



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use

HEARING DATE: JUNE 26, 2014

*Date:* June 19, 2014  
*Case No.:* **2012.0903CEK**  
*Project Address:* **580 HAYES STREET**  
*Zoning:* Hayes-Gough Street Neighborhood Commercial Transit-Oriented District  
55-X Height and Bulk District  
*Block/Lot:* 0807/010  
*Project Sponsor:* Laguna Hayes, LLC  
Daniel Schalit  
940 Emmett Avenue, Ste. 200  
Belmont, CA 94002  
*Staff Contact:* Kate Conner – (415) 575-6914  
[kate.conner@sfgov.org](mailto:kate.conner@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The proposal is for a Conditional Use Authorization, pursuant to Planning Code Sections 121.1 and 303 to allow development of a lot larger than 10,000 square feet in the Hayes-Gough Street NCT District. The project includes the demolition of an existing single-story, 6,345 square-foot commercial building and a 1,160 square-foot parking lot with four parking spaces. The project includes the construction of a new five-story mixed-use building with 29 residential units, 8,000 square feet ground floor retail space including up to three Restaurant uses, and a basement-level parking garage with 15 residential parking spaces and five commercial parking spaces.

### SITE DESCRIPTION AND PRESENT USE

The Project is located on the north side of Hayes Street, at the corner of Laguna Street, Block 0807, Lot 010. The subject property is located within the Hayes-Gough Neighborhood Commercial Transit District ("NCT") and the 55-X Height and Bulk District. The property is developed with a one-story commercial building, with two commercial tenants, a restaurant d.b.a. Hayes and Kebab and a retail tenant. The commercial building occupies approximately half of the property and a surface parking lot occupies the remainder of the property.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is mixed-use in character. Commercial establishments are located within ground floor storefronts in the Hayes-Gough Neighborhood Commercial Transit District, including restaurants, bars, and apparel stores. Buildings in the vicinity typically range from one to five

stories in height. Upper floors of buildings are generally occupied by offices or residential units. Civic Center is east of the Hayes-Gough Neighborhood Commercial Transit District.

The Project Site is located in the Hayes-Gough Neighborhood Commercial Transit District which is located within walking distance of the Civic Center, lying west of Franklin Street and east of Laguna Street, with its southern edge generally at Lily Street. This mixed-use commercial district contains a limited range of retail commercial activity, which primarily caters to the immediate need of the neighborhood. The few comparison goods that it does provide attract clientele from a wider area outside its neighborhood, mostly the Performing Arts and Civic Center workers and visitors. There are a number of restaurants and art galleries, but other types of retail activity are limited.

The Hayes-Gough NCT District controls are designed to allow for growth and expansion that is compatible with the existing building and use scales. Building standards protect the moderate building and use size and require rear yards at residential levels. To maintain the mixed-use character of the district, most commercial uses are permitted at the first and second stories and housing is strongly encouraged at the third story and above. In order to encourage lively pedestrian-oriented commercial activity, but restrict certain sensitive and problematic uses, eating and drinking, and entertainment uses are directed to the ground story. Retail sales activity, especially neighborhood-serving businesses, is further promoted by restricting new ground-story medical, business and professional offices. To protect continuous frontage, drive-up and most automobile uses are prohibited, above-ground parking is required to be setback or below ground, and active, pedestrian-oriented ground floor uses are required on Hayes Street and portions of Octavia Boulevard.

Housing development in new buildings is encouraged above the second story, and is controlled not by lot area but by physical envelope controls. Existing residential units are protected by limitations on demolitions, mergers, subdivisions, and upper-story conversions. Given the area's central location and accessibility to the downtown and to the City's transit network, accessory parking for residential uses is not required. The code controls for this district are supported and augmented by design guidelines and policies in the Market and Octavia Area Plan of the General Plan.

## **ENVIRONMENTAL REVIEW**

On April 24, 2014, the Planning Department of the City and County of San Francisco determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3.

