Executive Summary Conditional Use

HEARING DATE: MAY 5, 2011

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

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: **415.558.6377**

Date: April 28, 2011 *Case No.*: **2010.0614 C**

Project Address: 4960 MISSION STREET

Zoning: NC-3 (Neighborhood Commercial, Moderate Scale)

40-X Height and Bulk District

Block/Lot: 6968/002

Project Sponsor: Yakuh Askew

2407 Harrison Street, #2 San Francisco, CA 94110

Staff Contact: Sharon Lai – (415) 575-9087

sharon.w.lair@sfgov.org

Recommendation: Approval with Conditions

PROJECT DESCRIPTION

The applicant proposes to establlish a new four-story mixed-use building on a current vacant lot. The proposed structure will have a ground floor retail space, measuring approximately 1,115 square feet with an interior ground floor ceiling height of 12 feet. One dwelling unit will be located on each of the remaining three levels. The second and third floor units (Unit #1 and #2) will be a three-bedroom, family-sized dwellings, and the fourth floor will be a modest one-bedroom unit that is setback 15-feet from the front building wall. There are no parking spaces provided for this building, where Section 151 of the Planning Code requires one parking space for each dwelling unit. Section 161(j) of the planning code allows for the reduction in parking, if conditional use authorization is granted by the Planning Commission.

The proposed transit-oriented development creates new housing and commercial opportunities for San Francisco by replacing a lot that is currently vacant. The proposal requires a change of use and Section 312-neighborhood notification was conducted in conjunction with the Conditional Use Authorization process. The proposed use is a neighborhood-serving use.

SITE DESCRIPTION AND PRESENT USE

The project is located on the western side of Mission Street, at the corner of an unnamed street, located between Seneca and Onondaga Avenues, Block 6968, Lot 002. The property is located within the NC-3 (Neighborhood Commercial, Moderate) District with 40-X height and bulk district. The subject property measures approximately 27 feet wide with an average lot depth of 69 feet. The front property line (east side) and the left side property line (south side) are joined by a 75 degree angle. The property is currently

Executive Summary Hearing Date: May 5, 2011

vacant and was last occupied by a temporary storage structure. The subject property is a corner lot, with approximately 70 feet, 6 inches of frontage along an unmanned pedestrian street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located along the Mission Street NC-3 district with RH-1 (Residential House, Single-family) properties abutting the rear of the Mission Street block face. The subject Mission Street NC-3 contains 2-, 3-, and 4-story mixed-use buildings and commercial buildings. 6 of the 17 lots on the subject block fronting on the west side of Mission Street parking. 7 of the 25 lots on the two blocks across the subject block fronting on the east side of Mission Street contain off-street parking. To the west is the I-280 and to the east is the John McLaren Park. The Project site borders the Outer Mission and Excelsior neighborhoods. The subject NCD (Neighborhood Commercial District) provides a range of goods and services that serves the surrounding neighborhoods, including realty estate offices, formula retail grocery stores, furniture stores, and destination restaurants.

NC-3 Districts are intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes.

NC-3 Districts include some of the longest linear commercial streets in the City, some of which have continuous retail development for many blocks. Large-scale lots and buildings and wide streets distinguish the districts from smaller-scaled commercial streets, although the districts may include small as well as moderately scaled lots. Buildings typically range in height from two to four stories with occasional taller structures.

NC-3 building standards permit moderately large commercial uses and buildings. Rear yards are protected at residential levels.

A diversified commercial environment is encouraged for the NC-3 District, and a wide variety of uses are permitted with special emphasis on neighborhood-serving businesses. Eating and drinking, entertainment, financial service and certain auto uses generally are permitted with certain limitations at the first and second stories. Other retail businesses, personal services and offices are permitted at all stories of new buildings. Limited storage and administrative service activities are permitted with some restrictions.

Housing development in new buildings is encouraged above the second story. Existing residential units are protected by limitations on demolitions and upper-story conversions.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	April 15, 2011	April 15, 2011	20 days
Posted Notice	20 days	April 15, 2011	April 15, 2011	20 days
Mailed Notice	20 days	April 15, 2011	April 15, 2011	20 days

PUBLIC COMMENT

• The Department has received 1 phone call with concerns regarding the lack of parking.

ISSUES AND OTHER CONSIDERATIONS

- The existing site is a vacant lot that has been vacant for many years and was historically occupied by a storage shed prior to the 1970s, based on the City's Sanborn maps. It was most recently occupied by a temporary storage structure, based on recent photographs. The lot is vacant and has been under the current ownership since 1989.
- The proposed four-story mixed use building does not propose any off-street parking, where 3 would ne required by Code.
- The project proposes to create three new dwelling units, two are three-bedroom, family-sized, units and one is a one-bedroom unit.
- The neighborhood is well served by transit and many mixed-use buildings within the district are also developed without providing off-street parking. The addition of three dwelling units and a ground floor retail space is not anticipated to dramatically impact the parking and traffic demands of the neighborhood.
- The proposed structure will be one-story taller than the south side neighbor and two-stories taller than the north side neighbor. The proposed fourth floor is setback 15-feet from the front so as to provide a three-story scale at the street..
- The proposed project and use is consistent with the intent of the prescribed NC-3 zoning, in that it is a moderately scaled building with commercial and residential uses.
- The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow for the reduction in required parking within the NC-3 District.

Executive Summary CASE NO. 2010.0614C Hearing Date: May 5, 2011 4960 Mission Street

BASIS FOR RECOMMENDATION

The Department believes this project is necessary and/or desirable under Section 303 of the Planning Code for the following reasons:

- The project increases the City's housing stock and commercial retail opportunity.
- The project is a well designed mixed-use building that is compatible with the NC-3 district.
- The District is well served by transit, therefore the project should not impact traffic.
- The proposed Project meets all applicable requirements of the Planning Code.

RECOMMENDATION: Approval with Conditions

Attachment Checklist

	Executive Summary		Project sponsor submittal	
	Draft Motion		Drawings: Existing Conditions	
	Environmental Determination		Check for legibility	
	Zoning District Map		Drawings: Proposed Project	
	Height & Bulk Map		Check for legibility	
	Parcel Map		Neighborhood analysis	
	Sanborn Map			
	Aerial Photo			
	Context Photos			
	Site Photos			
Exhibits above marked with an "X" are included in this packet				
			Planner's Initials	

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SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)	
☐ Affordable Housing (Sec. 415)	☐ First Source Hiring (Admin. Code)
$\hfill \Box$ Jobs Housing Linkage Program (Sec. 413)	☐ Child Care Requirement (Sec. 414
☐ Downtown Park Fee (Sec. 412)	☐ Other

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Planning Commission Draft Motion

HEARING DATE: MAY 5, 2011

 Date:
 April 28, 2011

 Case No.:
 2010.0614 C

Project Address: 4960 MISSION STREET

Zoning: NC-3 (Neighborhood Commercial, Moderate Scale)

40-X Height and Bulk District

Block/Lot: 6968/002

Project Sponsor: Yakuh Askew

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Staff Contact: Sharon Lai – (415) 575-9087

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 712.94, 161(j) AND 303 OF THE PLANNING CODE TO ALLOW A REDUCTION IN THE OFF-STREET PARKING REQUIREMENTS FOR THE CONSTRUCTION OF A NEW FOUR-STORY MIXED-USE BUILDING CONTAINING A GROUND FLOOR COMMERCIAL USE AND THREE DWELLING UNITS, WITHIN THE NC-3 (MODERATE SCALE, NEIGHBORHOOD COMMERCIAL) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On July 22, 2010, Yakuh Askew (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section 712.94, 161(j) and 303 of the Planning Code to allow the reduction in the off-street parking requirements for the construction of a new four-story mixed-use building containing a ground floor commercial use and three dwelling units, within the NC-3 (Moderate-scale, neighborhood commercial) District and a 40-X Height and Bulk District.

On May 5, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0614C.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

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. 2010.0614C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. **Site Description and Present Use.** The project is located on the western side of Mission Street, at the corner of an unnamed street, located between Seneca and Onondaga Avenues, Block 6968, Lot 002. The property is located within the NC-3 (Neighborhood Commercial, Moderate) District with 40-X height and bulk district. The subject property measures approximately 27 feet wide with an average lot depth of 69 feet. The front property line (east side) and the left side property line (south side) are joined by a 75 degree angle. The property is currently vacant and was last occupied by a temporary storage structure. The subject property is a corner lot, with approximately 70 feet, 6 inches of frontage along an unmanned pedestrian street.
- 3. Surrounding Properties and Neighborhood. The project site is located along the Mission Street NC-3 district with RH-1 (Residential House, Single-family) properties abutting the rear of the Mission Street block face. The subject Mission Street NC-3 contains 2-, 3-, and 4-story mixed-use buildings and commercial buildings. 6 of the 17 lots on the subject block fronting on the west side of Mission Street have off-street parking. 7 of the 25 lots on the two blocks across the subject block fronting on the east side of Mission Street contain off-street parking. To the west is the I-280 and to the east is the John McLaren Park. The Project site borders the Outer Mission and Excelsior neighborhoods. The subject NCD (Neighborhood Commercial District) provides a range of goods and services that serves the surrounding neighborhoods, including realty estate offices, formula retail grocery stores, furniture stores, and destination restaurants.

