over 100 different land uses. In order to simplify the applicability of the TDM Program, the TDM Program Standards classify land use definitions into four land

1 Refer to Planning Department Fee Schedule for potential waivers regarding any administrative fees referenced in the TDM Program Standards.

2 Each land use within a Development Project will fall within a land use category. The TDM Program Standards require each Accessory Parking space to be assigned to a distinct land use, including those Accessory Parking spaces within Development Projects located within Use Districts that permit Accessory Parking up to a certain percentage of gross floor area (e.g., C-3 Districts). If an Accessory Parking space is used by more than one land use (e.g., shared spaces), the Accessory Parking space shall be counted toward each land use for which it is assigned.

3 For any Development Project that meets the applicability criteria of Planning Code Section 169.3 and includes a Parking Garage or Parking Lot, for the purposes of determining the target(s), all parking spaces associated with any such Parking Garage or Parking Lot shall be assigned to distinct land use categories (A, B, and C) that trigger the TDM Plan requirement within the Development Project. The number of such parking spaces assigned to each qualifying land use category shall be proportional, so that the percentage of total parking spaces assigned to a land use category is equal to the percentage of occupied square feet that such land use category represents within the total area of qualifying land use categories within the Development Project. However, no individual land use category within the Development Project shall be assigned such parking spaces in an amount that exceeds the maximum amount of parking permitted for the associated land use(s) by the Planning Code."

TABLE 2-1: LAND USE CATEGORIES AND TARGETS

Land Use Category	Typical Land Use Type	# of Parking Spaces proposed by Land Use	Target
Ⓐ	Retail	Base number: $0 \leq 4$	Base Target: 13 points
		Each additional 2*	1 additional point
Ⓑ	Office	Base number: $0 \leq 20$	Base Target: 13 points
		Each additional 10*	1 additional point
Ⓒ	Residential	$0 \leq 5$	10 points
		$6 \leq 10$	11 points
		$11 \leq 15$	12 points
		$16 \leq 20$	13 points
		Each additional 10*	1 additional point
Ⓓ	Other	Any # of parking spaces	3 points

* For each additional parking space proposed above the base target, the number of parking spaces will be rounded up to the next highest target. For example, a project within Land Use Category C that proposes 21 parking spaces is subject to a 14 point target.

use categories, based upon reducing *Vehicle Miles Traveled* from the primary trip generator associated with that land use. The TDM Program Standards rank the four land use categories, from highest (A) to lowest (D), according to the estimated number of vehicle trips per parking space provided for that primary user: visitors and customers, employees, or residents as shown in Table 2-1.

Typical types of land uses that fall within each of the four land use categories include: Land use category A: formula retail, museums, entertainment venues, and grocery stores. Land use category B: office, child care facility, school. Land use category C: residential. Land use category D: internet service exchange, manufacturing, and production, distribution, and repair. A complete list of land uses classified from the Planning Code into land use categories is included as Section 2.2(a)(1) of the TDM Program Standards. The rationale for the land use categories is described in Chapter 3 in the TDM Technical Justification document.

The TDM Program Standards set a *base target* that all Development Projects within land use categories A, B, and C are required to meet at 25% of the total available number of points in the relevant land use categories. The TDM Program Standards allow for the base target to change as *TDM measures* are added or removed from the *TDM menu of options* (menu) or points associated with existing TDM measures are refined. As stated in Planning Code Section 169 and defined further in the Glossary of Terms, each TDM measure on the menu shall be designed to reduce Vehicle Miles Traveled by residents, tenants, employees, and visitors and must be under the control of the property owner. This process is described in Section 4 of the TDM Program Standards. The TDM Program Standards require land uses associated with land use category D to achieve a target of three points. The target for these land uses is lower than the other three land use categories because the land uses within this category would not substantially affect *Vehicle Miles Traveled*. The rationale for setting the base target for all land use categories is described in Chapter 3 of the TDM Technical Justification document.

TABLE 2-2: PLANNING CODE LAND USE CATEGORIZATION

Land Use Category	Planning Code Definition Title (Section 102)	
(A) Retail	<ul style="list-style-type: none"> • Adult Business; Automobile Sale or Rental; Automotive Use, Retail; • Bar; Bona Fide Eating Place; • Community Facility; Community Facility, Private; • Drive-Up Facility; • Eating and Drinking Use; Entertainment, General; Entertainment, Nighttime; Entertainment, Outdoor; Entertainment, Arts and Recreation, Non-Commercial; Entertainment, Arts and Recreation, Retail; Entertainment, Arts and Recreation Use; • Gas Station; Gift Store-Tourist Oriented; Grocery, General; Grocery, Specialty; Gym • Jewelry Store • Job Training • Liquor Store • Massage, Chair/Foot; Massage Establishment; Medical Cannabis Dispensary; Mortuary; Movie Theater • Non-Auto vehicle Sales or Rental • Open Air Sales • Pharmacy • Religious Institution; Restaurant; Restaurant, Limited • Service, Financial; Service, Fringe Financial; Service, Limited Financial; Service, Personal; Service, Retail Professional • Sports Stadium • Take-Out Food; Tobacco Paraphernalia Establishment; Trade Shop • Walk-Up Facility 	
(B) Office	<ul style="list-style-type: none"> • Animal Hospital • Cat Boarding; Child Care Facility • Design Professional • Hospital; Hotel • Institutional Education Use • Kennel • Laboratory; Licensed Child Care Facility; Life Science • Motel • Nonprofit Organization • Office, General • Post-Secondary Educational Institution • Residential Care Facility • School; Service, Business; Service, Health; Service, Instructional; Service, Non-Retail Professional; Service, Philanthropic Administrative; Small Enterprise Workspace (S.E.W.); Social Service or Philanthropic Facility • Trade Offices; Trade School 	
(C) Residential	Residential Use	
(D) Other	<ul style="list-style-type: none"> • Agriculture, Large-Scale Urban; Agriculture, Neighborhood; Automobile Assembly; Automobile Wrecking; Automotive Service; Automotive Service Station; Automotive Use, Non-Retail; Automotive Wash • Catering; Community Recycling Collection Center • Food, Fiber and Beverage Processing 1; Food Fiber and Beverage Processing 2 • Greenhouse • Hazardous Waste Facility • Internet Service Exchange • Junk Yard • Livery Stable; Livestock Processing 1; Livestock Processing 2 • Manufacturing 1, Heavy; Manufacturing 2, Heavy; Manufacturing 3, Heavy; Manufacturing, Light; Maritime Use; Metal Working • Open Recreation Area • Passive Outdoor Recreation; Power Plant; Production, Distribution, and Repair; Public Transportation Facility; Public Utilities Yard • Service, Ambulance; Service, Motor Vehicle Tow; Service, Parcel Delivery; Shipyard; Storage, Commercial; Storage, Self; Storage, Volatile Materials; Storage, Wholesale; Storage Yard • Truck Terminal • Utility and Infrastructure; Utility Installation • Wholesale Sales; Wireless Telecommunication Services (WTS) Facility 	

2.2(b)(2) Mixed Use Projects. For projects that propose a mix of land uses, the TDM Program Standards allow six of the 26 TDM measures in the TDM menu to apply to any land use associated with a Development Project, assuming that all users of the Development Project are able to access the TDM measures. The six TDM measures are: Improve Walking Conditions, Bicycle Repair Station, Delivery Supportive Amenities, Shuttle Bus Service, Multimodal Wayfinding Signage, and Real Time Transportation Displays. Therefore, a property owner developing a TDM Plan for a project that proposes a mix of land uses and selecting any of these six TDM measures for one land use category must select the same TDM measure for every other land use category.

EXAMPLE

A property owner proposes new construction that includes 500,000 square feet of office space and 400 dwelling units.

Office space is identified as land use category B. Residential units are identified as land use category C. Of the six TDM measures identified above, the property owner for land use category B has selected Improve Walking Conditions (Option A), Bicycle Repair Station, and Shuttle Bus Service (Option A). Improve Walking Conditions requires the property owner to make streetscape improvements along or near the frontages of the project site. Bicycle Repair Station requires an on-site bicycle repair station. The property owner will allow this station to be accessed by all users of the Development Project. Shuttle Bus Service requires a local shuttle bus service to be provided free of charge to residents, tenants, employees, and visitors. Given that these three TDM measures will benefit the whole of the Development Project, the property owner must also select these three TDM measures for land use category C.

2.2(b)(3) Development Projects With Multiple Buildings. For Development Projects that include multiple buildings, selected physical TDM measures must be proportionately allocated amongst any land use on the a project's site; and/or readily identifiable and accessible to the residents, tenants, employees and/or visitors to a project's site.

2.2(b)(4) Development Projects With a Substantial Amount of Parking. A Development Project may propose more Accessory Parking spaces than the TDM menu can address. The following are the approximate⁵ number of Accessory Parking spaces for Development Projects within land use categories A, B, and C for which all available points have been exhausted⁶ (excluding the Parking Supply measure):

- » Land use category A (Retail Type Uses) = 56 parking spaces.
- » Land use category B (Office Type Uses) = 270 parking spaces.
- » Land use category C (Residential Type Uses) = 280 parking spaces.

Given no more TDM measures and points are available for these Development Projects, excluding the Parking Supply measure, the TDM Program Standards require these projects to include all measures and points, up to a 80% of the total number of points available, applicable for the land use category in the Development Project's TDM Plan. When using the TDM Tool, this percent reduction of the total number of points to achieve is automatically calculated. When using the TDM Tool, this percent reduction of the total number of points to achieve is automatically calculated. The rationale for setting the 80% requirement for these Development Projects is described in Chapter 4 of the TDM Technical Justification Document.

5 The exact number will vary and will need to be determined by the Planning Department if a Development Project approaches this number of Accessory Parking spaces. Given some of the TDM measures are based upon location or the size or type of the land use associated with the Development Project, an approximate number is given in the TDM Program Standards, instead of an exact number.

6 Chapter 3 of the TDM Technical Justification Document describes the methodology for identifying the total number of available points for each land use category, as every TDM measure is not applicable to every land use. In addition, this number of Accessory Parking spaces assumes the Shuttle Bus Service measure is not available.

TABLE 2-3: TDM MENU OF OPTIONS

Category	Measure	Points	Land Use Category			
			A	B	C	D
ACTIVE-1	Improve Walking Conditions: Option A; or	1 ●	☑	☑	☑	○
	Improve Walking Conditions: Option B; or	1 ●	☑	☑	☑	○
	Improve Walking Conditions: Option C; or	1 ●	☑	☑	☑	○
	Improve Walking Conditions: Option D	1 ●	☑	☑	☑	○
ACTIVE-2	Bicycle Parking: Option A; or	1 ●	☑	☑	☑	☑
	Bicycle Parking: Option B; or	2 ●●	☑	☑	☑	☑
	Bicycle Parking: Option C; or	3 ●●●	☑	☑	☑	☑
	Bicycle Parking: Option D	4 ●●●●	☑	☑	☑	○
ACTIVE-3	Showers and Lockers	1 ●	☑	☑	⊘	☑
ACTIVE-4	Bike Share Membership: Location A; or	1 ●	☑	☑	☑	○
	Bike Share Membership: Location B	2 ●●	☑	☑	☑	○
ACTIVE-5A	Bicycle Repair Station	1 ●	☑	☑	☑	○
ACTIVE-5B	Bicycle Maintenance Services	1 ●	☑	☑	☑	○
ACTIVE-6	Fleet of Bicycles	1 ●	☑	☑	☑	○
ACTIVE-7	Bicycle Valet Parking	1 ●	☑	⊘	⊘	○
CSHARE-1	Car-share Parking and Membership: Option A; or	1 ●	Ⓟ	Ⓟ	Ⓟ	Ⓟ
	Car-share Parking and Membership: Option B; or	2 ●●	Ⓟ	Ⓟ	Ⓟ	Ⓟ
	Car-share Parking and Membership: Option C; or	3 ●●●	Ⓟ	Ⓟ	Ⓟ	Ⓟ
	Car-share Parking and Membership: Option D; or	4 ●●●●	Ⓟ	Ⓟ	Ⓟ	○
	Car-share Parking and Membership: Option E	5 ●●●●●	Ⓟ	Ⓟ	Ⓟ	○
DELIVERY-1	Delivery Supportive Amenities	1 ●	☑	☑	☑	○
DELIVERY-2	Provide Delivery Services	1 ●	☑	⊘	⊘	○
FAMILY-1	Family TDM Amenities: Option A; and/or	1 ●	⊘	⊘	☑	⊘
	Family TDM Amenities: Option B	1 ●	⊘	⊘	☑	⊘
FAMILY-2	On-site Childcare	2 ●●	☑	☑	☑	⊘
FAMILY-3	Family TDM Package	2 ●●	⊘	⊘	☑	⊘

One point may be equal to a 1% reduction in VMT.

☑ = applicable to land use category.

Ⓟ = applicable to land use category, see fact sheets for further details regarding project size and/or location.

Ⓟ = applicable to land use category only if project includes some parking.

⊘ = not applicable to land use category.

○ = project sponsor can select these measures for land use category D, but will not receive points.

Category	Measure	Points	Land Use Category			
			A	B	C	D
HOV-1	Contributions or Incentives for Sustainable Transportation: Option A; or	2 ●●	Ⓜ	Ⓜ	Ⓜ	○
	Contributions or Incentives for Sustainable Transportation: Option B; or	4 ●●●●	Ⓜ	Ⓜ	Ⓜ	○
	Contributions or Incentives for Sustainable Transportation: Option C; or	6 ●●●●●●	Ⓜ	Ⓜ	Ⓜ	○
	Contributions or Incentives for Sustainable Transportation: Option D	8 ●●●●●●●●	Ⓜ	Ⓜ	Ⓜ	○
HOV-2	Shuttle Bus Service: Option A; or	7 ●●●●●●●	Ⓜ	Ⓜ	Ⓜ	○
	Shuttle Bus Service: Option B	14 ●●●●●●●●●●●●●●	Ⓜ	Ⓜ	Ⓜ	○
HOV-3	Vanpool Program: Option A; or	1 ●	Ⓜ	Ⓜ	Ⓜ	○
	Vanpool Program: Option B; or	2 ●●	Ⓜ	Ⓜ	Ⓜ	○
	Vanpool Program: Option C; or	3 ●●●	Ⓜ	Ⓜ	Ⓜ	○
	Vanpool Program: Option D; or	4 ●●●●	Ⓜ	Ⓜ	Ⓜ	○
	Vanpool Program: Option E; or	5 ●●●●●	Ⓜ	Ⓜ	Ⓜ	○
	Vanpool Program: Option F; or	6 ●●●●●●	Ⓜ	Ⓜ	Ⓜ	○
	Vanpool Program: Option G	7 ●●●●●●●	Ⓜ	Ⓜ	Ⓜ	○
INFO-1	Multimodal Wayfinding Signage	1 ●	Ⓜ	Ⓜ	Ⓜ	Ⓜ
INFO-2	Real Time Transportation Information Displays	1 ●	Ⓜ	Ⓜ	Ⓜ	Ⓜ
INFO-3	Tailored Transportation Marketing Services: Option A; or	1 ●	Ⓜ	Ⓜ	Ⓜ	○
	Tailored Transportation Marketing Services: Option B; or	2 ●●	Ⓜ	Ⓜ	Ⓜ	○
	Tailored Transportation Marketing Services: Option C; or	3 ●●●	Ⓜ	Ⓜ	Ⓜ	○
	Tailored Transportation Marketing Services: Option D	4 ●●●●	Ⓜ	Ⓜ	Ⓜ	○
LU-1	Healthy Food Retail in Underserved Area	2 ●●	Ⓜ	Ⓜ	Ⓜ	Ⓜ
LU-2	On-site Affordable Housing: Option A; or	1 ●	Ⓜ	Ⓜ	Ⓜ	Ⓜ
	On-site Affordable Housing: Option B; or	2 ●●	Ⓜ	Ⓜ	Ⓜ	Ⓜ
	On-site Affordable Housing: Option C; or	3 ●●●	Ⓜ	Ⓜ	Ⓜ	Ⓜ
	On-site Affordable Housing: Option D	4 ●●●●	Ⓜ	Ⓜ	Ⓜ	Ⓜ

One point may be equal to a 1% reduction in VMT.

Ⓜ = applicable to land use category.

Ⓜ = applicable to land use category, see fact sheets for further details regarding project size and/or location.

Ⓜ = applicable to land use category only if project includes some parking.

Ⓜ = not applicable to land use category.

○ = project sponsor can select these measures for land use category D, but will not receive points.

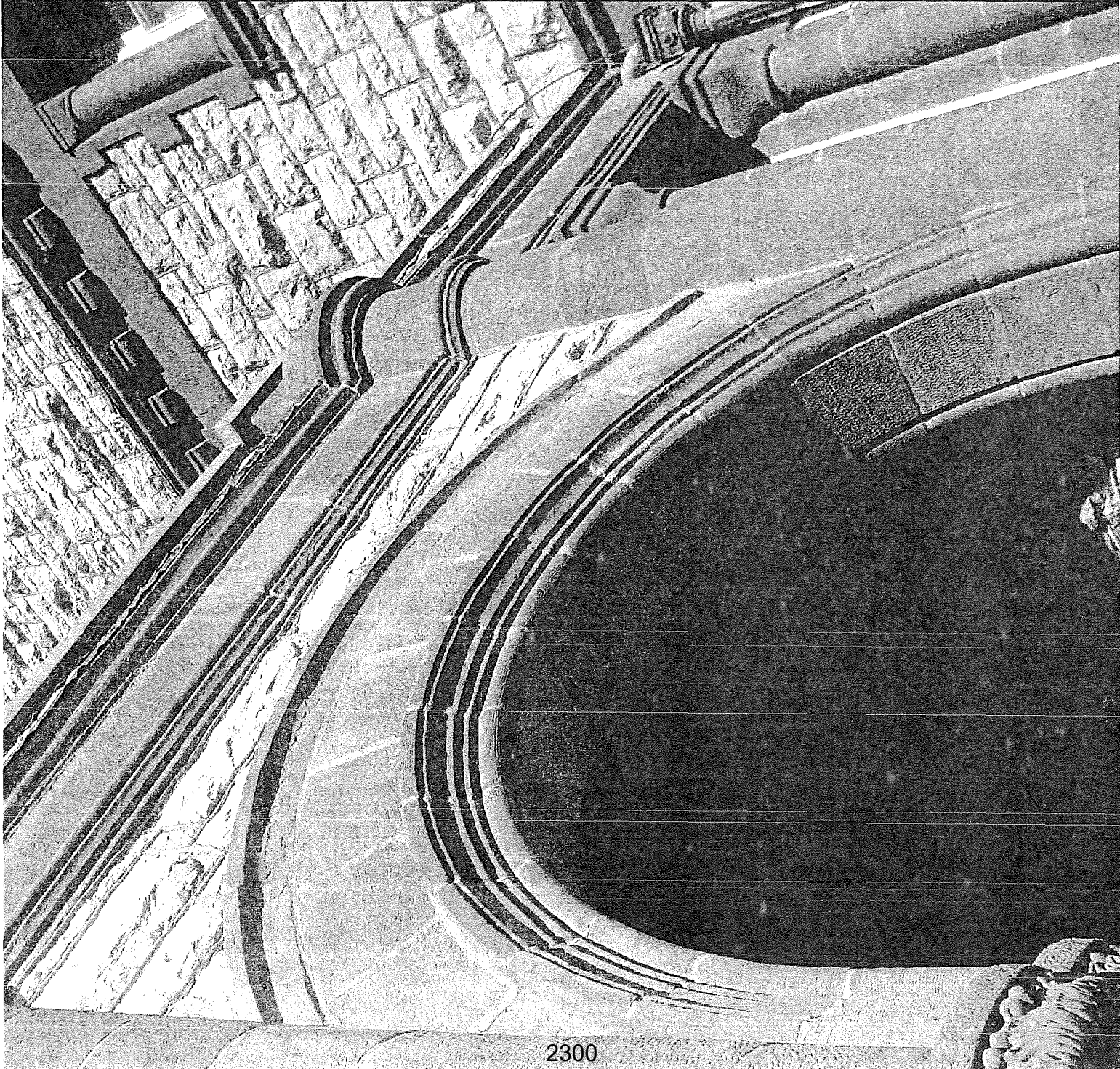
NOTE: A project sponsor can only receive up to 14 points between HOV-2 and HOV-3.

EXHIBIT H

THE SECRETARY
OF THE INTERIOR'S
STANDARDS FOR
THE TREATMENT
OF HISTORIC
PROPERTIES
WITH
GUIDELINES FOR
PRESERVING,
REHABILITATING,
RESTORING &
RECONSTRUCTING
HISTORIC
BUILDINGS



U.S. Department of the Interior
National Park Service
Technical Preservation Services



NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION

RECOMMENDED

NOT RECOMMENDED

Rooftop Additions

Designing a compatible rooftop addition for a multi-story building, when required for a new use, that is set back at least one full bay from the primary and other highly-visible elevations and that is inconspicuous when viewed from surrounding streets.

Constructing a rooftop addition that is highly visible, which negatively impacts the character of the historic building, its site, setting, or district.

[63] (a) A mockup should be erected to demonstrate the visibility of a proposed rooftop addition and its potential impact on the historic building. Based on review of this mockup (orange marker), it was determined that the rooftop addition would meet the Standards (b). The addition is unobtrusive and blends in with the building behind it.



New addition

NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND
RELATED NEW CONSTRUCTION

RECOMMENDED

Limiting a rooftop addition to one story in height to minimize its visibility and its impact on the historic character of the building.

NOT RECOMMENDED

Constructing a highly-visible, multi-story rooftop addition that alters the building's historic character.

Constructing a rooftop addition on low-rise, one- to three-story historic buildings that is highly visible, overwhelms the building, and negatively impacts the historic district.

Constructing a rooftop addition with amenities (such as a raised pool deck with plantings, HVAC equipment, or screening) that is highly visible and negatively impacts the historic character of the building.



[64] **Not Recommended:**
It is generally not appropriate to construct a rooftop addition on a low-rise, two- to three-story building such as this, because it negatively affects its historic character.

NEW EXTERIOR ADDITIONS TO HISTORIC BUILDINGS AND RELATED NEW CONSTRUCTION

RECOMMENDED

NOT RECOMMENDED

Related New Construction

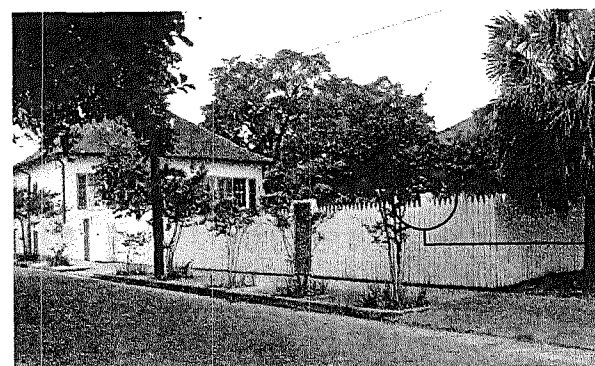
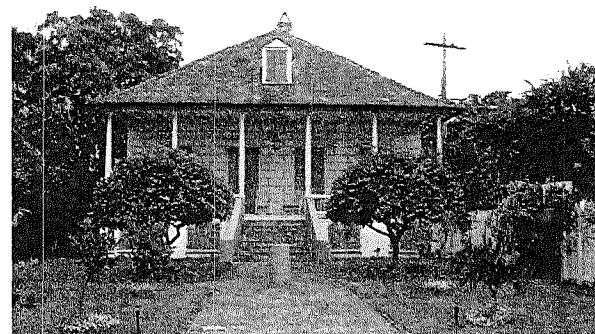
Adding a new building to a historic site or property only if the requirements for a new or continuing use cannot be accommodated within the existing structure or structures.

Locating new construction far enough away from the historic building, when possible, where it will be minimally visible and will not negatively affect the building's character, the site, or setting.

Adding a new building to a historic site or property when the project requirements could be accommodated within the existing structure or structures.

Placing new construction too close to the historic building so that it negatively impacts the building's character, the site, or setting.

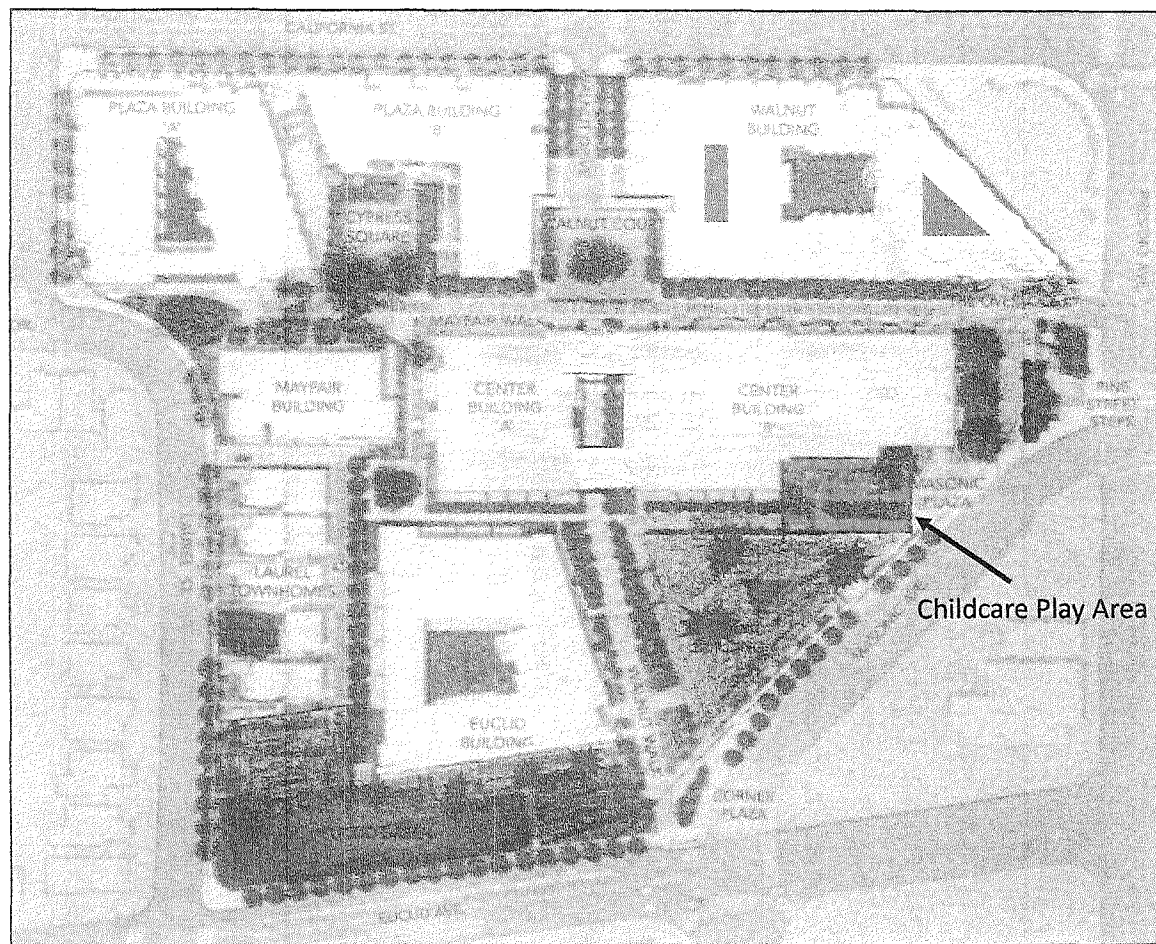
[65] (a) This (far left) is a compatible new outbuilding constructed on the site of a historic plantation house (b). Although traditional in design, it is built of wood to differentiate it from the historic house (which is scored stucco) located at the back of the site so as not to impact the historic house, and minimally visible from the public right-of-way (c).



new addition

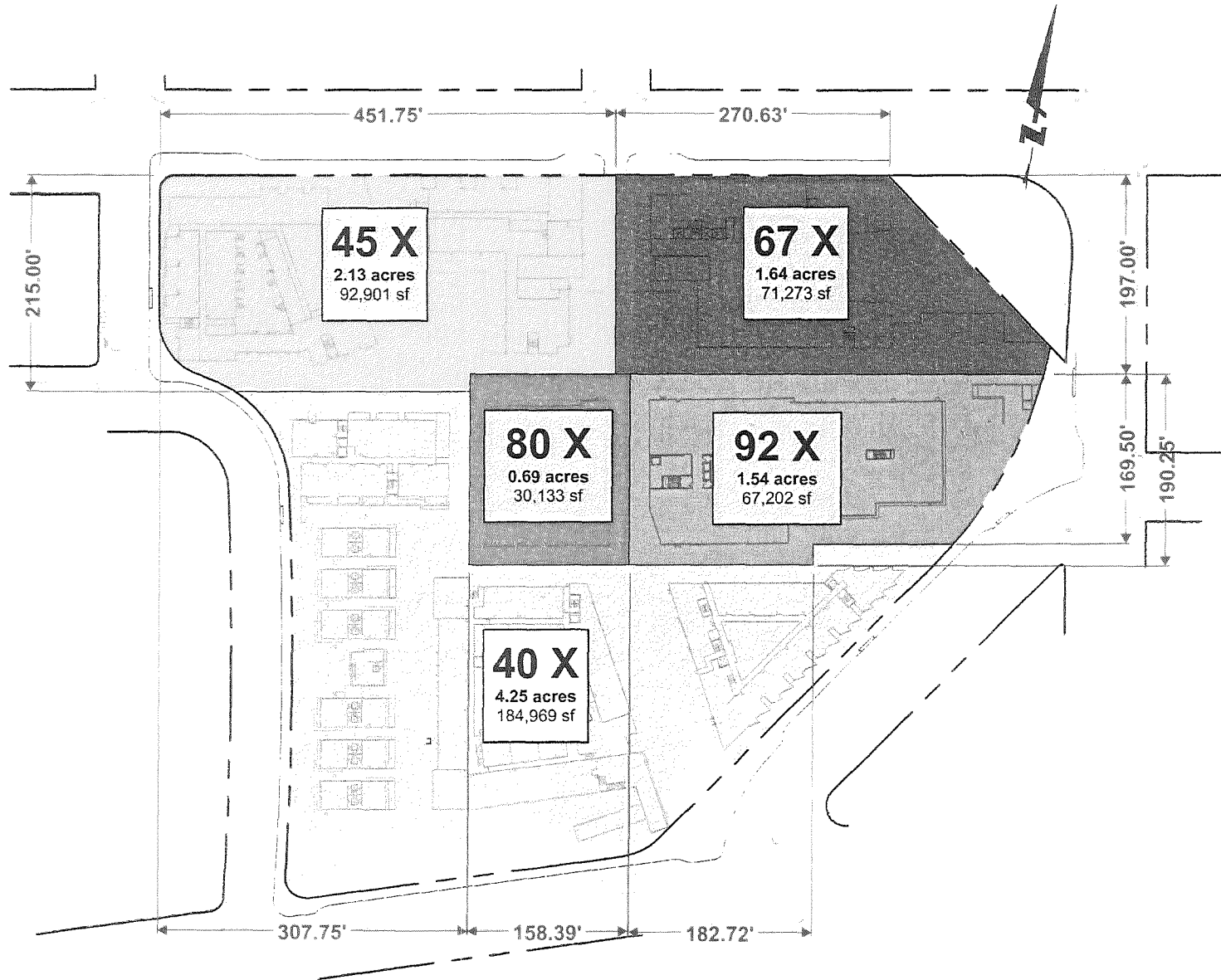
EXHIBIT I

Figure 4: Community Preservation Lookalike Variant



	DEVELOPER VARIANT 7/3/2019	COMMUNITY PRESERVATION VARIANT "Developer Lookalike"
	Residential GSF	Residential GSF
BUILDING		
Masonic	83,505	N/A
Euclid	184,170	144,870
Laurel Townhomes	55,300	34,935
Mayfair	46,680	46,680
Plaza A	66,755	81,571
Plaza B	72,035	83,215
Walnut	147,590	336,350
Main Building-Note 1	N/A	268,365
Center A	89,735	N/A
Center B	231,667	N/A
TOTAL Residential GSF	977,437	995,986

EXHIBIT J



ZONING HEIGHT MAP

*NOTE: ALL DIMENSIONS SHOWN ARE APPROXIMATE

July 16, 2019
EXHIBIT

3333 CALIFORNIA DRIVE



SKS



EXHIBIT K

PLANNING CODE REQUIRED OPEN SPACE SUMMARY (SECTION 135):

PROJECT TOTALS	Building	Total Units	Base O.S. Req'd (100/du)	Units with Private O.S.	Provided Private O.S.	Remaining Area	Area Req'd as Common (x1.33)	Provided Common O.S.	Remaining Area Req'd on Project Site
	Plaza Bldg A	67	6,700	1	100	6,600	8,778	5,550	3,228
	Plaza Bldg B	61	6,100	4	400	5,700	7,581	5,180	2,401
	Walnut	0	0	0	0	0	0	0	0
	Center Bldg A	51	5,100	12	1,200	3,900	5,187	435	4,752
	Center Bldg B	139	13,900	39	3,900	10,000	13,300	1,275	12,025
	Masonic	57	5,700	11	1,100	4,600	6,118	1,400	4,718
	Euclid	139	13,900	24	2,400	11,500	15,295	9,660	5,635
	Laurel Duplexes	14	1,400	14	1,400	0	0	0	0
	Mayfair	30	3,000	12	1,200	1,800	2,394	700	1,694
	Total	558	55,800	117	11,700	44,100	58,653	24,200	34,453

COMMON SITE PLAN OPEN SPACE CONTRIBUTING TO SECTION 135 REQUIREMENT:

CYPRESS SQUARE + WESTERN MAYFAIR WALK: 24,780 SF
 LOWER WALNUT WALK: 16,850 SF
 CALIFORNIA PLAZA: 4,290 SF
 OVERLOOK: 10,450 SF

TOTAL COMMON OPEN SPACE: 56,370 SF, EXCEEDS REQUIRED -- COMPLIES

LOCATIONS FOR REQUIRED OPEN SPACE ON SITE

PLAZA BLDG A: 3,228 SF REQUIRED ON PROJECT SITE
 3,228 (OF 4,290) SF PROVIDED AT CALIFORNIA PLAZA

PLAZA BLDG B: 2,401 SF REQUIRED ON PROJECT SITE
 2,401 (OF 24,780) SF PROVIDED AT CYPRESS SQUARE

WALNUT: 0 SF REQUIRED ON PROJECT SITE

CENTER BLDG A: 4,752 SF REQUIRED ON PROJECT SITE
 4,752 (OF 24,780) SF PROVIDED AT CYPRESS SQUARE

CENTER BLDG B: 12,025 SF REQUIRED ON PROJECT SITE
 6,400 (OF 16,850) SF PROVIDED AT LOWER WALNUT WALK
 5,625 (OF 24,780) SF PROVIDED AT CYPRESS SQUARE

MASONIC: 4,718 SF REQUIRED ON PROJECT SITE
 4,718 (OF 16,850) SF PROVIDED AT LOWER WALNUT WALK

EUCLID: 5,635 SF REQUIRED ON PROJECT SITE
 5,635 (OF 16,850) SF PROVIDED AT LOWER WALNUT WALK

LAUREL DUPLEXES: 0 SF REQUIRED ON PROJECT SITE

MAYFAIR: 1,694 SF REQUIRED ON SITE
 1,694 (OF 24,780) PROVIDED AT CYPRESS SQUARE

OPEN SPACE USE

CALIFORNIA PLAZA: 3,228 SF FOR PLAZA A BLDG
 3,228 SF OF 4,290

CYPRESS SQUARE: 2,401 SF FOR PLAZA B BLDG
 4,752 SF FOR CENTER BLDG A
 5,625 SF FOR CENTER BLDG B
 1,694 SF FOR MAYFAIR BLDG
 T: 14,472 SF OF 24,780

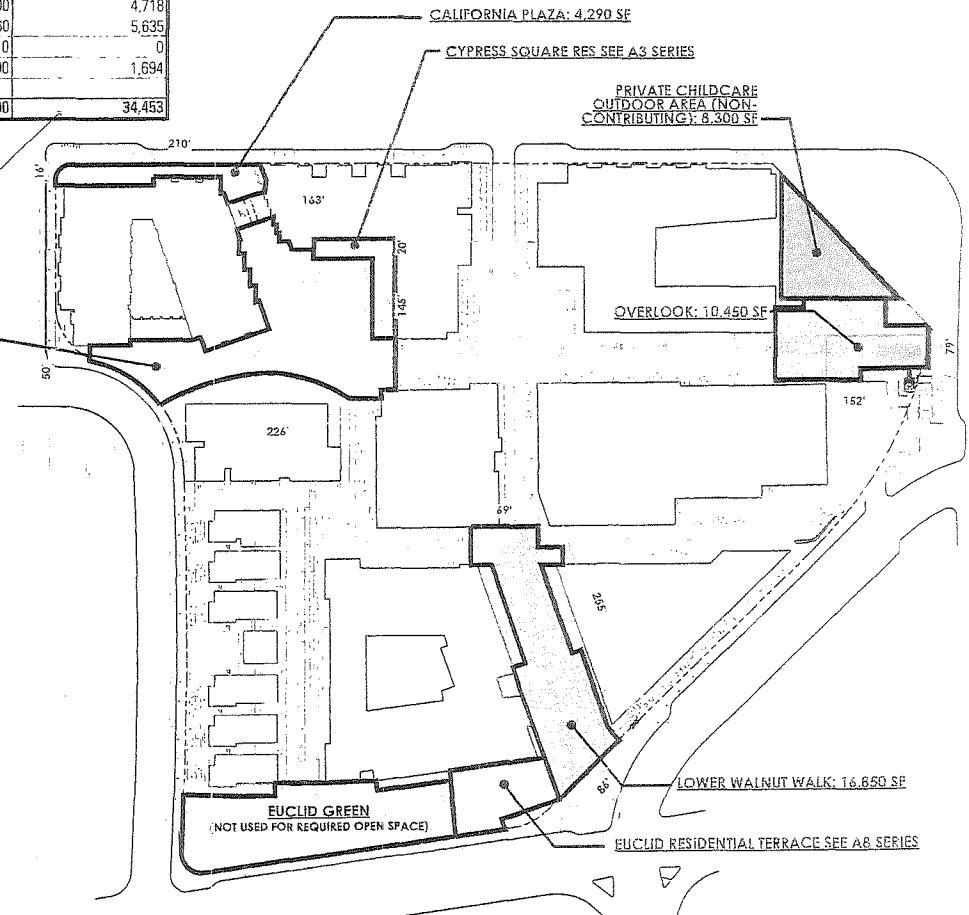
LOWER WALNUT WALK: 6,400 SF FOR CENTER BLDG B
 4,718 SF FOR MASONIC BLDG
 5,635 SF FOR EUCLID BLDG
 T: 16,753 SF OF 16,850

OPEN SPACE SUMMARY (SECTION 135):

PUBLICLY ACCESSIBLE OPEN SPACE MEETS THE DIMENSIONAL REQUIREMENTS OF SECTION 135(g)(1 & 2). ALL SPACES ARE AT LEAST 15'x15' AND 300 SF MIN.

ALL INNER COURT CONDITIONS COUNTED TOWARDS OPEN SPACE CALCULATIONS ARE MIN. 20' WIDE AND AT LEAST AS WIDE AS THE BUILDINGS FRONTING THEM.

* NOTE: AREAS HIGHLIGHTED ARE SECTION 135 COMPLIANT. OTHER PUBLIC, COMMON, AND PRIVATE OPEN SPACE IS PROVIDED, BUT NOT DENOTED ON THIS DIAGRAM



3333 CALIFORNIA STREET SAN FRANCISCO, CA



PLANNING CODE DIAGRAMS - Sec. 135

07.12.2019
 PLANNING APPLICATION RESUBMITTAL

G3.03

A

3333 CALIFORNIA MIXED-USE PROJECT

Refined Annual Shadow Fan Diagram (Factoring in Existing Shadow)



EXTENTS OF NET NEW PROJECT SHADING
THROUGHOUT THE YEAR

FULL YEAR

Proposed Project
Refined Shadow Fan
of Proposed Project

occasional
shadow

frequent
shadow

SF Rec Park Open Spaces
Laurel Hill Playground

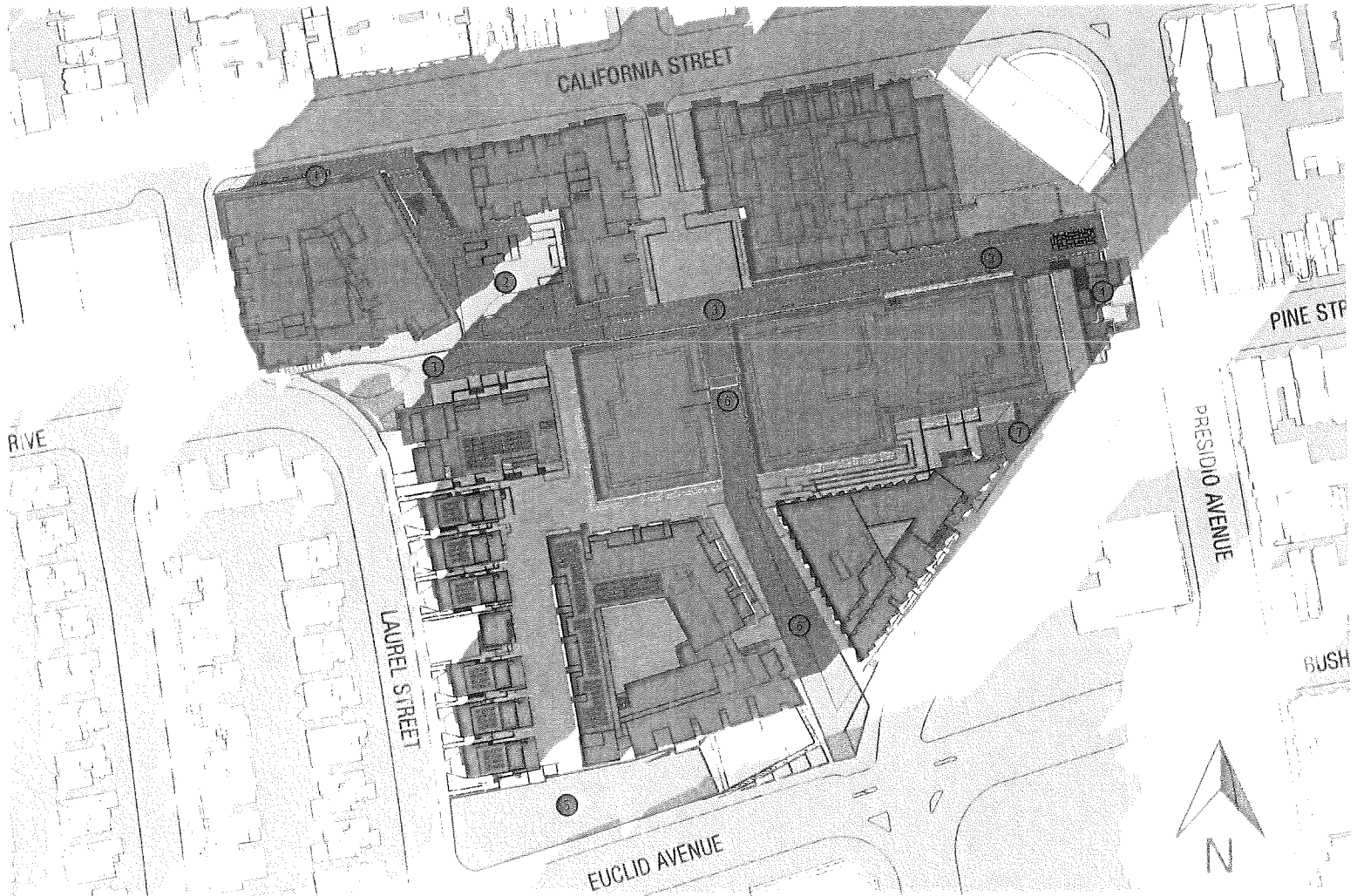
Note: No other existing publicly accessible open spaces are within the vicinity affected by net new project generated shading.



C3.8

3333 CALIFORNIA MIXED USE MULTI-FAMILY HOUSING VARIANT

Shading diagrams on the Winter Solstice



WINTER SOLSTICE
DECEMBER 20

3:00 PM

- Proposed Project
- Existing context / shadows
- New shading by project / area

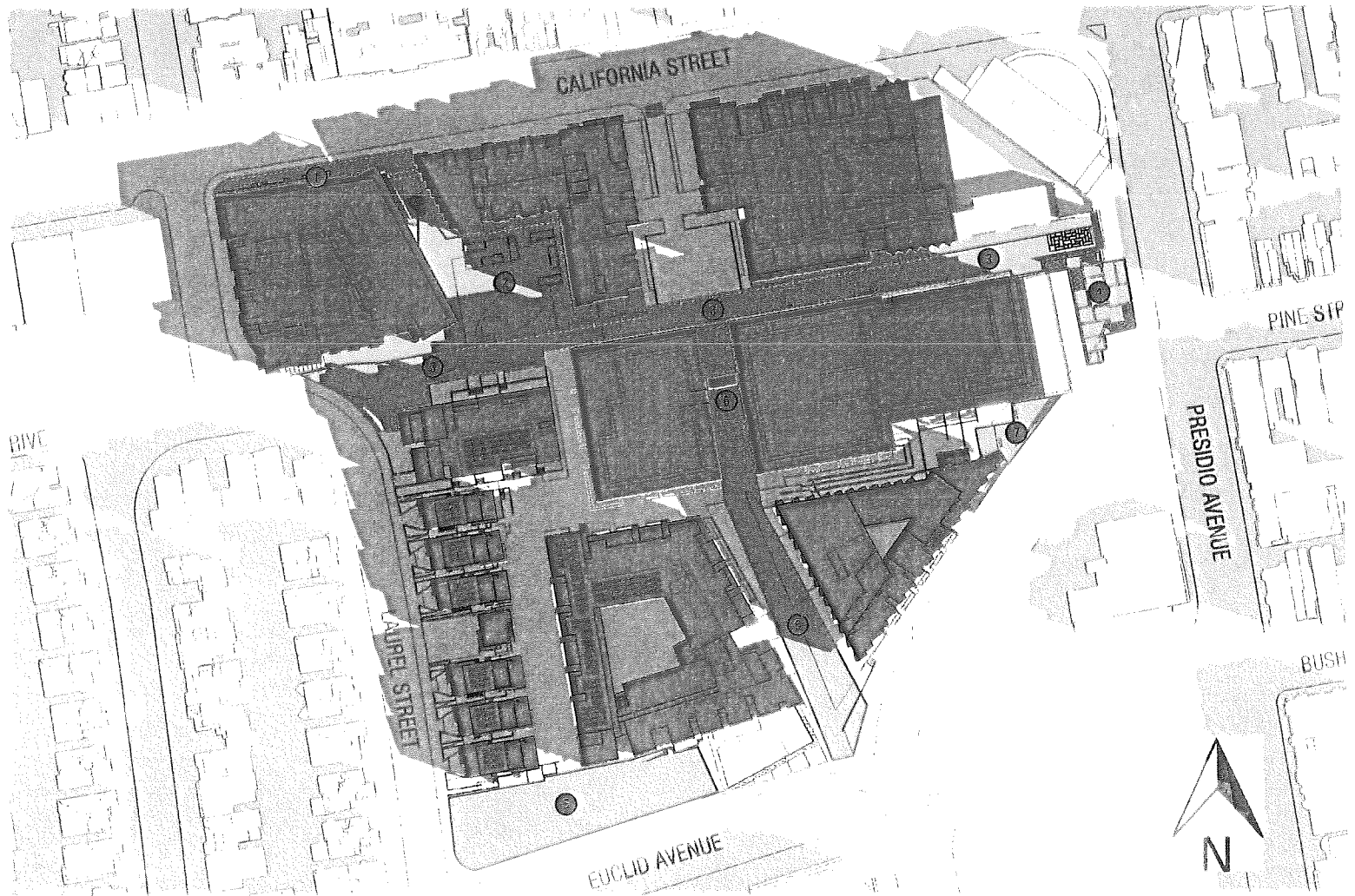
- | Project Open Spaces | |
|------------------------------|----------------|
| ① California Plaza | ⑤ Euclid Green |
| ② Cypress Square / Stairs | ⑥ Walnut Walk |
| ③ Market Walk | ⑦ Market Plaza |
| ④ Pine Green / Steps / Plaza | |



C2.3

3333 CALIFORNIA MIXED USE MULTI-FAMILY HOUSING VARIANT

Shading diagrams near the Fall/Spring Equinoxes



APPROX. FALL EQUINOX (SPRING SIMILAR)
SEPTEMBER 20

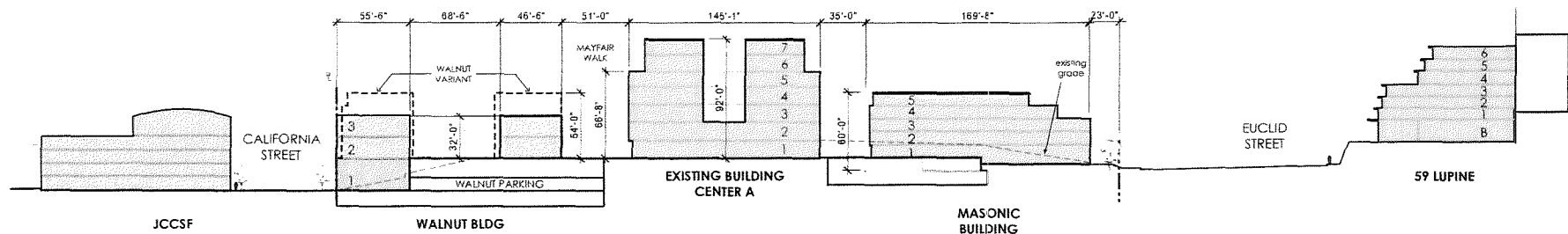
9:00 AM

- Proposed Project
- Existing (current) Shadows
- New Shading by Project Variant

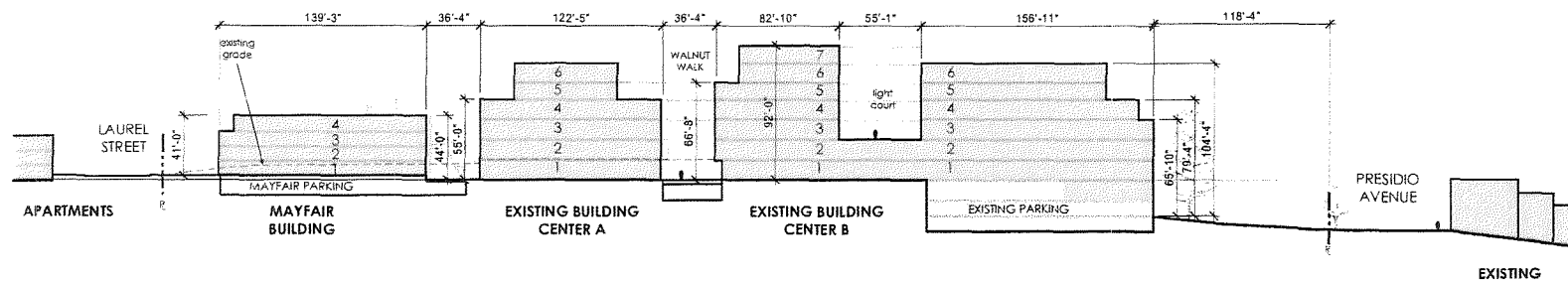
Project Open Spaces

- | | |
|------------------------------|----------------|
| ① California Plaza | ⑤ Euclid Green |
| ② Cypress Square / Stairs | ⑥ Walnut Walk |
| ③ Mayfair Walk | ⑦ Museum Plaza |
| ④ Pine Green / Steps / Plaza | |

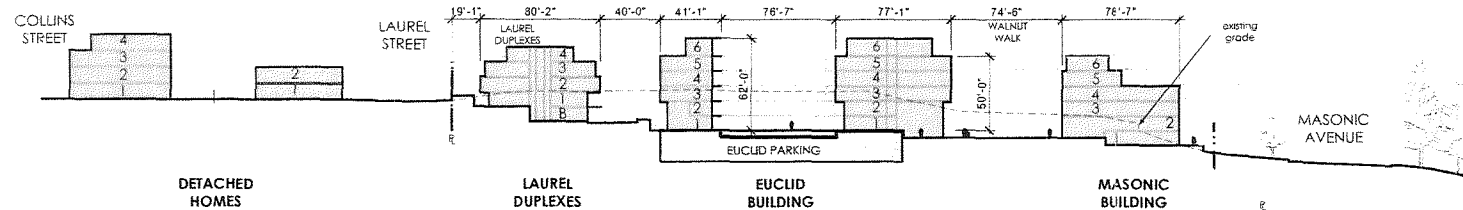
EXHIBIT L



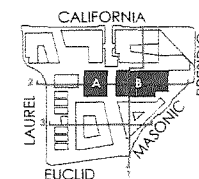
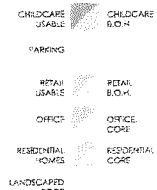
1 NORTH-SOUTH SITE SECTION



2 EAST-WEST SITE SECTION



3 EAST-WEST SITE SECTION

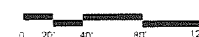


3333 CALIFORNIA STREET SAN FRANCISCO, CA

PROJECT SITE SECTIONS



7.3.2019
PLANNING APPLICATION SUBMITTAL (REVISED)



G2.08

EXHIBIT M

Traffic Appendix Chart

3333 California Street

Travel Demand Summary - Office Scenario, Weekday PM Peak Hour

Land Use Program		
Land Use	Size	Units
Residential	558	DU
	735	Studio/1-bed
	323	2/2+bed
	824,691	GSF
General Office	49,999	SF
General Retail	40,004	SF
Quality Sit-Down	4,287	SF
Composite Restaurant	9,826	SF
Daycare Center	14,690	SF

Source: Planning Application and Project Description, August 2017

Daily and PM Peak Hour Person-Trips and Vehicle-Trips Summary - Internal and External

Mode	Daily							Weekday PM Peak Hour						
	Residential	General Office	General Retail	Quality Sit-Down	Composite Restaurant	Daycare Center	Daily Total	Residential	General Office	General Retail	Quality Sit-Down	Composite Restaurant	Daycare Center	PM Peak Hour Total
Auto	2,730	489	3,836	548	3,769	629	12,001	472	41	345	74	509	113	1,554
Transit	1,354	240	476	68	468	78	2,684	250	23	43	9	63	14	402
Walk	610	129	1,532	219	1,505	251	4,246	93	10	138	30	203	45	519
Other	299	47	156	22	154	26	704	49	3	14	5	21	5	95
Total Person Trips	4,993	905	6,000	857	5,896	984	19,635	864	77	540	116	796	177	2,570
Total Vehicle Trips	1,631	288	2,070	296	2,033	339	6,656	309	30	186	40	275	61	801



San Francisco Planning

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

BOARD OF SUPERVISORS APPEAL FEE WAIVER FOR NEIGHBORHOOD ORGANIZATIONS

2019 OCT -7 PM 3:12

BY BH

APPLICATION

Appellant's Information

Name: Laurel Heights Improvement Association of San Francisco, Inc./By K. Devincenzi, President

Address: 22 Iris Avenue, SF, CA 94118 Email Address: KRDevincenzi@gmail.com

Telephone: (415) 221-4700

Neighborhood Group Organization Information

Name of Organization: Laurel Heights Improvement Association of San Francisco, Inc.

Address: 22 Iris Avenue, San Francisco, CA 94118 Email Address: KRDevincenzi@gmail.com

Telephone: (415) 221-4700

Property Information

Project Address: 3333 California Street

Project Application (PRJ) Record No: 2015-014028ENV/CUA Building Permit No:

Date of Decision (if any): September 5, 2019

Required Criteria for Granting Waiver

All must be satisfied; please attach supporting materials.

REQUIRED CRITERIA	YES	NO
The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Submission Checklist:

- ☐ APPELLANT AUTHORIZATION ☐ CURRENT ORGANIZATION REGISTRATION ☐ MINIMUM ORGANIZATION AGE
☐ PROJECT IMPACT ON ORGANIZATION

☐ WAIVER APPROVED

☐ WAIVER DENIED



Laurel Heights Improvement Association of San Francisco, Inc.

BY HAND

October 7, 2019

San Francisco Planning Department
Planning Information Center
1660 Mission Street, First Floor
San Francisco, CA 94103

Re: 3333 California Street, San Francisco, CA
Record Number: 2015-014028ENV/CUA/PCA/MAP/DVA
Fee Waiver for Appeal of Planning Commission's Certification of Final EIR and CEQA Findings

I am President of, and am also a member of, the Laurel Heights Improvement Association of San Francisco, Inc. (LHIA). As President of LHIA, I am authorized to file the appeal from the September 5, 2019 decision of the Planning Commission from the certification of the Final Environmental Report (EIR) for the 3333 California Street project by the San Francisco Planning Commission on September 5, 2019, along with the related approval of California Environmental Quality Act (CEQA) findings and statement of overriding considerations under CEQA, which related CEQA approvals are also being appealed. I am also authorized to file this application for appeal fee waiver. I am authorized to act as agent of LHIA for all purposes of this appeal.

Appellant is appealing on behalf of the LHIA organization that is registered with the Planning Department and that appears on the Planning Department's current list of neighborhood organizations. LHIA was incorporated in approximately 1950 and has been operating since that time. Therefore, appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Evidence establishing existence is attached hereto including minutes of meetings more than 24 months ago, a prior fee waiver granted to LHIA by the Planning Department, and Statement of Information filed with Secretary of State. Also attached is the Certification of Corporate Secretary that I was elected to serve in the office of President of LHIA.

Appellant is appealing on behalf of a neighborhood organization that is affected by the project at 3333 California Street that is the subject of the appeal. Members of LHIA reside in properties that are within 300 feet of the 3333 California Street site on Laurel Street and Euclid Avenue as shown in the approximate annotations I have made on the map attached hereto, and other LHIA members reside in properties nearby the 3333 California Street site. Members of LHIA will be affected by the construction and operational noise, traffic, air emissions, impairment of the historical resource, excavation, destruction of trees and other impacts caused by the proposed project.

San Francisco Planning Department
October 7, 2019
Page 2

Appellant and its members objected to approval of the project both in writing and orally at hearings conducted as to the project.

Very truly yours,

Laurel Heights Improvement Association of SF, Inc.

A handwritten signature in cursive script, reading "Kathryn Devincenzi".

By: Kathryn Devincenzi, President

ATTACHMENTS



Laurel Heights Improvement Association of San Francisco, Inc.

MINUTES

The Laurel Heights Improvement Association of San Francisco, Inc. held its annual meeting commencing at 6:45 p.m. on September 22, 2008 at The Presidio Café. The meeting was held pursuant to notice sent to the Association's members.

The meeting began with our customary introductions of the members present.

In her capacity of Recording Secretary, Kathy Devincenzi read the minutes of the annual meeting of our members held on October 15, 2007. There being no corrections to the minutes, upon motion by Dana Becker, seconded by Dr. Carolyn Carr, the members unanimously approved the minutes as read.

Treasurer Dr. Jerome Stroumza reported that the Association had \$9,879.88 in a bank account. He stated that the association's yearly expenses had run approximately \$2,478.60, with about \$600.00 being spent on the block party.

President John Rothmann reported that the Laurel Hill playground continues to be well maintained. Also, about 60 to 70 persons attended the Association's block party. Upon motion by Greg Kirkland, the members voted to conduct the block party for another year.

Mrs. Rothmann suggested that the Association use e-mail more effectively. Corresponding Secretary Edie Walker reported that she has e-mail addresses for about two-thirds of the Association's members.

Monica Fernandez provided information on tree planting that could be arranged for the cost of \$165 per tree through Friends of the Urban Forest pursuant to a request by a property owner.

Dr. Jerome Stroumza reported that he had been trained in neighborhood emergency response.

Mr. Nomura reported that the police have been sending a car to monitor traffic on Mayfair Drive.

Upon motion by MJ Thomas, seconded by Dana Becker, the members unanimously elected the following officers and directors:

President - John Rothmann
Vice President - Kathy Devincenzi
Corresponding Secretary - Edie Walker

Recording Secretary - Kathy Devincenzi
Treasurer - Dr. Jerome Stroumza

Directors for Two-Year Terms:

John Rothmann
Kathy Devincenzi
Edi Walker
Peter Chovanos
John Corsiglia
Dr. Jerome Stroumza
William Hikido

Directors for One-Year Term:

Patrick Phillips
Marie Carr
Irving Jarkovsky
Helen Jarkovsky
Dr. Carolyn Carr
Dana Becker
Charlene Tuchmann

The Association remembered Seymour Whitelaw and Carmen Whitelaw who both passed away in the past year.

After our customary raffle of wine, there being no further business, upon motion by Edie Walker, seconded by MJ Thomas, the meeting was adjourned at approximately 8:43 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kathy Devincenzi".

Kathy Devincenzi, Recording Secretary



Laurel Heights Improvement Association of San Francisco, Inc.

MINUTES

The Laurel Heights Improvement Association of San Francisco, Inc. held its annual meeting commencing at 6:45 p.m. on October 15, 2007 at The Presidio Café. The meeting was held pursuant to notice sent to the Association's members.

The meeting began with our customary introductions of the members present.

Treasurer Dr. Jerome Stroumza reported that the Association had \$11,390.43 in a bank account earning 5.7%. He stated that the association's yearly expenses had run approximately \$2,000.00, with the block party being the major expense. Upon motion by Kathy Devincenzi, seconded by John Rothmann, the members unanimously approved the Treasurer's report as read.

Recording Secretary Kathy Devincenzi read the minutes of the annual meeting of our members held on October 16, 2006. There being no corrections to the minutes, upon motion by Irving Jarkovsky, seconded by Edi Walker, the members unanimously approved the minutes as read.

President Rothmann reported that he had worked with the City to have Spruce Street repaved. Also, the covered brick bus stop at the corner of Collins Street and Euclid Avenue had been vandalized and was removed by the City upon the request of Mr. Rothmann. Mr. Rothmann reported that the fencing on the tennis court had been replaced and that new sand would be placed in the sand box in the Laurel Hill playground. Mr. Rothmann stated that his nine-year-old son, Joel Rothmann, had acted as chair of the block party which the Association held in August. Joyce Scardina-Becker suggested that the block party be held in September when less people would be on vacation. Mr. Rothmann also reported that the school building on Cook Street was being used for administrative offices.

Vice-President Kathy Devincenzi reported that the group of fourteen neighborhood associations which had sued for an environmental impact report on the proposed amendments to the housing element of the City's general plan had won in the California Supreme Court, which denied the City's petition for review. The City will therefore be required to prepare that environmental impact report. Ms. Devincenzi requested that a committee of association members be formed to monitor the plans of the Booker T. Washington center to build a housing complex on Presidio Avenue.

Mrs. Charlene Tuchmann suggested that trees be planted in the neighborhood.

Dr. Raitna Jayne reported that there was excessive noise emanating from the Laurel Village parking lot on Friday and Saturday nights, probably from Starbucks customers. Starbucks does not provide security and flood lights are on at night in the parking lot. President

Rothmann said that he would look into the matter. Also, a 5:15 a.m. garbage collection in the parking lot had caused excessive noise, but had been moved to 6:30 or 6:45 a.m. President Rothmann stated that the Laurel Village merchants maintain the Mayfair strip.

Upon motion by Edi Walker, seconded by Greg Tucker, the members unanimously elected the following officers and directors:

President - John Rothmann
Vice President - Kathy Devincenzi
Corresponding Secretary - Edi Walker
Recording Secretary - Kathy Devincenzi
Treasurer - Dr. Jerome Stroumza

Directors for Two-Year Terms:

John Rothmann
Kathy Devincenzi
Edi Walker
Peter Chovanos
John Corsiglia
Dr. Jerome Stroumza
William Hikido

Directors for One-Year Term:

Patrick Phillips
Marie Carr
Irving Jarkovsky
Helen Jarkovsky
Dr. Carolyn Carr
Dana Becker
Charlene Tuchmann

The Association remembered Marie Cicoletti who had passed away in the past year.

After our customary raffle of wine, there being no further business, upon motion by Sidney Tuchmann, seconded by Michael Moore, the meeting was adjourned at approximately 8:35 p.m.

Respectfully submitted,



Kathy Devincenzi, Recording Secretary



State of California Secretary of State

N

Statement of Information

(Domestic Nonprofit, Credit Union and General Cooperative Corporations)

Filing Fee: \$20.00. If this is an amendment, see instructions.
IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

FX07168**FILED**

In the office of the Secretary of State
of the State of California

MAY-29 2018**1. CORPORATE NAME**

LAUREL HEIGHTS IMPROVEMENT ASSOCIATION OF SAN FRANCISCO

2. CALIFORNIA CORPORATE NUMBER

C0245361

This Space for Filing Use Only

Complete Principal Office Address (Do not abbreviate the name of the city. Item 3 cannot be a P.O. Box.)

3. STREET ADDRESS OF PRINCIPAL OFFICE IN CALIFORNIA, IF ANY	CITY	STATE	ZIP CODE
---	------	-------	----------

250 EUCLID AVENUE, SAN FRANCISCO, CA 94118

4. MAILING ADDRESS OF THE CORPORATION	CITY	STATE	ZIP CODE
---------------------------------------	------	-------	----------

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

5. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
-----------------------------	---------	------	-------	----------

JOHN ROTHMANN 250 EUCLID AVENUE, SAN FRANCISCO, CA 94118

6. SECRETARY	ADDRESS	CITY	STATE	ZIP CODE
--------------	---------	------	-------	----------

CATHERINE CARR MAGEE 63 LUPINE AVENUE, SAN FRANCISCO, CA 94118

7. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
-----------------------------	---------	------	-------	----------

MARY JOY THOMAS 556 SPRUCE STREET, SAN FRANCISCO, CA 94118

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 9 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 9 must be left blank.

8. NAME OF AGENT FOR SERVICE OF PROCESS

JOHN ROTHMANN

9. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL	CITY	STATE	ZIP CODE
---	------	-------	----------

250 EUCLID AVENUE, SAN FRANCISCO, CA 94118

Common Interest Developments

10. ☐ Check here if the corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act, (California Civil Code section 4000, et seq.) or under the Commercial and Industrial Common Interest Development Act, (California Civil Code section 6500, et seq.). The corporation must file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code sections 5405(a) and 6760(a). Please see instructions on the reverse side of this form.

11. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

05/29/2018

KATHRYN ROSE DEVINCENZI

VICE-PRESIDENT

DATE

TYPE/PRINT NAME OF PERSON COMPLETING FORM

TITLE

SIGNATURE

SI-100 (REV 01/2016)

APPROVED BY SECRETARY OF STATE



SAN FRANCISCO PLANNING DEPARTMENT

June 2, 2016

Mr. John Atkins, Member of LHIA
250 Euclid Avenue
San Francisco, CA 94118

RE: **Discretionary Review Application Fee Waiver Request**
Project Address: 245 Euclid Avenue
Project Case Number: 2015-014114DRP

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Mr. Atkins:

We have confirmed that "Laurel Heights Improvement Association" qualifies as a neighborhood organization and is therefore entitled to a fee waiver.

Enclosed is the original check (# 146) issued on May 5, 2016 on behalf of the Laurel Heights Improvement Association for the above referenced Discretionary Review project application.

Thank you very much for your patience and cooperation.

Sincerely,

Anika Lyons

Acting Finance Manager

146

LAUREL HEIGHTS IMPROVEMENT ASSOCIATION OF SAN FRANCISCO
SAN FRANCISCO, CA 94118

Date May 5, 2016 11-8166/3210 19

Pay to the Order of San Francisco Planning Dept. \$ 562.00

Five hundred sixty-two Dollars

FIRST REPUBLIC BANK
3535 California St.
San Francisco, CA 94118
Tel (415) 831-6688

For Building Per. No. 2015-10-02-8734

J. J. Thomas MP

VOID

GUARDIAN SAFETY BLUE WB



Laurel Heights Improvement Association of San Francisco, Inc.

CERTIFICATION OF CORPORATE SECRETARY

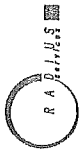
I, Linda Glick, Recording Secretary, certify that at the duly noticed meeting of the members of the Laurel Heights Improvement Association of San Francisco, Inc. held on July 15, 2018, the members elected Kathryn R. Devincenzi to serve in the office of President of the Laurel Heights Improvement Association of San Francisco, Inc. and elected Mary Joy Thomas to serve in the office of Treasurer of the Laurel Heights Improvement Association of San Francisco, Inc.

Dated: August 11, 2018

Laurel Heights Improvement Association of San Francisco, Inc.

By: _____

Linda Glick, Recording Secretary



1321 Harrison Street, Suite 18
San Francisco, CA 94103-4448
(415) 391-4775

BLOCK 1032
LOT 3
San Francisco, CA

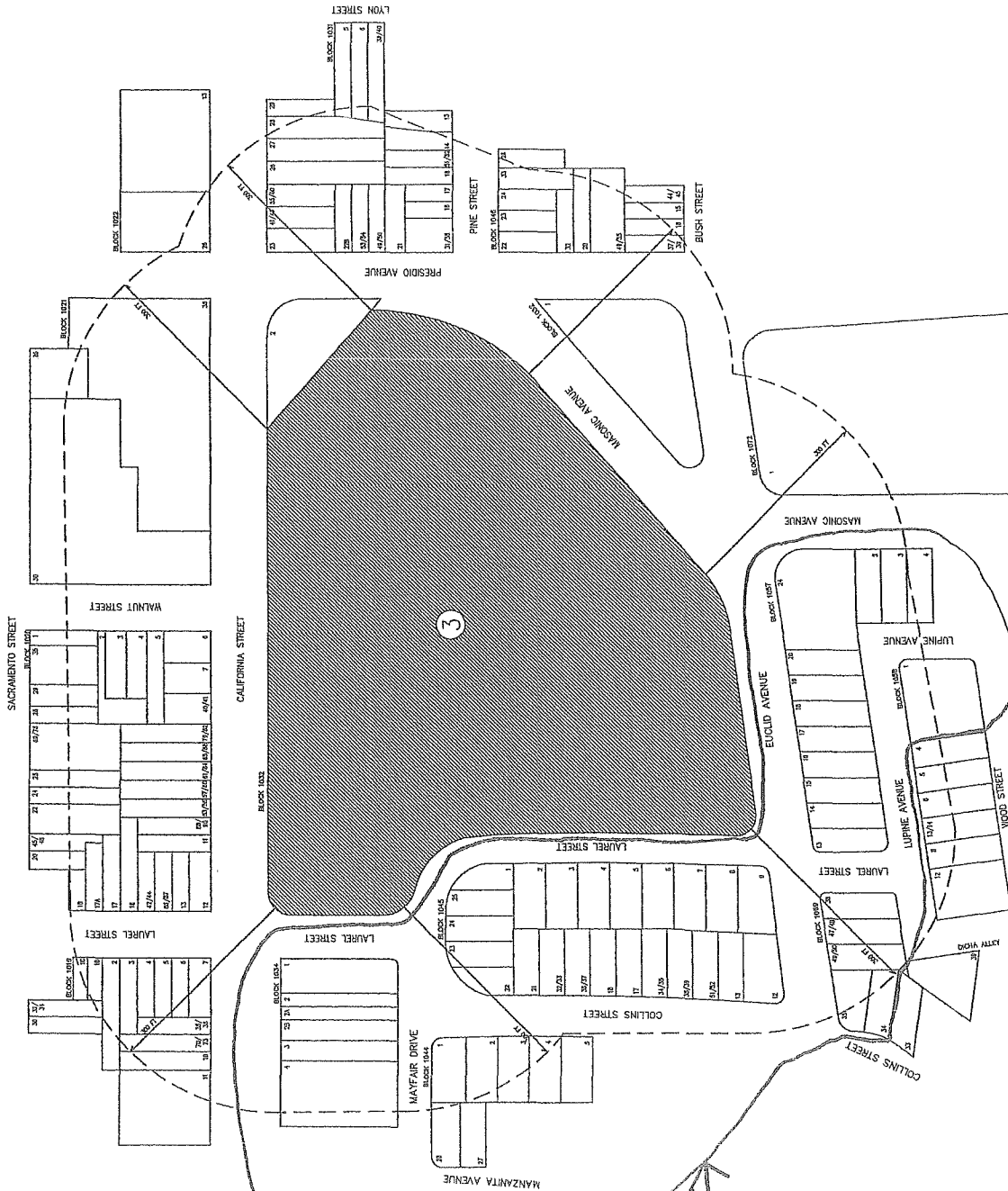


SCALE: 1" = 75' - 10"

DATE: 10/1/83

JOB NO.	10320003
DRAWN BY	DC
CHECKED BY	DC

300 FOOT
RADIUS MAP



This information contained herein has been obtained from sources that we deemed reliable and correct. We do not warrant its accuracy and we have no intent to check its accuracy and we do not guarantee it.