## **HEARING NOTIFICATION**

| <b>TYPE</b>        | <b>REQUIRED PERIOD</b> | <b>REQUIRED NOTICE DATE</b> | <b>ACTUAL NOTICE DATE</b> | <b>ACTUAL PERIOD</b> |
|--------------------|------------------------|-----------------------------|---------------------------|----------------------|
| Classified News Ad | 20 days                | June 6, 2014                | June 4, 2014              | 22 days              |
| Posted Notice      | 20 days                | June 6, 2014                | June 6, 2014              | 20 days              |
| Mailed Notice      | 20 days                | June 6, 2014                | June 6, 2014              | 20 days              |

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

## PUBLIC COMMENT

- The Department received a letter in support from the Hayes Valley Merchant Association and received a phone call voicing concern over the possibility of three Restaurant tenants at the ground floor.

## ISSUES AND OTHER CONSIDERATIONS

- Planning Code Section 207.6 states that within the Hayes-Gough NCT no less than 40 percent of the total number of dwelling units on site shall contain at least two bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units. The Proposal contains 29 units with 14 of these units providing either two or three bedrooms. With 48% of the total units containing at least two bedrooms, the Project complies with this requirement.
- The Project utilizes a modern design, contextually relating to older buildings in the surrounding neighborhood in terms of rhythm and massing. There is a large expanse of glazing at the ground floor which is broken up by stone panels at the base and grounded by stone panels at the bulkhead. The façade of the building utilizes modern materials: incorporating concrete panels, aluminum trim windows and an aluminum fin architectural feature. The residential entry on Hayes Street is clearly distinguished from the remainder of the building by the use of color and a different glazing pattern. The middle of the building is distinguished from the base and articulated with windows, projections, bays, and balconies. The parapet area is well integrated with the building's overall composition, while being visually distinctive and trimmed with aluminum. The Ivy Street frontage incorporates an upper-floor setback that reduces the overall mass on the narrow street. The ground-floor retail spaces have a 14-foot ceiling heights and clerestory windows. The building façade is articulated with a strong rhythm of regular vertical elements. There is a well-established pattern of individual buildings on 25- to 50-foot wide lots in the residential and neighborhood commercial areas of the Market and Octavia neighborhood. The Project is broken up with a regular rhythm of projections, changes in massing, wall planes, and rooflines resulting 26'-0" to 41'-0" segments.
- This Project is an infill project and will improve the neighborhood environment by providing retail uses with pedestrian level interest. The proposed design of the building will be consistent with other buildings in the neighborhood. The Project will result in an improvement to the neighborhood by eliminating the existing single-story structure on the underutilized property. Increased commercial activity will improve neighborhood safety. The Project complies with the intent and design principles of the Market Octavia Area Plan.

## REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 121.1 and 303 to allow development of a lot larger than 10,000 square feet in the Hayes-Gough Street NCT District.

## **BASIS FOR RECOMMENDATION**

- The Project will enhance the district by providing up to three restaurants and one retail tenant in vibrant neighborhood commercial district.
- The businesses will be independently owned and will contribute to approximately 8,000 square feet of ground floor retail space which will provide significant opportunities for resident employment.
- The Project is located within a neighborhood rich with public transportation and the people occupying the building are expected to rely heavily on public transit, bicycling, or walking for the majority of their daily trips.
- The Project complies with the objectives and policies of the Market Octavia Area Plan.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The business is not a Formula Retail use and would serve the immediate neighborhood.

|  |
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| <b>RECOMMENDATION:</b> <b>Approval with Conditions</b> |
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### **Attachments:**

Block Book Map

Sanborn Map

Zoning Map

Height and Bulk Map

Aerial Photograph

Site Photographs

Public Correspondence

CEQA Determination

Inclusionary Affordable Housing Program: Affidavit for Compliance

Residential Pipeline

Project Sponsor Submittal, including:

- Project Sponsor's Submittal in Support of Conditional Use Application
- Reduced Plans
- Site Photographs
- Emails and Correspondence from Hayes Valley Merchant Association and Hayes Valley Neighborhood Association
- Pre-application Materials