NC-3 Districts are intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding

neighborhoods. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes.

NC-3 Districts include some of the longest linear commercial streets in the City, some of which have continuous retail development for many blocks. Large-scale lots and buildings and wide streets distinguish the districts from smaller-scaled commercial streets, although the districts may include small as well as moderately scaled lots. Buildings typically range in height from two to four stories with occasional taller structures.

NC-3 building standards permit moderately large commercial uses and buildings. Rear yards are protected at residential levels.

A diversified commercial environment is encouraged for the NC-3 District, and a wide variety of uses are permitted with special emphasis on neighborhood-serving businesses. Eating and drinking, entertainment, financial service and certain auto uses generally are permitted with certain limitations at the first and second stories. Other retail businesses, personal services and offices are permitted at all stories of new buildings. Limited storage and administrative service activities are permitted with some restrictions.

Housing development in new buildings is encouraged above the second story. Existing residential units are protected by limitations on demolitions and upper-story conversions.

4. **Project Description.** The applicant proposes to establish a new four-story mixed-use building on a current vacant lot. The proposed structure will have a ground floor retail space, measuring approximately 1,115 square feet with an interior ground floor ceiling height of 12 feet. One dwelling unit will be located on each of the remaining three levels. The second and third floor units (Unit #1 and #2) will be a three-bedroom, family-sized dwellings, and the fourth floor will be a modest one-bedroom unit that is setback 15-feet from the front building wall. There are no parking spaces provided for this building, where Section 151 of the Planning Code requires one parking space for each dwelling unit. Section 161(j) of the planning code allows for the reduction in parking, if conditional use authorization is granted by the Planning Commission.

The proposed transit-oriented development creates new housing and commercial opportunities for San Francisco by replacing a lot that is currently vacant. The proposal requires a change of use and Section 312-neighborhood notification was conducted in conjunction with the Conditional Use Authorization process. The proposed use is a neighborhood-serving use.

5. **Public Comment**. The Department has received 1 phone call with concerns regarding the lack of parking and no other comments related to the project.

- 6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. Land Use. In the NC-3 District, Planning Code Section 712.90 permits residential uses, Section 712.40 permits retail sales and services, and Section 712.53 permits business or professional services

The Project proposes to construct 3 dwelling unit over a commercial ground floor for general sales and services.

B. Commercial Parking. Planning Section 712.22 and 151 of the Planning Code requires off-street parking for every 300 square-feet of commercial occupied floor area, where the occupied floor area exceeds 5,000 square-feet.

The existing ground floor commercial space contains approximately 1,115 square-feet of occupied floor area and thus does not require any off-street parking.

- C. Exemptions from Off-Street Parking. Planning Code Section 161(j) states that off-street parking requirements for dwelling units in NC Districts may be reduced by the Planning Commission pursuant to the procedures for conditional use authorization set forth in Section 303 of the Code. The Planning Commission shall consider the criteria set forth below in lieu of the criteria set forth in Section 303(c), and may grant the reduction if it finds that:
 - 1. The reduction in the parking requirement is justified by the reasonable anticipated auto usage by residents of and visitors to the project;

The project site is well served by transit. There are four bus stops and 11 MUNI bus lines within a ¼ mile of the submit site, including 14L, 14X, 8BX, 8X, 14, 29, 43, 54, 88, 91, and Sam Trans 391. With all of these transit options it can reasonably be expected that residents of and visitors to the building will have decreased auto usage.

2. The reduction in the parking requirement will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity;

The addition of off-street parking would create a new curb cut and driveway, which would eliminate on-street parking and increase pedestrian and vehicular conflict. Any additional parking demands can be accommodated by the existing on-street parking however, it is reasonable to expect that residents and visitors to the building may utilize the readily available public transit.

3. The project is consistent with the existing character and pattern of development in the area; and

Many existing mixed-use buildings on the subject block do not have off-street parking on-site for all or some of the residential units. The project would strengthen the pedestrian scale of the district by providing an active ground floor use which is inherent to its character and consistent with its overall pattern of development.

4. The project is consistent with the description and intent of the neighborhood commercial district in which it is located.

The description of the NC-3 district is to create a heavily trafficked linear commercial corridor that serves the immediate and surrounding neighborhoods. Buildings are described to be two- to four-story buildings with ground floor commercial space. This project is consistent with these goals in that it would provide three dwelling units above the ground floor retail space. The active ground floor use will help define the district and draw pedestrians to the corridor.

D. **Front Setback.** Section 132 establishes front setback requirements in the RH and RM districts. In the NC-3 District there are no front setback requirements.

The proposed building will be constructed flush with the front property line.

E. **Rear Yard.** Section 134 establishes rear yard requirements for all districts. In the NC-3 District, a minimum 25 percent rear yard is required at the lowest story containing a dwelling unit, and at each succeeding level or story of a building, which, for the subject site, represents a rear yard depth of approximately 21′-0″ at the residential levels.

The Project provides a rear yard of 25% of the lot depth, approximately 17 feet deep at all residential levels.

F. **Open Space.** Section 135 establishes standards for usable open space for dwelling units. In the NC-3 District 80 square feet of usable open space is required for each unit if private, or 106 square feet per unit if shared.

The Project provides private usable open space in form of decks for each unit. Unit #1 has405 square feet, Unit #2 has 122 square feet, and Unit #3 has 335 square feet of private usable open space.

G. **Exposure.** Section 140 requires that every dwelling unit have windows in at least one 120-square-foot-minimum-size room face directly onto an open area, such as a public street, public alley, side yard at least 25 feet in width, rear yard or open space meeting the requirements of the Code.

All units have Code—complying exposure onto a public street, meeting the requirements of the Code.

H. **Floor Area Ratio.** Section 124 establishes floor area ratios (FARs) for all districts. In the NC-3 District, non-residential uses are subject to an FAR limit of 3.6 to 1.

The lot has an existing non-residential FAR of approximately 0.62:1. The project does not propose to expand the existing commercial space.

I. **Height.** Section 260 establishes height limits in all districts, with height being measured to the highest point on the finished roof in the case of a flat roof. The Project site is within the 40-X Height and Bulk District, which allows buildings up 40 feet in height. Additionally, Section 263.20, allows for one additional foot of height above the designated height limit for each additional foot of ground floor clear ceiling height in excess of 10 feet

The proposed interior commercial ground floor height is 12 feet, and the proposed building height is 42 feet. The proposed project complies with the height restrictions of the Code.

J. **Street Tree.** Section 143 requires street trees be planted in certain districts, including the NC-3 District.

One street tree will be planted along the frontage under the direction of the Department of Public Works Urban Forestry Division.

K. **Dwelling Unit Density.** Planning Code Section 712.91 specifies the permitted dwelling unit density within the NC-3 District to be one dwelling per every 600 square-feet of lot area.

The lot is 1,812 square-feet, therefore, three-dwelling units are permitted and the proposed project complies with the prescribed dwelling unit density.

L. Street Frontage in Neighborhood Commercial Districts. Planning Code Section 145.1 requires that at least half the total width of new or altered structures at the commercial street frontage shall be devoted to entrances to commercially used space, windows or display space at the pedestrian eye-level. Such windows shall use clear, untinted glass, except for decorative or architectural accent.

The proposed commercial front is 18 feet wide at the ground floor and is devoting approximately 13 feet towards windows and doors that meet the above stated criteria.

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

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

The size of the proposed use is in keeping with other building scale on the block face. The proposed three new dwelling units and active ground floor commercial space is consistent with the intent of the zoned use as well as the mixed-use development pattern of the Mission Street NC-3 district. The proposed project would increase the City's housing stock of rental or ownership properties as well as opportunity for new commercial activity for the NCD

- 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 height and bulk of the existing building is designed to be compatible with the NC-3 scale and its immediate neighbors. The subject site is located adjacent to a three-story mixed-use building with several four-story structures along the block face. The proposed four-story mixed-use building is designed to setback the fourth-story 15 feet from the front building wall, in order to better relate to its immediate context, while preserving the density of the prescribed zoning.

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 Planning Code does not require parking or loading for a 1,115 square-foot retail space. Although, the proposed dwelling units will not provide the required three parking spaces for the residential units, the site is located within a transit corridor where 11 bus routes are within walking distance. Providing less parking will detract visitors or residents of the building to travel by personal vehicles. Further, the addition of off-street parking would require new curb cuts, which would reduce the on-street parking availability.

