



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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Planning Commission Motion No. 18470

Date: October 20, 2011
Case No.: 2011.0094C
Project Address: 1800 VAN NESS AVENUE (and 1754 CLAY STREET)
Zoning: RC-4 (Residential-Commercial Combined, High Density) District
VNSUD (Van Ness Special Use District)
80-D Height and Bulk District
Block/Lots: 0619/009 & 010
Project Sponsor: Van Ness Clay, LLC / Oyster Development Corporation
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION FOR A PLANNED UNIT DEVELOPMENT PURSUANT TO PLANNING CODE SECTIONS 253.2, 271, 303, 304 AND 306 TO ALLOW CONSTRUCTION OF AN 80-FOOT-TALL EIGHT-STORY, 94-UNIT MIXED-USE BUILDING WITH 99 PARKING SPACES AND 4,900 SQUARE FEET OF GROUND-FLOOR COMMERCIAL SPACE AND CONSTRUCTION OF A 44-FOOT TALL, FOUR-STORY, FOUR-UNIT RESIDENTIAL BUILDING WITH FOUR PARKING SPACES ON WASHINGTON STREET LOCATED WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL COMBINED, HIGH DENSITY) DISTRICT, THE VAN NESS SPECIAL USE DISTRICT AND THE 80-D HEIGHT AND BULK DISTRICT AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On February 1, 2011, Andrew Junius for Van Ness Clay, LLC / Oyster Development Corporation (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization for a Planned Unit Development under Planning Code

Sections 253.2, 271, 303, 304 and 306 to allow construction of an 80-foot tall, eight-story, 94-unit mixed use building with 99 parking spaces and approximately 4,900 square feet of ground-floor commercial space and construction of a 44-foot tall, four-story, four-unit residential building with four parking spaces located within the RC-4 (Residential-Commercial Combined, High Density District, the Van Ness Special Use District (hereinafter "VNSUD") and the 80-D Height and Bulk District.

On October 20, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0094C.

On January 25, 2007, the Commission conducted a public hearing and approved Case No. 2004.0339CEK proposing an 80-foot tall, 8-story mixed-use building with 62-units, 73 parking spaces and 5,100 square feet of ground floor commercial space at the project site.

On April 4, 2005, the Department performed a shadow study, Case No. 2004.0339K, per Planning Code Section 295, and determined that the 80-foot tall building proposed under Case No. 2004.0339C would not create a shadow impact on any property under the jurisdiction of the Recreation and Park Commission. On January 25, 2007, the Commission affirmed that the project analyzed under Case 2004.0339K does not create any shadow impacts per Section 295.

On October 20, 2011, the Department did not require an additional shadow study per Planning Code Section 295 as the project proposed under Case No. 2011.0094C is at the same height and of similar massing and bulk as the project under Case No. 2004.0339K. The project proposed under Case No. 2011.0094C would create a similar shadow fan as the project proposed under 2004.0339C. On October 20, 2011, the Commission reviewed and affirmed that the project proposed under 2011.0094C does not create any shadow impacts on any property under the jurisdiction of the Recreation and Park Commission per Section 295.

On August 27, 2005, under Case No. 2004.0339E, a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for a project proposing a Planned Unit Development to construct an 80-foot tall, eight-story, mixed-used building with 62 units, 73 parking spaces and 5,100 square feet of ground-floor commercial was prepared and published for public review.

On September 21, 2005, the Planning Department reviewed and considered the Final Mitigated Negative Declaration (FMND) and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"): and

On January 25, 2007, the Planning Commission found the FMND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, [and that the summary of comments and responses contained no significant revisions to the

Draft IS/MND,] and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

On October 3, 2011, an Addendum to Mitigated Negative Declaration, Case No. 2004.0339E, was prepared and certified which analyzed the currently project, Case No. 2011.0094C proposing a Planned Unit Development to construct two buildings, one 80-foot tall, eight-story mixed-used building and one 44-foot tall, four-story residential building, containing a total of 98 dwelling units, 103 parking spaces and 4,900 square feet of ground floor commercial space. The Addendum to Mitigated Negative Declaration, Case No. 2004.0339E, concluded that the FMND adopted and issued on September 21, 2005 remains valid and that no supplemental environmental review is required for the revised project aforementioned.