Attachment Checklist

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary           | <input checked="" type="checkbox"/> Project sponsor submittal   |
| <input checked="" type="checkbox"/> Draft Motion                | Drawings: <u>Existing Conditions</u>  |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Zoning District Map         | Drawings: <u>Proposed Project</u>   |
| <input checked="" type="checkbox"/> Height & Bulk Map           | <input checked="" type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Parcel Map                  | 3-D Renderings (new construction or significant addition)   |
| <input checked="" type="checkbox"/> Sanborn Map                 | <input checked="" type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Aerial Photo                | <input type="checkbox"/> Wireless Telecommunications Materials  |
| <input checked="" type="checkbox"/> Context Photos              | <input type="checkbox"/> Health Dept. review of RF levels   |
| <input checked="" type="checkbox"/> Site Photos                 | <input type="checkbox"/> RF Report  |
|   | <input type="checkbox"/> Community Meeting Notice   |
|   | <input checked="" type="checkbox"/> Housing Documents   |
|   | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |
|   | <input checked="" type="checkbox"/> Residential Pipeline  |

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

KMC\_\_\_\_\_

Planner's Initials

KG: G:\DOCUMENTS\Northeast Cases and BPA\Conditional Use Authorization\580 Hayes Street\580 Hayes Street Executive Summary.doc



# 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 Draft Motion

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*Staff Contact:* Kate Conner – (415) 575-6914  
[kate.conner@sfgov.org](mailto:kate.conner@sfgov.org)

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT PLANNING CODE SECTIONS 121.1 AND 303 TO ALLOW DEVELOPMENT OF A LOT LARGER THAN 10,000 SQUARE FEET IN THE HAYES-GOUGH STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT. THE PROJECT ALSO INCLUDES THE CONSTRUCTION OF A NEW 5-STORY MIXED-USE BUILDING WITH 29 RESIDENTIAL UNITS, 8,000 SQUARE FEET GROUND FLOOR RETAIL SPACE INCLUDING UP TO THREE RESTAURANT USES, AND A BASEMENT-LEVEL PARKING GARAGE FOR 20 PARKING SPACES. THE PROJECT SITE IS LOCATED WITHIN THE HAYES NCT (HAYES-GOUGH NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT) DISTRICT ZONING DISTRICT AND 55-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On December 5, 2012, Daniel Schalit (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section 121.1 to allow development of a lot larger than 10,000 square feet in the Hayes-Gough Street Neighborhood Commercial Transit District. The Project includes the demolition of an existing single-story, 6,345 square-foot commercial building and a 1,160 square-foot parking lot with four parking spaces. The Project includes the construction of a new five-story mixed-use building with 29 residential units, approximately 8,000 square feet of ground floor retail space, including up to three Restaurant uses, and a basement-level parking garage with 15 residential parking spaces and five commercial parking

spaces. The project site is located within the Hayes-Gough NCT (Hayes-Gough Neighborhood Commercial Transit District) District Zoning District and 55-X Height and Bulk District.

On January 2, 2014, Planning staff issued a memo with regard to the Shadow Analysis (K Case) for compliance with Planning Code Section 295, concluding that the project has been determined to be in compliance with Planning Code Section 295, and will not require any additional shadow analysis as the project is currently proposed.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Market and Octavia Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on April 5, 2007, by Motion No. 17406, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"). The certification of the EIR was upheld on appeal to the Board of Supervisors at a public hearing on June 19, 2007. The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Market and Octavia Area Plan, the Commission adopted CEQA Findings in its Motion No. 17406 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or the site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On April 24, 2014, the Planning Department of the City and County of San Francisco determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and 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. The file for this project, including the Market and Octavia Area Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Market and Octavia Area Plan EIR that are

applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

On June 26, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2012.0903CEK.