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

The proposed use is not anticipated to produce any noxious or offensive emissions.

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

New street trees will be planted as per section 138.1 of the Planning Code.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

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

The proposed project is consistent with the stated purposed of NC-3 Districts in that the proposed project will provide ground floor retail space with residential uses above.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The project is consistent with these General Plan policies because it proposes three additional housing units and new ground floor commercial space in a neighborhood commercial district with quick access to transit and would not displace blue collar jobs in the process..

OBJECTIVE 2:

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

Policy 2.1:

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

The Project will create new commercial space to replace an existing vacant lot, which will enhance the diverse economic base of the City.

OBJECTIVE 6:

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

Policy 6.1:

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

No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

OBJECTIVE 11

IN INCREASING THE SUPPLY OF HOUSING, PURSUE PLACE MAKING AND NEIGHBORHOOD BUILDING PRINCIPLES AND PRACTICES TO MAINTAIN SAN FRANCISCO'S DESIRABLE URBAN FABRIC AND ENHANCE LIVABILITY IN ALL NEIGHBORHOODS.

POLICY 11.7 Where there is neighborhood support, reduce or remove minimum parking requirements for housing, increasing the amount of lot area available for housing units.

The project is consistent with this policy because it reduces parking and add three dwelling unit to the City's housing stock.

- 9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
 - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

A tenant has not be chosen for the proposed commercial space.

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

The existing lot is vacant. The new structure will setback the fourth floor 15-feet from the front of the building and is partially obscured by the front parapet/guardrail both of which help to integrate the building's scale with the neighborhood.

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

No housing is removed for this Project.

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

The site is on Mission Street and is well served by transit. It is presumable that the employees and residents would travel by transit thereby mitigating possible impacts on street parking. Mission Street has 11 MUNI bus lines (14L, 14X, 8BX, 8X, 14, 29, 43, 54, 88, 91, and Sam Trans 391).

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.

Ownership of industrial or service sector businesses will not be affected by this project. The project will replace a vacant lot.

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

The new building will be constructed according with the current building code requirements.

G. That landmarks and historic buildings be preserved.

The site is currently vacant..

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

The proposed building height has been reviewed for shadow study as per Section 295, and has been determined under case no. 2010.0614K to have no negative impacts on any parks and protected spaces.

10. 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.

11. 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. 2010.0614C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 5, 2011, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. 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 May 5, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

May 5, 2011

ADOPTED:

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow to allow the reduction in the off-street parking requirements for the construction of a new four-story mixed-use building containing a ground floor commercial use and three dwelling units, located at 4960 Mission Street, Block 6968, Lot 002 pursuant to Planning Code Sections **712.94**, **161(j)**, **and 303** within the **NC-3** District and a **40-X** Height and Bulk District; in general conformance with plans, dated May 5th, 2011 , and stamped "EXHIBIT B" included in the docket for Case No. **2010.0614C** and subject to conditions of approval reviewed and approved by the Commission on **May 5**, **211**, under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **May 5, 2011** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting **PERFORMANCE**

1. Validity 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, <u>www.sf-planning.org</u>.

DESIGN

- 2. **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.
- 3. **Street Trees.** Pursuant to Planning Code Section 138.1, 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, $\underline{www.sf-planning.org}$.
- 4. **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 architectural addenda. 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.

PROVISIONS

5. **Jobs Housing Linkage**. Pursuant to Planning Code Section 413 (formerly 313), the Project Sponsor shall contribute to the Jobs-Housing Linkage Program (JHLP). The calculation shall be based on the net addition of gross square feet of each type of space to be constructed as set forth in the permit plans. The Project Sponsor shall provide evidence that this requirement has been satisfied to the Planning Department prior to the issuance of the first site or building permit by the Department of Building Inspection. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

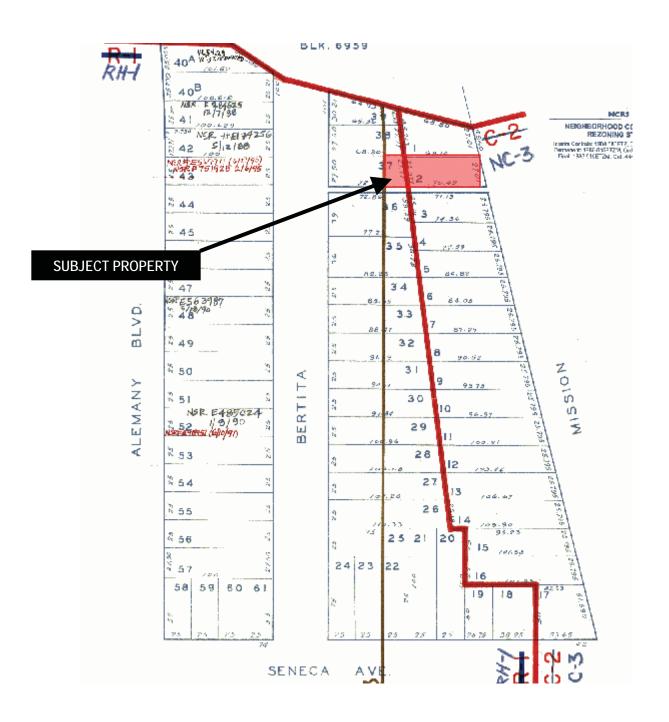
- 6. Enforcement. Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or 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.
- 7. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

OPERATION

8. **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, https://sfdpw.org/

4960 Mission St

Parcel Map

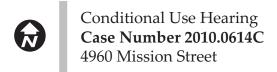




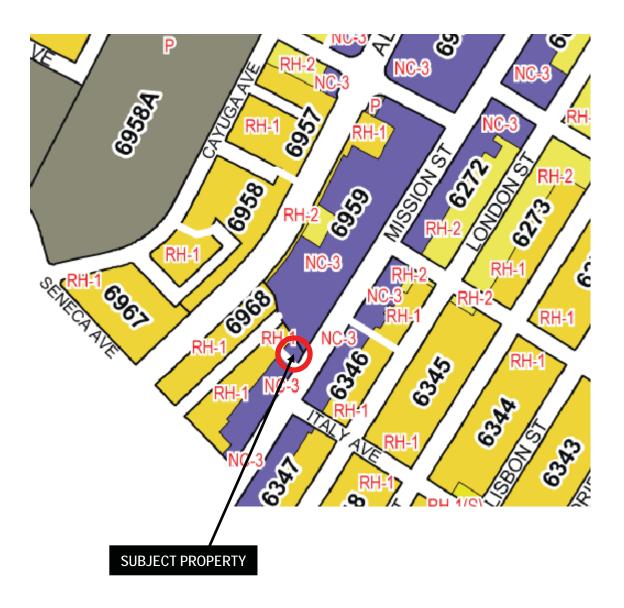
Sanborn Map*



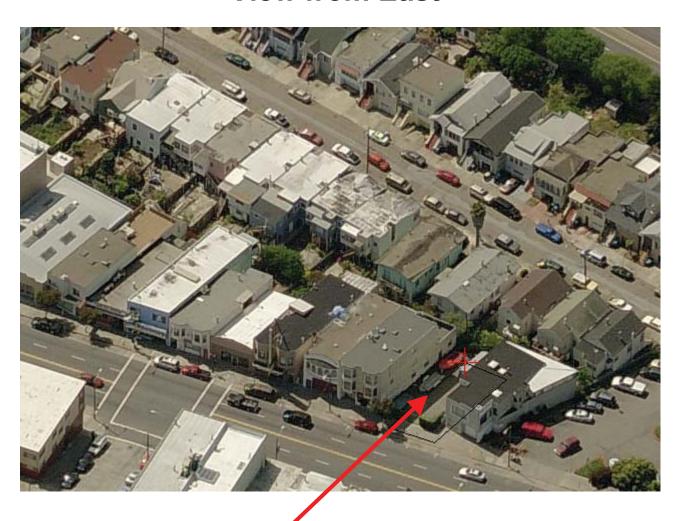
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Zoning Map



Aerial Photo View from East



SUBJECT PROPERTY

> Conditional Use Hearing Case Number 2010.0614C 4960 Mission Street

Aerial Photo View from North

SUBJECT PROPERTY

Conditional Use Hearing Case Number 2010.0614C 4960 Mission Street

Site Photo

SUBJECT PROPERTY



Conditional Use Hearing Case Number 2010.0614C 4960 Mission Street





NEW CONSTRUCTION MIXED-USE

3 RESIDENTIAL CONDOS 4964 A, B & C MISSION STREET 2 THREE BEDROOM UNITS I ONE BEDROOM UNIT

I COMMERCIAL CONDO (RETAIL) 4966 MISSION STREET

ANASTASIA & GEORGE ZOTALIS 1883 25TH AVENUE SAN FRANCISCO, CA 94122

BLOCK / LOT: 6968 / 002



PERMIT APPLICATIONS: # 2010.07.28.7648 & # 2010.0614 C

(Hearing date) MAY 5TH, 2011



April 2011

President Christina Olague San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear President Olague and Members of the Planning Commission:

This information package is in regards to the proposed in-fill development on a vacant lot in the Outer Mission on Mission Street between Seneca Avenue, Italy Avenue and Onondaga Avenue. The lot is adjacent to Unnamed Street 027.