LAUREL HEIGHTS IMPROVEMENT
ASSOCIATION OF SAN FRANCISCO
SAN FRANCISCO, CA 94118

180

Date October 7, 2019 11-8166/3210
19

Pay to the
Order of San Francisco Planning Department \$ 640.00
Six Hundred forty and ⁴⁰/₁₀₀ Dollars

Security features
are included.
Details on back.



FIRST REPUBLIC BANK
3333 California St.
San Francisco, CA 94118
Tel (415) 851-6688

For CU Appeal Fee 3333 California St.

Kathryn R. Deruizeni MP

©Clarke American

GUARDIAN® SAFETY BLUE WBL

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 OCT - 7 PM 3:12

From: [BOS Legislation, \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#); [Kathy Devincenzi](#); [dbragg@pradogroup.com](#); [lcongdon@pradogroup.com](#); [Gershwin, Dan](#)
Cc: [GIVNER, JON \(CAT\)](#); [STACY, KATE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [TOM, CHRISTOPHER \(CAT\)](#); [SHEN, ANDREW \(CAT\)](#); [MALAMUT, JOHN \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Lewis, Don \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Dwyer, Debra \(CPC\)](#); [Zushi, Kei \(CPC\)](#); [Foster, Nicholas \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Sullivan, Katy \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [Nuru, Mohammed \(DPW\)](#); [Storrs, Bruce \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Rivera, Javier \(DPW\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [PEARSON, AUDREY \(CAT\)](#); [Pena, Iowayna \(ECN\)](#); [gxa@coblentzlaw.com](#)
Subject: SUPPLEMENTAL APPEAL MATERIALS/APPEAL RESPONSES: Appeals of CEQA Certification of FEIR, CU Authorization, and Ten Map - Proposed 3333 California Street Project - Appeal Hearing on November 12, 2019
Date: Thursday, November 7, 2019 12:55:13 PM
Attachments: [image001.png](#)

Good afternoon,

The Office of the Clerk of the Board received the following supplemental appeal materials from Kathryn Devincenzi of the Laurel Heights Improvement Association of SF, Inc., on behalf of the appellants, regarding the appeal of the certification of the Final Environmental Impact Report under the California Environmental Quality Act, an appeal response from Public Works regarding the Tentative Map appeal, and an appeal response from Gregg Miller of Coblenz Patch Duffy & Bass LLP, on behalf of the Project Sponsor, regarding both the Conditional Use and Tentative Map appeal; all for the proposed project at 3333 California Street.

[Appellant's Supplemental Appeal Materials - FEIR Appeal - November 7, 2019](#)
[Public Works' Appeal Response - Tentative Map Appeal - November 7, 2019](#)
[Project Sponsor Appeal Response - CU and Tentative Map Appeals - November 7, 2019](#)

The hearing for these matters are scheduled for 3:00 p.m. special order before the Board on November 12, 2019.

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

[Board of Supervisors File No. 191035](#)
[Board of Supervisors File No. 191039](#)
[Board of Supervisors File No. 191043](#)

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

brent.jalipa@sfgov.org | www.sfbos.org



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

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under

the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the 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.

2019 NOV -7 PM 12:18

Gregg Miller
D 415.772.5736
gmiller@coblentzlaw.com

BY BG

November 7, 2019

Board President Norman Yee and
Members of the Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board
of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689

**Re: 3333 California Street Project - Laurel Heights Partners LLC Response to
Conditional Use Authorization/Planned Unit Development and Tentative
Subdivision Map Approvals (File Nos. 191039 (CU/PUD) and 191043 (T-Map))**

Dear Board President Yee and Members of the Board of Supervisors:

We respond on behalf of our client, Laurel Heights Partners LLC ("Project Sponsor"), to the appeal filed by the Laurel Heights Improvement Association ("LHIA") challenging (i) the San Francisco Planning Commission's grant of Conditional Use Authorization and approval of a Planned Unit Development and (ii) the San Francisco Department of Public Works' approval of a Tentative Map for subdivision of the proposed project at 3333 California Street (the "Project"), described below. The appeal is scheduled for consideration by the Board of Supervisors on November 12, 2019 (following a continuance from the originally scheduled hearing date of November 5, 2019), along with an appeal of the certification of the Project's EIR (please see our November 1, 2019 letter in response to the EIR appeal).

LHIA's appeals of the Project's CU/PUD and T-Map are without merit and should be denied. We respectfully request that the Board of Supervisors affirm (i) the Planning Commission's decision to grant Conditional Use Authorization and a Planned Unit Development, and (ii) the Department of Public Works' decision to approve the Tentative Map. We note that a significant portion of LHIA's appeals of the CU/PUD and T-Map pertain to the Project's CEQA analysis and are a rehash of LHIA's EIR certification appeal arguments. Therefore, we do not address those in any detail here, as they have already been addressed in detail in the City's and our response to LHIA's appeal of the Project's EIR.

I. The 3333 California Street Project Provides Critically Needed Residential Units and Substantial Community Benefits, and Is the Culmination of Five Years of Collaboration with the Community and the City.

As noted in our November 1, 2019 letter in response to LHIA's appeal of the EIR certification, the Project Sponsor proposes to redevelop an underutilized 10.25-acre site with up

Board President Norman Yee and Members of the Board of Supervisors
November 7, 2019
Page 2

to 744 residential units, including 185 on-site senior affordable housing units (and one manager's unit), approximately 34,500 square feet of neighborhood-serving retail/commercial uses located along California Street in alignment with the existing Laurel Village Shopping Center ("Laurel Village") on California Street, a child care facility that could accommodate up to 175 children, and approximately 5.3 acres of open or landscaped space, of which approximately 2.9 acres would be publicly accessible.

The Project will include (i) publicly accessible pathways running north-south and east-west that weave the site back into the neighborhood's urban fabric and street grid, encouraging walkability, and conforming to key urban design principles; (ii) hundreds of new trees; (ii) retention of certain existing trees; and (iii) substantial streetscape improvements.

The Project is anticipated to generate up to 675 construction-related jobs, and upon completion, approximately 206 net new permanent jobs to support Project operations. It will add approximately \$10 million annually in property taxes, and will provide substantial community benefits and pay significant development impact fees.

Over the past five years, the Project Sponsor has worked closely with the City and the community to refine and improve the Project, participating in more than 170 meetings with individual neighbors, other stakeholders and community groups. Many key features of the Project are directly responsive to feedback received from the community and the City.

II. LHIA's Arguments Against the CU/PUD Approvals Are Without Merit and Should Be Rejected

a. The Non-Residential and Retail Uses in the Project are Necessary, Desirable and Compatible with the Surrounding Neighborhood.

LHIA argues that the Project's non-residential uses are unnecessary – that there is already sufficient retail space at the neighboring Laurel Village. However, based on the evidence presented, the Planning Commission determined that the non-residential uses proposed with the Project are necessary, desirable and compatible with the surrounding neighborhood and made appropriate findings in support of its determination. The presence of retail/commercial uses in the Project will enhance the livability of the Project by providing on-site amenities (e.g., childcare, restaurants/cafes) and will reduce the need for auto travel.

b. The Project's Reduced retail parking (from 188 to 74 spaces) will not adversely impact Laurel Village; the Project's non-residential uses will not create significant new traffic.

LHIA argues that reducing the Project's retail parking will result in shoppers taking parking spots elsewhere in the neighborhood, including at Laurel Village, and more traffic in the neighborhood as shoppers look for parking. The Planning Department undertook a detailed analysis of the

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proposed parking and potential traffic and concluded that 74 parking spaces would be consistent with retail parking ratios in the neighborhood and that non-residential uses in the Project would not generate significant amounts of traffic. In fact, reducing the number of retail parking spaces is likely to result in less neighborhood traffic than more spaces—fewer spaces make it more likely that shoppers will use alternative travel methods, such as walking or public transit to visit the Project's retailers.

c. The Proposed NC-S Zoning along California Street is appropriate.

LHIA argues that the NC-1 zoning controls should apply to the Project's non-residential uses, not the NC-S zoning that is proposed to apply. The NC-S zoning is the same zoning as applies to Laurel Village. The NC-S zoning controls allow for the continuation of uses along California Street similar to those in Laurel Village. While the Planning Code describes the NC-S zoning, in part, as zoning for a regional shopping center, at an approximate total of merely 35,000 sq. ft., the Project's retail/non-residential space will not be a regional shopping center.

d. Non-Residential Hours of Operation should be limited.

LHIA argues that the Project's non-residential uses should be limited to hours of operation from 6 a.m. to 11 p.m. The NC-S zoning allows hours of operation from 6 a.m. to 2 a.m. These are the same hours of operation for Laurel Village, which is also zoned NC-S. The Planning Commission could have considered, as a condition of approval, that hours of operation be modified. It chose not to do so based on the evidence presented at the Planning Commission hearing.

e. Including Flexible Retail and Social Service/Philanthropic Facilities as allowed uses will help to assure active, vibrant uses along California Street.

LHIA argues that Flexible Retail and Social Service/Philanthropic Facilities uses should not be allowed in the Project, citing concerns about parking and neighborhood notice. However, inclusion of Flexible Retail will allow the Project to lease a single retail space to multiple retailers with different but compatible users—a current and successful trend in bricks and mortar retailing. Any retail use that requires conditional use would still have to get conditional use authorization, even though it is an allowed Flex Retail use. The Social/Philanthropic Facilities use would allow the Project to lease space to non-profits. As noted in the press, non-profits have struggled to find space in the City.

f. Modifications to the Project's Design would result in significant loss of dwelling units.

LHIA argues that the proposed additions to Center Buildings A and B should not be allowed, that the Project should be capped at a 40' height limit, that two duplexes should be eliminated, and that the Euclid Building should be further set back. Reducing the addition to one floor (from

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two on Center Bldg A and three on Center Bldg B) would result in a significant loss of dwelling units (the additions accommodate 41 units, many of them family sized). Capping the Project at a 40' height limit would result in the loss of even more units. (Nor would such height limit avoid shadowing any public parks because none of the Project's buildings at the proposed heights shadow any public parks). Moreover, the increased heights do not conflict with the Residential Design Guidelines— in fact the Project was designed carefully in coordination with the Guidelines. Setting the Euclid Building farther back and removing two duplexes would result in the loss of approximately 30 dwelling units.

III. LHIA's Arguments Against the Map Approval Is Without Merit and Should Be Rejected.

a. Approval of the T-Map was appropriate.

LHIA argues that DPW should not have approved the T-Map until all of the other Project approvals are final, including the EIR, the CU/PUD and the Project's special use district (SUD). While the T-Map approval is reliant on these other approvals, there is no requirement that DPW delay its approval of the T-Map until all the other approvals are final.

b. The Tentative Map does not contain inaccuracies.

LHIA argues that the T-Map shows commercial units in Lot 1, whereas Lot 1 is supposed to contain only residential units. The units labeled "commercial" in Lot 1 are a parking area and a drive aisle. These are shown as commercial because, in the City's subdivision map parlance, a unit can be only either residential or commercial. Since these units will be used for parking and a drive aisle, they are labeled commercial.

IV. The Board of Supervisors Should Reject the CU/PUD and T-Map Appeals, Uphold and Affirm the Planning Commission's and Department of Public Works' Decisions, and Approve the Project.

For all the foregoing reasons and based on the thorough and extensive record before you, we urge the Board of Supervisors to reject LHIA's appeals and to approve the 3333 California Street Project. This unique project would transform an underutilized site into a vibrant mixed-use community with 744 new homes, including 185 affordable units for seniors, at a time when San Francisco and the region desperately need new housing. Thank you for your careful consideration of this timely and important project.

Coblentz
Patch Duffy
& Bass LLP

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Respectfully submitted,

COBLENTZ PATCH DUFFY & BASS LLP

By: Gregg Miller
Gregg Miller

cc (*via email only*):

John Rahaim, Planning Director
Daniel A. Sider, Director of Executive Programs
Nicholas Foster, Senior Planner
Bruce Storrs, City and County Surveyor
Audrey Pearson, Deputy City Attorney
John Malamut, Deputy City Attorney

From: [BOS Legislation, \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#); [Kathy Devincenzi](#); [dbragg@pradogroup.com](#); [lcongdon@pradogroup.com](#); [Gershwin, Dan](#)
Cc: [GIVNER, JON \(CAT\)](#); [STACY, KATE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [TOM, CHRISTOPHER \(CAT\)](#); [SHEN, ANDREW \(CAT\)](#); [MALAMUT, JOHN \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Lewis, Don \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Dwyer, Debra \(CPC\)](#); [Zushi, Kei \(CPC\)](#); [Foster, Nicholas \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Sullivan, Katy \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [Nuru, Mohammed \(DPW\)](#); [Storrs, Bruce \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Rivera, Javier \(DPW\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [PEARSON, AUDREY \(CAT\)](#); [Pena, Iowayna \(ECN\)](#); [gxa@coblentzlaw.com](#)
Subject: APPEAL RESPONSES: Appeal of CEQA Certification of Final Environmental Impact Report/Conditional Use Authorization - Proposed 3333 California Street Project - Appeal Hearing on November 5, 2019
Date: Monday, November 4, 2019 12:19:56 PM
Attachments: [image001.png](#)

Good afternoon,

The Office of the Clerk of the Board received the following appeal responses from the Planning Department, regarding the appeals of the certification of the Final Environmental Impact Report under the California Environmental Quality Act and Conditional Use Authorization for the proposed project at 3333 California Street.

[Planning Department's Appeal Response - FEIR Appeal - November 4, 2019](#)

[Planning Department's Appeal Response - CU Appeal - November 4, 2019](#)

The hearing for these matters are scheduled for 3:00 p.m. special order before the Board on November 5, 2019.

NOTE: These appeal responses was received after compilation of, and is not included in, the hearings' Agenda Packets for the November 5, 2019, Board Meeting. The President may entertain a motion to continue the hearings to the Board of Supervisors' meeting of Tuesday, November 12, 2019, and these responses will be included in that meeting's Agenda Packet.

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

[Board of Supervisors File No. 191035](#)

[Board of Supervisors File No. 191039](#)

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

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SAN FRANCISCO PLANNING DEPARTMENT

Conditional Use Authorization Appeal 3333 California Street Mixed-Use Project

DATE: November 4, 2019

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: John Rahaim, Planning Director – Planning Department (415) 558-6411
Nicholas Foster, Case Planner – Planning Department (415) 575-9167

RE: **Board File No. 191039, Planning Record No. 2015-014028CUA**
Appeal of the approval of Conditional Use Authorization for
3333 California Street Mixed-Use Project

HEARING DATE: November 5, 2019

ATTACHMENTS:

- A. Resolution No. 20514 (CPC Recommendation of the Planning Code Text and Map Amendments)
- B. Ordinance No. 190844 (Planning Code Text and Map Amendments)
- C. Motion No. 20516 (Conditional Use Authorization/Planned Unit Development)
- D. 3333 California Preliminary Project Assessment (PPA) Letter (July 14, 2016)
- E. Conditional Use Authorization Appeal Letter (October 7, 2019)

PROJECT SPONSOR: Laurel Heights Partners, LLC, c/o PSKS,
150 Post Street, Suite 320, San Francisco, CA 94108

APPELLANT: Laurel Heights Improvement Association of San Francisco, Inc., c/o Kathryn Devincenzi, 22 Iris Avenue, San Francisco, CA 94118

INTRODUCTION

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors ("Board") regarding the Planning Commission's ("Commission") approval of the application for Conditional Use Authorization, pursuant to Planning Code Sections 253, 303, and 304 to allow structures to exceed 40 feet in a RM Zoning District, a change of use for an existing child care facility (to be replaced at a different location on the Project Site), and a Planned Unit Development ("PUD") with modifications from the requirements of the Planning Code. The request for Conditional Use Authorization is in service of a proposed mixed-use project ("Project") located at 3333 California Street.

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This response addresses the appeal ("Appeal Letter") to the Board filed on October 7, 2019 by Kathryn Devincenzi, on behalf of the Laurel Heights Improvement Association of San Francisco, Inc. The Appeal Letter referenced the proposed project in Record No. 2015-014028CUA.

The decision before the Board is whether to uphold or overturn the Planning Commission's approval of Conditional Use Authorization.

SITE DESCRIPTION & PRESENT USE

The Project Site ("Site") is 447,361-square-foot, or 10.25-acre, single parcel located on Lot 003 on Assessor's Block 1032. The irregularly shaped parcel is bounded by California Street to the north, Presidio Avenue to the east, Masonic Avenue to southeast, Euclid Avenue to the south, and Laurel Street/Mayfair Drive to the west. The two-story building that houses the SF Fire Credit Union, located on a triangular-shaped lot at the northeast corner of Assessor's Block 1032 (corner of California Street and Presidio Avenue), is on a separate parcel and is not part of the Site.

The Site, which serves as the University of California, San Francisco (UCSF) Laurel Heights Campus, is developed with a four-story, 455,000 gross-square-foot (gsf) office building (including a 93,000 gsf, three-level, partially below-grade parking garage) at the center of the Site; a one-story, 14,000 gsf annex building at the corner of California and Laurel Streets; three surface parking lots; and landscaping or landscaped open space. Approximately 63 percent of the Site is covered by buildings or other impermeable surfaces (e.g., internal roadways and surface parking lots) and 37 percent is landscaping or landscaped open space. Current uses on the Site are office, research, laboratory, child care, and parking. UCSF is in the process of shifting its uses to other campus locations in the city.

The Site has been identified as being individually eligible for listing in the California Register of Historical Resources under Criterion 1 (events), and Criterion 3 (design/construction). The Site is eligible under Criterion 1 for its association with the broad pattern of development in San Francisco as a corporate campus adapted to an urban environment. The subject property represents an important and new approach to corporate office planning as a unique adaptation of the suburban corporate campus property type. The Site is also eligible under Criterion 3 for its overall Midcentury Modern architecture designed by Edward B. Page, set within a Midcentury Modern landscape designed by Eckbo, Royston & Williams.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Site is located within the Laurel Heights area of San Francisco's Presidio Heights neighborhood. It is adjacent to the Pacific Heights and Western Addition neighborhoods (to the east) and just north of the Anza Vista area of the Inner Richmond neighborhood. The parcel is located within an RM-1 Zoning District and a 40-X Height and Bulk District. Low- to mid-rise residential uses surround the Site to the north, east, south, and west across California Street, Presidio Avenue, Euclid Avenue, and Laurel Street. Other land uses near the Site include the SF Fire Credit Union, at the southwest corner of California Street and Presidio Avenue, adjacent to the Site; the Jewish Community Center of San Francisco (JCCSF), at the northwest corner of California Street and Presidio Avenue, across the street from the Site; San Francisco Fire Station No. 10, across Masonic Avenue southeast of the Site; the San Francisco Municipal Railway's (Muni) Presidio Division and Yard at 875 Presidio Avenue (a bus storage, maintenance depot, and administration building,

across Euclid and Masonic avenues south of the Site); and the Laurel Village Shopping Center along California Street, across Laurel Street west of the Site.

PROJECT DESCRIPTION

The Project would redevelop the subject property with a mix of residential, retail, child care, open space, and parking uses. The existing 14,000 gsf annex building, surface parking lots and ramp structures would be demolished. The existing 455,000 gsf office building ("Center Office Building"), would be partially demolished and adaptively reused for residential uses (as two separate buildings, "Center Building A" and "Center Building B") with up to three stories added to each. The Project would also construct thirteen new buildings, ranging from 4-story duplex townhouses to 6-story apartment buildings. Some would be residential-only buildings ("Masonic"; "Euclid"; "Mayfair"; and the seven "Laurel Duplex" buildings), while other would be mixed-use buildings ("Plaza A"; "Plaza B"; and "Walnut") containing non-residential uses on the ground and second floors.

Overall, the Project includes a total of approximately 1,428,000 gsf of new and rehabilitated floor area, comprising: approximately 978,000 gsf of residential floor area (include 744 dwelling units); approximately 35,000 gsf of retail floor area; an approximately 15,000 gsf child care facility (accommodating approximately 175 children); approximately 400,000 gsf devoted to off-street parking with no more than 857 parking spaces (including approximately 10 car share spaces); and 839 bicycle spaces.

A total of 25% of the Project's dwelling units will be deed-restricted, on-site affordable units designated for low-income senior households. These affordable units would be in the proposed Walnut Building on California Street and consist of 185 studio and 1-bedroom units for seniors plus one on-site manager's unit.

The Project would provide 52 percent of the overall lot area (approximately 233,000 square feet) as grade-level public and private open space. The Project would include approximately 125,000 square feet (or roughly 2.88 acres) of publicly-accessible landscaped open space with multipurpose plazas, lawns, and pathways. New public pedestrian walkways would cross the property in a north-south direction between California Street and the intersection of Masonic and Euclid avenues approximately along the line of Walnut Street, and in an east-west direction between Laurel Street and Presidio Avenue along the line of Mayfair Drive. The Project would also include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site. These physical improvements to the Site are in service of meeting the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk expansion; enhanced paving; installation of new street trees and street lighting on various public rights-of-way.

BACKGROUND

On June 30, 2017, Don Bragg on behalf of Laurel Heights Partners, LLC (hereinafter "Project Sponsor") filed a Conditional Use Authorization application with the San Francisco Planning Department (hereinafter "Department") for the 3333 California Street Mixed-Use Project (hereinafter "Project").

On August 19, 2019, the Project Sponsor submitted a letter revising its application for the Project to request authorization to construct a variant to the proposed Project, which included additional units, and no office use, in the proposed Walnut Building. Review of the variant was included in the project EIR.

On September 5, 2019, the Commission heard the Project under Conditional Use Authorization application No. 2015-014028CUA and voted (+7/-0) on a motion to approve the Project with conditions (Conditional Use Authorization under Motion No. 20516). This approval is now before the Board on appeal.

CONDITIONAL USE AUTHORIZATION REQUIREMENTS

Planning Code Section 303 establishes criteria for the Commission to consider when reviewing all applications for Conditional Use approval. To approve the project, the Commission must find that these criteria have been met:

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - b. 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;
 - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan;
4. That such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District;

In addition, Planning Code Section 303(g) establishes criteria for the Commission to consider when reviewing applications for a change of use from a Child Care Facility to another use, in addition to the criteria established by Section 303(c). Those additional findings include:

5. Any findings by the Office of Early Care and Education regarding the capacity of the existing Child Care Facility Use, the population served, and the nature and quality of services provided;
6. The impact of the change of use on the neighborhood and community;
7. Whether there are sufficient licensed child care slots available within a one-mile radius of the site; and
8. Whether the Child Care Facility Use to be converted will be relocated or replaced.

Planning Code Section 304 establishes procedures for Planned Unit Developments, which are intended for projects on sites of considerable size, including an area of not less than half-acre, developed as integrated

units and designed to produce an environment of stable and desirable character, which will benefit the occupants, the neighborhood and the City as a whole. In the cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well-reasoned modification of certain provisions contained elsewhere in the Planning Code.

1. **Modifications.** The Project Sponsor requests the following modification from the requirements of the Planning Code: Rear Yard (Section 134); Permitted Obstructions (Section 136); Dwelling Unit Exposure (Section 140); General Standards of Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155); Dwelling Unit Density (Sections 207, 209.3); and Measurement of Height (Section 260).
2. **Criteria and Limitations.** Section 304(d) establishes criteria and limitations for the authorization of PUDs over and above those applicable to Conditional Uses in general and contained in Section 303 and elsewhere in the Code. On balance, the Project complies with said criteria in that it:
 - a) Affirmatively promotes applicable objectives and policies of the General Plan;
 - b) Provides off-street parking adequate for the occupancy proposes
 - c) Provides open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;
 - d) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;
 - e) In R Districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include commercial uses only according to the provisions of Section 230 of this Code;
 - f) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.
 - g) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of the Code;
 - h) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code;
 - i) In RTO and NCT Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation;
 - j) Provide street trees as per the requirements of Section 138.1 of the Code; and
 - k) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the Appeal Letter are cited in a summary below and are followed by the Department's response:

ISSUE #1: The Appellant contends that Board should overturn or modify the Conditional Use Authorization because the Project, at the size and intensity contemplated, is not necessary or desirable for, and compatible with, the neighborhood or the community.

RESPONSE #1: In approving Planning Commission Motion No. 20516, the Commission granted Conditional Use Authorization pursuant to Sections 253 and 303 of the Planning Code to allow structures to exceed 40 feet in height within an RM Zoning District, for a change of use of an existing child care facility to residential use, and for modifications from the following Planning Code Sections as a Planned Unit Development, pursuant to Sections 303 and 304: rear yard requirements (Section 134); permitted obstructions (Section 136), dwelling unit exposure (Section 140); general standards for off-street parking, freight loading, and service vehicle facilities (Section 155); dwelling unit density (Section 207); and measurement of height (Section 260). The Commission reviewed substantial information, including a thorough discussion of the proposed Project and found the Project to be necessary and desirable for, and compatible with, the neighborhood and the community.

Under the Conditional Use Authorization for this Project, the Commission was required to find that the proposed Project was necessary and/or desirable and compatible with the surrounding neighborhood and community, considering the proposed size and intensity; health, safety, and convenience factors; the nature of the proposed site, including the project size, shape and arrangement; accessibility, traffic, and adequacy of off-street parking and loading; and any relevant design guidelines, area plans, or elements of the General Plan.

The Commission concluded that the Project is both necessary and desirable in that it will create a new mixed-used infill development within the Laurel Heights neighborhood at a scale that appropriately preserves the diversity and vitality of the neighborhood. The project does this while also maintaining and contributing to the important aspects of the existing neighborhood, such as providing new housing opportunities with no displacement of any existing residential uses. The Commission found that the size and intensity of the proposed development is, on balance, consistent with the policies and objectives of the General Plan. The project is necessary and/or desirable for this neighborhood and the surrounding community because it will provide new opportunities for housing and add new site amenities. These amenities include privately-owned, publicly-accessible open space, retail uses, and a child care facility, that will contribute to the character of the surrounding neighborhood. Above all, housing is a top priority for the City and the Project would maximize residential density on the Site through the Conditional Use Authorization for a Planned Unit Development.

Several General Plan policies encourage the retention of existing housing, but also encourage the production of new housing and commerce. Objectives 1, 4, 11, 12, and 13 of the Housing Element, Objectives 1 and 3 of the Commerce and Industry Element, and Objectives 2 and 23 of the Transportation Element of the General Plan encourage development that increases housing production and employment opportunities near public transit. The Commission, in Motion No. 20516, found the Project to be, on balance, consistent with numerous Housing, Commerce and Industry, and Transportation Element policies that encourage residential and mixed-use development near transit (see Motion No. 20516, p. 26-30.) The

Project would add a significant amount of housing (744 units) to a site that is currently underutilized. The Site is appropriate for housing because it is well-served by existing and future transit (including Muni lines No. 1, 2, 3, 33, 38, and 43) and is within walking distance of substantial goods and services. The Project would create appropriate residential density, similar to the densities in the surrounding neighborhood. It would include substantial (70,756 sf) new privately-owned, publicly-accessible open space to support and activate the new residential and active ground floor uses in the proposed Project. The Project balances significant housing production, with new and improved infrastructure and related public benefits, including an on-site child care facility.

The attached motion (Motion No. 20516) includes all the approved findings and may be used as reference. In supporting Finding No. 10 of Motion No. 20516, the Commission found that, for the reasons set forth in the motion, the proposed Project would be consistent with the following General Plan policies of the Housing, Commerce and Industry, Transportation, Urban Design, and Recreation and Open Space Elements:

GENERAL PLAN: HOUSING ELEMENT
Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

Policy 1.8

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

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4:

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

Policy 4.1

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

Policy 4.4

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

Policy 4.5

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

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4:

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

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

OBJECTIVE 12

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

Policy 12.1

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

Policy 12.2

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

Policy 12.3

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

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support "smart" regional growth that located new housing close to jobs and transit.

Policy 13.3

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

GENERAL PLAN: COMMERCE AND INDUSTRY

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 3

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

Policy 3.2

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

GENERAL PLAN: TRANSPORTATION

OBJECTIVE 2

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

Policy 2.1

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

Policy 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

Policy 23.1

Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.

GENERAL PLAN: URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2

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

Policy 1.3

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

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

GENERAL PLAN: RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1:

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

Policy 1.1

Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

Parking is not required as part of the project under the Planning Code. The Project would provide a total 754 off-street accessory parking spaces, within the maximum allowance permitted pursuant to Planning Code Section 151.1, and the requirements of the Special Use District. While the total amount of accessory off-street parking provided is within the limits permitted by Code, the Draft Environmental Impact Report (DEIR) identified a required Mitigation Measure ("M-TR-2: Reduce Retail Parking Supply") to limit the number of parking spaces for Retail Sales and Service Uses to 2.14 spaces per 1,000 gross square feet, or, a

total of 74 spaces (DEIR p. 4.C.80). For additional information on the Mitigation Measure M-TR-2, see the Planning Department's response to the CEQA appeal, filed November 4, 2019, and incorporated here by reference.

The Planning Commission determined that the number of parking spaces was adequate for the uses provided within the project. The number of auto-trips per day would not cause an increase in the Vehicle Miles Travelled.

Issue #2: The Appellant requests that the Board "modify the Conditional Use Authorization/Planned Unit Development to recommend that NC-1 Controls be used in the Special Use District rather than the more intensive NC-S Controls."

Response #2: Motion 20516 for the Conditional Use Authorization/Planned Unit Development requires the approval of the Planning Code Text and Map Ordinance (Board File No. 190844) creating the 3333 California Street Special Use District. That SUD would, among other actions, allow certain non-residential uses as principally permitted within the first and second floor of all buildings with frontage along California Street subject to the controls of the NC-S Zoning District, including Flexible Retail Use; Social Service or Philanthropic Facilities Use; and non-residential uses.

Because the Conditional Use Authorization/Planned Unit Development relies on the provisions of the SUD, the Appellant's request that the Board modify the Conditional Use Authorization/Planned Unit Development to recommend amendments to the SUD to include NC-1 controls, not NC-S controls, is misplaced; amendments to the SUD would be part of a different approval at the Board.

Although Planning Code section 304 limits commercial uses in R Districts to the limitations in NC-1 Districts, the SUD establishes NC-S Zoning District non-residential use controls for the first and second stories of all building on the Site with frontage on California Street. The 3333 California Street SUD, is consistent with the same non-residential use controls (NC-S Zoning District) as Laurel Village, a commercial retail cluster located immediately to the west of the Project Site. Moreover, with the introduction of ground- and second-floor retail and non-retail uses within buildings fronting California Street, the Project will create a more continuous linear commercial corridor, connecting Laurel Village (NC-S Zoning District) to the west, with the smaller cluster of commercial retail and non-retail uses to the east of the Project Site, centered around the intersection of California Street at Presidio Avenue (NC-2 Zoning District).

Issue #3: The Appellant contends that the Board should limit the permitted hours of operation to 6 a.m. to 11 p.m.

Response #3: In approving Motion No. 20516 for the Conditional Use Authorization/Planned Unit Development and Resolution No. 20514 for the Planning Code Text and Map Ordinance, the Planning Commission approved the proposed land use controls for the Project Site. The Ordinance would, among other actions, allow certain non-residential uses as principally permitted within the first and

second floor of all buildings with frontage along California Street subject to the controls of the NC-S zoning, including permitted hours of operation.

With the creation of the 3333 California Street SUD, the Project Site is subject to specific land use controls regulating hours of operation for non-residential uses. Laurel Village, a commercial retail cluster located immediately to the west of the Project Site is within the NC-S Zoning District, while a small cluster of commercial retail and non-retail uses to the east of the Project Site, centered around the intersection of California Street at Presidio Avenue, is within the NC-2 Zoning District. Within both the NC-S and NC-2 Zoning Districts, the principally permitted hours of operation for non-residential uses is 6 a.m. to 2 a.m., with Conditional Use Authorization required for operation between 2 a.m. and 6 a.m. On the other hand, NC-1 Zoning District, the hours of operation for non-residential uses are limited to 6 a.m. to 11 p.m., with Conditional Use Authorization required for operation between 11 p.m. and 6 a.m. By imposing the NC-S controls in the SUD, including hours of operation, the Project Site would be consistent with the controls regulating hours of operation for non-residential uses in the adjacent NC-S and NC-2 Zoning Districts, and would allow consistency in hours of operation throughout the neighborhood.

As amended by Supervisor Stefani at the Board of Supervisors Land Use and Transportation Committee on October 21, 2019, the principally permitted hours of operation within the 3333 California Street SUD would be from 6 a.m. to 12 a.m.

Issue #4: The Appellant contends that the Board should eliminate Flexible Retail Use and Social Service or Philanthropic Facilities Use from the Special Use District because they were not disclosed in the EIR and are not necessary for or compatible with the neighborhood.

Response #4: Planning Code Section 249.86 establishes the 3333 California Street Special Use District (SUD) to allow certain non-residential uses as principally permitted within the first and second floor of all buildings with frontage along California Street subject to the controls of the NC-S Zoning District, including Flexible Retail Use and Social Service or Philanthropic Facilities Use.

The Appellant's request that the Board amend the SUD to eliminate flexible retail and social service and philanthropic facility uses is misplaced in this appeal of the Conditional Use Authorization/Planned Unit Development.

With the creation of the 3333 California Street SUD, the Project Site will benefit from the same non-residential use controls (NC-S Zoning District) as Laurel Village, a commercial retail cluster located immediately to the west of the Project Site. The Planning Code Text and Map Ordinance (Board File No. 190844) would also permit Flexible Retail Use and Social or Philanthropic Facilities Use within boundaries of the Project Site.

Flexible Retail Use is defined in Section 102 of the Planning Code as a Retail Sales and Service Use in Neighborhood Commercial Districts that combines a minimum of two of the following distinct uses within a space that may be operated by one or more business operators: Arts Activities; Limited Restaurant; General Retail Sales and Services; Personal Service; Retail Professional Service; and Trade Shop. A Flexible

Retail Use must operate with at least two of the uses at any given time and each such use must be principally permitted in the underlying zoning district. If a use requires Conditional Use Authorization in the underlying zoning district, then Conditional Use Authorization must be obtained before such use may be permitted as part of a Flexible Retail Use. Planning Code Section 713 establishes non-residential use controls for the NC-S Zoning Districts. Of the six use categories constituting Flexible Retail Use, only Limited Restaurant, General Retail Sales and Services, and Personal Service uses are permitted. Therefore, the Project would only be permitted to operate Limited Restaurant, General Retail Sales and Services, and Personal Service uses as part of a Flexible Retail Use. Flexible Retail Use provides greater flexibility to business owners/operators to share commercial tenant space with other types of businesses and switch between an identified set of uses without requiring additional Planning Department permits. The Flexible Retail legislation (Board File No. 180806) was created to serve as one tool to address the issue of storefront vacancies in San Francisco's commercial corridors.

Social Service or Philanthropic Facilities use are defined in Planning Code Section 102 as an Institutional Community Use providing assistance of a charitable or public service nature, and not of a profit-making or commercial nature. Pursuant to Planning Code Section 713, Institutional Uses are principally permitted on the first and second floors NC-S Zoning Districts. The SUD would also specifically allow social service and philanthropic facility uses in the first and second floors of the buildings fronting California Street. For reference, Social Service or Philanthropic Facilities use is a principally permitted use within the California Street and Presidio Avenue - Community Center Special Use District (Planning Code Section 249.21), the SUD governing use controls for the Jewish Community Center of San Francisco, located directly across the street from the Project Site. Thus, allowing additional Social Service or Philanthropic Facilities in the SUD would be consistent with adjacent neighborhood controls.

For a response to appellant's concerns about the adequacy of the analysis in the FEIR related to flexible retail and social service or philanthropic facility uses, please see the Department's November 4, 2019 response to appellant's appeal of the certification of the EIR, and incorporated here by reference.

Issue #5: The Appellant contends that the Board should modify the Project to limit the proposed rooftop addition to the main building to one story, to conform with the historical resource design guidelines.

Response #5: In approving Motion No. 20516 for the Conditional Use Authorization/Planned Unit Development and Resolution No. 20514 for the Planning Code Text and Map Ordinance, the Planning Commission approved the proposed height and bulk designations for the Project Site, allowing 2 or 3 additional stories to the height of the existing building.

The Project would partially demolish and adaptively reuse the existing office building ("Center Office Building"), creating two separate residential buildings ("Center Building A" and "Center Building B"). The Project would then add two new floors to "Center Building A" and three floors to "Center Building B", adding a total 41 dwelling units within the new floors. The new floors will accommodate larger, family-sized units, including 5 three-bedroom units and 15 four-bedroom units. Thus, the new floors would accommodate residential floor area devoted to larger, family-sized units, and the Project would support

the policy goals of the Housing Element of the General Plan by increasing production of family-sized units. Together, Center Building “A” and “B” would provide a total of 190 dwelling units.

The Planning Commission found the overall scale and form, including the height, of the modified Center Buildings “A” and “B” appropriate given their placement within the center of the Site, set back significantly from public rights-of-way. The Commission also found the proposed buildings with lower heights, located along the perimeter of the Site and ranging from 40 to 65 feet in height, compatible with that of the surrounding buildings within the neighborhood. The buildings along the perimeter of the Site create an additional visual buffer from public rights-of-way to the taller Center Buildings “A” and “B.” A reduction in height of either Center Building “A” or “B” would result in either an overall reduction in dwelling unit count or unit size, or, to keep the unit count consistent, would likely necessitate an increase in height and/or bulk to one of the other proposed new buildings along the perimeter of the Site, thereby undermining the compatibility with the surrounding buildings within the neighborhood.

In addition, as noted in the Response to Comments document at 5.K.11, the topography of the Site and nearby areas affects how building heights are perceived in relation to the existing neighborhood and the heights of surrounding buildings. Due to the approximately 60-foot change in elevation from the southwest portion of the Site to south and northeast portion of the Site, the proposed height of the buildings within the Project Site would not be out of character with the surrounding buildings, particularly to the south and west.

For a response to appellant’s concerns about the additions to the Center Building “A” and “B” and the impact on historic resources, please see the Department’s November 4, 2019 response to appellant’s appeal of the certification of the EIR, and incorporated here by reference.

Issue #6: The Appellant contends that the Board should order the Project modified to remove new construction from the green spaces at the top of Laurel Street and along Euclid Avenue.

Response #6: In approving Motion No. 20516 for the Conditional Use Authorization/Planned Unit Development and Resolution No. 20514 for the Planning Code Text and Map Ordinance, the Planning Commission approved the proposed site plan for the proposed Project, including seven duplexes fronting Laurel Street.

The Project approvals included Conditional Use Authorization for a Planned Unit Development in conjunction with companion legislation that extinguishes City Planning Commission Resolution 4109 (“Resolution 4109”), a development restriction that prohibits development in the existing area located at the southwest corner of the Project Site, near the intersection of Laurel Street and Euclid Avenue, as identified by the Appellant. The Project would develop a total of seven 4-story duplex townhouses (“Laurel Duplexes”) fronting Laurel Street, closely mirroring the individual building forms (predominately single-family houses) located along the western frontage of Laurel Street, across the street from the Site. The townhomes are set back from the intersection of Laurel Street and Euclid Avenue by approximately 70 feet to retain a portion of the existing green space. As a result of the setback, the Project would retain an

approximately 18,000 square foot area of privately-owned, publicly-accessible open space (“Euclid Green”) along Euclid Avenue, near the intersection of Laurel Street and Euclid Avenue.

The Appellant has suggested a modification to the Project, setting back the Euclid Building by 30 feet and removing two of the Laurel Duplexes to preserve more of the existing open space along Euclid Avenue, near the intersection of Laurel Street and Euclid Avenue. The Commission heard a similar request at the September 5, 2019 Planning Commission hearing and considered the modification in the context of the overall impact to the Project’s residential programming. In total, Department staff estimate a loss of 30 dwelling units (4 dwelling units in the Laurel Duplexes and 26 dwelling units the Euclid Building) would result from the requested modifications. The Planning Commission did not entertain any of the requested modifications at the September 5, 2019 Planning Commission hearing and determined that the subject buildings are set back from the public rights-of-way in a sufficient manner to accommodate the approximately 18,000 square foot area of privately-owned, publicly-accessible open space (“Euclid Green”), and any further reduction in building envelopes would necessarily result in an overall loss of dwelling units.

Issue #7: The Appellant contends that the Board should order a portal cut through the first two floors of the main building with a light well on top, rather than an approximate 40-foot cut through to the top of the main building.

Response #7: The Project provides an approximately 40-foot wide pathway through the existing “Center Office Building,” creating two separate residential buildings (“Center Building A” and “Center Building B”). The introduction of the pathway was in response to the Planning Department’s design comments aimed at enhancing both physical and visual access through the Site. As stated in the July, 14 2016 Preliminary Project Assessment (PPA) letter (“PPA Letter”):

“The Planning Department requests a single, clear, and primary north-south connection that both allows and encourages members of the public to traverse the Site along the Walnut Street alignment, connecting to the intersection of Masonic and Euclid Avenues. This north/south pathway may meander through the Site and does not need to be a straight axial pathway. Consider accommodating a portal through ‘Building A’ to support north-south public access. The entirety of the pathway should be accessible to all users. Done successfully, the major north/south connection should be clearly legible and inviting.” (PPA letter, pp. 24-25).

The PPA Letter stated, “connecting the site to the existing street network is of paramount importance for three reasons: (1) to moderate the scale of development in a manner that harmonizes with the neighboring contexts; (2) to provide a legible urban pattern; and, (3) to provide an open and welcoming public open space network as a means of avoiding the internal open space network from feeling private.” (PPA letter, p. 24).

The Project’s pathway through the Center Building, at approximately 40 feet wide and open to the sky (except for a narrow pedestrian bridge on level 4), constitutes a clear and inviting opening, and responds to the Department’s specific request to provide a “single, clear, and primary north-south connection that

both allows and encourages members of the public to traverse the site.” A narrow portal through only the first two floors of the main building with a light well on top would not meet the preference for a larger opening, because the underlying intent of the opening was to maximize both the physical and visual access through the Site, along a north/south axial pathway. While a portal at grade may technically allow physical access, visual access would be significantly impaired due to the building’s imposing massing, from floors 3 and above. This is especially true from the vantage point nearest the intersection of Masonic and Euclid Avenues, where the grade is lower than the center of the Site. From that vantage point (looking north through the Site), an at-grade portal would not be visible due to the significant grade differential between the center of the Site and the southern boundary of the Site.

For additional an additional response related to historic resources under CEQA, see the Departments Response to the CEQA appeal, dated November 4, 2019, and incorporated here by reference.

Issue #8: The Appellant contends that the Board should overturn the Conditional Use/Planned Unit Development Authorization because the commercial uses, height limit increases and shaded open spaces are not necessary or desirable for the neighborhood.

Response #8: The Project approvals include Conditional Use Authorization for a Planned Unit Development in conjunction with companion legislation addressing related Code amendments. In approving Motion No. 20516 for the Conditional Use Authorization/Planned Unit Development and Resolution No. 20514 for the Planning Code Text and Map Ordinance, the Planning Commission accepted the proposed site plan, proposed massing of existing and new buildings, and proposed height and bulk designations for the Project Site.

Related to non-residential uses, the Project would establish the 3333 California Street Special Use District (Board File No. 190844) to allow certain non-residential uses as principally permitted within the ground and second floor of all buildings with frontage along California Street, including Flexible Retail Use; Social Service or Philanthropic Facilities Use; and non-residential uses, subject to the use controls of the NC-S Zoning District. The Commission found that the inclusion of ground-floor retail uses along California Street that would enliven the streetscape and serve both on-site future residents as well as residents within the neighborhood and was thus necessary and desirable for the neighborhood.

Related to heights, the Project includes proposed amendments to the underlying Height and Bulk Districts of 40-X, 45-X, 67-X, 80-X, and 92-X, as amended in the Zoning Map Ordinance (Board File No. 190844). The Project proposes both new structures and alterations to an existing nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District. As such, the Project seeks minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site. The Commission found this modification warranted given the Site’s unique configuration and the Project’s primary goal of maximizing residential density at the Project Site. With the proposed height and bulk district amendments in Board File No. 190844, and the deviations from the provisions for measuring height, the Commission found that the Project would maximize residential density on the Site, providing a significant number of new market-rate and senior

affordable housing units, including family size units of 3 bedrooms or more, thus contributing to the City's housing goals—a top priority for the City and County of San Francisco.

Related to potential shading of private and privately-owned, publicly-accessible open space, areas of the privately-owned, publicly-accessible open space would be shaded by new buildings on the Project Site. However, the shadows would be similar in scope and scale to shadow cast by other new buildings found in dense, urban areas. The Planning Code does not otherwise restrict the shading of private open space, regardless of the degree of shading onto private open spaces. Planning Code Section 135 governs the amount of required useable open space for projects with dwelling units in specific zoning districts. Section 135 also includes minimum dimensional requirements and general location for qualifying private or common useable space. However, the Code only requires such areas make the best practical use of available sun and other climatic advantages. Moreover, the Project Site does not currently contain public parks or open spaces, and the Project would include major new privately-owned, publicly-accessible open spaces.

The Project would not affect any of the City's existing parks or open space or their access to sunlight and vistas. The shadow diagrams, prepared as part of the Project's CEQA review, demonstrate that the Project would not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. The location, orientation and massing of structures on the Site has been designed to maximize solar access to the Project's open spaces, including the major new privately-owned, publicly-accessible open space. The provision of useable open space exceeds what is required by the Planning Code. The current open space at the corner of Euclid Avenue and Laurel Street will remain as part of the Project. On balance, the Commission found that the Project provides a considerable amount of privately-owned, publicly-accessible landscaped open space contained within multi-purpose plazas, lawns, pathways and streetscape improvements.

Issue #9: The Appellant contends that if the Board overturns the Planning Commission's Certification of the Final EIR, the Board must also overturn the approval of the tentative Conditional Use/Planned Unit Development Authorization by the Planning Commission.

Response #9: As stated in Administrative Code Chapter 31.16(b)(1), “[i]f the Board reverses the CEQA decision, the prior CEQA decision and any actions approving the project in reliance on the reversed CEQA decision, shall be deemed void.”

Issue #10: The Appellant contends approval of the Conditional Use/Planned Unit Development authorization must be overturned if the Board of Supervisors does not approve the zoning changes required to allow the proposed Project to be built.

Response #10: Conditional Use Authorization Condition 6 - Additional Project Authorization” states “[t]he Project Sponsor must obtain an approval of the Planning Code Text and Map Ordinance (Board File No 190844) giving effect to the 3333 California Street Mixed-Use Project.”

If the Planning Code Text Amendment and Map ordinance are not approved, the Conditional Use authorization would be of no effect.

CONCLUSION

The Planning Commission approved the Conditional Use Authorization, pursuant to Planning Code Sections 253, 303, and 304 to allow structures to exceed 40 feet in a RM Zoning District, a change of use for an existing child care facility (to be replaced at a different location on the Project Site), and a Planned Unit Development (“PUD”) with modifications from the requirements of the Planning Code, finding the Project to be necessary and desirable and compatible with the neighborhood. The Board should uphold the Commission’s decision.

ATTACHMENT A:
RESOLUTION NO. 20514



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20514

HEARING DATE: SEPTEMBER 5, 2019

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Case No.: 2015-014028MAP/PCA
Project Name: 3333 California Street (aka 3333 California Street
Mixed-Use Project)
Existing Zoning: Residential – Mixed, Low Density [RM-1] Zoning District
40-X Height and Bulk District
Proposed Zoning: Residential – Mixed, Low Density [RM-1] Zoning District;
3333 California Street Special Use District
40-X, 45-X, 67-X, 80-X and 92-X Height and Bulk Districts
Block/Lot: 1032/003
Project Sponsor: Laurel Heights Partners LLC
Don Bragg – (415) 395-0880
Staff Contact: Nicholas Foster, AICP, LEED GA – (415) 575-9167
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RESOLUTION APPROVING A PROPOSED ORDINANCE WITH MODIFICATIONS THAT WOULD AMEND THE PLANNING CODE TO ESTABLISH THE 3333 CALIFORNIA STREET SPECIAL USE DISTRICT, TO SPECIFY USE CONTROLS THAT APPLY TO THE SUD, TO SPECIFY DIRECTOR DETERMINATION AND DISCRETIONARY REVIEW CONTROLS; TO EXTINGUISH PLANNING COMMISSION RESOLUTION 4109, TO AMEND HEIGHT AND BULK DISTRICT MAP NO. HT03 TO INCREASE THE HEIGHT LIMIT FOR ASSESSOR'S BLOCK 1032 LOT 003 FROM 40-X TO 40-X, 45-X, 67-X, 80-X AND 92-X AS DEPICTED IN THE BOARD OF SUPERVISORS FILE NO. 190844, AND TO AMEND SPECIAL USE DISTRICT MAP NO. SU03 TO INCLUDE THE NEW 3333 CALIFORNIA STREET SPECIAL USE DISTRICT; AND MAKING VARIOUS FINDINGS, INCLUDING FINDINGS UNDER PLANNING CODE SECTION 302; THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on July 30, 2019, pursuant to Planning Code section 302(b), Supervisor Catherine Stefani introduced an ordinance amending the Planning Code to add section 249.86 to establish the 3333 California Street Special Use District (herein "3333 California Street SUD"), amending Height and Bulk District Map No. HT03 and Special Use District Map No. SU03, to implement the 3333 California Street Mixed-Use Project ("Project"), and extinguishing Planning Commission Resolution No. 4109 ("Ordinance").

WHEREAS, on September 3, 2019, pursuant to Planning Code section 302(b), Supervisor Catherine Stefani introduced a substitute ordinance, amending the previous ordinance introduced on July 30, 2019.

WHEREAS, the Ordinance would enable the Project. The Project would redevelop the subject property with a mix of residential, retail, child care, open space, and parking uses. The existing 14,000 gross-square-foot (gsf) annex building, surface parking lots and ramp structures would be demolished, and the existing

455,000 gsf office building ("Center Office Building"), would be partially demolished and adaptively reused for residential uses (as two separate buildings, "Center Building A" and "Center Building B") with up to three stories added to each. The Project would also construct thirteen new buildings, ranging from 4-story duplex townhouses to 6-story apartment buildings, as residential-only buildings ("Masonic"; "Euclid"; "Mayfair"; and the seven "Laurel Duplex" buildings), and mixed-use buildings ("Plaza A"; "Plaza B"; and "Walnut") containing non-residential uses on the ground and second floors. Overall, the Project includes a total of approximately 1,428,000 gsf of new and rehabilitated floor area, comprising: approximately 978,000 gsf of residential floor area (include 774 dwelling units); approximately 35,000 gsf of retail floor area; an approximately 15,000 gsf childcare facility (accommodating approximately 175 children); approximately 400,000 gsf devoted to off-street parking with 857 parking spaces (including approximately 10 car share spaces); and 839 bicycle spaces. A total of 25% of the Project's dwelling units will be deed-restricted, on-site affordable units designated for low-income senior households. These affordable units will be located in the proposed Walnut Building on California Street and consist of 185 studio and 1-bedroom units for seniors plus 1 on-site manager's unit.

WHEREAS, the Ordinance would add Planning Code section 249.86 to establish the 3333 California Street SUD, which: 1) allows certain non-residential uses as principally permitted within the first and second floor of all buildings with frontage along California Street subject to the controls of the NC-S zoning, including Flexible Retail Uses; Social Service or Philanthropic Facilities; and non-residential uses; 2) specifies requirements for usable open space; 3) specifies off-street parking requirements for child care facilities; 4) specifies affordable housing and child care requirements applicable to the Project; 5) specifies director determination and discretionary review controls for the project; and 6) extinguishes City Planning Commission Resolution 4109; WHEREAS, the Ordinance would amend the Zoning Map, specifically Height & Bulk District Map No. HT03 to increase the height limit for Block 1032, Lot 003 from 40-X to 40-X, 45-X, 67-X, 80-X, and 92-X, as depicted in Board of Supervisors File No. 190844, and Special Use District Map No. SU03 to include the new 3333 California Street Special Use District.

WHEREAS, the Ordinance would extinguish City Planning Commission Resolution 4109.

WHEREAS, this Resolution recommending the approval of the Ordinance is a companion to other legislative approvals relating to the Project, including recommendation for approval of the Development Agreement for the 3333 California Street Mixed-Use Project (Board File No. 190845) and the Conditional Use Authorization to allow structures to exceed 40 feet in a RM Zoning District; for a change of use for an existing child care facility, and to allow a Planned Unit Development with the requested modifications from the requirements of the Planning Code (Motion No. 20516).

WHEREAS, On September 5, 2019, the commission reviewed and considered the information contained in the Final Environmental Impact Report ("FEIR") for the 3333 California Street Mixed-Use Project, Planning Department Case No. 2015-014028ENV, consisting of the Draft EIR and the responses to comments document, and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, and found further that the FEIR reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the responses to comments document contains no significant revisions to the DEIR that would require recirculation of the document pursuant to CEQA Guideline section

15088.5, and certified the completion of said FEIR in compliance with CEQA and the CEQA Guidelines in Motion No. 20512; and

WHEREAS, On September 5, 2019, by Motion No. 20513, the Commission adopted findings, including a statement of overriding considerations and a mitigation monitoring and reporting program (MMRP), pursuant to CEQA;

WHEREAS the Planning Department, Jonas Ionin, Commission Secretary, is the Custodian of Records, located in Case No. 2015-014028ENV, at 1650 Mission Street, Fourth Floor, San Francisco,

WHEREAS, on September 5, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the proposed Ordinance.

NOW THEREFORE BE IT RESOLVED, that the Commission has reviewed and considered the FEIR certified in Motion No. 20512, and the adopts and incorporates by reference as though fully set forth herein, the findings, including the statement of overriding considerations, adopted by the Commission in Motion No. 20513 on September 5, 2019;

AND BE IT FURTHER RESOLVED that pursuant to Planning Code section 302, the Planning Commission hereby finds that the Ordinance promotes the public welfare, convenience and necessity for the following reasons:

1. The Ordinance would give effect to the 3333 California Street Mixed-Use Project, thereby facilitating the development of currently under-utilized land for much-needed housing, commercial space, and open space.
2. The Ordinance would give effect to the 3333 California Street Mixed-Use Project, which in turn will provide employment opportunities for local residents during construction and post-occupancy, as well as a new open space for new and existing residents.
3. The Ordinance would give effect to the 3333 California Street Mixed-Use Project by enabling the creation of a new mixed-use development. This new development would integrate with the surrounding City fabric and the existing neighborhood and would constitute a beneficial development.
4. The Ordinance would enable the construction of a new vibrant, safe, and connected neighborhood, including a new publicly-accessible open space. The Ordinance would help ensure a vibrant neighborhood with active streets and open spaces, high quality and well-designed buildings, and thoughtful relationships between buildings and the public realm.
5. The Ordinance would enable construction of new housing, including new on-site affordable senior housing. These new uses would create a new mixed-use development that would strengthen and complement nearby neighborhoods.

AND BE IT FURTHER RESOLVED, that the Commission finds the Ordinance is in general conformity with the General Plan as set forth in Planning Commission Resolution No. 20514.

GENERAL PLAN: HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

Policy 1.8

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

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4:

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

Policy 4.1

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

Policy 4.4

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

Policy 4.5

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

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4:

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

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

OBJECTIVE 12

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

Policy 12.1

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

Policy 12.2

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

Policy 12.3

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

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support "smart" regional growth that located new housing close to jobs and transit.

Policy 13.3

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

GENERAL PLAN: COMMERCE AND INDUSTRY

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 3

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

Policy 3.2

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

GENERAL PLAN: TRANSPORTATION

OBJECTIVE 2

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

Policy 2.1

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

Policy 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

Policy 23.1

Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.

GENERAL PLAN: URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2

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

Policy 1.3

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

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

GENERAL PLAN: RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1:

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

Policy 1.1

Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

The Project would provide a mixed-used development with residential (including substantial new affordable housing), retail, and open space uses, leveraging the Site's location along transit corridors and allowing people to work and live within close proximity to transit, consistent with numerous Housing Element and Transportation Element policies that encourage residential and mixed-use development near transit. Furthermore, as detailed in the Development Agreement (Board File No. 190845), the Project exceeds the Planning Code's inclusionary affordable housing requirements, and will provide a 25% level of on-site affordable housing at Project buildout, fulfilling the Housing Element's objective of encouraging affordable housing.

The Site is located in a transit-rich location, within close proximity to various bus lines. Future residents can walk, bike, or access MUNI, or regional bus service from the Site. The Project includes a detailed, TDM program tailored to the Project uses, with various performance measures, monitoring and enforcement measures designed to incentivize use of transit and other alternatives to single occupancy vehicle trips. In addition, the Project's streetscape design would enhance vehicular, bicycle, and pedestrian access and connectivity through the site. The Project would be easily accessed by bicyclists and pedestrians. These Project attributes are consistent with numerous General Plan policies encouraging development that includes environmentally sustainable patterns of movement.

The Project would remove portions of—and re-develop the remainder of—a large-scale building and rest of the site with a series of smaller state-of-the-art buildings designed to be consistent with the neighborhood character and scale. The Project's high-quality architectural and landscape design encourages variety, compatibility with the surrounding context, and strong urban design with prominent corners. The Project would incorporate varying heights, massing, and scale, creating a strong, consistent streetwall along the various street frontages, consistent with the Urban Design Element's objective to emphasize the characteristic pattern which gives to the City and its neighborhoods an image, a sense of purpose, and a means of orientation. The Project has been designed

to promote community interaction, both within the Project through common residential open space and with the broader community, through access to the privately-owned, publicly-accessible open space on the Site. The Project would also create new connections to the surrounding street grid, including new pedestrian connections, and other street and streetscape improvements.

The Project is located in an area that is well-served by retail and other neighborhood services, and would provide additional neighborhood-serving retail space along California Street. The Project would help meet the job creation goals, consistent with the Commerce and Industry Element, and as established in the City's Economic Development Strategy by generating new employment opportunities, and by providing expanded employment opportunities for City residents at varying employment levels both during and after construction. The Development Agreement's community benefit programs include commitments to construction and operations workforce first source hiring, as well as local business enterprise requirements for construction and end use jobs.

The Project would include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site including Presidio, Masonic, and Euclid Avenues, as well as Laurel Street, and Mayfair Drive, consistent with the Urban Design Element's goal to recognize, protect and reinforce the existing street pattern. These physical improvements also meet the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk widening; enhanced paving; installation of new street trees and street lighting on various adjacent public rights-of-way. These improvements require a major encroachment permit from the Department of Public Works that is subject to Board of Supervisors approval. The encroachment permit imposes long-term maintenance responsibility and liability for these improvements on the Project Sponsor.

On the whole, the Project would add a significant amount of housing to a site that is currently underutilized, well-served by existing and future transit, and is within walking distance of substantial goods and services. The Project would create appropriate residential density at a location that is well served by transit and would include substantial new on-site open space to support and activate the new active ground floor and open space uses in the proposed Project and to serve the broader neighborhood. The Project balances significant housing production with new and improved infrastructure and related public benefits, including an on-site child care facility.

AND BE IT FURTHER RESOLVED, that the Commission finds the Ordinance is in general conformity with Planning Code Section 101.1 as set forth in Planning Commission Resolution No. 20514.

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

The Project would have a positive effect on existing neighborhood-serving retail uses because it would bring additional residents to the neighborhood, thus increasing the customer base of existing neighborhood-serving retail.

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

The Project would not negatively affect the existing housing and neighborhood character. The Project would not displace any housing given the existing building contains only non-residential uses (primarily

office use). Like the neighborhoods surrounding the Site, which includes a variety of uses, such as single family homes, multi-unit apartment buildings, the Jewish Community Center, the Laurel Village Shopping Center, and the Muni bus storage yard, the Project is mixed-use and mixed-income, and would provide a range of improvements, housing, and services that would preserve the neighborhood's cultural and economic diversity. It would include approximately 744 units, 185 units of which would be affordable units for seniors with 1 on-site manager's unit. The remaining (market rate) units would consist of a range of unit sizes to accommodate a diverse set of residents.

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

The Project would enhance the City's supply of affordable housing through its affordable housing commitments in the Development Agreement (Board File No. 190845), which will result in a total of 25% on-site affordable housing units.

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

The Project would not impede MUNI transit service or overburden streets and neighborhood parking. The Project is at a location well-served by transit and future residents and employees of the Project could access the Site via existing MUNI transit service. The Project does not include any commercial office uses that would generate commuter traffic, and the Project includes sufficient off-street parking and a robust transportation program with an on-site Transportation Demand Management (TDM) program.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not include commercial office development, and does not displace any industrial or service uses. In addition, the proposed retail uses and other non-residential uses would provide future opportunities for resident employment and ownership in the service sector.

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

The Project includes substantial investment in upgrades to an existing building and construction of new buildings to comply with all current structure and seismic requirements under the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

There are no existing landmarked buildings on the Site. However, the Site, which is considered an historic resource for CEQA purposes and is listed in the California Register of Historic Resources, will be re-developed to include reuse of the existing Center Building and construction of 13 new buildings to accommodate 744 dwelling units, retail, child-care and parking along with significant landscaping and open space. The Project will comply with Mitigation Measure M-CR-1a, Documentation of Historical

Resource, which requires the documenting and presenting of the site's history and character. In addition, the Project will comply with Mitigation Measure M-CR-1b, Interpretation of the Historical Resource, which requires the sponsor to develop an interpretive program focused on the history of the Site.

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

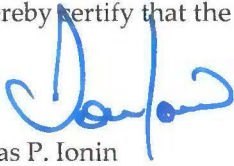
The Site does not currently contain public parks or open spaces, and the Project would create major new privately-owned, publicly-accessible open spaces. The Project would not affect any of the City's existing parks or open space or their access to sunlight and vistas. The shadow diagrams prepared as part of the Project's CEQA review demonstrate that the Project would not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. The location, orientation and massing of structures on the Site has been designed to maximize solar access to the Project's open spaces, including the major new privately-owned, publicly-accessible open space. The current open space at the corner of Euclid Avenue and Mayfair Street will remain as part of the Project.

AND BE IT FURTHER RESOLVED, that the Commission recommends approval of the proposed Ordinance with the following modifications:

- 1) Amend the SUD to establish applicable Childcare requirements under Planning Code 414A to conform to the terms in the Development Agreement.
- 2) Update the open space plan map in the SUD to conform to the open space square footages to updated plans, dated August 20, 2019 (Exhibit B).
- 3) Amend the SUD to update text changes to Section 2, Subsection (C)(1) of the Ordinance, regarding the development controls applicable to the SUD.

AND BE IT FURTHER RESOLVED, that the Commission authorizes the Planning Director to take such actions and make such changes as deemed necessary and appropriate to implement this Commission's recommendation of approval and to incorporate recommendations from other City agencies and/or the Board, provided that such changes do not materially modify the proposed legislation approved by the Commission.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on September 5, 2019.



Jonas P. Ionin
Commission Secretary

AYES: Fung, Hillis, Johnson, Koppel, Melgar, Moore, Richards

NOES: None

ABSENT: None

ADOPTED: September 5, 2019

ATTACHMENT B:
ORDIANCE NO. 190844

[Planning Code, Zoning Map - 3333 California Street Special Use District]

Ordinance amending the Planning Code and Zoning Map to create the 3333 California Street Special Use District; and making environmental findings, findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, 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. Environmental and Land Use Findings.

(a) On _____, the Planning Commission conducted a duly noticed public hearing on the proposed 3333 California Street Project ("Project"), including the proposed Planning Code and Zoning Map amendments, and by Resolution No. _____ recommended the proposed amendments for approval. At its hearing on _____, and prior to recommending the proposed Planning Code and Zoning Map amendments for approval, the Planning Commission certified a Final Environmental Impact Report (FEIR) for the Project pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.), the CEQA Guidelines (14 Cal. Code Reg. Sections 15000 et seq.) and Chapter 31 of the Administrative Code. In accordance with the actions contemplated in this ordinance, the Board of Supervisors has reviewed the FEIR and concurs with its conclusions, and finds that

1 the actions contemplated in this ordinance are within the scope of the Project described and
2 analyzed in the FEIR. The Board hereby adopts and incorporates by reference as though fully
3 set forth herein the Commission's CEQA approval findings, including a statement of overriding
4 considerations, adopted by the Planning Commission on _____ in Motion No. _____. This
5 Board also adopts and incorporates by reference as though fully set forth herein the Project's
6 Mitigation Monitoring and Reporting Program (MMRP). Said findings and MMRP are on file
7 with the Clerk of the Board of Supervisors in File No. _____.

8 (b) On _____, the Planning Commission, in Resolution No. _____,
9 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
10 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
11 Board of Supervisors adopts these findings as its own. A copy of said Resolution is on file
12 with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein
13 by reference.

14 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the
15 Planning Code and Zoning Map amendments will serve the public necessity, convenience,
16 and welfare for the reasons set forth in Planning Commission Resolution No. _____, and
17 the Board incorporates such reasons herein by reference.

18
19 Section 2. Article 2 of the Planning Code is hereby amended by adding Section
20 249.86, to read as follows:

21 **SEC. 249.86. 3333 CALIFORNIA STREET SPECIAL USE DISTRICT.**

22 (a) Location. A Special Use District entitled the 3333 California Special Use District
23 ("SUD"), the general boundaries of which are California Street to the north, Presidio Avenue to the
24 east, Masonic Avenue to the southeast, Euclid Avenue to the south, and Laurel Street/Mayfair Drive to

1 the west, as more specifically shown on Section Map SU03 of the Zoning Maps of the City and County
2 of San Francisco, is hereby established for the purpose set forth below.

3 (b) Purpose. The purpose of the SUD is to facilitate the development of a mixed use project in
4 a transit-rich location with residential, non-residential, child care, open space, and related uses, and to
5 give effect to the Development Agreement for the 3333 California Street Mixed-Use Development
6 Project, as approved by the Board of Supervisors in the ordinance in File No. _____. The SUD will
7 provide benefits to the City including but not limited to: replacement of a large-scale office building
8 with a series of smaller buildings designed to be consistent with the scale and character of the
9 neighborhood; construction of hundreds of new housing units, including family-sized units and on-site
10 senior housing with affordability levels exceeding on-site City requirements; an on-site child care
11 facility; and construction and maintenance of new, publicly accessible open spaces and new
12 connections to the surrounding street grid, including new pedestrian connections, and other street and
13 streetscape improvements.

14 (c) Development Controls. Applicable provisions of the Planning Code shall apply to the SUD
15 except as otherwise provided in this Section 249.86. In the event of a conflict between other provisions
16 of the Planning Code and this Section, the provisions of this Section shall control.

17 (1) Additional Permitted Uses. In addition to the uses permitted in the RM-1 zoning
18 district, the following uses are principally permitted within the first and second story of all buildings
19 with frontage on California Street, and shall be subject to the controls of the NC-S zoning applicable to
20 such uses, except for any prohibition on such use:

21 (A) Flexible Retail Uses;

22 (B) Social Service or Philanthropic Facilities; and,

23 (C) Other non-residential uses.

24 (2) Uses Not Permitted. Notwithstanding any other provision in this Code, the
25 following uses shall not be permitted in the SUD:

1 (A) Automotive Service;

2 (B) Drive-Up Facility; and,

3 (C) Mortuary.

4 (3) Notwithstanding any other provision of this Code, the following uses shall
5 require conditional use authorization pursuant to the provisions of Section 303:

6 (A) Liquor Store;

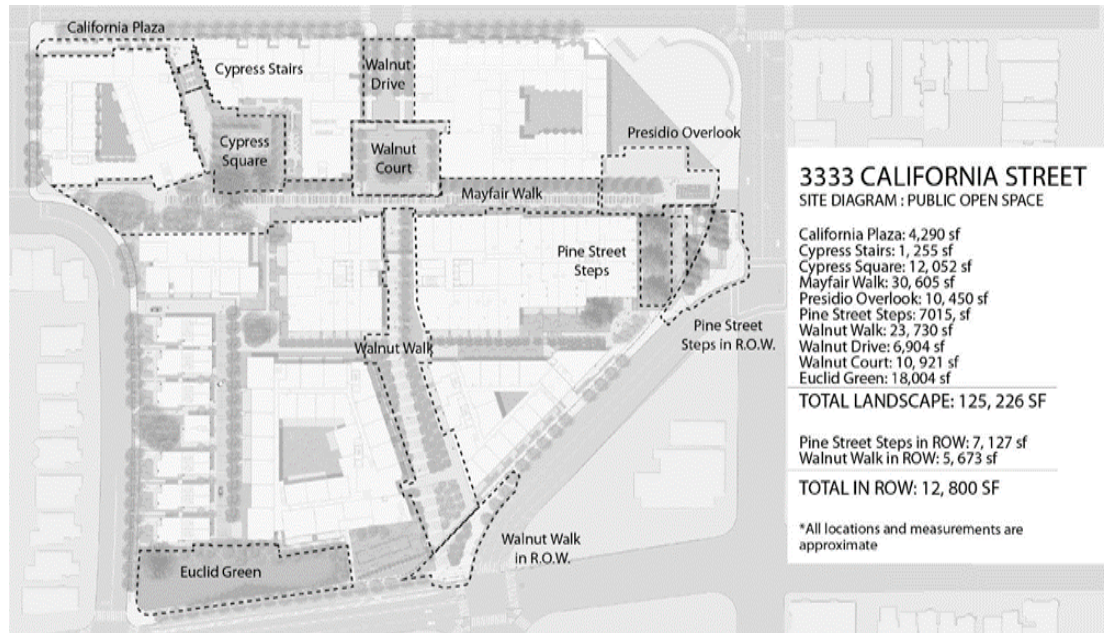
7 (B) Massage, Chair/Foot; and,

8 (C) Neighborhood Agriculture.

9 (4) In addition to the restrictions set forth in this subsection (c), the hours of
10 operation for commercial uses within the SUD shall be from 6:00am to 12:00am.

11 ~~(2)~~ (5) Usable Open Space Requirements. Usable open space required under Section
12 135 has been designed on an SUD-wide basis. The open space requirement shall be met through a
13 combination of private and common usable open spaces, as defined in Section 135, that will be
14 associated with individual buildings as well as approximately 56,000 square feet of privately owned,
15 publicly accessible parks and plazas that will be counted as common usable open space, provided such
16 space is otherwise compliant with Section 135(g) and developed in accordance with the Development
17 Agreement for the project, including without limitation, Schedule 1 (Community Benefits Linkages and
18 impact Fee Schedule) thereof. The open space plan depicted below in this subsection (c)(2) generally
19 sets forth the approximate location and size of such privately owned, publicly accessible open space.
20 Accordingly, compliance with usable open space requirements for any building in the SUD shall be
21 evaluated on a project-wide basis and for consistency with the terms of the Development Agreement.
22 Upon expiration or termination of the Development Agreement, the then-applicable open space
23 requirements of the Planning Code shall apply to any future development, provided however, that any
24 building which has satisfied its open space requirements in accordance with this subsection (c)(2) prior
25 to the expiration of the Development Agreement shall be deemed to be Code-conforming as to open

space requirements and shall not constitute a noncomplying structure or nonconforming use under the provisions of Article 1.7, notwithstanding the expiration of the Development Agreement.