On October 20, 2011, the Planning Commission found the FMND and the Addendum to Mitigated Negative Declaration, both under Case No. 2004.0339E, were adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, [and that the summary of comments and responses contained no significant revisions to the Draft IS/MND,] and reaffirmed the FMND and approved the Addendum for the currently proposed project under Case No. 2011.0094C, in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. 2004.0339E at 1650 Mission Street, Fourth Floor, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting program (MMRP), which material was made available to the public and this Commission for this Commission's review, consideration and action.

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. 2011.0094C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is at 1800 Van Ness Avenue, on the northeast corner of Van Ness Avenue and Clay Street. The project site includes 1754 Clay Street, which is a through lot also having frontage on Washington Street. The project site is within an RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and an 80-D Height and Bulk District. The project encompasses two lots; Lots 009 and 010 in

Assessor's Block 0619, totaling approximately 25,820 square feet. The project site contains a vacant two-story commercial building at the corner of Van Ness Avenue and Clay Street, which formerly housed Kinko's Copies. The remainder of the site is devoted to surface parking lots.

3. **Surrounding Properties and Neighborhood.** The subject property is in a high-density residential/commercial district with nearby residential, commercial, mixed-use and religious institutional uses. Along Van Ness Avenue, the lot north and directly adjacent to the proposed project contains a four-story, mixed-use building with eight apartments over a ground floor commercial space. Across Van Ness Avenue, at the northwest corner of Van Ness Avenue and Clay Street, is a two-story commercial building currently occupied by Citibank with an adjacent surface parking lot. Along Clay Street, the lot east and directly adjacent to the project is a two-story building housing the California Club. Across Clay Street, at the southeast corner of Van Ness Avenue and Clay Street, is St. Luke's Church. The project site is at the western edge of the Nob Hill neighborhood.
4. **Past Actions and Project Description.** On January 25, 2007, the Planning Commission approved the following project per Motion No. 17364: demolition of the existing two-story commercial building and new construction of an Planned Unit Development consisting of an 80-foot tall, 8-story, 62-unit mixed-use building with approximately 5,100 square feet of ground-floor commercial space and up to 73 parking spaces within two basement levels. On April 8, 2010, per Motion No. 18707, the Planning Commission approved an extension of the performance period by an additional 24 months from the approval date of Motion No. 17364 (Case No. 2010.0065C).
5. **Proposal.** The project proposes (under a new owner/developer) construction of a Planned Unit Development consisting two buildings: an 8-story, 94-unit mixed-use building with 99 parking spaces and approximately 4,900 square feet of ground-floor commercial space and a 44-foot tall, four-story, four-unit residential building with four parking spaces on Washington Street.
6. **Public Comment.** The Commission heard public comment on the project at the Conditional Use hearing on October 20, 2011. Nearby neighbors (approximately 13 individuals) provided written and/or oral testimony in opposition to the project. Documents/petitions opposing the project were submitted to the Commission at the hearing. Written support for the project was provided by four community groups: The Middle Polk Neighborhood Association, The Lower Polk Neighbors, The Housing Action Coalition and the Community Leadership Alliance. The written testimony provided to the Commission and the Department has been included as part of the docket file for this case, no. 2010.0094C.
7. **Planning Code Compliance:** The Commission finds that project meets the provisions of the Planning Code in the following manner:
 - a. **Residential Density:** Section 209.1(l) of the Code allows up to one dwelling unit per 200 square feet of lot area in an RC-4 District. However, Section 243 of the Code states the residential density per Section 209.1 shall not apply within the Van Ness Special Use District (VNSUD).

While the RC-4 District would limit the approximately 25,820 square-foot subject lot to 129 dwelling units, the VNSUD does not place limits on dwelling unit density. The project proposes 98 dwelling units.

- b. **Shadow Study:** Section 295 restricts height on structures over 40 feet that shadow property under the jurisdiction of the Recreation and Park Commission.

As the project has the same height and general building massing as the project approved under Case No. 2004.0339C, the subject project would not create any shadow impacts. On April 4, 2005, the Department performed a shadow study under Case No. 2004.0339K, and the Department determined that the proposed 80-foot building would not create a shadow impact on any property under the jurisdiction of the Recreation and Park Commission.