The new construction will create a ground floor commercial retail suite, with three residential condominiums above. The project is requesting CU authorization (per 161 j) to maximize this blocks active neighborhood commercial presence by providing secure bicycle parking in-lieu of off street parking for the new residential units.

This project is located directly on a major public transit corridor (Mission Street) and is I block from Geneva Avenue which has several bus lines connecting to the Balboa Park BART station and the J-Church street car line. The project is located in an NC-3 zone, adjacent to several neighborhood-serving businesses as well as adjacent to a large Safeway general grocery store.

This is an ideal site for mixed-use urban infill with family sized residences as this project proposes.

In addition to plans and elevations as submitted to the Planning Department (which have been reduced and included in this package), we have attached some supplemental diagrams, photographs and project renderings for your use in understanding the proposed project.

Thank you for your review and attention,

Yakuh Askew, AIA, LEED A.P., GPBP, NOMA

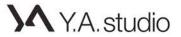






Photo of Site, Vacant Lot, block 6968 / lot 002







Photo of Site, Vacant Lot, block 6968 / lot 002





Street Photo, 4900 block of Mission Street (even / North-West side)



Opposite Street Photo, 4900 block of Mission Street (odd / South-East side)







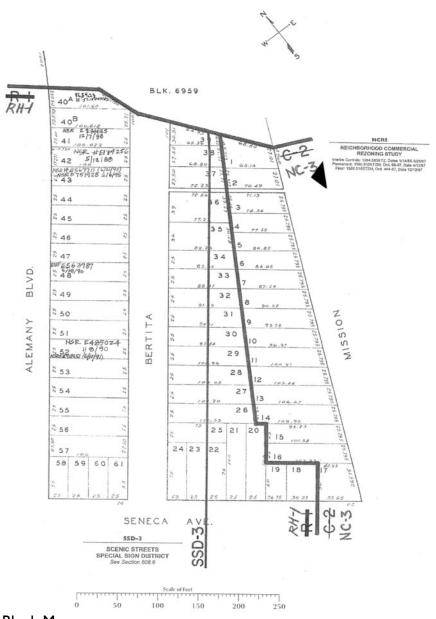
Location Map (courtesy Google Maps)





6968
HEYMAN SUB. OF WEST END
MAP I BLKS. I & 2
BLOCK RENUMBERED 1951

40-X



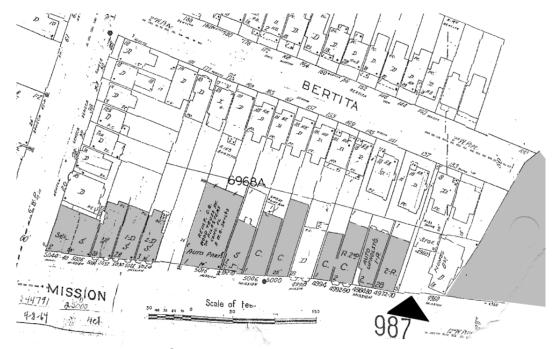




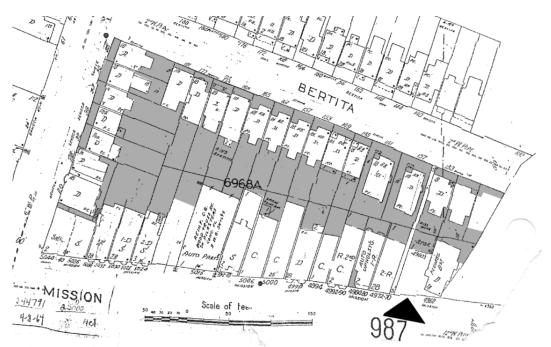


Sanborn Map





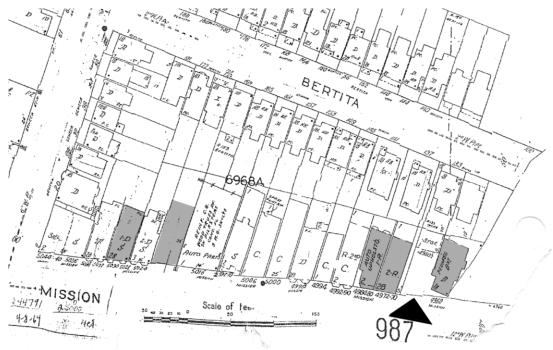
Neighborhood Commercial Diagram (Gray area indicates ground floor neighborhood commercial / retail)



Block Open Space Diagram (Gray area indicates existing open space block pattern)







Adjacent properties with private garages and/or curb cuts (Gray area indicates existing private garages)







Rendered Perspective – Looking South on Mission Street



Rendered Perspective – Looking North on Mission Street







Rendered Perspective – Looking North on Mission Street







Rendered Perspective – From across the Mission Street







Rendered Perspective – Rear Facade

GENERAL NOTES:

I. All work shall be in conformance with all applicable codes including but not limited to those listed in "Project Data," and to include all the requirements of other agencies having jurisdiction.

- 2. All work shall be done in accordance with AIA General Conditions Documents A-201, the edition attached to the Construction Contract.
- 3. Examination of the site and portions thereof which affect this work shall be made by the General Contractor, who shall compare existing conditions with the contract documents and satisfy him/herself as to the existing conditions under which work is to be performed. Contractor shall at such time ascertain and verify the locations of existing structures.
- 4. The contract documents describe design intent, and are not intended to be all inclusive. Contractor is responsible for the means and methods to provide complete operational systems & installations. No claims for additional work will be awarded for work which is described in these documents or which is reasonably inferable from them.
- 5. Contractor shall be responsible for thorough coordination of trades. All claims for additional work will not be awarded for any and all work related to such coordination.
- 6. Contractor shall verify all dimensions, elevations and conditions at the site, confirm that the work is buildable as shown, and notify Architect in writing of any discrepancies prior to proceeding with any and all work in question.
- 7. All dimensions are to finish face of concrete, centerline of steel, face of stud or casework unless otherwise noted. Dimensions noted as "CLR" must be precisely maintained. Dimensions are not adjustable without architect's approval unless noted as "+/-". Verify dimensions marked "V.I.F." prior to commencement of construction, and notify architect of any inconsistencies.
- 8. All dimensions, notes and details shown on one portion of a drawing shall apply typically to all opposite hand and/or conditions unless otherwise noted.
- 9. "Align" shall mean to accurately locate finish faces in the same plane.
- 10. The contract documents are complementary. What is shown or referred to partially or whole on any shall be provided as though shown on all.
- 11. Do not scale drawings. Dimensions shall govern. Drawings at a large scale shall take precedence over drawings of a small scale. Details shall govern over plans and elevations.
- 12. Contractor shall verify layout of partitions, doors, electrical outlets, data and telephone outlets, light fixtures, and switches with Architect prior to proceeding with construction. Contractor shall verify that no conflicts exist in locations of any mechanical, telephone, data, electrical, lighting, plumbing, and sprinkler equipment (to include, but not limited to all piping, ductwork and conduit) and that all required clearances for installation and maintenance are provided.
- 13. Damage to new and existing materials, finishes, structures, and equipment shall be repaired or replaced to the satisfaction of the Owner at the expense of the Contractor.
- 14. All work listed, shown, or implied on any contract document shall be supplied and installed by the Contractor, except where noted otherwise.
- 15. In case of conflict between the architect's and engineer's drawings in the location of materials and/or equipment, architectural drawings shall govern. The Contractor shall notify the Architect immediately of such conflict.
- 16. All manufactured articles, materials, and equipment shall be installed, connected, erected, cleaned, and conditioned per the manufacturer's instructions. In case of differences between manufacturer's instructions and the contract documents, the contractor shall notify the architect before proceeding with the work in question.
- 17. All work noted "By Others" or "N.I.C." shall be provided by owner or under separate contract. Submit to the architect and owner schedule requirements for this "other" work in the construction progress schedule and coordinate as required to assure orderly sequence of installation.
- 18. The General Contractor shall remove all rubbish and waste materials of all subcontractors and trades on a daily basis and shall exercise strict control over job cleaning to prevent any dirt, debris, or dust from affecting any finished areas in or outside the job site. Burning of debris on site shall not be permitted.
- 19. Contractor shall not proceed with any work requiring additional compensation beyond the contract amount without authorization from the architect or owner's representative. Failure to obtain authorization shall invalidate any claim for additional compensation.
- 20. Provide fireblocking at all ceilings, floors, furred-down ceilings, soffits, and concealed draft openings per CBC 708.2.1 Fireblocking shall not exceed 10 ft. max. in both vertical and horizontal directions.
- 21. Some work shall be designated as design / build deferred submittal. It shall be submitted to the project architect and engineer of record for review and coordination. Following completion review and coordination by architect and engineer of record, the Design Builder is responsible to submit stamped drawings and calculations to the San Francisco Building Department for review and approval along with a letter frm Architect and Engineer of record that they have been coordinated and found to be acceptable with no exceptions. Design / Build - deferred submittal work shall include, but is not limited to:
 - Electrical Plans - Plumbing Plans
 - Mechanical Plans - Sprinkler and Fire Alarm Plans