(3) (6) Off-Street Parking. Article 1.5 of this Code shall apply to this SUD, except as follows:

(A) Child Care Facility Parking. Off-street parking spaces for any child care facility shall be permitted at a rate of 1.5 parking spaces for each nine children who could be accommodated in the child care facility under the applicable child care licensing requirements.

(B) Affordable Housing Parking. Off-street parking spaces for any building containing residential uses, all of which are 100% affordable housing units (with the exception of the manager's unit), shall be permitted at a rate of no more than 0.5 parking spaces per unit.

(4) (7) Inclusionary Housing. For so long as the Development Agreement is in effect, the affordable housing requirements of the Development Agreement shall govern. Upon expiration or

1 termination of the Development Agreement, the then-applicable Inclusionary Affordable Housing
2 requirements set forth in Planning Code Sections 415 et seq., as amended from time to time, shall apply
3 to any future development, without reference to the date of any earlier development application.

4 (5) (8) Child Care Requirements. For so long as the Development Agreement is in
5 effect, the Child Care requirements of the Development Agreement shall govern. Upon expiration or
6 termination of the Development Agreement, the then-applicable Child Care requirements set forth in
7 Planning Code Sections 414 and 414A et seq., as amended from time to time, shall apply to any future
8 development, without reference to the date of any earlier development application.

9 (6) (9) Director Determination. During the term of the Development Agreement, all
10 site and/or building permit applications for construction of new buildings or alterations of, or additions
11 to existing structures ("Applications") submitted to the Department of Building Inspection shall be
12 forwarded to the Planning Department for consistency review. For purposes of this subsection (c)(6),
13 Applications do not include any interior modifications or alterations, provided however, that any such
14 modification or alteration shall otherwise comply with the applicable requirements of the Planning
15 Code. In no event may the Planning Director or Planning Commission approve an Application that is
16 not in substantial conformance with this Section 249.86, the Development Agreement, or any
17 conditional use authorization and planned unit development authorization.

18 (7) (10) Discretionary Review. No requests for discretionary review shall be accepted
19 or heard for projects within the SUD.

20
21 Section 3. City Planning Commission Resolution 4109, November 13, 1952. Effective
22 as of the effective date of this ordinance, City Planning Commission Resolution No. 4109, and
23 all related conditions, stipulations, special restrictions, and other limitations imposed in
24 connection with the 1952 re-classification of the property (Assessor's Block 1032, Lot A) (the
25

“Property”) from a First Residential District to a Commercial District shall no longer apply to the Property and is hereby extinguished.

Section 4. The Planning Code is hereby amended by revising Special Use District Map SU03 of the Zoning Map of the City and County of San Francisco, as follows:

Description of Property	Special Use District Hereby Approved
Assessor's Block/Lot 1032/033	3333 California Street Special Use District

Section 5. The San Francisco Planning Code is hereby amended by revising Sectional Map HT03 of the Zoning Map of the City and County of San Francisco, based on Assessor's Parcel Maps on the effective date of this ordinance, as follows:

Description of Property	Height and Bulk Districts to be Superseded	Height and Bulk Districts Hereby Approved
Assessor's Parcel Block No. 1032, Lot 003 (an approximately 2.13 acre area of the northwestern portion of Lot 003 from California Street south approximately 215' and from Laurel Street east approximately 451.75')	40-X	45-X
Assessor's Parcel Block No. 1032, Lot 003 (an approximately 1.64 acre	40-X	67-X

1	area of the northeastern portion of		
2	Lot 003 from California Street south		
3	approximately 197' and		
4	approximately 270.63' west of the		
5	northeastern most property corner		
6	along the California Street frontage)		
7	Assessor's Parcel Block No. 1032,	40-X	80-X
8	Lot 003 (an approximately 0.69 acre		
9	area measuring approximately		
10	190.25' by 158.39' centrally located		
11	within Lot 003 197' south of		
12	California Street)		
13	Assessor's Parcel Block No. 1032,	40-X	92-X
14	Lot 003 (an approximately 1.54 acre		
15	area measuring approximately		
16	190.25' by 182.72' centrally located		
17	on the eastern side of Lot 003 197'		
18	south of California Street)		

19
20 A pictorial representation of the above height and bulk districts on Assessor's Parcel
21 Block 1032, Lot 3 is contained in Board of Supervisors File No. _____.

22
23 Section 6. Effective Date and Operative Date.

24 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
25 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not

1 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
2 Mayor's veto of the ordinance.

3 (b) This ordinance shall become operative only on (and no rights or duties are affected
4 until) the later of (1) its effective date, as stated in subsection (a) above, or (2) the effective
5 date of the ordinance approving the Development Agreement for the Project. A copy of said
6 ordinance is on file with the Clerk of the Board of Supervisors in File No. _____.

7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By: _____
11 AUDREY WILLIAMS PEARSON
Deputy City Attorney

12 n:\legana\as2019\2000037\01401051.docx

ATTACHMENT C:
MOTION NO. 20516



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 20516

HEARING DATE: SEPTEMBER 5, 2019

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Record No.: 2015-014028CUA
Project Address: 3333 California Street
Zoning: RM-1 (Residential – Mixed, Low Density)
3333 California Street Special Use District
40-X, 67-X, 80-X, and 92-X Height and Bulk Districts
Block/Lot: 1032 / 003
Project Sponsor: Laurel Heights Partners, LLC
c/o: PSKS
150 Post Street, Suite 320
San Francisco, CA 94108
Property Owner: Laurel Heights Partners, LLC
c/o: PSKS
150 Post Street, Suite 320
San Francisco, CA 94108
Staff Contact: Nicholas Foster, AICP, LEED GA – (415) 575-9167
nicholas.foster@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION AND PLANNED UNIT DEVELOPMENT THAT WOULD ALLOW STRUCTURES TO EXCEED 40 FEET IN HEIGHT WITHIN AN RM ZONING DISTRICT AND 3333 CALIFORNIA STREET SPECIAL USE DISTRICT AND FOR AN EXISTING CHILD CARE FACILITY TO CHANGE OF USE TO RESIDENTIAL USE, PURSUANT TO SECTIONS 253, 303, AND 304 OF THE PLANNING CODE MODIFICATIONS TO THE REAR YARD REQUIREMENTS (SECTION 134), PERMITTED OBSTRUCTIONS (SECTION 136), DWELLING UNIT EXPOSURE (SECTION 140), GENERAL STANDARDS FOR OFF-STREET PARKING, FREIGHT LOADING, AND SERVICE VEHICLE FACILITIES (SECTION 155); DWELLING UNIT DENSITY (SECTION 207), AND MEASUREMENT OF HEIGHT (SECTION 260) AT 3333 CALIFORNIA STREET (ASSESSOR'S BLOCK 1032, LOT 003) WITHIN THE RM-1 ZONING DISTRICT AND A 40-X, 67-X, 80-X, AND 92-X HEIGHT AND BULK DISTRICT, AND TO MAKE FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On March 29, 2016, Don Bragg on behalf of Laurel Heights Partners, LLC (hereinafter "Project Sponsor") filed an Environmental Evaluation Application with the San Francisco Planning Department (hereinafter "Department") for the 3333 California Street Mixed-Use Project (hereinafter "Project") located at 3333 California Street within the RM-1 (Residential – Mixed, Low Density) and 40-X Height and Bulk District. On June 30, 2017, the Project Sponsor filed an application for Conditional Use Authorization and Planned Unit Development.

The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Code. Regs. Title 14, section 15000 *et seq.*, (hereinafter "CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").

The Department determined that an environmental impact report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on September 20, 2017. The Department held a public scoping meeting on October 16, 2017 in order to solicit public comment on the scope of the project's environmental review.

On April 25, 2018, the Department published an initial study and provided public notice in a newspaper of general circulation of the availability of the initial study for public review and comment; this notice was mailed to the Department's list of persons requesting such notice, and to property owners and occupants within a 300-foot radius of the site on April 25, 2018.

On November 7, 2018, the Department published the draft EIR (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment, and of the date and time of the Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice, and to property owners and occupants within a 300-foot radius of the site on November 7, 2018. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the Site on November 7, 2018.

On November 7, 2018, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse. A notice of completion was filed with the State Secretary of Resources via the State Clearinghouse on November 7, 2018.

The Historic Preservation Commission held a duly advertised hearing on said DEIR on December 5, 2018 at which the Historic Preservation Commission formulated its comments on the DEIR.

The Commission held a duly advertised public hearing on said DEIR on December 13, 2018 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on January 8, 2019.

The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 62-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a response to comments document, published on August 22, 2019, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

The Department prepared a final EIR (hereinafter "FEIR") consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the responses to comments document, all as required by law.

On July 30, 2019, Supervisor Catherine Stefani introduced at the Board of Supervisors: (1) the Planning Code and Zoning Map amendments in Board File No. 190844, which amends the Planning Code to create the 3333 California Street Special Use District and amend the Height and Bulk Districts applicable to the Site; and (2) the Development Agreement in Board File No. 190845.

On August 19, 2019, the Project Sponsor submitted a letter amending its application for Conditional Use Authorization and Planned Unit Development to request authorization to construct the Variant to the proposed Project.

On September 5, 2019, the Commission reviewed and considered the information contained in the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

On September 5, 2019, in Motion No. 20513, the Commission approved findings required by CEQA, including a statement of overriding considerations and adoption of a Mitigation Monitoring and Reporting Program (MMRP), under Case No. 2015-014028CUA, for approval of the Project, which findings are found in Attachment X to this Resolution No. 20516 and incorporated by reference as though fully set forth herein.

On September 5, 2019, the Commission conducted a duly notice public hearing at a regularly scheduled meeting and adopted: (1) Resolution No. 20514, recommending that the Board of Supervisors approve the requested Planning Code Text and Map Amendments set forth in Board File No. 190844; and (2) Resolution No. 20515 recommending that the Board of Supervisors approve the draft Development Agreement in Board File No. 190845.

The Planning Department Commission Secretary is the Custodian of Records, located in the File for Case No. 2015-014028CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

On September 5, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-014028CUA.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2015-014028CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project would redevelop the subject property with a mix of residential, retail, child care, open space, and parking uses. The existing 14,000 gross-square-foot (gsf) annex building, surface parking lots and ramp structures would be demolished, and the existing 455,000 gsf office building ("Center Office Building"), would be partially demolished and adaptively reused for residential uses (as two separate buildings, "Center Building A" and "Center Building B") with up to three stories added to each. The Project would also construct thirteen new buildings, ranging from 4-story duplex townhouses to 6-story apartment buildings, as residential-only buildings ("Masonic"; "Euclid"; "Mayfair"; and the seven "Laurel Duplex" buildings), and mixed-use buildings ("Plaza A"; "Plaza B"; and "Walnut") containing non-residential uses on the ground and second floors. Overall, the Project includes a total of approximately 1,428,000 gsf of new and rehabilitated floor area, comprising: approximately 978,000 gsf of residential floor area (include 744 dwelling units); approximately 35,000 gsf of retail floor area; an approximately 15,000 gsf childcare facility (accommodating approximately 175 children); approximately 400,000 gsf devoted to off-street parking with 857 parking spaces (including approximately 10 car share spaces); and 839 bicycle spaces.

A total of 25% of the Project's dwelling units will be deed-restricted, on-site affordable units designated for low-income senior households. These affordable units will be located in the proposed Walnut Building on California Street and consist of 185 studio and 1-bedroom units for seniors plus 1 on-site manager's unit.

The Project would provide 52 percent of the overall lot area (approximately 233,000 square feet) as grade-level open area, some of which would be public open space and some of which would be private open space exclusively for residents. The Project would include a total of approximately 125,000 square feet (or roughly 2.88 acres) of publicly-accessible landscaped open space with multi-purpose plazas, lawns, and pathways. New public pedestrian walkways would cross the property in a north-south direction between California Street and the intersection of Masonic and Euclid avenues approximately along the line of Walnut Street and in an east-west direction between Laurel Street and Presidio Avenue along the line of Mayfair Drive. The Project would also include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site. These physical improvements to the Site are in service of meeting the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk expansion; enhanced paving; installation of new street trees and street lighting on various public rights-of-way. Some of these improvements require a major encroachment permit from the Department of Public Works and are subject to Board of Supervisors approval.

The proposed scope of work before the Commission was analyzed in the EIR as the "Project Variant" (or just "Variant"). The primary difference between the base project and the Variant is that the Variant includes 185 senior affordable dwelling units plus 1 on-site manager's unit instead

of office use within the Walnut Building. Under the Variant, the Walnut Building would also contain four additional floors (22 feet taller) to accommodate the residential uses. On August 19, 2019, the Project Sponsor submitted a letter to the Department requesting Conditional Use Authorization of the Variant.

3. **Site Description and Present Use.** The Project Site ("Site") is 447,361-square-foot, or 10.25-acre, single parcel located on Lot 003 on Assessor's Block 1032. The irregularly shaped parcel is bounded by California Street to the north, Presidio Avenue to the east, Masonic Avenue to southeast, Euclid Avenue to the south, and Laurel Street/Mayfair Drive to the west. The two-story building that houses the SF Fire Credit Union, located on a triangular-shaped lot at the northeast corner of Assessor's Block 1032 (corner of California Street and Presidio Avenue), is on a separate parcel and is not part of the Site. The Site, which serves as the University of California, San Francisco (UCSF) Laurel Heights Campus, is developed with a four-story, 455,000 gsf office building (including a 93,000 gsf, three-level, partially below-grade parking garage) at the center of the site; a one-story, 14,000 gsf annex building at the corner of California and Laurel Streets; three surface parking lots; and landscaping or landscaped open space. Approximately 63 percent of the Site is covered by buildings or other impermeable surfaces (e.g., internal roadways and surface parking lots) and 37 percent is landscaping or landscaped open space. Current uses on the Site are office, research, laboratory, child care, and parking. UCSF is in the process of shifting its uses to other campus locations in the city. The Site has been identified as being individually eligible for listing in the California Register of Historical Resources under Criterion 1 (events), and Criterion 3 (design/construction). The Site is eligible under Criterion 1 for its association with the broad pattern of development in San Francisco as a corporate campus adapted to an urban environment. The subject property represents an important and new approach to corporate office planning as a unique adaptation of the suburban corporate campus property type. The Site is also eligible under Criterion 3 for its overall Midcentury Modern architecture designed by Edward B. Page, set within a Midcentury Modern landscape designed by Eckbo, Royston & Williams.
4. **Surrounding Properties and Neighborhood.** The Site is located within the Laurel Heights area of San Francisco's Presidio Heights neighborhood. It is adjacent to the Pacific Heights and Western Addition neighborhoods (to the east) and just north of the Anza Vista area of the Inner Richmond neighborhood. The parcel is located within an RM-1 Zoning District and a 40-X Height and Bulk District. Low- to mid-rise residential uses surround the Site to the north, east, south, and west across California Street, Presidio Avenue, Euclid Avenue, and Laurel Street. Other land uses near the Site include the SF Fire Credit Union, at the southwest corner of California Street and Presidio Avenue, adjacent to the Site; the Jewish Community Center of San Francisco (JCCSF), at the northwest corner of California Street and Presidio Avenue, across the street from the Site; San Francisco Fire Station No. 10, across Masonic Avenue southeast of the Site; the San Francisco Municipal Railway's (Muni) Presidio Division and Yard at 875 Presidio Avenue (a bus storage, maintenance depot, and administration building, across Euclid and Masonic avenues south of the Site); and the Laurel Village Shopping Center along California Street, across Laurel Street west of the Site.

5. **Public Outreach and Comments.** To date, the Department has received one letter in opposition to the proposed Project prior to the official 20-day neighborhood notification period. The Project Sponsor held over 150 community meetings since 2015.
6. **CEQA Findings.** On September 5, 2019, by Motion No. 20512, the Commission certified as adequate, accurate and complete the FEIR for the 3333 California Mixed-Use Project. A copy of Commission Motion No. 20512 is in the file for Case No. 2015-014028ENV. Also, on September 5, 2019, by Motion No. 20513, in Attachment A to said Motion, the Commission adopted findings, including a statement of overriding considerations and an MMRP, pursuant to CEQA. In accordance with the actions contemplated herein, the Commission has reviewed the FEIR and adopts and incorporates by reference as though fully set forth herein the findings, including the statement of overriding considerations, pursuant to CEQA, adopted by the Commission on September 5, 2019 in Motion No. 20513. Attachment A.
7. **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 (Sections 202.2(f)(1), 209.2, 249.86, and 713).** Planning Code Sections 209.2 (RM-1), 249.86 (3333 California Street SUD), and 713 (NC-S) list allowable land uses, including residential and non-residential uses as either principally permitted, conditionally permitted, or not permitted.

The Project proposes residential uses throughout the Site, and both residential and non-residential uses within buildings with frontage on California Street. The underlying zoning district (RM-1) permits residential uses, including Senior Housing, and the 3333 California Street SUD (Planning Code section 249.86 (Board File No. 190844) allows certain non-residential uses as principally permitted within the ground and second floor of all buildings with frontage along California Street, including Flexible Retail Uses; Social Service or Philanthropic Facilities; and non-residential uses, subject to the use controls of the NC-S Zoning District. In addition to residential uses, the Project also includes a replacement Child Care Facility, which, is a principally permitted use in the RM-1 and 3333 California Street SUD Zoning Districts. Therefore, the uses at the Project would comply with the Planning Code.

- B. **Use Size (Sections 121.2, 713).** The Planning Code permits non-residential uses up to 5,999 square feet and requires Conditional Use Authorization for 6,000 square feet or above within the NC-S Zoning District.

The Project proposes non-residential uses within buildings with frontage on California Street, as allowed in the 3333 California Street Special Use District (Planning Code Text and Map Amendment Ordinance (Board File No. 190884). At the time of entitlement, specific sizes for non-residential uses are unknown. However, under the 3333 California Street SUD, (Planning Code Text Amendment and Map Ordinance in Board File No. 190844), use size controls for non-residential uses would be subject to the use controls of the NC-S Zoning District, with conditional use authorization required to establish any non-residential use above 6,000 square feet.

- C. **Floor Area Ratio (Sections 123, 124, and 713).** The Planning Code establishes a basic floor area ratio (FAR) of 1.8:1 for non-residential uses within the NC-S Zoning District.

The Site is 447,361 square feet in size. Therefore, up to 805,250 gsf of non-residential uses is permitted under the basic FAR limit. The Project proposes 34,496 gsf of non-residential uses within buildings with frontage on California Street, resulting in an FAR of 0.08:1, well below the maximum allowable FAR of 1.8:1. Therefore, the Project complies with Sections 123, 124 and 713.

- D. **Front Setback Areas (Section 132).** The Planning Code requires that new developments in RM-1 Districts provide front setbacks where one or both of the buildings adjacent to the subject property have front setbacks along a street or alley. If situated on a corner lot, the owner may elect which street or alley to designate as the front of the property.

As a corner lot, as defined by the Code, the Project Sponsor elects Laurel Street as the front of the Site, for purposes of establishing the Front Setback Area. (Of the Site's five street frontages, Laurel Street represents the longest linear frontage.) Given there are no adjacent buildings along the Laurel Street frontage separated from the subject lot, the Project is therefore not subject to the Front Setback requirements of the Code.

- E. **Rear Yard (Section 134(a)(2)).** The Planning Code requires that the Project provide a rear yard equal to 45 percent of the lot depth, or, the average of adjacent properties. If averaged, no less than 25 percent of lot depth or 15 feet, whichever is greater.

The Project does not provide a rear yard conforming to the strict requirements specified in the Code, and is therefore seeking a modification of section 134(a)(2) through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- F. **Useable Open Space (Section 135).** The Planning Code requires that a minimum of 100 square feet of private usable open space, or 133 square feet of common usable open space be provided for Dwelling Units in RM-1 Zoning Districts. The area counting as usable open space must meet minimum requirements for area, horizontal dimensions, and exposure.

In the 3333 California Street SUD, Planning Code Section 249.86, useable open space has been designated on an SUD-wide basis (Planning Code Text and Map Ordinance (Board File No. 190844).) Accordingly, compliance with usable open space requirements for any building in the SUD shall be evaluated on a project-wide basis and for consistency with the terms of the Development Agreement (Board File No. 190845).

The Project would provide private useable open space for 117 of the 744 Dwelling Units, therefore 11,700 square feet (sf) of private open space and 83,391 sf of common open space would be required. The Project satisfies this requirement by providing 11,700 sf of private usable open and 29,570 sf of common useable open space within the eight of the proposed buildings. The Project provides 54,470 sf of additional

common useable open space: Cypress Square + Eastern Mayfair Walk (24,780 sf); Lower Walnut Walk (14,950 sf); California Plaza (4,290 sf); and The Overlook (10,450 sf). This additional common useable open space fully satisfies the total amount of common usable open space required by Code. Additionally, the Project provides 70,756 sf of privately-owned, publicly-accessible open space that provides a benefit to both future residents of the Project as well as the General Public. On the whole, the Project provides a combination of private and common useable open space that meets the requirements of the Code. Therefore, the Project complies with Sections 135 and 249.86.

- G. Permitted Obstructions (Section 136).** The Planning Code outlines the requirements for features, which may be permitted over street, alleys, setbacks, yards or useable open space.

The Project includes bay windows that exceed the dimensional limits allowed per Code and is therefore seeking a modification of section 136 through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- H. Streetscape and Pedestrian Improvements (Section 138.1).** Planning Code Section 138.1 requires that additions of Gross Floor Area equal to 20 percent or more to an existing building provide streetscape improvements consistent with the Better Streets Plan.

The Project would include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site including Presidio, Masonic, and Euclid Avenues, as well as Laurel Street, and Mayfair Drive. These physical improvements meet the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk widening; enhanced paving; installation of new street trees and street lighting on various adjacent public rights-of-way.

A key element of the Project's public improvements includes the reconfiguration of existing traffic slip lanes at the intersections of Presidio Avenue and Pine Street/Masonic Avenue and at Masonic and Euclid Avenues. These public improvements consist of bulb outs and other sidewalk improvements where two separate slip lanes are currently located. With the public improvements, the slip lane areas will remain publicly accessible, but will no longer be accessible to motorized vehicles. The Project public improvements that would be constructed in the expanded public sidewalk would require a sidewalk width change approval from the Department of Public Works. Installation of both the slip lane reconfiguration and the sidewalk expansion would be subject to a Street Improvement Permit issued by the Department of Public Works, all of these actions would be implemented through the major encroachment permit described below

Certain Project streetscape improvements include enhanced paving and landscaping where the Project's pedestrian pathways meet the public sidewalk. These improvements require a major encroachment permit from the Department of Public Works that is subject to Board of Supervisors approval. The encroachment permit imposes long-term maintenance responsibility and liability for these improvements on the Project Sponsor.

Related to encroachments onto or over sidewalks, the Project proposes a total of 6 curb cuts, or vehicular access points (ingress and/or egress) to the Site (5 driveways accessing the Site from public rights-of-way and the privately-owned Walnut Street extension, extending southerly from California Street). The vehicular access plan was carefully reviewed by City staff, including, but not limited to, representatives from Planning, Public Works, and the Municipal Transportation Agency. All of the off-street parking and freight loading locations are completely enclosed and the driveway widths were reduced to minimum amounts required to accommodate safe and efficient vehicle circulation so as to preserve the pedestrian character of the district. Therefore, the Project is consistent with the Better Streets Plan and complies with Section 138.1

- I. **Standards for Bird-Safe Buildings (Section 139).** The Planning Code outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards.

The Site is not located in close proximity to an Urban Bird Refuge as defined in Section 139. As such, the Project will include feature-related standards. Therefore, the Project complies with Section 139.

- J. **Dwelling Unit Exposure (Section 140).** The Planning Code requires that at least one room of each dwelling unit must face onto a public street, a rear yard, or other open area that meets minimum requirements for area and horizontal dimensions.

The Project includes Dwelling Units that do not face onto an open area as defined by the Code, and is therefore seeking a modification through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- K. **Street Frontages (Section 144).** The Planning Code restricts entrances to off-street parking to no more than one-third of the width of the ground story along the front lot line, or along a street side lot line, or along a building wall that is set back from any such lot line; but in no case less than 10 feet or more than 20 feet. Where two or more separate entrances are provided there shall be a minimum separation between such entrances of six feet.

The Project proposes a total of seven entrances to off-street parking, with entrances ranging between 12-feet and 20-feet wide, as allowed by Code. Along the Presidio Avenue frontage, the Project provides a 15-foot entrance for off-street parking, and a 20-foot entrance for off-street freight loading, separated by seven feet, as allowed by Code. Therefore, the Project complies with Section 144.

- L. **Moderation of Street Fronts (Section 144.1).** The Planning Code requires that new dwellings within the RM-1 and RM-2 Districts be compatible with the established mixture of houses and apartment buildings in terms of apparent building width, requiring that on wider lots the front of the building be divided visually into narrower segments, according to the predominant existing scale in such areas.

As a corner lot, as defined by the Code, the Project Sponsor elects Laurel Street as the front of the Site. As such, the Project's Laurel Street frontage is subject to the provisions of Section 144.1. The Project includes three sets of buildings fronting Laurel Street: The Plaza A building, the Mayfair building, and the seven Laurel Duplex buildings. Each of the three sets of buildings provide variations in the horizontal depth of the front building walls by creating an organized rhythm of projections and notches ranging between 2 feet and 13 feet along the front building walls of each of the buildings, at intervals of not more than 35 feet. Therefore, the Project complies with Section 144.1.

- M. Off-Street Parking (Section 151.1).** The Planning Code does not require off-street parking spaces be provided, but instead provides maximum parking amounts, permitted as accessory, based on land use type.

The Project would provide a total 847 off-street accessory parking spaces. For residential uses, up to 1.5 spaces per Dwelling Unit is permitted as accessory. With 744 Dwelling Units, up to 1,116 parking spaces would be allowed per Code. The Project proposes 744 parking spaces (a ratio of 1 parking space per Dwelling Unit), which, is within the maximum amount permitted by Code. For non-residential uses, the Planning Code permits off-street parking as accessory in the following amounts: up to 53 spaces would for Retail Sales and Service Uses; 78 spaces for Eating and Drinking Uses (food and beverage retail uses); and 11 spaces for Child Care Facility Use.

The DEIR (p. 4.C.80) identifies a required Mitigation Measure ("M-TR-2: Reduce Retail Parking Supply") to lessen the impact of the proposed Project's or Project Variant's parking supply for retail uses to less-than-significant levels. The Mitigation Measure limits parking for Retail Sales and Service Uses to 2.14 spaces per 1,000 gross square feet. Pursuant to Mitigation Measure M-TR-2, the Project is limited to a total of 74 off-street parking spaces for all retail uses. The Project proposes a total of 74 spaces for all retail uses.

For Child Care Facility Use, the Project proposes 29 spaces where 11 are permitted by Code as accessory. Therefore, the Project requires legislation to permit parking for Child Care Facility Use in an amount greater than is otherwise permitted by Code. Through a Planning Code Text and Map Ordinance (Board File No. 190844), the Planning Code would be amended to add Section 249.86, creating the 3333 California Street Special Use District. The Ordinance would allow off-street parking for any Child Care Facility Use at a rate of 1.5 spaces for each 9 children who could be accommodated in the Child Care Facility under the applicable child care licensing requirements at any one time. The Project proposes 29 off-street spaces for the Child Care Facility where 29 would be allowed under the Ordinance. Therefore, the Project complies with Section 151.1.

- N. Off-Street Freight Loading (Section 152).** The Planning Code requires certain amounts of off-street freight loading space based on the type and size of uses in a project.

The Project would provide a total of six off-street loading spaces where five are required by Code (the additional space provide as accessory). Three of the loading spaces would be located within the Walnut

Building (accessible from Presidio Avenue), and the other three loading spaces would be located within the Masonic Building (accessible from Masonic Avenue). Therefore, the Project complies with Section 152.

- O. **General Standards of Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155).** The Planning Code establishes general standards as to location and arrangement for required off-street parking and freight loading facilities.

The Project would include both off-street parking and freight loading spaces not necessarily on the same lot as the use served after the proposed subdivisions of the Site, and is therefore seeking a modification through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- P. **Bicycle Parking (Sections 155.1, 155.2).** The Planning Code establishes bicycle parking requirements for new developments, depending on use. A Class 1 space is located in a secure, weather-protected facility and intended for long-term use by residents and employees. A Class 2 space is located in a publicly-accessible and visible location, and intended for use by visitors, guests, and patrons.

The Project includes 762 Class 1 and 77 Class 2 bicycle parking spaces (where 274 Class 1 and 69 Class 2 spaces are required by Code). The Class 1 bicycle parking spaces will be provided within each building, located within a secure, weather-projected facility, with independent access meeting the dimensional requirements of the Code. The Class 2 bicycle parking spaces would be located along each of the five street frontages encompassing the Site, near all main pedestrian entries to the uses (residential or non-residential) to which they are accessory. Therefore, the Project complies with Sections 155.1 and 155.2.

- Q. **Shower Facilities and Lockers (Section 155.4).** The Planning Code requires shower facilities and lockers for Non-Retail Sales and Service Uses in the following amounts: two showers and 12 clothes lockers where the Occupied Floor Area exceeds 20,000 square feet but is no greater than 50,000 square feet, and four showers and 24 clothes lockers are required where the Occupied Floor Area exceeds 50,000 square feet.

The Project includes less than 50,000 square feet of non-residential uses and thus a total of 2 showers 12 lockers are required per Code. The Project would provide one shower and six lockers within each of the Plaza B and Walnut buildings. Therefore, the Project complies with Section 155.4.

- R. **Car Sharing (Section 166).** The Planning Code establishes requirements for new developments to provide off-street parking spaces for car-sharing services. The number of spaces depends on the amount and type of residential or office use. The car-share spaces must be made available to a certified car-share organization at the building site or within 800 feet.

The Project includes 10 car share spaces on the Site for both the residential and non-residential uses where 10 are required by Code. Therefore, the Project complies with Section 166.

- S. **Unbundled Parking (Section 167).** The Planning Code requires all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more, or in new conversions of non-residential buildings to residential use of 10 dwelling units or more, shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space.

The Project will lease or sell all accessory off-street parking spaces separately from the rental or purchase fees for dwelling units for the life of the Dwelling Units. Therefore, the Project complies with Section 167.

- T. **Transportation Demand Management (TDM) Plan (Section 169).** The Planning Code requires applicable projects to finalize a TDM Plan prior Planning Department approval of the first building permit or site permit.

The Project Sponsor submitted a completed Environmental Evaluation Application prior to July 14, 2016. Therefore, under Planning Code section 169, the Project must achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 39 points (50% of 78).

The Developer shall implement a site-specific Transportation Demand Management Plan included as part of a Development Agreement (Board File No. 190845). While the Project would be subject to Planning Code Section 169.3(e)(1) and required to implement a minimum of 50% of the applicable target points, the Project Sponsor commits through the Development Agreement, to be subject to Planning Code Section 169.3(e)(2) and to implement 75% of applicable target points, resulting in a target of 59 points (75% of 78). Otherwise, the Project remains subject to all of the provisions of Planning Code Section 169 et seq. Therefore, the Project complies with Section 169.

As currently proposed, the Project will achieve 59 points through the following TDM measures:

- Improve Walking Conditions (Option A)
- Bicycle Parking (Option C)
- Showers and Lockers
- Bicycle Repair Station
- Bicycle Maintenance Services
- Fleet of Bicycles
- Car Share Parking (Option B)
- Delivery Supportive Amenities
- Provide Delivery Services
- Family TDM Amenities (Options A + B)
- On-site Childcare
- Multimodal Wayfinding Signage
- Real Time Transportation Information Displays
- Tailored Transportation Marketing Services (Option C)
- On-site Affordable Housing (Option B)
- Unbundled Parking (Option D)

- Parking Pricing

- U. **Compliance with Special Restrictions (Section 174).** In 1952, the Commission adopted Resolution 4109 which approved a rezoning of the subject property to a First Residential District and included additional stipulations subject to future development of the Site. The Site has subsequently undergone additional rezoning, as it is now within an RM-1 District. However, the stipulations of future development as outlined in Resolution 4109 continue to apply, absent modification per Planning Code Section 174.

Through a proposed Planning Code Text and Map Ordinance (Board File No. 190844), Commission Resolution No. 4109, and all related conditions, stipulations, special restrictions, and other limitations imposed in connection with Resolution No. 4109 will no longer apply and will be extinguished effective the date of the Ordinance.

- V. **Residential Density (Sections 207, 209.2, 304).** The Planning Code regulates residential density by zoning district. Within the RM-1 Zoning District, up to 3 units per lot or up to one dwelling unit per 800 square feet of lot area is permitted.

The Project proposes a residential density that exceeds what is permitted within the RM-1 Zoning District. Therefore, the Project seeks a modification through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- W. **Dwelling Unit Mix (Section 207.7).** The Planning Code requires that no less than 25% of the total number of proposed dwelling units shall contain at least two bedrooms and that no less than 10% of the total number of proposed dwelling units shall contain at least three bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units and units counted towards the three-bedroom requirement may also count towards the requirement for units with two or more bedrooms

The Project would meet the dwelling unit mix requirement on a site-wide basis, as opposed to an individual building basis, with one-bedroom, two-bedroom, and three-bedroom units distributed across the Site, while the Plaza A building would contain the majority of the studio units, and the Laurel Duplexes would contain the majority of the four-bedroom units. The Project will provide the following dwelling unit mix: 27 studio units (3%); 392 one-bedroom units (53%), 195 two-bedroom units (26%), 103 three-bedroom units (14%); and 27 four-bedroom units (4%). With 44% of the dwelling units containing at least two bedrooms, the Project exceeds the dwelling unit mix requirement. Therefore, the Project complies with Section 207.7.

- X. **Height (Sections 260 and 261).** Planning Code requires that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height.

Given the Project proposes both new structures and alterations to an existing legal, nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District, the Project requires relief from the Code. Through a proposed Planning Code Text and Map Ordinance (Board File No. 190844), the Site's underlying Height and Bulk District is 40-X, 45-X, 67-X, 80-X, and 92-X, accommodating the maximum height of each of the 13 buildings, as proposed by the Project. The Project seeks a modification through the Planned Unit Development (PUD) process, pursuant to Section 304, for minor deviations from the provisions for measurement of height in Sections 260 and 261 (see Section No. 8 for additional findings).

- Y. Shadows on Parks (Section 295).** The Planning Code requires a shadow analysis for projects over 40 feet in height to ensure that new buildings do not cast new shadows on properties that are under the jurisdiction of the San Francisco Recreation and Park Department.

The Planning Department prepared an initial shadow fan that indicated the proposed Project may cast a shadow on either Laurel Hill Playground, or Presidio Heights Playground, both of which are properties under the jurisdiction of the San Francisco Recreation and Park Department ("Recreation and Park Department"). A detailed shadow analysis was performed by a qualified consultant that indicated the Project would not cast any new shadow on either Laurel Hill Playground or Presidio Heights Playground, nor any other open space under the jurisdiction of Section 295. As such, a No Impact Letter was issued on August 7, 2019.

- Z. Transportation Sustainability Fee (TSF) (Section 411A).** Section 411a requires projects that result in more than twenty new dwelling units or new construction of a non-residential use exceeding 800 square feet to pay the TSF to help meet the demands imposed on the City's transportation system by new developments, funding transit capital maintenance, transit capital facilities and fleet, and pedestrian and bicycle infrastructure.

The Project will comply with Section 411A.

- AA. Jobs Housing Linkage Fee (Section 413).** Section 413 shall apply to any project that increases by 25,000 or more gross square feet the total amount of any combination of the following uses; entertainment, hotel, Integrated PDR, office, research and development, retail, and/or Small Enterprise Workspace.

The Project will comply with Section 413.

- BB. Child Care Requirement for Residential Projects (Section 414A).** Section 414A shall apply to any residential development project that results in at least one net new residential unit.

Under the requirements of section 249.86 (3333 California Street Special Use District, Board File No. 190844), the provisions of Section 414A do not apply to the Project so long as the Development Agreement is in effect. Instead, the Development Agreement (Board File No. 190845) stipulates that the Project provide a 14,665 square-foot child care facility, including an outdoor activity area, capable

of accommodating at least 175 children, with 10% of the maximum number of permitted slots to be provided to children in low-income households.

CC. Inclusionary Affordable Housing Program (Section 415). The Planning Code sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units.

Under the provisions of Planning Code Section 249.86, (3333 California Street Special Use District, Board File No. 190844), the provisions of Section 415 do not apply to the Project for as long as the Development Agreement is in effect. The Development Agreement (Board File No. 190845) outlines terms for the Project's affordable inclusionary housing provisions. At buildout, 25% of the Project's units will be deed-restricted, on-site affordable units designated for low-income senior households with incomes below 80% of Area Median Income (AMI), with an overall average of not more than 59% of AMI, as established by the Mayor's Office of Housing and Community Development (MOHCD). These affordable units will be located within the Walnut Building and consist of 185 studio and 1-bedroom units for seniors plus 1 on-site manager's unit.

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

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

The Project is necessary and desirable in that it will create a new mixed-used infill development within the Laurel Heights neighborhood at a scale that appropriately preserves the diversity and vitality of the neighborhood, while also maintaining and contributing to the important aspects of the existing neighborhood, such as providing new housing opportunities with no displacement of any existing residential uses. The size and intensity of the proposed development is consistent with the policies and objectives of the General Plan and is necessary and desirable for this neighborhood and the surrounding community because it will provide new opportunities for housing and add new site amenities, including privately-owned, publicly-accessible open space, retail uses, and a child care facility, that will contribute to the character of the surrounding neighborhood. The pedestrian pathways (Mayfair and Walnut Walk) will open and connect the Site to the surrounding community by extending the neighborhood urban pattern and surrounding street grid into the Site. The Project would revitalize an underutilized development lot that is predominately occupied by surface parking lots, driveways, and a large, existing legal nonconforming structure containing existing non-complying non-residential uses (office use). The Project would introduce new residential uses across the entirety of the Site, with retail and childcare uses contained within structures fronting California Street. The influx of new residents will contribute to the economic vitality of the existing neighborhood by adding new patrons for the nearby retail uses.

Above all, housing is a top priority for the City and County of San Francisco and the Project would maximize residential density on the Site through approvals as a Planned Unit Development (PUD).

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project is an infill development that replaces existing buildings and surface parking lots with a new mixed-use development that is on balance consistent with the General Plan. The Site is substantial in size at approximately 447,000 square feet (or roughly 10.25 acres). The Project maximizes residential density while also introducing new pedestrian connections, hard- and soft-scape open space, and allowing for a scale of development that is consistent with existing and proposed development in the area. The overall site plan, along with the design of each building, has been carefully crafted to allow for a consistent street wall and active ground floor spaces along California Street, with an appropriate variation in building design, texture and scale. The arrangement and sculpting of buildings is also designed to frame the network of pedestrian and visual pathways through the site and to its major open spaces, creating a sense of permeability and connectivity with the surrounding neighborhood.

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

The Project has been designed to provide improved pedestrian and vehicular connections to the Site, as well as new pedestrian connections through the Site. Sufficient off-street parking, including for both the retail uses and child care facility, would be provided in underground parking garages, which would be appropriately accessed from the Walnut Street extension, Presidio Avenue, and Laurel Street.

The Project includes a total of six off-street loading spaces, two on-street commercial loading zones (on California Street), three on-street passenger loading zones (on Masonic Avenue, Euclid Avenue, and Laurel Street), and approximately 74 on-street public parking spaces. On-street freight and passenger loading zones are strategically placed nearest building entrances, with freight loading supporting the retail and non-residential uses along California Street.

The proposed Project also includes a TDM program in compliance with the TDM Ordinance and TDM Program Standards, and includes 10 car share parking spaces as required by Planning Code Section 166, as well as ample bicycle parking. Accessibility and traffic patterns, the type and volume of traffic, and the proposed off-street parking and loading are all discussed in additional detail in

Project's Transportation Impact Study and other Project CEQA documents on file with the Planning Department. The Project is in close proximity to numerous public transit options, with various bus routes along California Street, and nearby along both the Geary Avenue and Sacramento Street commercial corridors.

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

The Project is primarily a residential development and therefore is not anticipated to create any noxious or offensive emissions or odors. The Project sponsor will comply with the City's standard construction-related conditions designed to minimize temporary dust impacts during the construction period. All potential Project impacts on noise, glare, and dust are discussed in the Project's FEIR, including the MMRP. In light of the nature of the development, applicable Code requirements and standard conditions of approval, and the conclusions reached in the Project's FEIR on file with the Planning Department, no noxious or offensive emissions such as noise, glare, dust, and odor are expected.

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

The Project will create a series of privately-owned, publicly-accessible new north/south and east/west pedestrian connections across the Site, including substantial new landscaping around and throughout the Site, and major new privately-owned, publicly-accessible open space. The open space plan and landscape design includes features such as plaza and garden elements, and over 300 new trees (including new and replacement trees). Lighting and signage will be incorporated as the Project design progresses, and will comply with applicable Code requirements. These and other Project elements will be consistent with the City's Better Streets Program.

- 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 will generally comply with the provisions of the Planning Code, as amended in Board File No. 190844 and with the Development Agreement (Board File No. 190845). The Project will be, on balance, consistent with the General Plan, particularly with plans and policies related to locating dwelling unit density near transportation, creating new housing, including affordable/supportive housing, providing new publicly-accessible private open space, creating new pedestrian connections to and through the neighborhood, and implementing streetscape improvements. Further, the Project seeks a number of modifications to the requirements of the Code through the PUD process. The purpose of the PUD process is to allow well-designed development on larger sites to request modifications from the strict requirements of the Planning Code, provided that the project generally meets the intent of these Planning Code requirements and will not adversely affect the General Plan. The requested modifications,

and compliance with the PUD criteria and consistency with the General Plan are discussed under Section No. 8 and incorporated here by reference.

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

The Project is consistent with the stated purpose of RM-1 Zoning District and the 3333 California Street Special Use District. RM-1 Zoning Districts, as described in Section 209.2, contain a mixture of the dwelling types that broaden the range of unit sizes and the variety of structures, outdoor space at ground and upper levels regardless of form of structures, and non-residential uses to provide for the needs of residents. Shopping facilities and transit lines may be found within a short distance of these districts. On balance, the Project provides a range of unit sizes within a variety of structures, privately-owned, publicly-accessible open space, and retail uses to provide for the needs of residents. The site is located on and within walking distance of existing transit lines and located within walking distance of existing shopping facilities. The Project will include residential uses, and non-residential uses in a size that provides for the needs of residents.

- E. The use or feature satisfies any criteria specific to the use or feature in Subsections (g), *et seq.* of this Section.

On February 26, 2019, a resolution (Board File No. 190230) was introduced, imposing interim zoning controls for 18 months to require a Conditional Use Authorization for a change of use from a Child Care Facility to another use. Any consideration of a Conditional Use Authorization for a change of use from a Child Care Facility to another use shall take into account the following factors:

- i. Any findings by the Office of Early Care and Education regarding the capacity of the existing Child Care Facility Use, the population served, and the nature and quality of services provided;

The childcare facility currently located on the Site is operated by Bright Horizons, a national provider of childcare services. According to information on file with the Office of Early Care and Education, the existing facility is licensed for a total of 129 children, with an infant license for 42 children and a preschool license for 87 children. In addition, the Office believes that the existing facility has what is known as a 'Toddler Option' in order to also serve toddlers. However, the toddler license does not increase the total licensed capacity of 129. The existing facility is a National Association for the Education of Young Children (NAEYC) accredited program, which, is a nationally-recognized measure of early education quality.

- ii. The impact of the change of use on the neighborhood and community;

The Project proposes to replace the existing childcare facility with a new childcare facility with capacity to serve approximately 175 children under current licensing requirements. While there

may be a period of time during which the existing facility has ceased operations and the new facility is under construction, the Development Agreement (Board File No. 190845) requires the facility to be built as part of construction of the Walnut Building.

In addition, Bright Horizons will be opening a new childcare facility in the City Center project on Geary and Masonic that will accommodate the children who are enrolled at the existing facility. Because it is located on what is currently a UCSF campus property, the existing Bright Horizons facility gives preference to UCSF families, regardless of whether they live in the neighborhood. Pursuant to the Development Agreement (Board File No. 190845), the new childcare facility will be open to the general public. As such, it will result in expanded access to childcare for the neighborhood.

- iii. Whether there are sufficient licensed child care slots available within a one-mile radius of the site; and

According to the Office of Early Care and Education, there are 19 licensed child care centers and 26 Family Child Care homes in the 94118 Zip Code's geographic area.

- iv. Whether the Child Care Facility Use to be converted will be relocated or replaced.

The Project proposes to provide a new childcare facility with capacity to serve approximately 175 children under current licensing requirements. Bright Horizons, which operates the existing facility, anticipates opening a new childcare facility in the City Center project on Geary and Masonic.

- 9. **Planning Code Section 304** establishes procedures for Planned Unit Developments, which are intended for projects on sites of considerable size, including an area of not less than half-acre, developed as integrated units and designed to produce an environment of stable and desirable character, which will benefit the occupants, the neighborhood and the City as a whole. In the cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well-reasoned modification of certain provisions contained elsewhere in the Planning Code.

- A. **Modifications.** The Project Sponsor requests the following modification from the requirements of the Planning Code. These modifications are listed below, along with a reference to the relevant discussion for each modification.

- i. **Rear Yard (Section 134):** *The Project does not provide a code-complying rear yard. As such, the Project is seeking a modification of the rear yard requirement defined in Planning Code Section 134. The Commission finds this modification warranted, since the Project provides for a comparable amount of open space accessible to residents of the development, in lieu of the required rear yard.*

The Site encompasses nearly the entirety of Block 1032, fronting several streets, with no existing pattern of mid-block open space since the majority of the Site is currently occupied by existing buildings and surface parking lots. As such, the Site is not configured in a manner that adheres to (or necessarily benefits from) the traditional rear yard requirements of the Code. The Project would improve existing conditions by creating new connections to the surrounding street grid and providing new open space through a series of private and public open spaces and landscaped areas, including private usable open space (residential), common usable open space, privately-owned, publicly-accessible open space, private open space for the child care facility, and other open areas (e.g., inner and outer courtyards).

On the whole, the Project would provide 52 percent of the overall lot area (approximately 233,000 square feet) as grade-level open area, some of which would be privately-owned, publicly-accessible public open space and some of which would be private open space exclusively for residents. The Project would include streetscape improvements and a total of approximately 125,000 square feet (or roughly 2.88 acres) of privately-owned, publicly-accessible landscaped open space with multi-purpose plazas, lawns, and pathways.

- ii. **Permitted Obstructions (Section 136):** *The Project includes bay windows that exceed the dimensional limits allowed per Code. As such, the Project is seeking a modification of the permitted obstructions requirements defined in Planning Code Section 136. The Commission finds this modification warranted, since the Project, in an attempt to improve the overall visual interest of the buildings, provides a varied bay window design within each of the buildings.*

The Project includes bay windows within the Plaza B building on floors 1 through 4 that would not meet the strict requirements of the Code Sectioning governing permitted obstructions. The Project, in an attempt to improve the overall visual interest of the building through a varied bay window design, is providing five bay windows, ranging between 12'-0" to 19'-8", all of which exceed the nine-foot linear allowance per Code.

- iii. **Dwelling Unit Exposure (Section 140):** *The Project includes Dwelling Units that do not face onto an open area as defined by the Code. As such, the Project is seeking a modification of the dwelling unit exposure requirements defined in Planning Code Section 140. The Commission finds this modification warranted, since the Project has been designed in a manner that the majority of the units (97%) meet the requirements for dwelling unit exposure.*

The Project has been designed to maximize dwelling unit exposure along street frontages, inner courts and/or open spaces between buildings that meet the strict requirements of the Code. Of the 744 Dwelling Units proposed, only 21 Dwelling Units (or approximately 3 percent of the total unit count) would not comply with the strict dimensional requirements of the Code.

- iv. **General Standards of Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155).** *(Sections 155): The Project would include both off-street parking and*

freight loading spaces not necessarily on the same lot as the use served after the proposed subdivisions of the Site. As such, the Project is seeking a modification of the general standards of off-street parking and freight loading requirements defined in Planning Code Section 155. The Commission finds this modification warranted, since the Project provides sufficient off-street parking and freight loading for the uses served within enclosed garages with the minimum number of access points as is necessary as to reduce the total number of curb cuts on the Site.

Pursuant to Section 155(a), required off-street parking and freight loading shall be located on the same lot as the use(s) served. While the Project is compliant with the amount of provided accessory off-street parking and required freight loading, the locations of both the off-street parking and freight loading spaces would not necessarily be provided on the same lot as the use served after the proposed subdivisions of the Site. The proposed site plan for four below-grade garages allows connection between garages, thereby reducing unnecessary on-street vehicular circulation around the Site.

- v. **Dwelling Unit Density (Sections 207, 209.3):** *The Project includes residential uses with a total of 744 Dwelling Units, exceeding the number of units permitted within the RM-1 Zoning District. As such, the Project is seeking a modification of the dwelling unit density limits as defined in Planning Code Sections 207 and 209.3. The Commission finds this modification warranted, since the Project would provide much-needed housing, with a range of unit types, including the provision of senior affordable housing units.*
- vi. **Measurement of Height (Section 260):** *The Project includes proposed amendments to the underlying Height and Bulk Districts of 40-X, 45-X, 67-X, 80-X, and 92-X, as amended in the Zoning Map Ordinance (Board File No. 190844). The Project proposes both new structures and alterations to an existing nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District. As such, the Project is seeking minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site. The Commission finds this modification warranted, given the Site's unique configuration and the desire to maximize residential density at the Site. With the proposed height and bulk district amendments in Board File No. 190844, and the deviations from the provisions for measuring height, the maximum height of each of the 13 buildings would be accommodated.*

The Site's topography varies significantly across the Site generally upsloping from east to west, and from north to south, with an approximately 67-foot total difference in elevation across the Site. The Site contains two existing buildings, the largest of which (Center Office Building), at 52'-10" tall, is deemed a legal, noncomplying structure pursuant to Code Section 180. The Project proposes an adaptive reuse of the Center Office Building, and the construction of 13 new buildings on the Site. The proposed heights of each of the buildings contained within the Project are as follows: the Mayfair, Laurel Duplexes (seven individual buildings), Euclid, and Masonic buildings, each reaching a maximum height of 40 feet; the Plaza A and Plaza B Buildings, each reaching a maximum

height of 45 feet; the Walnut Building reaching a maximum height of 67 feet; the Center Building A reaching a maximum height of 80 feet, and the Center Building B reaching a height of 92 feet. The Project proposed minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site as follows:

Plaza A Building: The Plaza A Building fronts both Laurel Street and California Street. As such, the Project utilizes Laurel Street for the purposes of measuring height, pursuant to Section 260(a)(1)(D). Laurel Street has a slope of less than 5% and thus is measured at the midpoint of the frontage at existing curb. The measurement from Laurel Street is down-sloping and is carried to the line equidistant between Laurel Street and the Walnut Street Extension. The measurement is taken to 45 feet, to allow an additional 5 feet to accommodate adequate retail floor-to-floor heights.

Plaza B Building: The majority of the Plaza B Building is measured from the Walnut Street Extension per Section 260(a)(1)(B). A small portion of the NW corner is measured in the same manner as the Plaza A Building. The slope of Walnut Street varies, with the southern portion under 5% and the portion closer to California requiring stepping. Pursuant to Section 260(a)(3), the portion closer to California Street is measured in 55-ft segments. Measuring from the Walnut Street Extension is up-sloping and complies with Section 260(a)(1)(C), with the first 10-ft measured from the centerline of the segment at new curb, thereafter measured at the average of new grades on either side of the section. The measurement is taken to 45 feet, to allow an additional 5 feet to accommodate adequate retail floor-to-floor heights.

Walnut Building: The Walnut Building fronts California Street, Walnut Street Extension and Presidio Streets. For the western portions of the building the Project elects to measure down-sloping from the Walnut Street Extension per Section 260(a)(1)(D). The slope of the Walnut Street Extension varies, with the southern portion under 5% and the portion closer to California Street requiring stepping. Per Table 260 the portion closer to California Street is measured in 55-foot segments. The measurement from the Walnut Street Extension is down-sloping and is carried to the line equidistant between Walnut Street and Presidio Avenue. The eastern portions of the Walnut building is measured up-sloping from Presidio Avenue per Section 260(a)(1)(B). The slope of Presidio Avenue is less than 5% and is therefore measured at the midpoint of the frontage. Measuring from Presidio Avenue is up-sloping and complies with Section 260(a)(1)(C), with the first 10-ft measured from the centerline of frontage at existing curb, thereafter measured from the average of new grades on either side of the building. The measurement is taken to 67 feet, to accommodate adequate retail floor-to-floor heights, in addition to the additional floors accommodating the affordable housing building that will have 185 senior units and 1 on-site manager's unit, as proposed under the EIR Variant.

Euclid Building: The Euclid Building fronts onto Euclid Avenue and Walnut Walk. This area is measured from Euclid Avenue per Section 260(a)(1)(D). This site is up-sloping and is therefore measured per Section 260(a)(1)(C). Since Euclid Avenue slopes at 10%, the allowable height is measured at multiple cross-sections perpendicular to the building, taken at a maximum of 65-foot

increments per Table 260. Each of the given reference points is derived from the existing grade at each cross-section, to arrive at the allowable height for points along that cross section.

Laurel Duplexes: The Laurel Duplexes front onto Laurel Street, and the heights of the buildings are measured from Laurel Street. This area of the Site is up-sloping and is therefore measured per Section 260(a)(1)(C). Since Laurel Street slopes at 7%, the allowable height is measured at a cross-section perpendicular to the building, taken at the centerline of each duplex and no more than 65-foot apart per Table 260. Each of the given reference points is derived from the existing grade at each cross-section to arrive at the allowable height for points along that cross section.

Mayfair Building: The Mayfair Building fronts onto Laurel Street, and the height of the building is measured from Laurel Street. This site is up-sloping and is therefore measured per Section 260(a)(1)(C). Since Laurel Street slopes at 7%, the allowable height is measured at a cross-section perpendicular to the building, taken at the centerline of each building step and no more than 65-foot apart per Table 260. Each of the given reference points is derived from the existing grade at each cross-section, to arrive at the allowable height for points along that cross section.

Center Buildings A and B: The measurement of height for the adapted Center Buildings A and B is the same process as the measurement of height of the existing, single Center Office Building, as taken from Laurel Street. As measured from Laurel Street, the existing Center Office Building is 52'-10" tall; as such, the structure is deemed an existing legal, noncomplying structure pursuant to Section 180. The Project would include the adaptive reuse of the Center Office Building for residential uses (as two separate buildings: Center Building A and Center Building B, linked by an above-grade pedestrian passage). For the adapted Center Building A, the measurement is taken to 80 feet, and for the adapted Center Building B, the measurement is taken to 92 feet, adding two and three floors to each building, respectively. The additional floors are necessary to accommodate the addition of 190 dwelling units between the two buildings, completing the adaptive reuse from a former office building into repurposed residential building.

- B. **Criteria and Limitations.** Section 304(d) establishes criteria and limitations for the authorization of PUDs over and above those applicable to Conditional Uses in general and contained in Section 303 and elsewhere in the Code. On balance, the Project complies with said criteria in that it:

- 1) Affirmatively promotes applicable objectives and policies of the General Plan;

The Project promotes many of the objectives and policies of the various Elements of the General Plan, as discussed in greater detail below and incorporated here by reference.

- 2) Provides off-street parking adequate for the occupancy proposes.

The Project would provide sufficient off-street parking to adequately serve the residential and non-residential uses, with a maximum of 857 off-street vehicle parking spaces, inclusive of 10 car share spaces, which will accommodate the 744 residential units (including 185 senior housing units) as well as the retail and child care uses proposed.

- 3) Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;

The Project would contain approximately 52 percent of the overall lot area (approximately 233,000 square feet – excluding green roofs) as open area, with portions to be developed with a combination of privately-owned, publicly-accessible open space, common open space (some of which would be open to the public) and private open space for residents. The Project would include a total of 125,226 square feet (or 2.88 acres) of publicly-accessible landscaped open space with multi-purpose plazas, lawns, and pathways. The Project would provide 71,405 square feet of open space in excess of that required under Section 135 of the Code.

- 4) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;

As the Site is located within the RM-1 Zoning District, the Site would be limited to a residential density equal to one fewer unit than what is permitted within the RM-2 Zoning District. With a modification of residential density as a PUD, with a site area of 447,361 square feet, the residential density on the Site would be limited to a maximum of 745 Dwelling Units. The Project proposes a total of 744 Dwelling Units, below the maximum allowed residential density as a PUD.

- 5) In R Districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include commercial uses only according to the provisions of Section 230 of this Code;

The Project would contain commercial uses along California Street that would serve residents of the immediate vicinity and would be subject to commercial use size and Formula Retail controls in the NC-S zoning district, as specified in section 249.86, the 3333 California Special Use District. SUD (Planning Code Text and Map Ordinance (Board File No. 190844)). Because each of the buildings along California Street would include commercial uses that are less than 6,000 feet, the retail uses would be smaller in scale and would therefore serve the immediate vicinity, and would not be expected to attract customers on a regional level.

- 6) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.

The Project proposes both new structures and alterations to an existing nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District, as modified by the Planning Code map ordinance in Board File No. 190844. As such, the Project is seeking minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site.

- 7) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of the Code;

Through a proposed Planning Code Text and Map Ordinance (Board File No. 190844), the Planning Code would be amended to add Section 249.86, creating the 3333 California Street Special Use District. However, the Site would remain within the RM-1 Zoning District. As such, the Site is not located within an NC Zoning District, as defined within Article 7 of the Code.

- 8) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code;

Not applicable since the Site is located within a RM-1 Zoning District.

- 9) In RTO and NCT Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation.

Not applicable since the Site is located within a RM-1 Zoning District.

- 10) Provide street trees as per the requirements of Section 138.1 of the Code.

In total, the Project would provide 88 street trees. The Project would replace the existing 15 street trees along California Street, with 31 new street trees along California Street. Along the Laurel Street, Euclid Avenue, and Masonic Avenue frontages, up to 57

additional new street trees would be planted. The Project would pay the in-lieu fee for any required street trees that could not be planted. If any underground utilities or other barriers prevent a street tree from being planted, the proposed Project would be consistent with the requirements of Section 138.1(c)(2)(C)(iii). Additionally, eleven (11) key trees located on the Site would be preserved.

- 11) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

The Project is not subject to the requirements of Planning Code Section 132(g) and (h); however, the Project would provide new streetscape elements, including new street trees, new landscape areas and new sidewalk paving adjacent to the Site.

10. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan for the reasons as set forth below:

GENERAL PLAN: HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

Policy 1.8

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

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4:

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

Policy 4.1

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

Policy 4.4

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

Policy 4.5

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

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4:

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

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

OBJECTIVE 12

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

Policy 12.1

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

Policy 12.2

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

Policy 12.3

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

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support "smart" regional growth that located new housing close to jobs and transit.

Policy 13.3

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

GENERAL PLAN: COMMERCE AND INDUSTRY

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 3

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

Policy 3.2

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

GENERAL PLAN: TRANSPORTATION

OBJECTIVE 2

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

Policy 2.1

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

Policy 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

Policy 23.1

Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.

GENERAL PLAN: URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2

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

Policy 1.3

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

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

GENERAL PLAN: RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1:

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

Policy 1.1

Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

The Project would provide a mixed-used development with residential (including substantial new affordable housing), retail, and open space uses, leveraging the Site's location along transit corridors and allowing people to work and live within close proximity to transit, consistent with numerous Housing Element and Transportation Element policies that encourage residential and mixed-use development near transit. Furthermore, as detailed in the Development Agreement (Board File No. 190845), the Project exceeds the Planning Code's inclusionary affordable housing requirements, and will provide a 25% level of on-site affordable housing at Project buildout, fulfilling the Housing Element's objective of encouraging affordable housing.

The Site is located in a transit-rich location, within close proximity to various bus lines. Future residents can walk, bike, or access MUNI, or regional bus service from the Site. The Project includes a detailed, TDM program tailored to the Project uses, with various performance measures, monitoring and enforcement measures designed to incentivize use of transit and other alternatives to single occupancy vehicle trips. In addition, the Project's streetscape design would enhance vehicular, bicycle, and pedestrian access and connectivity through the site. The Project would be easily accessed by bicyclists and pedestrians. These Project attributes are consistent with numerous General Plan policies encouraging development that includes environmentally sustainable patterns of movement.

The Project would remove portions of—and re-develop the remainder of—a large-scale building and rest of the site with a series of smaller state-of-the-art buildings designed to be consistent with the neighborhood character and scale. The Project's high-quality architectural and landscape design encourages variety, compatibility with the surrounding context, and strong urban design with prominent corners. The Project would incorporate varying heights, massing, and scale, creating a strong, consistent streetwall along the various street frontages, consistent with the Urban Design Element's objective to emphasize the characteristic pattern which gives to the City and its neighborhoods an image, a sense of purpose, and a means of orientation. The Project has been designed to promote community interaction, both within the Project through common residential open space and with the broader community, through access to the privately-owned, publicly-accessible open space on the Site. The Project would also create new connections to the surrounding street grid, including new pedestrian connections, and other street and streetscape improvements.

The Project is located in an area that is well-served by retail and other neighborhood services, and would provide additional neighborhood-serving retail space along California Street. The Project would help meet the job creation goals, consistent with the Commerce and Industry Element, and as established in the City's Economic Development Strategy by generating new employment opportunities, and by providing expanded employment opportunities for City residents at varying employment levels both during and after construction. The

Development Agreement's community benefit programs include commitments to construction and operations workforce first source hiring, as well as local business enterprise requirements for construction and end use jobs.

The Project would include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site including Presidio, Masonic, and Euclid Avenues, as well as Laurel Street, and Mayfair Drive, consistent with the Urban Design Element's goal to recognize, protect and reinforce the existing street pattern. These physical improvements also meet the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk widening; enhanced paving; installation of new street trees and street lighting on various adjacent public rights-of-way. These improvements require a major encroachment permit from the Department of Public Works that is subject to Board of Supervisors approval. The encroachment permit imposes long-term maintenance responsibility and liability for these improvements on the Project Sponsor.

On the whole, the Project would add a significant amount of housing to a site that is currently underutilized, well-served by existing and future transit, and is within walking distance of substantial goods and services. The Project would create appropriate residential density at a location that is well served by transit and would include substantial new on-site open space to support and activate the new active ground floor and open space uses in the proposed Project and to serve the broader neighborhood. The Project balances significant housing production with new and improved infrastructure and related public benefits, including an on-site child care facility.

11. **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 would have a positive effect on existing neighborhood-serving retail uses because it would bring additional residents to the neighborhood, thus increasing the customer base of existing neighborhood-serving retail.

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

The Project would not negatively affect the existing housing and neighborhood character. The Project would not displace any housing given the existing building contains only non-residential uses (primarily office use). Like the neighborhoods surrounding the Site, which includes a variety of uses, such as single family homes, multi-unit apartment buildings, the Jewish Community Center, the Laurel Village Shopping Center, and the Muni bus storage yard, the Project is mixed-use and mixed-income, and would provide a range of improvements, housing, and services that would preserve the neighborhood's cultural

and economic diversity. It would include approximately 744 units, 185 units of which would be affordable units for seniors with 1 on-site manager's unit. The remaining (market rate) units would consist of a range of unit sizes to accommodate a diverse set of residents.

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

The Project would enhance the City's supply of affordable housing through its affordable housing commitments in the Development Agreement (Board File No. 190845), which will result in a total of 25% on-site affordable housing units.

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

The Project would not impede MUNI transit service or overburden streets and neighborhood parking. The Project is at a location well-served by transit and future residents and employees of the Project could access the Site via existing MUNI transit service. The Project does not include any commercial office uses that would generate commuter traffic, and the Project includes sufficient off-street parking and a robust transportation program with an on-site Transportation Demand Management (TDM) program.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not include commercial office development, and does not displace any industrial or service uses. In addition, the proposed retail uses and other non-residential uses would provide future opportunities for resident employment and ownership in the service sector.

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

The Project includes substantial investment in upgrades to an existing building and construction of new buildings to comply with all current structure and seismic requirements under the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

There are no existing landmarked buildings on the Site. However, the Site, which is considered an historic resource for CEQA purposes and is listed in the California Register of Historic Resources, will be re-developed to include reuse of the existing Center Building and construction of 13 new buildings to accommodate 744 dwelling units, retail, child-care and parking along with significant landscaping and open space. The Project will comply with Mitigation Measure M-CR-1a, Documentation of Historical Resource, which requires the documenting and presenting of the site's history and character. In addition,

the Project will comply with Mitigation Measure M-CR-1b, Interpretation of the Historical Resource, which requires the sponsor to develop an interpretive program focused on the history of the Site.

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

The Site does not currently contain public parks or open spaces, and the Project would create major new privately-owned, publicly-accessible open spaces. The Project would not affect any of the City's existing parks or open space or their access to sunlight and vistas. The shadow diagrams prepared as part of the Project's CEQA review demonstrate that the Project would not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. The location, orientation and massing of structures on the Site has been designed to maximize solar access to the Project's open spaces, including the major new privately-owned, publicly-accessible open space. The current open space at the corner of Euclid Avenue and Mayfair Street will remain as part of the Project.

12. **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 First Source Hiring Program requirements are set forth in the Development Agreement. The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will comply with the applicable First Source Hiring Program requirements of the Development Agreement (Board File No. 190845).

13. 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.
14. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

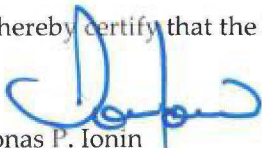
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2015-014028CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 20, 2019, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. 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 September 5, 2019.


Jonas P. Ionin
Commission Secretary

AYES: Fung, Hillis, Koppel, Johnson, Melgar, Moore, Richards
NAYS: None
ABSENT: None
ADOPTED: September 5, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for a **Conditional Use Authorization** to allow structures to exceed 40 feet in a RM Zoning District; for a change of use for an existing child care facility, and to allow a **Planned Unit Development** with the requested modifications from the requirements of the Planning Code for: rear yard, permitted obstructions, dwelling unit exposure, standards for off-street parking and freight loading, dwelling unit density, and measurement of height, relating to a project that includes partial demolition of existing structures and adaptive reuse of a legal, noncomplying structure, and construction of a total of 13 new buildings containing residential and non-residential uses on the subject lot, located at 3333 California Street, within Lot 003 of Assessor's Block 1032, pursuant to Planning Code Sections 253, 303, and 304 within the RM-1 Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated **August 20, 2019**, and stamped "EXHIBIT B" included in the docket for Record No. **2015-014028CUA** and subject to conditions of approval reviewed and approved by the Commission on **September 5, 2019** under Motion No. **20516**. 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 **September 5, 2019** under Motion No. **20516**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **20516** 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 so long as the Development Agreement contained in Board of Supervisors File No. 190845 remains in effect.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the expiration of earlier termination of the Development Agreement (Board File No. 190845), then 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 415-575-6863, www.sf-planning.org
3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval, unless such Code conflicts with the provisions of the Development Agreement (Board File No. 190845).
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
6. **Additional Project Authorization.** The Project Sponsor must obtain an approval of a Planning Code Text and Map Ordinance (Board File No. 190844), giving effect to the 3333 California Street Mixed-Use Project. The Ordinance would amend the Planning Code to establish the 3333

California Street Special Use District (SUD) and make other conforming Code amendments. The Ordinance would specify development controls that apply to the SUD, allowing additional (non-residential) permitted uses along California Street; specifying parking for childcare use, affordable housing, and open space requirements; specifying director determination and discretionary review controls; and extinguishing City Planning Commission Resolution 4109. The Ordinance would also amend Zoning Maps SU03 and HT03, reclassifying the height and bulk designation of the site from 40-X Height and Bulk District to 40-X, 45-X, 67-X, 80-X, and 92-X Height and Bulk Districts. 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 Zoning Administrator, shall apply. The Project Sponsor must also obtain an approval of the Development Agreement in Board File No. 190845, giving effect to the Development Agreement regarding the 3333 California Street Mixed-Use Project.

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

7. **Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Improvement measures, also described in the MMRP attached as Exhibit C will further reduce the less-than-significant impacts of the Project and have been agreed to by the project sponsor. Implementation of both improvement measures and mitigation measures as to each building or component of the project is a condition of project approval.

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

DESIGN – COMPLIANCE AT PLAN STAGE

8. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

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

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

10. **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.sf-planning.org*
11. **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 415-558-6378, www.sf-planning.org*
12. **Streetscape Plan.** The Development Agreement (Board File No. 190845) provides for certain streetscape improvements to be constructed and dictates the timing of such construction. In addition, the Project Sponsor is seeking approval of a major encroachment permit in connection with certain proposed streetscape improvements located in the public right of way, including new and replacement street trees and trees to replace certain existing significant trees (MEP). Pursuant to the applicable provisions of the Development Agreement and the MEP, 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 construct all required street improvements, consistent with the applicable provisions of the Development Agreement and the MEP. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
13. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
14. **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 recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

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

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

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

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

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

16. **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 415-558-6378, www.sf-planning.org

17. **Landscaping, Screening of Parking and Vehicular Use Areas.** Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and species of plant materials shall be as approved by the Department of Public Works. Landscaping shall be maintained and replaced as necessary.

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

18. **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 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

19. **Transportation Demand Management (TDM) Program.** The Development Agreement (Board File No. 190845) provides the Project's TDM Plan. 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, all as more specifically set forth in the Development Agreement, which will be recorded in the Official Records of the Recorder of the City and County of San Francisco for the subject property.

For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 415-558-6377, www.sf-planning.org.

20. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units provided as part of the Project shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

21. **Car Share.** Pursuant to Planning Code Section 166, no fewer than 10 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 415-575-6863, www.sf-planning.org

22. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than a total of 274 Class 1 and 69 Class 2 bicycle parking spaces (261 Class 1 and 37 Class 2 bicycle parking spaces for the residential portion of the Project and 12 Class 1 and 32 Class 2 bicycle parking spaces for the non-residential portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior

to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code. The Project shall provide no fewer than as required by Planning Code Sections 155.1 and 155.2.

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

23. **Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 2 showers and 12 clothes lockers.

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

24. **Parking Maximum.** Pursuant to Planning Code Section 151 or 151.1, the Project shall provide no more than 857 off-street parking spaces for all uses.

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

25. **Off-Street Loading.** Pursuant to Planning Code Section 152, the Project will provide a minimum of 5 off-street loading spaces.

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

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

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

PROVISIONS

27. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

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

28. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program as set forth in the Development Agreement (Board File No. 190845). Following expiration or termination of the Development Agreement, the provisions of the Administrative Code Section 83 regarding development projects shall apply.

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

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

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

30. **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 415-558-6378, www.sf-planning.org

31. **Residential Child Care Impact Fee.** In lieu of compliance with the Residential Child Care Impact Fee (Section 414A), the Project is subject to the applicable terms of the Development Agreement (Board File No. 190845).

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

32. **Inclusionary Affordable Housing Program.** In lieu of compliance with the Inclusionary Affordable Housing Program (Section 415), the Project is subject to the applicable terms of the Development Agreement (Board File No. 190845).

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

MONITORING - AFTER ENTITLEMENT

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

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

34. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

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

35. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

36. **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 415-554-5810, <http://sfdpw.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 415-558-6570, 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 415-575-6863, www.sf-planning.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 415-554-5810, <http://sfdpw.org>.

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

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

38. **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 415-575-6863, www.sf-planning.org

ATTACHMENT D:
PPA LETTER



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: Thursday, July 14, 2016
Case No.: **2015-014028PPA**
Project Address: 3333 California Street
Block/Lot: 1032/003
Zoning: RM-1 (Residential, Low-Density)
40-X
Project Sponsor: Don Bragg c/o Prado Group
150 Post Street, Suite 320
San Francisco, CA 94108
415-857-9324
Staff Contact: Brittany Bendix – 415-575-9114
Brittany.bendix@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DISCLAIMERS:

This Preliminary Project Assessment (PPA) letter provides feedback to the project sponsor from the Planning Department regarding the proposed project described in the PPA application submitted on March 29, 2016, as summarized below. This PPA letter identifies Planning Department review requirements for the proposed project, including those related to environmental review, approvals, neighborhood notification and public outreach, the Planning Code, project design, and other general issues of concern for the project. Please be advised that the PPA application does not constitute an application for development with the Planning Department. The PPA letter also does not represent a complete review of the proposed project, does not grant a project approval of any kind, and does not in any way supersede any required Planning Department approvals listed below.