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. 2012.0903CEK, 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 north side of Hayes Street, at the corner of Laguna Street, Block 0807, Lot 010. The subject property is located within the Hayes-Gough Neighborhood Commercial Transit District ("NCT") and the 55-X Height and Bulk District. The property is developed with a one-story commercial building, with two commercial tenants, a restaurant d.b.a. Hayes and Kebab and a retail tenant. The commercial building occupies approximately half of the property and a surface parking lot occupies the remainder of the property.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is mixed-use in character. Commercial establishments are located within ground floor storefronts in the Hayes-Gough Neighborhood Commercial Transit District, including restaurants, bars, and apparel stores. Buildings in the vicinity typically range from one to five stories in height. Upper floors of buildings are generally occupied by offices or residential units. Civic Center is east of the Hayes-Gough Neighborhood Commercial Transit District.

The Project Site is located in the Hayes-Gough Neighborhood Commercial Transit District which is located within walking distance of the Civic Center, lying west of Franklin Street and east of Laguna Street, with its southern edge generally at Lily Street. This mixed-use commercial district contains a limited range of retail commercial activity, which primarily caters to the immediate need of the neighborhood. The few comparison goods that it does provide attract clientele from a wider area outside its neighborhood, mostly the Performing Arts and Civic Center workers and visitors. There are a number of restaurants and art galleries, but other types of retail activity are limited.

The Hayes-Gough NCT District controls are designed to allow for growth and expansion that is compatible with the existing building and use scales. Building standards protect the moderate building and use size and require rear yards at residential levels. To maintain the mixed-use character of the district, most commercial uses are permitted at the first and second stories and housing is strongly encouraged at the third story and above. In order to encourage lively pedestrian-oriented commercial activity, but restrict certain sensitive and problematic uses, eating and drinking, and entertainment uses are directed to the ground story. Retail sales activity, especially neighborhood-serving businesses, is further promoted by restricting new ground-story medical, business and professional offices. To protect continuous frontage, drive-up and most automobile uses are prohibited, above-ground parking is required to be setback or below ground, and active, pedestrian-oriented ground floor uses are required on Hayes Street and portions of Octavia Boulevard.

Housing development in new buildings is encouraged above the second story, and is controlled not by lot area but by physical envelope controls. Existing residential units are protected by limitations on demolitions, mergers, subdivisions, and upper-story conversions. Given the area's central location and accessibility to the downtown and to the City's transit network, accessory parking for residential uses is not required. The code controls for this district are supported and augmented by design guidelines and policies in the Market and Octavia Area Plan of the General Plan.

4. **Project Description.** The proposal is for a Conditional Use Authorization, pursuant to Planning Code Sections 121.1 and 303 to allow development of a lot larger than 10,000 square feet in the Hayes-Gough Street NCT District. The project includes the demolition of an existing single-story, 6,345 square-foot commercial building and a 1,160 square-foot parking lot with four parking spaces. The project includes the construction of a new five-story mixed-use building with 29 residential units, 8,000 square feet ground floor retail space including up to three Restaurant uses, and a basement-level parking garage with 15 residential parking spaces and five commercial parking spaces.
5. **Design.** The Project utilizes a modern design, contextually relating to older buildings in the surrounding neighborhood in terms of rhythm and massing. There is a large expanse of glazing at the ground floor which is broken up by stone panels at the base and grounded by stone panels at the bulkhead. The façade of the building utilizes modern materials: incorporating concrete panels, aluminum trim windows and an aluminum fin architectural feature. The residential entry on Hayes Street is clearly distinguished from the remainder of the building by the use of color and a different glazing pattern. The middle of the building is distinguished from the base and articulated with windows, projections, bays, and balconies. The parapet area is well integrated with the building's overall composition, while being visually distinctive and trimmed with aluminum. The Ivy Street frontage incorporates an upper-floor setback that reduces the overall mass on the narrow street. The ground-floor retail spaces have a 14-foot ceiling heights and clerestory windows. The building façade is articulated with a strong rhythm of regular vertical elements. There is a well-established pattern of individual buildings on 25- to 50-foot wide lots in the residential and neighborhood commercial areas of the Market and Octavia neighborhood. The

Project is broken up with a regular rhythm of projections, changes in massing, wall planes, and rooflines resulting 26'-0" to 41'-0" segments.

