SAN FRANCISCO
PLANNING DEPARTMENT

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Executive Summary
Section 309 Review and Request for Exceptions

HEARING DATE: AUGUST 2, 2012

Date:	July 23, 2012
Case No.:	**2012.0032EXV**
Project Address:	**100 Van Ness Avenue**
Zoning:	C-3-G (Downtown, General Commercial) District 200-R2 Height and Bulk Districts Van Ness & Market Downtown Residential Special Use District
Block/Lot:	0814/020
Project Sponsor:	Marc Babsin of Emerald Fund, Inc. for 100 Van Ness Associates LLC 532 Folsom Street, Suite 400 San Francisco, CA 94105
Staff Contact:	Aaron Hollister – (415) 575-9078 aaron.hollister@sfgov.org
Recommendation:	**Approval with Conditions**

PROJECT DESCRIPTION

The Project would change the use of the subject building from office to residential, renovate the interior of the building to create up to 399 residential units and approximately 6,884 square feet of ground-floor retail, and re-skin the exterior of the building, retain the off-street parking garage with 112 off-street parking spaces, including loading space, and move the parking garage entrance from Van Ness Avenue to Hayes Street. Six new off-street parking spaces for the residential units would be added by the Project within the existing parking area. No physical expansion of the building is proposed or would be required to accommodate the Project. The dwelling units would be offered as rental units and the inclusionary affordable housing would be provided on-site.

SITE DESCRIPTION AND PRESENT USE

The project site is located at the northeast intersection of Van Ness Avenue and Fell Street on Assessor's Block 0814, Lot 020. The approximate 15,500 square-foot project site is currently developed with a 29-story, 400-foot tall office building that was constructed in 1973 and occupies the entire site area. Existing uses in the building include approximately 421,005 gross square feet of office use, 5,122 gross square feet of ground-floor retail, 112 off-street parking spaces accessed from Van Ness Avenue and two loading spaces accessed from Fell Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The C-3-G District covers the western portions of downtown San Francisco and is composed of a variety of uses, including hotels, offices, entertainment, dwelling units, and retail establishments. The intensity of development is generally lower within the C-3-G District than within the downtown core. Residential uses are principally permitted within the C-3-G District.

The scale of development varies greatly in the vicinity of the project site, with the current height limits in the area ranging from 50 to 320 feet. Permitted heights and the prevailing scale of development generally decrease with distance from Market Street. Two buildings in the area, Fox Plaza (1390 Market Street) and the AAA Building (100 Van Ness Avenue), approach heights of 400 feet. Other taller buildings include the 17-story SCIF Building (1275 Market Street), the 23-story SOMA Grand (1160 Mission Street), the 18-story Federal Building (1100 Mission Street), and the 20-story Argenta (One Polk). Currently, office and retail uses predominate on Market Street, but substantial residential development is proposed or approved in the area including the 55 9th Street project and the 10th/Market Development, which will consist of approximately 754 dwelling units. Other uses near the project site include tourist and residential hotels, institutional and cultural uses, and government offices.

ENVIRONMENTAL REVIEW

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on July 19, 2012, the Planning Department of the City and County of San Francisco determined that the proposed application was exempt from further environmental review per Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Market and Octavia Area Plan and was encompassed within the analysis contained in the Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Market and Octavia Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	N/A	N/A	N/A	N/A
Posted Notice	20 days	July 13, 2012	July 12, 2012	21 days
Mailed Notice	10 days	July 23, 2012	July 23, 2012	10 days

PUBLIC COMMENT

- The Department has received letters of support from the Hayes Valley Neighborhood Association ("HVNA"), the Civic Center Community Benefit District and the San Francisco Housing Coalition regarding the Project. In its letter, the HVNA suggested adding a higher

number of car-share spaces within the proposed 118 parking spaces, and further suggested looking at a parking option that would reduce the total amount of off-street parking spaces to 100 residential parking spaces.