The Planning Department may provide additional comments regarding the proposed project once the required applications listed below are submitted. While some approvals are granted by the Planning Department, some are at the discretion of other bodies, such as the Planning Commission or Historic Preservation Commission. Additionally, it is likely that the project will require approvals from other City agencies such as the Department of Building Inspection, Public Works, the Municipal Transportation Agency, Department of Public Health, San Francisco Public Utilities Commission, and others. The information included herein is based on the PPA application and plans, the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

The subject property is approximately 446,468 square feet and bounded by California Street, Presidio Avenue, Masonic Avenue, Euclid Avenue and Laurel Street. The site is within an RM-1 District and developed with an existing office building of approximately 450,000 square feet, an existing annex building of approximately 13,000 square feet, a parking garage containing 210 off-street parking spaces, and surface parking lots containing 330 off-street parking spaces. The proposed project will demolish the southern wing of the existing office building and divide the remaining 68.5 foot tall portion, located at the center of the site, into two separate structures, Building A and Building B. Interior renovations are proposed to adapt these two structures from office uses to residential uses and to accommodate vertical additions of two stories to Building A and three stories to Building B, for respective heights of approximately 81 feet and 92 feet. The project also includes new construction of the following: three four-story mixed use buildings on California Street (currently identified as 'Plaza A,' 'Plaza B,' and 'Walnut') with proposed heights of 45-feet; a four-story commercial office building on California Street and Presidio Avenue (identified as 'California and Presidio') with a proposed height of 45 feet, and seven townhomes with heights of 40 feet or less. Overall, the proposed project includes 558 dwelling units within 774,300 gross square feet of residential floor area, 59,915 gross square feet of commercial retail floor area, 49,999 gross square feet of office floor area, and 12,455 gross square feet of an entertainment use. Additionally, the project will dedicate fifty-two percent of the overall lot area to a combination of public and private open spaces.

The project proposes 885 off-street parking spaces and five loading spaces to accommodate the proposed uses. Three below grade parking garages will contain all of the off-street parking spaces and all five loading spaces. The project will relocate one existing curb cut on Laurel Street and one on Presidio Avenue, eliminate the second (southern) existing curb cut on Laurel Street, improve the existing curb cut on California Street, and provide a new curb cut on Masonic Avenue. Proposed access to the below-grade garages would be from Laurel Street, the Walnut Street extension, Presidio Avenue, and Masonic Avenue. The proposal also includes a lot line adjustment along the eastern boundary along Presidio and Masonic Avenues to accommodate streetscape improvements and to regularize the property's frontage on Presidio Avenue. Additional street improvements would include proposed sidewalk bulbouts at the intersection of California Street with Laurel and Walnut Streets, and at three locations along the Masonic Avenue frontage. Finally, to support the proposed development, the project proposes excavation of approximately 280,000 cubic yards of soil, ranging in depths of 7 to 40 feet below the existing grade. This proposed excavation will accommodate the proposed below grade parking structures, basement levels of proposed buildings and the overall terracing of the site.

ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), the environmental review process must be completed before any project approval may be granted. This review may be done in conjunction with the required approvals listed below. In order to begin formal environmental review, please submit an **Environmental Evaluation Application (EEA)** for the full scope of the project. EEAs are available in

the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org under the “Publications” tab. See “Environmental Applications” on page 2 of the current Fee Schedule for calculation of environmental application fees.¹

Note that until an entitlement application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned Environmental Coordinator.

The proposed project would require preparation of an initial study. The initial study may be prepared either by an environmental consultant from the Department’s environmental consultant pool or by Department staff. Should you choose to have the initial study prepared by an environmental consultant, contact Devyani Jain at (415) 575-9051 for a list of three eligible consultants. If the initial study finds that the project would have a significant impact that could be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a preliminary mitigated negative declaration (PMND). The PMND would be circulated for public review, during which time concerned parties may comment on and/or appeal the determination. If no appeal is filed, the Planning Department would issue a final mitigated negative declaration (FMND). Additional information regarding the environmental review process can be found at: <http://www.sf-planning.org/modules/showdocument.aspx?documentid=8631>.

If the initial study indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an EIR will be required. An EIR must be prepared by an environmental consultant from the Planning Department’s environmental consultant pool (http://www.sfplanning.org/ftp/files/MEA/Environmental_consultant_pool.pdf). The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

Below is a list of topic areas addressed through the environmental review process. Some of these would require additional study based on the preliminary review of the project as it is proposed in the PPA application.

- 1. Historic Resources.** The project site contains one or more buildings or structures considered to be a potential historic resource (constructed 45 or more years ago); therefore, the proposed project is subject to review by the Department’s Historic Preservation staff. To assist in this review, the project sponsor must hire a qualified professional to prepare a Historic Resource Evaluation (HRE) report. The professional must be selected from the Planning Department’s Historic Resource Consultant Pool. Please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for a list of three consultants from which to choose. Please contact the HRE scoping team at HRE@sfgov.org to arrange the HRE scoping. Following an approved scope, the historic resource consultant should submit the draft HRE report for review to Environmental Planning after the project sponsor has filed

¹ San Francisco Planning Department. *Schedule for Application Fees*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=513>

the EE Application and updated it as necessary to reflect feedback received in the PPA letter. The HRE should be submitted directly to the Department and copied to the project sponsor. Project sponsors should not receive and/or review advance drafts of consultant reports per the Environmental Review Guidelines. Historic Preservation staff will not begin reviewing your project until a complete draft HRE is received.

2. **Archeological Resources.** The proposed project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. To aid this review the Department archeologist may request a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant, subject to the review and approval by the Department archeologist. The Department archeologist will provide three names from the Qualified Archeological Consultant list if the PASS is required. The PAR will assess the archeological sensitivity of the project site based on in-house source material and will consider the potential for archeological impacts resulting from proposed soils disturbance. Please provide detailed information, including sections, proposed soils-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation in the EEA, and submit any available geotechnical/soils or phase II hazardous materials reports prepared for the project to assist in this review. If the Department archeologist determines that the project has a potential to adversely affect archeological resources, the PAR will identify additional measures needed to address the potential effect. These measures may include preparation of an archeological research design and treatment plan, implementation of one of the Planning Department's three standard archeological mitigation measures (archeological testing, monitoring, or accidental discovery), or other appropriate measures.
3. **Tribal Cultural Resources.** Tribal cultural resources (TCRs) are a class of resource established under the California Environmental Quality Act (CEQA) in 2015. TCRs are defined as a site, feature, place, cultural landscape, sacred place or object with cultural value to a California Native American tribe, that is either included on or eligible for inclusion in the California Register of Historical Resources or a local historic register, or is a resource that the lead agency, at its discretion and supported by substantial evidence, determines is a TCR. Planning Department staff will review the proposed project to determine if it may cause an adverse effect to a TCR; this will occur in tandem with preliminary archeological review. No additional information is needed from the project sponsor at this time. Consultation with California Native American tribes regarding TCRs may be required at the request of the tribes. If staff determines that the proposed project may have a potential significant adverse impact on a TCR, mitigation measures will be identified and required. Mitigation measures may include avoidance, protection, or preservation of the TCR and development of interpretation and public education and artistic programs.
4. **Transportation.** Based on the Planning Department's Transportation Impact Analysis Guidelines for Environmental Review,² the project would require additional transportation analysis to determine

² This document is available at: <http://www.sf-planning.org/index.aspx?page=1886>.

whether the project may result in a significant impact. Therefore, the Planning Department requires that a consultant listed in the Planning Department's Transportation Consultant Pool prepare a Transportation Impact Study. You are required to pay additional fees for the study; please contact Virnaliza Byrd at (415) 575-9025 to arrange payment. Once you pay the fees, please contact Manoj Madhavan at (415) 575-9095 or manoj.madhavan@sfgov.org so that he can provide you with a list of three consultants from the pre-qualified Transportation Consultant Pool. Upon selection of a transportation consultant, the Department will assign a transportation planner who will direct the scope of the consultant-prepared study. Please note that comments provided in this PPA letter regarding the site design and site circulation may affect the transportation analysis.

Transportation Demand Management Program

On April 28, 2016, the Planning Commission adopted a resolution to initiate Planning Code amendments that would require development projects to comply with a proposed Travel Demand Management (TDM) Program. The intent of the proposed TDM Program is to reduce vehicle miles traveled (VMT) and to make it easier for people to get around by sustainable travel modes such as transit, walking, and biking.

Under the proposed TDM Program, land uses are grouped into four categories, A through D. For each land use category that is subject to the TDM Program, the City would set a target based on the number of accessory vehicle parking spaces that the project intends to provide for that land use category. To meet each target, the project sponsor must select TDM measures—each worth a specified number of points—from a menu of options. In general, if a project sponsor proposes more parking, the target for that land use category—and thus, the number of TDM measures that the sponsor must implement to meet it—would increase. Some of the TDM measures included in the menu are already required by the Planning Code. Points earned from implementing these measures would be applied towards achieving a project's targets. Project sponsors would be required to implement and maintain TDM measures for the life of the project.

The proposed project includes 558 dwelling units, 59,915 square feet of retail, 49,999 square feet of office space, and would reuse the existing 12,455 square foot auditorium/ theater. Thus, the project would be subject to the proposed TDM Program. Based on the proposed 120 parking spaces associated with the retail uses and the 37 parking spaces associated with the auditorium, the project would be required to meet or exceed a target of 72 points for land use category A (maximum target available). Based on the proposed 100 parking spaces associated with the office uses, the project would be required to meet or exceed a target of 21 points for land use category B. Based on the proposed 558 parking spaces associated with the residential use, the project would be required to meet or exceed a target of 68 points for land use category C (approaching maximum target available).

The Planning Code would currently require the project, as described in the PPA, to provide the following TDM measures:

- Bicycle Parking (Planning Code Section [155.2](#); TDM Menu ACTIVE-2 – option a)
- Shower facilities and lockers (Planning Code Section [155.4](#); TDM Menu ACTIVE-3)
- Car Share Parking Spaces (Planning Code Section [166](#); TDM Menu CSHARE-1 – option a)
- Parking unbundling (Planning Code Section [167](#); TDM Menu PKG-1)

The project may be required to select and incorporate additional TDM measures to meet the targets listed above. A full list of the TDM measures included in the menu of options is available on this [website](#).

Pursuant to the April 28, 2016 staff report for Case 2012.0726PCA³ TDM Program, projects that may initially propose more parking spaces than the TDM Menu has measures and associated points available would be required to park at or below the neighborhood parking rate for the land use category.⁴ The number of parking spaces proposed in land use category A and land use category C for the proposed project are above or approaching the measures and associated points available in the TDM menu. Therefore, in order to comply with the proposed TDM Program, the proposed project may be required to decrease the amount of parking provided such that it would be at or below the neighborhood parking rate for each land use category. Preliminary calculations of the neighborhood parking rates for land uses in the project vicinity are lower than the rates provided for the proposed project.

When a planner is assigned, he or she will provide additional guidance regarding the proposed TDM Program and next steps.

5. **Noise.** Construction noise is subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code), which includes restrictions on noise levels of construction equipment and hours of construction. If pile driving is to be used during construction, measures to reduce construction noise may be required as part of the proposed project. The EEA should provide a construction schedule and indicate whether pile driving or other particularly noisy construction methods are required.

The volume of the proposed project's vehicular traffic may generate noise that could result in a substantial permanent increase in ambient noise levels. Therefore, the proposed project would likely require a noise study that includes at a minimum: measurements of the existing noise environment, discussion of applicable noise regulations, analysis of the project's noise effects and the ability of

³ San Francisco Planning Department. 2016. Case 2012.0726PCA , Transportation Sustainability Program – Shift Planning Code Amendments Initiation, was heard before the Planning Commission on April 28. The full staff report may be viewed online at, <http://commissions.sfplanning.org/cpcpackets/2012.0726PCA.pdf>, accessed June 7, 2016.

⁴ The methodology regarding the neighborhood parking rate will be provided in the TDM Technical Justification document.

noise sources to meet applicable noise standards. The noise study shall be conducted by a qualified acoustical consultant who shall prepare a noise study scope of work for approval by the assigned environmental coordinator prior to conducting the study.

6. **Air Quality.** The proposed project at 558 dwelling units and the addition and new construction of 459,730 square feet to the existing 314,570-square-foot building exceeds the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.⁵ Therefore, an analysis of the project's criteria air pollutant emissions is likely to be required. Detailed information related to construction equipment, phasing and duration of each phase, and the amount (in cubic yards) of excavation must be provided as part of the EEA.

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Ordinance is to reduce the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and avoid orders to stop work by the Department of Building Inspection (DBI). Pursuant to the Construction Dust Ordinance, the proposed project would be required to prepare a Construction Dust Control Plan for review and approval by the San Francisco Department of Public Health (DPH).

The project site is not located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on an inventory and modeling assessment of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. Given that the project site is not within an Air Pollutant Exposure Zone, additional measures or analysis related to local health risks are not likely to be required. However, if the project would include new sources of toxic air contaminants including, but not limited to, emissions from diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. Detailed information related to any proposed stationary sources must be provided with the EEA.

Given the size of the project and that approximately 280,000 cubic yards of soils would be excavated, the proposed project will likely require an Air Quality Technical Report for additional air pollutant modeling. If an Air Quality Technical Report is required, the project sponsor must retain a consultant with experience in air quality modeling to prepare a scope of work that must be approved by Environmental Planning prior to the commencement of any analysis and/or modeling.

⁵ BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.

7. **Greenhouse Gases.** *The City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions* presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco's Qualified Greenhouse Gas (GHG) Reduction Strategy. Projects that are consistent with San Francisco's Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist.⁶ The project sponsor is required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.
8. **Shadow.** The proposed project would result in construction of a building greater than 40 feet in height as measured by the Planning code. A shadow analysis is required under Planning Code Section 295. For more information on Planning Code Section 295, see "Preliminary Project Comments" below. The project sponsor is therefore required to hire a qualified consultant to prepare a shadow study. The consultant must submit a Shadow Study Application, which can be found on the Planning Department's website:
<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=539>
A separate fee is required. The consultant must also prepare a proposed scope of work for review and approval by Environmental Planning staff prior to preparing the analysis.
9. **Geology.** Portions of the project site are located on a slope greater than 20%. A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. To assist Planning Department staff in determining whether the project would result in environmental impacts related to geological hazards, it is recommended that you provide a copy of the geotechnical information with boring logs for the proposed project. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.
10. **Hazardous Materials.** The proposed project would add residential use to a site that is known to have contaminants. The campus site had a leaking underground storage tank (LUST), and the project site is adjacent to a former gas station site (San Francisco Fire Credit Union site). Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires

⁶ Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

DPH requires that projects subject to the Maher Ordinance complete a Maher Application, available at: <http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp>. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule, available at: <http://www.sfdph.org/dph/EH/Fees.asp#haz>. Please provide a copy of the submitted Maher Application and Phase I ESA with the EEA.

Because the existing building was constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. The Bay Area Air Quality Management District (BAAQMD) is responsible for regulating airborne pollutants including asbestos. Please contact BAAQMD for the requirements related to demolition of buildings with asbestos-containing materials. In addition, because of its age (constructed prior to 1978), lead paint may be found in the existing building. Please contact the San Francisco Department of Building Inspection (DBI) for requirements related to the demolition of buildings that may contain lead paint.

11. **Tree Planting and Protection.** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any such trees must be shown on the site plans with the size of the trunk diameter, tree height, and accurate canopy drip line. Please submit the *Tree Planting and Protection Checklist* with the EEA and ensure that trees are appropriately shown on site plans. Also see the comments below under "Street Trees."
12. **Water Supply Assessment.** The California Water Code Sections 10910-10915 require that a Water Supply Assessment (WSA) be prepared for any proposed project that meets the definition of a "water demand project" under Section 10912(a). The assessment determines whether available water supplies are sufficient to serve the demand generated by projects of a specified size, as well as the reasonably foreseeable cumulative demand in the service area over the next 20 years under a range of hydrologic conditions. The proposed project would require preparation of WSA. Please coordinate with the Environmental Review Officer at the San Francisco Planning Department or visit sfwater.org/index.aspx?page=75 for more information.
13. **Disclosure Report for Developers of Major City Projects.** The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and

filed by the developer of any “major project.” A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding \$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not include a residential development project with four or fewer dwelling units. The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <http://www.sfethics.org>.

PLANNING DEPARTMENT APPROVALS:

The project requires the following Planning Department approvals. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed.

1. **Rezoning.** As indicated in the ‘Preliminary Project Comments’ below, various aspects of the project conflict with both the current RM-1 Zoning of the site, as well as City Planning Commission Resolution No. 4109. The Preliminary Project Assessment application indicates the intent of the property owner to pursue a rezoning, potentially to an NC District. Additionally, as noted in the comments below, a Special Use District overlay to the current RM-1 District may also be a potential path for rezoning. In either case, rezoning of the property requires approval by the Board of Supervisors.
2. **Height District Reclassification.** As indicated in the ‘Preliminary Project Comments’ below, various components of the project exceed the current 40 foot height limit. Accordingly, a height district reclassification of the property must be sought. This also requires approval by the Board of Supervisors.
3. **Conditional Use.** Because the project may seek a rezoning to an NC District, the Code analysis below takes into consideration requirements related to the current RM-1 District, in addition to NC-1, NC-2, NC-3 and NC-S Districts. Depending on the applicable zoning, the following elements of the project may require Conditional Use Authorization by the Planning Commission: development of a building

more than 50 feet tall in an RM-1 District, establishment of an 'Other Entertainment Use' in an NC-1 District; establishment of an 'Administrative Service Use' in an NC-3 or NC-S District; establishment of an 'Automobile Parking' use in NC-1, NC-2, and NC-3 Districts; and, the Development of Large Lots in NC-1, NC-2, or NC-3 Districts. Additionally, through the Conditional Use Authorization process, the project may seek modifications to the front setback, rear yard, open space, and street frontage requirements of the Planning Code, as a Planned Unit Development pursuant to Section 304.

4. An **Office Allocation** from the Planning Commission is required per Planning Code Section 321 et seq. to establish more than 25,000 gross square feet of new office space.
5. A **Shadow Analysis** is required under Planning Code Section 295 as the project proposes building heights in excess of 40 feet, as measured by the Planning Code. A shadow analysis, attached, indicates that the project may cast new shadow on Laurel Hill Playground, which is under the jurisdiction of the Recreation and Parks Department. As a result the project requires that a shadow analysis must be performed per Planning Code Section 295. Please note that this preliminary analysis reflects the maximum building height (plus mechanical features) as applied to the entire lot.
6. A **General Plan Referral** application is required for the lot line adjustment of the Masonic Avenue property line.
7. A **Building Permit Application** is required for the proposed demolition of the existing structure(s) on the subject property.
8. A **Building Permit Application** is required for the proposed alteration of the existing structure(s) on the subject property.
9. A **Building Permit Application** is required for the proposed new construction on the subject property.

Conditional Use Authorization, Office Allocation, Shadow Analysis and General Plan Referral applications are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the Department of Building Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

Project Sponsors are encouraged, and in some cases required, to conduct public outreach with the surrounding community and neighborhood groups early in the development process. Additionally, many approvals require a public hearing with an associated neighborhood notification. Differing levels of neighborhood notification are mandatory for some or all of the reviews and approvals listed above.

In addition to neighborhood notification as required per Planning Code Section 311 (or 312), this project is required to conduct a **Pre-Application** meeting with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The Pre-Application packet, which includes instructions and template forms, is available at www.sfplanning.org under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.

Notification of a Project Receiving Environmental Review. Notice may be required to be sent to occupants of the project site and properties adjacent to the project site, as well as to owners and, to the extent feasible, occupants of properties within 300 feet of the project site at the initiation of the environmental review process. Please be prepared to provide mailing addresses on a CD upon request during the environmental review process.

PRELIMINARY PROJECT COMMENTS:

The following comments address specific Planning Code and other general issues that may substantially impact the proposed project.

1. RM-1, NC and Special Use Districts. The project proposes a combination of residential, office, commercial parking, retail and entertainment uses. Of these proposed land use categories, only residential uses are currently permitted in the existing RM-1 District. Accordingly, pursuing the project as proposed would require a rezoning of the subject property. The project description provided in the Preliminary Project Assessment application indicates the owner's interest in pursuing a rezoning of the property to an NC (Neighborhood Commercial) District, but does not specify which type of NC District. The four general NC Districts in Article 7 of the Planning Code are as follows: NC-1 (Neighborhood Commercial Cluster) District, NC-2 (Small-Scale Neighborhood Commercial) District, NC-3 (Moderate-Scale Neighborhood Commercial) District, and NC-S (Neighborhood Commercial Shopping Center District). The applicable land use controls for each proposed use are noted below and will be discussed, as relevant, in each forthcoming Planning Code requirement. The Project Sponsor is encouraged to match the proposal to the most appropriate district; however, a Special Use District overlay on RM or NC Zoning may be a preferred approach. For example, the California Street and Presidio Avenue – Community Center Special Use District, directly north of the subject property, is a hybrid of the RM-1 District and Sacramento Street Neighborhood Commercial District zoning controls. Ultimately, any such rezoning effort must be reviewed and approved by the Board of Supervisors. The Department strongly encourages the continued collaboration with the neighboring communities, as well as the District Supervisor, to determine the most appropriate zoning district.

- a. Residential Uses.** The project proposes residential uses throughout the property. All four general NC Districts principally permit residential uses subject to other requirements noted

- in Articles 1.2, 1.5 and 2 of the Planning Code such as density, open space, parking, unit exposure, and buildable area constraints.
- b. Retail Uses.** The project proposes retail uses throughout the property. ‘Other Retail Sales and Service’ uses, as defined in Planning Code Section 790.102 are generally principally permitted in every NC District at the 1st story. In NC-1 Districts, such uses are also subject to the more restrictive controls of any other (named) NC District or Restricted Use Subdistrict within a ¼-mile. In NC-2 and NC-S Districts such uses are principally permitted up to the second story, and at every story in NC-3 Districts. Please note that additional controls may apply to other types of retail uses such as Bars, Limited-Restaurants, and Restaurants.
 - c. Other Entertainment.** The project proposes retaining an existing 12,455 square foot auditorium space, which is currently accessory to the existing office use. The existing auditorium is an accessory use to the UCSF offices, and retaining the auditorium as part of the project would convert it to a principle use, such as ‘Other Entertainment,’ defined in Planning Code Section 790.38. Establishing an ‘Other Entertainment’ use in an NC-1 District requires Conditional Use authorization by the Planning Commission. All other general NC Districts principally permit ‘Other Entertainment’ uses at the 1st story; and at the 2nd story in NC-3 and NC-S Districts.
 - d. Office.** The demolition of existing structures or conversion of floor area dedicated to the site’s 363,218 square feet of existing nonconforming office use is an abandonment of that nonconforming use per Planning Code Section 183. Therefore, to re-establish office uses in the proposed new structures, the uses must comply with any applicable zoning controls. NC Districts allow two types of commercial office uses: ‘Business and Professional Service’ as defined in Planning Code Section 790.108, and ‘Administrative Service’ as defined in Planning Code Section 790.106. Business and Professional Service uses are principally permitted only on the 1st story in an NC-1 District, only up to the 2nd story in NC-2 and NC-S Districts, and at all levels in NC-3 Districts. Administrative Service uses are only allowed through Conditional Use authorization by the Planning Commission at the 1st and 2nd stories of NC-S Districts and at all levels in the NC-3 Districts. Further, the current proposal of 49,999 gross square feet of office space requires an Office Allocation from the Planning Commission per Planning Code Section 321 et seq. if establishing more than 25,000 gross square feet.
 - e. Commercial Parking.** The project includes 60 off-street parking spaces as part of a ‘Public Parking Garage’ defined in Planning Code Section 102. The existing RM-1 District does not permit public parking garages and, at this time, it is unclear if the described 60 “paid public parking spaces for community use” are legally noncomplying with regard to the Planning Code. Additional information is needed regarding the existing and proposed location of

these spaces and the date of their establishment to make that determination. Details relative to the existing and proposed depth of excavation for garages is also needed. Please note that if the spaces are determined to be legally noncomplying, but are otherwise removed or relocated through the elimination of existing surface parking lots or the reconstruction of an existing parking garage, the spaces will then be abandoned pursuant to Planning Code Section 183 and their re-establishment will need to conform to any applicable zoning controls. In NC Districts 'Automobile Parking' as a commercial use is defined in Planning Code Section 790.8 and is principally permitted in NC-S Districts, but requires Conditional Use authorization in NC-1, NC-2, and NC-3 Districts. Please note that any Conditional Use applications for parking exceeding accessory amounts must meet the additional criteria set forth in Planning Code Section 157. Given the Planning Department's concerns regarding the amount of proposed off-street parking referenced in both the 'Environmental Review' and 'Preliminary Design Comments' sections of this letter, you are strongly encouraged to substantially reduce or eliminate any proposed non-accessory commercial parking.

10. City Planning Commission Resolution 4109. In 1952, the City Planning Commission adopted Resolution 4109 which approved a rezoning of the subject property to a First Residential District and included additional stipulations subject to future development of the site. The site has subsequently undergone additional rezoning, as it is now within an RM-1 District. However, the stipulations of future development as outlined in Resolution 4109 continue to apply, absent modification by the Board of Supervisors per Planning Code Section 174. As expected, given that there have been more than 60 years of changes to the Planning Code there are some distinctions between the current RM-1 District controls and the stipulations outlined in Resolution 4109. In the project comments that follow, when there is an inconsistency, the more restrictive is noted as the guiding control. As indicated in the Preliminary Project Assessment application, the project may result in the rezoning of the property which requires review and approval by the Board of Supervisors. Amending Resolution 4109 would also require review and approval by the Board of Supervisors.

- a. Residential Uses.** In general, the RM-1 District controls are more restrictive than the Stipulations of Resolution 4109. However, the stipulations are more restrictive when defining the density and buildable area requirements as applicable to a portion of the subject property fronting on Laurel and Euclid Avenues. At present, the project does not comply with these restrictions and would require amending the Resolution.

11. Residential Density. The subject property is within an RM-1 District which permits a residential density of up to one unit per 800 square feet of lot area. However, as a Planned Unit Development the proposal may seek approval for a density equal to one less unit than what is permitted by the district with the next greater density (RM-2). In consideration of rezoning the property, please note the following maximum residential densities for each zoning district: NC-1, NC-2 and NC-S Districts, generally, up to one unit per 800 square feet of lot area; and, in NC-3 Districts, generally up to one

unit per 600 square feet of lot area. While additional information is necessary to calculate the exact maximum density for the area subject to Resolution 4109, initial calculations estimate approximately 508 units are allowed pursuant to the current RM-1 District zoning and Resolution and upon seeking the additional density allowed as a Planned Unit Development, the estimated maximum is 660 dwelling units. If the Resolution did not apply, these respective amounts become 558 and 743.

Ultimately, the proposal entails significantly fewer dwelling units than would be permitted under the site's current zoning. Given the City's need for housing and the tremendous opportunity presented by this unique 10-acre site, the Department strongly suggests that the project pursue residential densities approximating those which are currently allowed. As discussed in the comments that follow, any exceptions to the scale and massing provisions of the Planning Code that may ultimately be sought typically warrant a proportional increase in density. Should additional height and/or mass be necessary to achieve such density, it would seem most fitting along the California, Masonic and Presidio block faces, and generally in the northwest portion of the site.

- 12. Height Requirement.** The subject property is within a 40-X Height and Bulk District, restricting the maximum height of buildings to 40 feet above grade, as measured generally from curb at the center of each existing and proposed building. The upper measurement of the height limit changes depending on the grade at that location per Planning Code Section 260(a)(1). Additionally, the upper measurement of the height of a building varies based on the roof form per Planning Code Section 260(a)(2). While in general the proposal accurately applies these methodologies, curbs along the Walnut Street extension may not be used as the base of measurements because the Walnut Street extension is not a public right-of-way. Additionally, to confirm the accuracy of measurements for the existing office building please provide a section through the center of the structure that includes the location of existing grade at that location. Because the building has frontage on two or more streets, the owner may choose the street or streets from which the measurement of height is to be taken. The additional stories proposed for the altered structures will require that the project seek a Height District reclassification, which is reviewed and approved by the Board of Supervisors.
- 13. Proposed Buildings and Structures Exceeding 50 Feet in RM Districts.** Planning Code Section 253 requires Conditional Use authorization by the Planning Commission for any proposed building more than 50 feet in height. The existing office building is 66.5 feet tall from existing grade to the finished roof. The project proposes converting existing mechanical equipment above the roof to an additional two stories. This will require a Height District reclassification, as well as the required Conditional Use authorization from the Planning Commission if the property's zoning remains as an RM-1 District.
- 14. Special Height Exceptions for Active Ground Floor Uses.** The Preliminary Project Assessment application indicates an interest in rezoning the subject property to an NC District so that the buildings fronting on California Street may receive an additional 5 foot height increase if they provide active uses on the ground floor. Please note that Planning Code Section 263.20 does not

currently apply this special height exception to general NC Districts. The districts that can apply this increase are specifically identified in Section 263.20. Accordingly, to achieve a five foot height increase on California Street the project would need to reclassify the applicable Height District, integrate this exception into a proposed Special Use District, or pursue a text amendment to Section 263.20. Each of these options requires review and approval by the Board of Supervisors.

- 15. Lot Line Adjustment.** The project proposes a lot line adjustment that would extend the property's Masonic Avenue boundary into the public right-of-way. This adjustment requires a General Plan Referral because it includes the vacation of a public way and transportation route owned by the City and County. This adjustment will also require review by the Department of Public Works as a partial street vacation request.
- 16. Development of Large Lots.** Planning Code Section 121.1 requires Conditional Use authorization to develop on lots that are equal to, or greater than, 5,000 square feet in an NC-1 District, or 10,000 square feet in NC-2 and NC-3 Districts. This requirement is not applicable to lots of any size in RM-1 or NC-S Districts.
- 17. Floor Area Ratio.** Planning Code Sections 124 (NCs) and 209.2 (RM-1) limit the Floor Area Ratio of non-residential uses to the following maximums: 1.8 in RM-1, NC-1, and NC-S Districts; 2.5 in NC-2 Districts and 3.6 in NC-3 Districts. The Floor Area Ratio calculation includes all non-residential uses, accessory parking located above grade, and any non-accessory parking. Assuming the proposed non-accessory off-street parking occupies 93,023 square feet of gross floor area; the total non-residential uses result in a Floor Area Ratio less than 1.8 and would comply with the current RM-1 District requirement.
- 18. Front Setback.** Planning Code Section 132 requires that new developments in RM-1 Districts provide front setbacks. If situated on a corner lot, the owner may elect which street or alley to designate as the front of the property. The Preliminary Project Assessment application does not indicate this designation. If the Project Sponsor elects either the property's California Street or Presidio Avenue/Masonic Avenue frontages, the required front setback is equal to half of the adjacent neighbor's front setback. Alternatively, the Project Sponsor could choose the Laurel Street or Euclid Avenue frontages and adhere to the setback noted in Resolution 4109 for the portion of the property to which it applies, and then apply Section 132 to any remaining frontage. The project can seek a modification to the requirements of Section 132 through a Planned Unit Development. Note that NC Districts do not have front setback requirements.
- 19. Rear Yard.** The required rear yard for properties in RM-1 Districts is 45 percent of the lot depth. The project does not currently provide a code-complying rear yard. Therefore, the project must seek a modification to the requirements of Planning Code Section 134 as a Planned Unit Development. If the property is re-zoned to an NC District, Planning Code Section 134 requires a rear yard of 25 percent

of the lot depth at the lowest level containing a dwelling unit. However, the required rear yard for corner lots in NC Districts may be further modified by the Zoning Administrator per Section 134(e)(2). In general, this alternative requires that the project provide compensating open areas on the lot equal to 25 percent of the lot area, with minimum horizontal dimensions of 15 feet. Alternatively, under NC District zoning, the project could also seek a modification as a Planned Unit Development.

20. **Open Space.** Planning Code Section 135 requires each dwelling unit in an RM-1 District to have access to a minimum of 133 square feet of open space, if private, or 100 square feet of open space if common. In NC Districts the range of open space required per unit, depending on the specific district, is 100 to 133 square feet, if private, or 80 to 100 square feet, if common. Additional information is needed to determine how the project complies with this requirement for each individual unit and to confirm that the spaces comply with the dimensional requirements for either private or common spaces. If necessary, the project can pursue a modification as a Planned Unit Development. However, when evaluating a Planned Unit Development, per Section 304(d)(3), the Planning Commission must consider whether the project provides open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by the Code.
21. **Streetscape Plan.** The project proposes new construction on a property greater than half an acre, and as such, requires the submittal of a Streetscape Plan to the Planning Department to ensure that the new streetscape and pedestrian elements are in conformance with the Department's Better Street Plan. This Streetscape Plan shall be submitted to the Planning Department no later than 60 days prior to any Planning Commission action, and shall be considered for approval at the time of other project approval actions. The streetscape plan should show the location, design, and dimensions of all existing and proposed streetscape elements in the public right-of-way directly adjacent to the fronting property, including street trees, sidewalk landscaping, street lighting, site furnishings, utilities, driveways, and curb lines, and the relation of such elements to proposed new construction and site work on the property. Please see the Department's Better Streets Plan and Section 138.1(c)(2)(ii) for the additional elements that may be required as part of the project's streetscape plan. Additional comments from the Streetscape Design Advisory Team (SDAT) are provided in the 'Preliminary Design Comments' section below.
22. **Dwelling Unit Exposure.** Section 140 requires that each dwelling unit have at least one room that meets the 120 square foot minimum superficial floor area requirement of Section 503 of the Housing Code, and that it faces directly onto a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. It's unclear if units in the inner northeast corner of Plaza B and the inner northwest corner of the Walnut Building comply with this section because of the proposed notching in the building. Please consider these units when revising the plans. While the project may pursue a modification as a Planned Unit Development, the Department generally encourages projects to minimize the number of units needing an exposure exception.

- 23. Parking Screening and Greening.** Off-street parking and ‘vehicle use areas’ adjacent to the public right-of-way in all zoning districts must be screened per the requirements of Planning Code Section 142. Most of the proposed off-street parking is provided in underground parking garages and complies with this section. However, the proposed ‘on-street’ parking on the Walnut Street extension is adjacent to a public right-of-way and not screened. As the Walnut Street extension is not a proposed public street, the project must provide screening for these spaces or seek a modification from Section 142 as a Planned Unit Development.
- 24. Street Frontages in RM Districts.** Planning Code Section 144 restricts entrances to off-street parking to no more than one-third of the width of the ground story along the front lot line, or along a street side lot line, or along a building wall that is set back from any such lot line; but in no case less than 10 feet or more than 20 feet. Where two or more separate entrances are provided there shall be a minimum separation between such entrances of six feet. The proposed entrances at the Walnut Street extension and on Presidio and Masonic Avenues all exceed 20 feet and require a modification of Section 144 as a Planned Unit Development. This restriction does not apply to properties in NC Districts.
- 25. Moderation of Building Fronts in RM-1.** Planning Code Section 144.1 requires that every dwelling in an RM-1 District, on a lot with a width of more than 35 feet, must provide a stepping of the building along the front lot line by at least one of the following methods: (1) variation of the upper limit of the front elevation of the building, at intervals of not more than 35 feet, by a minimum of two feet in height, with not less than 30 percent of the width of such elevation varied in this way from the height of the remainder of such elevation; and/or, (2) variations of the depth of the front building wall from the front lot line, at intervals of not more than 35 feet, by a minimum of two feet in depth, with not less than 30 percent of the width of such front building wall varied in this way from the depth of the remainder of such wall. Currently the proposed Plaza A, Walnut, California, Presidio, Masonic and Euclid buildings do not comply with this requirement. The project may pursue an exception from Section 144.1 as a Planned Unit Development. Note that this requirement does not apply to NC Districts.
- 26. Street Frontages in NC Districts.** Planning Code Section 145.1 sets specific standards with regard to frontages, outdoor activity areas, and ground floor uses for developments in Neighborhood Commercial districts. Please consider these requirements if pursuing a rezoning to an NC District. The maximum permitted width of parking and loading entrances is limited to 20 feet in all NC Districts, with the exception of NC-S Districts where the maximum is 50 feet. As proposed, the project requires a modification from this requirement as a Planned Unit Development.

- 27. Off-Street Parking Required.** Off-street parking requirements in RM-1 and NC Districts (with the exception of NCT Districts) are set forth in Planning Code Section 151. The following table breaks down this requirement by proposed land use category:

<i>Land Use Category</i>	<i>Off-Street Parking Requirement</i>
Residential	One space per dwelling unit. (558 required)
Public Parking Garage	Not considered accessory parking.
Entertainment/Theater Use	One space for every eight seats. (37 required)
Retail (general)	One per every 500 square feet of occupied floor area* for the first 20,000 square feet; plus one per 250 square feet of occupied floor area above 20,000 square feet. (152 required)
Office (general)	One per every 500 square feet of occupied floor area.* (80 required)
Total	827

*Assumes occupied floor area is equal to 0.8 of gross floor area.

The project requires a total of 827 off-street parking spaces that are accessory to the principles uses, and proposes 815 spaces. The project may seek to provide less than the required amount of accessory off-street parking as a modification request per the findings noted in Section 307(i) and as a Planned Unit Development. Such a reduction in parking is consistent with the direction provided in both the 'Environmental Review' and 'Preliminary Design Comments' sections of this letter. Future iterations of the proposal should demonstrate how the project complies with the required dimensions of off-street parking spaces per Planning Code Section 154. Also, please note that specific types of retail and office uses may have different parking requirements.

- 28. Off-Street Freight Loading.** Planning Code Section 152 requires properties in both RM-1 and NC Districts (with the exception of NCT Districts) to provide one off-street freight loading space for an amount of retail floor area between 10,000 and 60,000, and four off-street freight loading spaces for a combination of office, residential and entertainment uses that is greater than 500,000 square feet. The project proposes five off-street freight loading spaces. Future iterations of the proposal should demonstrate how the project complies with the required dimensions of freight loading spaces per Planning Code Section 154.
- 29. Bicycle Parking.** Planning Code Section 155.2 requires properties in all zoning districts to provide Class 1 and Class 2 bicycle parking spaces for new developments. The following table breaks down this requirement by proposed land use category:

<i>Land Use Category</i>	<i>Class 1</i>	<i>Class 2</i>
Residential	One per dwelling unit up till 100, then one per every four units. (215 required)	One per every 20 dwelling units. (28 required)
Public Parking Garage	None (0 required)	One per twenty spaces, but no less than six. (6 required)
Entertainment Use	Five spaces for venues with a capacity of less than 500 guests. (5 required)	One per every 500 seats or one for each 50 person capacity. (1 required)
Retail (general)	One per every 7,500 square feet of occupied floor area.* (6 required)	Ten for the first 50,000 square feet of occupied floor area and one for each additional 10,000 square feet of occupied floor area.* (11 required)
Office (general)	One per every 5,000 square feet of occupied floor area.* (8 required)	Minimum of two if greater than 5,000 square feet of occupied floor area, plus one for ever additional 50,000 square feet of occupied floor area.* (3 required)
Total	226	49

*Assumes occupied floor area is equal to 0.8 of gross floor area.

The proposal includes approximately 238 Class 1 bicycle parking spaces and 48 Class 2 bicycle spaces. The project may seek an exception from Section 155.2 as a Planned Unit Development; however, the Department encourages compliance with this requirement. Further, when submitting future proposals, please indicate how the location of proposed spaces correspond to the distribution of the proposed uses.

- 30. Showers and Lockers.** Planning Code Section 155.4 requires properties in all zoning districts to provide showers and lockers for new developments if they include any of the following land use categories: Entertainment, Arts and Recreation Uses; Non-Retail Sales and Services Uses; and Retail Sales and Services Uses. Planning Code Section 102 further distinguishes between Non-Retail and Retail Professional Services, which corresponds to differences in RM-1 and NC Districts relative to the definition of office uses. As such, because shower and locker requirements are calculated based on the aggregate of the proposed uses, additional information relative to the type of proposed office uses (i.e. professional service v. administrative service) is necessary to determine the required number of showers and lockers for the proposal. If necessary, the project may seek an exception from Section 155.4 as a Planned Unit Development.

- 31. Car Share Parking.** Planning Code Section 166 requires that residential uses of 201 or more units provide two car share spaces, plus one more for each additional 200 dwelling units over 200. Additionally, for non-residential uses and non-accessory parking facilities of 50 or more spaces, projects must provide one space, plus one more for each additional 50 spaces over 50. Overall, the project requires and provides 10 car share parking spaces; however, this amount may change if the proposal diminishes the amount of proposed accessory or commercial parking. Please also identify the location of any car share parking locations, considering that Section 166 requires the parking areas to be designed in a manner that will make the car-share parking spaces accessible to non-resident subscribers from outside the building, as well as, building residents.
- 32. Unbundled Parking.** Planning Code Section 167 outlines a requirement for unbundled parking spaces for newly constructed residential buildings of ten dwelling units or more. All off-street parking spaces accessory to residential uses shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space. The Planning Commission may grant an exception from this requirement for projects which include financing for affordable housing that requires that costs for parking and housing be bundled together.
- 33. Baby Diaper-Changing Accommodations.** New retail sales and service uses or retail entertainment and recreation uses that are 5,000 square feet or more are “Public-Serving Establishments” per Planning Code Section 168 and must provide baby diaper-changing accommodations at each floor level of the use containing restrooms accessible to the public. Please demonstrate how any applicable uses comply with this requirement.
- 34. Shadow Analysis (Section 295).** Section 295 requires that a shadow analysis must be performed to determine whether the project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a shadow fan that indicates the project may cast new shadow on Laurel Hill Playground. This is based on a study that applies the tallest building height to the entire property. Therefore, a detailed shadow analysis would need to be prepared to determine if the project would create new shadow in that results in an adverse impact to Laurel Hill Playground, pursuant to Section 295. If this detailed shadow analysis finds that the project would cast shadow on Laurel Hill Playground, the sponsor should explore sculpting of portions of the project to avoid casting new shadows on the park.
- 35. Noise Regulations Relating to Residential Uses Near Places of Entertainment (POE).** New residential development within 300 feet of a Place of Entertainment must go through an Entertainment Commission outreach process (Ordinance Number 070-015). In addition, new residential development will also be required to record a Notice of Special Restrictions (NSR) on the site. The subject site is located within 300 feet of an existing POE, see enclosed map. Please note that

the Planning Department will not consider an entitlement application complete until the following are completed:

- a. The Entertainment Commission has provided written notification to the Planning Department indicating that it either did not wish to hold a hearing, or that it held a hearing and the Project Sponsor attended; and
- b. The Project Sponsor has included a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project as well as the date(s) when the those comments were provided. This shall be done as an additional sheet in any plan set submitted to the Planning Department and as an attachment in an entitlement application.

You may contact Entertainment Commission staff at (415) 554-6678 or visit their webpage at <http://www.sfgov2.org/index.aspx?page=338> for additional information regarding the outreach process.

- 36. Impact Fees.** This project will be subject to various impact fees. Please refer to the Planning Director's Bulletin No. 1 for an overview of Development Impact Fees, and to the Department of Building Inspection's Development Impact Fee webpage for more information about current rates.

Based on an initial review of the proposed project, the following impact fees, which are assessed by the Planning Department, will be required:

- a. Transportation Sustainability Fee (411A)
- b. Child-Care (Residential) (414A)
- c. Affordable Housing Fee (415)

- 37. Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. An application is enclosed.

- 38. First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. For more information, please contact:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
50 Van Ness Avenue, San Francisco, CA 94102
(415) 581-2303

- 39. Inclusionary Affordable Housing.** Inclusionary Affordable Housing is required for a project proposing ten or more dwelling units. The Project Sponsor must submit an 'Affidavit of Compliance

with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department identifying the method of compliance, on-site, off-site, or affordable housing fee. The following Inclusionary Affordable Housing requirements are those in effect at the time as of issuance of this letter. In the event that the requirements change, the Project Sponsor shall comply with requirements in place at the time of the issuance of first construction document. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units; unless a Costa Hawkins agreement is possible. Affordable units designated as on-site units shall be affordable units for the life of the project. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application.

The current minimum Affordable Housing Percentages are 20% affordable housing fee, 12% on-site, or 20% off-site. Therefore, as proposed, the project would have a minimum requirement of 67 units if provided on-site and 112 units if provided off-site. However these percentages are subject to change under a proposed Charter amendment and additional pending legislation if the voters approve the Charter Amendment of the June 7, 2016 election. Recently adopted Ordinance No. 76-16 (File No. 160255) will become effective after the election is certified and includes grandfathering provisions for projects that were submitted to the Planning Department prior to January 12, 2016. If the Project is subject to a different requirement upon approval of the Charter Amendment, and new legislative requirements take effect, the Project must comply with the applicable requirements at the time of compliance.

For your information, if a project proposes rental units, it may be eligible for an On-site Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are either: 1) ownership only or 2) not subject to the Costa Hawkins Rental Housing Act (a Costa Hawkins exception). Affordable units are not subject to the Costa Hawkins Rental Housing Act under the exception provided in Civil Code Sections 1954.50 through one of the following methods:

- a. direct financial construction from a public entity
- b. development bonus or other form of public assistance

A Costa Hawkins exception agreement is drafted by the City Attorney. You must state in your submittal how the project qualifies for a Costa Hawkins exception. The request should be addressed to the Director of Current Planning. If the project is deemed eligible, we may start working with the City Attorney on the agreement.

40. **Stormwater.** If the project results in a ground surface disturbance of 5,000 sf or greater, it is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan

demonstrating project adherence to the performance measures outlined in the Guidelines including: (a) reduction in *total volume* and *peak flow rate* of stormwater for areas in combined sewer systems OR (b) *stormwater treatment* for areas in separate sewer systems. The SFPUC Wastewater Enterprise, Urban Watershed Management Program is responsible for review and approval of the Stormwater Control Plan. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>. Applicants may contact stormwaterreview@sfwater.org for assistance.

PRELIMINARY DESIGN COMMENTS:

The following comments address preliminary design issues that may substantially affect the proposed project. These comments are compiled by the Urban Design Advisory Team (UDAT) and the Streetscape Design Advisory Team (SDAT):

1. **Site Design and Open Space.** The Planning Department is encouraged by the proposal's abundant open space and retention of significant landscape features honoring the former use. Key to the success of the open space will be how well it connects with the neighborhood, and how the public moves through the site. A central goal for sites larger than a typical city block is to reconnect them to the existing street grid. However, the retention and re-purposing of the existing building in the center of the site in conjunction with the sloping site inhibit such direct connection. Furthermore, the location of existing streets – as a result of the confluence of varying street grids at this unique juncture – also hinders the ability for such a direct alignment. The site factors encourage a less-Cartesian grid site plan and massing approach, lending itself to a more improvisational approach similar to a hill top village. This could be augmented by the hands of multiple architects and building types and heights. The Department recommends that the open spaces be more intentionally defined and enclosed by building forms and active uses fronting the open space, while at the same time being more directly connected to each other and the adjacent street pattern.
 - a. **Connectivity to the existing street network.** Connecting the site to the existing street network is of paramount importance for three reasons: (1) to moderate the scale of development in a manner that harmonizes with the neighboring contexts; (2) to provide a legible urban pattern; and, (3) to provide an open and welcoming public open space network as a means of avoiding the internal open space network from feeling private. The Planning Department recommends further exploration of means to provide a significant and meaningful north-south through connection by aligning with Walnut Street and terminating at or near the corner of Masonic and Euclid Avenues. The Planning Department requests a single, clear, and primary north-south connection that both allows and encourages members of the public to traverse the site along the Walnut Street alignment, connecting to the intersection of Masonic and Euclid Avenues. This north/south pathway may meander

through the site and does not need to be a straight axial pathway. Consider accommodating a portal through 'Building A' to support north-south public access. The entirety of the pathway should be accessible to all users. Done successfully, the major north/south connection should be clearly legible and inviting. Additionally, greater emphasis should be placed on the use, building form, and public space at the intersection of Euclid and Masonic avenues, as a primary destination and entrance to the southern half of the project site.

- b. Open space and pedestrian circulation network.** Not all the internal walks will serve the same function, or receive the same intensity of use. Some should, and will, be more public than others. The size, adjacencies, and design of the walks and open spaces should reflect that. Planning prefers to have a smaller number that would more likely receive intense use, than many that may be underused and need to be secured. There are a number of walks that seem more secondary. Develop a hierarchy of open spaces within the project by clearly defining and differentiating those from main paths to those that connect the network to the neighboring context.

The Planning Department recommends all buildings fronting open spaces and walks which either have commercial space, or ground floor residential units with direct access from the walks and which provide active uses adjacent to the open space, as per the Ground Floor Residential Design Guidelines.

The Mayfair Drive extension provides a critical, though indirect, connection to Pine Street. The Planning Department recommends that this be the primary east-west connection that allows and encourages the public to traverse the site from Mayfair Drive to the intersection of Presidio Avenue and Pine Street. It should be open to the sky, accessible to all users for its entirety, and terminate the axis in a specific and substantive manner. Other east-west circulation routes may not be as primary and could be made smaller or deemphasized in scale. The Department also recommends providing an accessible route from California Street to the proposed Market Plaza.

- c. Open Spaces.** The Planning Department requests that the open spaces within the site be better-defined. For example, the Market Plaza bleeds into the intersection of Laurel Street and Mayfair Drive, making both ambiguous. Euclid Park seems to show retaining walls and other interruptions. It is strongest as a single zone of lawn.
- 2. Building Massing, Siting, and Orientation.** Buildings should generally follow the grain and orientation of the prevailing urban patterns. Where none exist or are illegible, this may mean modulating building in 25-35 foot wide increments, typical of residential lot patterns, and oriented to maintain a consistency of street-fronting buildings. The Department recommends stepping the

building frontage along Masonic with the hill in increments that are responsive to changes in grade such that ground floor residential units are between 3 feet and 5 feet above grade.

3. **Off-Street Parking.** The current proposal shows 558 dwelling units with 885 parking spaces, which translates to 1.6 parking spaces per dwelling unit. As noted in the 'Environmental Review' comments, the quantity of parking proposed will likely trigger several measures to offset automobile usage through the Transportation Demand Management program (TDM) which is designed to incentivize transit and active transportation modes like walking and biking and depress demand for single occupancy vehicle use by residents of and visitors to the site. Since the project site is within a quarter mile (5 minute walk) of numerous transit lines, several of which fall on the Muni Rapid network, the Planning Department strongly encourages the project sponsor to reduce the off-street parking ratio within the project.
4. **Bicycle Network and Infrastructure.** The project sits at the intersection of several bike routes: an east/west route on Euclid Avenue (currently marked with striped bike lanes) and a north/south route on Presidio Avenue (currently marked with sharrows). The project site is also close to important routes on Arguello Avenue, Washington Street, Clay Street and Post Street. The Department encourages further accommodation of bicycle use as a preferred mode choice through accommodating bicycle circulation throughout the site and connecting it to the existing citywide bike network, bike parking, and other on-site features. The project should enable bicycles to use the internal circulation system through-out the site. Additionally, the Planning Department encourages secured bicycle parking to be as close and accessible as possible to the residential uses and at-grade. They should also be located to minimize conflict with automobiles.
5. **Architectural Design.** At this point the architecture is assumed to be schematic and the Planning Department will provide further detailed design review on the subsequent submission. The Department lauds the inclusion of multiple designers. The architecture and landscape design should support the central organizing concept or theme and reinforce one another. When developing more detailed architectural design, please consider the following:
 - a. **Ground Level Street Frontage.** Ground floor dwelling units should have set back and raised landscaped entries that range from three to five feet above grade, and which provide direct access from the street, as per the draft Ground Floor Residential Design Guidelines.
 - b. **Planned Unit Development.** Modifications to the Planning Code that are sought through the Planned Unit Development review process should be responded to by exceptional design. The proposed architectural design, while preliminary, needs to be analyzed in its relation to open space and adjacent building form and massing. The massing is expected to be refined and articulated. High quality materials and are expected to be developed as the building design progresses.

6. **Streetscape and Pedestrian Improvements.** The following comments relate to the specific application of Better Streets Plan policies to the proposed project, as reviewed by the Department's Streetscape Design Advisory Team (SDAT):

a. **Better Streets Plan.** The Better Streets Plan (BSP) adopted by the city in December 2010, provides a comprehensive set of guidelines for the design of San Francisco's pedestrian realm. The Plan seeks to balance the needs of all street users, with a particular focus on the pedestrian environment and how streets can be used as public space. The BSP policies can be found at: www.sfbetterstreets.org. Per the BSP, the classification of the streets adjacent to the project site and their suggested improvements are as follows:

- California Street is classified as a Residential Throughway west of Walnut Street, and as a Commercial Throughway east of Walnut Street. The project team should design all of the California Street frontage to comply with the Commercial Throughway standards given the commercial nature of the proposed land uses west of Walnut Street. Both Residential and Commercial Throughways have a recommended sidewalk width of 15 feet.
- Presidio Avenue is classified as a Neighborhood Commercial Street with a recommended sidewalk width of 15 feet.
- Masonic Avenue is classified as a Residential Throughway with a recommended sidewalk width of 15 feet.
- Laurel Street and Euclid Avenue are classified as a Neighborhood Residential streets with recommended sidewalk widths of 12 feet.

b. **Pine/Presidio/Masonic Intersection.** SDAT supports the project sponsor's concept for increasing safety at the Pine/Presidio/Masonic intersection by normalizing the curb alignment and activating the corner. In addition to coordinating with the Department of Public Works, proposed lot line adjustments at corners of Masonic Avenue with Euclid and Presidio Avenues, the project sponsor should coordinate with the Municipal Transportation Agency (SFMTA) circulation requirements.

c. **Walnut Street Extension.** Access to parking from the Walnut Street extension should be minimized to reinforce the sense of the Walnut Street extension as a true street rather than a service and garage access lane. The width of the parking entrances should be no greater than a single lane, 12 feet. Garage doors should be brought to the face of buildings rather than recessed in driveways. Sidewalks should span the driveways on the Walnut Street extension and the driveways should have curb aprons as opposed to the curb returns, as shown. This will allow for a contiguous public sidewalk into the site. Additionally, UDAT recommends prohibiting cars

beyond the garage access points, eliminating the drop-off zone and providing active ground floor use at that location. This change will directly affect the proposed porte-cochere / drop-off area at the southeastern end of the Walnut Street extension. Finally, consider bulb-outs at the intersection of Walnut and California Streets, such that they extend into both the Walnut and California right-of-ways (instead of solely the California right-of-way as shown in the current plan set). Bulb-outs on Walnut Street should be compliant with the Better Streets Plan and should extend a minimum of 5 feet beyond the property line before the curb return begins. SDAT supports the generous bulb-outs on California Street and encourages the design team to consider how understory plantings, seating, special paving, public art or similar elements can program these large bulb-outs and act as a gateway into the project site.

- d. **Masonic Avenue.** The Planning Department supports the concept of regulating the Masonic/Euclid intersection by building a corner plaza and reducing the curb radius at both Euclid and Masonic Avenues. Consider further improving the pedestrian realm by planting large canopy trees along the Masonic Avenue frontage that match the scale of the trees across the street from the project site. This block of Masonic Avenue carries high vehicle flows. The street configuration is unlikely to substantively change in the near term. A cohesive tree canopy can have an ameliorative traffic calming effect on the street.
- e. **Mayfair Drive & Laurel Street Intersection.** Laurel Street has an excessively wide corner radius in the northbound direction at the Mayfair Drive intersection. The project sponsor should reduce the corner radius by squaring off the intersection at this location, creating a 3-way stop. This will result in a corner plaza similar to the one proposed at Masonic and Euclid Avenues, which will act as a gateway to the central open space proposed at the northeast corner of the site.
- f. **Euclid Avenue.** Consider a double row of trees in a park edge condition along Euclid Avenue, as a method to define the park and bikeway. Design Euclid Avenue per the Better Streets Plan “Park Edge Street” typology. Additionally, consider a protected bike facility on Euclid Avenue adjacent to the park.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, and/or Building Permit Application, as listed above, must be submitted no later than **January 14, 2018**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

Enclosure: Neighborhood Group Mailing List
 Interdepartmental Project Review Application
 Preliminary Shadow Study

Place of Entertainment Map

cc: Don Bragg, Property Owner
Brittany Bendix, Current Planning
Debra Dwyer, Environmental Planning
Amnon Ben-Pazi, Citywide Planning and Analysis
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
Jerry Sanguinetti, Public Works
Pauline Perkins, SFPUC
June Weintraub and Jonathan Piakis, DPH
Planning Department Webmaster (planning.webmaster@sfgov.org)

ATTACHMENT E:
CUA APPEAL LETTER




Laurel Heights Improvement Association of San Francisco, Inc.

BY HAND

October 7, 2019

San Francisco Board of Supervisors
c/o Clerk of the Board of Supervisors
City and County of San Francisco
City Hall, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 OCT -7 PM 3:12
BY 

Re: 3333 California Street, San Francisco, CA

Record Number: 2015-014028CUA/PCA/MAP/DUA

Appeal of Planning Commission's Approval of Conditional Use/ Planned Unit Development

Laurel Heights Improvement Association of San Francisco, Inc. (LHIA) hereby appeals from the conditional use authorization and planned unit development authorization approved by the San Francisco Planning Commission on September 5, 2019 for 3333 California Street. As President of LHIA, I am authorized to file this appeal on behalf of LHIA.

Appellant LHIA and its officers submitted comments objecting to these approvals to the Planning Commission both orally and in writing at the public hearings on the approvals.

Members of LHIA reside in properties that are within 300 feet of the 3333 California Street site on Laurel Street and Euclid Avenue as shown in the approximate annotations I have made on the map attached as Exhibit A, and other LHIA members reside in properties nearby the 3333 California Street site. Members of LHIA will be affected by the construction and operational noise, traffic, air emissions, impairment of the historical resource, excavation, destruction of trees and other impacts caused by the proposed project.

1. The Board Should Overturn or Modify the Conditional Use Authorization Because the Proposed Project, At the Size and Intensity Contemplated, Is Not Necessary or Desirable for, and Compatible With, the Neighborhood or the Community.

The Board should overturn or modify the Conditional Use authorization for retail uses and other non-residential uses because they are not necessary or desirable for the neighborhood under Planning Code section 303. The project site is directly adjacent to Laurel Village shopping center and near Sacramento Street shops, Trader Joe's, Target, and Geary Street and Presidio Avenue retail store, so retail is not needed on the project site. The retail sector is in decline and competition from project retail uses could adversely impact the viability of existing retail uses in the adjacent Laurel Village. A Laurel Village merchant told me that after Target moved into the nearby City Center, business at Laurel Village declined. Also, recently there have been

approximately four vacancies within a short period of time in Laurel Village, which is an unprecedented situation. Owners of Bryan's and Cal-Mart have stated that the surrounding neighborhoods are now well served by a diversity of retail businesses in Laurel Village, Sacramento Street, Presidio Avenue, Trader Joe's, and Target at an expanding City Center. Ex. B.

Retail uses are also not necessary or desirable because the number of project retail parking spaces has been reduced from 188 spaces to 74 spaces. Ex. A, Responses to Comments on Draft EIR 2.33, excerpt. The reduction in retail parking spaces is not necessary or desirable for the Laurel Village merchants and community because the reduction will likely cause project retail customers to park in the adjacent Laurel Village parking lot, which is an above-ground lot.

This reduction in retail parking was disclosed late in the proceeding. The Project's July 3, 2019 plan sheet VAR.01b states that the proposed project variant would have 74 retail parking spaces, 29 childcare parking spaces, 744 residential parking spaces, no office parking spaces, no commercial parking spaces, for a total of 857 parking spaces. (Ex. C, July 3, 2019 plan sheet VAR.01b) The Draft EIR stated that the proposed 744-unit Project Variant would provide 188 retail parking spaces, 744 residential parking spaces and 29 "Other Non-residential (Daycare)" parking spaces, for a total of 961 parking spaces. DEIR4.C.77.

The volume of traffic from the retail uses at the Project would also be undesirable. The Draft EIR projected that the project retail uses would cause 8,153 daily auto trips. Ex. M, DEIR Traffic Appendix Chart. Even though the retail uses were reduced in the Special Use District from 54,117 square feet to 34,496 square feet, the proportionally reduced retail traffic would still be substantial at 5,196 auto trips per day from retail uses. Ex. C, 8-17-2017 Plan sheet G3.02a and 8-30-2019 plan sheet

2. In the Alternative, the Board Should Modify the Conditional Use Authorization/Planned Unit Development to Recommend that NC-1 Controls be Used in the Special Use District Rather than the More Intensive NC-S Controls.

NC-1 District controls are prescribed for retail uses authorized in Residential districts in Planned Unit Developments under Planning Code section 304:

In R Districts, include Commercial Uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, **subject to the limitations for NC-1 Districts under this Code.** (Ex. D, excerpts Planning Code section 304, emphasis added)

NC-1 Districts "are intended to serve as local neighborhood shopping districts" under Planning Code section 710 and permit operations from 6 a.m. to 11 p.m, with conditional use authorization for operations from 11 p.m. to 2 a.m. (Ex. E, excerpts Planning Code section 710)

NC-S Districts are more intensive and “are intended to serve as small shopping centers or supermarket sites which provide retail goods and services for primarily car-oriented shoppers under Planning Code section 713. (Ex. F, excerpts Planning Code section 713) NC-S controls are intended to serve “the immediate and nearby neighborhoods” but Planned Unit development authorizations are allowed “only to the extent that such uses are necessary to serve residents of the immediate vicinity.” Planning Code section 304. Since the Project would provide only 74 retail parking spaces, the Project would not sufficiently serve primarily car-oriented shoppers in an NC-S District. Also, NC-S districts permit operations from 6 a.m. to 2 a.m., with conditional use authorization for 24-hour operations. (Ex. E) These controls are not desirable for the area, which is predominantly residential.

NC-1 controls would be consistent with the SUD’s description of “34,396 square feet of neighborhood-serving retail.”

3. Alternatively, the Board Should Limit Permitted Hours of Operation to 6 a.m. to 11 pm.

The Board should change permitted hours of operation for non-residential uses in the Special Use District to 6 a.m. to 11 p.m., as allowed for NC-1 Districts authorized for a Planned Unit Development, rather than 2 a.m., which would be allowed in an NC-S District.

4. Alternatively, the Board Should Eliminate Flexible Retail and Social Service and Philanthropic Facilities from the Special Use District Because they Were Not Disclosed in the EIR and Are Not Necessary For or Compatible With the Neighborhood.

The EIR did not disclose potential Flexible Retail, Social Service or Philanthropic Facility use, and such uses are not permitted in an NC-S District. (Planning Code section 713) It is not necessary or desirable to add such uses to the Special Use District, as the project would not provide parking for office uses, which Social Service or Philanthropic Facility uses are classified as under Transportation Demand Management Program. Ex. G, TDM excerpts. The EIR disclosed only general retail uses, ---- full-service restaurant uses and ----composite restaurant uses.

Flexible retail uses are not desirable in the area because they would not require neighborhood notification for multiple uses in the same space (with 2 uses required and up to 5 permitted) unless the underlying zoning classification required notice. (Board of Supervisors File 180806)

5. Alternatively, to Conform With the Historical Resource Design Guidelines, the Board Should Modify the Project to Limit the Proposed Rooftop Addition to the Main Building to One Story.

The historically significant site is listed on the California Register of Historical Places. (Ex. A to accompanying appeal as to adequacy of Final EIR.) The Secretary of the Interior's Standards for Treatment of Historic Properties (Secretary's Standards) are the standards used by CEQA to mitigate impacts upon historic resources to below a level of significance. 14 Cal.Code Regs. Section 15126.4(b)(1) and (2). (Ex. H, excerpts, Secretary's Standards) The Secretary's Standards recommend "Limiting a rooftop addition to one story in height to minimize its visibility and its impact on the historic character of the building." (Ex. H, excerpts, Secretary's Standards) Thus, instead of a two-story addition, the Board should modify the proposed project to utilize a one-story addition.

6. Alternatively, the Board Should Order the Project Modified to Remove New Construction From the Green Spaces at the Top of Laurel Street and along Euclid Avenue.

The Board should set the Euclid Building back approximately 30 feet from the Euclid green to avoid impairment to that green space and remove 2 Laurel Duplexes from the top of the green at Laurel Street to preserve the natural green space in those areas. (Ex. I, rendering showing areas to be left open)

7. Alternatively, the Board Should Order a Portal Cut Through the First Two Floors of the Main Building With a Light Well on Top, Rather than an Approximate 40-Foot Cut Through the Top of the Main Building.

The Project proposes to significantly impair the historic main building by cutting a 40-foot pathway through it that would divide the building into two pieces. The EIR admits that the Project would cause a substantial adverse change in the significance of a historic resource. One of the character-defining features of the main building is its horizontality. (Ex. D to October 7, 2019 LHIA appeal of certification of Final EIR. Adding a set-back, one story addition would conform with the Secretary's Standards for treatment of historic properties.

As explained in the accompanying appeal of certification of the Final EIR, the Planning Department only requested a north/south portal and did not request a cut all the way through the main building. Changing the 40-foot cut to a portal would reduce construction time and cost.

8. The Board Should Overturn the Conditional Use/Planned Unit Development Authorization Because the Commercial Uses, Height Limit Increases and Shaded Open Spaces are Not Necessary or Desirable for the Neighborhood.

The Planned Unit Development criteria of Planning Code section 304(d)(6) state that the proposed development “shall”:

(6) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code.

The Special Use Districts would allow heights of 92 feet, 80 feet, 67 feet and 45 feet, which are greater than the 40-foot height limit now applicable to the site. (Ex. J, proposed height map) The Board should overturn the Planning Commission’s authorization of heights in excess of the existing 40-foot height limit because the authorization is not consistent with the criteria for authorization of a Planned Unit Development.

Increased heights are also not necessary or desirable because adding two additional stories to the top of a divided main building would impair the characteristic horizontality of the historic resource.

The Board should also overturn the conditional use authorization because significant portions of open space in the project would be shaded most of the time and are not desirable. The Initial Study admits that “the network of proposed new common open spaces, walkways, and plazas within the project site” “would be shaded mostly by proposed new buildings for much of the day and year.” Initial Study p. 161; Ex. K, open space plan and excerpts of project shadow study).

The Board should also overturn the conditional use authorization because the non-residential uses described above are not necessary or desirable for, and compatible with, the neighborhood and community.

For the reasons stated herein, the Board should not adopt the Planning Code amendments recommended by the Planning Commission, including without limitation the adoption of the proposed Special Use District, changes to the height limit map, and any other Planning Code amendments recommended by the Commission. The public necessity, convenience and general welfare do not require the proposed amendment because the project was not designed in accordance with the Secretary’s Standards, which would serve as feasible mitigation for the project’s impacts on the historic resource, and alternatives are feasible that would reduce or avoid the project’s impacts on the historic resource, but the Commission erroneously rejected them, as more fully discussed in the accompanying appeal as to certification of the Final EIR.

The project is also not necessary or desirable because it conflicts with the Residential Design Guideline that “New buildings and additions to existing buildings cannot disregard or significantly alter the existing topography of the site. The surrounding context guides the manner in which new structures fit into the streetscape, particularly along slopes and hills. This can be

achieved by designing the building so it follows the topography in a manner similar to surrounding buildings.” (Residential Design Guidelines, p. 11) These guidelines must be followed in Residential Districts. Planning Code section 311. The project would excavate substantial portions of Laurel Hill, in violation of this Guideline. (Ex. L, plan sheet G2.08)

9. If the Board Overturns the Planning Commission’s Certification of the Final EIR, the Board Must Also Overturn the Approval of the Tentative Conditional Use/PUD Authorization by the Planning Commission.

For the reasons stated in LHIA’s appeal of the Planning Commission’s certification of the Final EIR for 3333 California Street, the Final EIR is inadequate, and if overturned by the Board of Supervisors, the Board must grant this appeal of the approval of the conditional use/planned unit development authorization. The Final EIR is the CEQA document upon which the approval of the conditional use/PUD is based, and if the Final EIR is overturned, the approval of the conditional use/PUD must necessarily also be overturned. The Final EIR identified significant adverse impacts which the Project would have, so CEQA review must have been completed in a lawful manner before the conditional use/PUD authorizations can be valid.

Planning Commission Resolution No. 20514 adopted on September 5, 2019 states at page 1 that a proposed Ordinance introduced on July 30 and amended on September 3, 2019 “would enable the Project” and at page 10 that “the Commission recommends approval of the proposed Ordinance” with certain modifications. Thus, the Planning Commission did not approve the rezoning needed for the project to be approved.

10. Approval of the Conditional Use/PUD Authorization Must Be Overturned If the Board of Supervisors Does Not Approve the Zoning Changes Required to Allow the Proposed Project to be Built.

The Preliminary Project Assessment explains that only the Board of Supervisors can change the height limits requested by the Project or change the Planning Commission Resolution 4109 that prohibits development of the parcel in the manner proposed by the Project. (Ex. M to June 8, 2018 Comments of Devincenzi on 3333 California Street Initial Study, PPA excerpts)

If the Board does not approve the zoning changes set forth in the proposed Special Use District, the Board must overturn the approval of the conditional use/PUD authorization.

Conclusion

For the foregoing reasons, the Board should overturn or modify the conditional use/planned use development authorization approved by the Planning Commission because the uses or features at the size and intensity contemplated and at the proposed location will not

Board of Supervisors
October 7, 2019
Page 7

provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

Further, the project would not provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code, as required for a planned unit development by Planning Code section 304(d)(3). Significant portions of the open spaces proposed by the Project would be shaded most of the day.

The proposed project would be inconsistent with provisions of the Urban Design Element and Housing Element of the General Plan because the bulk of the buildings does not relate to the prevailing scale of development and would have an overwhelming or dominating appearance, and the height of buildings does not relate to important attributes of the city patterns and the height and character of existing development. Urban Design Element Policies 3.5 and 3.6. Policy 3.6 explains that it was intended to avoid disruption to the city's character from buildings that reach extreme bulk, by exceeding the prevailing height and prevailing horizontal dimensions of existing buildings in the area which "can overwhelm other buildings."

Respectfully submitted,

Laurel Heights Improvement Association of SF, Inc.

A handwritten signature in cursive script that reads "Kathryn Devincenzi".

By: Kathryn Devincenzi, President

Attachments: A through M

From: [BOS Legislation, \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#); [Kathy Devincenzi](#); [dbragg@pradogroup.com](#); [lcongdon@pradogroup.com](#); [Gershwin, Dan](#)
Cc: [GIVNER, JON \(CAT\)](#); [STACY, KATE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [TOM, CHRISTOPHER \(CAT\)](#); [SHEN, ANDREW \(CAT\)](#); [MALAMUT, JOHN \(CAT\)](#); [Rahaim, John \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Lewis, Don \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Dwyer, Debra \(CPC\)](#); [Zushi, Kei \(CPC\)](#); [Foster, Nicholas \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Sullivan, Katy \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [Nuru, Mohammed \(DPW\)](#); [Storrs, Bruce \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Rivera, Javier \(DPW\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [PEARSON, AUDREY \(CAT\)](#); [Pena, Iowayna \(ECN\)](#); [gxa@coblentzlaw.com](#)
Subject: APPEAL RESPONSES: Appeal of CEQA Certification of Final Environmental Impact Report/Conditional Use Authorization - Proposed 3333 California Street Project - Appeal Hearing on November 5, 2019
Date: Monday, November 4, 2019 12:19:56 PM
Attachments: [image001.png](#)

Good afternoon,

The Office of the Clerk of the Board received the following appeal responses from the Planning Department, regarding the appeals of the certification of the Final Environmental Impact Report under the California Environmental Quality Act and Conditional Use Authorization for the proposed project at 3333 California Street.