6. **Public Comment.** The Department received a letter in support from the Hayes Valley Merchant Association and received a phone call voicing concern over the possibility of three Restaurant tenants at the ground floor.
7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - a. **Development of Large Lots (Section 121.1).** Pursuant to Planning Code Section 121.1, in order to promote, protect, and maintain a scale of development which is appropriate to each district and compatible with adjacent buildings, new construction on lots greater than 10,000 square feet, shall be subject to Planning Commission approval of a Conditional Use Authorization. In addition to the Conditional Use Authorization the Planning Commission shall consider the extent to which the following criteria are met:
    - i. The mass and facade of the proposed structure are compatible with the existing scale of the district.
    - ii. The facade of the proposed structure is compatible with design features of adjacent facades that contribute to the positive visual quality of the district.

*The subject property is located within the Hayes-Gough NCT District and is 12,000 square feet in area; therefore Planning Commission approval of a Conditional Use Authorization is required. The mass and scale of the Project are compatible with the existing scale of the Hayes-Gough NCT District, which is typified by four to five story apartment buildings with ground floor retail on Hayes Street. The Project's features a flat roof and large windows. The Project further enhances the visual quality of the neighborhood by adding articulation to break up the Project's mass and scale. In addition, the Project contains ground floor commercial uses along Hayes, Laguna, and Ivy Streets to create pedestrian interest and contribute to a lively streetscape.*

- b. **Use Size Limits (Section 121.2).** Planning Code Section 121.2 provides maximum use sizes for specific zoning districts. In order to protect and maintain a scale of development appropriate to each district, nonresidential uses of the same size or larger than that specified may be permitted only as conditional. The use area shall be measured as the gross floor area for each individual nonresidential use. The maximum use size permitted as of right in the Hayes-Gough NCT District is 2,999 square feet area.

*In the Hayes-Gough NCT District, the maximum use size is 2,999 square feet. Currently there are four tenant spaces proposed at the ground floor including up to three Restaurant uses. Each tenant space is below 2,999 square feet in area.*

- c. **Floor Area Ratio (Section 124).** The floor area ratio (FAR) limit as defined by Planning Code Section 124 for the Hayes-Gough NCT District is 3.0 to 1.

*In the Hayes-Gough NCT District, the maximum floor area ratio (FAR) is 3.0:1. The proposal includes approximately 8,000 square feet of retail uses on the ground floor. Pursuant to Planning Code Section 124(b), floor area ratio limits shall not apply to dwellings or to other residential uses within NC Districts. The resulting floor area ratio is 0.67:1, which is below the maximum floor area ratio permitted in the Hayes-Gough NCT.*

- d. **Rear Yard (Section 134).** Planning Code Section 134 requires that a project's minimum rear yard depth be equal to 25 percent of the total depth of the lot on which the building is situated at all residential levels. Rear yards shall be provided at the lowest story containing a dwelling unit, and at each succeeding level or story of the building.

Pursuant to Planning Code Section 134(e), the rear yard requirements in NC and South of Market Mixed Use Districts may be modified or waived in specific situations pertaining to corner lots and lots at alley intersections. On a corner lot or on a lot at the intersection of a street and an alley of at least 25 feet in width, the required rear yard may be substituted with an open area equal to 25 percent of the lot area which is located at the same levels as the required rear yard in an interior corner of the lot, an open area between two or more buildings on the lot, or an inner court, provided that The Zoning Administrator determines that all of the criteria described below are met:

1. Each horizontal dimension of the open area shall be a minimum of 15 feet.
2. The open area shall be wholly or partially contiguous to the existing midblock open space formed by the rear yards of adjacent properties.
3. The open area will provide for the access to light and air to and views from adjacent properties.
4. The proposed new or expanding structure will provide for access to light and air from any existing or new residential uses on the subject property.

*The Zoning Administrator reviewed the proposal and has waived the rear yard requirement because 25% (3,000 sf) of the lot area is being provided in an open area, which meets the above requirements.*

- e. **Residential Open Space (Section 135).** Planning Code Section 135, requires is 36 sf per dwelling unit of residential open space requirement if the open space is private and 48 sf per dwelling unit if it is provided through common open space.