SPUR has also reviewed and commented on the project, but has not offered a formal recommendation. The SPUR project comments are attached.

ISSUES AND OTHER CONSIDERATIONS

- **Project Design.** The exterior facades of the existing building are proposed to be removed and replaced with a contemporary glass curtain wall system. The goal of the contemporary curtain wall design would be to allow the building to express a modern residential expression. A condition of approval (No. 4 in Exhibit 'B') has been crafted that will require the project sponsor to further refine the building design so greater façade texture and depth is expressed. The condition of approval will also require the project sponsor to refine the building glass to a lighter hue so it may more closely match the lighter colors that are typical of the nearby Beaux Arts core of the Civic Center area approximately one block to the north of the project site, as well as other visually prominent high-rise buildings in San Francisco

- **Ground-Level Wind Currents.** The project is located in an area that experiences strong and turbulent winds. The Project has been found not to be subject to the requirements of Planning Code Section 148 (Reduction of Ground-Level Wind Currents) as the project does not represent a new building or an addition to an existing building.

  A wind test was prepared for environmental review purposes and revealed that 21 of the 30 test points currently exceed the pedestrian comfort level of 11 mph, while the wind hazard criterion of 26 mph is currently exceeded at five of the 30 test locations under current conditions. With the Project, wind conditions would change minimally. The average wind speed would decrease to 14.4 mph, and winds would exceed the comfort criterion approximately 21 percent of the time. In total, 20 test points would exceed the pedestrian criterion, a decrease of one below existing conditions. Although none of the hazard test points would be eliminated by the project, the total number of hours where winds exceed the hazard criterion would be decreased to 250 hours annually from the current 406 hours.

- **Lot Coverage.** Per Section 249.33(b)(5), within the Van Ness & Market Downtown Residential Special Use District, lot coverage is limited to 80 percent at all residential levels except on levels in which all residential units face onto a public right-of-way. Exceptions to the 20 percent open area may be granted pursuant to the procedures of Section 309 for conversions of existing non-residential uses where it is determined that provision of 20 percent open area would require partial demolition of the existing non-residential structure, such is the case with the subject proposal. Accordingly, an exception would be warranted to permit the existing building to retain 100% lot coverage following its conversion to residential units.

- **Parking.** The Project Sponsor is requesting six additional parking spaces above the existing 112 off-street parking spaces, which would result in a parking ratio of 0.29:1 for the residential units.

In C-3 Districts, off-street parking is allowed at a ratio of 0.25:1 for residential dwelling units. The extra parking proposed under the project would require the granting of an exception to allow the project to exceed the amount of permitted parking, pursuant to Planning Code Section 151.1.

To gain the six additional parking spaces, no expansion of the existing parking area would be necessary, but rather, simply re-striping the parking area would gain the extra parking spaces. Three of the new parking spaces would be dedicated to car-share. The proposed parking ratio would be below recently approved projects in the Market & Octavia Plan Area, such as Parcel "P" and 401 Grove Street, which have parking ratios of 0.5:1 for residential uses. Additionally, the proposed parking ratio of 0.29:1 would also not cause the project to seek an entitlement under pending legislation that would allow off-street paring in the C-3 Districts at a ratio of 0.5:1 as of right.

- **Parking Entrance.** Van Ness Avenue (from Hayes Street to Mission Street) has been identified as a Protected Pedestrian, Cycling, and Transit-Oriented street frontage as identified in Code Section 155(r). This Code Section does not allow garage entries, driveways or other vehicular access to off-street parking or loading. Pursuant to Planning Code Section 155(r)(5) pre-existing access to off-street parking and loading on development lots that violate the restrictions of this Section 155(r) may not be maintained. The existing off-street parking area located on the project site is currently accessed from Van Ness Avenue. The project will relocate the off-street parking access from Van Ness Avenue to 155 Hayes Street to satisfy this requirement.