[Planning Department's Appeal Response - FEIR Appeal - November 4, 2019](#)

[Planning Department's Appeal Response - CU Appeal - November 4, 2019](#)

The hearing for these matters are scheduled for 3:00 p.m. special order before the Board on November 5, 2019.

NOTE: These appeal responses was received after compilation of, and is not included in, the hearings' Agenda Packets for the November 5, 2019, Board Meeting. The President may entertain a motion to continue the hearings to the Board of Supervisors' meeting of Tuesday, November 12, 2019, and these responses will be included in that meeting's Agenda Packet.

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

[Board of Supervisors File No. 191035](#)

[Board of Supervisors File No. 191039](#)

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

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the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the 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.



SAN FRANCISCO PLANNING DEPARTMENT

Conditional Use Authorization Appeal 3333 California Street Mixed-Use Project

DATE: November 4, 2019

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: John Rahaim, Planning Director – Planning Department (415) 558-6411
Nicholas Foster, Case Planner – Planning Department (415) 575-9167

RE: **Board File No. 191039, Planning Record No. 2015-014028CUA**
Appeal of the approval of Conditional Use Authorization for
3333 California Street Mixed-Use Project

HEARING DATE: November 5, 2019

ATTACHMENTS:

- A. Resolution No. 20514 (CPC Recommendation of the Planning Code Text and Map Amendments)
- B. Ordinance No. 190844 (Planning Code Text and Map Amendments)
- C. Motion No. 20516 (Conditional Use Authorization/Planned Unit Development)
- D. 3333 California Preliminary Project Assessment (PPA) Letter (July 14, 2016)
- E. Conditional Use Authorization Appeal Letter (October 7, 2019)

PROJECT SPONSOR: Laurel Heights Partners, LLC, c/o PSKS,
150 Post Street, Suite 320, San Francisco, CA 94108

APPELLANT: Laurel Heights Improvement Association of San Francisco, Inc., c/o Kathryn Devincenzi, 22 Iris Avenue, San Francisco, CA 94118

INTRODUCTION

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors ("Board") regarding the Planning Commission's ("Commission") approval of the application for Conditional Use Authorization, pursuant to Planning Code Sections 253, 303, and 304 to allow structures to exceed 40 feet in a RM Zoning District, a change of use for an existing child care facility (to be replaced at a different location on the Project Site), and a Planned Unit Development ("PUD") with modifications from the requirements of the Planning Code. The request for Conditional Use Authorization is in service of a proposed mixed-use project ("Project") located at 3333 California Street.

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This response addresses the appeal ("Appeal Letter") to the Board filed on October 7, 2019 by Kathryn Devincenzi, on behalf of the Laurel Heights Improvement Association of San Francisco, Inc. The Appeal Letter referenced the proposed project in Record No. 2015-014028CUA.

The decision before the Board is whether to uphold or overturn the Planning Commission's approval of Conditional Use Authorization.

SITE DESCRIPTION & PRESENT USE

The Project Site ("Site") is 447,361-square-foot, or 10.25-acre, single parcel located on Lot 003 on Assessor's Block 1032. The irregularly shaped parcel is bounded by California Street to the north, Presidio Avenue to the east, Masonic Avenue to southeast, Euclid Avenue to the south, and Laurel Street/Mayfair Drive to the west. The two-story building that houses the SF Fire Credit Union, located on a triangular-shaped lot at the northeast corner of Assessor's Block 1032 (corner of California Street and Presidio Avenue), is on a separate parcel and is not part of the Site.

The Site, which serves as the University of California, San Francisco (UCSF) Laurel Heights Campus, is developed with a four-story, 455,000 gross-square-foot (gsf) office building (including a 93,000 gsf, three-level, partially below-grade parking garage) at the center of the Site; a one-story, 14,000 gsf annex building at the corner of California and Laurel Streets; three surface parking lots; and landscaping or landscaped open space. Approximately 63 percent of the Site is covered by buildings or other impermeable surfaces (e.g., internal roadways and surface parking lots) and 37 percent is landscaping or landscaped open space. Current uses on the Site are office, research, laboratory, child care, and parking. UCSF is in the process of shifting its uses to other campus locations in the city.

The Site has been identified as being individually eligible for listing in the California Register of Historical Resources under Criterion 1 (events), and Criterion 3 (design/construction). The Site is eligible under Criterion 1 for its association with the broad pattern of development in San Francisco as a corporate campus adapted to an urban environment. The subject property represents an important and new approach to corporate office planning as a unique adaptation of the suburban corporate campus property type. The Site is also eligible under Criterion 3 for its overall Midcentury Modern architecture designed by Edward B. Page, set within a Midcentury Modern landscape designed by Eckbo, Royston & Williams.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Site is located within the Laurel Heights area of San Francisco's Presidio Heights neighborhood. It is adjacent to the Pacific Heights and Western Addition neighborhoods (to the east) and just north of the Anza Vista area of the Inner Richmond neighborhood. The parcel is located within an RM-1 Zoning District and a 40-X Height and Bulk District. Low- to mid-rise residential uses surround the Site to the north, east, south, and west across California Street, Presidio Avenue, Euclid Avenue, and Laurel Street. Other land uses near the Site include the SF Fire Credit Union, at the southwest corner of California Street and Presidio Avenue, adjacent to the Site; the Jewish Community Center of San Francisco (JCCSF), at the northwest corner of California Street and Presidio Avenue, across the street from the Site; San Francisco Fire Station No. 10, across Masonic Avenue southeast of the Site; the San Francisco Municipal Railway's (Muni) Presidio Division and Yard at 875 Presidio Avenue (a bus storage, maintenance depot, and administration building,

across Euclid and Masonic avenues south of the Site); and the Laurel Village Shopping Center along California Street, across Laurel Street west of the Site.

PROJECT DESCRIPTION

The Project would redevelop the subject property with a mix of residential, retail, child care, open space, and parking uses. The existing 14,000 gsf annex building, surface parking lots and ramp structures would be demolished. The existing 455,000 gsf office building ("Center Office Building"), would be partially demolished and adaptively reused for residential uses (as two separate buildings, "Center Building A" and "Center Building B") with up to three stories added to each. The Project would also construct thirteen new buildings, ranging from 4-story duplex townhouses to 6-story apartment buildings. Some would be residential-only buildings ("Masonic"; "Euclid"; "Mayfair"; and the seven "Laurel Duplex" buildings), while other would be mixed-use buildings ("Plaza A"; "Plaza B"; and "Walnut") containing non-residential uses on the ground and second floors.

Overall, the Project includes a total of approximately 1,428,000 gsf of new and rehabilitated floor area, comprising: approximately 978,000 gsf of residential floor area (include 744 dwelling units); approximately 35,000 gsf of retail floor area; an approximately 15,000 gsf child care facility (accommodating approximately 175 children); approximately 400,000 gsf devoted to off-street parking with no more than 857 parking spaces (including approximately 10 car share spaces); and 839 bicycle spaces.

A total of 25% of the Project's dwelling units will be deed-restricted, on-site affordable units designated for low-income senior households. These affordable units would be in the proposed Walnut Building on California Street and consist of 185 studio and 1-bedroom units for seniors plus one on-site manager's unit.

The Project would provide 52 percent of the overall lot area (approximately 233,000 square feet) as grade-level public and private open space. The Project would include approximately 125,000 square feet (or roughly 2.88 acres) of publicly-accessible landscaped open space with multipurpose plazas, lawns, and pathways. New public pedestrian walkways would cross the property in a north-south direction between California Street and the intersection of Masonic and Euclid avenues approximately along the line of Walnut Street, and in an east-west direction between Laurel Street and Presidio Avenue along the line of Mayfair Drive. The Project would also include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site. These physical improvements to the Site are in service of meeting the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk expansion; enhanced paving; installation of new street trees and street lighting on various public rights-of-way.

BACKGROUND

On June 30, 2017, Don Bragg on behalf of Laurel Heights Partners, LLC (hereinafter "Project Sponsor") filed a Conditional Use Authorization application with the San Francisco Planning Department (hereinafter "Department") for the 3333 California Street Mixed-Use Project (hereinafter "Project").

On August 19, 2019, the Project Sponsor submitted a letter revising its application for the Project to request authorization to construct a variant to the proposed Project, which included additional units, and no office use, in the proposed Walnut Building. Review of the variant was included in the project EIR.

On September 5, 2019, the Commission heard the Project under Conditional Use Authorization application No. 2015-014028CUA and voted (+7/-0) on a motion to approve the Project with conditions (Conditional Use Authorization under Motion No. 20516). This approval is now before the Board on appeal.

CONDITIONAL USE AUTHORIZATION REQUIREMENTS

Planning Code Section 303 establishes criteria for the Commission to consider when reviewing all applications for Conditional Use approval. To approve the project, the Commission must find that these criteria have been met:

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - b. 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;
 - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan;
4. That such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District;

In addition, Planning Code Section 303(g) establishes criteria for the Commission to consider when reviewing applications for a change of use from a Child Care Facility to another use, in addition to the criteria established by Section 303(c). Those additional findings include:

5. Any findings by the Office of Early Care and Education regarding the capacity of the existing Child Care Facility Use, the population served, and the nature and quality of services provided;
6. The impact of the change of use on the neighborhood and community;
7. Whether there are sufficient licensed child care slots available within a one-mile radius of the site; and
8. Whether the Child Care Facility Use to be converted will be relocated or replaced.

Planning Code Section 304 establishes procedures for Planned Unit Developments, which are intended for projects on sites of considerable size, including an area of not less than half-acre, developed as integrated

units and designed to produce an environment of stable and desirable character, which will benefit the occupants, the neighborhood and the City as a whole. In the cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well-reasoned modification of certain provisions contained elsewhere in the Planning Code.

1. **Modifications.** The Project Sponsor requests the following modification from the requirements of the Planning Code: Rear Yard (Section 134); Permitted Obstructions (Section 136); Dwelling Unit Exposure (Section 140); General Standards of Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155); Dwelling Unit Density (Sections 207, 209.3); and Measurement of Height (Section 260).
2. **Criteria and Limitations.** Section 304(d) establishes criteria and limitations for the authorization of PUDs over and above those applicable to Conditional Uses in general and contained in Section 303 and elsewhere in the Code. On balance, the Project complies with said criteria in that it:
 - a) Affirmatively promotes applicable objectives and policies of the General Plan;
 - b) Provides off-street parking adequate for the occupancy proposes
 - c) Provides open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;
 - d) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;
 - e) In R Districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include commercial uses only according to the provisions of Section 230 of this Code;
 - f) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.
 - g) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of the Code;
 - h) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code;
 - i) In RTO and NCT Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation;
 - j) Provide street trees as per the requirements of Section 138.1 of the Code; and
 - k) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the Appeal Letter are cited in a summary below and are followed by the Department's response:

ISSUE #1: The Appellant contends that Board should overturn or modify the Conditional Use Authorization because the Project, at the size and intensity contemplated, is not necessary or desirable for, and compatible with, the neighborhood or the community.

RESPONSE #1: In approving Planning Commission Motion No. 20516, the Commission granted Conditional Use Authorization pursuant to Sections 253 and 303 of the Planning Code to allow structures to exceed 40 feet in height within an RM Zoning District, for a change of use of an existing child care facility to residential use, and for modifications from the following Planning Code Sections as a Planned Unit Development, pursuant to Sections 303 and 304: rear yard requirements (Section 134); permitted obstructions (Section 136), dwelling unit exposure (Section 140); general standards for off-street parking, freight loading, and service vehicle facilities (Section 155); dwelling unit density (Section 207); and measurement of height (Section 260). The Commission reviewed substantial information, including a thorough discussion of the proposed Project and found the Project to be necessary and desirable for, and compatible with, the neighborhood and the community.

Under the Conditional Use Authorization for this Project, the Commission was required to find that the proposed Project was necessary and/or desirable and compatible with the surrounding neighborhood and community, considering the proposed size and intensity; health, safety, and convenience factors; the nature of the proposed site, including the project size, shape and arrangement; accessibility, traffic, and adequacy of off-street parking and loading; and any relevant design guidelines, area plans, or elements of the General Plan.

The Commission concluded that the Project is both necessary and desirable in that it will create a new mixed-used infill development within the Laurel Heights neighborhood at a scale that appropriately preserves the diversity and vitality of the neighborhood. The project does this while also maintaining and contributing to the important aspects of the existing neighborhood, such as providing new housing opportunities with no displacement of any existing residential uses. The Commission found that the size and intensity of the proposed development is, on balance, consistent with the policies and objectives of the General Plan. The project is necessary and/or desirable for this neighborhood and the surrounding community because it will provide new opportunities for housing and add new site amenities. These amenities include privately-owned, publicly-accessible open space, retail uses, and a child care facility, that will contribute to the character of the surrounding neighborhood. Above all, housing is a top priority for the City and the Project would maximize residential density on the Site through the Conditional Use Authorization for a Planned Unit Development.

Several General Plan policies encourage the retention of existing housing, but also encourage the production of new housing and commerce. Objectives 1, 4, 11, 12, and 13 of the Housing Element, Objectives 1 and 3 of the Commerce and Industry Element, and Objectives 2 and 23 of the Transportation Element of the General Plan encourage development that increases housing production and employment opportunities near public transit. The Commission, in Motion No. 20516, found the Project to be, on balance, consistent with numerous Housing, Commerce and Industry, and Transportation Element policies that encourage residential and mixed-use development near transit (see Motion No. 20516, p. 26-30.) The

Project would add a significant amount of housing (744 units) to a site that is currently underutilized. The Site is appropriate for housing because it is well-served by existing and future transit (including Muni lines No. 1, 2, 3, 33, 38, and 43) and is within walking distance of substantial goods and services. The Project would create appropriate residential density, similar to the densities in the surrounding neighborhood. It would include substantial (70,756 sf) new privately-owned, publicly-accessible open space to support and activate the new residential and active ground floor uses in the proposed Project. The Project balances significant housing production, with new and improved infrastructure and related public benefits, including an on-site child care facility.

The attached motion (Motion No. 20516) includes all the approved findings and may be used as reference. In supporting Finding No. 10 of Motion No. 20516, the Commission found that, for the reasons set forth in the motion, the proposed Project would be consistent with the following General Plan policies of the Housing, Commerce and Industry, Transportation, Urban Design, and Recreation and Open Space Elements:

GENERAL PLAN: HOUSING ELEMENT
Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

Policy 1.8

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

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4:

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

Policy 4.1

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

Policy 4.4

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

Policy 4.5

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

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4:

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

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

OBJECTIVE 12

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

Policy 12.1

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

Policy 12.2

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

Policy 12.3

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

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support "smart" regional growth that located new housing close to jobs and transit.

Policy 13.3

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

GENERAL PLAN: COMMERCE AND INDUSTRY

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 3

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

Policy 3.2

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

GENERAL PLAN: TRANSPORTATION

OBJECTIVE 2

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

Policy 2.1

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

Policy 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

Policy 23.1

Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.

GENERAL PLAN: URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2

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

Policy 1.3

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

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

GENERAL PLAN: RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1:

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

Policy 1.1

Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

Parking is not required as part of the project under the Planning Code. The Project would provide a total 754 off-street accessory parking spaces, within the maximum allowance permitted pursuant to Planning Code Section 151.1, and the requirements of the Special Use District. While the total amount of accessory off-street parking provided is within the limits permitted by Code, the Draft Environmental Impact Report (DEIR) identified a required Mitigation Measure ("M-TR-2: Reduce Retail Parking Supply") to limit the number of parking spaces for Retail Sales and Service Uses to 2.14 spaces per 1,000 gross square feet, or, a

total of 74 spaces (DEIR p. 4.C.80). For additional information on the Mitigation Measure M-TR-2, see the Planning Department's response to the CEQA appeal, filed November 4, 2019, and incorporated here by reference.

The Planning Commission determined that the number of parking spaces was adequate for the uses provided within the project. The number of auto-trips per day would not cause an increase in the Vehicle Miles Travelled.

Issue #2: The Appellant requests that the Board "modify the Conditional Use Authorization/Planned Unit Development to recommend that NC-1 Controls be used in the Special Use District rather than the more intensive NC-S Controls."

Response #2: Motion 20516 for the Conditional Use Authorization/Planned Unit Development requires the approval of the Planning Code Text and Map Ordinance (Board File No. 190844) creating the 3333 California Street Special Use District. That SUD would, among other actions, allow certain non-residential uses as principally permitted within the first and second floor of all buildings with frontage along California Street subject to the controls of the NC-S Zoning District, including Flexible Retail Use; Social Service or Philanthropic Facilities Use; and non-residential uses.

Because the Conditional Use Authorization/Planned Unit Development relies on the provisions of the SUD, the Appellant's request that the Board modify the Conditional Use Authorization/Planned Unit Development to recommend amendments to the SUD to include NC-1 controls, not NC-S controls, is misplaced; amendments to the SUD would be part of a different approval at the Board.

Although Planning Code section 304 limits commercial uses in R Districts to the limitations in NC-1 Districts, the SUD establishes NC-S Zoning District non-residential use controls for the first and second stories of all building on the Site with frontage on California Street. The 3333 California Street SUD, is consistent with the same non-residential use controls (NC-S Zoning District) as Laurel Village, a commercial retail cluster located immediately to the west of the Project Site. Moreover, with the introduction of ground- and second-floor retail and non-retail uses within buildings fronting California Street, the Project will create a more continuous linear commercial corridor, connecting Laurel Village (NC-S Zoning District) to the west, with the smaller cluster of commercial retail and non-retail uses to the east of the Project Site, centered around the intersection of California Street at Presidio Avenue (NC-2 Zoning District).

Issue #3: The Appellant contends that the Board should limit the permitted hours of operation to 6 a.m. to 11 p.m.

Response #3: In approving Motion No. 20516 for the Conditional Use Authorization/Planned Unit Development and Resolution No. 20514 for the Planning Code Text and Map Ordinance, the Planning Commission approved the proposed land use controls for the Project Site. The Ordinance would, among other actions, allow certain non-residential uses as principally permitted within the first and

second floor of all buildings with frontage along California Street subject to the controls of the NC-S zoning, including permitted hours of operation.

With the creation of the 3333 California Street SUD, the Project Site is subject to specific land use controls regulating hours of operation for non-residential uses. Laurel Village, a commercial retail cluster located immediately to the west of the Project Site is within the NC-S Zoning District, while a small cluster of commercial retail and non-retail uses to the east of the Project Site, centered around the intersection of California Street at Presidio Avenue, is within the NC-2 Zoning District. Within both the NC-S and NC-2 Zoning Districts, the principally permitted hours of operation for non-residential uses is 6 a.m. to 2 a.m., with Conditional Use Authorization required for operation between 2 a.m. and 6 a.m. On the other hand, NC-1 Zoning District, the hours of operation for non-residential uses are limited to 6 a.m. to 11 p.m., with Conditional Use Authorization required for operation between 11 p.m. and 6 a.m. By imposing the NC-S controls in the SUD, including hours of operation, the Project Site would be consistent with the controls regulating hours of operation for non-residential uses in the adjacent NC-S and NC-2 Zoning Districts, and would allow consistency in hours of operation throughout the neighborhood.

As amended by Supervisor Stefani at the Board of Supervisors Land Use and Transportation Committee on October 21, 2019, the principally permitted hours of operation within the 3333 California Street SUD would be from 6 a.m. to 12 a.m.

Issue #4: The Appellant contends that the Board should eliminate Flexible Retail Use and Social Service or Philanthropic Facilities Use from the Special Use District because they were not disclosed in the EIR and are not necessary for or compatible with the neighborhood.

Response #4: Planning Code Section 249.86 establishes the 3333 California Street Special Use District (SUD) to allow certain non-residential uses as principally permitted within the first and second floor of all buildings with frontage along California Street subject to the controls of the NC-S Zoning District, including Flexible Retail Use and Social Service or Philanthropic Facilities Use.

The Appellant's request that the Board amend the SUD to eliminate flexible retail and social service and philanthropic facility uses is misplaced in this appeal of the Conditional Use Authorization/Planned Unit Development.

With the creation of the 3333 California Street SUD, the Project Site will benefit from the same non-residential use controls (NC-S Zoning District) as Laurel Village, a commercial retail cluster located immediately to the west of the Project Site. The Planning Code Text and Map Ordinance (Board File No. 190844) would also permit Flexible Retail Use and Social or Philanthropic Facilities Use within boundaries of the Project Site.

Flexible Retail Use is defined in Section 102 of the Planning Code as a Retail Sales and Service Use in Neighborhood Commercial Districts that combines a minimum of two of the following distinct uses within a space that may be operated by one or more business operators: Arts Activities; Limited Restaurant; General Retail Sales and Services; Personal Service; Retail Professional Service; and Trade Shop. A Flexible

Retail Use must operate with at least two of the uses at any given time and each such use must be principally permitted in the underlying zoning district. If a use requires Conditional Use Authorization in the underlying zoning district, then Conditional Use Authorization must be obtained before such use may be permitted as part of a Flexible Retail Use. Planning Code Section 713 establishes non-residential use controls for the NC-S Zoning Districts. Of the six use categories constituting Flexible Retail Use, only Limited Restaurant, General Retail Sales and Services, and Personal Service uses are permitted. Therefore, the Project would only be permitted to operate Limited Restaurant, General Retail Sales and Services, and Personal Service uses as part of a Flexible Retail Use. Flexible Retail Use provides greater flexibility to business owners/operators to share commercial tenant space with other types of businesses and switch between an identified set of uses without requiring additional Planning Department permits. The Flexible Retail legislation (Board File No. 180806) was created to serve as one tool to address the issue of storefront vacancies in San Francisco's commercial corridors.

Social Service or Philanthropic Facilities use are defined in Planning Code Section 102 as an Institutional Community Use providing assistance of a charitable or public service nature, and not of a profit-making or commercial nature. Pursuant to Planning Code Section 713, Institutional Uses are principally permitted on the first and second floors NC-S Zoning Districts. The SUD would also specifically allow social service and philanthropic facility uses in the first and second floors of the buildings fronting California Street. For reference, Social Service or Philanthropic Facilities use is a principally permitted use within the California Street and Presidio Avenue - Community Center Special Use District (Planning Code Section 249.21), the SUD governing use controls for the Jewish Community Center of San Francisco, located directly across the street from the Project Site. Thus, allowing additional Social Service or Philanthropic Facilities in the SUD would be consistent with adjacent neighborhood controls.

For a response to appellant's concerns about the adequacy of the analysis in the FEIR related to flexible retail and social service or philanthropic facility uses, please see the Department's November 4, 2019 response to appellant's appeal of the certification of the EIR, and incorporated here by reference.

Issue #5: The Appellant contends that the Board should modify the Project to limit the proposed rooftop addition to the main building to one story, to conform with the historical resource design guidelines.

Response #5: In approving Motion No. 20516 for the Conditional Use Authorization/Planned Unit Development and Resolution No. 20514 for the Planning Code Text and Map Ordinance, the Planning Commission approved the proposed height and bulk designations for the Project Site, allowing 2 or 3 additional stories to the height of the existing building.

The Project would partially demolish and adaptively reuse the existing office building ("Center Office Building"), creating two separate residential buildings ("Center Building A" and "Center Building B"). The Project would then add two new floors to "Center Building A" and three floors to "Center Building B", adding a total 41 dwelling units within the new floors. The new floors will accommodate larger, family-sized units, including 5 three-bedroom units and 15 four-bedroom units. Thus, the new floors would accommodate residential floor area devoted to larger, family-sized units, and the Project would support

the policy goals of the Housing Element of the General Plan by increasing production of family-sized units. Together, Center Building “A” and “B” would provide a total of 190 dwelling units.

The Planning Commission found the overall scale and form, including the height, of the modified Center Buildings “A” and “B” appropriate given their placement within the center of the Site, set back significantly from public rights-of-way. The Commission also found the proposed buildings with lower heights, located along the perimeter of the Site and ranging from 40 to 65 feet in height, compatible with that of the surrounding buildings within the neighborhood. The buildings along the perimeter of the Site create an additional visual buffer from public rights-of-way to the taller Center Buildings “A” and “B.” A reduction in height of either Center Building “A” or “B” would result in either an overall reduction in dwelling unit count or unit size, or, to keep the unit count consistent, would likely necessitate an increase in height and/or bulk to one of the other proposed new buildings along the perimeter of the Site, thereby undermining the compatibility with the surrounding buildings within the neighborhood.

In addition, as noted in the Response to Comments document at 5.K.11, the topography of the Site and nearby areas affects how building heights are perceived in relation to the existing neighborhood and the heights of surrounding buildings. Due to the approximately 60-foot change in elevation from the southwest portion of the Site to south and northeast portion of the Site, the proposed height of the buildings within the Project Site would not be out of character with the surrounding buildings, particularly to the south and west.

For a response to appellant’s concerns about the additions to the Center Building “A” and “B” and the impact on historic resources, please see the Department’s November 4, 2019 response to appellant’s appeal of the certification of the EIR, and incorporated here by reference.

Issue #6: The Appellant contends that the Board should order the Project modified to remove new construction from the green spaces at the top of Laurel Street and along Euclid Avenue.

Response #6: In approving Motion No. 20516 for the Conditional Use Authorization/Planned Unit Development and Resolution No. 20514 for the Planning Code Text and Map Ordinance, the Planning Commission approved the proposed site plan for the proposed Project, including seven duplexes fronting Laurel Street.

The Project approvals included Conditional Use Authorization for a Planned Unit Development in conjunction with companion legislation that extinguishes City Planning Commission Resolution 4109 (“Resolution 4109”), a development restriction that prohibits development in the existing area located at the southwest corner of the Project Site, near the intersection of Laurel Street and Euclid Avenue, as identified by the Appellant. The Project would develop a total of seven 4-story duplex townhouses (“Laurel Duplexes”) fronting Laurel Street, closely mirroring the individual building forms (predominately single-family houses) located along the western frontage of Laurel Street, across the street from the Site. The townhomes are set back from the intersection of Laurel Street and Euclid Avenue by approximately 70 feet to retain a portion of the existing green space. As a result of the setback, the Project would retain an

approximately 18,000 square foot area of privately-owned, publicly-accessible open space (“Euclid Green”) along Euclid Avenue, near the intersection of Laurel Street and Euclid Avenue.

The Appellant has suggested a modification to the Project, setting back the Euclid Building by 30 feet and removing two of the Laurel Duplexes to preserve more of the existing open space along Euclid Avenue, near the intersection of Laurel Street and Euclid Avenue. The Commission heard a similar request at the September 5, 2019 Planning Commission hearing and considered the modification in the context of the overall impact to the Project’s residential programming. In total, Department staff estimate a loss of 30 dwelling units (4 dwelling units in the Laurel Duplexes and 26 dwelling units the Euclid Building) would result from the requested modifications. The Planning Commission did not entertain any of the requested modifications at the September 5, 2019 Planning Commission hearing and determined that the subject buildings are set back from the public rights-of-way in a sufficient manner to accommodate the approximately 18,000 square foot area of privately-owned, publicly-accessible open space (“Euclid Green”), and any further reduction in building envelopes would necessarily result in an overall loss of dwelling units.

Issue #7: The Appellant contends that the Board should order a portal cut through the first two floors of the main building with a light well on top, rather than an approximate 40-foot cut through to the top of the main building.

Response #7: The Project provides an approximately 40-foot wide pathway through the existing “Center Office Building,” creating two separate residential buildings (“Center Building A” and “Center Building B”). The introduction of the pathway was in response to the Planning Department’s design comments aimed at enhancing both physical and visual access through the Site. As stated in the July, 14 2016 Preliminary Project Assessment (PPA) letter (“PPA Letter”):

“The Planning Department requests a single, clear, and primary north-south connection that both allows and encourages members of the public to traverse the Site along the Walnut Street alignment, connecting to the intersection of Masonic and Euclid Avenues. This north/south pathway may meander through the Site and does not need to be a straight axial pathway. Consider accommodating a portal through ‘Building A’ to support north-south public access. The entirety of the pathway should be accessible to all users. Done successfully, the major north/south connection should be clearly legible and inviting.” (PPA letter, pp. 24-25).

The PPA Letter stated, “connecting the site to the existing street network is of paramount importance for three reasons: (1) to moderate the scale of development in a manner that harmonizes with the neighboring contexts; (2) to provide a legible urban pattern; and, (3) to provide an open and welcoming public open space network as a means of avoiding the internal open space network from feeling private.” (PPA letter, p. 24).

The Project’s pathway through the Center Building, at approximately 40 feet wide and open to the sky (except for a narrow pedestrian bridge on level 4), constitutes a clear and inviting opening, and responds to the Department’s specific request to provide a “single, clear, and primary north-south connection that

both allows and encourages members of the public to traverse the site.” A narrow portal through only the first two floors of the main building with a light well on top would not meet the preference for a larger opening, because the underlying intent of the opening was to maximize both the physical and visual access through the Site, along a north/south axial pathway. While a portal at grade may technically allow physical access, visual access would be significantly impaired due to the building’s imposing massing, from floors 3 and above. This is especially true from the vantage point nearest the intersection of Masonic and Euclid Avenues, where the grade is lower than the center of the Site. From that vantage point (looking north through the Site), an at-grade portal would not be visible due to the significant grade differential between the center of the Site and the southern boundary of the Site.

For additional an additional response related to historic resources under CEQA, see the Departments Response to the CEQA appeal, dated November 4, 2019, and incorporated here by reference.

Issue #8: The Appellant contends that the Board should overturn the Conditional Use/Planned Unit Development Authorization because the commercial uses, height limit increases and shaded open spaces are not necessary or desirable for the neighborhood.

Response #8: The Project approvals include Conditional Use Authorization for a Planned Unit Development in conjunction with companion legislation addressing related Code amendments. In approving Motion No. 20516 for the Conditional Use Authorization/Planned Unit Development and Resolution No. 20514 for the Planning Code Text and Map Ordinance, the Planning Commission accepted the proposed site plan, proposed massing of existing and new buildings, and proposed height and bulk designations for the Project Site.

Related to non-residential uses, the Project would establish the 3333 California Street Special Use District (Board File No. 190844) to allow certain non-residential uses as principally permitted within the ground and second floor of all buildings with frontage along California Street, including Flexible Retail Use; Social Service or Philanthropic Facilities Use; and non-residential uses, subject to the use controls of the NC-S Zoning District. The Commission found that the inclusion of ground-floor retail uses along California Street that would enliven the streetscape and serve both on-site future residents as well as residents within the neighborhood and was thus necessary and desirable for the neighborhood.

Related to heights, the Project includes proposed amendments to the underlying Height and Bulk Districts of 40-X, 45-X, 67-X, 80-X, and 92-X, as amended in the Zoning Map Ordinance (Board File No. 190844). The Project proposes both new structures and alterations to an existing nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District. As such, the Project seeks minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site. The Commission found this modification warranted given the Site’s unique configuration and the Project’s primary goal of maximizing residential density at the Project Site. With the proposed height and bulk district amendments in Board File No. 190844, and the deviations from the provisions for measuring height, the Commission found that the Project would maximize residential density on the Site, providing a significant number of new market-rate and senior

affordable housing units, including family size units of 3 bedrooms or more, thus contributing to the City's housing goals—a top priority for the City and County of San Francisco.

Related to potential shading of private and privately-owned, publicly-accessible open space, areas of the privately-owned, publicly-accessible open space would be shaded by new buildings on the Project Site. However, the shadows would be similar in scope and scale to shadow cast by other new buildings found in dense, urban areas. The Planning Code does not otherwise restrict the shading of private open space, regardless of the degree of shading onto private open spaces. Planning Code Section 135 governs the amount of required useable open space for projects with dwelling units in specific zoning districts. Section 135 also includes minimum dimensional requirements and general location for qualifying private or common useable space. However, the Code only requires such areas make the best practical use of available sun and other climatic advantages. Moreover, the Project Site does not currently contain public parks or open spaces, and the Project would include major new privately-owned, publicly-accessible open spaces.

The Project would not affect any of the City's existing parks or open space or their access to sunlight and vistas. The shadow diagrams, prepared as part of the Project's CEQA review, demonstrate that the Project would not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. The location, orientation and massing of structures on the Site has been designed to maximize solar access to the Project's open spaces, including the major new privately-owned, publicly-accessible open space. The provision of useable open space exceeds what is required by the Planning Code. The current open space at the corner of Euclid Avenue and Laurel Street will remain as part of the Project. On balance, the Commission found that the Project provides a considerable amount of privately-owned, publicly-accessible landscaped open space contained within multi-purpose plazas, lawns, pathways and streetscape improvements.

Issue #9: The Appellant contends that if the Board overturns the Planning Commission's Certification of the Final EIR, the Board must also overturn the approval of the tentative Conditional Use/Planned Unit Development Authorization by the Planning Commission.

Response #9: As stated in Administrative Code Chapter 31.16(b)(1), “[i]f the Board reverses the CEQA decision, the prior CEQA decision and any actions approving the project in reliance on the reversed CEQA decision, shall be deemed void.”

Issue #10: The Appellant contends approval of the Conditional Use/Planned Unit Development authorization must be overturned if the Board of Supervisors does not approve the zoning changes required to allow the proposed Project to be built.

Response #10: Conditional Use Authorization Condition 6 - Additional Project Authorization” states “[t]he Project Sponsor must obtain an approval of the Planning Code Text and Map Ordinance (Board File No 190844) giving effect to the 3333 California Street Mixed-Use Project.”

If the Planning Code Text Amendment and Map ordinance are not approved, the Conditional Use authorization would be of no effect.

CONCLUSION

The Planning Commission approved the Conditional Use Authorization, pursuant to Planning Code Sections 253, 303, and 304 to allow structures to exceed 40 feet in a RM Zoning District, a change of use for an existing child care facility (to be replaced at a different location on the Project Site), and a Planned Unit Development (“PUD”) with modifications from the requirements of the Planning Code, finding the Project to be necessary and desirable and compatible with the neighborhood. The Board should uphold the Commission’s decision.

ATTACHMENT A:
RESOLUTION NO. 20514



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20514

HEARING DATE: SEPTEMBER 5, 2019

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Case No.: 2015-014028MAP/PCA
Project Name: 3333 California Street (aka 3333 California Street
Mixed-Use Project)
Existing Zoning: Residential – Mixed, Low Density [RM-1] Zoning District
40-X Height and Bulk District
Proposed Zoning: Residential – Mixed, Low Density [RM-1] Zoning District;
3333 California Street Special Use District
40-X, 45-X, 67-X, 80-X and 92-X Height and Bulk Districts
Block/Lot: 1032/003
Project Sponsor: Laurel Heights Partners LLC
Don Bragg – (415) 395-0880
Staff Contact: Nicholas Foster, AICP, LEED GA – (415) 575-9167
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RESOLUTION APPROVING A PROPOSED ORDINANCE WITH MODIFICATIONS THAT WOULD AMEND THE PLANNING CODE TO ESTABLISH THE 3333 CALIFORNIA STREET SPECIAL USE DISTRICT, TO SPECIFY USE CONTROLS THAT APPLY TO THE SUD, TO SPECIFY DIRECTOR DETERMINATION AND DISCRETIONARY REVIEW CONTROLS; TO EXTINGUISH PLANNING COMMISSION RESOLUTION 4109, TO AMEND HEIGHT AND BULK DISTRICT MAP NO. HT03 TO INCREASE THE HEIGHT LIMIT FOR ASSESSOR'S BLOCK 1032 LOT 003 FROM 40-X TO 40-X, 45-X, 67-X, 80-X AND 92-X AS DEPICTED IN THE BOARD OF SUPERVISORS FILE NO. 190844, AND TO AMEND SPECIAL USE DISTRICT MAP NO. SU03 TO INCLUDE THE NEW 3333 CALIFORNIA STREET SPECIAL USE DISTRICT; AND MAKING VARIOUS FINDINGS, INCLUDING FINDINGS UNDER PLANNING CODE SECTION 302; THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on July 30, 2019, pursuant to Planning Code section 302(b), Supervisor Catherine Stefani introduced an ordinance amending the Planning Code to add section 249.86 to establish the 3333 California Street Special Use District (herein "3333 California Street SUD"), amending Height and Bulk District Map No. HT03 and Special Use District Map No. SU03, to implement the 3333 California Street Mixed-Use Project ("Project"), and extinguishing Planning Commission Resolution No. 4109 ("Ordinance").

WHEREAS, on September 3, 2019, pursuant to Planning Code section 302(b), Supervisor Catherine Stefani introduced a substitute ordinance, amending the previous ordinance introduced on July 30, 2019.

WHEREAS, the Ordinance would enable the Project. The Project would redevelop the subject property with a mix of residential, retail, child care, open space, and parking uses. The existing 14,000 gross-square-foot (gsf) annex building, surface parking lots and ramp structures would be demolished, and the existing

455,000 gsf office building ("Center Office Building"), would be partially demolished and adaptively reused for residential uses (as two separate buildings, "Center Building A" and "Center Building B") with up to three stories added to each. The Project would also construct thirteen new buildings, ranging from 4-story duplex townhouses to 6-story apartment buildings, as residential-only buildings ("Masonic"; "Euclid"; "Mayfair"; and the seven "Laurel Duplex" buildings), and mixed-use buildings ("Plaza A"; "Plaza B"; and "Walnut") containing non-residential uses on the ground and second floors. Overall, the Project includes a total of approximately 1,428,000 gsf of new and rehabilitated floor area, comprising: approximately 978,000 gsf of residential floor area (include 774 dwelling units); approximately 35,000 gsf of retail floor area; an approximately 15,000 gsf childcare facility (accommodating approximately 175 children); approximately 400,000 gsf devoted to off-street parking with 857 parking spaces (including approximately 10 car share spaces); and 839 bicycle spaces. A total of 25% of the Project's dwelling units will be deed-restricted, on-site affordable units designated for low-income senior households. These affordable units will be located in the proposed Walnut Building on California Street and consist of 185 studio and 1-bedroom units for seniors plus 1 on-site manager's unit.

WHEREAS, the Ordinance would add Planning Code section 249.86 to establish the 3333 California Street SUD, which: 1) allows certain non-residential uses as principally permitted within the first and second floor of all buildings with frontage along California Street subject to the controls of the NC-S zoning, including Flexible Retail Uses; Social Service or Philanthropic Facilities; and non-residential uses; 2) specifies requirements for usable open space; 3) specifies off-street parking requirements for child care facilities; 4) specifies affordable housing and child care requirements applicable to the Project; 5) specifies director determination and discretionary review controls for the project; and 6) extinguishes City Planning Commission Resolution 4109; WHEREAS, the Ordinance would amend the Zoning Map, specifically Height & Bulk District Map No. HT03 to increase the height limit for Block 1032, Lot 003 from 40-X to 40-X, 45-X, 67-X, 80-X, and 92-X, as depicted in Board of Supervisors File No. 190844, and Special Use District Map No. SU03 to include the new 3333 California Street Special Use District.

WHEREAS, the Ordinance would extinguish City Planning Commission Resolution 4109.

WHEREAS, this Resolution recommending the approval of the Ordinance is a companion to other legislative approvals relating to the Project, including recommendation for approval of the Development Agreement for the 3333 California Street Mixed-Use Project (Board File No. 190845) and the Conditional Use Authorization to allow structures to exceed 40 feet in a RM Zoning District; for a change of use for an existing child care facility, and to allow a Planned Unit Development with the requested modifications from the requirements of the Planning Code (Motion No. 20516).

WHEREAS, On September 5, 2019, the commission reviewed and considered the information contained in the Final Environmental Impact Report ("FEIR") for the 3333 California Street Mixed-Use Project, Planning Department Case No. 2015-014028ENV, consisting of the Draft EIR and the responses to comments document, and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, and found further that the FEIR reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the responses to comments document contains no significant revisions to the DEIR that would require recirculation of the document pursuant to CEQA Guideline section

15088.5, and certified the completion of said FEIR in compliance with CEQA and the CEQA Guidelines in Motion No. 20512; and

WHEREAS, On September 5, 2019, by Motion No. 20513, the Commission adopted findings, including a statement of overriding considerations and a mitigation monitoring and reporting program (MMRP), pursuant to CEQA;

WHEREAS the Planning Department, Jonas Ionin, Commission Secretary, is the Custodian of Records, located in Case No. 2015-014028ENV, at 1650 Mission Street, Fourth Floor, San Francisco,

WHEREAS, on September 5, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the proposed Ordinance.

NOW THEREFORE BE IT RESOLVED, that the Commission has reviewed and considered the FEIR certified in Motion No. 20512, and the adopts and incorporates by reference as though fully set forth herein, the findings, including the statement of overriding considerations, adopted by the Commission in Motion No. 20513 on September 5, 2019;

AND BE IT FURTHER RESOLVED that pursuant to Planning Code section 302, the Planning Commission hereby finds that the Ordinance promotes the public welfare, convenience and necessity for the following reasons:

1. The Ordinance would give effect to the 3333 California Street Mixed-Use Project, thereby facilitating the development of currently under-utilized land for much-needed housing, commercial space, and open space.
2. The Ordinance would give effect to the 3333 California Street Mixed-Use Project, which in turn will provide employment opportunities for local residents during construction and post-occupancy, as well as a new open space for new and existing residents.
3. The Ordinance would give effect to the 3333 California Street Mixed-Use Project by enabling the creation of a new mixed-use development. This new development would integrate with the surrounding City fabric and the existing neighborhood and would constitute a beneficial development.
4. The Ordinance would enable the construction of a new vibrant, safe, and connected neighborhood, including a new publicly-accessible open space. The Ordinance would help ensure a vibrant neighborhood with active streets and open spaces, high quality and well-designed buildings, and thoughtful relationships between buildings and the public realm.
5. The Ordinance would enable construction of new housing, including new on-site affordable senior housing. These new uses would create a new mixed-use development that would strengthen and complement nearby neighborhoods.

AND BE IT FURTHER RESOLVED, that the Commission finds the Ordinance is in general conformity with the General Plan as set forth in Planning Commission Resolution No. 20514.

GENERAL PLAN: HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

Policy 1.8

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

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4:

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

Policy 4.1

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

Policy 4.4

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

Policy 4.5

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

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4:

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

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

OBJECTIVE 12

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

Policy 12.1

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

Policy 12.2

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

Policy 12.3

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

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support "smart" regional growth that located new housing close to jobs and transit.

Policy 13.3

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

GENERAL PLAN: COMMERCE AND INDUSTRY

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 3

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

Policy 3.2

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

GENERAL PLAN: TRANSPORTATION

OBJECTIVE 2

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

Policy 2.1

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

Policy 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

Policy 23.1

Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.

GENERAL PLAN: URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2

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

Policy 1.3

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

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

GENERAL PLAN: RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1:

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

Policy 1.1

Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

The Project would provide a mixed-used development with residential (including substantial new affordable housing), retail, and open space uses, leveraging the Site's location along transit corridors and allowing people to work and live within close proximity to transit, consistent with numerous Housing Element and Transportation Element policies that encourage residential and mixed-use development near transit. Furthermore, as detailed in the Development Agreement (Board File No. 190845), the Project exceeds the Planning Code's inclusionary affordable housing requirements, and will provide a 25% level of on-site affordable housing at Project buildout, fulfilling the Housing Element's objective of encouraging affordable housing.

The Site is located in a transit-rich location, within close proximity to various bus lines. Future residents can walk, bike, or access MUNI, or regional bus service from the Site. The Project includes a detailed, TDM program tailored to the Project uses, with various performance measures, monitoring and enforcement measures designed to incentivize use of transit and other alternatives to single occupancy vehicle trips. In addition, the Project's streetscape design would enhance vehicular, bicycle, and pedestrian access and connectivity through the site. The Project would be easily accessed by bicyclists and pedestrians. These Project attributes are consistent with numerous General Plan policies encouraging development that includes environmentally sustainable patterns of movement.

The Project would remove portions of—and re-develop the remainder of—a large-scale building and rest of the site with a series of smaller state-of-the-art buildings designed to be consistent with the neighborhood character and scale. The Project's high-quality architectural and landscape design encourages variety, compatibility with the surrounding context, and strong urban design with prominent corners. The Project would incorporate varying heights, massing, and scale, creating a strong, consistent streetwall along the various street frontages, consistent with the Urban Design Element's objective to emphasize the characteristic pattern which gives to the City and its neighborhoods an image, a sense of purpose, and a means of orientation. The Project has been designed

to promote community interaction, both within the Project through common residential open space and with the broader community, through access to the privately-owned, publicly-accessible open space on the Site. The Project would also create new connections to the surrounding street grid, including new pedestrian connections, and other street and streetscape improvements.

The Project is located in an area that is well-served by retail and other neighborhood services, and would provide additional neighborhood-serving retail space along California Street. The Project would help meet the job creation goals, consistent with the Commerce and Industry Element, and as established in the City's Economic Development Strategy by generating new employment opportunities, and by providing expanded employment opportunities for City residents at varying employment levels both during and after construction. The Development Agreement's community benefit programs include commitments to construction and operations workforce first source hiring, as well as local business enterprise requirements for construction and end use jobs.

The Project would include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site including Presidio, Masonic, and Euclid Avenues, as well as Laurel Street, and Mayfair Drive, consistent with the Urban Design Element's goal to recognize, protect and reinforce the existing street pattern. These physical improvements also meet the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk widening; enhanced paving; installation of new street trees and street lighting on various adjacent public rights-of-way. These improvements require a major encroachment permit from the Department of Public Works that is subject to Board of Supervisors approval. The encroachment permit imposes long-term maintenance responsibility and liability for these improvements on the Project Sponsor.

On the whole, the Project would add a significant amount of housing to a site that is currently underutilized, well-served by existing and future transit, and is within walking distance of substantial goods and services. The Project would create appropriate residential density at a location that is well served by transit and would include substantial new on-site open space to support and activate the new active ground floor and open space uses in the proposed Project and to serve the broader neighborhood. The Project balances significant housing production with new and improved infrastructure and related public benefits, including an on-site child care facility.

AND BE IT FURTHER RESOLVED, that the Commission finds the Ordinance is in general conformity with Planning Code Section 101.1 as set forth in Planning Commission Resolution No. 20514.

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

The Project would have a positive effect on existing neighborhood-serving retail uses because it would bring additional residents to the neighborhood, thus increasing the customer base of existing neighborhood-serving retail.

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

The Project would not negatively affect the existing housing and neighborhood character. The Project would not displace any housing given the existing building contains only non-residential uses (primarily

office use). Like the neighborhoods surrounding the Site, which includes a variety of uses, such as single family homes, multi-unit apartment buildings, the Jewish Community Center, the Laurel Village Shopping Center, and the Muni bus storage yard, the Project is mixed-use and mixed-income, and would provide a range of improvements, housing, and services that would preserve the neighborhood's cultural and economic diversity. It would include approximately 744 units, 185 units of which would be affordable units for seniors with 1 on-site manager's unit. The remaining (market rate) units would consist of a range of unit sizes to accommodate a diverse set of residents.

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

The Project would enhance the City's supply of affordable housing through its affordable housing commitments in the Development Agreement (Board File No. 190845), which will result in a total of 25% on-site affordable housing units.

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

The Project would not impede MUNI transit service or overburden streets and neighborhood parking. The Project is at a location well-served by transit and future residents and employees of the Project could access the Site via existing MUNI transit service. The Project does not include any commercial office uses that would generate commuter traffic, and the Project includes sufficient off-street parking and a robust transportation program with an on-site Transportation Demand Management (TDM) program.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not include commercial office development, and does not displace any industrial or service uses. In addition, the proposed retail uses and other non-residential uses would provide future opportunities for resident employment and ownership in the service sector.

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

The Project includes substantial investment in upgrades to an existing building and construction of new buildings to comply with all current structure and seismic requirements under the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

There are no existing landmarked buildings on the Site. However, the Site, which is considered an historic resource for CEQA purposes and is listed in the California Register of Historic Resources, will be re-developed to include reuse of the existing Center Building and construction of 13 new buildings to accommodate 744 dwelling units, retail, child-care and parking along with significant landscaping and open space. The Project will comply with Mitigation Measure M-CR-1a, Documentation of Historical

Resource, which requires the documenting and presenting of the site's history and character. In addition, the Project will comply with Mitigation Measure M-CR-1b, Interpretation of the Historical Resource, which requires the sponsor to develop an interpretive program focused on the history of the Site.

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

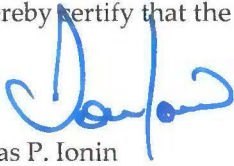
The Site does not currently contain public parks or open spaces, and the Project would create major new privately-owned, publicly-accessible open spaces. The Project would not affect any of the City's existing parks or open space or their access to sunlight and vistas. The shadow diagrams prepared as part of the Project's CEQA review demonstrate that the Project would not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. The location, orientation and massing of structures on the Site has been designed to maximize solar access to the Project's open spaces, including the major new privately-owned, publicly-accessible open space. The current open space at the corner of Euclid Avenue and Mayfair Street will remain as part of the Project.

AND BE IT FURTHER RESOLVED, that the Commission recommends approval of the proposed Ordinance with the following modifications:

- 1) Amend the SUD to establish applicable Childcare requirements under Planning Code 414A to conform to the terms in the Development Agreement.
- 2) Update the open space plan map in the SUD to conform to the open space square footages to updated plans, dated August 20, 2019 (Exhibit B).
- 3) Amend the SUD to update text changes to Section 2, Subsection (C)(1) of the Ordinance, regarding the development controls applicable to the SUD.

AND BE IT FURTHER RESOLVED, that the Commission authorizes the Planning Director to take such actions and make such changes as deemed necessary and appropriate to implement this Commission's recommendation of approval and to incorporate recommendations from other City agencies and/or the Board, provided that such changes do not materially modify the proposed legislation approved by the Commission.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on September 5, 2019.



Jonas P. Ionin
Commission Secretary

AYES: Fung, Hillis, Johnson, Koppel, Melgar, Moore, Richards

NOES: None

ABSENT: None

ADOPTED: September 5, 2019

ATTACHMENT B:
ORDIANCE NO. 190844

[Planning Code, Zoning Map - 3333 California Street Special Use District]

Ordinance amending the Planning Code and Zoning Map to create the 3333 California Street Special Use District; and making environmental findings, findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1, and findings of public convenience, necessity, 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. Environmental and Land Use Findings.

(a) On _____, the Planning Commission conducted a duly noticed public hearing on the proposed 3333 California Street Project ("Project"), including the proposed Planning Code and Zoning Map amendments, and by Resolution No. _____ recommended the proposed amendments for approval. At its hearing on _____, and prior to recommending the proposed Planning Code and Zoning Map amendments for approval, the Planning Commission certified a Final Environmental Impact Report (FEIR) for the Project pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.), the CEQA Guidelines (14 Cal. Code Reg. Sections 15000 et seq.) and Chapter 31 of the Administrative Code. In accordance with the actions contemplated in this ordinance, the Board of Supervisors has reviewed the FEIR and concurs with its conclusions, and finds that

1 the actions contemplated in this ordinance are within the scope of the Project described and
2 analyzed in the FEIR. The Board hereby adopts and incorporates by reference as though fully
3 set forth herein the Commission's CEQA approval findings, including a statement of overriding
4 considerations, adopted by the Planning Commission on _____ in Motion No. _____. This
5 Board also adopts and incorporates by reference as though fully set forth herein the Project's
6 Mitigation Monitoring and Reporting Program (MMRP). Said findings and MMRP are on file
7 with the Clerk of the Board of Supervisors in File No. _____.

8 (b) On _____, the Planning Commission, in Resolution No. _____,
9 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
10 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
11 Board of Supervisors adopts these findings as its own. A copy of said Resolution is on file
12 with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein
13 by reference.

14 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the
15 Planning Code and Zoning Map amendments will serve the public necessity, convenience,
16 and welfare for the reasons set forth in Planning Commission Resolution No. _____, and
17 the Board incorporates such reasons herein by reference.

18
19 Section 2. Article 2 of the Planning Code is hereby amended by adding Section
20 249.86, to read as follows:

21 **SEC. 249.86. 3333 CALIFORNIA STREET SPECIAL USE DISTRICT.**

22 (a) Location. A Special Use District entitled the 3333 California Special Use District
23 ("SUD"), the general boundaries of which are California Street to the north, Presidio Avenue to the
24 east, Masonic Avenue to the southeast, Euclid Avenue to the south, and Laurel Street/Mayfair Drive to

1 the west, as more specifically shown on Section Map SU03 of the Zoning Maps of the City and County
2 of San Francisco, is hereby established for the purpose set forth below.

3 (b) Purpose. The purpose of the SUD is to facilitate the development of a mixed use project in
4 a transit-rich location with residential, non-residential, child care, open space, and related uses, and to
5 give effect to the Development Agreement for the 3333 California Street Mixed-Use Development
6 Project, as approved by the Board of Supervisors in the ordinance in File No. _____. The SUD will
7 provide benefits to the City including but not limited to: replacement of a large-scale office building
8 with a series of smaller buildings designed to be consistent with the scale and character of the
9 neighborhood; construction of hundreds of new housing units, including family-sized units and on-site
10 senior housing with affordability levels exceeding on-site City requirements; an on-site child care
11 facility; and construction and maintenance of new, publicly accessible open spaces and new
12 connections to the surrounding street grid, including new pedestrian connections, and other street and
13 streetscape improvements.

14 (c) Development Controls. Applicable provisions of the Planning Code shall apply to the SUD
15 except as otherwise provided in this Section 249.86. In the event of a conflict between other provisions
16 of the Planning Code and this Section, the provisions of this Section shall control.

17 (1) Additional Permitted Uses. In addition to the uses permitted in the RM-1 zoning
18 district, the following uses are principally permitted within the first and second story of all buildings
19 with frontage on California Street, and shall be subject to the controls of the NC-S zoning applicable to
20 such uses, except for any prohibition on such use:

21 (A) Flexible Retail Uses;

22 (B) Social Service or Philanthropic Facilities; and,

23 (C) Other non-residential uses.

24 (2) Uses Not Permitted. Notwithstanding any other provision in this Code, the
25 following uses shall not be permitted in the SUD:

1 (A) Automotive Service;

2 (B) Drive-Up Facility; and,

3 (C) Mortuary.

4 (3) Notwithstanding any other provision of this Code, the following uses shall
5 require conditional use authorization pursuant to the provisions of Section 303:

6 (A) Liquor Store;

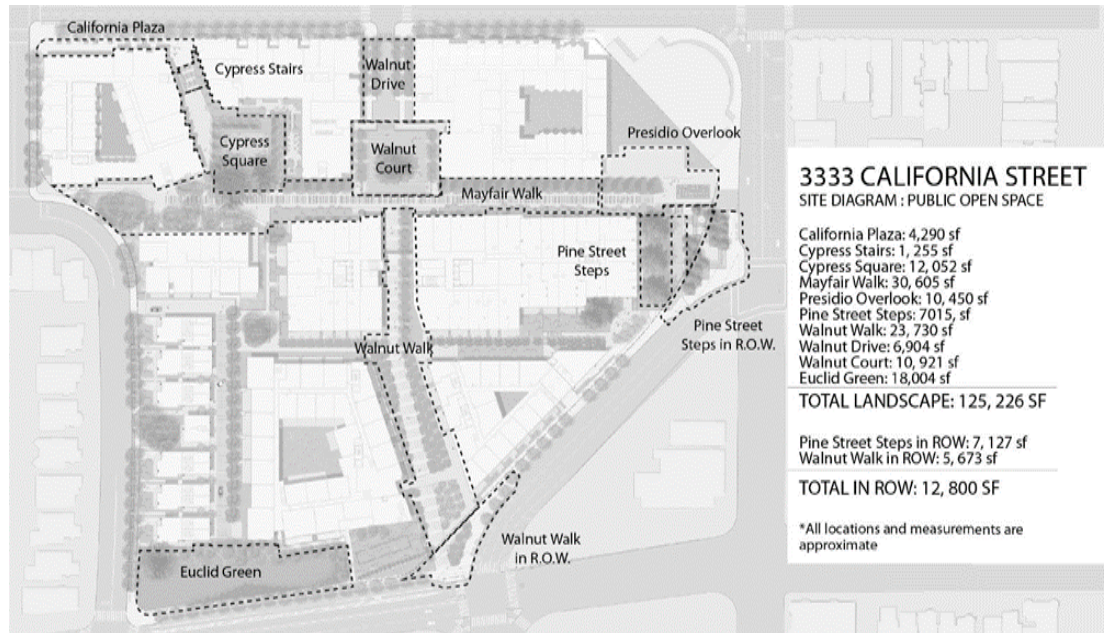
7 (B) Massage, Chair/Foot; and,

8 (C) Neighborhood Agriculture.

9 (4) In addition to the restrictions set forth in this subsection (c), the hours of
10 operation for commercial uses within the SUD shall be from 6:00am to 12:00am.

11 ~~(2)~~ (5) Usable Open Space Requirements. Usable open space required under Section
12 135 has been designed on an SUD-wide basis. The open space requirement shall be met through a
13 combination of private and common usable open spaces, as defined in Section 135, that will be
14 associated with individual buildings as well as approximately 56,000 square feet of privately owned,
15 publicly accessible parks and plazas that will be counted as common usable open space, provided such
16 space is otherwise compliant with Section 135(g) and developed in accordance with the Development
17 Agreement for the project, including without limitation, Schedule 1 (Community Benefits Linkages and
18 impact Fee Schedule) thereof. The open space plan depicted below in this subsection (c)(2) generally
19 sets forth the approximate location and size of such privately owned, publicly accessible open space.
20 Accordingly, compliance with usable open space requirements for any building in the SUD shall be
21 evaluated on a project-wide basis and for consistency with the terms of the Development Agreement.
22 Upon expiration or termination of the Development Agreement, the then-applicable open space
23 requirements of the Planning Code shall apply to any future development, provided however, that any
24 building which has satisfied its open space requirements in accordance with this subsection (c)(2) prior
25 to the expiration of the Development Agreement shall be deemed to be Code-conforming as to open

space requirements and shall not constitute a noncomplying structure or nonconforming use under the provisions of Article 1.7, notwithstanding the expiration of the Development Agreement.



(3) (6) Off-Street Parking. Article 1.5 of this Code shall apply to this SUD, except as follows:

(A) Child Care Facility Parking. Off-street parking spaces for any child care facility shall be permitted at a rate of 1.5 parking spaces for each nine children who could be accommodated in the child care facility under the applicable child care licensing requirements.

(B) Affordable Housing Parking. Off-street parking spaces for any building containing residential uses, all of which are 100% affordable housing units (with the exception of the manager's unit), shall be permitted at a rate of no more than 0.5 parking spaces per unit.

(4) (7) Inclusionary Housing. For so long as the Development Agreement is in effect, the affordable housing requirements of the Development Agreement shall govern. Upon expiration or

1 termination of the Development Agreement, the then-applicable Inclusionary Affordable Housing
2 requirements set forth in Planning Code Sections 415 et seq., as amended from time to time, shall apply
3 to any future development, without reference to the date of any earlier development application.

4 (5) (8) Child Care Requirements. For so long as the Development Agreement is in
5 effect, the Child Care requirements of the Development Agreement shall govern. Upon expiration or
6 termination of the Development Agreement, the then-applicable Child Care requirements set forth in
7 Planning Code Sections 414 and 414A et seq., as amended from time to time, shall apply to any future
8 development, without reference to the date of any earlier development application.

9 (6) (9) Director Determination. During the term of the Development Agreement, all
10 site and/or building permit applications for construction of new buildings or alterations of, or additions
11 to existing structures ("Applications") submitted to the Department of Building Inspection shall be
12 forwarded to the Planning Department for consistency review. For purposes of this subsection (c)(6),
13 Applications do not include any interior modifications or alterations, provided however, that any such
14 modification or alteration shall otherwise comply with the applicable requirements of the Planning
15 Code. In no event may the Planning Director or Planning Commission approve an Application that is
16 not in substantial conformance with this Section 249.86, the Development Agreement, or any
17 conditional use authorization and planned unit development authorization.

18 (7) (10) Discretionary Review. No requests for discretionary review shall be accepted
19 or heard for projects within the SUD.

20
21 Section 3. City Planning Commission Resolution 4109, November 13, 1952. Effective
22 as of the effective date of this ordinance, City Planning Commission Resolution No. 4109, and
23 all related conditions, stipulations, special restrictions, and other limitations imposed in
24 connection with the 1952 re-classification of the property (Assessor's Block 1032, Lot A) (the
25

“Property”) from a First Residential District to a Commercial District shall no longer apply to the Property and is hereby extinguished.

Section 4. The Planning Code is hereby amended by revising Special Use District Map SU03 of the Zoning Map of the City and County of San Francisco, as follows:

Description of Property	Special Use District Hereby Approved
Assessor's Block/Lot 1032/033	3333 California Street Special Use District

Section 5. The San Francisco Planning Code is hereby amended by revising Sectional Map HT03 of the Zoning Map of the City and County of San Francisco, based on Assessor's Parcel Maps on the effective date of this ordinance, as follows:

Description of Property	Height and Bulk Districts to be Superseded	Height and Bulk Districts Hereby Approved
Assessor's Parcel Block No. 1032, Lot 003 (an approximately 2.13 acre area of the northwestern portion of Lot 003 from California Street south approximately 215' and from Laurel Street east approximately 451.75')	40-X	45-X
Assessor's Parcel Block No. 1032, Lot 003 (an approximately 1.64 acre	40-X	67-X

1	area of the northeastern portion of		
2	Lot 003 from California Street south		
3	approximately 197' and		
4	approximately 270.63' west of the		
5	northeastern most property corner		
6	along the California Street frontage)		
7	Assessor's Parcel Block No. 1032,	40-X	80-X
8	Lot 003 (an approximately 0.69 acre		
9	area measuring approximately		
10	190.25' by 158.39' centrally located		
11	within Lot 003 197' south of		
12	California Street)		
13	Assessor's Parcel Block No. 1032,	40-X	92-X
14	Lot 003 (an approximately 1.54 acre		
15	area measuring approximately		
16	190.25' by 182.72' centrally located		
17	on the eastern side of Lot 003 197'		
18	south of California Street)		

19
20 A pictorial representation of the above height and bulk districts on Assessor's Parcel
21 Block 1032, Lot 3 is contained in Board of Supervisors File No. _____.

22
23 Section 6. Effective Date and Operative Date.

24 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
25 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not

1 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
2 Mayor's veto of the ordinance.

3 (b) This ordinance shall become operative only on (and no rights or duties are affected
4 until) the later of (1) its effective date, as stated in subsection (a) above, or (2) the effective
5 date of the ordinance approving the Development Agreement for the Project. A copy of said
6 ordinance is on file with the Clerk of the Board of Supervisors in File No. _____.

7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By: _____
11 AUDREY WILLIAMS PEARSON
Deputy City Attorney

12 n:\legana\as2019\2000037\01401051.docx

ATTACHMENT C:
MOTION NO. 20516



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 20516

HEARING DATE: SEPTEMBER 5, 2019

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Record No.: 2015-014028CUA
Project Address: 3333 California Street
Zoning: RM-1 (Residential – Mixed, Low Density)
3333 California Street Special Use District
40-X, 67-X, 80-X, and 92-X Height and Bulk Districts
Block/Lot: 1032 / 003
Project Sponsor: Laurel Heights Partners, LLC
c/o: PSKS
150 Post Street, Suite 320
San Francisco, CA 94108
Property Owner: Laurel Heights Partners, LLC
c/o: PSKS
150 Post Street, Suite 320
San Francisco, CA 94108
Staff Contact: Nicholas Foster, AICP, LEED GA – (415) 575-9167
nicholas.foster@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION AND PLANNED UNIT DEVELOPMENT THAT WOULD ALLOW STRUCTURES TO EXCEED 40 FEET IN HEIGHT WITHIN AN RM ZONING DISTRICT AND 3333 CALIFORNIA STREET SPECIAL USE DISTRICT AND FOR AN EXISTING CHILD CARE FACILITY TO CHANGE OF USE TO RESIDENTIAL USE, PURSUANT TO SECTIONS 253, 303, AND 304 OF THE PLANNING CODE MODIFICATIONS TO THE REAR YARD REQUIREMENTS (SECTION 134), PERMITTED OBSTRUCTIONS (SECTION 136), DWELLING UNIT EXPOSURE (SECTION 140), GENERAL STANDARDS FOR OFF-STREET PARKING, FREIGHT LOADING, AND SERVICE VEHICLE FACILITIES (SECTION 155); DWELLING UNIT DENSITY (SECTION 207), AND MEASUREMENT OF HEIGHT (SECTION 260) AT 3333 CALIFORNIA STREET (ASSESSOR'S BLOCK 1032, LOT 003) WITHIN THE RM-1 ZONING DISTRICT AND A 40-X, 67-X, 80-X, AND 92-X HEIGHT AND BULK DISTRICT, AND TO MAKE FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On March 29, 2016, Don Bragg on behalf of Laurel Heights Partners, LLC (hereinafter "Project Sponsor") filed an Environmental Evaluation Application with the San Francisco Planning Department (hereinafter "Department") for the 3333 California Street Mixed-Use Project (hereinafter "Project") located at 3333 California Street within the RM-1 (Residential – Mixed, Low Density) and 40-X Height and Bulk District. On June 30, 2017, the Project Sponsor filed an application for Conditional Use Authorization and Planned Unit Development.

The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Code. Regs. Title 14, section 15000 *et seq.*, (hereinafter "CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").

The Department determined that an environmental impact report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on September 20, 2017. The Department held a public scoping meeting on October 16, 2017 in order to solicit public comment on the scope of the project's environmental review.

On April 25, 2018, the Department published an initial study and provided public notice in a newspaper of general circulation of the availability of the initial study for public review and comment; this notice was mailed to the Department's list of persons requesting such notice, and to property owners and occupants within a 300-foot radius of the site on April 25, 2018.

On November 7, 2018, the Department published the draft EIR (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment, and of the date and time of the Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice, and to property owners and occupants within a 300-foot radius of the site on November 7, 2018. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the Site on November 7, 2018.

On November 7, 2018, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, and to government agencies, the latter both directly and through the State Clearinghouse. A notice of completion was filed with the State Secretary of Resources via the State Clearinghouse on November 7, 2018.

The Historic Preservation Commission held a duly advertised hearing on said DEIR on December 5, 2018 at which the Historic Preservation Commission formulated its comments on the DEIR.

The Commission held a duly advertised public hearing on said DEIR on December 13, 2018 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on January 8, 2019.

The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 62-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a response to comments document, published on August 22, 2019, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

The Department prepared a final EIR (hereinafter "FEIR") consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the responses to comments document, all as required by law.

On July 30, 2019, Supervisor Catherine Stefani introduced at the Board of Supervisors: (1) the Planning Code and Zoning Map amendments in Board File No. 190844, which amends the Planning Code to create the 3333 California Street Special Use District and amend the Height and Bulk Districts applicable to the Site; and (2) the Development Agreement in Board File No. 190845.

On August 19, 2019, the Project Sponsor submitted a letter amending its application for Conditional Use Authorization and Planned Unit Development to request authorization to construct the Variant to the proposed Project.

On September 5, 2019, the Commission reviewed and considered the information contained in the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code.

On September 5, 2019, in Motion No. 20513, the Commission approved findings required by CEQA, including a statement of overriding considerations and adoption of a Mitigation Monitoring and Reporting Program (MMRP), under Case No. 2015-014028CUA, for approval of the Project, which findings are found in Attachment X to this Resolution No. 20516 and incorporated by reference as though fully set forth herein.

On September 5, 2019, the Commission conducted a duly notice public hearing at a regularly scheduled meeting and adopted: (1) Resolution No. 20514, recommending that the Board of Supervisors approve the requested Planning Code Text and Map Amendments set forth in Board File No. 190844; and (2) Resolution No. 20515 recommending that the Board of Supervisors approve the draft Development Agreement in Board File No. 190845.

The Planning Department Commission Secretary is the Custodian of Records, located in the File for Case No. 2015-014028CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

On September 5, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-014028CUA.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2015-014028CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project would redevelop the subject property with a mix of residential, retail, child care, open space, and parking uses. The existing 14,000 gross-square-foot (gsf) annex building, surface parking lots and ramp structures would be demolished, and the existing 455,000 gsf office building ("Center Office Building"), would be partially demolished and adaptively reused for residential uses (as two separate buildings, "Center Building A" and "Center Building B") with up to three stories added to each. The Project would also construct thirteen new buildings, ranging from 4-story duplex townhouses to 6-story apartment buildings, as residential-only buildings ("Masonic"; "Euclid"; "Mayfair"; and the seven "Laurel Duplex" buildings), and mixed-use buildings ("Plaza A"; "Plaza B"; and "Walnut") containing non-residential uses on the ground and second floors. Overall, the Project includes a total of approximately 1,428,000 gsf of new and rehabilitated floor area, comprising: approximately 978,000 gsf of residential floor area (include 744 dwelling units); approximately 35,000 gsf of retail floor area; an approximately 15,000 gsf childcare facility (accommodating approximately 175 children); approximately 400,000 gsf devoted to off-street parking with 857 parking spaces (including approximately 10 car share spaces); and 839 bicycle spaces.

A total of 25% of the Project's dwelling units will be deed-restricted, on-site affordable units designated for low-income senior households. These affordable units will be located in the proposed Walnut Building on California Street and consist of 185 studio and 1-bedroom units for seniors plus 1 on-site manager's unit.

The Project would provide 52 percent of the overall lot area (approximately 233,000 square feet) as grade-level open area, some of which would be public open space and some of which would be private open space exclusively for residents. The Project would include a total of approximately 125,000 square feet (or roughly 2.88 acres) of publicly-accessible landscaped open space with multi-purpose plazas, lawns, and pathways. New public pedestrian walkways would cross the property in a north-south direction between California Street and the intersection of Masonic and Euclid avenues approximately along the line of Walnut Street and in an east-west direction between Laurel Street and Presidio Avenue along the line of Mayfair Drive. The Project would also include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site. These physical improvements to the Site are in service of meeting the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk expansion; enhanced paving; installation of new street trees and street lighting on various public rights-of-way. Some of these improvements require a major encroachment permit from the Department of Public Works and are subject to Board of Supervisors approval.

The proposed scope of work before the Commission was analyzed in the EIR as the "Project Variant" (or just "Variant"). The primary difference between the base project and the Variant is that the Variant includes 185 senior affordable dwelling units plus 1 on-site manager's unit instead

of office use within the Walnut Building. Under the Variant, the Walnut Building would also contain four additional floors (22 feet taller) to accommodate the residential uses. On August 19, 2019, the Project Sponsor submitted a letter to the Department requesting Conditional Use Authorization of the Variant.