- c. **Parking/Car Share:** Planning Code Section 151 requires one parking space per dwelling unit and one parking space for each 500 square feet of commercial space where the occupied floor area exceed 5,000 square feet. Planning Code Section 166 requires one car share space for projects proposing 50-200 dwelling units.

The project requires 98 independently-accessible parking spaces for the residential use and no parking spaces for the proposed 4,900 square-foot commercial use. One required car share space is proposed.

- d. **Bicycle Parking:** Planning Code Section 155.5 requires for projects with over 50 dwelling units, 25 Class 1 bicycle spaces plus one Class 1 space for every 4 dwelling units over 50.

Per Section 155.5, the required amount of bike parking for the 98-unit project is 37 Class 1 spaces. The project proposes 41 Class 1 spaces.

- e. **Height:** Planning Code Section 253.2 requires that any structure exceeding 50 feet in height in the VNSUD shall only be permitted upon Conditional Use authorization approved by the Planning Commission.

The project proposes an 80-foot tall, eight-story building and a 44-foot tall, four-story building. The proposed buildings are within the height limit set by the 80-D Height and Bulk District. (Also see "VNSUD Findings" below.)

- f. **Bulk:** Planning Code Section 270 requires that structures within the D Bulk District have maximum plan dimensions of 110 feet in length and 140 feet in diagonal dimension above a height of 40 feet.

Above a height of 40 feet, the project proposes a building length of approximately 140 feet along Van Ness Avenue and 150 feet along Clay Street. The diagonal dimensions proposed are approximately 161 feet for the portion of the building that faces Van Ness Avenue and 170 feet along the portion of the building that faces Clay Street. The applicant is seeking exceptions to the bulk requirements for the 80-foot tall building per Planning Code Section 271. (Also see "Bulk Exception Findings" below.)

- g. Inclusionary Affordable Housing Program:** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of five or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5 and 415.6, the Project is meeting the Inclusionary Affordable Housing Program requirement through the On-site Affordable Housing Alternative by providing 15% of the proposed dwelling units as affordable.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on October 4, 2011. The Conditional Use application was submitted on February 1, 2011. Fifteen (15) units (X two-bedroom, and X three-bedroom) of the 98 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- 8. VNSUD Findings:** Planning Code Section 253.2 states that any new construction over 50 feet in height shall be permitted as a Conditional Use upon approval of the Commission. Per Section 253.2, the Commission may impose the following requirements in addition to any others deemed appropriate:
- a) On Van Ness Avenue, the Commission may require a setback of up to 20 feet at a height of 50 feet or above in order to maintain the continuity of the prevailing street wall height established by the existing buildings along Van Ness Avenue within two blocks of the project.

A setback for the Van Ness Avenue façade is not necessary. Within only one block of the project, on both sides of the Avenue, buildings that are eight stories tall and of similar height exist. The proposed façade along Van Ness Avenue is consistent with the existing surrounding development.

- b) On Clay Street, the Commission may require a setback of up to 15 feet for all or a portion of a building on any lot abutting Clay Street in order to preserve existing view corridors. This requirement also applies to Washington Street.

The proposed Clay Street facade is consistent with surrounding development. As properties uphill from (west of) Van Ness Avenue along Clay Street contain structures that are of similar height and massing as the project, a setback along the Clay Street facade for the sole purpose of preserving existing view corridors is not necessary. (Also see "Bulk Exception Findings" below regarding setbacks along Clay Street that address building mass unrelated to preserving view corridors.)