*The Project includes 29 units, and therefore the Project must provide 2,320 sf of common open space. Included in the proposal is a 2,340 sf common roof deck, thereby meeting the requirements. In addition, Unit Numbers 201, 208, 301, 401, 407, 408, 501, 502, and 505 include private decks that satisfy private open space requirements, thereby reducing the common open space requirement for the Project to 1,600 sf. Between the 2,340 sf common roof deck and the 3,000 sf open area on the second floor which is serving as the rear yard, the Project is providing approximately 5,340 sf of common open space, over three times the requirement.*

- f. **Streetscape and Pedestrian Improvements (Section 138.1).** Pursuant to Planning Code Section 138.1, in any district, streetscape and pedestrian elements in conformance with the Better Streets Plan shall be required, if all the following conditions are present: (1) the Project is on a lot that (a) is greater than ½-acre in total area, (b) contains 250 feet of total lot frontage on one or more publicly-accessible rights-of-way, or (c) the frontage encompasses the entire block face between the nearest two intersections with any other publicly-accessible rights-of-way, and (2) the project includes (a) new construction; (b) addition of 20% or more of gross floor area to an existing building; or (c) alteration to greater than 50% of the existing square footage of a building. A streetscape plan is required to be submitted to the Planning Department showing the location, design, and dimensions of all existing and proposed streetscape elements in the public right-of-way directly adjacent to the fronting property, including street trees, sidewalk landscaping, street lighting, site furnishings, utilities, driveways, and curb lines, and the relation of such elements to proposed new construction and site work on the subject property.

*The Project is located on a lot that has over 250 feet of total frontage and includes new construction. A streetscape plan was submitted to the Planning Department and reviewed by the Urban Design Advisory Team. Ivy Street improvements include: the replacement and widening of the sidewalk, planting of street trees, a continuous planting strip, and the removal of parking to accommodate planting. Laguna Street improvements include: street tree planting and a continuous planting strip for understory landscaping. Hayes Street improvements include: a sidewalk pocket park, street tree planting, and tree grates. All improvements will be coordinated with the Planning Department in accordance with the Better Street Plan and the Department of Public Works.*

- g. **Street Trees (Sections 138.1 and 428).** Planning Code Section 138.1 requires the installation of street trees in the case of the construction of a new building. One 24-inch box tree is required for every 20 feet of property frontage along each street or alley, with any remaining fraction of ten feet or more of frontage requiring an additional tree. The species and locations of trees installed in the public right-of-way shall be subject to approval by the Department of Public Works (DPW). The requirements of Section 138.1 may be waived or modified by the Zoning Administrator, pursuant to Section 428, where DPW cannot grant approval due to practical difficulties.

*The Project includes a total of approximately 320 feet of street frontage, along the Hayes, Laguna and Ivy Street frontages, which results in a requirement for 16 street trees are required. Conditions of approval have to been added to require the project to plant 16 street trees as part of the Project's streetscape plan, along the Hayes, Laguna and Ivy Street frontages, unless DPW cannot grant approval for installation of any of the required trees on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare. In any such case, the requirements of Section 138.1 may be modified or waived by the Zoning Administrator. There are two existing trees located on Hayes Street and two existing trees on Laguna Street which will remain. Nine additional street trees will be planted as part of the Project in accordance with the streetscape plan.*

- h. **Exposure (Section 140).** Planning Code Section 140 requires that all dwelling units face directly onto 25 feet of open area (a public street, alley, or side yard) or onto an inner courtyard that is 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase in five feet in every horizontal dimension at each subsequent floor.