APPLICABLE CODES:

2007 CALIFORNIA BUILDING CODE W/ 2007 S.F. ADMENDMENTS 2007 CALIFORNIA FIRE CODE W/ 2007 S.F. ADMENDMENTS 2007 CALIFORNIA PLUMBING CODE W/ 2007 S.F. ADMENDMENTS 2007 CALIFORNIA ELECTRICAL W/ 2007 S.F. ADMENDMENTS 2007 CALIFORNIA MECHANICAL CODE W/ 2007 S.F. ADMENDMENTS 2007 CALIFORNIA ENERGY CODE ALL OTHER APPLICABLE LOCAL AND STATE LAWS AND REGULATIONS

PROJECT DESCRIPTION:

NEW 4 STORY, THREE FAMILY MIXED-USE STRUCTURE WITH GROUND FLOOR NEIGHBORHOOD COMMERCIAL RETAIL.

NO TENANT FOR RETAIL AT THIS TIME, TITO BE UNDER SEPARATE PERMIT

CONDITIONAL USE AUTHORIZATION FOR NO PARKING UNDER: 2010.0614C

PROJECT INFO:

BLOCK / LOT: (E) USE: **EMPTY LOT**

PROPOSED USE: R2, M - GROUND FLOOR RETAIL, MULTI-FAMILY RESIDENTIAL

ZONING: ZONING HEIGHT LIMIT: 40-X

27' X ~70' (VARIES) LOT:

LOT AREA: 1,812 SQ. FT. TYPE V-A

CONSTRUCTION: FULLY SPRINKLERED PER NFPA 13 SPRINKLERS: SPRINKLERS UNDER SEPARATE PERMIT

BUILDING CALCS.

COMMERCIAL / RETAIL:	1,060	SQ.FT.
UNIT I (SECOND FLOOR): UNIT I (OPEN SPACE):	1,165 405	SQ.FT. SQ.FT.
UNIT 2 (THIRD FLOOR): UNIT 2 (OPEN SPACE):	1,070 122	SQ.FT. SQ.FT.
UNIT 3 (FOURTH FLOOR): UNIT 3 (OPEN SPACE):	740 335	SQ.FT. SQ.FT.
COMMON AREA:	720	SQ.FT.
TOTAL RESIDENTIAL:	2,975	SQ.FT.
TOTAL CONSTRUCTION:	4,755	SQ.FT.

PER 2007 CBC, TABLE 503:

CONSTRUCTION TYPE:	V-A
ALLOWABLE HEIGHT:	50'-0"
ALLOWABLE # OF STORIES:	3 STORIES
ALLOWABLE AREA PER STORY:	12.000 SO.FT.

FULLY SPRINKLERED INCREASE PER 504.2: MAX, HEIGHT INCREASED TO: MAX STORIES INCREASED TO: FULL SPRINKLERED INCREASE PER 506.3:

MAX AREA PER STORY INCREASED TO:

42'-0" 4 STORIES <1,200 SQ.FT.

4 STORIES

36,000 SQ.FT.

PROJECT DIRECTORY:

Y.A. studio 2407 Harrison Street, Suite 2 San Francisco, CA 94110 415.920.1839 p 415.920.1840 f

Anastasia and George Zotalis 1883 25th Avenue San Francisco, CA 94122 415.994.7078 p

Santos and Urrutia Structural Engineers 2451 Harrison Street San Francisco, CA 94110 415.642.7722 p

SHEET INDEX:

INDEX, NOTES, INFO. NOTES

EXISTING AND PROPOSED SITE PLANS

PROPOSED FIRST AND SECOND FLOOR PLANS

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PROPOSED REAR (NORTH-EAST) ÉLEVATION

PROPOSED SIDE (NORTH-WEST) ELEVATION A3.4 PROPOSED SIDE (SOUTH-WEST) ELEVATION

A3.5 3D BUILDING SECTION



LOCATION MAP



SITE PHOTO NOT TO SCALE





STREET PHOTO NOT TO SCALE

studio

STAMP:

INDEX, NOTES, INFO

REV: PRINTING: 08.30.10 SITE PERMIT REV. SITE PERMIT 01.25.11

PLANNING COMM. 05.05.11

10016 - MISSION STREET JOB NO: DRAWN BY: Y.A. CHECKED BY: Y.A. PRINTED: SHEET:

1 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

X Y.A. studio

728/ 7648 S

(3) NEW RESIDENTIAL CONDOS
(1) NEW COMMERCIAL CONDO

STAMP:

EXISTING AND PROPOSED SITE PLANS

 REV:
 PRINTING:
 DATE:

 SITE PERMIT
 08.30.10

 REV. SITE PERMIT
 01.25.11

 PLANNING COMM.
 05.05.11

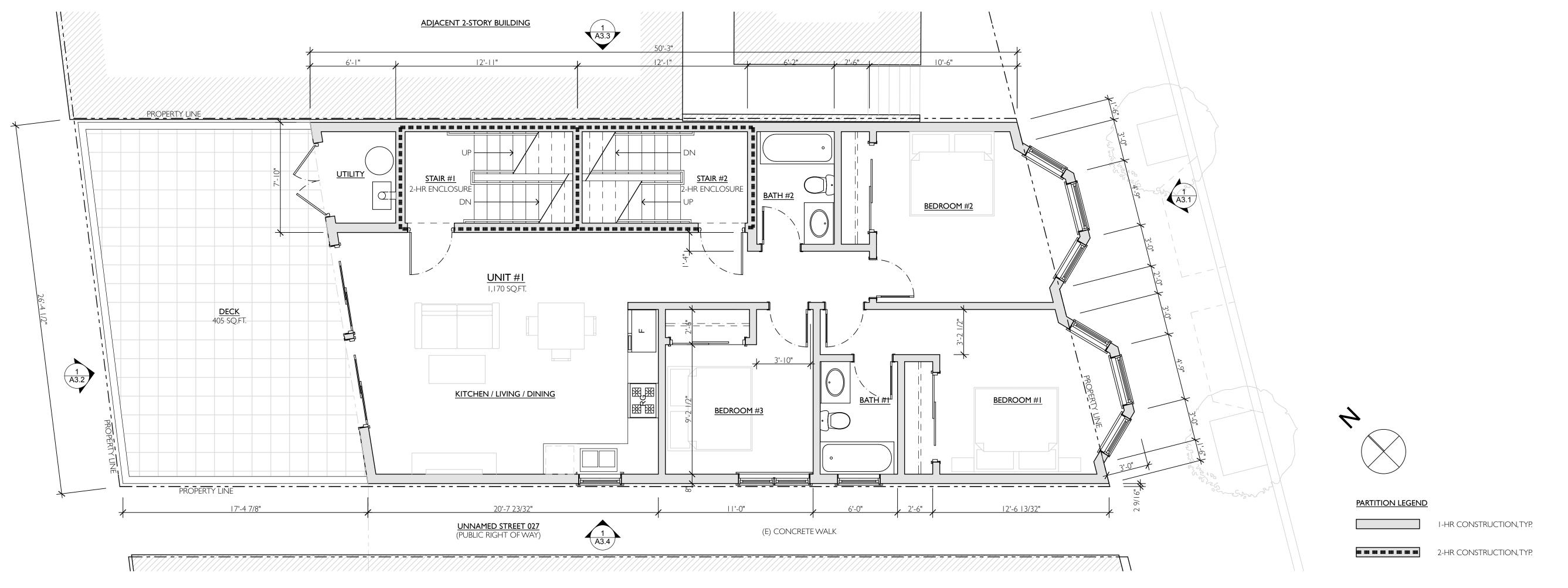
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PROPOSED SECOND FLOOR PLAN