3. **Site Description and Present Use.** The Project Site ("Site") is 447,361-square-foot, or 10.25-acre, single parcel located on Lot 003 on Assessor's Block 1032. The irregularly shaped parcel is bounded by California Street to the north, Presidio Avenue to the east, Masonic Avenue to southeast, Euclid Avenue to the south, and Laurel Street/Mayfair Drive to the west. The two-story building that houses the SF Fire Credit Union, located on a triangular-shaped lot at the northeast corner of Assessor's Block 1032 (corner of California Street and Presidio Avenue), is on a separate parcel and is not part of the Site. The Site, which serves as the University of California, San Francisco (UCSF) Laurel Heights Campus, is developed with a four-story, 455,000 gsf office building (including a 93,000 gsf, three-level, partially below-grade parking garage) at the center of the site; a one-story, 14,000 gsf annex building at the corner of California and Laurel Streets; three surface parking lots; and landscaping or landscaped open space. Approximately 63 percent of the Site is covered by buildings or other impermeable surfaces (e.g., internal roadways and surface parking lots) and 37 percent is landscaping or landscaped open space. Current uses on the Site are office, research, laboratory, child care, and parking. UCSF is in the process of shifting its uses to other campus locations in the city. The Site has been identified as being individually eligible for listing in the California Register of Historical Resources under Criterion 1 (events), and Criterion 3 (design/construction). The Site is eligible under Criterion 1 for its association with the broad pattern of development in San Francisco as a corporate campus adapted to an urban environment. The subject property represents an important and new approach to corporate office planning as a unique adaptation of the suburban corporate campus property type. The Site is also eligible under Criterion 3 for its overall Midcentury Modern architecture designed by Edward B. Page, set within a Midcentury Modern landscape designed by Eckbo, Royston & Williams.
4. **Surrounding Properties and Neighborhood.** The Site is located within the Laurel Heights area of San Francisco's Presidio Heights neighborhood. It is adjacent to the Pacific Heights and Western Addition neighborhoods (to the east) and just north of the Anza Vista area of the Inner Richmond neighborhood. The parcel is located within an RM-1 Zoning District and a 40-X Height and Bulk District. Low- to mid-rise residential uses surround the Site to the north, east, south, and west across California Street, Presidio Avenue, Euclid Avenue, and Laurel Street. Other land uses near the Site include the SF Fire Credit Union, at the southwest corner of California Street and Presidio Avenue, adjacent to the Site; the Jewish Community Center of San Francisco (JCCSF), at the northwest corner of California Street and Presidio Avenue, across the street from the Site; San Francisco Fire Station No. 10, across Masonic Avenue southeast of the Site; the San Francisco Municipal Railway's (Muni) Presidio Division and Yard at 875 Presidio Avenue (a bus storage, maintenance depot, and administration building, across Euclid and Masonic avenues south of the Site); and the Laurel Village Shopping Center along California Street, across Laurel Street west of the Site.

5. **Public Outreach and Comments.** To date, the Department has received one letter in opposition to the proposed Project prior to the official 20-day neighborhood notification period. The Project Sponsor held over 150 community meetings since 2015.
6. **CEQA Findings.** On September 5, 2019, by Motion No. 20512, the Commission certified as adequate, accurate and complete the FEIR for the 3333 California Mixed-Use Project. A copy of Commission Motion No. 20512 is in the file for Case No. 2015-014028ENV. Also, on September 5, 2019, by Motion No. 20513, in Attachment A to said Motion, the Commission adopted findings, including a statement of overriding considerations and an MMRP, pursuant to CEQA. In accordance with the actions contemplated herein, the Commission has reviewed the FEIR and adopts and incorporates by reference as though fully set forth herein the findings, including the statement of overriding considerations, pursuant to CEQA, adopted by the Commission on September 5, 2019 in Motion No. 20513. Attachment A.
7. **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 (Sections 202.2(f)(1), 209.2, 249.86, and 713).** Planning Code Sections 209.2 (RM-1), 249.86 (3333 California Street SUD), and 713 (NC-S) list allowable land uses, including residential and non-residential uses as either principally permitted, conditionally permitted, or not permitted.

The Project proposes residential uses throughout the Site, and both residential and non-residential uses within buildings with frontage on California Street. The underlying zoning district (RM-1) permits residential uses, including Senior Housing, and the 3333 California Street SUD (Planning Code section 249.86 (Board File No. 190844) allows certain non-residential uses as principally permitted within the ground and second floor of all buildings with frontage along California Street, including Flexible Retail Uses; Social Service or Philanthropic Facilities; and non-residential uses, subject to the use controls of the NC-S Zoning District. In addition to residential uses, the Project also includes a replacement Child Care Facility, which, is a principally permitted use in the RM-1 and 3333 California Street SUD Zoning Districts. Therefore, the uses at the Project would comply with the Planning Code.

- B. **Use Size (Sections 121.2, 713).** The Planning Code permits non-residential uses up to 5,999 square feet and requires Conditional Use Authorization for 6,000 square feet or above within the NC-S Zoning District.

The Project proposes non-residential uses within buildings with frontage on California Street, as allowed in the 3333 California Street Special Use District (Planning Code Text and Map Amendment Ordinance (Board File No. 190884). At the time of entitlement, specific sizes for non-residential uses are unknown. However, under the 3333 California Street SUD, (Planning Code Text Amendment and Map Ordinance in Board File No. 190844), use size controls for non-residential uses would be subject to the use controls of the NC-S Zoning District, with conditional use authorization required to establish any non-residential use above 6,000 square feet.

- C. **Floor Area Ratio (Sections 123, 124, and 713).** The Planning Code establishes a basic floor area ratio (FAR) of 1.8:1 for non-residential uses within the NC-S Zoning District.

The Site is 447,361 square feet in size. Therefore, up to 805,250 gsf of non-residential uses is permitted under the basic FAR limit. The Project proposes 34,496 gsf of non-residential uses within buildings with frontage on California Street, resulting in an FAR of 0.08:1, well below the maximum allowable FAR of 1.8:1. Therefore, the Project complies with Sections 123, 124 and 713.

- D. **Front Setback Areas (Section 132).** The Planning Code requires that new developments in RM-1 Districts provide front setbacks where one or both of the buildings adjacent to the subject property have front setbacks along a street or alley. If situated on a corner lot, the owner may elect which street or alley to designate as the front of the property.

As a corner lot, as defined by the Code, the Project Sponsor elects Laurel Street as the front of the Site, for purposes of establishing the Front Setback Area. (Of the Site's five street frontages, Laurel Street represents the longest linear frontage.) Given there are no adjacent buildings along the Laurel Street frontage separated from the subject lot, the Project is therefore not subject to the Front Setback requirements of the Code.

- E. **Rear Yard (Section 134(a)(2)).** The Planning Code requires that the Project provide a rear yard equal to 45 percent of the lot depth, or, the average of adjacent properties. If averaged, no less than 25 percent of lot depth or 15 feet, whichever is greater.

The Project does not provide a rear yard conforming to the strict requirements specified in the Code, and is therefore seeking a modification of section 134(a)(2) through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- F. **Useable Open Space (Section 135).** The Planning Code requires that a minimum of 100 square feet of private usable open space, or 133 square feet of common usable open space be provided for Dwelling Units in RM-1 Zoning Districts. The area counting as usable open space must meet minimum requirements for area, horizontal dimensions, and exposure.

In the 3333 California Street SUD, Planning Code Section 249.86, useable open space has been designated on an SUD-wide basis (Planning Code Text and Map Ordinance (Board File No. 190844).) Accordingly, compliance with usable open space requirements for any building in the SUD shall be evaluated on a project-wide basis and for consistency with the terms of the Development Agreement (Board File No. 190845).

The Project would provide private useable open space for 117 of the 744 Dwelling Units, therefore 11,700 square feet (sf) of private open space and 83,391 sf of common open space would be required. The Project satisfies this requirement by providing 11,700 sf of private usable open and 29,570 sf of common useable open space within the eight of the proposed buildings. The Project provides 54,470 sf of additional

common useable open space: Cypress Square + Eastern Mayfair Walk (24,780 sf); Lower Walnut Walk (14,950 sf); California Plaza (4,290 sf); and The Overlook (10,450 sf). This additional common useable open space fully satisfies the total amount of common usable open space required by Code. Additionally, the Project provides 70,756 sf of privately-owned, publicly-accessible open space that provides a benefit to both future residents of the Project as well as the General Public. On the whole, the Project provides a combination of private and common useable open space that meets the requirements of the Code. Therefore, the Project complies with Sections 135 and 249.86.

- G. Permitted Obstructions (Section 136).** The Planning Code outlines the requirements for features, which may be permitted over street, alleys, setbacks, yards or useable open space.

The Project includes bay windows that exceed the dimensional limits allowed per Code and is therefore seeking a modification of section 136 through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- H. Streetscape and Pedestrian Improvements (Section 138.1).** Planning Code Section 138.1 requires that additions of Gross Floor Area equal to 20 percent or more to an existing building provide streetscape improvements consistent with the Better Streets Plan.

The Project would include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site including Presidio, Masonic, and Euclid Avenues, as well as Laurel Street, and Mayfair Drive. These physical improvements meet the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk widening; enhanced paving; installation of new street trees and street lighting on various adjacent public rights-of-way.

A key element of the Project's public improvements includes the reconfiguration of existing traffic slip lanes at the intersections of Presidio Avenue and Pine Street/Masonic Avenue and at Masonic and Euclid Avenues. These public improvements consist of bulb outs and other sidewalk improvements where two separate slip lanes are currently located. With the public improvements, the slip lane areas will remain publicly accessible, but will no longer be accessible to motorized vehicles. The Project public improvements that would be constructed in the expanded public sidewalk would require a sidewalk width change approval from the Department of Public Works. Installation of both the slip lane reconfiguration and the sidewalk expansion would be subject to a Street Improvement Permit issued by the Department of Public Works, all of these actions would be implemented through the major encroachment permit described below

Certain Project streetscape improvements include enhanced paving and landscaping where the Project's pedestrian pathways meet the public sidewalk. These improvements require a major encroachment permit from the Department of Public Works that is subject to Board of Supervisors approval. The encroachment permit imposes long-term maintenance responsibility and liability for these improvements on the Project Sponsor.

Related to encroachments onto or over sidewalks, the Project proposes a total of 6 curb cuts, or vehicular access points (ingress and/or egress) to the Site (5 driveways accessing the Site from public rights-of-way and the privately-owned Walnut Street extension, extending southerly from California Street). The vehicular access plan was carefully reviewed by City staff, including, but not limited to, representatives from Planning, Public Works, and the Municipal Transportation Agency. All of the off-street parking and freight loading locations are completely enclosed and the driveway widths were reduced to minimum amounts required to accommodate safe and efficient vehicle circulation so as to preserve the pedestrian character of the district. Therefore, the Project is consistent with the Better Streets Plan and complies with Section 138.1

- I. **Standards for Bird-Safe Buildings (Section 139).** The Planning Code outlines the standards for bird-safe buildings, including the requirements for location-related and feature-related hazards.

The Site is not located in close proximity to an Urban Bird Refuge as defined in Section 139. As such, the Project will include feature-related standards. Therefore, the Project complies with Section 139.

- J. **Dwelling Unit Exposure (Section 140).** The Planning Code requires that at least one room of each dwelling unit must face onto a public street, a rear yard, or other open area that meets minimum requirements for area and horizontal dimensions.

The Project includes Dwelling Units that do not face onto an open area as defined by the Code, and is therefore seeking a modification through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- K. **Street Frontages (Section 144).** The Planning Code restricts entrances to off-street parking to no more than one-third of the width of the ground story along the front lot line, or along a street side lot line, or along a building wall that is set back from any such lot line; but in no case less than 10 feet or more than 20 feet. Where two or more separate entrances are provided there shall be a minimum separation between such entrances of six feet.

The Project proposes a total of seven entrances to off-street parking, with entrances ranging between 12-feet and 20-feet wide, as allowed by Code. Along the Presidio Avenue frontage, the Project provides a 15-foot entrance for off-street parking, and a 20-foot entrance for off-street freight loading, separated by seven feet, as allowed by Code. Therefore, the Project complies with Section 144.

- L. **Moderation of Street Fronts (Section 144.1).** The Planning Code requires that new dwellings within the RM-1 and RM-2 Districts be compatible with the established mixture of houses and apartment buildings in terms of apparent building width, requiring that on wider lots the front of the building be divided visually into narrower segments, according to the predominant existing scale in such areas.

As a corner lot, as defined by the Code, the Project Sponsor elects Laurel Street as the front of the Site. As such, the Project's Laurel Street frontage is subject to the provisions of Section 144.1. The Project includes three sets of buildings fronting Laurel Street: The Plaza A building, the Mayfair building, and the seven Laurel Duplex buildings. Each of the three sets of buildings provide variations in the horizontal depth of the front building walls by creating an organized rhythm of projections and notches ranging between 2 feet and 13 feet along the front building walls of each of the buildings, at intervals of not more than 35 feet. Therefore, the Project complies with Section 144.1.

- M. Off-Street Parking (Section 151.1).** The Planning Code does not require off-street parking spaces be provided, but instead provides maximum parking amounts, permitted as accessory, based on land use type.

The Project would provide a total 847 off-street accessory parking spaces. For residential uses, up to 1.5 spaces per Dwelling Unit is permitted as accessory. With 744 Dwelling Units, up to 1,116 parking spaces would be allowed per Code. The Project proposes 744 parking spaces (a ratio of 1 parking space per Dwelling Unit), which, is within the maximum amount permitted by Code. For non-residential uses, the Planning Code permits off-street parking as accessory in the following amounts: up to 53 spaces would for Retail Sales and Service Uses; 78 spaces for Eating and Drinking Uses (food and beverage retail uses); and 11 spaces for Child Care Facility Use.

The DEIR (p. 4.C.80) identifies a required Mitigation Measure ("M-TR-2: Reduce Retail Parking Supply") to lessen the impact of the proposed Project's or Project Variant's parking supply for retail uses to less-than-significant levels. The Mitigation Measure limits parking for Retail Sales and Service Uses to 2.14 spaces per 1,000 gross square feet. Pursuant to Mitigation Measure M-TR-2, the Project is limited to a total of 74 off-street parking spaces for all retail uses. The Project proposes a total of 74 spaces for all retail uses.

For Child Care Facility Use, the Project proposes 29 spaces where 11 are permitted by Code as accessory. Therefore, the Project requires legislation to permit parking for Child Care Facility Use in an amount greater than is otherwise permitted by Code. Through a Planning Code Text and Map Ordinance (Board File No. 190844), the Planning Code would be amended to add Section 249.86, creating the 3333 California Street Special Use District. The Ordinance would allow off-street parking for any Child Care Facility Use at a rate of 1.5 spaces for each 9 children who could be accommodated in the Child Care Facility under the applicable child care licensing requirements at any one time. The Project proposes 29 off-street spaces for the Child Care Facility where 29 would be allowed under the Ordinance. Therefore, the Project complies with Section 151.1.

- N. Off-Street Freight Loading (Section 152).** The Planning Code requires certain amounts of off-street freight loading space based on the type and size of uses in a project.

The Project would provide a total of six off-street loading spaces where five are required by Code (the additional space provide as accessory). Three of the loading spaces would be located within the Walnut

Building (accessible from Presidio Avenue), and the other three loading spaces would be located within the Masonic Building (accessible from Masonic Avenue). Therefore, the Project complies with Section 152.

- O. **General Standards of Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155).** The Planning Code establishes general standards as to location and arrangement for required off-street parking and freight loading facilities.

The Project would include both off-street parking and freight loading spaces not necessarily on the same lot as the use served after the proposed subdivisions of the Site, and is therefore seeking a modification through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- P. **Bicycle Parking (Sections 155.1, 155.2).** The Planning Code establishes bicycle parking requirements for new developments, depending on use. A Class 1 space is located in a secure, weather-protected facility and intended for long-term use by residents and employees. A Class 2 space is located in a publicly-accessible and visible location, and intended for use by visitors, guests, and patrons.

The Project includes 762 Class 1 and 77 Class 2 bicycle parking spaces (where 274 Class 1 and 69 Class 2 spaces are required by Code). The Class 1 bicycle parking spaces will be provided within each building, located within a secure, weather-projected facility, with independent access meeting the dimensional requirements of the Code. The Class 2 bicycle parking spaces would be located along each of the five street frontages encompassing the Site, near all main pedestrian entries to the uses (residential or non-residential) to which they are accessory. Therefore, the Project complies with Sections 155.1 and 155.2.

- Q. **Shower Facilities and Lockers (Section 155.4).** The Planning Code requires shower facilities and lockers for Non-Retail Sales and Service Uses in the following amounts: two showers and 12 clothes lockers where the Occupied Floor Area exceeds 20,000 square feet but is no greater than 50,000 square feet, and four showers and 24 clothes lockers are required where the Occupied Floor Area exceeds 50,000 square feet.

The Project includes less than 50,000 square feet of non-residential uses and thus a total of 2 showers 12 lockers are required per Code. The Project would provide one shower and six lockers within each of the Plaza B and Walnut buildings. Therefore, the Project complies with Section 155.4.

- R. **Car Sharing (Section 166).** The Planning Code establishes requirements for new developments to provide off-street parking spaces for car-sharing services. The number of spaces depends on the amount and type of residential or office use. The car-share spaces must be made available to a certified car-share organization at the building site or within 800 feet.

The Project includes 10 car share spaces on the Site for both the residential and non-residential uses where 10 are required by Code. Therefore, the Project complies with Section 166.

- S. **Unbundled Parking (Section 167).** The Planning Code requires all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more, or in new conversions of non-residential buildings to residential use of 10 dwelling units or more, shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space.

The Project will lease or sell all accessory off-street parking spaces separately from the rental or purchase fees for dwelling units for the life of the Dwelling Units. Therefore, the Project complies with Section 167.

- T. **Transportation Demand Management (TDM) Plan (Section 169).** The Planning Code requires applicable projects to finalize a TDM Plan prior Planning Department approval of the first building permit or site permit.

The Project Sponsor submitted a completed Environmental Evaluation Application prior to July 14, 2016. Therefore, under Planning Code section 169, the Project must achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 39 points (50% of 78).

The Developer shall implement a site-specific Transportation Demand Management Plan included as part of a Development Agreement (Board File No. 190845). While the Project would be subject to Planning Code Section 169.3(e)(1) and required to implement a minimum of 50% of the applicable target points, the Project Sponsor commits through the Development Agreement, to be subject to Planning Code Section 169.3(e)(2) and to implement 75% of applicable target points, resulting in a target of 59 points (75% of 78). Otherwise, the Project remains subject to all of the provisions of Planning Code Section 169 et seq. Therefore, the Project complies with Section 169.

As currently proposed, the Project will achieve 59 points through the following TDM measures:

- Improve Walking Conditions (Option A)
- Bicycle Parking (Option C)
- Showers and Lockers
- Bicycle Repair Station
- Bicycle Maintenance Services
- Fleet of Bicycles
- Car Share Parking (Option B)
- Delivery Supportive Amenities
- Provide Delivery Services
- Family TDM Amenities (Options A + B)
- On-site Childcare
- Multimodal Wayfinding Signage
- Real Time Transportation Information Displays
- Tailored Transportation Marketing Services (Option C)
- On-site Affordable Housing (Option B)
- Unbundled Parking (Option D)

- Parking Pricing

- U. **Compliance with Special Restrictions (Section 174).** In 1952, the Commission adopted Resolution 4109 which approved a rezoning of the subject property to a First Residential District and included additional stipulations subject to future development of the Site. The Site has subsequently undergone additional rezoning, as it is now within an RM-1 District. However, the stipulations of future development as outlined in Resolution 4109 continue to apply, absent modification per Planning Code Section 174.

Through a proposed Planning Code Text and Map Ordinance (Board File No. 190844), Commission Resolution No. 4109, and all related conditions, stipulations, special restrictions, and other limitations imposed in connection with Resolution No. 4109 will no longer apply and will be extinguished effective the date of the Ordinance.

- V. **Residential Density (Sections 207, 209.2, 304).** The Planning Code regulates residential density by zoning district. Within the RM-1 Zoning District, up to 3 units per lot or up to one dwelling unit per 800 square feet of lot area is permitted.

The Project proposes a residential density that exceeds what is permitted within the RM-1 Zoning District. Therefore, the Project seeks a modification through the Planned Unit Development (PUD) process, pursuant to Section 304 (see Section No. 8 for additional findings).

- W. **Dwelling Unit Mix (Section 207.7).** The Planning Code requires that no less than 25% of the total number of proposed dwelling units shall contain at least two bedrooms and that no less than 10% of the total number of proposed dwelling units shall contain at least three bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units and units counted towards the three-bedroom requirement may also count towards the requirement for units with two or more bedrooms

The Project would meet the dwelling unit mix requirement on a site-wide basis, as opposed to an individual building basis, with one-bedroom, two-bedroom, and three-bedroom units distributed across the Site, while the Plaza A building would contain the majority of the studio units, and the Laurel Duplexes would contain the majority of the four-bedroom units. The Project will provide the following dwelling unit mix: 27 studio units (3%); 392 one-bedroom units (53%), 195 two-bedroom units (26%), 103 three-bedroom units (14%); and 27 four-bedroom units (4%). With 44% of the dwelling units containing at least two bedrooms, the Project exceeds the dwelling unit mix requirement. Therefore, the Project complies with Section 207.7.

- X. **Height (Sections 260 and 261).** Planning Code requires that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height.

Given the Project proposes both new structures and alterations to an existing legal, nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District, the Project requires relief from the Code. Through a proposed Planning Code Text and Map Ordinance (Board File No. 190844), the Site's underlying Height and Bulk District is 40-X, 45-X, 67-X, 80-X, and 92-X, accommodating the maximum height of each of the 13 buildings, as proposed by the Project. The Project seeks a modification through the Planned Unit Development (PUD) process, pursuant to Section 304, for minor deviations from the provisions for measurement of height in Sections 260 and 261 (see Section No. 8 for additional findings).

- Y. Shadows on Parks (Section 295).** The Planning Code requires a shadow analysis for projects over 40 feet in height to ensure that new buildings do not cast new shadows on properties that are under the jurisdiction of the San Francisco Recreation and Park Department.

The Planning Department prepared an initial shadow fan that indicated the proposed Project may cast a shadow on either Laurel Hill Playground, or Presidio Heights Playground, both of which are properties under the jurisdiction of the San Francisco Recreation and Park Department ("Recreation and Park Department"). A detailed shadow analysis was performed by a qualified consultant that indicated the Project would not cast any new shadow on either Laurel Hill Playground or Presidio Heights Playground, nor any other open space under the jurisdiction of Section 295. As such, a No Impact Letter was issued on August 7, 2019.

- Z. Transportation Sustainability Fee (TSF) (Section 411A).** Section 411a requires projects that result in more than twenty new dwelling units or new construction of a non-residential use exceeding 800 square feet to pay the TSF to help meet the demands imposed on the City's transportation system by new developments, funding transit capital maintenance, transit capital facilities and fleet, and pedestrian and bicycle infrastructure.

The Project will comply with Section 411A.

- AA. Jobs Housing Linkage Fee (Section 413).** Section 413 shall apply to any project that increases by 25,000 or more gross square feet the total amount of any combination of the following uses; entertainment, hotel, Integrated PDR, office, research and development, retail, and/or Small Enterprise Workspace.

The Project will comply with Section 413.

- BB. Child Care Requirement for Residential Projects (Section 414A).** Section 414A shall apply to any residential development project that results in at least one net new residential unit.

Under the requirements of section 249.86 (3333 California Street Special Use District, Board File No. 190844), the provisions of Section 414A do not apply to the Project so long as the Development Agreement is in effect. Instead, the Development Agreement (Board File No. 190845) stipulates that the Project provide a 14,665 square-foot child care facility, including an outdoor activity area, capable

of accommodating at least 175 children, with 10% of the maximum number of permitted slots to be provided to children in low-income households.

CC. Inclusionary Affordable Housing Program (Section 415). The Planning Code sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units.

Under the provisions of Planning Code Section 249.86, (3333 California Street Special Use District, Board File No. 190844), the provisions of Section 415 do not apply to the Project for as long as the Development Agreement is in effect. The Development Agreement (Board File No. 190845) outlines terms for the Project's affordable inclusionary housing provisions. At buildout, 25% of the Project's units will be deed-restricted, on-site affordable units designated for low-income senior households with incomes below 80% of Area Median Income (AMI), with an overall average of not more than 59% of AMI, as established by the Mayor's Office of Housing and Community Development (MOHCD). These affordable units will be located within the Walnut Building and consist of 185 studio and 1-bedroom units for seniors plus 1 on-site manager's unit.

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

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

The Project is necessary and desirable in that it will create a new mixed-used infill development within the Laurel Heights neighborhood at a scale that appropriately preserves the diversity and vitality of the neighborhood, while also maintaining and contributing to the important aspects of the existing neighborhood, such as providing new housing opportunities with no displacement of any existing residential uses. The size and intensity of the proposed development is consistent with the policies and objectives of the General Plan and is necessary and desirable for this neighborhood and the surrounding community because it will provide new opportunities for housing and add new site amenities, including privately-owned, publicly-accessible open space, retail uses, and a child care facility, that will contribute to the character of the surrounding neighborhood. The pedestrian pathways (Mayfair and Walnut Walk) will open and connect the Site to the surrounding community by extending the neighborhood urban pattern and surrounding street grid into the Site. The Project would revitalize an underutilized development lot that is predominately occupied by surface parking lots, driveways, and a large, existing legal nonconforming structure containing existing non-complying non-residential uses (office use). The Project would introduce new residential uses across the entirety of the Site, with retail and childcare uses contained within structures fronting California Street. The influx of new residents will contribute to the economic vitality of the existing neighborhood by adding new patrons for the nearby retail uses.

Above all, housing is a top priority for the City and County of San Francisco and the Project would maximize residential density on the Site through approvals as a Planned Unit Development (PUD).

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project is an infill development that replaces existing buildings and surface parking lots with a new mixed-use development that is on balance consistent with the General Plan. The Site is substantial in size at approximately 447,000 square feet (or roughly 10.25 acres). The Project maximizes residential density while also introducing new pedestrian connections, hard- and soft-scape open space, and allowing for a scale of development that is consistent with existing and proposed development in the area. The overall site plan, along with the design of each building, has been carefully crafted to allow for a consistent street wall and active ground floor spaces along California Street, with an appropriate variation in building design, texture and scale. The arrangement and sculpting of buildings is also designed to frame the network of pedestrian and visual pathways through the site and to its major open spaces, creating a sense of permeability and connectivity with the surrounding neighborhood.

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

The Project has been designed to provide improved pedestrian and vehicular connections to the Site, as well as new pedestrian connections through the Site. Sufficient off-street parking, including for both the retail uses and child care facility, would be provided in underground parking garages, which would be appropriately accessed from the Walnut Street extension, Presidio Avenue, and Laurel Street.

The Project includes a total of six off-street loading spaces, two on-street commercial loading zones (on California Street), three on-street passenger loading zones (on Masonic Avenue, Euclid Avenue, and Laurel Street), and approximately 74 on-street public parking spaces. On-street freight and passenger loading zones are strategically placed nearest building entrances, with freight loading supporting the retail and non-residential uses along California Street.

The proposed Project also includes a TDM program in compliance with the TDM Ordinance and TDM Program Standards, and includes 10 car share parking spaces as required by Planning Code Section 166, as well as ample bicycle parking. Accessibility and traffic patterns, the type and volume of traffic, and the proposed off-street parking and loading are all discussed in additional detail in

Project's Transportation Impact Study and other Project CEQA documents on file with the Planning Department. The Project is in close proximity to numerous public transit options, with various bus routes along California Street, and nearby along both the Geary Avenue and Sacramento Street commercial corridors.

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

The Project is primarily a residential development and therefore is not anticipated to create any noxious or offensive emissions or odors. The Project sponsor will comply with the City's standard construction-related conditions designed to minimize temporary dust impacts during the construction period. All potential Project impacts on noise, glare, and dust are discussed in the Project's FEIR, including the MMRP. In light of the nature of the development, applicable Code requirements and standard conditions of approval, and the conclusions reached in the Project's FEIR on file with the Planning Department, no noxious or offensive emissions such as noise, glare, dust, and odor are expected.

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

The Project will create a series of privately-owned, publicly-accessible new north/south and east/west pedestrian connections across the Site, including substantial new landscaping around and throughout the Site, and major new privately-owned, publicly-accessible open space. The open space plan and landscape design includes features such as plaza and garden elements, and over 300 new trees (including new and replacement trees). Lighting and signage will be incorporated as the Project design progresses, and will comply with applicable Code requirements. These and other Project elements will be consistent with the City's Better Streets Program.

- 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 will generally comply with the provisions of the Planning Code, as amended in Board File No. 190844 and with the Development Agreement (Board File No. 190845). The Project will be, on balance, consistent with the General Plan, particularly with plans and policies related to locating dwelling unit density near transportation, creating new housing, including affordable/supportive housing, providing new publicly-accessible private open space, creating new pedestrian connections to and through the neighborhood, and implementing streetscape improvements. Further, the Project seeks a number of modifications to the requirements of the Code through the PUD process. The purpose of the PUD process is to allow well-designed development on larger sites to request modifications from the strict requirements of the Planning Code, provided that the project generally meets the intent of these Planning Code requirements and will not adversely affect the General Plan. The requested modifications,

and compliance with the PUD criteria and consistency with the General Plan are discussed under Section No. 8 and incorporated here by reference.

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

The Project is consistent with the stated purpose of RM-1 Zoning District and the 3333 California Street Special Use District. RM-1 Zoning Districts, as described in Section 209.2, contain a mixture of the dwelling types that broaden the range of unit sizes and the variety of structures, outdoor space at ground and upper levels regardless of form of structures, and non-residential uses to provide for the needs of residents. Shopping facilities and transit lines may be found within a short distance of these districts. On balance, the Project provides a range of unit sizes within a variety of structures, privately-owned, publicly-accessible open space, and retail uses to provide for the needs of residents. The site is located on and within walking distance of existing transit lines and located within walking distance of existing shopping facilities. The Project will include residential uses, and non-residential uses in a size that provides for the needs of residents.

- E. The use or feature satisfies any criteria specific to the use or feature in Subsections (g), *et seq.* of this Section.

On February 26, 2019, a resolution (Board File No. 190230) was introduced, imposing interim zoning controls for 18 months to require a Conditional Use Authorization for a change of use from a Child Care Facility to another use. Any consideration of a Conditional Use Authorization for a change of use from a Child Care Facility to another use shall take into account the following factors:

- i. Any findings by the Office of Early Care and Education regarding the capacity of the existing Child Care Facility Use, the population served, and the nature and quality of services provided;

The childcare facility currently located on the Site is operated by Bright Horizons, a national provider of childcare services. According to information on file with the Office of Early Care and Education, the existing facility is licensed for a total of 129 children, with an infant license for 42 children and a preschool license for 87 children. In addition, the Office believes that the existing facility has what is known as a 'Toddler Option' in order to also serve toddlers. However, the toddler license does not increase the total licensed capacity of 129. The existing facility is a National Association for the Education of Young Children (NAEYC) accredited program, which, is a nationally-recognized measure of early education quality.

- ii. The impact of the change of use on the neighborhood and community;

The Project proposes to replace the existing childcare facility with a new childcare facility with capacity to serve approximately 175 children under current licensing requirements. While there

may be a period of time during which the existing facility has ceased operations and the new facility is under construction, the Development Agreement (Board File No. 190845) requires the facility to be built as part of construction of the Walnut Building.

In addition, Bright Horizons will be opening a new childcare facility in the City Center project on Geary and Masonic that will accommodate the children who are enrolled at the existing facility. Because it is located on what is currently a UCSF campus property, the existing Bright Horizons facility gives preference to UCSF families, regardless of whether they live in the neighborhood. Pursuant to the Development Agreement (Board File No. 190845), the new childcare facility will be open to the general public. As such, it will result in expanded access to childcare for the neighborhood.

- iii. Whether there are sufficient licensed child care slots available within a one-mile radius of the site; and

According to the Office of Early Care and Education, there are 19 licensed child care centers and 26 Family Child Care homes in the 94118 Zip Code's geographic area.

- iv. Whether the Child Care Facility Use to be converted will be relocated or replaced.

The Project proposes to provide a new childcare facility with capacity to serve approximately 175 children under current licensing requirements. Bright Horizons, which operates the existing facility, anticipates opening a new childcare facility in the City Center project on Geary and Masonic.

- 9. **Planning Code Section 304** establishes procedures for Planned Unit Developments, which are intended for projects on sites of considerable size, including an area of not less than half-acre, developed as integrated units and designed to produce an environment of stable and desirable character, which will benefit the occupants, the neighborhood and the City as a whole. In the cases of outstanding overall design, complementary to the design and values of the surrounding area, such a project may merit a well-reasoned modification of certain provisions contained elsewhere in the Planning Code.

- A. **Modifications.** The Project Sponsor requests the following modification from the requirements of the Planning Code. These modifications are listed below, along with a reference to the relevant discussion for each modification.

- i. **Rear Yard (Section 134):** *The Project does not provide a code-complying rear yard. As such, the Project is seeking a modification of the rear yard requirement defined in Planning Code Section 134. The Commission finds this modification warranted, since the Project provides for a comparable amount of open space accessible to residents of the development, in lieu of the required rear yard.*

The Site encompasses nearly the entirety of Block 1032, fronting several streets, with no existing pattern of mid-block open space since the majority of the Site is currently occupied by existing buildings and surface parking lots. As such, the Site is not configured in a manner that adheres to (or necessarily benefits from) the traditional rear yard requirements of the Code. The Project would improve existing conditions by creating new connections to the surrounding street grid and providing new open space through a series of private and public open spaces and landscaped areas, including private usable open space (residential), common usable open space, privately-owned, publicly-accessible open space, private open space for the child care facility, and other open areas (e.g., inner and outer courtyards).

On the whole, the Project would provide 52 percent of the overall lot area (approximately 233,000 square feet) as grade-level open area, some of which would be privately-owned, publicly-accessible public open space and some of which would be private open space exclusively for residents. The Project would include streetscape improvements and a total of approximately 125,000 square feet (or roughly 2.88 acres) of privately-owned, publicly-accessible landscaped open space with multi-purpose plazas, lawns, and pathways.

- ii. **Permitted Obstructions (Section 136):** *The Project includes bay windows that exceed the dimensional limits allowed per Code. As such, the Project is seeking a modification of the permitted obstructions requirements defined in Planning Code Section 136. The Commission finds this modification warranted, since the Project, in an attempt to improve the overall visual interest of the buildings, provides a varied bay window design within each of the buildings.*

The Project includes bay windows within the Plaza B building on floors 1 through 4 that would not meet the strict requirements of the Code Sectioning governing permitted obstructions. The Project, in an attempt to improve the overall visual interest of the building through a varied bay window design, is providing five bay windows, ranging between 12'-0" to 19'-8", all of which exceed the nine-foot linear allowance per Code.

- iii. **Dwelling Unit Exposure (Section 140):** *The Project includes Dwelling Units that do not face onto an open area as defined by the Code. As such, the Project is seeking a modification of the dwelling unit exposure requirements defined in Planning Code Section 140. The Commission finds this modification warranted, since the Project has been designed in a manner that the majority of the units (97%) meet the requirements for dwelling unit exposure.*

The Project has been designed to maximize dwelling unit exposure along street frontages, inner courts and/or open spaces between buildings that meet the strict requirements of the Code. Of the 744 Dwelling Units proposed, only 21 Dwelling Units (or approximately 3 percent of the total unit count) would not comply with the strict dimensional requirements of the Code.

- iv. **General Standards of Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155).** *(Sections 155): The Project would include both off-street parking and*

freight loading spaces not necessarily on the same lot as the use served after the proposed subdivisions of the Site. As such, the Project is seeking a modification of the general standards of off-street parking and freight loading requirements defined in Planning Code Section 155. The Commission finds this modification warranted, since the Project provides sufficient off-street parking and freight loading for the uses served within enclosed garages with the minimum number of access points as is necessary as to reduce the total number of curb cuts on the Site.

Pursuant to Section 155(a), required off-street parking and freight loading shall be located on the same lot as the use(s) served. While the Project is compliant with the amount of provided accessory off-street parking and required freight loading, the locations of both the off-street parking and freight loading spaces would not necessarily be provided on the same lot as the use served after the proposed subdivisions of the Site. The proposed site plan for four below-grade garages allows connection between garages, thereby reducing unnecessary on-street vehicular circulation around the Site.

- v. **Dwelling Unit Density (Sections 207, 209.3):** *The Project includes residential uses with a total of 744 Dwelling Units, exceeding the number of units permitted within the RM-1 Zoning District. As such, the Project is seeking a modification of the dwelling unit density limits as defined in Planning Code Sections 207 and 209.3. The Commission finds this modification warranted, since the Project would provide much-needed housing, with a range of unit types, including the provision of senior affordable housing units.*
- vi. **Measurement of Height (Section 260):** *The Project includes proposed amendments to the underlying Height and Bulk Districts of 40-X, 45-X, 67-X, 80-X, and 92-X, as amended in the Zoning Map Ordinance (Board File No. 190844). The Project proposes both new structures and alterations to an existing nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District. As such, the Project is seeking minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site. The Commission finds this modification warranted, given the Site's unique configuration and the desire to maximize residential density at the Site. With the proposed height and bulk district amendments in Board File No. 190844, and the deviations from the provisions for measuring height, the maximum height of each of the 13 buildings would be accommodated.*

The Site's topography varies significantly across the Site generally upsloping from east to west, and from north to south, with an approximately 67-foot total difference in elevation across the Site. The Site contains two existing buildings, the largest of which (Center Office Building), at 52'-10" tall, is deemed a legal, noncomplying structure pursuant to Code Section 180. The Project proposes an adaptive reuse of the Center Office Building, and the construction of 13 new buildings on the Site. The proposed heights of each of the buildings contained within the Project are as follows: the Mayfair, Laurel Duplexes (seven individual buildings), Euclid, and Masonic buildings, each reaching a maximum height of 40 feet; the Plaza A and Plaza B Buildings, each reaching a maximum

height of 45 feet; the Walnut Building reaching a maximum height of 67 feet; the Center Building A reaching a maximum height of 80 feet, and the Center Building B reaching a height of 92 feet. The Project proposed minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site as follows:

Plaza A Building: The Plaza A Building fronts both Laurel Street and California Street. As such, the Project utilizes Laurel Street for the purposes of measuring height, pursuant to Section 260(a)(1)(D). Laurel Street has a slope of less than 5% and thus is measured at the midpoint of the frontage at existing curb. The measurement from Laurel Street is down-sloping and is carried to the line equidistant between Laurel Street and the Walnut Street Extension. The measurement is taken to 45 feet, to allow an additional 5 feet to accommodate adequate retail floor-to-floor heights.

Plaza B Building: The majority of the Plaza B Building is measured from the Walnut Street Extension per Section 260(a)(1)(B). A small portion of the NW corner is measured in the same manner as the Plaza A Building. The slope of Walnut Street varies, with the southern portion under 5% and the portion closer to California requiring stepping. Pursuant to Section 260(a)(3), the portion closer to California Street is measured in 55-ft segments. Measuring from the Walnut Street Extension is up-sloping and complies with Section 260(a)(1)(C), with the first 10-ft measured from the centerline of the segment at new curb, thereafter measured at the average of new grades on either side of the section. The measurement is taken to 45 feet, to allow an additional 5 feet to accommodate adequate retail floor-to-floor heights.

Walnut Building: The Walnut Building fronts California Street, Walnut Street Extension and Presidio Streets. For the western portions of the building the Project elects to measure down-sloping from the Walnut Street Extension per Section 260(a)(1)(D). The slope of the Walnut Street Extension varies, with the southern portion under 5% and the portion closer to California Street requiring stepping. Per Table 260 the portion closer to California Street is measured in 55-foot segments. The measurement from the Walnut Street Extension is down-sloping and is carried to the line equidistant between Walnut Street and Presidio Avenue. The eastern portions of the Walnut building is measured up-sloping from Presidio Avenue per Section 260(a)(1)(B). The slope of Presidio Avenue is less than 5% and is therefore measured at the midpoint of the frontage. Measuring from Presidio Avenue is up-sloping and complies with Section 260(a)(1)(C), with the first 10-ft measured from the centerline of frontage at existing curb, thereafter measured from the average of new grades on either side of the building. The measurement is taken to 67 feet, to accommodate adequate retail floor-to-floor heights, in addition to the additional floors accommodating the affordable housing building that will have 185 senior units and 1 on-site manager's unit, as proposed under the EIR Variant.

Euclid Building: The Euclid Building fronts onto Euclid Avenue and Walnut Walk. This area is measured from Euclid Avenue per Section 260(a)(1)(D). This site is up-sloping and is therefore measured per Section 260(a)(1)(C). Since Euclid Avenue slopes at 10%, the allowable height is measured at multiple cross-sections perpendicular to the building, taken at a maximum of 65-foot

increments per Table 260. Each of the given reference points is derived from the existing grade at each cross-section, to arrive at the allowable height for points along that cross section.

Laurel Duplexes: The Laurel Duplexes front onto Laurel Street, and the heights of the buildings are measured from Laurel Street. This area of the Site is up-sloping and is therefore measured per Section 260(a)(1)(C). Since Laurel Street slopes at 7%, the allowable height is measured at a cross-section perpendicular to the building, taken at the centerline of each duplex and no more than 65-foot apart per Table 260. Each of the given reference points is derived from the existing grade at each cross-section to arrive at the allowable height for points along that cross section.

Mayfair Building: The Mayfair Building fronts onto Laurel Street, and the height of the building is measured from Laurel Street. This site is up-sloping and is therefore measured per Section 260(a)(1)(C). Since Laurel Street slopes at 7%, the allowable height is measured at a cross-section perpendicular to the building, taken at the centerline of each building step and no more than 65-foot apart per Table 260. Each of the given reference points is derived from the existing grade at each cross-section, to arrive at the allowable height for points along that cross section.

Center Buildings A and B: The measurement of height for the adapted Center Buildings A and B is the same process as the measurement of height of the existing, single Center Office Building, as taken from Laurel Street. As measured from Laurel Street, the existing Center Office Building is 52'-10" tall; as such, the structure is deemed an existing legal, noncomplying structure pursuant to Section 180. The Project would include the adaptive reuse of the Center Office Building for residential uses (as two separate buildings: Center Building A and Center Building B, linked by an above-grade pedestrian passage). For the adapted Center Building A, the measurement is taken to 80 feet, and for the adapted Center Building B, the measurement is taken to 92 feet, adding two and three floors to each building, respectively. The additional floors are necessary to accommodate the addition of 190 dwelling units between the two buildings, completing the adaptive reuse from a former office building into repurposed residential building.

- B. **Criteria and Limitations.** Section 304(d) establishes criteria and limitations for the authorization of PUDs over and above those applicable to Conditional Uses in general and contained in Section 303 and elsewhere in the Code. On balance, the Project complies with said criteria in that it:

- 1) Affirmatively promotes applicable objectives and policies of the General Plan;

The Project promotes many of the objectives and policies of the various Elements of the General Plan, as discussed in greater detail below and incorporated here by reference.

- 2) Provides off-street parking adequate for the occupancy proposes.

The Project would provide sufficient off-street parking to adequately serve the residential and non-residential uses, with a maximum of 857 off-street vehicle parking spaces, inclusive of 10 car share spaces, which will accommodate the 744 residential units (including 185 senior housing units) as well as the retail and child care uses proposed.

- 3) Provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code;

The Project would contain approximately 52 percent of the overall lot area (approximately 233,000 square feet – excluding green roofs) as open area, with portions to be developed with a combination of privately-owned, publicly-accessible open space, common open space (some of which would be open to the public) and private open space for residents. The Project would include a total of 125,226 square feet (or 2.88 acres) of publicly-accessible landscaped open space with multi-purpose plazas, lawns, and pathways. The Project would provide 71,405 square feet of open space in excess of that required under Section 135 of the Code.

- 4) Be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the Planned Unit Development will not be substantially equivalent to a reclassification of property;

As the Site is located within the RM-1 Zoning District, the Site would be limited to a residential density equal to one fewer unit than what is permitted within the RM-2 Zoning District. With a modification of residential density as a PUD, with a site area of 447,361 square feet, the residential density on the Site would be limited to a maximum of 745 Dwelling Units. The Project proposes a total of 744 Dwelling Units, below the maximum allowed residential density as a PUD.

- 5) In R Districts, include commercial uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, subject to the limitations for NC-1 Districts under this Code, and in RTO Districts include commercial uses only according to the provisions of Section 230 of this Code;

The Project would contain commercial uses along California Street that would serve residents of the immediate vicinity and would be subject to commercial use size and Formula Retail controls in the NC-S zoning district, as specified in section 249.86, the 3333 California Special Use District. SUD (Planning Code Text and Map Ordinance (Board File No. 190844)). Because each of the buildings along California Street would include commercial uses that are less than 6,000 feet, the retail uses would be smaller in scale and would therefore serve the immediate vicinity, and would not be expected to attract customers on a regional level.

- 6) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code. In the absence of such an explicit authorization, exceptions from the provisions of this Code with respect to height shall be confined to minor deviations from the provisions for measurement of height in Sections 260 and 261 of this Code, and no such deviation shall depart from the purposes or intent of those sections.

The Project proposes both new structures and alterations to an existing nonconforming building that would otherwise exceed the heights established by the underlying Height and Bulk District, as modified by the Planning Code map ordinance in Board File No. 190844. As such, the Project is seeking minor deviations from the provisions for measurement of height in Sections 260 and 261 for each of the proposed new and adapted buildings on the Site.

- 7) In NC Districts, be limited in gross floor area to that allowed under the floor area ratio limit permitted for the district in Section 124 and Article 7 of the Code;

Through a proposed Planning Code Text and Map Ordinance (Board File No. 190844), the Planning Code would be amended to add Section 249.86, creating the 3333 California Street Special Use District. However, the Site would remain within the RM-1 Zoning District. As such, the Site is not located within an NC Zoning District, as defined within Article 7 of the Code.

- 8) In NC Districts, not violate the use limitations by story set forth in Article 7 of this Code;

Not applicable since the Site is located within a RM-1 Zoning District.

- 9) In RTO and NCT Districts, include the extension of adjacent alleys or streets onto or through the site, and/or the creation of new publicly-accessible streets or alleys through the site as appropriate, in order to break down the scale of the site, continue the surrounding existing pattern of block size, streets and alleys, and foster beneficial pedestrian and vehicular circulation.

Not applicable since the Site is located within a RM-1 Zoning District.

- 10) Provide street trees as per the requirements of Section 138.1 of the Code.

In total, the Project would provide 88 street trees. The Project would replace the existing 15 street trees along California Street, with 31 new street trees along California Street. Along the Laurel Street, Euclid Avenue, and Masonic Avenue frontages, up to 57

additional new street trees would be planted. The Project would pay the in-lieu fee for any required street trees that could not be planted. If any underground utilities or other barriers prevent a street tree from being planted, the proposed Project would be consistent with the requirements of Section 138.1(c)(2)(C)(iii). Additionally, eleven (11) key trees located on the Site would be preserved.

- 11) Provide landscaping and permeable surfaces in any required setbacks in accordance with Section 132 (g) and (h).

The Project is not subject to the requirements of Planning Code Section 132(g) and (h); however, the Project would provide new streetscape elements, including new street trees, new landscape areas and new sidewalk paving adjacent to the Site.

10. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan for the reasons as set forth below:

GENERAL PLAN: HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

Policy 1.8

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

Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 4:

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

Policy 4.1

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

Policy 4.4

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

Policy 4.5

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

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.3

Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.4:

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

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

OBJECTIVE 12

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

Policy 12.1

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

Policy 12.2

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

Policy 12.3

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

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1

Support "smart" regional growth that located new housing close to jobs and transit.

Policy 13.3

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

GENERAL PLAN: COMMERCE AND INDUSTRY

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 3

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

Policy 3.2

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

GENERAL PLAN: TRANSPORTATION

OBJECTIVE 2

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

Policy 2.1

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

Policy 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

Policy 23.1

Provide sufficient pedestrian movement space with a minimum of pedestrian congestion in accordance with a pedestrian street classification system.

GENERAL PLAN: URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2

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

Policy 1.3

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

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

GENERAL PLAN: RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 1:

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM.

Policy 1.1

Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

The Project would provide a mixed-used development with residential (including substantial new affordable housing), retail, and open space uses, leveraging the Site's location along transit corridors and allowing people to work and live within close proximity to transit, consistent with numerous Housing Element and Transportation Element policies that encourage residential and mixed-use development near transit. Furthermore, as detailed in the Development Agreement (Board File No. 190845), the Project exceeds the Planning Code's inclusionary affordable housing requirements, and will provide a 25% level of on-site affordable housing at Project buildout, fulfilling the Housing Element's objective of encouraging affordable housing.

The Site is located in a transit-rich location, within close proximity to various bus lines. Future residents can walk, bike, or access MUNI, or regional bus service from the Site. The Project includes a detailed, TDM program tailored to the Project uses, with various performance measures, monitoring and enforcement measures designed to incentivize use of transit and other alternatives to single occupancy vehicle trips. In addition, the Project's streetscape design would enhance vehicular, bicycle, and pedestrian access and connectivity through the site. The Project would be easily accessed by bicyclists and pedestrians. These Project attributes are consistent with numerous General Plan policies encouraging development that includes environmentally sustainable patterns of movement.

The Project would remove portions of—and re-develop the remainder of—a large-scale building and rest of the site with a series of smaller state-of-the-art buildings designed to be consistent with the neighborhood character and scale. The Project's high-quality architectural and landscape design encourages variety, compatibility with the surrounding context, and strong urban design with prominent corners. The Project would incorporate varying heights, massing, and scale, creating a strong, consistent streetwall along the various street frontages, consistent with the Urban Design Element's objective to emphasize the characteristic pattern which gives to the City and its neighborhoods an image, a sense of purpose, and a means of orientation. The Project has been designed to promote community interaction, both within the Project through common residential open space and with the broader community, through access to the privately-owned, publicly-accessible open space on the Site. The Project would also create new connections to the surrounding street grid, including new pedestrian connections, and other street and streetscape improvements.

The Project is located in an area that is well-served by retail and other neighborhood services, and would provide additional neighborhood-serving retail space along California Street. The Project would help meet the job creation goals, consistent with the Commerce and Industry Element, and as established in the City's Economic Development Strategy by generating new employment opportunities, and by providing expanded employment opportunities for City residents at varying employment levels both during and after construction. The

Development Agreement's community benefit programs include commitments to construction and operations workforce first source hiring, as well as local business enterprise requirements for construction and end use jobs.

The Project would include streetscape improvements to enhance the safety of, and strengthen the network of, existing sidewalks and street crossings that abut the Site including Presidio, Masonic, and Euclid Avenues, as well as Laurel Street, and Mayfair Drive, consistent with the Urban Design Element's goal to recognize, protect and reinforce the existing street pattern. These physical improvements also meet the goals and objectives of the Better Streets Plan. Specifically, the Project would include the following streetscape and pedestrian improvements: a new at-grade street crossing; sidewalk widening; enhanced paving; installation of new street trees and street lighting on various adjacent public rights-of-way. These improvements require a major encroachment permit from the Department of Public Works that is subject to Board of Supervisors approval. The encroachment permit imposes long-term maintenance responsibility and liability for these improvements on the Project Sponsor.

On the whole, the Project would add a significant amount of housing to a site that is currently underutilized, well-served by existing and future transit, and is within walking distance of substantial goods and services. The Project would create appropriate residential density at a location that is well served by transit and would include substantial new on-site open space to support and activate the new active ground floor and open space uses in the proposed Project and to serve the broader neighborhood. The Project balances significant housing production with new and improved infrastructure and related public benefits, including an on-site child care facility.

11. **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 would have a positive effect on existing neighborhood-serving retail uses because it would bring additional residents to the neighborhood, thus increasing the customer base of existing neighborhood-serving retail.

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

The Project would not negatively affect the existing housing and neighborhood character. The Project would not displace any housing given the existing building contains only non-residential uses (primarily office use). Like the neighborhoods surrounding the Site, which includes a variety of uses, such as single family homes, multi-unit apartment buildings, the Jewish Community Center, the Laurel Village Shopping Center, and the Muni bus storage yard, the Project is mixed-use and mixed-income, and would provide a range of improvements, housing, and services that would preserve the neighborhood's cultural

and economic diversity. It would include approximately 744 units, 185 units of which would be affordable units for seniors with 1 on-site manager's unit. The remaining (market rate) units would consist of a range of unit sizes to accommodate a diverse set of residents.

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

The Project would enhance the City's supply of affordable housing through its affordable housing commitments in the Development Agreement (Board File No. 190845), which will result in a total of 25% on-site affordable housing units.

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

The Project would not impede MUNI transit service or overburden streets and neighborhood parking. The Project is at a location well-served by transit and future residents and employees of the Project could access the Site via existing MUNI transit service. The Project does not include any commercial office uses that would generate commuter traffic, and the Project includes sufficient off-street parking and a robust transportation program with an on-site Transportation Demand Management (TDM) program.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project does not include commercial office development, and does not displace any industrial or service uses. In addition, the proposed retail uses and other non-residential uses would provide future opportunities for resident employment and ownership in the service sector.

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

The Project includes substantial investment in upgrades to an existing building and construction of new buildings to comply with all current structure and seismic requirements under the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

There are no existing landmarked buildings on the Site. However, the Site, which is considered an historic resource for CEQA purposes and is listed in the California Register of Historic Resources, will be re-developed to include reuse of the existing Center Building and construction of 13 new buildings to accommodate 744 dwelling units, retail, child-care and parking along with significant landscaping and open space. The Project will comply with Mitigation Measure M-CR-1a, Documentation of Historical Resource, which requires the documenting and presenting of the site's history and character. In addition,

the Project will comply with Mitigation Measure M-CR-1b, Interpretation of the Historical Resource, which requires the sponsor to develop an interpretive program focused on the history of the Site.

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

The Site does not currently contain public parks or open spaces, and the Project would create major new privately-owned, publicly-accessible open spaces. The Project would not affect any of the City's existing parks or open space or their access to sunlight and vistas. The shadow diagrams prepared as part of the Project's CEQA review demonstrate that the Project would not cast shadows on any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission. The location, orientation and massing of structures on the Site has been designed to maximize solar access to the Project's open spaces, including the major new privately-owned, publicly-accessible open space. The current open space at the corner of Euclid Avenue and Mayfair Street will remain as part of the Project.

12. **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 First Source Hiring Program requirements are set forth in the Development Agreement. The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will comply with the applicable First Source Hiring Program requirements of the Development Agreement (Board File No. 190845).

13. 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.
14. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

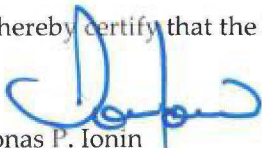
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2015-014028CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 20, 2019, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. 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 September 5, 2019.


Jonas P. Ionin
Commission Secretary

AYES: Fung, Hillis, Koppel, Johnson, Melgar, Moore, Richards
NAYS: None
ABSENT: None
ADOPTED: September 5, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for a **Conditional Use Authorization** to allow structures to exceed 40 feet in a RM Zoning District; for a change of use for an existing child care facility, and to allow a **Planned Unit Development** with the requested modifications from the requirements of the Planning Code for: rear yard, permitted obstructions, dwelling unit exposure, standards for off-street parking and freight loading, dwelling unit density, and measurement of height, relating to a project that includes partial demolition of existing structures and adaptive reuse of a legal, noncomplying structure, and construction of a total of 13 new buildings containing residential and non-residential uses on the subject lot, located at 3333 California Street, within Lot 003 of Assessor's Block 1032, pursuant to Planning Code Sections 253, 303, and 304 within the RM-1 Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated **August 20, 2019**, and stamped "EXHIBIT B" included in the docket for Record No. **2015-014028CUA** and subject to conditions of approval reviewed and approved by the Commission on **September 5, 2019** under Motion No. **20516**. 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 **September 5, 2019** under Motion No. **20516**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **20516** 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 so long as the Development Agreement contained in Board of Supervisors File No. 190845 remains in effect.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the expiration of earlier termination of the Development Agreement (Board File No. 190845), then 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 415-575-6863, www.sf-planning.org
3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval, unless such Code conflicts with the provisions of the Development Agreement (Board File No. 190845).
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
6. **Additional Project Authorization.** The Project Sponsor must obtain an approval of a Planning Code Text and Map Ordinance (Board File No. 190844), giving effect to the 3333 California Street Mixed-Use Project. The Ordinance would amend the Planning Code to establish the 3333

California Street Special Use District (SUD) and make other conforming Code amendments. The Ordinance would specify development controls that apply to the SUD, allowing additional (non-residential) permitted uses along California Street; specifying parking for childcare use, affordable housing, and open space requirements; specifying director determination and discretionary review controls; and extinguishing City Planning Commission Resolution 4109. The Ordinance would also amend Zoning Maps SU03 and HT03, reclassifying the height and bulk designation of the site from 40-X Height and Bulk District to 40-X, 45-X, 67-X, 80-X, and 92-X Height and Bulk Districts. 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 Zoning Administrator, shall apply. The Project Sponsor must also obtain an approval of the Development Agreement in Board File No. 190845, giving effect to the Development Agreement regarding the 3333 California Street Mixed-Use Project.

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

7. **Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Improvement measures, also described in the MMRP attached as Exhibit C will further reduce the less-than-significant impacts of the Project and have been agreed to by the project sponsor. Implementation of both improvement measures and mitigation measures as to each building or component of the project is a condition of project approval.

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

DESIGN – COMPLIANCE AT PLAN STAGE

8. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

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

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

10. **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.sf-planning.org*
11. **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 415-558-6378, www.sf-planning.org*
12. **Streetscape Plan.** The Development Agreement (Board File No. 190845) provides for certain streetscape improvements to be constructed and dictates the timing of such construction. In addition, the Project Sponsor is seeking approval of a major encroachment permit in connection with certain proposed streetscape improvements located in the public right of way, including new and replacement street trees and trees to replace certain existing significant trees (MEP). Pursuant to the applicable provisions of the Development Agreement and the MEP, 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 construct all required street improvements, consistent with the applicable provisions of the Development Agreement and the MEP. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
13. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*
14. **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 recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

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

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

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

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

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

16. **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 415-558-6378, www.sf-planning.org

17. **Landscaping, Screening of Parking and Vehicular Use Areas.** Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and species of plant materials shall be as approved by the Department of Public Works. Landscaping shall be maintained and replaced as necessary.

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

18. **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 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

19. **Transportation Demand Management (TDM) Program.** The Development Agreement (Board File No. 190845) provides the Project's TDM Plan. 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, all as more specifically set forth in the Development Agreement, which will be recorded in the Official Records of the Recorder of the City and County of San Francisco for the subject property.

For information about compliance, contact the TDM Performance Manager at tdm@sfgov.org or 415-558-6377, www.sf-planning.org.

20. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units provided as part of the Project shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

21. **Car Share.** Pursuant to Planning Code Section 166, no fewer than 10 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 415-575-6863, www.sf-planning.org

22. **Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than a total of 274 Class 1 and 69 Class 2 bicycle parking spaces (261 Class 1 and 37 Class 2 bicycle parking spaces for the residential portion of the Project and 12 Class 1 and 32 Class 2 bicycle parking spaces for the non-residential portion of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior

to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code. The Project shall provide no fewer than as required by Planning Code Sections 155.1 and 155.2.

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

23. **Showers and Clothes Lockers.** Pursuant to Planning Code Section 155.3, the Project shall provide no fewer than 2 showers and 12 clothes lockers.

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

24. **Parking Maximum.** Pursuant to Planning Code Section 151 or 151.1, the Project shall provide no more than 857 off-street parking spaces for all uses.

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

25. **Off-Street Loading.** Pursuant to Planning Code Section 152, the Project will provide a minimum of 5 off-street loading spaces.

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

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

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

PROVISIONS

27. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

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

28. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program as set forth in the Development Agreement (Board File No. 190845). Following expiration or termination of the Development Agreement, the provisions of the Administrative Code Section 83 regarding development projects shall apply.

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

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

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

30. **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 415-558-6378, www.sf-planning.org

31. **Residential Child Care Impact Fee.** In lieu of compliance with the Residential Child Care Impact Fee (Section 414A), the Project is subject to the applicable terms of the Development Agreement (Board File No. 190845).

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

32. **Inclusionary Affordable Housing Program.** In lieu of compliance with the Inclusionary Affordable Housing Program (Section 415), the Project is subject to the applicable terms of the Development Agreement (Board File No. 190845).

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

MONITORING - AFTER ENTITLEMENT

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

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

34. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

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

35. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

36. **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 415-554-5810, <http://sfdpw.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 415-558-6570, 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 415-575-6863, www.sf-planning.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 415-554-5810, <http://sfdpw.org>.

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

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

38. **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 415-575-6863, www.sf-planning.org

ATTACHMENT D:
PPA LETTER



SAN FRANCISCO PLANNING DEPARTMENT

Preliminary Project Assessment

Date: Thursday, July 14, 2016
Case No.: **2015-014028PPA**
Project Address: 3333 California Street
Block/Lot: 1032/003
Zoning: RM-1 (Residential, Low-Density)
40-X
Project Sponsor: Don Bragg c/o Prado Group
150 Post Street, Suite 320
San Francisco, CA 94108
415-857-9324
Staff Contact: Brittany Bendix – 415-575-9114
Brittany.bendix@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DISCLAIMERS:

This Preliminary Project Assessment (PPA) letter provides feedback to the project sponsor from the Planning Department regarding the proposed project described in the PPA application submitted on March 29, 2016, as summarized below. This PPA letter identifies Planning Department review requirements for the proposed project, including those related to environmental review, approvals, neighborhood notification and public outreach, the Planning Code, project design, and other general issues of concern for the project. Please be advised that the PPA application does not constitute an application for development with the Planning Department. The PPA letter also does not represent a complete review of the proposed project, does not grant a project approval of any kind, and does not in any way supersede any required Planning Department approvals listed below.

The Planning Department may provide additional comments regarding the proposed project once the required applications listed below are submitted. While some approvals are granted by the Planning Department, some are at the discretion of other bodies, such as the Planning Commission or Historic Preservation Commission. Additionally, it is likely that the project will require approvals from other City agencies such as the Department of Building Inspection, Public Works, the Municipal Transportation Agency, Department of Public Health, San Francisco Public Utilities Commission, and others. The information included herein is based on the PPA application and plans, the Planning Code, General Plan, Planning Department policies, and local/state/federal regulations as of the date of this document, all of which are subject to change.

PROJECT DESCRIPTION:

The subject property is approximately 446,468 square feet and bounded by California Street, Presidio Avenue, Masonic Avenue, Euclid Avenue and Laurel Street. The site is within an RM-1 District and developed with an existing office building of approximately 450,000 square feet, an existing annex building of approximately 13,000 square feet, a parking garage containing 210 off-street parking spaces, and surface parking lots containing 330 off-street parking spaces. The proposed project will demolish the southern wing of the existing office building and divide the remaining 68.5 foot tall portion, located at the center of the site, into two separate structures, Building A and Building B. Interior renovations are proposed to adapt these two structures from office uses to residential uses and to accommodate vertical additions of two stories to Building A and three stories to Building B, for respective heights of approximately 81 feet and 92 feet. The project also includes new construction of the following: three four-story mixed use buildings on California Street (currently identified as 'Plaza A,' 'Plaza B,' and 'Walnut') with proposed heights of 45-feet; a four-story commercial office building on California Street and Presidio Avenue (identified as 'California and Presidio') with a proposed height of 45 feet, and seven townhomes with heights of 40 feet or less. Overall, the proposed project includes 558 dwelling units within 774,300 gross square feet of residential floor area, 59,915 gross square feet of commercial retail floor area, 49,999 gross square feet of office floor area, and 12,455 gross square feet of an entertainment use. Additionally, the project will dedicate fifty-two percent of the overall lot area to a combination of public and private open spaces.

The project proposes 885 off-street parking spaces and five loading spaces to accommodate the proposed uses. Three below grade parking garages will contain all of the off-street parking spaces and all five loading spaces. The project will relocate one existing curb cut on Laurel Street and one on Presidio Avenue, eliminate the second (southern) existing curb cut on Laurel Street, improve the existing curb cut on California Street, and provide a new curb cut on Masonic Avenue. Proposed access to the below-grade garages would be from Laurel Street, the Walnut Street extension, Presidio Avenue, and Masonic Avenue. The proposal also includes a lot line adjustment along the eastern boundary along Presidio and Masonic Avenues to accommodate streetscape improvements and to regularize the property's frontage on Presidio Avenue. Additional street improvements would include proposed sidewalk bulbouts at the intersection of California Street with Laurel and Walnut Streets, and at three locations along the Masonic Avenue frontage. Finally, to support the proposed development, the project proposes excavation of approximately 280,000 cubic yards of soil, ranging in depths of 7 to 40 feet below the existing grade. This proposed excavation will accommodate the proposed below grade parking structures, basement levels of proposed buildings and the overall terracing of the site.

ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), the environmental review process must be completed before any project approval may be granted. This review may be done in conjunction with the required approvals listed below. In order to begin formal environmental review, please submit an **Environmental Evaluation Application (EEA)** for the full scope of the project. EEAs are available in

the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org under the “Publications” tab. See “Environmental Applications” on page 2 of the current Fee Schedule for calculation of environmental application fees.¹

Note that until an entitlement application is submitted to the Current Planning Division, only the proposed Project Description will be reviewed by the assigned Environmental Coordinator.

The proposed project would require preparation of an initial study. The initial study may be prepared either by an environmental consultant from the Department’s environmental consultant pool or by Department staff. Should you choose to have the initial study prepared by an environmental consultant, contact Devyani Jain at (415) 575-9051 for a list of three eligible consultants. If the initial study finds that the project would have a significant impact that could be reduced to a less-than-significant level by mitigation measures agreed to by the project sponsor, then the Department would issue a preliminary mitigated negative declaration (PMND). The PMND would be circulated for public review, during which time concerned parties may comment on and/or appeal the determination. If no appeal is filed, the Planning Department would issue a final mitigated negative declaration (FMND). Additional information regarding the environmental review process can be found at: <http://www.sf-planning.org/modules/showdocument.aspx?documentid=8631>.

If the initial study indicates that the project would result in a significant impact that cannot be mitigated to below a significant level, an EIR will be required. An EIR must be prepared by an environmental consultant from the Planning Department’s environmental consultant pool (http://www.sfplanning.org/ftp/files/MEA/Environmental_consultant_pool.pdf). The Planning Department will provide more detail to the project sponsor regarding the EIR process should this level of environmental review be required.

Below is a list of topic areas addressed through the environmental review process. Some of these would require additional study based on the preliminary review of the project as it is proposed in the PPA application.

- 1. Historic Resources.** The project site contains one or more buildings or structures considered to be a potential historic resource (constructed 45 or more years ago); therefore, the proposed project is subject to review by the Department’s Historic Preservation staff. To assist in this review, the project sponsor must hire a qualified professional to prepare a Historic Resource Evaluation (HRE) report. The professional must be selected from the Planning Department’s Historic Resource Consultant Pool. Please contact Tina Tam, Senior Preservation Planner, via email (tina.tam@sfgov.org) for a list of three consultants from which to choose. Please contact the HRE scoping team at HRE@sfgov.org to arrange the HRE scoping. Following an approved scope, the historic resource consultant should submit the draft HRE report for review to Environmental Planning after the project sponsor has filed

¹ San Francisco Planning Department. *Schedule for Application Fees*. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=513>

the EE Application and updated it as necessary to reflect feedback received in the PPA letter. The HRE should be submitted directly to the Department and copied to the project sponsor. Project sponsors should not receive and/or review advance drafts of consultant reports per the Environmental Review Guidelines. Historic Preservation staff will not begin reviewing your project until a complete draft HRE is received.

2. **Archeological Resources.** The proposed project will require Preliminary Archeological Review (PAR) by a Planning Department archeologist. To aid this review the Department archeologist may request a Preliminary Archeological Sensitivity Assessment (PASS) by a Department Qualified Archeological Consultant, subject to the review and approval by the Department archeologist. The Department archeologist will provide three names from the Qualified Archeological Consultant list if the PASS is required. The PAR will assess the archeological sensitivity of the project site based on in-house source material and will consider the potential for archeological impacts resulting from proposed soils disturbance. Please provide detailed information, including sections, proposed soils-disturbing activities, such as grading, excavation, installation of foundations, soils improvement, and site remediation in the EEA, and submit any available geotechnical/soils or phase II hazardous materials reports prepared for the project to assist in this review. If the Department archeologist determines that the project has a potential to adversely affect archeological resources, the PAR will identify additional measures needed to address the potential effect. These measures may include preparation of an archeological research design and treatment plan, implementation of one of the Planning Department's three standard archeological mitigation measures (archeological testing, monitoring, or accidental discovery), or other appropriate measures.
3. **Tribal Cultural Resources.** Tribal cultural resources (TCRs) are a class of resource established under the California Environmental Quality Act (CEQA) in 2015. TCRs are defined as a site, feature, place, cultural landscape, sacred place or object with cultural value to a California Native American tribe, that is either included on or eligible for inclusion in the California Register of Historical Resources or a local historic register, or is a resource that the lead agency, at its discretion and supported by substantial evidence, determines is a TCR. Planning Department staff will review the proposed project to determine if it may cause an adverse effect to a TCR; this will occur in tandem with preliminary archeological review. No additional information is needed from the project sponsor at this time. Consultation with California Native American tribes regarding TCRs may be required at the request of the tribes. If staff determines that the proposed project may have a potential significant adverse impact on a TCR, mitigation measures will be identified and required. Mitigation measures may include avoidance, protection, or preservation of the TCR and development of interpretation and public education and artistic programs.
4. **Transportation.** Based on the Planning Department's Transportation Impact Analysis Guidelines for Environmental Review,² the project would require additional transportation analysis to determine

² This document is available at: <http://www.sf-planning.org/index.aspx?page=1886>.

whether the project may result in a significant impact. Therefore, the Planning Department requires that a consultant listed in the Planning Department's Transportation Consultant Pool prepare a Transportation Impact Study. You are required to pay additional fees for the study; please contact Virnaliza Byrd at (415) 575-9025 to arrange payment. Once you pay the fees, please contact Manoj Madhavan at (415) 575-9095 or manoj.madhavan@sfgov.org so that he can provide you with a list of three consultants from the pre-qualified Transportation Consultant Pool. Upon selection of a transportation consultant, the Department will assign a transportation planner who will direct the scope of the consultant-prepared study. Please note that comments provided in this PPA letter regarding the site design and site circulation may affect the transportation analysis.

Transportation Demand Management Program

On April 28, 2016, the Planning Commission adopted a resolution to initiate Planning Code amendments that would require development projects to comply with a proposed Travel Demand Management (TDM) Program. The intent of the proposed TDM Program is to reduce vehicle miles traveled (VMT) and to make it easier for people to get around by sustainable travel modes such as transit, walking, and biking.

Under the proposed TDM Program, land uses are grouped into four categories, A through D. For each land use category that is subject to the TDM Program, the City would set a target based on the number of accessory vehicle parking spaces that the project intends to provide for that land use category. To meet each target, the project sponsor must select TDM measures—each worth a specified number of points—from a menu of options. In general, if a project sponsor proposes more parking, the target for that land use category—and thus, the number of TDM measures that the sponsor must implement to meet it—would increase. Some of the TDM measures included in the menu are already required by the Planning Code. Points earned from implementing these measures would be applied towards achieving a project's targets. Project sponsors would be required to implement and maintain TDM measures for the life of the project.

The proposed project includes 558 dwelling units, 59,915 square feet of retail, 49,999 square feet of office space, and would reuse the existing 12,455 square foot auditorium/ theater. Thus, the project would be subject to the proposed TDM Program. Based on the proposed 120 parking spaces associated with the retail uses and the 37 parking spaces associated with the auditorium, the project would be required to meet or exceed a target of 72 points for land use category A (maximum target available). Based on the proposed 100 parking spaces associated with the office uses, the project would be required to meet or exceed a target of 21 points for land use category B. Based on the proposed 558 parking spaces associated with the residential use, the project would be required to meet or exceed a target of 68 points for land use category C (approaching maximum target available).

The Planning Code would currently require the project, as described in the PPA, to provide the following TDM measures:

- Bicycle Parking (Planning Code Section [155.2](#); TDM Menu ACTIVE-2 – option a)
- Shower facilities and lockers (Planning Code Section [155.4](#); TDM Menu ACTIVE-3)
- Car Share Parking Spaces (Planning Code Section [166](#); TDM Menu CSHARE-1 – option a)
- Parking unbundling (Planning Code Section [167](#); TDM Menu PKG-1)

The project may be required to select and incorporate additional TDM measures to meet the targets listed above. A full list of the TDM measures included in the menu of options is available on this [website](#).

Pursuant to the April 28, 2016 staff report for Case 2012.0726PCA³ TDM Program, projects that may initially propose more parking spaces than the TDM Menu has measures and associated points available would be required to park at or below the neighborhood parking rate for the land use category.⁴ The number of parking spaces proposed in land use category A and land use category C for the proposed project are above or approaching the measures and associated points available in the TDM menu. Therefore, in order to comply with the proposed TDM Program, the proposed project may be required to decrease the amount of parking provided such that it would be at or below the neighborhood parking rate for each land use category. Preliminary calculations of the neighborhood parking rates for land uses in the project vicinity are lower than the rates provided for the proposed project.