9. **Bulk Exception Findings:** Planning Code Section 271 sets forth criteria, which must be met before the Commission may authorize a Conditional Use. The project complies with the criteria of Section 271 in that:

- c) The appearance of bulk in the building, structure or development shall be reduced so as to produce the impression of an aggregate of parts rather than a single building mass:

Proposed variations in planes of wall surfaces, heights and materials/colors significantly alter the apparent mass of the proposed building. Along Van Ness Avenue (Interstate 101), bay window/structures are proposed within the property lines, as bay windows are not permitted to overhang into the Caltrans right-of-way. A zinc-clad corner tower, provides emphasis at the intersection where desirable, and also contrasts with the proposed bay windows, which are of the same material but shorter in height. Also, all proposed bays do not extend the full height of the building, which further breaks-up the visual mass of the building. Along Van Ness Avenue, the bay structures are interspersed with a "checkerboard" pattern of cubes to further break down the apparent bulk of the building while providing visual interest with a rhythmic pattern and differing exterior materials. At the northwest and southeast corners of the site, various setbacks are provided from the street frontages and the side property lines allowing the main (primary) facade materials to wrap around to the side (secondary) facades. Thus, large expanses of blank walls do not exist, as the side facades are proposed to have windows and architectural detailing in keeping with the primary facades that front onto Van Ness Avenue and Clay Street.

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

- i. A silhouette harmonious with natural landforms and building patterns, including the patterns produced by height limits:

The scale and treatment of the facade along Van Ness Avenue are in keeping with other large developments in the area and are desirable to better relate the project with the grand scale of the Avenue. Along the Clay Street facade, the formal, regularized building patterns found along

the Van Ness Avenue façade are not necessary; however, the playfulness of the checkerboard cubed bays is retained and used to transition the Clay Street façade to the surrounding, smaller-scaled development patterns as Clay Street approaches Polk Street. The use of the checkerboard cube design parti is minimized towards the eastern side of the Clay Street façade, which allows the upper southeast corner of the building to appear “eroded” and reflects the surrounding topography and also creates a distinct four-story base at the southeast corner of the building, which relates to the remainder of the lower-scaled buildings along the block-face of Clay Street.

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

The overall height is consistent with the height of surrounding development along Van Ness Avenue. Along the Clay Street façade, the façade is designed to transition to the shorter development east of the project and to reflect the topography of the surrounding area. Similarly, at the northwest and southeast corners of the building, various setbacks and height reductions in the building mass directly address the existing adjacent buildings that are shorter in height and smaller in scale.

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

The use of certain materials, such as cement plaster, glass and zinc, references existing residential, commercial and mixed-use developments that are traditionally associated with the VNSUD. Other materials, such as the colored metal panels, are used with restraint to compliment and contrast the other traditional materials and in manner that is harmonious with existing development. The application of the traditional and more modern building materials is executed to produce a new building of its time.

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

From the exterior, the base of the building is approximately 20 feet tall, with the exterior materials detailed so the ground floor (retail space) appears approximately 15 feet in height at the sidewalk. The ground floor, particularly at the commercial spaces and residential lobby proposes large areas of glazing complimented with colored metal panels to provide visual interest and a visual connection between the public right-of-way and the ground floor. Along Clay Street, the loading entry and parking entry are consolidated via the use of a single garage door.

- v. While the above factors must be present to a considerable degree for any bulk limit to be exceeded, these factors must be present to a greater degree where both the maximum length and the maximum diagonal dimension are to be exceeded than where only one maximum dimension is to be exceeded.

The design of the building's massing and scale, the application and use of the exterior building materials and the various setbacks both in vertical and horizontal planes are used to produce a successful building design that addresses the formality desired along Van Ness Avenue while addressing the scale and development patterns that abut the project and especially along Clay Street. Of particular interest is how the building design is executed at the southeast corner of the Clay Street façade, as this portion of the building is a crucial area in transitioning the project to the overall urban forms and topography of the area.

10. Planned Unit Development Findings: Planning Code Section 304 sets forth criteria, which must be met before the Commission may authorize a Conditional Use for a Planned Unit Development. This project generally complies with all applicable criteria:

- e) The development shall affirmatively promote applicable objectives and policies of the Master Plan.

Comment: See "Master Plan Priority Policies" below.

- f) The development shall provide off-street parking adequate for the occupancy proposed.

This criterion is met. The project currently proposes 98 required parking spaces and one car share space.

- g) The development shall provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open space required by the Planning Code.