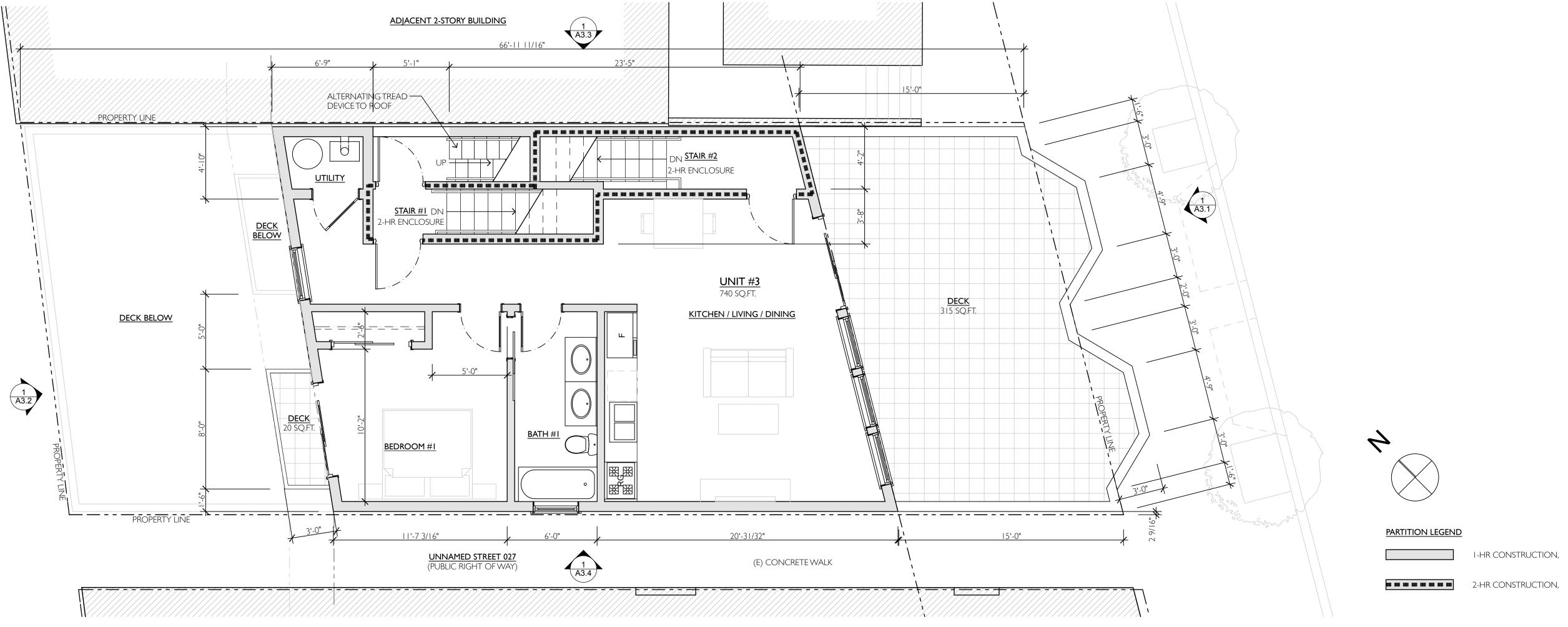
SCALE: 1/4" = 1'-0" ADJACENT 2-STORY BUILDING PROPOSED 24" BOX STREET TREE PER SFPC 138.1 **ENTRY** 2-HR ENCLOSURE REMOVE (E) CURBCUTS, TYP. RAT SLAB WITH
PLUMBING STUBOUTS MISSION STREET 82.50' <u>LAUNDRY</u> 726.40 - OTHER RETAIL SALES AND SERVICES **NO TENANT SECURED** (FUTURE T.I. UNDER SEPERATE PERMIT) 1,060 SQ.FT. ∠ 2" DEPRESSED SLAB FOR FUTURE T.I. WORK — (E) STREET TREE PARTITION LEGEND I-HR CONSTRUCTION, TYP. (E) CONCRETE WALK 2-HR CONSTRUCTION, TYP.