When a planner is assigned, he or she will provide additional guidance regarding the proposed TDM Program and next steps.

5. **Noise.** Construction noise is subject to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code), which includes restrictions on noise levels of construction equipment and hours of construction. If pile driving is to be used during construction, measures to reduce construction noise may be required as part of the proposed project. The EEA should provide a construction schedule and indicate whether pile driving or other particularly noisy construction methods are required.

The volume of the proposed project's vehicular traffic may generate noise that could result in a substantial permanent increase in ambient noise levels. Therefore, the proposed project would likely require a noise study that includes at a minimum: measurements of the existing noise environment, discussion of applicable noise regulations, analysis of the project's noise effects and the ability of

³ San Francisco Planning Department. 2016. Case 2012.0726PCA , Transportation Sustainability Program – Shift Planning Code Amendments Initiation, was heard before the Planning Commission on April 28. The full staff report may be viewed online at, <http://commissions.sfplanning.org/cpcpackets/2012.0726PCA.pdf>, accessed June 7, 2016.

⁴ The methodology regarding the neighborhood parking rate will be provided in the TDM Technical Justification document.

noise sources to meet applicable noise standards. The noise study shall be conducted by a qualified acoustical consultant who shall prepare a noise study scope of work for approval by the assigned environmental coordinator prior to conducting the study.

6. **Air Quality.** The proposed project at 558 dwelling units and the addition and new construction of 459,730 square feet to the existing 314,570-square-foot building exceeds the Bay Area Air Quality Management District's (BAAQMD) construction and operational screening levels for criteria air pollutants.⁵ Therefore, an analysis of the project's criteria air pollutant emissions is likely to be required. Detailed information related to construction equipment, phasing and duration of each phase, and the amount (in cubic yards) of excavation must be provided as part of the EEA.

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Ordinance is to reduce the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and avoid orders to stop work by the Department of Building Inspection (DBI). Pursuant to the Construction Dust Ordinance, the proposed project would be required to prepare a Construction Dust Control Plan for review and approval by the San Francisco Department of Public Health (DPH).

The project site is not located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on an inventory and modeling assessment of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. Given that the project site is not within an Air Pollutant Exposure Zone, additional measures or analysis related to local health risks are not likely to be required. However, if the project would include new sources of toxic air contaminants including, but not limited to, emissions from diesel generators or boilers, or any other stationary sources, the project would result in toxic air contaminants that may affect both on-site and off-site sensitive receptors. Detailed information related to any proposed stationary sources must be provided with the EEA.

Given the size of the project and that approximately 280,000 cubic yards of soils would be excavated, the proposed project will likely require an Air Quality Technical Report for additional air pollutant modeling. If an Air Quality Technical Report is required, the project sponsor must retain a consultant with experience in air quality modeling to prepare a scope of work that must be approved by Environmental Planning prior to the commencement of any analysis and/or modeling.

⁵ BAAQMD, CEQA Air Quality Guidelines, May 2011, Chapter 3.

7. **Greenhouse Gases.** *The City and County of San Francisco's Strategies to Address Greenhouse Gas Emissions* presents a comprehensive assessment of policies, programs, and ordinances that represents San Francisco's Qualified Greenhouse Gas (GHG) Reduction Strategy. Projects that are consistent with San Francisco's Qualified GHG Reduction Strategy would result in less-than-significant impacts from GHG emissions. In order to facilitate a determination of compliance with San Francisco's Qualified GHG Reduction Strategy, the Planning Department has prepared a Greenhouse Gas Analysis Compliance Checklist.⁶ The project sponsor is required to submit the completed table regarding project compliance with the identified regulations and provide project-level details in the discussion column. This information will be reviewed by the environmental planner during the environmental review process to determine if the project would comply with San Francisco's Greenhouse Gas Reduction Strategy. Projects that do not comply with an ordinance or regulation may be determined to be inconsistent with the Greenhouse Gas Reduction Strategy.
8. **Shadow.** The proposed project would result in construction of a building greater than 40 feet in height as measured by the Planning code. A shadow analysis is required under Planning Code Section 295. For more information on Planning Code Section 295, see "Preliminary Project Comments" below. The project sponsor is therefore required to hire a qualified consultant to prepare a shadow study. The consultant must submit a Shadow Study Application, which can be found on the Planning Department's website:
<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=539>
A separate fee is required. The consultant must also prepare a proposed scope of work for review and approval by Environmental Planning staff prior to preparing the analysis.
9. **Geology.** Portions of the project site are located on a slope greater than 20%. A geotechnical study prepared by a qualified consultant must be submitted with the EEA. The study should provide recommendations for any geotechnical concerns identified in the study. In general, compliance with the building codes would avoid the potential for significant impacts related to structural damage, ground subsidence, liquefaction, landslides, and surface settlement. To assist Planning Department staff in determining whether the project would result in environmental impacts related to geological hazards, it is recommended that you provide a copy of the geotechnical information with boring logs for the proposed project. This study will also help inform the Planning Department Archeologist of the project site's subsurface geological conditions.
10. **Hazardous Materials.** The proposed project would add residential use to a site that is known to have contaminants. The campus site had a leaking underground storage tank (LUST), and the project site is adjacent to a former gas station site (San Francisco Fire Credit Union site). Therefore, the project is subject to Article 22A of the Health Code, also known as the Maher Ordinance. The Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH), requires

⁶ Refer to <http://sf-planning.org/index.aspx?page=1886> for latest "Greenhouse Gas Compliance Checklist for Private Development Projects."

the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6. The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, soil and/or groundwater sampling and analysis, as well as remediation of any site contamination, may be required. These steps are required to be completed prior to the issuance of any building permit.

DPH requires that projects subject to the Maher Ordinance complete a Maher Application, available at: <http://www.sfdph.org/dph/EH/HazWaste/hazWasteSiteMitigation.asp>. Fees for DPH review and oversight of projects subject to the ordinance would apply. Please refer to DPH's fee schedule, available at: <http://www.sfdph.org/dph/EH/Fees.asp#haz>. Please provide a copy of the submitted Maher Application and Phase I ESA with the EEA.

Because the existing building was constructed prior to 1980, asbestos-containing materials, such as floor and wall coverings, may be found in the building. The Bay Area Air Quality Management District (BAAQMD) is responsible for regulating airborne pollutants including asbestos. Please contact BAAQMD for the requirements related to demolition of buildings with asbestos-containing materials. In addition, because of its age (constructed prior to 1978), lead paint may be found in the existing building. Please contact the San Francisco Department of Building Inspection (DBI) for requirements related to the demolition of buildings that may contain lead paint.

11. **Tree Planting and Protection.** The Department of Public Works Code Section 8.02-8.11 requires disclosure and protection of landmark, significant, and street trees located on private and public property. Any such trees must be shown on the site plans with the size of the trunk diameter, tree height, and accurate canopy drip line. Please submit the *Tree Planting and Protection Checklist* with the EEA and ensure that trees are appropriately shown on site plans. Also see the comments below under "Street Trees."
12. **Water Supply Assessment.** The California Water Code Sections 10910-10915 require that a Water Supply Assessment (WSA) be prepared for any proposed project that meets the definition of a "water demand project" under Section 10912(a). The assessment determines whether available water supplies are sufficient to serve the demand generated by projects of a specified size, as well as the reasonably foreseeable cumulative demand in the service area over the next 20 years under a range of hydrologic conditions. The proposed project would require preparation of WSA. Please coordinate with the Environmental Review Officer at the San Francisco Planning Department or visit sfwater.org/index.aspx?page=75 for more information.
13. **Disclosure Report for Developers of Major City Projects.** The San Francisco Ethics Commission S.F. Camp. & Govt. Conduct Code § 3.520 et seq. requires developers to provide the public with information about donations that developers make to nonprofit organizations that may communicate with the City and County regarding major development projects. This report must be completed and

filed by the developer of any “major project.” A major project is a real estate development project located in the City and County of San Francisco with estimated construction costs exceeding \$1,000,000 where either: (1) The Planning Commission or any other local lead agency certifies an EIR for the project; or (2) The project relies on a program EIR and the Planning Department, Planning Commission, or any other local lead agency adopts any final environmental determination under CEQA. A final environmental determination includes: the issuance of a Community Plan Exemption (CPE); certification of a CPE/EIR; adoption of a CPE/Final Mitigated Negative Declaration; or a project approval by the Planning Commission that adopts CEQA Findings. (In instances where more than one of the preceding determinations occur, the filing requirement shall be triggered by the earliest such determination.) A major project does not include a residential development project with four or fewer dwelling units. The first (or initial) report must be filed within 30 days of the date the Planning Commission (or any other local lead agency) certifies the EIR for that project or, for a major project relying on a program EIR, within 30 days of the date that the Planning Department, Planning Commission, or any other local lead agency adopts a final environmental determination under CEQA. Please submit a Disclosure Report for Developers of Major City Projects to the San Francisco Ethics Commission. This form can be found at the Planning Department or online at <http://www.sfethics.org>.

PLANNING DEPARTMENT APPROVALS:

The project requires the following Planning Department approvals. These approvals may be reviewed in conjunction with the required environmental review, but may not be granted until after the required environmental review is completed.

1. **Rezoning.** As indicated in the ‘Preliminary Project Comments’ below, various aspects of the project conflict with both the current RM-1 Zoning of the site, as well as City Planning Commission Resolution No. 4109. The Preliminary Project Assessment application indicates the intent of the property owner to pursue a rezoning, potentially to an NC District. Additionally, as noted in the comments below, a Special Use District overlay to the current RM-1 District may also be a potential path for rezoning. In either case, rezoning of the property requires approval by the Board of Supervisors.
2. **Height District Reclassification.** As indicated in the ‘Preliminary Project Comments’ below, various components of the project exceed the current 40 foot height limit. Accordingly, a height district reclassification of the property must be sought. This also requires approval by the Board of Supervisors.
3. **Conditional Use.** Because the project may seek a rezoning to an NC District, the Code analysis below takes into consideration requirements related to the current RM-1 District, in addition to NC-1, NC-2, NC-3 and NC-S Districts. Depending on the applicable zoning, the following elements of the project may require Conditional Use Authorization by the Planning Commission: development of a building

more than 50 feet tall in an RM-1 District, establishment of an 'Other Entertainment Use' in an NC-1 District; establishment of an 'Administrative Service Use' in an NC-3 or NC-S District; establishment of an 'Automobile Parking' use in NC-1, NC-2, and NC-3 Districts; and, the Development of Large Lots in NC-1, NC-2, or NC-3 Districts. Additionally, through the Conditional Use Authorization process, the project may seek modifications to the front setback, rear yard, open space, and street frontage requirements of the Planning Code, as a Planned Unit Development pursuant to Section 304.

4. An **Office Allocation** from the Planning Commission is required per Planning Code Section 321 et seq. to establish more than 25,000 gross square feet of new office space.
5. A **Shadow Analysis** is required under Planning Code Section 295 as the project proposes building heights in excess of 40 feet, as measured by the Planning Code. A shadow analysis, attached, indicates that the project may cast new shadow on Laurel Hill Playground, which is under the jurisdiction of the Recreation and Parks Department. As a result the project requires that a shadow analysis must be performed per Planning Code Section 295. Please note that this preliminary analysis reflects the maximum building height (plus mechanical features) as applied to the entire lot.
6. A **General Plan Referral** application is required for the lot line adjustment of the Masonic Avenue property line.
7. A **Building Permit Application** is required for the proposed demolition of the existing structure(s) on the subject property.
8. A **Building Permit Application** is required for the proposed alteration of the existing structure(s) on the subject property.
9. A **Building Permit Application** is required for the proposed new construction on the subject property.

Conditional Use Authorization, Office Allocation, Shadow Analysis and General Plan Referral applications are available in the Planning Department lobby at 1650 Mission Street, Suite 400, at the Planning Information Center at 1660 Mission Street, and online at www.sfplanning.org. Building Permit applications are available at the Department of Building Inspection at 1660 Mission Street.

NEIGHBORHOOD NOTIFICATIONS AND PUBLIC OUTREACH:

Project Sponsors are encouraged, and in some cases required, to conduct public outreach with the surrounding community and neighborhood groups early in the development process. Additionally, many approvals require a public hearing with an associated neighborhood notification. Differing levels of neighborhood notification are mandatory for some or all of the reviews and approvals listed above.

In addition to neighborhood notification as required per Planning Code Section 311 (or 312), this project is required to conduct a **Pre-Application** meeting with surrounding neighbors and registered neighborhood groups before a development application may be filed with the Planning Department. The Pre-Application packet, which includes instructions and template forms, is available at www.sfplanning.org under the "Permits & Zoning" tab. All registered neighborhood group mailing lists are available online at www.sfplanning.org under the "Resource Center" tab.

Notification of a Project Receiving Environmental Review. Notice may be required to be sent to occupants of the project site and properties adjacent to the project site, as well as to owners and, to the extent feasible, occupants of properties within 300 feet of the project site at the initiation of the environmental review process. Please be prepared to provide mailing addresses on a CD upon request during the environmental review process.

PRELIMINARY PROJECT COMMENTS:

The following comments address specific Planning Code and other general issues that may substantially impact the proposed project.

1. RM-1, NC and Special Use Districts. The project proposes a combination of residential, office, commercial parking, retail and entertainment uses. Of these proposed land use categories, only residential uses are currently permitted in the existing RM-1 District. Accordingly, pursuing the project as proposed would require a rezoning of the subject property. The project description provided in the Preliminary Project Assessment application indicates the owner's interest in pursuing a rezoning of the property to an NC (Neighborhood Commercial) District, but does not specify which type of NC District. The four general NC Districts in Article 7 of the Planning Code are as follows: NC-1 (Neighborhood Commercial Cluster) District, NC-2 (Small-Scale Neighborhood Commercial) District, NC-3 (Moderate-Scale Neighborhood Commercial) District, and NC-S (Neighborhood Commercial Shopping Center District). The applicable land use controls for each proposed use are noted below and will be discussed, as relevant, in each forthcoming Planning Code requirement. The Project Sponsor is encouraged to match the proposal to the most appropriate district; however, a Special Use District overlay on RM or NC Zoning may be a preferred approach. For example, the California Street and Presidio Avenue – Community Center Special Use District, directly north of the subject property, is a hybrid of the RM-1 District and Sacramento Street Neighborhood Commercial District zoning controls. Ultimately, any such rezoning effort must be reviewed and approved by the Board of Supervisors. The Department strongly encourages the continued collaboration with the neighboring communities, as well as the District Supervisor, to determine the most appropriate zoning district.

- a. Residential Uses.** The project proposes residential uses throughout the property. All four general NC Districts principally permit residential uses subject to other requirements noted

- in Articles 1.2, 1.5 and 2 of the Planning Code such as density, open space, parking, unit exposure, and buildable area constraints.
- b. Retail Uses.** The project proposes retail uses throughout the property. ‘Other Retail Sales and Service’ uses, as defined in Planning Code Section 790.102 are generally principally permitted in every NC District at the 1st story. In NC-1 Districts, such uses are also subject to the more restrictive controls of any other (named) NC District or Restricted Use Subdistrict within a ¼-mile. In NC-2 and NC-S Districts such uses are principally permitted up to the second story, and at every story in NC-3 Districts. Please note that additional controls may apply to other types of retail uses such as Bars, Limited-Restaurants, and Restaurants.
 - c. Other Entertainment.** The project proposes retaining an existing 12,455 square foot auditorium space, which is currently accessory to the existing office use. The existing auditorium is an accessory use to the UCSF offices, and retaining the auditorium as part of the project would convert it to a principle use, such as ‘Other Entertainment,’ defined in Planning Code Section 790.38. Establishing an ‘Other Entertainment’ use in an NC-1 District requires Conditional Use authorization by the Planning Commission. All other general NC Districts principally permit ‘Other Entertainment’ uses at the 1st story; and at the 2nd story in NC-3 and NC-S Districts.
 - d. Office.** The demolition of existing structures or conversion of floor area dedicated to the site’s 363,218 square feet of existing nonconforming office use is an abandonment of that nonconforming use per Planning Code Section 183. Therefore, to re-establish office uses in the proposed new structures, the uses must comply with any applicable zoning controls. NC Districts allow two types of commercial office uses: ‘Business and Professional Service’ as defined in Planning Code Section 790.108, and ‘Administrative Service’ as defined in Planning Code Section 790.106. Business and Professional Service uses are principally permitted only on the 1st story in an NC-1 District, only up to the 2nd story in NC-2 and NC-S Districts, and at all levels in NC-3 Districts. Administrative Service uses are only allowed through Conditional Use authorization by the Planning Commission at the 1st and 2nd stories of NC-S Districts and at all levels in the NC-3 Districts. Further, the current proposal of 49,999 gross square feet of office space requires an Office Allocation from the Planning Commission per Planning Code Section 321 et seq. if establishing more than 25,000 gross square feet.
 - e. Commercial Parking.** The project includes 60 off-street parking spaces as part of a ‘Public Parking Garage’ defined in Planning Code Section 102. The existing RM-1 District does not permit public parking garages and, at this time, it is unclear if the described 60 “paid public parking spaces for community use” are legally noncomplying with regard to the Planning Code. Additional information is needed regarding the existing and proposed location of

these spaces and the date of their establishment to make that determination. Details relative to the existing and proposed depth of excavation for garages is also needed. Please note that if the spaces are determined to be legally noncomplying, but are otherwise removed or relocated through the elimination of existing surface parking lots or the reconstruction of an existing parking garage, the spaces will then be abandoned pursuant to Planning Code Section 183 and their re-establishment will need to conform to any applicable zoning controls. In NC Districts 'Automobile Parking' as a commercial use is defined in Planning Code Section 790.8 and is principally permitted in NC-S Districts, but requires Conditional Use authorization in NC-1, NC-2, and NC-3 Districts. Please note that any Conditional Use applications for parking exceeding accessory amounts must meet the additional criteria set forth in Planning Code Section 157. Given the Planning Department's concerns regarding the amount of proposed off-street parking referenced in both the 'Environmental Review' and 'Preliminary Design Comments' sections of this letter, you are strongly encouraged to substantially reduce or eliminate any proposed non-accessory commercial parking.

10. City Planning Commission Resolution 4109. In 1952, the City Planning Commission adopted Resolution 4109 which approved a rezoning of the subject property to a First Residential District and included additional stipulations subject to future development of the site. The site has subsequently undergone additional rezoning, as it is now within an RM-1 District. However, the stipulations of future development as outlined in Resolution 4109 continue to apply, absent modification by the Board of Supervisors per Planning Code Section 174. As expected, given that there have been more than 60 years of changes to the Planning Code there are some distinctions between the current RM-1 District controls and the stipulations outlined in Resolution 4109. In the project comments that follow, when there is an inconsistency, the more restrictive is noted as the guiding control. As indicated in the Preliminary Project Assessment application, the project may result in the rezoning of the property which requires review and approval by the Board of Supervisors. Amending Resolution 4109 would also require review and approval by the Board of Supervisors.

- a. Residential Uses.** In general, the RM-1 District controls are more restrictive than the Stipulations of Resolution 4109. However, the stipulations are more restrictive when defining the density and buildable area requirements as applicable to a portion of the subject property fronting on Laurel and Euclid Avenues. At present, the project does not comply with these restrictions and would require amending the Resolution.

11. Residential Density. The subject property is within an RM-1 District which permits a residential density of up to one unit per 800 square feet of lot area. However, as a Planned Unit Development the proposal may seek approval for a density equal to one less unit than what is permitted by the district with the next greater density (RM-2). In consideration of rezoning the property, please note the following maximum residential densities for each zoning district: NC-1, NC-2 and NC-S Districts, generally, up to one unit per 800 square feet of lot area; and, in NC-3 Districts, generally up to one

unit per 600 square feet of lot area. While additional information is necessary to calculate the exact maximum density for the area subject to Resolution 4109, initial calculations estimate approximately 508 units are allowed pursuant to the current RM-1 District zoning and Resolution and upon seeking the additional density allowed as a Planned Unit Development, the estimated maximum is 660 dwelling units. If the Resolution did not apply, these respective amounts become 558 and 743.

Ultimately, the proposal entails significantly fewer dwelling units than would be permitted under the site's current zoning. Given the City's need for housing and the tremendous opportunity presented by this unique 10-acre site, the Department strongly suggests that the project pursue residential densities approximating those which are currently allowed. As discussed in the comments that follow, any exceptions to the scale and massing provisions of the Planning Code that may ultimately be sought typically warrant a proportional increase in density. Should additional height and/or mass be necessary to achieve such density, it would seem most fitting along the California, Masonic and Presidio block faces, and generally in the northwest portion of the site.

- 12. Height Requirement.** The subject property is within a 40-X Height and Bulk District, restricting the maximum height of buildings to 40 feet above grade, as measured generally from curb at the center of each existing and proposed building. The upper measurement of the height limit changes depending on the grade at that location per Planning Code Section 260(a)(1). Additionally, the upper measurement of the height of a building varies based on the roof form per Planning Code Section 260(a)(2). While in general the proposal accurately applies these methodologies, curbs along the Walnut Street extension may not be used as the base of measurements because the Walnut Street extension is not a public right-of-way. Additionally, to confirm the accuracy of measurements for the existing office building please provide a section through the center of the structure that includes the location of existing grade at that location. Because the building has frontage on two or more streets, the owner may choose the street or streets from which the measurement of height is to be taken. The additional stories proposed for the altered structures will require that the project seek a Height District reclassification, which is reviewed and approved by the Board of Supervisors.
- 13. Proposed Buildings and Structures Exceeding 50 Feet in RM Districts.** Planning Code Section 253 requires Conditional Use authorization by the Planning Commission for any proposed building more than 50 feet in height. The existing office building is 66.5 feet tall from existing grade to the finished roof. The project proposes converting existing mechanical equipment above the roof to an additional two stories. This will require a Height District reclassification, as well as the required Conditional Use authorization from the Planning Commission if the property's zoning remains as an RM-1 District.
- 14. Special Height Exceptions for Active Ground Floor Uses.** The Preliminary Project Assessment application indicates an interest in rezoning the subject property to an NC District so that the buildings fronting on California Street may receive an additional 5 foot height increase if they provide active uses on the ground floor. Please note that Planning Code Section 263.20 does not

currently apply this special height exception to general NC Districts. The districts that can apply this increase are specifically identified in Section 263.20. Accordingly, to achieve a five foot height increase on California Street the project would need to reclassify the applicable Height District, integrate this exception into a proposed Special Use District, or pursue a text amendment to Section 263.20. Each of these options requires review and approval by the Board of Supervisors.

- 15. Lot Line Adjustment.** The project proposes a lot line adjustment that would extend the property's Masonic Avenue boundary into the public right-of-way. This adjustment requires a General Plan Referral because it includes the vacation of a public way and transportation route owned by the City and County. This adjustment will also require review by the Department of Public Works as a partial street vacation request.
- 16. Development of Large Lots.** Planning Code Section 121.1 requires Conditional Use authorization to develop on lots that are equal to, or greater than, 5,000 square feet in an NC-1 District, or 10,000 square feet in NC-2 and NC-3 Districts. This requirement is not applicable to lots of any size in RM-1 or NC-S Districts.
- 17. Floor Area Ratio.** Planning Code Sections 124 (NCs) and 209.2 (RM-1) limit the Floor Area Ratio of non-residential uses to the following maximums: 1.8 in RM-1, NC-1, and NC-S Districts; 2.5 in NC-2 Districts and 3.6 in NC-3 Districts. The Floor Area Ratio calculation includes all non-residential uses, accessory parking located above grade, and any non-accessory parking. Assuming the proposed non-accessory off-street parking occupies 93,023 square feet of gross floor area; the total non-residential uses result in a Floor Area Ratio less than 1.8 and would comply with the current RM-1 District requirement.
- 18. Front Setback.** Planning Code Section 132 requires that new developments in RM-1 Districts provide front setbacks. If situated on a corner lot, the owner may elect which street or alley to designate as the front of the property. The Preliminary Project Assessment application does not indicate this designation. If the Project Sponsor elects either the property's California Street or Presidio Avenue/Masonic Avenue frontages, the required front setback is equal to half of the adjacent neighbor's front setback. Alternatively, the Project Sponsor could choose the Laurel Street or Euclid Avenue frontages and adhere to the setback noted in Resolution 4109 for the portion of the property to which it applies, and then apply Section 132 to any remaining frontage. The project can seek a modification to the requirements of Section 132 through a Planned Unit Development. Note that NC Districts do not have front setback requirements.
- 19. Rear Yard.** The required rear yard for properties in RM-1 Districts is 45 percent of the lot depth. The project does not currently provide a code-complying rear yard. Therefore, the project must seek a modification to the requirements of Planning Code Section 134 as a Planned Unit Development. If the property is re-zoned to an NC District, Planning Code Section 134 requires a rear yard of 25 percent

of the lot depth at the lowest level containing a dwelling unit. However, the required rear yard for corner lots in NC Districts may be further modified by the Zoning Administrator per Section 134(e)(2). In general, this alternative requires that the project provide compensating open areas on the lot equal to 25 percent of the lot area, with minimum horizontal dimensions of 15 feet. Alternatively, under NC District zoning, the project could also seek a modification as a Planned Unit Development.

20. **Open Space.** Planning Code Section 135 requires each dwelling unit in an RM-1 District to have access to a minimum of 133 square feet of open space, if private, or 100 square feet of open space if common. In NC Districts the range of open space required per unit, depending on the specific district, is 100 to 133 square feet, if private, or 80 to 100 square feet, if common. Additional information is needed to determine how the project complies with this requirement for each individual unit and to confirm that the spaces comply with the dimensional requirements for either private or common spaces. If necessary, the project can pursue a modification as a Planned Unit Development. However, when evaluating a Planned Unit Development, per Section 304(d)(3), the Planning Commission must consider whether the project provides open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by the Code.
21. **Streetscape Plan.** The project proposes new construction on a property greater than half an acre, and as such, requires the submittal of a Streetscape Plan to the Planning Department to ensure that the new streetscape and pedestrian elements are in conformance with the Department's Better Street Plan. This Streetscape Plan shall be submitted to the Planning Department no later than 60 days prior to any Planning Commission action, and shall be considered for approval at the time of other project approval actions. The streetscape plan should show the location, design, and dimensions of all existing and proposed streetscape elements in the public right-of-way directly adjacent to the fronting property, including street trees, sidewalk landscaping, street lighting, site furnishings, utilities, driveways, and curb lines, and the relation of such elements to proposed new construction and site work on the property. Please see the Department's Better Streets Plan and Section 138.1(c)(2)(ii) for the additional elements that may be required as part of the project's streetscape plan. Additional comments from the Streetscape Design Advisory Team (SDAT) are provided in the 'Preliminary Design Comments' section below.
22. **Dwelling Unit Exposure.** Section 140 requires that each dwelling unit have at least one room that meets the 120 square foot minimum superficial floor area requirement of Section 503 of the Housing Code, and that it faces directly onto a street right-of-way, code-complying rear yard, or an appropriately sized courtyard. It's unclear if units in the inner northeast corner of Plaza B and the inner northwest corner of the Walnut Building comply with this section because of the proposed notching in the building. Please consider these units when revising the plans. While the project may pursue a modification as a Planned Unit Development, the Department generally encourages projects to minimize the number of units needing an exposure exception.

- 23. Parking Screening and Greening.** Off-street parking and ‘vehicle use areas’ adjacent to the public right-of-way in all zoning districts must be screened per the requirements of Planning Code Section 142. Most of the proposed off-street parking is provided in underground parking garages and complies with this section. However, the proposed ‘on-street’ parking on the Walnut Street extension is adjacent to a public right-of-way and not screened. As the Walnut Street extension is not a proposed public street, the project must provide screening for these spaces or seek a modification from Section 142 as a Planned Unit Development.
- 24. Street Frontages in RM Districts.** Planning Code Section 144 restricts entrances to off-street parking to no more than one-third of the width of the ground story along the front lot line, or along a street side lot line, or along a building wall that is set back from any such lot line; but in no case less than 10 feet or more than 20 feet. Where two or more separate entrances are provided there shall be a minimum separation between such entrances of six feet. The proposed entrances at the Walnut Street extension and on Presidio and Masonic Avenues all exceed 20 feet and require a modification of Section 144 as a Planned Unit Development. This restriction does not apply to properties in NC Districts.
- 25. Moderation of Building Fronts in RM-1.** Planning Code Section 144.1 requires that every dwelling in an RM-1 District, on a lot with a width of more than 35 feet, must provide a stepping of the building along the front lot line by at least one of the following methods: (1) variation of the upper limit of the front elevation of the building, at intervals of not more than 35 feet, by a minimum of two feet in height, with not less than 30 percent of the width of such elevation varied in this way from the height of the remainder of such elevation; and/or, (2) variations of the depth of the front building wall from the front lot line, at intervals of not more than 35 feet, by a minimum of two feet in depth, with not less than 30 percent of the width of such front building wall varied in this way from the depth of the remainder of such wall. Currently the proposed Plaza A, Walnut, California, Presidio, Masonic and Euclid buildings do not comply with this requirement. The project may pursue an exception from Section 144.1 as a Planned Unit Development. Note that this requirement does not apply to NC Districts.
- 26. Street Frontages in NC Districts.** Planning Code Section 145.1 sets specific standards with regard to frontages, outdoor activity areas, and ground floor uses for developments in Neighborhood Commercial districts. Please consider these requirements if pursuing a rezoning to an NC District. The maximum permitted width of parking and loading entrances is limited to 20 feet in all NC Districts, with the exception of NC-S Districts where the maximum is 50 feet. As proposed, the project requires a modification from this requirement as a Planned Unit Development.

- 27. Off-Street Parking Required.** Off-street parking requirements in RM-1 and NC Districts (with the exception of NCT Districts) are set forth in Planning Code Section 151. The following table breaks down this requirement by proposed land use category:

<i>Land Use Category</i>	<i>Off-Street Parking Requirement</i>
Residential	One space per dwelling unit. (558 required)
Public Parking Garage	Not considered accessory parking.
Entertainment/Theater Use	One space for every eight seats. (37 required)
Retail (general)	One per every 500 square feet of occupied floor area* for the first 20,000 square feet; plus one per 250 square feet of occupied floor area above 20,000 square feet. (152 required)
Office (general)	One per every 500 square feet of occupied floor area.* (80 required)
Total	827

*Assumes occupied floor area is equal to 0.8 of gross floor area.

The project requires a total of 827 off-street parking spaces that are accessory to the principles uses, and proposes 815 spaces. The project may seek to provide less than the required amount of accessory off-street parking as a modification request per the findings noted in Section 307(i) and as a Planned Unit Development. Such a reduction in parking is consistent with the direction provided in both the 'Environmental Review' and 'Preliminary Design Comments' sections of this letter. Future iterations of the proposal should demonstrate how the project complies with the required dimensions of off-street parking spaces per Planning Code Section 154. Also, please note that specific types of retail and office uses may have different parking requirements.

- 28. Off-Street Freight Loading.** Planning Code Section 152 requires properties in both RM-1 and NC Districts (with the exception of NCT Districts) to provide one off-street freight loading space for an amount of retail floor area between 10,000 and 60,000, and four off-street freight loading spaces for a combination of office, residential and entertainment uses that is greater than 500,000 square feet. The project proposes five off-street freight loading spaces. Future iterations of the proposal should demonstrate how the project complies with the required dimensions of freight loading spaces per Planning Code Section 154.
- 29. Bicycle Parking.** Planning Code Section 155.2 requires properties in all zoning districts to provide Class 1 and Class 2 bicycle parking spaces for new developments. The following table breaks down this requirement by proposed land use category:

<i>Land Use Category</i>	<i>Class 1</i>	<i>Class 2</i>
Residential	One per dwelling unit up till 100, then one per every four units. (215 required)	One per every 20 dwelling units. (28 required)
Public Parking Garage	None (0 required)	One per twenty spaces, but no less than six. (6 required)
Entertainment Use	Five spaces for venues with a capacity of less than 500 guests. (5 required)	One per every 500 seats or one for each 50 person capacity. (1 required)
Retail (general)	One per every 7,500 square feet of occupied floor area.* (6 required)	Ten for the first 50,000 square feet of occupied floor area and one for each additional 10,000 square feet of occupied floor area.* (11 required)
Office (general)	One per every 5,000 square feet of occupied floor area.* (8 required)	Minimum of two if greater than 5,000 square feet of occupied floor area, plus one for ever additional 50,000 square feet of occupied floor area.* (3 required)
Total	226	49

*Assumes occupied floor area is equal to 0.8 of gross floor area.

The proposal includes approximately 238 Class 1 bicycle parking spaces and 48 Class 2 bicycle spaces. The project may seek an exception from Section 155.2 as a Planned Unit Development; however, the Department encourages compliance with this requirement. Further, when submitting future proposals, please indicate how the location of proposed spaces correspond to the distribution of the proposed uses.

- 30. Showers and Lockers.** Planning Code Section 155.4 requires properties in all zoning districts to provide showers and lockers for new developments if they include any of the following land use categories: Entertainment, Arts and Recreation Uses; Non-Retail Sales and Services Uses; and Retail Sales and Services Uses. Planning Code Section 102 further distinguishes between Non-Retail and Retail Professional Services, which corresponds to differences in RM-1 and NC Districts relative to the definition of office uses. As such, because shower and locker requirements are calculated based on the aggregate of the proposed uses, additional information relative to the type of proposed office uses (i.e. professional service v. administrative service) is necessary to determine the required number of showers and lockers for the proposal. If necessary, the project may seek an exception from Section 155.4 as a Planned Unit Development.

- 31. Car Share Parking.** Planning Code Section 166 requires that residential uses of 201 or more units provide two car share spaces, plus one more for each additional 200 dwelling units over 200. Additionally, for non-residential uses and non-accessory parking facilities of 50 or more spaces, projects must provide one space, plus one more for each additional 50 spaces over 50. Overall, the project requires and provides 10 car share parking spaces; however, this amount may change if the proposal diminishes the amount of proposed accessory or commercial parking. Please also identify the location of any car share parking locations, considering that Section 166 requires the parking areas to be designed in a manner that will make the car-share parking spaces accessible to non-resident subscribers from outside the building, as well as, building residents.
- 32. Unbundled Parking.** Planning Code Section 167 outlines a requirement for unbundled parking spaces for newly constructed residential buildings of ten dwelling units or more. All off-street parking spaces accessory to residential uses shall be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space. The Planning Commission may grant an exception from this requirement for projects which include financing for affordable housing that requires that costs for parking and housing be bundled together.
- 33. Baby Diaper-Changing Accommodations.** New retail sales and service uses or retail entertainment and recreation uses that are 5,000 square feet or more are “Public-Serving Establishments” per Planning Code Section 168 and must provide baby diaper-changing accommodations at each floor level of the use containing restrooms accessible to the public. Please demonstrate how any applicable uses comply with this requirement.
- 34. Shadow Analysis (Section 295).** Section 295 requires that a shadow analysis must be performed to determine whether the project has the potential to cast shadow on properties under the jurisdiction of the San Francisco Recreation and Park Commission. Department staff has prepared a shadow fan that indicates the project may cast new shadow on Laurel Hill Playground. This is based on a study that applies the tallest building height to the entire property. Therefore, a detailed shadow analysis would need to be prepared to determine if the project would create new shadow in that results in an adverse impact to Laurel Hill Playground, pursuant to Section 295. If this detailed shadow analysis finds that the project would cast shadow on Laurel Hill Playground, the sponsor should explore sculpting of portions of the project to avoid casting new shadows on the park.
- 35. Noise Regulations Relating to Residential Uses Near Places of Entertainment (POE).** New residential development within 300 feet of a Place of Entertainment must go through an Entertainment Commission outreach process (Ordinance Number 070-015). In addition, new residential development will also be required to record a Notice of Special Restrictions (NSR) on the site. The subject site is located within 300 feet of an existing POE, see enclosed map. Please note that

the Planning Department will not consider an entitlement application complete until the following are completed:

- a. The Entertainment Commission has provided written notification to the Planning Department indicating that it either did not wish to hold a hearing, or that it held a hearing and the Project Sponsor attended; and
- b. The Project Sponsor has included a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project as well as the date(s) when the those comments were provided. This shall be done as an additional sheet in any plan set submitted to the Planning Department and as an attachment in an entitlement application.

You may contact Entertainment Commission staff at (415) 554-6678 or visit their webpage at <http://www.sfgov2.org/index.aspx?page=338> for additional information regarding the outreach process.

- 36. Impact Fees.** This project will be subject to various impact fees. Please refer to the Planning Director's Bulletin No. 1 for an overview of Development Impact Fees, and to the Department of Building Inspection's Development Impact Fee webpage for more information about current rates.

Based on an initial review of the proposed project, the following impact fees, which are assessed by the Planning Department, will be required:

- a. Transportation Sustainability Fee (411A)
- b. Child-Care (Residential) (414A)
- c. Affordable Housing Fee (415)

- 37. Interdepartmental Project Review.** This review is required for all proposed new construction in seismic hazard zones, in which the subject property falls. An application is enclosed.

- 38. First Source Hiring Agreement.** A First Source Hiring Agreement is required for any project proposing to construct 25,000 gross square feet or more. For more information, please contact:

Ken Nim, Workforce Compliance Officer
CityBuild, Office of Economic and Workforce Development
City and County of San Francisco
50 Van Ness Avenue, San Francisco, CA 94102
(415) 581-2303

- 39. Inclusionary Affordable Housing.** Inclusionary Affordable Housing is required for a project proposing ten or more dwelling units. The Project Sponsor must submit an 'Affidavit of Compliance

with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department identifying the method of compliance, on-site, off-site, or affordable housing fee. The following Inclusionary Affordable Housing requirements are those in effect at the time as of issuance of this letter. In the event that the requirements change, the Project Sponsor shall comply with requirements in place at the time of the issuance of first construction document. Any on-site affordable dwelling-units proposed as part of the project must be designated as owner-occupied units, not rental units; unless a Costa Hawkins agreement is possible. Affordable units designated as on-site units shall be affordable units for the life of the project. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application.

The current minimum Affordable Housing Percentages are 20% affordable housing fee, 12% on-site, or 20% off-site. Therefore, as proposed, the project would have a minimum requirement of 67 units if provided on-site and 112 units if provided off-site. However these percentages are subject to change under a proposed Charter amendment and additional pending legislation if the voters approve the Charter Amendment of the June 7, 2016 election. Recently adopted Ordinance No. 76-16 (File No. 160255) will become effective after the election is certified and includes grandfathering provisions for projects that were submitted to the Planning Department prior to January 12, 2016. If the Project is subject to a different requirement upon approval of the Charter Amendment, and new legislative requirements take effect, the Project must comply with the applicable requirements at the time of compliance.

For your information, if a project proposes rental units, it may be eligible for an On-site Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are either: 1) ownership only or 2) not subject to the Costa Hawkins Rental Housing Act (a Costa Hawkins exception). Affordable units are not subject to the Costa Hawkins Rental Housing Act under the exception provided in Civil Code Sections 1954.50 through one of the following methods:

- a. direct financial construction from a public entity
- b. development bonus or other form of public assistance

A Costa Hawkins exception agreement is drafted by the City Attorney. You must state in your submittal how the project qualifies for a Costa Hawkins exception. The request should be addressed to the Director of Current Planning. If the project is deemed eligible, we may start working with the City Attorney on the agreement.

40. **Stormwater.** If the project results in a ground surface disturbance of 5,000 sf or greater, it is subject to San Francisco's stormwater management requirements as outlined in the Stormwater Management Ordinance and the corresponding SFPUC Stormwater Design Guidelines (Guidelines). Projects that trigger the stormwater management requirements must prepare a Stormwater Control Plan

demonstrating project adherence to the performance measures outlined in the Guidelines including: (a) reduction in *total volume* and *peak flow rate* of stormwater for areas in combined sewer systems OR (b) *stormwater treatment* for areas in separate sewer systems. The SFPUC Wastewater Enterprise, Urban Watershed Management Program is responsible for review and approval of the Stormwater Control Plan. Without SFPUC approval of a Stormwater Control Plan, no site or building permits can be issued. The Guidelines also require a signed maintenance agreement to ensure proper care of the necessary stormwater controls. To view the Stormwater Management Ordinance, the Stormwater Design Guidelines, or download instructions for the Stormwater Control Plan, go to <http://sfwater.org/sdg>. Applicants may contact stormwaterreview@sfwater.org for assistance.

PRELIMINARY DESIGN COMMENTS:

The following comments address preliminary design issues that may substantially affect the proposed project. These comments are compiled by the Urban Design Advisory Team (UDAT) and the Streetscape Design Advisory Team (SDAT):

1. **Site Design and Open Space.** The Planning Department is encouraged by the proposal's abundant open space and retention of significant landscape features honoring the former use. Key to the success of the open space will be how well it connects with the neighborhood, and how the public moves through the site. A central goal for sites larger than a typical city block is to reconnect them to the existing street grid. However, the retention and re-purposing of the existing building in the center of the site in conjunction with the sloping site inhibit such direct connection. Furthermore, the location of existing streets – as a result of the confluence of varying street grids at this unique juncture – also hinders the ability for such a direct alignment. The site factors encourage a less-Cartesian grid site plan and massing approach, lending itself to a more improvisational approach similar to a hill top village. This could be augmented by the hands of multiple architects and building types and heights. The Department recommends that the open spaces be more intentionally defined and enclosed by building forms and active uses fronting the open space, while at the same time being more directly connected to each other and the adjacent street pattern.
 - a. **Connectivity to the existing street network.** Connecting the site to the existing street network is of paramount importance for three reasons: (1) to moderate the scale of development in a manner that harmonizes with the neighboring contexts; (2) to provide a legible urban pattern; and, (3) to provide an open and welcoming public open space network as a means of avoiding the internal open space network from feeling private. The Planning Department recommends further exploration of means to provide a significant and meaningful north-south through connection by aligning with Walnut Street and terminating at or near the corner of Masonic and Euclid Avenues. The Planning Department requests a single, clear, and primary north-south connection that both allows and encourages members of the public to traverse the site along the Walnut Street alignment, connecting to the intersection of Masonic and Euclid Avenues. This north/south pathway may meander

through the site and does not need to be a straight axial pathway. Consider accommodating a portal through 'Building A' to support north-south public access. The entirety of the pathway should be accessible to all users. Done successfully, the major north/south connection should be clearly legible and inviting. Additionally, greater emphasis should be placed on the use, building form, and public space at the intersection of Euclid and Masonic avenues, as a primary destination and entrance to the southern half of the project site.

- b. Open space and pedestrian circulation network.** Not all the internal walks will serve the same function, or receive the same intensity of use. Some should, and will, be more public than others. The size, adjacencies, and design of the walks and open spaces should reflect that. Planning prefers to have a smaller number that would more likely receive intense use, than many that may be underused and need to be secured. There are a number of walks that seem more secondary. Develop a hierarchy of open spaces within the project by clearly defining and differentiating those from main paths to those that connect the network to the neighboring context.

The Planning Department recommends all buildings fronting open spaces and walks which either have commercial space, or ground floor residential units with direct access from the walks and which provide active uses adjacent to the open space, as per the Ground Floor Residential Design Guidelines.

The Mayfair Drive extension provides a critical, though indirect, connection to Pine Street. The Planning Department recommends that this be the primary east-west connection that allows and encourages the public to traverse the site from Mayfair Drive to the intersection of Presidio Avenue and Pine Street. It should be open to the sky, accessible to all users for its entirety, and terminate the axis in a specific and substantive manner. Other east-west circulation routes may not be as primary and could be made smaller or deemphasized in scale. The Department also recommends providing an accessible route from California Street to the proposed Market Plaza.

- c. Open Spaces.** The Planning Department requests that the open spaces within the site be better-defined. For example, the Market Plaza bleeds into the intersection of Laurel Street and Mayfair Drive, making both ambiguous. Euclid Park seems to show retaining walls and other interruptions. It is strongest as a single zone of lawn.
- 2. Building Massing, Siting, and Orientation.** Buildings should generally follow the grain and orientation of the prevailing urban patterns. Where none exist or are illegible, this may mean modulating building in 25-35 foot wide increments, typical of residential lot patterns, and oriented to maintain a consistency of street-fronting buildings. The Department recommends stepping the

building frontage along Masonic with the hill in increments that are responsive to changes in grade such that ground floor residential units are between 3 feet and 5 feet above grade.

3. **Off-Street Parking.** The current proposal shows 558 dwelling units with 885 parking spaces, which translates to 1.6 parking spaces per dwelling unit. As noted in the 'Environmental Review' comments, the quantity of parking proposed will likely trigger several measures to offset automobile usage through the Transportation Demand Management program (TDM) which is designed to incentivize transit and active transportation modes like walking and biking and depress demand for single occupancy vehicle use by residents of and visitors to the site. Since the project site is within a quarter mile (5 minute walk) of numerous transit lines, several of which fall on the Muni Rapid network, the Planning Department strongly encourages the project sponsor to reduce the off-street parking ratio within the project.
4. **Bicycle Network and Infrastructure.** The project sits at the intersection of several bike routes: an east/west route on Euclid Avenue (currently marked with striped bike lanes) and a north/south route on Presidio Avenue (currently marked with sharrows). The project site is also close to important routes on Arguello Avenue, Washington Street, Clay Street and Post Street. The Department encourages further accommodation of bicycle use as a preferred mode choice through accommodating bicycle circulation throughout the site and connecting it to the existing citywide bike network, bike parking, and other on-site features. The project should enable bicycles to use the internal circulation system through-out the site. Additionally, the Planning Department encourages secured bicycle parking to be as close and accessible as possible to the residential uses and at-grade. They should also be located to minimize conflict with automobiles.
5. **Architectural Design.** At this point the architecture is assumed to be schematic and the Planning Department will provide further detailed design review on the subsequent submission. The Department lauds the inclusion of multiple designers. The architecture and landscape design should support the central organizing concept or theme and reinforce one another. When developing more detailed architectural design, please consider the following:
 - a. **Ground Level Street Frontage.** Ground floor dwelling units should have set back and raised landscaped entries that range from three to five feet above grade, and which provide direct access from the street, as per the draft Ground Floor Residential Design Guidelines.
 - b. **Planned Unit Development.** Modifications to the Planning Code that are sought through the Planned Unit Development review process should be responded to by exceptional design. The proposed architectural design, while preliminary, needs to be analyzed in its relation to open space and adjacent building form and massing. The massing is expected to be refined and articulated. High quality materials and are expected to be developed as the building design progresses.

6. **Streetscape and Pedestrian Improvements.** The following comments relate to the specific application of Better Streets Plan policies to the proposed project, as reviewed by the Department's Streetscape Design Advisory Team (SDAT):

a. **Better Streets Plan.** The Better Streets Plan (BSP) adopted by the city in December 2010, provides a comprehensive set of guidelines for the design of San Francisco's pedestrian realm. The Plan seeks to balance the needs of all street users, with a particular focus on the pedestrian environment and how streets can be used as public space. The BSP policies can be found at: www.sfbetterstreets.org. Per the BSP, the classification of the streets adjacent to the project site and their suggested improvements are as follows:

- California Street is classified as a Residential Throughway west of Walnut Street, and as a Commercial Throughway east of Walnut Street. The project team should design all of the California Street frontage to comply with the Commercial Throughway standards given the commercial nature of the proposed land uses west of Walnut Street. Both Residential and Commercial Throughways have a recommended sidewalk width of 15 feet.
- Presidio Avenue is classified as a Neighborhood Commercial Street with a recommended sidewalk width of 15 feet.
- Masonic Avenue is classified as a Residential Throughway with a recommended sidewalk width of 15 feet.
- Laurel Street and Euclid Avenue are classified as a Neighborhood Residential streets with recommended sidewalk widths of 12 feet.

b. **Pine/Presidio/Masonic Intersection.** SDAT supports the project sponsor's concept for increasing safety at the Pine/Presidio/Masonic intersection by normalizing the curb alignment and activating the corner. In addition to coordinating with the Department of Public Works, proposed lot line adjustments at corners of Masonic Avenue with Euclid and Presidio Avenues, the project sponsor should coordinate with the Municipal Transportation Agency (SFMTA) circulation requirements.

c. **Walnut Street Extension.** Access to parking from the Walnut Street extension should be minimized to reinforce the sense of the Walnut Street extension as a true street rather than a service and garage access lane. The width of the parking entrances should be no greater than a single lane, 12 feet. Garage doors should be brought to the face of buildings rather than recessed in driveways. Sidewalks should span the driveways on the Walnut Street extension and the driveways should have curb aprons as opposed to the curb returns, as shown. This will allow for a contiguous public sidewalk into the site. Additionally, UDAT recommends prohibiting cars

beyond the garage access points, eliminating the drop-off zone and providing active ground floor use at that location. This change will directly affect the proposed porte-cochere / drop-off area at the southeastern end of the Walnut Street extension. Finally, consider bulb-outs at the intersection of Walnut and California Streets, such that they extend into both the Walnut and California right-of-ways (instead of solely the California right-of-way as shown in the current plan set). Bulb-outs on Walnut Street should be compliant with the Better Streets Plan and should extend a minimum of 5 feet beyond the property line before the curb return begins. SDAT supports the generous bulb-outs on California Street and encourages the design team to consider how understory plantings, seating, special paving, public art or similar elements can program these large bulb-outs and act as a gateway into the project site.

- d. **Masonic Avenue.** The Planning Department supports the concept of regulating the Masonic/Euclid intersection by building a corner plaza and reducing the curb radius at both Euclid and Masonic Avenues. Consider further improving the pedestrian realm by planting large canopy trees along the Masonic Avenue frontage that match the scale of the trees across the street from the project site. This block of Masonic Avenue carries high vehicle flows. The street configuration is unlikely to substantively change in the near term. A cohesive tree canopy can have an ameliorative traffic calming effect on the street.
- e. **Mayfair Drive & Laurel Street Intersection.** Laurel Street has an excessively wide corner radius in the northbound direction at the Mayfair Drive intersection. The project sponsor should reduce the corner radius by squaring off the intersection at this location, creating a 3-way stop. This will result in a corner plaza similar to the one proposed at Masonic and Euclid Avenues, which will act as a gateway to the central open space proposed at the northeast corner of the site.
- f. **Euclid Avenue.** Consider a double row of trees in a park edge condition along Euclid Avenue, as a method to define the park and bikeway. Design Euclid Avenue per the Better Streets Plan “Park Edge Street” typology. Additionally, consider a protected bike facility on Euclid Avenue adjacent to the park.

PRELIMINARY PROJECT ASSESSMENT EXPIRATION:

This Preliminary Project Assessment is valid for a period of **18 months**. An Environmental Evaluation, Conditional Use Authorization, and/or Building Permit Application, as listed above, must be submitted no later than **January 14, 2018**. Otherwise, this determination is considered expired and a new Preliminary Project Assessment is required. Such applications and plans must be generally consistent with those found in this Preliminary Project Assessment.

Enclosure: Neighborhood Group Mailing List
 Interdepartmental Project Review Application
 Preliminary Shadow Study

Place of Entertainment Map

cc: Don Bragg, Property Owner
Brittany Bendix, Current Planning
Debra Dwyer, Environmental Planning
Amnon Ben-Pazi, Citywide Planning and Analysis
Jonas Ionin, Planning Commission Secretary
Charles Rivasplata, SFMTA
Jerry Sanguinetti, Public Works
Pauline Perkins, SFPUC
June Weintraub and Jonathan Piakis, DPH
Planning Department Webmaster (planning.webmaster@sfgov.org)

ATTACHMENT E:
CUA APPEAL LETTER




Laurel Heights Improvement Association of San Francisco, Inc.

BY HAND

October 7, 2019

San Francisco Board of Supervisors
c/o Clerk of the Board of Supervisors
City and County of San Francisco
City Hall, Room 244
San Francisco, CA 94102

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BY 

Re: 3333 California Street, San Francisco, CA

Record Number: 2015-014028CUA/PCA/MAP/DUA

Appeal of Planning Commission's Approval of Conditional Use/ Planned Unit Development

Laurel Heights Improvement Association of San Francisco, Inc. (LHIA) hereby appeals from the conditional use authorization and planned unit development authorization approved by the San Francisco Planning Commission on September 5, 2019 for 3333 California Street. As President of LHIA, I am authorized to file this appeal on behalf of LHIA.

Appellant LHIA and its officers submitted comments objecting to these approvals to the Planning Commission both orally and in writing at the public hearings on the approvals.

Members of LHIA reside in properties that are within 300 feet of the 3333 California Street site on Laurel Street and Euclid Avenue as shown in the approximate annotations I have made on the map attached as Exhibit A, and other LHIA members reside in properties nearby the 3333 California Street site. Members of LHIA will be affected by the construction and operational noise, traffic, air emissions, impairment of the historical resource, excavation, destruction of trees and other impacts caused by the proposed project.

1. The Board Should Overturn or Modify the Conditional Use Authorization Because the Proposed Project, At the Size and Intensity Contemplated, Is Not Necessary or Desirable for, and Compatible With, the Neighborhood or the Community.

The Board should overturn or modify the Conditional Use authorization for retail uses and other non-residential uses because they are not necessary or desirable for the neighborhood under Planning Code section 303. The project site is directly adjacent to Laurel Village shopping center and near Sacramento Street shops, Trader Joe's, Target, and Geary Street and Presidio Avenue retail store, so retail is not needed on the project site. The retail sector is in decline and competition from project retail uses could adversely impact the viability of existing retail uses in the adjacent Laurel Village. A Laurel Village merchant told me that after Target moved into the nearby City Center, business at Laurel Village declined. Also, recently there have been

approximately four vacancies within a short period of time in Laurel Village, which is an unprecedented situation. Owners of Bryan's and Cal-Mart have stated that the surrounding neighborhoods are now well served by a diversity of retail businesses in Laurel Village, Sacramento Street, Presidio Avenue, Trader Joe's, and Target at an expanding City Center. Ex. B.

Retail uses are also not necessary or desirable because the number of project retail parking spaces has been reduced from 188 spaces to 74 spaces. Ex. A, Responses to Comments on Draft EIR 2.33, excerpt. The reduction in retail parking spaces is not necessary or desirable for the Laurel Village merchants and community because the reduction will likely cause project retail customers to park in the adjacent Laurel Village parking lot, which is an above-ground lot.

This reduction in retail parking was disclosed late in the proceeding. The Project's July 3, 2019 plan sheet VAR.01b states that the proposed project variant would have 74 retail parking spaces, 29 childcare parking spaces, 744 residential parking spaces, no office parking spaces, no commercial parking spaces, for a total of 857 parking spaces. (Ex. C, July 3, 2019 plan sheet VAR.01b) The Draft EIR stated that the proposed 744-unit Project Variant would provide 188 retail parking spaces, 744 residential parking spaces and 29 "Other Non-residential (Daycare)" parking spaces, for a total of 961 parking spaces. DEIR4.C.77.

The volume of traffic from the retail uses at the Project would also be undesirable. The Draft EIR projected that the project retail uses would cause 8,153 daily auto trips. Ex. M, DEIR Traffic Appendix Chart. Even though the retail uses were reduced in the Special Use District from 54,117 square feet to 34,496 square feet, the proportionally reduced retail traffic would still be substantial at 5,196 auto trips per day from retail uses. Ex. C, 8-17-2017 Plan sheet G3.02a and 8-30-2019 plan sheet

2. In the Alternative, the Board Should Modify the Conditional Use Authorization/Planned Unit Development to Recommend that NC-1 Controls be Used in the Special Use District Rather than the More Intensive NC-S Controls.

NC-1 District controls are prescribed for retail uses authorized in Residential districts in Planned Unit Developments under Planning Code section 304:

In R Districts, include Commercial Uses only to the extent that such uses are necessary to serve residents of the immediate vicinity, **subject to the limitations for NC-1 Districts under this Code.** (Ex. D, excerpts Planning Code section 304, emphasis added)

NC-1 Districts "are intended to serve as local neighborhood shopping districts" under Planning Code section 710 and permit operations from 6 a.m. to 11 p.m, with conditional use authorization for operations from 11 p.m. to 2 a.m. (Ex. E, excerpts Planning Code section 710)

NC-S Districts are more intensive and “are intended to serve as small shopping centers or supermarket sites which provide retail goods and services for primarily car-oriented shoppers under Planning Code section 713. (Ex. F, excerpts Planning Code section 713) NC-S controls are intended to serve “the immediate and nearby neighborhoods” but Planned Unit development authorizations are allowed “only to the extent that such uses are necessary to serve residents of the immediate vicinity.” Planning Code section 304. Since the Project would provide only 74 retail parking spaces, the Project would not sufficiently serve primarily car-oriented shoppers in an NC-S District. Also, NC-S districts permit operations from 6 a.m. to 2 a.m., with conditional use authorization for 24-hour operations. (Ex. E) These controls are not desirable for the area, which is predominantly residential.

NC-1 controls would be consistent with the SUD’s description of “34,396 square feet of neighborhood-serving retail.”

3. Alternatively, the Board Should Limit Permitted Hours of Operation to 6 a.m. to 11 pm.

The Board should change permitted hours of operation for non-residential uses in the Special Use District to 6 a.m. to 11 p.m., as allowed for NC-1 Districts authorized for a Planned Unit Development, rather than 2 a.m., which would be allowed in an NC-S District.

4. Alternatively, the Board Should Eliminate Flexible Retail and Social Service and Philanthropic Facilities from the Special Use District Because they Were Not Disclosed in the EIR and Are Not Necessary For or Compatible With the Neighborhood.

The EIR did not disclose potential Flexible Retail, Social Service or Philanthropic Facility use, and such uses are not permitted in an NC-S District. (Planning Code section 713) It is not necessary or desirable to add such uses to the Special Use District, as the project would not provide parking for office uses, which Social Service or Philanthropic Facility uses are classified as under Transportation Demand Management Program. Ex. G, TDM excerpts. The EIR disclosed only general retail uses, ---- full-service restaurant uses and ----composite restaurant uses.

Flexible retail uses are not desirable in the area because they would not require neighborhood notification for multiple uses in the same space (with 2 uses required and up to 5 permitted) unless the underlying zoning classification required notice. (Board of Supervisors File 180806)

5. Alternatively, to Conform With the Historical Resource Design Guidelines, the Board Should Modify the Project to Limit the Proposed Rooftop Addition to the Main Building to One Story.

The historically significant site is listed on the California Register of Historical Places. (Ex. A to accompanying appeal as to adequacy of Final EIR.) The Secretary of the Interior's Standards for Treatment of Historic Properties (Secretary's Standards) are the standards used by CEQA to mitigate impacts upon historic resources to below a level of significance. 14 Cal.Code Regs. Section 15126.4(b)(1) and (2). (Ex. H, excerpts, Secretary's Standards) The Secretary's Standards recommend "Limiting a rooftop addition to one story in height to minimize its visibility and its impact on the historic character of the building." (Ex. H, excerpts, Secretary's Standards) Thus, instead of a two-story addition, the Board should modify the proposed project to utilize a one-story addition.

6. Alternatively, the Board Should Order the Project Modified to Remove New Construction From the Green Spaces at the Top of Laurel Street and along Euclid Avenue.

The Board should set the Euclid Building back approximately 30 feet from the Euclid green to avoid impairment to that green space and remove 2 Laurel Duplexes from the top of the green at Laurel Street to preserve the natural green space in those areas. (Ex. I, rendering showing areas to be left open)

7. Alternatively, the Board Should Order a Portal Cut Through the First Two Floors of the Main Building With a Light Well on Top, Rather than an Approximate 40-Foot Cut Through the Top of the Main Building.

The Project proposes to significantly impair the historic main building by cutting a 40-foot pathway through it that would divide the building into two pieces. The EIR admits that the Project would cause a substantial adverse change in the significance of a historic resource. One of the character-defining features of the main building is its horizontality. (Ex. D to October 7, 2019 LHIA appeal of certification of Final EIR. Adding a set-back, one story addition would conform with the Secretary's Standards for treatment of historic properties.

As explained in the accompanying appeal of certification of the Final EIR, the Planning Department only requested a north/south portal and did not request a cut all the way through the main building. Changing the 40-foot cut to a portal would reduce construction time and cost.

8. The Board Should Overturn the Conditional Use/Planned Unit Development Authorization Because the Commercial Uses, Height Limit Increases and Shaded Open Spaces are Not Necessary or Desirable for the Neighborhood.

The Planned Unit Development criteria of Planning Code section 304(d)(6) state that the proposed development “shall”:

(6) Under no circumstances be excepted from any height limit established by Article 2.5 of this Code, unless such exception is explicitly authorized by the terms of this Code.

The Special Use Districts would allow heights of 92 feet, 80 feet, 67 feet and 45 feet, which are greater than the 40-foot height limit now applicable to the site. (Ex. J, proposed height map) The Board should overturn the Planning Commission’s authorization of heights in excess of the existing 40-foot height limit because the authorization is not consistent with the criteria for authorization of a Planned Unit Development.

Increased heights are also not necessary or desirable because adding two additional stories to the top of a divided main building would impair the characteristic horizontality of the historic resource.

The Board should also overturn the conditional use authorization because significant portions of open space in the project would be shaded most of the time and are not desirable. The Initial Study admits that “the network of proposed new common open spaces, walkways, and plazas within the project site” “would be shaded mostly by proposed new buildings for much of the day and year.” Initial Study p. 161; Ex. K, open space plan and excerpts of project shadow study).

The Board should also overturn the conditional use authorization because the non-residential uses described above are not necessary or desirable for, and compatible with, the neighborhood and community.

For the reasons stated herein, the Board should not adopt the Planning Code amendments recommended by the Planning Commission, including without limitation the adoption of the proposed Special Use District, changes to the height limit map, and any other Planning Code amendments recommended by the Commission. The public necessity, convenience and general welfare do not require the proposed amendment because the project was not designed in accordance with the Secretary’s Standards, which would serve as feasible mitigation for the project’s impacts on the historic resource, and alternatives are feasible that would reduce or avoid the project’s impacts on the historic resource, but the Commission erroneously rejected them, as more fully discussed in the accompanying appeal as to certification of the Final EIR.

The project is also not necessary or desirable because it conflicts with the Residential Design Guideline that “New buildings and additions to existing buildings cannot disregard or significantly alter the existing topography of the site. The surrounding context guides the manner in which new structures fit into the streetscape, particularly along slopes and hills. This can be

achieved by designing the building so it follows the topography in a manner similar to surrounding buildings.” (Residential Design Guidelines, p. 11) These guidelines must be followed in Residential Districts. Planning Code section 311. The project would excavate substantial portions of Laurel Hill, in violation of this Guideline. (Ex. L, plan sheet G2.08)

9. If the Board Overturns the Planning Commission’s Certification of the Final EIR, the Board Must Also Overturn the Approval of the Tentative Conditional Use/PUD Authorization by the Planning Commission.

For the reasons stated in LHIA’s appeal of the Planning Commission’s certification of the Final EIR for 3333 California Street, the Final EIR is inadequate, and if overturned by the Board of Supervisors, the Board must grant this appeal of the approval of the conditional use/planned unit development authorization. The Final EIR is the CEQA document upon which the approval of the conditional use/PUD is based, and if the Final EIR is overturned, the approval of the conditional use/PUD must necessarily also be overturned. The Final EIR identified significant adverse impacts which the Project would have, so CEQA review must have been completed in a lawful manner before the conditional use/PUD authorizations can be valid.

Planning Commission Resolution No. 20514 adopted on September 5, 2019 states at page 1 that a proposed Ordinance introduced on July 30 and amended on September 3, 2019 “would enable the Project” and at page 10 that “the Commission recommends approval of the proposed Ordinance” with certain modifications. Thus, the Planning Commission did not approve the rezoning needed for the project to be approved.

10. Approval of the Conditional Use/PUD Authorization Must Be Overturned If the Board of Supervisors Does Not Approve the Zoning Changes Required to Allow the Proposed Project to be Built.

The Preliminary Project Assessment explains that only the Board of Supervisors can change the height limits requested by the Project or change the Planning Commission Resolution 4109 that prohibits development of the parcel in the manner proposed by the Project. (Ex. M to June 8, 2018 Comments of Devincenzi on 3333 California Street Initial Study, PPA excerpts)

If the Board does not approve the zoning changes set forth in the proposed Special Use District, the Board must overturn the approval of the conditional use/PUD authorization.

Conclusion

For the foregoing reasons, the Board should overturn or modify the conditional use/planned use development authorization approved by the Planning Commission because the uses or features at the size and intensity contemplated and at the proposed location will not

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provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

Further, the project would not provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open spaces required by this Code, as required for a planned unit development by Planning Code section 304(d)(3). Significant portions of the open spaces proposed by the Project would be shaded most of the day.

The proposed project would be inconsistent with provisions of the Urban Design Element and Housing Element of the General Plan because the bulk of the buildings does not relate to the prevailing scale of development and would have an overwhelming or dominating appearance, and the height of buildings does not relate to important attributes of the city patterns and the height and character of existing development. Urban Design Element Policies 3.5 and 3.6. Policy 3.6 explains that it was intended to avoid disruption to the city's character from buildings that reach extreme bulk, by exceeding the prevailing height and prevailing horizontal dimensions of existing buildings in the area which "can overwhelm other buildings."

Respectfully submitted,

Laurel Heights Improvement Association of SF, Inc.

A handwritten signature in cursive script that reads "Kathryn Devincenzi".

By: Kathryn Devincenzi, President

Attachments: A through M

From: Anne Harvey <annetharvey@hotmail.com>
Sent: Thursday, November 7, 2019 12:47 PM
To: BOS-Supervisors; Wong, Jocelyn (BOS); Peskin, Aaron (BOS); Fewer, Sandra (BOS); Stefani, Catherine (BOS); Yee, Norman (BOS); Brown, Vallie (BOS); Haney, Matt (BOS); Mar, Gordon (BOS)
Cc: laurelHeights2016@gmail.com; Richard Frisbie
Subject: 3333 California Street recordNumber 2015-0142028CUA/PCA/MAP/DUA
Attachments: DouglasSierraClubOpinion.pdf

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Hearing set before Board of Supervisors to be heard November 12, 2019

Dear Honorable Members of the San Francisco Board of Supervisors,

I am writing to you this morning in connection with the EIR and Conditional Use Authorization for the proposed project at 3333 California Street to voice my support for the points made by the the Laurel Heights Improvement Association.

I am writing to request that the board overturn the PUD Authorization and that it reject the EIR as being inadequate. All along the developer and the planning commission seem to have considered the environmental issues to be simply a nuisance and to be swept under the floor. The developers even want to cut down healthy trees before they have received permission for the project. This land may be privately owned, but its existence and its environment is a public resource. It is wonderful nature in the middle of our urban environment. I would like to see it developed for housing for people, but done in a sensitive way. The property is served by wonderful public transportation. The 1 California line runs from downtown at the Hyatt Regency and Embarcadero all the way out to 33rd Avenue. The 43 Masonic line runs from Fort Mason through the Presidio past USF, the Panhandle, to UCSF Parnassus. The property is only a few short blocks from the 38 Geary line, and major complex at Target, and Trader Joe's. Availability of public transportation that is frequent and reliable would make it a wonderful place to live in and not need an automobile.

It is ridiculous to allow the development to include retail, when there is so much shopping readily available nearby. Also more retail would probably negatively affect the longtime valued businesses in Laurel Village, such as Bryans and Calmart, as well as shops on the Sacramento corridor. In fact, from what I can see the developer wants to attract shoppers in cars to drive to the area as a destination for shopping.

The Environmental Impact Report was defective, and it seems that the alternatives put forward by the community never received actual consideration by the planning commission. I would also like to note that the developer is proposing a 15 year time frame for the construction of the housing, whereas the neighborhood alternative would require only 3 years. I imagine that the developer would take advantage of that long time frame to build the market rate, multimillion dollar units first. I can just imagine the havoc that would be played out on the California Street corridor with accidents and bus delays as the construction drags out for over a decade.

Finally, I would encourage the Board to seriously consider issues about the effects of development on the environment and in this regard have attached as a PDF to this email, the dissenting opinion of Supreme Court Justice William Douglas in *Sierra Club v. Morton*, 405 US 727 (1972) found at pages 741-752. In this opinion, Justice Douglas treats natural objects such as trees as potential litigants for administrative purposes. This case came to my mind when I saw that the

developer had posted legal notices to the public regarding this development on sidewalk trees and have a certain time to act. I hope that the San Francisco Board of Supervisors will attach as much importance to the environment and the neighborhood as Justice Douglas does in this matter.

Respectfully submitted,

Anne T Harvey
415-931-5678

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DOUGLAS, J., dissenting

As we conclude that the Court of Appeals was correct in its holding that the Sierra Club lacked standing to maintain this action, we do not reach any other questions presented in the petition, and we intimate no view on the merits of the complaint. The judgment is

Affirmed.

MR. JUSTICE POWELL and MR. JUSTICE REHNQUIST took no part in the consideration or decision of this case.

MR. JUSTICE DOUGLAS, dissenting.

I share the views of my Brother BLACKMUN and would reverse the judgment below.

The critical question of "standing"¹ would be simplified and also put neatly in focus if we fashioned a federal rule that allowed environmental issues to be litigated before federal agencies or federal courts in the name of the inanimate object about to be despoiled, defaced, or invaded by roads and bulldozers and where injury is the subject of public outrage. Contemporary public con-

available simply at the behest of a partisan faction, but is exercised only to remedy a particular, concrete injury.

"It will be seen, also, that by leaving it to private interest to censure the law, and by intimately uniting the trial of the law with the trial of an individual, legislation is protected from wanton assaults and from the daily aggressions of party spirit. The errors of the legislator are exposed only to meet a real want; and it is always a positive and appreciable fact that must serve as the basis of a prosecution." *Id.*, at 102.

¹ See generally *Data Processing Service v. Camp*, 397 U. S. 150 (1970); *Barlow v. Collins*, 397 U. S. 159 (1970); *Flast v. Cohen*, 392 U. S. 83 (1968). See also MR. JUSTICE BRENNAN's separate opinion in *Barlow v. Collins*, *supra*, at 167. The issue of statutory standing aside, no doubt exists that "injury in fact" to "aesthetic" and "conservational" interests is here sufficiently threatened to satisfy the case-or-controversy clause. *Data Processing Service v. Camp*, *supra*, at 154.

cern for protecting nature's ecological equilibrium should lead to the conferral of standing upon environmental objects to sue for their own preservation. See Stone, *Should Trees Have Standing?—Toward Legal Rights for Natural Objects*, 45 S. Cal. L. Rev. 450 (1972). This suit would therefore be more properly labeled as *Mineral King v. Morton*.

Inanimate objects are sometimes parties in litigation. A ship has a legal personality, a fiction found useful for maritime purposes.² The corporation sole—a creature of ecclesiastical law—is an acceptable adversary and large fortunes ride on its cases.³ The ordinary corporation is a “person” for purposes of the adjudicatory processes,

² *In rem* actions brought to adjudicate libelants' interests in vessels are well known in admiralty. G. Gilmore & C. Black, *The Law of Admiralty* 31 (1957). But admiralty also permits a salvage action to be brought in the name of the rescuing vessel. *The Camanche*, 8 Wall. 448, 476 (1869). And, in collision litigation, the first-libeled ship may counterclaim in its own name. *The Gylfe v. The Trujillo*, 209 F. 2d 386 (CA2 1954). Our case law has personified vessels:

“A ship is born when she is launched, and lives so long as her identity is preserved. Prior to her launching she is a mere congeries of wood and iron In the baptism of launching she receives her name, and from the moment her keel touches the water she is transformed She acquires a personality of her own.” *Tucker v. Alexandroff*, 183 U. S. 424, 438.