This criterion is met. The amount of useable open space as required by the Planning Code is provided within the rear yard area, and the shape of the proposed rear yard area is allowed to be modified under the Planned Unit Development provisions per the Planning Code. The amount of useable open space provided in the proposed rear yard area is greater than the amount of useable open required by the Planning Code for the RC-4 Zoning District. The project proposes approximately 5,800 square feet of common useable open space, although only 4,692 square feet of useable open space is required for the project, if the open space requirement were to be solely satisfied via common useable open space. In addition to the common useable open space provided at the rear yard level, balconies (although not all are Planning Code-complying as to the minimum dimensions required to qualify as private useable open space) provide additional open space to some of the residential units.

- h) The development shall 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 PUD will not be substantially equivalent to a reclassification of property.

This criterion is met. Per the prescribed RC-4 District, up to 129 units may be proposed for the subject property; however due to the Van Ness Special Use District there is no density limit. 98 units are proposed. The

- i) The development shall include commercial uses only to the extent that such uses are necessary to the serve residents of the immediate vicinity.

This criterion is met. A ground-floor commercial space is proposed. While no tenant is identified at this time, the commercial space provides future opportunities for commercial uses that may serve residents of the immediate vicinity.

- j) The development shall under no circumstances be excepted from any height limit.

This criterion is met. Both buildings are within the 80-foot height limit set by the 80-D Height and Bulk District.

11. **Conditional Use Findings:** Planning Code Section 303 sets forth criteria, which must be met before the Commission may authorize a Conditional Use. This project generally complies with the criteria of Section 303 in that:

- a) The proposed use or feature, at the size and intensity contemplated and at the proposed location, would provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community:

The proposal to construct an 80-foot tall, eight-story, 94-unit mixed-use building and a 44-foot tall, four-story, four-unit residential building would add 98 market-rate dwelling units to the City's housing stock. The proposed buildings' scale and dwelling unit density are compatible with the prescribed zoning districts and the neighborhood.

- b) 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:

- 1) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposed buildings have a shape, size and use that are consistent with the existing surrounding development, particularly development along Van Ness Avenue and Washington Street. The location of the trash and loading areas within the interior of the building, to contain such noxious uses, is consistent with promoting or creating positive general welfare for the persons residing or working in the vicinity and particularly to existing adjacent buildings. The quality of the open space provided is inviting and free of vehicular circulation.

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

98 parking spaces and one car share space for the project are required. The loading area and parking area have been consolidated via one garage door at the proposed eight-story building. Within a two block distance, the project site is served by MUNI lines C, 1, 12, 27, 47, 49, 79 and by Golden Gate Transit. Such transit lines provide direct access to regional public transit providers: AC Transit (Transbay Terminal), BART and CalTrain.

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

The project proposed is primarily for residential use with a commercial space at the ground floor level along Van Ness Avenue. Noxious or offensive emissions such as noise, glare, dust and odor are typically not associated with residential and commercial uses. The useable open space located within the rear yard and mid-block open space areas are for the residents of the building and not associated with the proposed commercial uses.

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

The project proposes street trees along Van Ness Avenue, Clay Street and Washington Street. A conceptual landscape design for the rear yard open space appears well-designed. The proposed rear yard is also accessible from common areas of the building, i.e. a common hallway or lobby, which also encourages use of the open space by building residents.

- c) That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

Comment: See "Master Plan Priority Policies" below.

12. **General Plan Conformity:** The Project generally meets the criteria in Section 303(c)(3) as specific components of the project are found to be consistent to the following objectives and policies of the General Plan:

VAN NESS AVENUE AREA PLAN – RESIDENTIAL LIVABILITY

OBJECTIVE 7: PROVIDE SAFE AND ATTRACTIVE ENVIRONMENTS WITHIN EACH MIXED USE DEVELOPMENT.

Policy 1: Ensure safety, security and privacy within new residential developments while encouraging efficient use of common open space areas.

Policy 3: Generally maintain existing open space requirements for residential use. Allow common open space requirements to be met by a variety of recreation and open space features.

Policy 4: Design mixed use developments to create a quiet residential environment with a variety of intimate, personal spaces well insulated from the intrusion of noise from street of commercial activities.

The project is appropriately designed to hold the building street wall along Van Ness Avenue, Clay Street and Washington Street. The proposed 80-foot tall building is in keeping with the existing building patterns and desired massing and scale along Van Ness Avenue, while the building is designed along the Clay Street façade to transition to the nearby smaller scaled development. The L-shape of the 80-foot tall building allows an intimate open space area be located at the rear of the building and shielded from street and commercial activities. Similarly, the 44-foot tall building proposed along Washington Street relates to the smaller scaled development along Washington Street, and it also appropriately infills a vacant gap along the Washington Street block face.