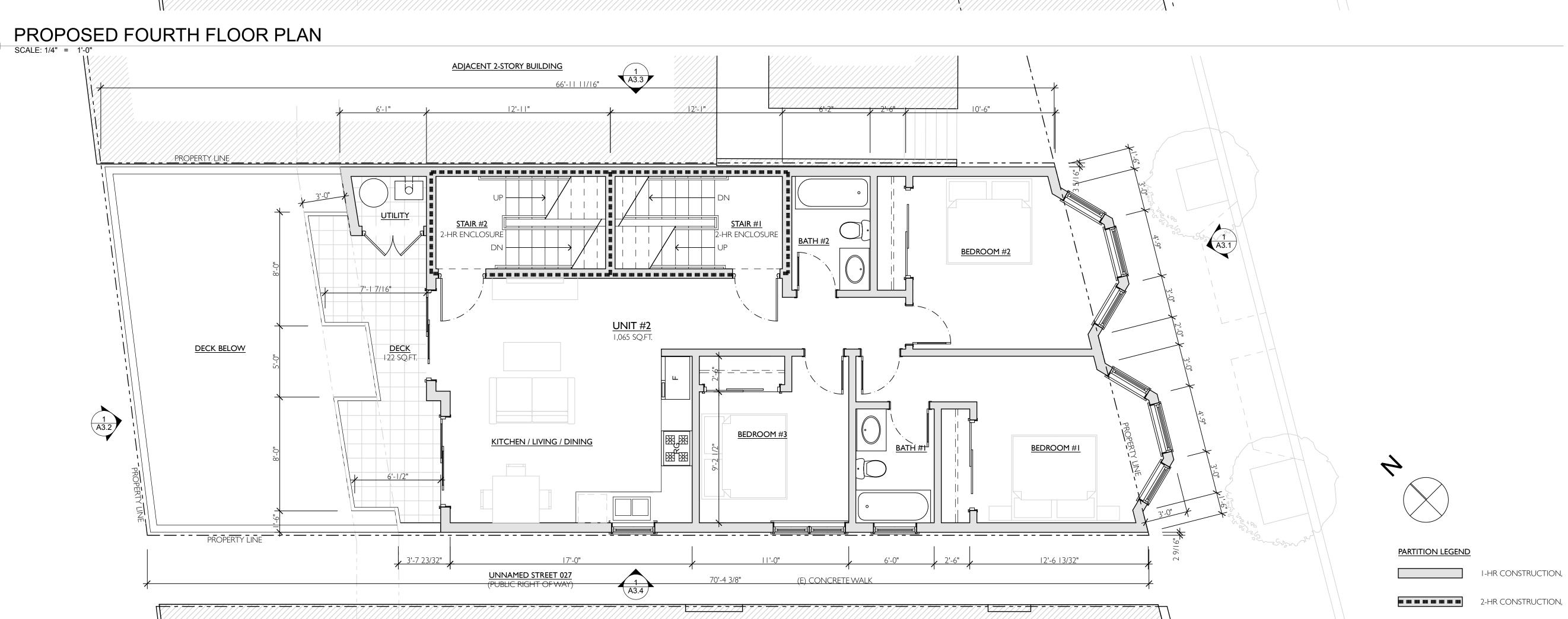
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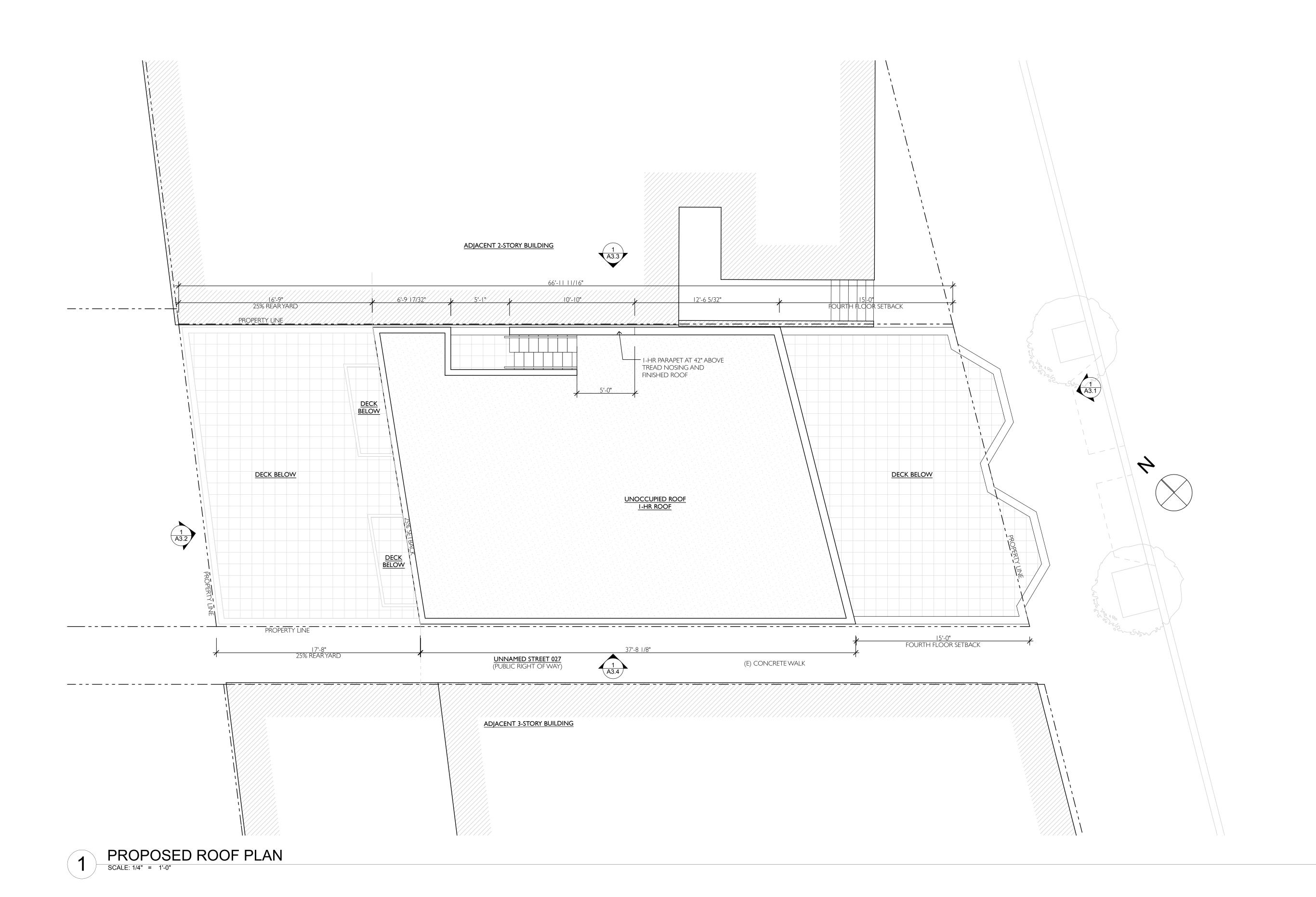
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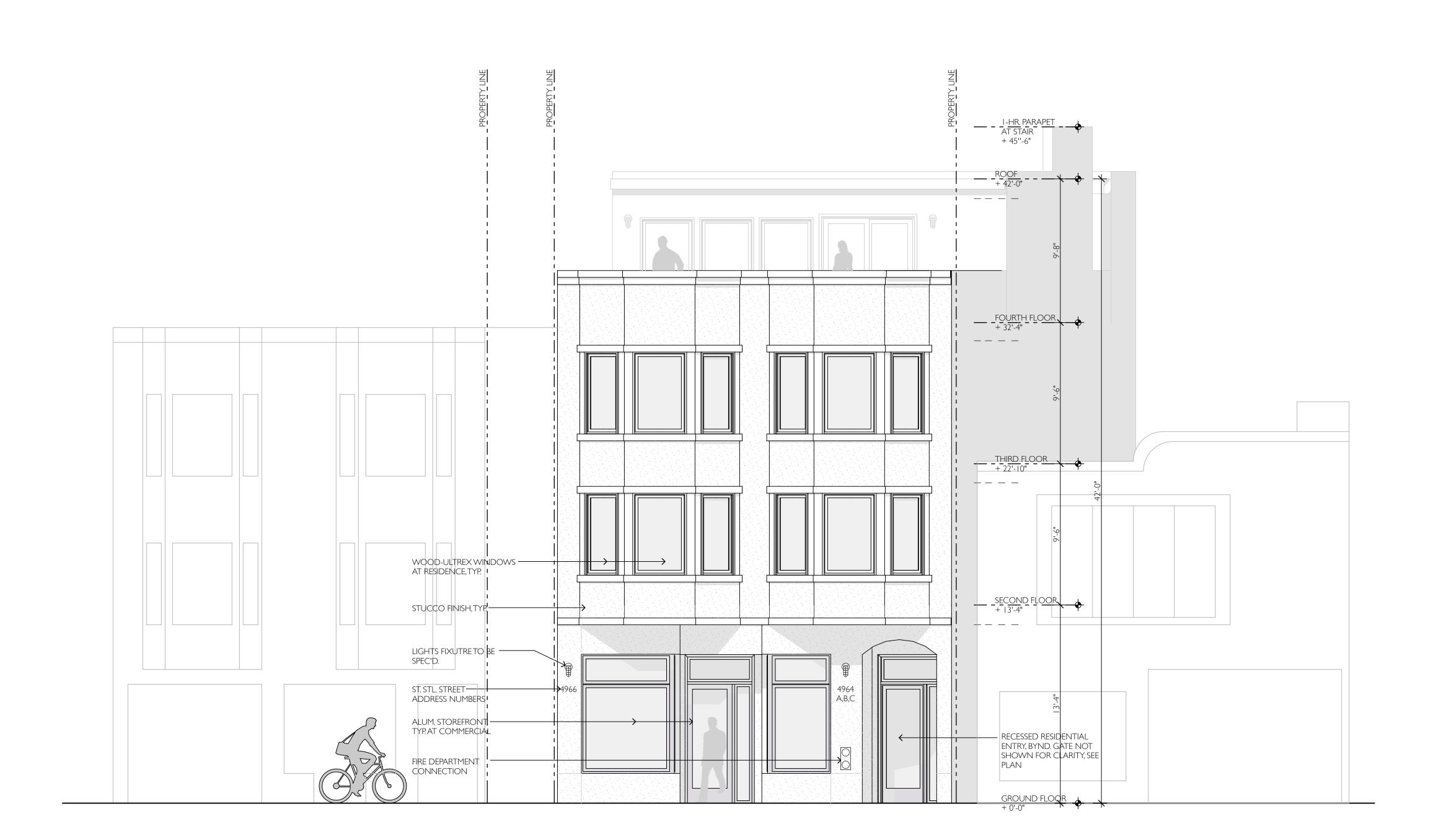
A2.3SHEET 5 OF 10 © Y.A. studio 2



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PROPOSED SOUTH-EAST (FRONT) ELEVATION

SCALE: 1/4" = 1'-0"