³ At common law, an officeholder, such as a priest or the king, and his successors constituted a corporation sole, a legal entity distinct from the personality which managed it. Rights and duties were deemed to adhere to this device rather than to the officeholder in order to provide continuity after the latter retired. The notion is occasionally revived by American courts. *E. g.*, *Reid v. Barry*, 93 Fla. 849, 112 So. 846 (1927), discussed in *Recent Cases*, 12 Minn. L. Rev. 295 (1928), and in Note, 26 Mich. L. Rev. 545 (1928); see generally 1 W. Fletcher, *Cyclopedia of the Law of Private Corporations* §§ 50–53 (1963); 1 P. Potter, *Law of Corporations* 27 (1881).

whether it represents proprietary, spiritual, aesthetic, or charitable causes.⁴

So it should be as respects valleys, alpine meadows, rivers, lakes, estuaries, beaches, ridges, groves of trees, swampland, or even air that feels the destructive pressures of modern technology and modern life. The river, for example, is the living symbol of all the life it sustains or nourishes—fish, aquatic insects, water ouzels, otter, fisher, deer, elk, bear, and all other animals, including man, who are dependent on it or who enjoy it for its sight, its sound, or its life. The river as plaintiff speaks for the ecological unit of life that is part of it. Those people who have a meaningful relation to that body of water—whether it be a fisherman, a canoeist, a zoologist, or a logger—must be able to speak for the values which the river represents and which are threatened with destruction.

I do not know Mineral King. I have never seen it nor traveled it, though I have seen articles describing its proposed “development”⁵ notably Hano, Protectionists vs. recreationists—The Battle of Mineral King,

⁴ Early jurists considered the conventional corporation to be a highly artificial entity. Lord Coke opined that a corporation's creation “rests only in intendment and consideration of the law.” *Case of Sutton's Hospital*, 77 Eng. Rep. 937, 973 (K. B. 1612). Mr. Chief Justice Marshall added that the device is “an artificial being, invisible, intangible, and existing only in contemplation of law.” *Trustees of Dartmouth College v. Woodward*, 4 Wheat. 518, 636 (1819). Today, suits in the names of corporations are taken for granted.

⁵ Although in the past Mineral King Valley has annually supplied about 70,000 visitor-days of simpler and more rustic forms of recreation—hiking, camping, and skiing (without lifts)—the Forest Service in 1949 and again in 1965 invited developers to submit proposals to “improve” the Valley for resort use. Walt Disney Productions won the competition and transformed the Service's idea into a mammoth project 10 times its originally proposed dimensions. For example,

N. Y. Times Mag., Aug. 17, 1969, p. 25; and Browning, Mickey Mouse in the Mountains, Harper's, March 1972, p. 65. The Sierra Club in its complaint alleges that "[o]ne of the principal purposes of the Sierra Club is to protect and conserve the national resources of the Sierra Nevada Mountains." The District Court held that this uncontested allegation made the Sierra Club "sufficiently aggrieved" to have "standing" to sue on behalf of Mineral King.

Mineral King is doubtless like other wonders of the Sierra Nevada such as Tuolumne Meadows and the John Muir Trail. Those who hike it, fish it, hunt it, camp

while the Forest Service prospectus called for an investment of at least \$3 million and a sleeping capacity of at least 100, Disney will spend \$35.3 million and will bed down 3,300 persons by 1978. Disney also plans a nine-level parking structure with two supplemental lots for automobiles, 10 restaurants and 20 ski lifts. The Service's annual license revenue is hitched to Disney's profits. Under Disney's projections, the Valley will be forced to accommodate a tourist population twice as dense as that in Yosemite Valley on a busy day. And, although Disney has bought up much of the private land near the project, another commercial firm plans to transform an adjoining 160-acre parcel into a "piggyback" resort complex, further adding to the volume of human activity the Valley must endure. See generally Note, Mineral King Valley: Who Shall Watch the Watchmen?, 25 Rutgers L. Rev. 103, 107 (1970); Thar's Gold in Those Hills, 206 The Nation 260 (1968). For a general critique of mass recreation enclaves in national forests see Christian Science Monitor, Nov. 22, 1965, p. 5, col. 1 (Western ed.). Michael Frome cautions that the national forests are "fragile" and "deteriorate rapidly with excessive recreation use" because "[t]he trampling effect alone eliminates vegetative growth, creating erosion and water runoff problems. The concentration of people, particularly in horse parties, on excessively steep slopes that follow old Indian or cattle routes, has torn up the landscape of the High Sierras in California and sent tons of wilderness soil washing downstream each year." M. Frome, The Forest Service 69 (1971).

in it, frequent it, or visit it merely to sit in solitude and wonderment are legitimate spokesmen for it, whether they may be few or many. Those who have that intimate relation with the inanimate object about to be injured, polluted, or otherwise despoiled are its legitimate spokesmen.

The Solicitor General, whose views on this subject are in the Appendix to this opinion, takes a wholly different approach. He considers the problem in terms of "government by the Judiciary." With all respect, the problem is to make certain that the inanimate objects, which are the very core of America's beauty, have spokesmen before they are destroyed. It is, of course, true that most of them are under the control of a federal or state agency. The standards given those agencies are usually expressed in terms of the "public interest." Yet "public interest" has so many differing shades of meaning as to be quite meaningless on the environmental front. Congress accordingly has adopted ecological standards in the National Environmental Policy Act of 1969, Pub. L. 91-190, 83 Stat. 852, 42 U. S. C. § 4321 *et seq.*, and guidelines for agency action have been provided by the Council on Environmental Quality of which Russell E. Train is Chairman. See 36 Fed. Reg. 7724.

Yet the pressures on agencies for favorable action one way or the other are enormous. The suggestion that Congress can stop action which is undesirable is true in theory; yet even Congress is too remote to give meaningful direction and its machinery is too ponderous to use very often. The federal agencies of which I speak are not venal or corrupt. But they are notoriously under the control of powerful interests who manipulate them through advisory committees, or friendly working relations, or who have that natural affinity with the agency

which in time develops between the regulator and the regulated.⁶ As early as 1894, Attorney General Olney predicted that regulatory agencies might become "indus-

⁶ The federal budget annually includes about \$75 million for underwriting about 1,500 advisory committees attached to various regulatory agencies. These groups are almost exclusively composed of industry representatives appointed by the President or by Cabinet members. Although public members may be on these committees, they are rarely asked to serve. Senator Lee Metcalf warns: "Industry advisory committees exist inside most important federal agencies, and even have offices in some. Legally, their function is purely as kibitzer, but in practice many have become internal lobbies—printing industry handouts in the Government Printing Office with taxpayers' money, and even influencing policies. Industry committees perform the dual function of stopping government from finding out about corporations while at the same time helping corporations get inside information about what government is doing. Sometimes, the same company that sits on an advisory council that obstructs or turns down a government questionnaire is precisely the company which is withholding information the government needs in order to enforce a law." Metcalf, *The Vested Oracles: How Industry Regulates Government*, 3 *The Washington Monthly*, July 1971, p. 45. For proceedings conducted by Senator Metcalf exposing these relationships, see Hearings on S. 3067 before the Subcommittee on Intergovernmental Relations of the Senate Committee on Government Operations, 91st Cong., 2d Sess. (1970); Hearings on S. 1637, S. 1964, and S. 2064 before the Subcommittee on Intergovernmental Relations of the Senate Committee on Government Operations, 92d Cong., 1st Sess. (1971).

The web spun about administrative agencies by industry representatives does not depend, of course, solely upon advisory committees for effectiveness. See Elman, *Administrative Reform of the Federal Trade Commission*, 59 *Geo. L. J.* 777, 788 (1971); Johnson, *A New Fidelity to the Regulatory Ideal*, 59 *Geo. L. J.* 869, 874, 906 (1971); R. Berkman & K. Viscusi, *Damming The West*, The Ralph Nader Study Group Report on The Bureau of Reclamation 155 (1971); R. Fellmeth, *The Interstate Commerce Omission*, The Ralph Nader Study Group Report on the Interstate Commerce Commission and Transportation 15-39 and *passim* (1970); J. Turner, *The Chemical Feast*, The Ralph Nader Study Group Report on Food

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DOUGLAS, J., dissenting

try-minded," as illustrated by his forecast concerning the Interstate Commerce Commission:

"The Commission . . . is, or can be made, of great use to the railroads. It satisfies the popular clamor for a government supervision of railroads, at the same time that that supervision is almost entirely nominal. Further, the older such a commission gets to be, the more inclined it will be found to take the business and railroad view of things." M. Josephson, *The Politicos* 526 (1938).

Years later a court of appeals observed, "the recurring question which has plagued public regulation of industry [is] whether the regulatory agency is unduly oriented toward the interests of the industry it is designed to regulate, rather than the public interest it is designed to protect." *Moss v. CAB*, 139 U. S. App. D. C. 150, 152, 430 F. 2d 891, 893. See also *Office of Communication of the United Church of Christ v. FCC*, 123 U. S. App. D. C. 328, 337-338, 359 F. 2d 994, 1003-1004; *Udall v. FPC*, 387 U. S. 428; *Calvert Cliffs' Coordinating Committee, Inc. v. AEC*, 146 U. S. App. D. C. 33, 449 F. 2d 1109; *Environmental Defense Fund, Inc. v. Ruckelshaus*, 142 U. S. App. D. C. 74, 439 F. 2d 584; *Environmental Defense Fund, Inc. v. HEW*, 138 U. S. App. D. C. 381, 428 F. 2d 1083; *Scenic Hudson Preservation Conf. v. FPC*, 354 F. 2d 608, 620. But see Jaffe, *The Federal Regulatory Agencies In Perspective: Administrative Limitations In A Political Setting*, 11 B. C. Ind. & Com. L. Rev. 565 (1970) (labels "industry-mindedness" as "devil" theory).

Protection and the Food and Drug Administration *passim* (1970); Massel, *The Regulatory Process*, 26 Law & Contemp. Prob. 181, 189 (1961); J. Landis, *Report on Regulatory Agencies to the President-Elect* 13, 69 (1960).

The Forest Service—one of the federal agencies behind the scheme to despoil Mineral King—has been notorious for its alignment with lumber companies, although its mandate from Congress directs it to consider the various aspects of multiple use in its supervision of the national forests.⁷

⁷ The Forest Reserve Act of 1897, 30 Stat. 35, 16 U. S. C. § 551, imposed upon the Secretary of the Interior the duty to “preserve the [national] forests . . . from destruction” by regulating their “occupancy and use.” In 1905 these duties and powers were transferred to the Forest Service created within the Department of Agriculture by the Act of Feb. 1, 1905, 33 Stat. 628, 16 U. S. C. § 472. The phrase “occupancy and use” has been the cornerstone for the concept of “multiple use” of national forests, that is, the policy that uses other than logging were also to be taken into consideration in managing our 154 national forests. This policy was made more explicit by the Multiple-Use Sustained-Yield Act of 1960, 74 Stat. 215, 16 U. S. C. §§ 528–531, which provides that competing considerations should include outdoor recreation, range, timber, watershed, wildlife, and fish purposes. The Forest Service, influenced by powerful logging interests, has, however, paid only lip service to its multiple-use mandate and has auctioned away millions of timberland acres without considering environmental or conservational interests. The importance of national forests to the construction and logging industries results from the type of lumber grown therein which is well suited to builders’ needs. For example, Western acreage produces Douglas fir (structural support) and ponderosa pine (plywood lamination). In order to preserve the total acreage and so-called “maturity” of timber, the annual size of a Forest Service harvest is supposedly equated with expected yearly reforestation. Nonetheless, yearly cuts have increased from 5.6 billion board feet in 1950 to 13.74 billion in 1971. Forestry professionals challenge the Service’s explanation that this harvest increase to 240% is not really over-cutting but instead has resulted from its improved management of timberlands. “Improved management,” answer the critics, is only a euphemism for exaggerated regrowth forecasts by the Service. N. Y. Times, Nov. 15, 1971, p. 48, col. 1. Recent rises in lumber prices have caused a new round of industry pressure to auction more federally owned timber. See Wagner, Resources Report/Lumber-

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DOUGLAS, J., dissenting

The voice of the inanimate object, therefore, should not be stilled. That does not mean that the judiciary takes over the managerial functions from the federal

men, conservationists head for new battle over government timber, 3 National J. 657 (1971).

Aside from the issue of how much timber should be cut annually, another crucial question is *how* lumber should be harvested. Despite much criticism, the Forest Service had adhered to a policy of permitting logging companies to "clearcut" tracts of auctioned acreage. "Clearcutting," somewhat analogous to strip mining, is the indiscriminate and complete shaving from the earth of all trees—regardless of size or age—often across hundreds of contiguous acres.

Of clearcutting, Senator Gale McGee, a leading antagonist of Forest Service policy, complains: "The Forest Service's management policies are wreaking havoc with the environment. Soil is eroding, reforestation is neglected if not ignored, streams are silting, and clearcutting remains a basic practice." N. Y. Times, Nov. 14, 1971, p. 60, col. 2. He adds: "In Wyoming . . . the Forest Service is very much . . . nursemaid . . . to the lumber industry . . ." Hearings on Management Practices on the Public Lands before the Subcommittee on Public Lands of the Senate Committee on Interior and Insular Affairs, pt. 1, p. 7 (1971).

Senator Jennings Randolph offers a similar criticism of the leveling by lumber companies of large portions of the Monongahela National Forest in West Virginia. *Id.*, at 9. See also 116 Cong. Rec. 36971 (reprinted speech of Sen. Jennings Randolph concerning Forest Service policy in Monongahela National Forest). To investigate similar controversy surrounding the Service's management of the Bitterroot National Forest in Montana, Senator Lee Metcalf recently asked forestry professionals at the University of Montana to study local harvesting practices. The faculty group concluded that public dissatisfaction had arisen from the Forest Service's "overriding concern for sawtimber production" and its "insensitivity to the related forest uses and to the . . . public's interest in environmental values." S. Doc. No. 91-115, p. 14 (1970). See also Behan, Timber Mining: Accusation or Prospect?, American Forests, Nov. 1971, p. 4 (additional comments of faculty participant); Reich, The Public and the Nation's Forests, 50 Calif. L. Rev. 381-400 (1962).

Former Secretary of the Interior Walter Hickel similarly faulted clearcutting as excusable only as a money-saving harvesting practice

agency. It merely means that before these priceless bits of Americana (such as a valley, an alpine meadow, a river, or a lake) are forever lost or are so transformed as to be reduced to the eventual rubble of our urban environment, the voice of the existing beneficiaries of these environmental wonders should be heard.⁸

for large lumber corporations. W. Hickel, *Who Owns America?* 130 (1971). See also Risser, *The U. S. Forest Service: Smokey's Strip Miners*, 3 *The Washington Monthly*, Dec. 1971, p. 16. And at least one Forest Service study team shares some of these criticisms of clear-cutting. U. S. Dept. of Agriculture, *Forest Management in Wyoming* 12 (1971). See also Public Land Law Review Comm'n, *Report to the President and to the Congress* 44 (1970); Chapman, *Effects of Logging upon Fish Resources of the West Coast*, 60 *J. of Forestry* 533 (1962).

A third category of criticism results from the Service's huge backlog of delayed reforestation projects. It is true that Congress has underfunded replanting programs of the Service but it is also true that the Service and lumber companies have regularly ensured that Congress fully funds budgets requested for the Forest Service's "timber sales and management." M. Frome, *The Environment and Timber Resources*, in *What's Ahead for Our Public Lands?* 23, 24 (H. Pyles ed. 1970).

⁸ Permitting a court to appoint a representative of an inanimate object would not be significantly different from customary judicial appointments of guardians *ad litem*, executors, conservators, receivers, or counsel for indigents.

The values that ride on decisions such as the present one are often not appreciated even by the so-called experts.

"A teaspoon of living earth contains 5 million bacteria, 20 million fungi, one million protozoa, and 200,000 algae. No living human can predict what vital miracles may be locked in this dab of life, this stupendous reservoir of genetic materials that have evolved continuously since the dawn of the earth. For example, molds have existed on earth for about 2 billion years. But only in this century did we unlock the secret of the penicillins, tetracyclines, and other antibiotics from the lowly molds, and thus fashion the most powerful and effective medicines ever discovered by man. Medical scientists still wince at the thought that we might have inadvertently wiped

Perhaps they will not win. Perhaps the bulldozers of "progress" will plow under all the aesthetic wonders of this beautiful land. That is not the present question. The sole question is, who has standing to be heard?

Those who hike the Appalachian Trail into Sunfish Pond, New Jersey, and camp or sleep there, or run the

out the rhesus monkey, medically, the most important research animal on earth. And who knows what revelations might lie in the cells of the blackback gibbon nesting in his eyrie this moment in the Virunga Mountains of Rwanda? And what might we have learned from the European lion, the first species formally noted (in 80 A. D.) as extinct by the Romans?

"When a species is gone, it is gone forever. Nature's genetic chain, billions of years in the making, is broken for all time." *Conserve—Water, Land and Life*, Nov. 1971, p. 4.

Aldo Leopold wrote in *Round River* 147 (1953):

"In Germany there is a mountain called the Spessart. Its south slope bears the most magnificent oaks in the world. American cabinetmakers, when they want the last word in quality, use Spessart oak. The north slope, which should be the better, bears an indifferent stand of Scotch pine. Why? Both slopes are part of the same state forest; both have been managed with equally scrupulous care for two centuries. Why the difference?

"Kick up the litter under the oaks and you will see that the leaves rot almost as fast as they fall. Under the pines, though, the needles pile up as a thick duff; decay is much slower. Why? Because in the Middle Ages the south slope was preserved as a deer forest by a hunting bishop; the north slope was pastured, plowed, and cut by settlers, just as we do with our woodlots in Wisconsin and Iowa today. Only after this period of abuse was the north slope replanted to pines. During this period of abuse something happened to the microscopic flora and fauna of the soil. The number of species was greatly reduced, i. e., the digestive apparatus of the soil lost some of its parts. Two centuries of conservation have not sufficed to restore these losses. It required the modern microscope, and a century of research in soil science, to discover the existence of these 'small cogs and wheels' which determine harmony or disharmony between men and land in the Spessart."

Allagash in Maine, or climb the Guadalupe in West Texas, or who canoe and portage the Quetico Superior in Minnesota, certainly should have standing to defend those natural wonders before courts or agencies, though they live 3,000 miles away. Those who merely are caught up in environmental news or propaganda and flock to defend these waters or areas may be treated differently. That is why these environmental issues should be tendered by the inanimate object itself. Then there will be assurances that all of the forms of life⁹ which it represents will stand before the court—the pileated woodpecker as well as the coyote and bear, the lemmings as well as the trout in the streams. Those inarticulate members of the ecological group cannot speak. But those people who have so frequented the place as to know its values and wonders will be able to speak for the entire ecological community.

Ecology reflects the land ethic; and Aldo Leopold wrote in *A Sand County Almanac* 204 (1949), “The land ethic simply enlarges the boundaries of the community to include soils, waters, plants, and animals, or collectively: the land.”

That, as I see it, is the issue of “standing” in the present case and controversy.

⁹ Senator Cranston has introduced a bill to establish a 35,000-acre Pupfish National Monument to honor the pupfish which are one inch long and are useless to man. S. 2141, 92d Cong., 1st Sess. They are too small to eat and unfit for a home aquarium. But as Michael Frome has said:

“Still, I agree with Senator Cranston that saving the pupfish would symbolize our appreciation of diversity in God’s tired old biosphere, the qualities which hold it together and the interaction of life forms. When fishermen rise up united to save the pupfish they can save the world as well.” *Field & Stream*, Dec. 1971, p. 74.

From: Major, Erica (BOS)
Sent: Thursday, November 7, 2019 11:47 AM
To: BOS Legislation, (BOS); Board of Supervisors, (BOS)
Subject: FW: 2015-014028CUA/PCA/MAP/DUA

Categories: 191039, 191035

For 3333 Cali appeals.

Erica Major
Assistant Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102
Phone: (415) 554-4441 | Fax: (415) 554-5163
Erica.Major@sfgov.org | www.sfbos.org



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From: Board of Supervisors, (BOS)
Sent: Thursday, November 07, 2019 11:36 AM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>
Subject: FW: 2015-014028CUA/PCA/MAP/DUA

From: Zarin Randeria <thezarin@yahoo.com>
Sent: Thursday, November 7, 2019 9:25 AM
To: Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>
Subject: RE: 2015-014028CUA/PCA/MAP/DUA

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Dear Supervisor,

This entire project is ill conceived and the EIR is inadequate under CEQA because it failed to identify modifications to the proposed project site plan that would reduce or avoid the proposed project's significant adverse impact on the Historical Resource.

The Board of Supervisors should overturn or modify the "conditional use authorization" because the proposed project at the size and intensity is not necessary or desirable for and not compatible with the needs of our Neighborhood or Community. We have Laurel Shopping Center adjacent to this property, and have Trader Joe's Target, CVS, and various shops, boutiques restaurants, banks hardware stores etc., all around us on Sacramento, Masonic, Geary and nearby Clement Streets, which we can all walk to and shop in. Additionally this project has reduced parking spaces from 188 to only 74 spaces. So, how are people from out of the area supposed to shop there? This makes absolutely NO SENSE at all.

Alternatively, the Board should eliminate flexible retail and social services and philanthropic facilities from the Special Use District because they were not disclosed in the EIR and are not necessary for or compatible with the Neighborhood.

I also request the Board to ask the developers to modify the project to remove construction from the green spaces from Euclid and

From: Major, Erica (BOS)
Sent: Thursday, November 7, 2019 11:49 AM
To: BOS Legislation, (BOS)
Subject: FW: 3333 California
Attachments: 3333appeal.doc

Categories: 191039, 191035

Sorry, here's the attachment.

Erica Major
Assistant Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102
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From: Board of Supervisors, (BOS)
Sent: Thursday, November 07, 2019 11:32 AM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>
Subject: FW: 3333 California

From: Linda Glick <lindaglick@gmail.com>
Sent: Wednesday, November 6, 2019 9:40 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Fewer, Sandra (BOS) <sandra.fewer@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>
Cc: Richard Frisbie <frfibeagle@gmail.com>
Subject: 3333 California

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Sent from [Mail](#) for Windows 10

To: The San Francisco Board of Supervisors
RE: 3333 California Appeals

11/6/2019

Record #: : 3333 California Street,
Record Number: 2015-014028CUA/PCA/MAP/DVA

While the appeals address specific deficiencies with compliance I want to comment on how this project will impact the neighborhood from a resident's perspective.

San Francisco is known for its diverse neighborhoods that each have their own characteristics and history. However these neighborhoods share a sense of community created by local merchants, publicly accessible open space and adequate infrastructure, i.e., transit and fire and safety support.

Yes, the District 2 needs to participate in solving the housing shortage in San Francisco.

Yes, San Francisco needs more housing but does the market rate housing proposed by the 3333 California St. project really offer a solution to the diversity of the population?

The EIR Failed to Describe the Project's Inconsistency With San Francisco's General Plan as to Preservation of Historical Resources and Neighborhood Character.

The Board Should Overturn or Modify the Conditional Use Authorization Because the Proposed Project, At the Size and Intensity Contemplated, Is Not Necessary or Desirable for, and Compatible With, the Neighborhood or the Community.

Fireman's Fund designed the 3333 California building to capitalize on the Laurel Hill vistas and trees. The buildings blend into the landscaping of the site. While the developer states that the current site is not integrated into the neighborhood that is not the case. Neighbors' criss-cross today's property as they visit surrounding merchants.

Today the neighborhood is served by retail that is a mixture of national chains and locally owned stores. Supporting the existing retail as well as leasing the existing vacancies should be a priority. What we do not need is additional retail vacancies or new retail that cannibalizes our neighborhood retail.

The EIR Failed to Analyze the Project's Potentially Significant Shadow Impacts on Existing Open Spaces that Have Been Used by the Public for Recreational Purposes, on Sidewalks on the East Side of Laurel Street, and on Publicly Accessible Open Space Proposed by the Project.

The Board Should Order the Project Modified to Remove New Construction From the Green Spaces at the Top of Laurel Street and along Euclid Avenue.

One of the major characteristics of the Laurel Heights is that we know our neighbors. What facilitates that is the open space on the east side of Laurel St. where on any day you can see neighbors talking with each other as they walk their dogs, play with children or just say hello to each other as they walk the neighborhood.

The development proposal will show how much public access space there will be. However meandering hard surface walkways in the shade can not replace the contiguous green space on Laurel St.

The EIR is Inadequate Because It Failed to Determine Whether Measures to Mitigate the Significant Impact from Construction Noise Were Feasible.

The developer is forecasting that construction would be on-going from 7 to 15 years. The traffic disruption and noise over this extended period is unacceptable. A neighborhood should not feel like it is under siege for this long. We have recommended some mitigating measures which should be given serious consideration.

Your decision on November 12, 2019 need not be an “either/or” one but rather one that provides much needed housing for a diverse income base and preserves a community.

Regards,

Linda Glick
585 Laurel St.

From: Richard Frisbie <frfibeagle@gmail.com>
Sent: Wednesday, November 6, 2019 3:43 PM
To: Board of Supervisors, (BOS); Peskin, Aaron (BOS); Safai, Ahsha (BOS); Stefani, Catherine (BOS); Mar, Gordon (BOS); Ronen, Hillary; Haney, Matt (BOS); Yee, Norman (BOS); Mandelman, Rafael (BOS); Fewer, Sandra (BOS); Brown, Vallie (BOS); Walton, Shamann (BOS); Wong, Jocelyn (BOS)
Subject: Comments on 3333 California St. Record No. 2015-014028CUA/PCA/MAP/DUA
Attachments: COMMUNITY PRESERVATION LOOKALIKE VARIANT NARRATIVE w Drawing Table Bldg Summary.docx; EIR Inadequacies.docx; Cal Mart Bryan's Letter001.pdf

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

I would ask that the Board of Supervisors take a serious look at both new Variants presented by the Community, something the Planning Department has studiously avoided doing as it clearly recognizes that the issues raised are serious and pertinent.

Both the Community Preservation Lookalike Variant (CPLV) and the Community Full Preservation Alternative Variant 2 (CFPAV2) are deserving of a detailed review. To date the Planning Department has totally ignored the former (attached) so any conclusions/comments as to the feasibility of the Community's alternatives are without merit. Hard to comment thoughtfully on something you haven't studied.

We believe the two latest Variants, particularly the Community Preservation Lookalike, are the basis for a credible and effective compromise between the Community and the developer. These two plans offer an opportunity to bring all the Stakeholders together.

I would ask that the Board of Supervisors address the inadequacies, inaccuracies and misleading conclusions contained within the EIR-see attached. This is by no means a complete list but it highlights the sleight of hand used to avoid addressing any inconvenient truths.

I would ask that: the 7-15 year entitlement period be scaled back to something a little more human and compassionate. What about the neighbors who live around the site? How is their peace of mind, quality of life and essential well-being factored into the decision? What is San Francisco's commitment to balancing efficiency against humanity? Or is this simply someone else's problem. I believe it is grossly unfair asking the Community to support an uncertain, open-ended long-term development period. We deserve certainty.

I would ask that: no retail be approved for 3333 California Street. It is unwanted and unneeded and threatens the very livelihood of our existing small and family owned businesses-see

attached letter from Cal Mart and Bryan's. One only need walk along Sacramento Street, Presidio Avenue and even Laurel Village to see the empty storefronts and to appreciate the increasing stress that the "Amazon" effect is creating.

And Flexible Retail is the least desirable. The types of businesses that could be allowed are totally inappropriate for a development that extols its neighborhood friendliness, family orientation, senior housing, etc.

The Law of Unintended Consequences states that **"if it can happen, it will happen."** What prevents a future unscrupulous landlord opening an internet gambling site, or a massage parlor that exceeds the term, or a marijuana dispensary, or.....under the guise of Flexible Retail?

It has happened in a San Francisco neighborhood already. Internet gambling was touted as a "computer learning center"; the massage parlor "branched out";and then it became a Public Safety problem involving SFPD.

Are these potential businesses appropriate sitting side-by-side with a senior housing project AND a childcare center? Potentially sharing the very same building. And right across the street from the JCC?

If adult oriented businesses such as massage parlors, tattoo parlors, bars, internet gaming centers, etc. (and lets be clear-these are adult businesses by any credible definition) are never intended it would seem to be very straightforward to use the Development Agreement as a means to specifically exclude them from any potential presence at 3333 California St. Failure to do so is a tacit agreement by both the City, the Board of Supervisors and the developer that these type businesses are in play in the future. Very hard to explain away a failure to address their exclusion in the Development Agreement. These businesses, however credible, have no place in a family-oriented neighborhood. If you believe these businesses are inappropriate for this location simply write that exclusion down-this is not rocket science.

I look forward to the hearing November 12th.

Respectfully,

F. Richard Frisbie

IMPACT OF PSKS 3333 DEVELOPMENT PLAN ON LAUREL VILLAGE

1. The surrounding neighborhoods are well served by a diversity of retail businesses in Laurel Village, Sacramento Street, Presidio Avenue, Trader Joe's, an expanding City Center with both Target a Whole Foods-all within two blocks of 3333 California St.
2. The proprietors of Laurel Village have ample capacity to serve the residents of 3333 California St. as well as 3700 California St. especially considering that these new residents will replace the approx. 1,500 employees of UCSF that shopped at Laurel Village for many years.
3. Cal Mart & Bryan's presently operate their checkout lines at approx. 50% capacity and can double the throughput as needed.
4. There is already room for more retail along Sacramento St. as a number of storefronts remain empty.
5. The recent closures of Beautiful and Noah's Bagels, preceded by Gymboree, and the potential closure of others strongly reinforces the position that new retail is both unneeded and unwanted.
6. Laurel Village Merchants have requested that PSKS cease creating the erroneous impression that there would be "long lines" in the Laurel Village stores if PSKS is not allowed to change 3333's zoning and add additional retail.
7. The retail traffic associated with 3333 would negatively impact the parking lot for Laurel Village which is already insufficient for Laurel Village's needs. In addition, 3333 retail parking does not fully meet the retail traffic demands generated at 3333 and this overflow traffic will park in Laurel Village further harming the Customers, and Merchants of Laurel Village.
8. PSKS's plan to charge for parking at 3333 will only exacerbate this harmful situation. Furthermore, it is blatantly unfair to have Laurel Village Merchants provide parking for the competition at 3333.
9. The 7-15 year construction period will be catastrophic to Laurel Village. During last year's streetscape fiasco Cal Mart's business declined over 30%. According to Ron Giampoli of Cal Mart it is doubtful that Cal Mart would remain in business with a 7-15 year construction period. Other businesses in Laurel Village were impacted equally and would be put under immense pressure by the development plan for 3333.
10. Bryan's and Cal Mart are unique and iconic stores that serve Customers from all parts of the city. The loss of one or both would immeasurably impoverish the surrounding neighborhoods.

Ronald Giampoli

T. Z...

EIR INADEQUACIES

The EIR is inadequate for failing to examine any mitigation measures for an historic listed resource. the EIR failed to identify and describe feasible mitigation measures that would reduce or avoid the proposed project's significant adverse impact on the historical resource.

The EIR is further inadequate and incomplete by failing to adequately analyze alternatives to the proposed project. the community proposed two alternatives and the planning department willfully chose to totally ignore the community preservation lookalike variant(attached). Any conclusions drawn as to the adequacy of the community's alternatives are therefore invalid due to the failure to even analyze one of the alternatives, and one based exclusively on the developers proposed plans.

The objectives of the proposed project stated in the EIR were deliberately crafted to be overly narrow and intended to preclude consideration of mitigation measures and alternatives to the proposed project.

The EIR failed to analyze the project's significant shadow impacts on existing open spaces that have been used by the public for recreational purposes, on sidewalks on the east side of Laurel Street, the west side of Presidio Ave. and on publicly accessible open space proposed by the project.

The EIR failed to analyze and address the proposed project's inconsistency with:

San Francisco's General Plan as to Preservation of Historical Resources and neighborhood character.

The Housing Element of the General Plan and related applicable land use plans or regulations and would have a substantial impact upon the existing character of the vicinity.

The General Plan Policies stated in the Urban Design Element.

The proposed project would expose people or structures to potential substantial adverse effects including the risk of loss, and/or would be located on a geologic unit or soil that is unstable or would become unstable as a result of the project and potentially result in on-site or off- site landslide, lateral spreading, subsidence, liquefaction or collapse.

The EIR is incomplete and inaccurate as it failed to analyze whether the proposed project could have a significant hazard and hazardous materials impact.

The EIR lacks substantial evidence to support its conclusion that reducing the project's retail parking supply would mitigate the project's significant impact on VMT to a less than significant level and furthermore is inadequate because it used inaccurate models to forecast vehicle- trips and the EIR's traffic demand analysis is

inadequate because it omits substantial traffic that would be attracted to five new loading zones proposed to be installed on the streets surrounding the property, including VMT from transportation network companies such as Uber and Lyft, the TNCs.

The EIR failed to adequately analyze the significant project and cumulative impacts on greenhouse gas emissions that the project/variant could generate.

COMMUNITY PRESERVATION LOOKALIKE VARIANT

OVERVIEW

The Community Preservation Lookalike Variant, CPLV, would construct the same number of new housing units as the developer's proposed variant (744 units) and would be completed in approx. five years rather than the 7-15 years requested by the developer to complete his proposals. In addition, the Community Preservation Lookalike Variant would increase the residential gross square feet by approx. 20,000gsf more than the developer's proposal.

The Community Preservation Lookalike Variant would preserve the key character-defining features of the main building and its integrated landscaping, which are listed in the California Register of Historical Resources pursuant to Section 4851(a)(2) of the California Code of Regulations.

The Community Preservation Lookalike Variant utilizes approximately 90 percent of the developers' proposed buildings, designs and locations as can be seen below.

Figure 4: Community Preservation Lookalike Variant



	DEVELOPER VARIANT 7/3/2019	COMMUNITY PRESERVATION VARIANT "Developer Lookalike"
	Residential GSF	Residential GSF
BUILDING		
Masonic	83,505	N/A
Euclid	184,170	144,870
Laurel Townhomes	55,300	34,935
Mayfair	46,680	46,680
Plaza A	66,755	81,571
Plaza B	72,035	83,215
Walnut	147,590	336,350
Main Building-Note 1	N/A	268,365
Center A	89,735	N/A
Center B	231,667	N/A
TOTAL Residential GSF	977,437	995,986

The major differences are that the Community Preservation Lookalike Variant:

1. Would preserve the key Historic defining characteristics of the site as noted above.
2. Would create an All-Residential development with the retention of the existing café, childcare facility and office space in the Main Building noted below.
3. Would excavate only for a single, approximately two underground parking garage, whereas the developer proposes to excavate for four new under-ground parking garages spread across the site, some consisting of three levels.
4. Would eliminate the Masonic Building to preserve the Historic Eckbo Terrace and also provide a location for the childcare play area in sunlight as opposed to being placed in the heavily shadowed area alongside the Credit Union, as proposed in the developer's plan.
5. Would make modifications to the Euclid Building by removing approximately 30 ft. from the southside of the proposed building to move it off the historically significant green space.
6. Would eliminate two Laurel St. Townhomes from Euclid Green in order to fully preserve the historically significant green space at the top of Laurel Hill.

For a summary of changes that the Community Preservation Lookalike Variant would implement see "Summary of Building Changes" at the end of the document.

Furthermore, the Community Preservation Lookalike Variant would:

- (1) convert the interior of the main building to residential use while retaining the existing 1,500 gs cafe, 11,500 gsf childcare center, and 5,000 gsf of the existing office space (at the developer's option, this existing office space could be converted to residential use),
- (2) construct three new residential buildings (the Plaza A, Plaza B and Walnut) along

California Street where parking lots are now located; the new Mayfair Building near the intersection of Mayfair Drive and Laurel; five new townhomes along Laurel St north of Euclid Green; and the new Euclid Building with modifications along Euclid Avenue;

(3) provide affordable senior housing on-site with additional affordable housing on-site as determined by the Board of Supervisors,

(4) propose that all freight-loading and unloading be conducted in the underground freight loading areas accessed from Presidio Ave. and Mayfair Ave.

(5) propose that all passenger-loading and unloading be conducted inside the site in turnarounds or in the underground parking garage,

(6) retain the historically significant landscaping designed by the renowned landscape architects of Eckbo, Royston & Williams which is integrated with the window-walled main building, including the Eckbo Terrace, the existing landscaped green spaces along Euclid and Presidio Avenues and some of Laurel Street, all of which would be designated as community benefits in the development agreement,

(7) maintain public vistas of the downtown and Golden Gate Bridge from the landscaping and main building as well as maintain the historically significant main building and integrated landscaping.

(9) provide units in the Walnut Building for affordable senior housing.

(9) the Community Preservation Lookalike Variant would use all the new space for residential use and would not rezone the site for approximately 34,496 gsf of retail uses, as the developer proposes.

THE COMMUNITY PRESERVATION LOOKALIKE VARIANT WOULD PROVIDE THE SAME AMOUNT OF NEW HOUSING UNITS(744) IN APPROX. FIVE YEARS WITHOUT DESTROYING A HISTORICALLY SIGNIFICANT RESOURCE.

The Community Preservation Lookalike Variant would preserve all the key character-defining features of the main building and integrated landscaping, which are listed in the California Register of Historical Resources pursuant to Section 4851(a)(2) of the California Code of Regulations. (Ex. A, confirmation of listing). The window-walled main building would be converted to primarily residential use.

The Community Preservation Lookalike Variant would have the same number of residential units as the developer's proposed variant (744 units) and would be constructed in less than four years because the existing main building would be converted to residential use at the same time as the new residential buildings are constructed, to the greatest extent feasible pursuant to staging.

The Community Preservation Lookalike Variant would entail far less excavation, as it would have approximately two levels of parking in a single new underground garage. In contrast, the developer's variant proposes to construct four new underground parking garages, to provide a total of 873 parking spaces. The CPLV would excavate only under the existing parking lots along California St. for garages - the easiest, least disruptive, quickest most efficient excavation- whereas the developer would carry out major excavation in all quadrants of the site including major excavations on Masonic, on Euclid including the excavation of major portions of Laurel Hill as well as under the parking lots along California St.

The Community Preservation Lookalike Variant would preserve the existing Eckbo Terrace and the green landscaped areas along Euclid and Presidio Avenues as well as partly along Laurel Street. The existing Eckbo Terrace would be designated as Privately-Owned, Publicly-Accessible Open Space in recorded deed restrictions and would be open to the public. The new ground level Walnut Passage will run

through the first floor of the main building, opening up into a larger landscaped Center Court mid-building, and lead onto the Walnut Walk alongside Eckbo Terrace and thence onto Masonic Avenue and would be open to the public and marked with signage identifying it as a public thoroughway.

The character-defining features of the existing main building that the Community Preservation Lookalike Variant would retain include all of the following:

- Plan of the building open along Eckbo Terrace and to views of the distant city.

- Horizontality of massing.

- Horizontal lines of projecting edges of concrete floors.

- Horizontal bands of nearly identical compatible window units.

- Uninterrupted glass walls.

- Brick accents and trim

- Wrought iron deck railings that match gates in landscaping.

The character-defining features of the existing landscape that the Community Preservation Lookalike Variant would preserve include all of the following:

- In the Eckbo Terrace, which was designed to integrate the architecture of the building with the site and with the broader setting (through views of San Francisco), key character-defining features include its biomorphic-shaped lawn surrounded by a paved terrace and patio (paved with exposed aggregate concrete divided into panels by rows of brick), brick retaining wall and large planting bed around the east and north sides of the paved patio, custom-designed wood benches, and the three circular tree beds constructed of modular sections of concrete.

All passenger loading, pick-ups and drop-offs are proposed to be internal to the site, and turnarounds will be provided in front of the main building. All freight loading and unloading is proposed to be conducted in the underground freight loading areas accessed from Presidio Avenue and Mayfair.

In the Community Preservation Lookalike Variant, the Masonic Building and two Laurel Townhomes are eliminated and the Walnut building re-designed. The Euclid building, reduced in size to preserve the Euclid Green area, the remaining five Laurel Townhomes, the Mayfair building, Plaza A and Plaza B utilize the developer's footprint and architectural design throughout. The Main Building utilizes Levels 1-4 of the developer's architectural design and adds one setback story at Level 5 consistent with the Secretary of the Interior Standards for the treatment of historic properties, thereby retaining the historic characteristics of the main building and integrated landscaping. Contrary to the developer, the Community Preservation Lookalike Variant does not sever the Main Building with a full height 40 ft gap, thereby creating two separate structures.

As noted previously, the Community Preservation Lookalike Variant creates a ground-level Walnut Passage while fully retaining the historic characteristics of the building.

The Main building, Walnut, Plaza A and Plaza B will have direct access to the underground parking garage. The Laurel Townhomes have their own organic parking. For the Mayfair and Euclid Buildings, parking will be provided in the new underground parking garage constructed under the California Street Front and Back Buildings.

Truck loading and unloading for the buildings along California St. as well as the Main and Mayfair buildings would occur in the underground garage accessed from Presidio Avenue and Mayfair Avenue.

SUMMARY OF BUILDING CHANGES

The Community Preservation Lookalike Variant generally utilizes the developer's footprint and architectural design, unit configuration layouts, sizes, elevations, topography etc. except for the Masonic Building (which is not constructed) and the expanded Walnut Building.

The Community Preservation Lookalike Variant preserves both the historic Eckbo Terrace and the existing green spaces along Euclid and Masonic Avenues (by eliminating the Masonic Building) and partly along Laurel Street.

To this day, these green spaces are used by families, friends, children, moon-watchers, etc. The historically green space is preserved by modifying the south side of the Euclid Building (removing 30 ft.) and eliminating two Laurel St. townhomes at the top of Laurel St. as noted above.

Analysis of Buildings:

Developers Variant
7/3/2019



Community Preservation Lookalike
Variant



As can be seen from the layout above the Community Preservation Lookalike Variant generally mirrors the developers proposed building plans. The primary differences are the elimination of the Masonic Building, modifications to the Euclid Building and redesign of the Walnut Building.

All retail has been converted into residential gsf and affected building heights reduced appropriately.

As shown above, the Community Preservation Lookalike Variant produces an additional 20,000 residential gsf over and above that produced by the developers.

Masonic Building: Eliminated.

Euclid Building: Identical to developers' submission of 07.03.2019 with the following modification to preserve Laurel Hill greenspace. The south side of the building is cut back approximately 30 ft. (loss of

approximately 35,000gsf). Additionally, the remaining top floor units on the south side are set back 15 ft. to moderate the bulk and intensity of the Euclid Avenue appearance (loss of approximately 4,000gsf). It should be noted that the Euclid Building can be expanded on the east side by approximately 25 ft. along the entire 256 ft (ref. Dwg.A8.01 from submission) by aligning Walnut Walk with Eckbo Terrace which would more than offset the space eliminated by the modification to the south side noted above.

This potential expansion has not been accounted for in the Community's plan.

No underground parking garage.

References: A8.01(modified as noted above), .02(same comment), A8.03(same comment), A8.04(same comment), A8.05(same comment), A8.06(same comment), A8.11(same comment), A8.12, A8.21(same comment), A8.22, A8.23(same comment), A8.24(same comment), A8.25(same comment), A8.30, A8.41.

Laurel Townhomes: Generally identical to developer's submission of 07.03.2019 modified to reduce height to 30 ft. and set top floor back 15 ft.

Reference A10.01(two southernmost duplexes eliminated to preserve Historic green space), A10.02(same comment), A10.03, A10.11(modified for height, setback and elimination of Duple 01 & 02), A10.12(same comment), A10.13(same comment), A10.21(same comment), A10.23(same comment), A10.24(same comment), A10.25(same comment).

As noted previously the two townhomes at the top of Laurel St. have been eliminated to preserve the green space. The height of the five remaining townhomes is lowered from 40 ft. to 30 ft. to be compatible with the 20 ft. homes on the west side of the Laurel St. block. Additionally, the third floor is set back 15 ft.

Mayfair Building: Generally identical to developer's 07/03/2019 submission: predominant references A9.01, A9.02, A9.03, A9.04, A9.11, A9.12, A9.21, A9.22, A9.30, A9.60 .

No underground parking garage.

Plaza A: Generally identical to developer's submission of 07.03.2019: references A2.00, A2.01, A2.02, A2.21(modified for the parking design), A2.22(same note on parking), A2.30, A2.41.

All retail gsf is converted to residential. As a result, the height of the building is lowered from 45 ft. to 40 ft., which allows it to comply with the existing height limit.

Plaza B: Same comments as to Plaza A above. Developer's submission of 07.03.2019: references A3.00(retail converted to residential), A3.01, A3.02, A3.03, A3.21(modified for the parking design), A3.22(same comment on parking), A3.24(retail converted to residential; building height adjusted accordingly), A3.25, A3.41, A3.42.

Walnut Building: The enhanced Walnut Building is re-designed to provide a 7-story residential building. As this building is flanked by the Main Building and the Credit Union and is opposite the approximately 65 ft. tall JCC, it is compatible with the character of its surroundings. The 48,050 square foot net footprint was determined from dimensions in Submittals of 03.06.2017 & 07.03.2019: references VAR 13, 14, 19.

General dimensions: Southside east-west 305ft; Northside east-west 240ft; North-south : 175ft.;

Triangle at Credit Union: 155ft. base, 175ft. height. Adjusted for light-courts and setbacks.

Main Building/Center A&B: Use the developer's unit configurations and sizes from 03/03/2019:

predominant references A6.02, A6.03, A6.04, A6.05, A6.06, A6.07, A6.08, A6.09, A6.19(modified for Walnut Passage; no Levels 6 and 7), A6.21(modified for Walnut Passage; no levels 6 and 7), A6.22(no Levels 6 and 7), A6.30, A6.46(no Levels 6 and 7).

The Community Preservation Lookalike Variant, unlike the developer's, preserves the historic characteristics of the building and fully complies with the Secretary of the Interior's Standards for the treatment of historic properties.

The Draft EIR acknowledges that the developer's design would have a substantial adverse effect on the historic characteristics of the listed building and landscaping.

The developer proposes to cut a 40 ft. gap through all levels of the main building, thereby creating two separate structures and adding 2 and 3 new levels on top, thereby impairing the horizontality of the building.

The Community Preservation Lookalike Variant, in accordance with the SOISs, adds one set back level, Level 5, to the main building. As noted above, the developer would add Level 5, Level 6 and Level 7.

Walnut Passage: In order for the developer to create the 40 ft. wide Walnut Walk which would connect the north and south sides of the property in alignment with Walnut St., the developer proposes to bifurcate the building with a 40 ft cut through all existing levels of the building.

There is a better solution.

The Community Preservation Lookalike Variant design calls for a ground level, utilizing the same elevation as the developer, 15 ft high (Level 1) by 20 ft. wide entry/exit on the north and south sides of the building. This entry/exit would extend 35 ft. into the building where it would open up into a 35 ft. wide by 75 ft. long landscaped Center Court which also serves as a Light Court in the building. This

design fully maintains the historic characteristics of the Main building while at the same time meeting the developer's desire in alignment with Walnut Street for connectivity.

A case of form follows function.

Summary: Same number of units(744) in approx.. five years, more residential gsf than the developer's proposal, compliant with RM-1 zoning , historically compatible, neighborhood responsive.

Dear Members of the Board of Supervisors,

My name is Krisanthly Desby and I live 3 blocks from the proposed project.

I am a transplant from Los Angeles, and like many transplants, have grafted onto and love San Francisco. The charm of the neighborhoods, the mix of Victorians and other architecture, the hills, the greenspace and a national park on our doorstep have made it a magnet for visitors, creative people and businesspeople for over a century.

I never thought I would live to see the day when San Francisco would approve a project that stands for everything that has ruined my hometown city. LA, as we all know, cemented over a river, bulldozed neighborhoods and parks, and replaced them with freeways, housing projects, towers, and strip malls. It continues to this very day.

That is what this project, in the plans drawn by The Prado Group, represents. It will bulldoze the hill, remove the trees, extend ~~the streets~~ ^{A CONCRETE WALKWAY}, cram in 2 towers and other buildings, and adds a large, commercial and retail complex where it does not belong: at the intersection of four family neighborhoods. We already have Laurel Village, the shopping complex at Geary and Masonic, many shops along Geary St., the Sacramento Street merchants, and Fillmore Street nearby, all within walking distance.

If this is truly about housing, then we need to build housing on this site. The Community Alternative achieves the objectives that the city claims it wants: housing. Not only that, but it is done without defacing the very things that make our neighborhood and that site unique: the trees and the hill, which The Prado Group will remove and pave over. The Prado Group's plan takes away the beauty that was designed by an architect and an award-winning landscape designer, and leaves us instead with the very thing I left Los Angeles to escape: a charmless cement expanse of commercial buildings, and crowded housing towers.

Please allow our neighborhood to retain its character while adding needed housing. The two can go together beautifully with a thoughtful plan sensitive to the area.

From: johnmburns48@yahoo.com
Sent: Monday, November 4, 2019 8:30 AM
To: Board of Supervisors, (BOS); Peskin, Aaron (BOS); Safai, Ahsha (BOS); Stefani, Catherine (BOS); Mar, Gordon (BOS); Ronen, Hillary; Haney, Matt (BOS); Yee, Norman (BOS); Mandelman, Rafael (BOS); Fewer, Sandra (BOS); Brown, Vallie (BOS); Walton, Shamann (BOS)
Cc: BOS Legislation, (BOS); frfbeagle@gmail.com; kdesby@sandhill.com; laurelheights2016@gmail.com
Subject: Comments on 3333 California St for BOS Mtg 11052019 or 11122019
Attachments: BOS Comments 11122019.docx

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

Please add the following letter to the agenda for the upcoming BOS meeting.

Thank you, John and Usha Burns
3616-18 Sacramento St
SF 94118

RE: 3333 California St Proposed Development (2015-014028CUA/PCA/MAP/DUA)

Dear Members of the Board of Supervisors,

My wife and I live in Presidio Heights at 3616-18 Sacramento St at Locust about 3 blocks away from the subject property and have been following this proposed development closely.

Although we recognize that the City is in great need of middle- and lower-income housing, we do not support the developer's plans as currently proposed. We do support the Community Alternative Plans that build the same number of housing units as the developer's plans - 744 units including 185 units of affordable senior housing - and are better because they do not build on the historic green space and will be built in a shorter period of time because they involve less excavation and demolition.

The specific areas of the proposed development that are most concerning and need modification are:

- We oppose adding retail uses to the site as there is adequate retail in Laurel Village and surrounding areas with many vacancies for plenty of growth.
- The prolonged 15-year construction period would jeopardize the survival of Laurel Village merchants, such as the independent quality groceries of Cal-Mart and Bryan's.
- The project phasing over the 15-year period is not definite and the BOS has no guarantee that the developer will complete the senior affordable housing on a definite schedule.
- Flexible Retail uses, which were not evaluated by the EIR, should not be allowed at all in this project (they are not allowed anywhere else in District 2 or in the Sacramento or Fillmore Street commercial districts) as they will bring adverse uses to our otherwise well planned neighborhoods.

We urge this BOS to require the project be redesigned according to one of the well planned Community Alternatives. These alternatives do not remove the significant trees along California Street and retain more on-site Redwoods and trees on the historically significant Eckbo Terrace.

Sincerely,

John and Usha Burns
3616-3618 Sacramento St.
San Francisco 94118

From: Docs, SF (LIB)
To: BOS Legislation, (BOS)
Subject: RE: HEARING NOTICE: Appeals of CEQA Certification of Final Environmental Impact Report, Conditional Use Authorization, and Tentative Map - Proposed 3333 California Street Project - Appeal Hearing on November 5, 2019
Date: Tuesday, October 22, 2019 9:42:22 AM
Attachments: image001.png

Hi Jocelyn,

I have posted the hearing notice.

Thank you,

Michael

From: BOS Legislation, (BOS)
Sent: Tuesday, October 22, 2019 9:31 AM
To: Docs, SF (LIB) <sfdocs@sfpl.org>
Cc: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: FW: HEARING NOTICE: Appeals of CEQA Certification of Final Environmental Impact Report, Conditional Use Authorization, and Tentative Map - Proposed 3333 California Street Project - Appeal Hearing on November 5, 2019

Good morning,

Please post the following linked notice below for public viewing. Thank you!

Best regards,

Jocelyn Wong

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

jocelyn.wong@sfgov.org | www.sfbos.org



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From: Wong, Jocelyn (BOS) <jocelyn.wong@sfgov.org>
Sent: Tuesday, October 22, 2019 9:29 AM
To: Kathy Devincenzi <krdevincenzi@gmail.com>; dbragg@pradogroup.com;
lcongdon@pradogroup.com
Cc: GIVNER, JON (CAT) <Jon.Givner@sfcityatty.org>; STACY, KATE (CAT) <Kate.Stacy@sfcityatty.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; TOM, CHRISTOPHER (CAT) <Christopher.Tom@sfcityatty.org>; SHEN, ANDREW (CAT) <Andrew.Shen@sfcityatty.org>; MALAMUT, JOHN (CAT) <John.Malamut@sfcityatty.org>; Rahaim, John (CPC) <john.rahaim@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Sanchez, Scott (CPC) <scott.sanchez@sfgov.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>; Jain, Devyani (CPC) <devyani.jain@sfgov.org>; Navarrete, Joy (CPC) <joy.navarrete@sfgov.org>; Lynch, Laura (CPC) <laura.lynch@sfgov.org>; Lewis, Don (CPC) <don.lewis@sfgov.org>; Rodgers, AnMarie (CPC) <anmarie.rodgers@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Dwyer, Debra (CPC) <debra.dwyer@sfgov.org>; Zushi, Kei (CPC) <kei.zushi@sfgov.org>; Foster, Nicholas (CPC) <nicholas.foster@sfgov.org>; Rosenberg, Julie (BOA) <julie.rosenberg@sfgov.org>; Sullivan, Katy (BOA) <katy.sullivan@sfgov.org>; Longaway, Alec (BOA) <alec.longaway@sfgov.org>; Nuru, Mohammed (DPW) <mohammed.nuru@sfdpw.org>; Storrs, Bruce (DPW) <Bruce.Storrs@sfdpw.org>; Tse, Bernie (DPW) <bernie.tse@sfdpw.org>; Rivera, Javier (DPW) <Javier.Rivera@sfdpw.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; PEARSON, AUDREY (CAT) <Audrey.Pearson@sfcityatty.org>; Pena, Iowayna (ECN) <iowayna.pena@sfgov.org>; gxa@coblentzlaw.com; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: HEARING NOTICE: Appeals of CEQA Certification of Final Environmental Impact Report, Conditional Use Authorization, and Tentative Map - Proposed 3333 California Street Project - Appeal Hearing on November 5, 2019

Good morning,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on Tuesday, November 5, 2019, at 3:00 p.m., to hear the appeals of the certification of a Final Environmental Impact Report under CEQA, Conditional Use Authorization, and Tentative Map for a proposed project at 3333 California Street.

Please find the following link to the hearing notice for the matter.

[Public Hearing Notice - October 22, 2019](#)

NOTE: The President may entertain a motion to continue the following appeal hearings to the Board of Supervisors' meeting of Tuesday, November 2, 2019.

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

below:

[Board of Supervisors File No. 191035](#)

[Board of Supervisors File No. 191039](#)

[Board of Supervisors File No. 191043](#)

Best regards,

Jocelyn Wong

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

jocelyn.wong@sfgov.org | www.sfbos.org



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BOARD of SUPERVISORS



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

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeals and said public hearings will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, November 5, 2019

Time: 3:00 p.m.

Location: Legislative Chamber, City Hall, Room 250
1 Dr. Carlton B. Goodlett, Place, San Francisco, CA 94102

NOTE: The President may entertain a motion to continue the following Appeal Hearings to the Board of Supervisors' meeting of November 12, 2019.

Subject: 3333 California Street Project Appeals

File No. 191035. Hearing of persons interested in or objecting to the certification of a Final Environmental Impact Report for a proposed mixed-use project and project variant at 3333 California Street, identified in Planning Case No. 2015-014028ENV, issued by the Planning Commission through Motion No. 20512, dated September 5, 2019; to demolish the existing annex building, surface parking lots, and circular garage ramps; partially demolish the existing four-story office building and divide it into two separate buildings, vertically expanding the existing building to add two to three levels; construct 13 new buildings that would include 824,691 square feet of residential uses containing a total of 558 units, 54,117 square feet of retail use, 49,999 square feet of office use, and 14,690 square feet of child care use; the project variant would include 978,611 square feet of residential uses containing a total of 744 units, 48,593 square feet of retail use, and 14,650 square feet of child care use; both project and project variant would include vehicular parking, bicycle parking, loading facilities and streetscape improvements. (District 2) (Appellants: Kathryn Devincenzi, on behalf of the Laurel Heights Improvement Association of San Francisco, Inc.) (Filed: October 7, 2019)

File No. 191039. Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization and planned development for a proposed project at 3333 California Street, Assessor's Parcel Block No. 1032, Lot No. 003, identified in Planning Case No. 2015-014028CUA, issued by the Planning Commission by Motion No. 20516, dated September 5, 2019, to allow structures to exceed 40 feet in height within an RM (Residential, Mixed) Zoning District and 3333 California Street Special Use District and for an existing child care facility to change of use to residential use, pursuant to Planning Code, Sections 253, 303 and 304, of the Planning Code modifications to the Rear Yard Requirements (Section 134), Permitted Obstructions (Section 136), Dwelling Unit Exposure (Section 140), General Standards for Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155); Dwelling Unit Density (Section 207), and Measurement of Height (Section 260), within the RM-1 (Residential, Mixed, Low Density) Zoning District and a 40-X, 67-X, 80-X, and 92-X Height and Bulk District. (District 2) (Appellant: Kathryn Devincenzi, on behalf of Laurel Heights Improvement Association of San Francisco, Inc.) (Filed October 7, 2019)

File No. 191043. Hearing of persons interested in or objecting to the decision of Public Works, dated September 27, 2019, approving a Tentative Map for a 15 Lot Vertical Subdivision and 675 Residential and 64 Commercial, mixed-use new condominium project at 3333 California Street, Assessor's Parcel Block No. 1032, Lot No. 003. (District 2) (Appellant: Kathryn Devincenzi, on behalf of Laurel Heights Improvement Association of San Francisco, Inc.) (Filed: October 7, 2019)

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, November 1, 2019.


f Angela Calvillo
Clerk of the Board

BOARD of SUPERVISORS



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

PROOF OF MAILING

Legislative File No. 191035; 191039; 191043

Description of Items: Hearing - Appeal of Final Environmental Impact Report Certification -
Appeal of Conditional Use Authorization - Appeal of Tentative Map Approval -
3333 California Street - 780 Notices Mailed

I, Jocelyn Wong, an employee of the City and
County of San Francisco mailed the above described document(s) by depositing the
sealed items with the United States Postal Service (USPS) with the postage fully prepaid
as follows:

Date: October 22, 2019

Time: 9:04 am

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

BOARD of SUPERVISORS



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

October 15, 2019

File Nos. 191035-191038, and 191039-191042
Planning Case No. 2015-014028ENV/CUA

Received from the Board of Supervisors Clerk's Office two checks, each in the amount of Six Hundred Forty Dollars (\$640) each, representing the filing fees paid by the following for the appeal of the certification of the Final Environmental Impact Report under CEQA, and Conditional Use Authorization for the proposed 3333 California Street Project:

- Kathryn Devincenzi, on behalf of Laurel Heights Improvement Association (two checks)

Planning Department
By:

Tony Young
Print Name

[Signature] 10/16/19
Signature and Date

From: BOS Legislation, (BOS)
Sent: Tuesday, October 15, 2019 2:59 PM
To: 'Kathy Devincenzi'
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); TOM, CHRISTOPHER (CAT); SHEN, ANDREW (CAT); MALAMUT, JOHN (CAT); Rahaim, John (CPC); Teague, Corey (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lynch, Laura (CPC); Lewis, Don (CPC); Rodgers, AnMarie (CPC); Sider, Dan (CPC); Starr, Aaron (CPC); Dwyer, Debra (CPC); Zushi, Kei (CPC); Foster, Nicholas (CPC); Rosenberg, Julie (BOA); Sullivan, Katy (BOA); Longaway, Alec (BOA); Nuru, Mohammed (DPW); Storrs, Bruce (DPW); Tse, Bernie (DPW); Rivera, Javier (DPW); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); PEARSON, AUDREY (CAT); Pena, Iowayna (ECN); 'gxa@coblentzlaw.com'
Subject: Appeals of CEQA Certification of Final Environmental Impact Report, Conditional Use Authorization, and Tentative Map - Proposed 3333 California Street Project - Appeal Hearing on November 5, 2019

Good afternoon,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on **November 5, 2019, at 3:00 p.m.** Please find linked below letters of appeal filed against the proposed project at 3333 California Street, as well as direct links to the Planning Department's determination of timeliness for the appeal, Public Works letter of determination, and an information letter from the Clerk of the Board.

[Environmental Impact Appeal Letter - 3333 California Street - October 7, 2019](#)

[Conditional Use Authorization Appeal Letter - 3333 California Street – October 7, 2019](#)

[Tentative Map Appeal Letter - 3333 California Street – October 7, 2019](#)

[Planning Department Memo - October 9, 2019](#)

[Public Works Letter – October 11, 2019](#)

[Clerk of the Board Letter - October 15, 2019](#)

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

[Board of Supervisors File No. 191035](#)

[Board of Supervisors File No. 191039](#)

[Board of Supervisors File No. 191043](#)

Please note that the hearing date is swiftly approaching. Our office must notice this appeal hearing on Tuesday, October 22, 2019. If you have any special recipients for the hearing notice, kindly provide the list of address for interested parties in spreadsheet format to us by 12:00 p.m., Friday, *October 18*.

Best regards,

Jocelyn Wong

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org



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.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the 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.

BOARD of SUPERVISORS



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

October 15, 2019

Kathryn Devincenzi
Laurel Heights Improvement Association of San Francisco, Inc.
22 Iris Avenue
San Francisco, CA 94102

Subject: File Nos. 191035, 191039, and 191043 - Appeals of CEQA Final Environmental Impact Report, Conditional Use Authorization, and Tentative Map - 3333 California Street

Dear Ms. Devincenzi:

The Office of the Clerk of the Board is in receipt of a memorandum dated October 9, 2019, from the Planning Department regarding their determination on the timely filing for an appeal of the CEQA Final Environmental Impact Report (FEIR) for the proposed project at 3333 California Street.

The Planning Department has determined that the CEQA FEIR appeal was filed in a timely manner (copy attached).

The City and County Surveyor has informed the Board of Supervisors in a letter received October 11, 2019, (copy attached) that the signatures represented with your Conditional Use (CU) appeal filing on October 7, 2019, have been checked pursuant to the Planning Code, and represent owners of more than 20% of the property involved and are sufficient for an appeal.

Pursuant to Administrative Code, Section 31.16, and Planning Code, Section 308.1, and Subdivision Code, Section 1314, a hearing date has been scheduled for **Tuesday, November 5, 2019, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by noon:

20 days prior to the hearing: names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

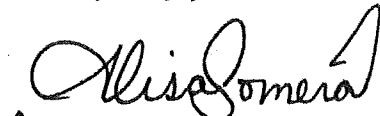
11 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and two copies of the documentation for distribution.

NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.

If you have any questions, please feel free to contact Legislative Clerks Brent Jalipa at (415) 554-7712, Lisa Lew at (415) 554-7718, or Jocelyn Wong at (415) 554-7720.

Very truly yours,


fr Angela Calvillo
Clerk of the Board

c: Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Christopher Tom, Deputy City Attorney
Andrew Shen, Deputy City Attorney
John Malamut, Deputy City Attorney
John Rahaim, Director, Planning Department
Corey Teague, Zoning Administrator, Planning Department
Scott Sanchez, Acting Deputy Zoning Administrator, Planning Department
Lisa Gibson, Environmental Review Officer, Planning Department
Devyani Jain, Deputy Environmental Review Officer, Planning Department
Joy Navarette, Environmental Planning, Planning Department
Laura Lynch, Environmental Planning, Planning Department
Don Lewis, Environmental Planning, Planning Department
AnMarie Rodgers, Director of Citywide Planning, Planning Department
Dan Sider, Director of Executive Programs, Planning Department
Aaron Starr, Manager of Legislative Affairs, Planning Department
Debra Dwyer, Staff Contact, Planning Department
Kei Zushi, Staff Contact, Planning Department
Nicholas Foster, Staff Contact, Planning Department
Julie Rosenberg, Executive Director, Board of Appeals
Katy Sullivan, Legal Assistant, Board of Appeals
Alec Longaway, Legal Process Clerk, Board of Appeals
Mohammed Nuru, Director, Public Works
Bruce Storrs, City and County Surveyor, Public Works
Bernie Tse, Acting Manager, Public Works
Javier Rivera, Associate Engineer, Public Works



London N. Breed
Mayor

Mohammed Nuru
Director

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

Bureau of Street Use & Mapping
1155 Market St., 3rd floor
San Francisco, CA 94103
tel (415) 554-5827
Subdivision.Mapping@sfdpw.org

sfpublicworks.org
facebook.com/sfpublicworks
twitter.com/sfpublicworks

October 11, 2019

Ms. Angela Calvillo
Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall – Room 244
San Francisco, CA 94102

RE: Planning Case No. 2015-014028CUA
3333 California Street – Conditional Use Authorization Appeal
APN 1032-003

Dear Ms. Calvillo:

This letter is in response to your October 8, 2019 request for our Department to check the sufficiency of the signatures with respect to the above referenced appeal. Please be advised that per our calculations the appellant's signatures represent 28.9% of area, which is greater than 20% of the area involved and is therefore sufficient for appeal.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce R. Storrs".

Bruce R. Storrs, P.L.S.
City & County Surveyor

From: BOS Legislation, (BOS)
Sent: Wednesday, October 9, 2019 9:25 AM
To: Rahaim, John (CPC)
Cc: GIVNER, JON (CAT); STACY, KATE (CAT); JENSEN, KRISTEN (CAT); Teague, Corey (CPC); Sanchez, Scott (CPC); Gibson, Lisa (CPC); Jain, Devyani (CPC); Navarrete, Joy (CPC); Lewis, Don (CPC); Rodgers, AnMarie (CPC); Sider, Dan (CPC); Starr, Aaron (CPC); Zushi, Kei (CPC); Rosenberg, Julie (BOA); Sullivan, Katy (BOA); Longaway, Alec (BOA); BOS-Supervisors; BOS-Legislative Aides; Calvillo, Angela (BOS); Somera, Alisa (BOS); PEARSON, AUDREY (CAT); Pena, Iowayna (ECN); BOS Legislation, (BOS)
Subject: Appeal of CEQA Certification of FEIR - Proposed Project at 3333 California Street
Attachments: CoB Ltr 100819.pdf; Appeal Ltr 100719.pdf
Categories: 191035

Good afternoon, Director Rahaim:

The Office of the Clerk of the Board is in receipt of an appeal of the CEQA Final Environmental Impact Report for the proposed project at 3333 California Street. The appeal was filed by Kathryn Devincenzi, on behalf of Laurel Heights Improvement Association, on October 7, 2019.

Please find the attached letter of appeal and timely filing determination request letter from the Clerk of the Board. Kindly review for timely filing determination. Thank you.

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7712 | Fax: (415) 554-5163

brent.jalipa@sfgov.org | www.sfbos.org

From: [BOS Legislation, \(BOS\)](#)
To: [Storrs, Bruce \(DPW\)](#)
Cc: [Sanguinetti, Jerry \(DPW\)](#); [Rivera, Javier \(DPW\)](#); [GIVNER, JON \(CAT\)](#); [STACY, KATE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lynch, Laura \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Sanchez, Scott \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Foster, Nicholas \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Sullivan, Katy \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [PEARSON, AUDREY \(CAT\)](#); [Pena, Iowayna \(ECN\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization - Proposed Project at 3333 California Street - Verification of Signature
Date: Wednesday, October 9, 2019 9:25:41 AM
Attachments: [COB Ltr 100819.pdf](#)
[3333 California Appeal CUA.pdf](#)

Good morning, Mr. Storrs:

The Office of the Clerk of the Board is in receipt of an appeal of the Conditional Use Authorization for the proposed project at 3333 California Street. appeal was filed by Kathryn Devincenzi, on behalf of Laurel Heights Improvement Association, on October 7, 2019.

Please find the attached appeal filing packet, and a letter requesting verification of signatures (starting on Page 38 of the pdf) submitted with the appeal filing.

Kindly review for verification of signatures. Thank you.

Regards,

Brent Jalipa

Legislative Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

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TDD/TTY No. 554-5227

October 8, 2019

Bruce R. Storrs
City and County Surveyor, Public Works
1155 Market Street, 3rd Floor
San Francisco, CA 94103

Planning Case No. 2015-014028CUA
3333 California Street - Conditional Use Authorization Appeal

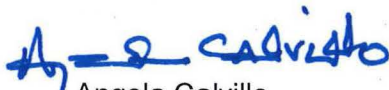
Dear Mr. Storrs:

The Office of the Clerk of the Board is in receipt of an appeal filed by Kathryn Devincenzi, on behalf of the Laurel Heights Improvement Association of San Francisco, Inc., from the decision of the Planning Commission on September 5, 2019, relating to the approval of a Conditional Use Authorization and planned development (Case No. 2015-014028CUA) that would allow structures to exceed 40 feet in height within an RM (Residential, Mixed) Zoning District and 3333 California Street Special Use District and for an existing child care facility to change of use to residential use, pursuant to Planning Code, Sections 253, 303 and 304, of the Planning Code modifications to the Rear Yard Requirements (Section 134), Permitted Obstructions (Section 136), Dwelling Unit Exposure (Section 140), General Standards for Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155); Dwelling Unit Density (Section 207), and Measurement of Height (Section 260), within the RM-1 (Residential, Mixed, Low Density) Zoning District and a 40-X, 67-X, 80-X, and 92-X Height and Bulk District for a proposed project located at:

3333 California Street, Assessor's Parcel Block No. 1032, Lot No. 003

By copy of this letter, the City and County Surveyor is requested to determine the sufficiency of the signatures in regard to the percentage of the area represented by the appellant. Please submit a report not later than 5:00 p.m. on October 11, 2019.

Sincerely,


Angela Calvillo
Clerk of the Board

c: Jerry Sanguinetti, Public Works-Bureau of Street Use and Mapping
Javier Rivera, Public Works-Bureau of Street Use and Mapping
Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Lisa Gibson, Planning Department
Devyani Jain, Planning Department
AnMarie Rodgers, Planning Department
Joy Navarette, Planning Department
Laura Lynch, Planning Department
Corey Teague, Planning Department
Scott Sanchez, Planning Department
Dan Sider, Planning Department
Aaron Starr, Planning Department
Jonas Ionin, Planning Commission
Nicholas Foster, Planning Department
Julie Rosenberg, Board of Appeals
Katy Sullivan, Board of Appeals
Alec Longaway, Board of Appeals

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

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

- ☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☒ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning : "Supervisor inquiries"
- ☐ 5. City Attorney Request.
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget Analyst request (attached written motion).
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

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

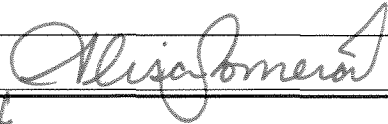
Sponsor(s):

Subject:

The text is listed:

Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization and planned development for a proposed project at 3333 California Street, Assessor's Parcel Block No. 1032, Lot No. 003, identified in Planning Case No. 2015-014028CUA, issued by the Planning Commission by Motion No. 20516, dated September 5, 2019, to allow structures to exceed 40 feet in height within an RM (Residential, Mixed) Zoning District and 3333 California Street Special Use District and for an existing child care facility to change of use to residential use, pursuant to Planning Code, Sections 253, 303 and 304, of the Planning Code modifications to the Rear Yard Requirements (Section 134), Permitted Obstructions (Section 136), Dwelling Unit Exposure (Section 140), General Standards for Off-Street Parking, Freight Loading, and Service Vehicle Facilities (Section 155); Dwelling Unit Density (Section 207), and Measurement of Height (Section 260), within the RM-1 (Residential, Mixed, Low Density) Zoning District and a 40-X, 67-X, 80-X, and 92-X Height and Bulk District. (District 2) (Appellant: Kathryn Devincenzi, on behalf of Laurel Heights Improvement Association of San Francisco, Inc.) (Filed October 7, 2019)

Signature of Sponsoring Supervisor:



For Clerk's Use Only

+

FILE No. 191039