*All dwelling units comply fully with Section 140, by either facing one of the abutting streets: Hayes, Laguna or Ivy Streets.*

- i. **Street Frontage in Commercial Districts: Active Uses (145.1(c) (3)).** Planning Code Section 145.1(c) (3) requires that within Neighborhood Commercial Districts, space for “active uses” shall be provided within the first 25 feet of building depth on the ground floor. Spaces accessory to residential uses, such as fitness or community rooms, are considered active uses only if they meet the intent of this section and have access directly to the public sidewalk or street. Building systems including mechanical, electrical, and plumbing features may be exempted from this requirement by the Zoning Administrator only in instances where those features are provided in such a fashion as to not negatively impact the quality of the ground floor space.

*The Hayes, Laguna and Ivy Street frontages have “active uses” with direct access to the sidewalk within the first 25 feet of building depth and are thus compliant with this Code Section. Along Hayes Street, the Project includes a residential lobby and two retail tenants. The entire Laguna Street frontage is occupied by retail tenants and the Ivy Street frontage contains two retail tenants and the remaining frontage is devoted to building systems including mechanical, electrical, and plumbing features. These features are provided in such a fashion as to not negatively impact the quality of the ground floor space. The Project meets this section of the Code in that both frontages are completely devoted to active uses, building systems, residential entry, and spaces accessory to residential uses.*

- j. **Street Frontage in Commercial Districts: Ground Floor Transparency (Section 145.1(c) (6)).** Planning Code Section 145.1(c)(6) requires that within Neighborhood Commercial Districts, frontages with active uses that are not residential or PDR must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building.

*The Project has three street frontages with Active Uses: Hayes, Laguna and Ivy Street. The Hayes Street frontage and the Ivy Street frontage both measure 100 feet and meet the transparency requirement for the active uses on each frontage. The Laguna Street frontage is 120 feet and meets the transparency requirement for the active uses.*

- k. **Parking (Section 151.1).** Planning Code Section 151.1 does not require off-street parking for the project, but it allows up to 0.5 per dwelling unit as of right and with a Conditional Use Authorization, up to 0.75 per dwelling unit. Residential parking is not permitted

above .75 cars for each dwelling unit. Commercial parking is permitted up to 1 space per 1,500 feet of occupied floor area.

*The Project proposes 20 off-street parking spaces. With 29 units, up to 15 parking spaces are permitted. With approximately 8,000 square feet of commercial floor area, five parking spaces are permitted. If the occupied floor area of the tenant spaces changes significantly as to affect the amount of commercial parking that may be provided, the commercial parking shall be adjusted accordingly. It should be noted that the original submittal for a Conditional Use Authorization included a request to provide additional parking. After discussion with the neighborhood and consultation with Planning staff, the Conditional Use Authorization was modified and the request for additional parking was removed. Although the basement can accommodate additional parking spaces, the Project Sponsor has redesigned the area to include additional residential amenities: storage units for residential occupants.*

1. **Loading (Section 152).** Section 152 establishes minimum requirements for off-street loading. In districts other than C-3, Eastern Neighborhoods Mixed Use Districts, and the South of Market Mixed Use Districts, off-street freight loading spaces shall be provided based upon the measurement of gross floor area. Residential uses below 100,000 square feet in area are not required to provide any off-street loading spaces. Retail uses less than 10,000 square feet are not required to provide any loading spaces.

*The Project is not providing any off-street loading spaces. With a floor area of approximately 32,000 gsf, the residential component of the Project is not required to provide off-street loading spaces. No off-street loading is required for the approximately 8,000 square-feet of retail space.*

- m. **Bicycle Parking (Section 155.5).** Planning Code Section 155.2 requires one Class 1 space for every dwelling unit and one Class 2 space per 20 units. The commercial component has the following requirements: for Personal Services, Financial Services, Restaurants, Limited Restaurants and Bars: one Class 1 space for every 7,500 square feet of occupied floor area. There shall be a minimum two Class 2 spaces or one Class 2 space for every 750 square feet of occupied floor area.