TRANSPORTATION ELEMENT

OBJECTIVE 34: RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICT TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

Policy 34.1: Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 34.3: Permit minimal or reduced off-street parking for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

To minimize private auto use and to encourage the use of public transit, – particularly as the project is located in an area well-served by local and regional transit – the number of parking spaces provided at the project is not excessive compared to the amount required by the Planning Code. 98 parking spaces (one space for each dwelling unit) and one car share space – 99 spaces total – are required; up to 103 spaces, including three to four car share spaces are authorized by this Motion.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1: MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1: Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

The project provides 98 units to the City's housing stock in a zoning district that encourages the development of high-density housing. The number of units and the building size and shape are proposed within the provisions of the Planning Code. The project does not request rezoning of the site and/or amendments to the Planning Code to achieve the amount of density proposed at the project site.

13. **Master Plan Priority Policies:** Planning Code Section 101.1(b) establishes eight priority planning policies and requires review of permits for consistency with said policies. The Project is consistent with all general and specific purposes of the Planning Code provided under Section 101.1, will not be detrimental to the character or stability of the neighborhood, and would constitute a beneficial development, in that:

- a. Existing neighborhood-serving commercial uses are preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The project is consistent with this policy. While the existing commercial building is proposed for demolition, new commercial space is provided at the ground floor of the project. The new commercial space also fronts Van Ness Avenue, which is consistent with existing commercial uses along the Avenue.

- b. Existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

Existing housing and neighborhood character is conserved and protected by the configuration of the project, as the proposed buildings provide adequate setbacks from adjacent residential buildings. The residential uses that abut the rear yard area of the project will not be impacted by increased noise, trash, dust, odors and other noxious emissions associated with trash and loading areas, as the project has been revised to incorporate trash and loading areas within the basement level. The proposed ground floor retail space is seen as an opportunity to enhance the economic diversity of the immediate neighborhood.

- c. The City's supply of affordable housing be preserved and enhanced;

Fifteen on-site affordable housing units are proposed at the project. Furthermore, the existing housing that is directly adjacent to the project is presumed to be "affordable housing" as the adjacent residences are housed in older buildings. The proposed shape of the project preserves light and air to the adjacent buildings. No affordable housing will be lost on the project site, as the site currently does not contain any residential uses.

- d. Commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The Mitigated Negative Declaration and the Addendum to Mitigated Negative Declaration prepared for the project indicates that the proposed parking and loading would not substantially adversely impact transportation and vehicular circulation.

- e. 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 is not in an area where industrial and services uses are permitted.

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

The proposal is new construction and will be reviewed and constructed in full compliance with current seismic and life-safety standards.

- g. That landmarks and historic buildings be preserved; and,

The existing building to be demolished is not a historic resource.

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

This proposed project will not affect any City-owned park or open space.

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 Application No. 2011.0094C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 11, 2011, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

The Planning Commission has reviewed and considered the IS/MND, the Addendum to Mitigated Negative Declaration and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment with the adoption of the mitigation measures contained in the MMRP to avoid potentially significant environmental effects associated with the Project, and hereby adopts the FMND.

The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C and incorporated herein as part of this Resolution/Motion by this reference thereto. All required mitigation measures identified in the IS/MND and contained in the MMRP are included as conditions of approval.

The Planning Commission further finds that since the MND was finalized, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the MND due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the MND.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 18470. 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on October 20, 2011.