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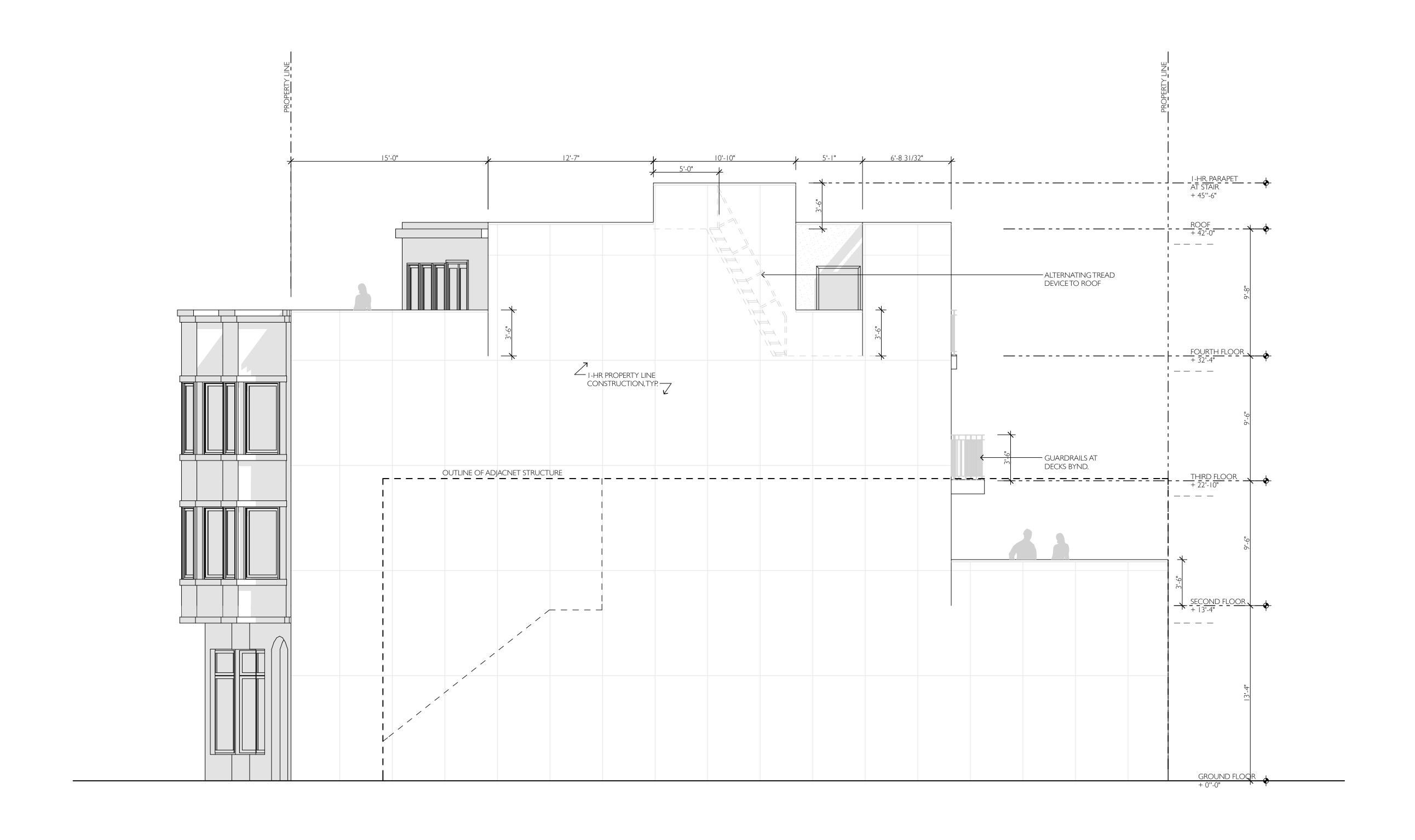
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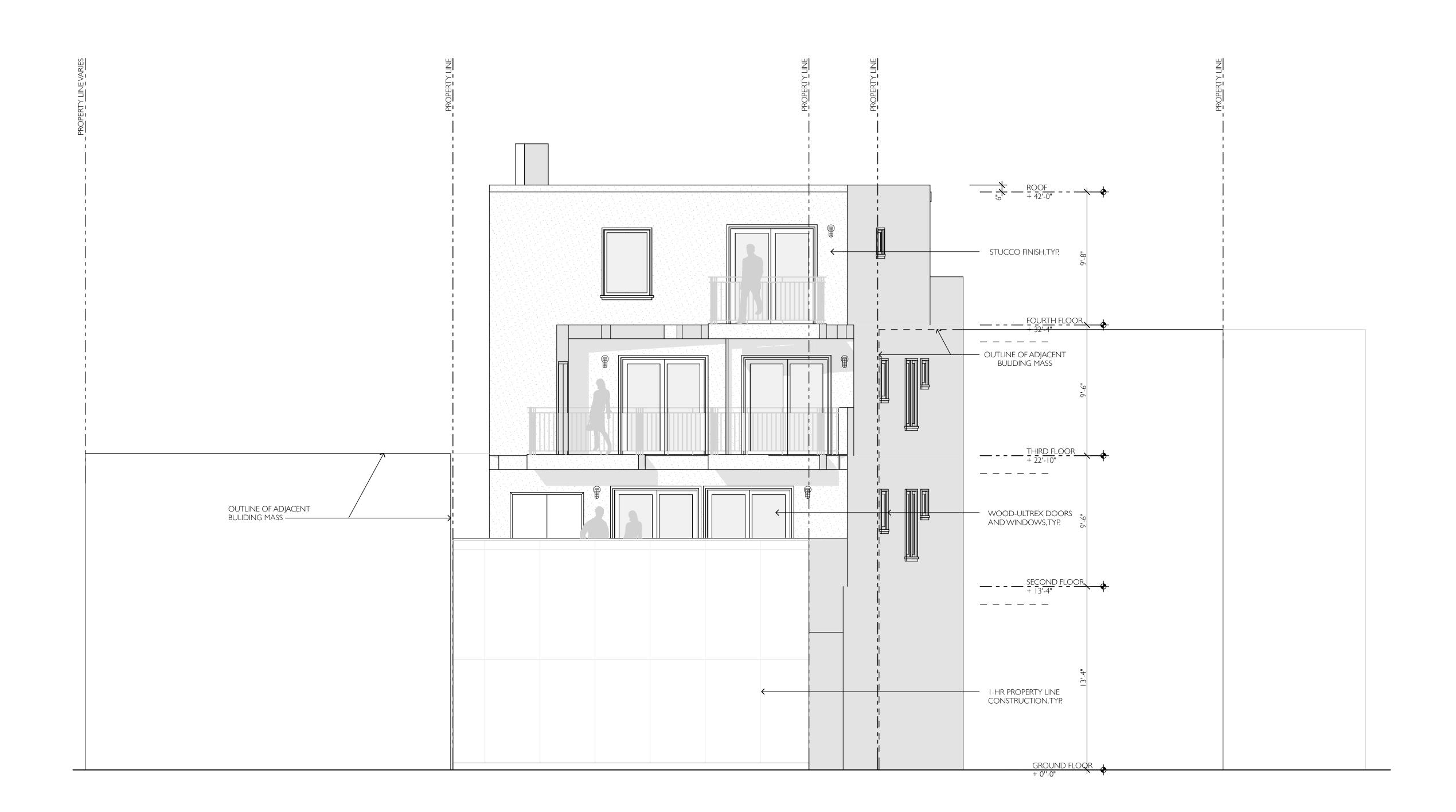
SHEET 7 OF 10 © Y.A. studio 20:



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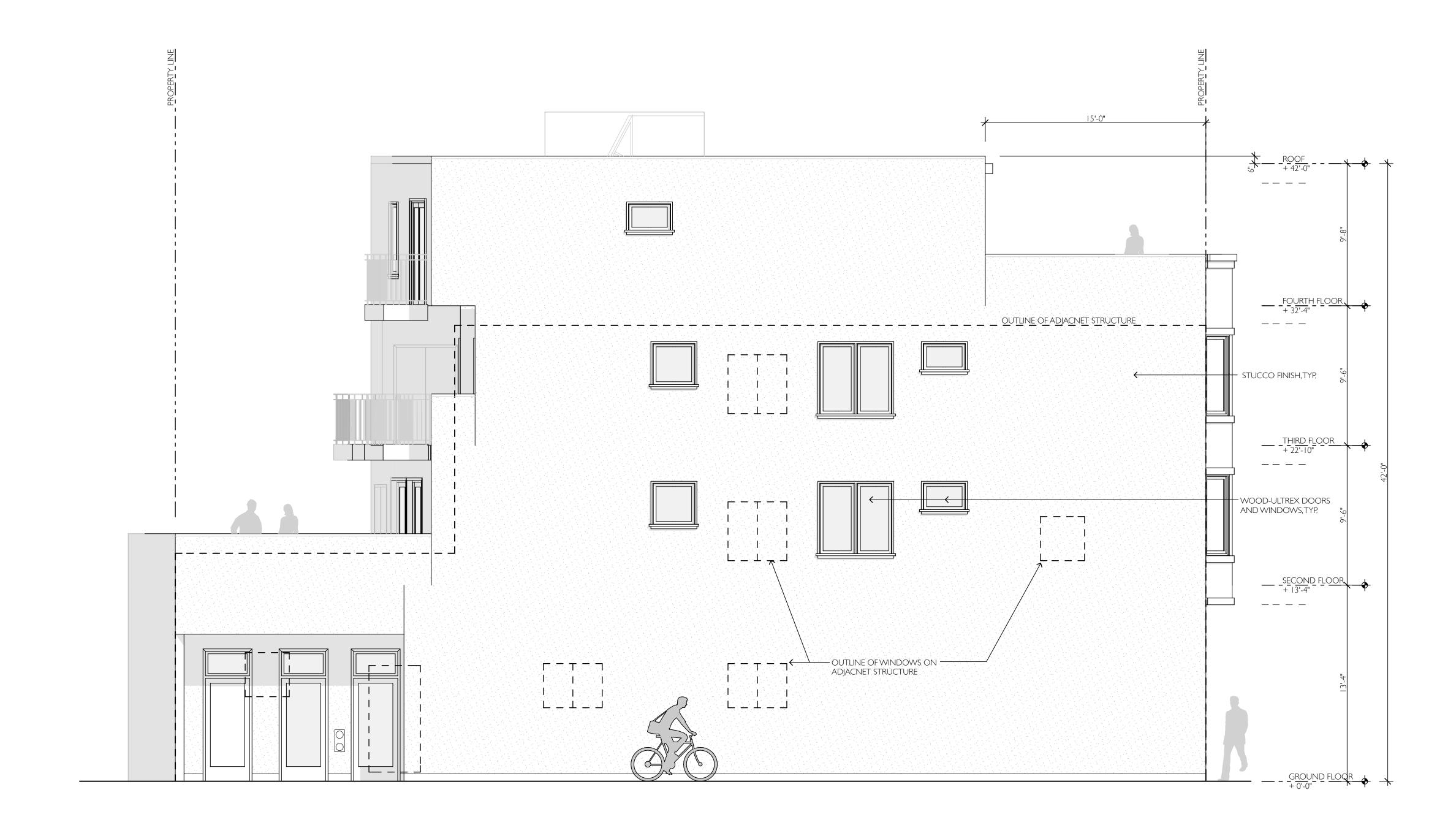
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