  155 Hayes Street is owned by a related entity to the project sponsor, and the project sponsor has indicated that 155 Hayes Street may be developed in the near future. 155 Hayes and 100 Van Ness would share a common off-street access point in the future. To allow for the possible concurrent construction of both projects, a condition of approval (Condition No. 21 of the attached draft motion) would allow for the Van Ness Avenue entrance to temporarily remain open until the first of the three events occurs: 1) the completion of planned construction at 155 Hayes Street, 2) the five year anniversary of the Project entitlement (August 2, 2017), or 3) the commencement of BRT operations on Van Ness Avenue.

  The Van Ness Avenue entrance has been identified as a valuable entrance point for construction reasons because it will allow for trucks and other equipment to access the basement levels of 100 Van Ness. The existing loading bay accessed from Fell Street does not allow for access to the basement levels by trucks and equipment. Additionally, trucks and other equipment would be able to easily gain access to either property once on-site by driving through an existing door located near the northeast corner of the 100 Van Ness Avenue site that is accessed from the existing Van Ness off-street parking access area.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must determine that the project complies with Planning Code Section 309, granting requests for two exceptions regarding General Standards for Limitation on Residential Accessory Parking (Section 151.1), and Lot Coverage in the Van Ness & Market

Residential Special Use District (Planning Code Section 249.33(b)(5)). In addition, the Zoning Administrator would need to grant Variances from the requirements for usable open space (Code Section 135), vertical projections over a public right-of-way (Code Section 136) and dwelling-unit exposure (Code Section 140).

BASIS FOR RECOMMENDATION

- The project would add 399 dwelling units to the City's housing stock in a walkable and transit-rich area suited for dense, mixed-use development.
- The project will add vitality to the Civic Center area by adding full-time residents in an area that has limited activity before and after typical work-day hours. Furthermore, the project will help fill a building that is currently 96% vacant.
- The project would fulfill its inclusionary affordable housing requirement on-site by providing 60 BMR units on-site.
- The project fulfills the intent of the Market & Octavia Plan to focus new housing transit-served locations and to create active streetscapes.
- The project will enhance the quality of the pedestrian experience along both Van Ness Avenue and Fell Street by providing a publically accessible public space within the plaza area adjacent to the frontages. Additionally, the ground floor will be occupied by active uses and public realm improvements will be made, inclusive of a bulb-out at the intersection of Van Ness and Fell.
- The project includes a mix of studio, one-bedroom, and two-bedroom units to serve a diversity of household sizes and people with varied housing needs.
- The project meets all applicable requirements of the Planning Code, aside from the exceptions requested pursuant to Planning Code Section 309 and the cited Variance requests.

RECOMMENDATION:	**Approval with Conditions**

Attachments:
Draft Motion
Mitigation, Monitoring and Reporting Program
Block Book Map
Sanborn Map
Aerial Photograph
Zoning Map
Correspondence Regarding the Project
Affordable Housing Affidavit
Project Sponsor Submittal Package:
- Project Sponsor Submittal Letter
- Approved Plans

Attachment Checklist

- [x] Executive Summary
- [x] Draft Motion
- [ ] Environmental Determination
- [x] Zoning District Map
- [x] Height & Bulk Map
- [x] Parcel Map
- [x] Sanborn Map
- [x] Aerial Photo
- [x] Context Photos
- [x] Site Photos

- [x] Project sponsor submittal

  Drawings: Existing Conditions (11″ by 17″)

  - [x] Check for legibility

  Drawings: Proposed Project (11″ by 17″)

  - [x] Check for legibility
- [ ] Wireless Telecommunications Materials
  - [ ] Health Dept. review of RF levels
  - [ ] RF Report
  - [ ] Community Meeting Notice
- [x] Housing Documents
  - [x] Inclusionary Affordable Housing Program: Affidavit for Compliance
  - [ ] Residential Pipeline

Exhibits above marked with an "X" are included in this packet AJH

Planner's Initials