Linda D. Avery
Commission Secretary

AYES: Commissioners Olague, Miguel, Antonini, Borden, Fong, Moore, and Sugaya

NAYS: none

ABSENT: none

ADOPTED: October 20, 2011

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Planned Unit Development containing an 80-foot tall, 8-story, 94-unit mixed use building with 4,900 square foot commercial space with 99 parking spaces and a 44-foot tall, 8-story, 4-unit residential building with 4 parking spaces located at 1800 Van Ness Avenue (including 1754 Clay Street), Assessor's Block 0619 and Lots 009 and 010 pursuant to Planning Code Sections 253.2, 271, 303, 304 and 306 within the RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and an 80-D Height and Bulk District; in general conformance with plans, dated October 11, 2011 and stamped "EXHIBIT B" included in the docket for Case No. 2011.0094C and subject to conditions of approval reviewed and approved by the Commission on October 20, 2011 under Motion No 18470. 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 October 20, 2011 under Motion No 18470.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18470 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 and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

3. **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. Their implementation 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

4. **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 proposed design need not mimic the surrounding residential buildings; however the materials shall be harmonious with the building materials (i.e. stucco, masonry, etc.) of surrounding residential uses. The material selection and application should reflect the primary use of the building as a residential structure. 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

5. **Bay Windows.** At the Washington Street building, the proposed bay windows at the front façade shall be flipped so the taller bay is located uphill from the lower bay to provide a better transition from Van Ness Avenue to the lower-scaled development to the east.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
6. **Corner Element.** At the corner bay/tower element along Van Ness Avenue and Clay Street, the proposed bedrooms shall be relocated so that the main living areas (living and dining rooms) are oriented towards the corner of the building and closest to the street intersection.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
7. **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
8. **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
9. **Curb Cuts.** The proposed curb cut along Clay Street shall be limited to a maximum width of 20 feet including the curb returns. The proposed curb cut along Washington Street shall be limited to a maximum width of 10 feet including the curb returns.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
10. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of

such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

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

PARKING AND TRAFFIC

11. **Car Share.** Pursuant to Planning Commission action, no fewer than three (3) and no greater than four (4) car share spaces shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

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

12. **Bicycle Parking (Residential Only).** The Project shall provide no fewer than 37 Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.

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

13. **Parking Requirement.** Pursuant to Planning Commission action, the Project shall provide up to a total of 103 independently-accessible off-street parking spaces. The 103 parking spaces shall include the 3-4 car share spaces referenced in the Car Share Condition of Approval above.

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

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

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

15. **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

HISTORICAL / PRESERVATION MEASURES – CALIFORNIA CLUB

16. **Monitoring.** Prior to demolition, excavation and construction activity, the project sponsor shall hire a structural engineer specializing in historical structures to perform an initial existing condition survey of the California Club of California at 1748-1750 Clay Street (Block 0619, Lot 008) to establish a baseline of existing damage/cracks. The structural engineer shall monitor the existing damage/cracks periodically during construction. The initial existing condition survey and monitoring reports shall be copied to the Zoning Administrator for reference and for inclusion in the case docket.

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

17. **Storage.** No construction materials or equipment shall be stored next to or leaned up against the California Club building.

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

18. **Training.** The project sponsor shall conduct a training program for contractor(s) and their workers to ensure that construction equipment used near the California Club, a potentially historic building, is operated with care.

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

PROVISIONS

19. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

Affordable Units

20. **Number of Required Units.** Pursuant to Planning Code Section 415.6, the Project is required to provide 15% of the proposed dwelling units as affordable to qualifying households. The Project contains 98 units; therefore, 15 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 15 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing ("MOH").

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

21. **Unit Mix.** The Project contains two (2) studios, forty-three (43) one-bedroom, fifty-one (51) two-bedroom, and two (2) three-bedroom units; therefore, the required affordable unit mix is seven (7) one-bedroom and eight (8) two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOH.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

23. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than fifteen percent (15%) of the each phase's total number of dwelling units as on-site affordable units.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

25. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOH at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing's websites, including on the internet at: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>.

As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, <http://sf-moh.org/index.aspx?page=321>

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average of one hundred (100)

percent of the median income for the City and County of San Francisco as defined in the Inclusionary Affordable Housing Program, an amount that translates to ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size" derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOH shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOH at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted

under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOH and pay interest on the Affordable Housing Fee at a rate equal to the Development Fee Deferral Surcharge Rate in Section 107A.13.3.2 of the San Francisco Building Code and penalties, if applicable.

MONITORING - AFTER ENTITLEMENT

26. **Commission Updates.** The Commission requests periodic reports from the Department regarding the progress of the project.

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

27. **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

28. **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

29. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

30. **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>

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

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

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

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