*The Project requires a minimum of 29 indoor secure Class 1 bicycle parking spaces and one Class 2 bicycle parking space for the residential component. The commercial component contains approximately 8,000 square feet of retail uses that may potentially be Restaurant uses; therefore, one Class 1 space and 11 Class 2 spaces are required. The total bicycle parking spaces required are 30 Class 1 bicycle parking spaces and 12 Class 2 bicycle parking spaces. The 30 Class 1 bicycle parking spaces are located at the basement level and the Class 2 spaces are located on the Ivy and Laguna Street frontages.*

- n. **Car Share (Section 166).** Planning Code Section 166 requires one car-share space when there are 50 or more residential units, 25 or more commercial spaces, or in standalone garages not affiliated with another development project.

*The Project does not propose 25 or more commercial spaces and includes less than 50 residential units; therefore, the Project is not required to provide car-share parking.*

- o. **Density (Section 720.91).** Planning Code Section 720.91 states that there is no density limit by lot area in the Hayes-Gough NCT District. Density is restricted by physical envelope controls of height, bulk, setbacks, open space, and exposure as well as by applicable design guidelines, applicable elements and area plans of the General Plan, and design review by the Planning Department.

*The proposed residential density of 29 dwelling units on a 12,000 square foot lot is approximately one unit per 414 square feet of lot area. The rear yard, height, and dwelling unit mix requirements are being met as discussed in this motion.*

- p. **Dwelling Unit Mix (Section 207.6).** Planning Code Section 207.6 states that within the Hayes-Gough NCT no less than 40 percent of the total number of dwelling units on site shall contain at least two bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units.

*The Proposal contains 29 units with 14 of these units providing either two or three bedrooms. With 48% of the total units containing at least two bedrooms, the Project complies with this requirement.*

- q. **Use (Sections 720.90, 720.44, 720.40).** The Project Site is located in a Hayes-Gough NCT District wherein residential uses are permitted. To maintain the mixed-use character of the district, most commercial uses are permitted at the first and second stories and housing is strongly encouraged at the third story and above. In order to encourage lively pedestrian-oriented commercial activity, but restrict certain sensitive and problematic uses, eating and drinking, and entertainment uses are directed to the ground story. Retail sales activity, especially neighborhood-serving businesses, is further promoted by restricting new ground-story medical, business and professional offices.

*The residential use is permitted pursuant to Planning Code Section 720.90. Restaurant uses are permitted as-of-right in the Hayes-Gough NCT District pursuant to Planning Code Section 720.44, but require Neighborhood Notification pursuant to Planning Code Section 312, which was processed concurrently with this Conditional Use Authorization. The Project contains one small retail use which is permitted as-of-right pursuant to Planning Code Section 720.40.*

- r. **Height (Section 260).** The property is located in the 55-X Height and Bulk District, thus permitting structures up to a height of 55 feet.

*The Project would reach a height of approximately 55'-0" conforming in its entirety to the Height and Bulk District. The building includes various features, such as elevator/stair penthouses and mechanical structures, which are exempted from height measurement pursuant to Planning Code*

*Section 260. The Project would therefore comply with the Planning Code's 55-X Height and Bulk District.*

- s. **Additional Height Limits for Narrow Streets and Alleys. (Section 261.1)** In NCT Districts, all subject frontages on the southerly side of an East-West Narrow Street shall have upper stories which are set back at the property line such that they avoid penetration of a sun access plane defined by an angle of 45 degrees extending from the most directly opposite northerly property line. A "Subject Frontage" shall mean any building frontage in an NCT District that abuts a Narrow Street and that is more than 60 feet from an intersection with a street wider than 40 feet.

*Ivy Street is 35 feet wide and qualifies as an East-West Narrow Street. The fourth and fifth floors are set back appropriately 60 feet from the intersection with Laguna Street to meet this requirement.*

- t. **Shadows on Parks (Section 295).** Planning Code Section 295 requires any project proposing a structure exceeding a height of 40 feet to undergo a shadow analysis in order to determine if the project will result in the net addition of shadow to properties under the jurisdiction of the Recreation and Park Department.

*On January 2, 2014, Planning staff issued a memo with regard to the Shadow Analysis (K Case) for compliance with Planning Code Section 295, concluding that the project has been determined to be in compliance with Planning Code Section 295, and will not require any additional shadow analysis as the project is currently proposed. The Project will not result in the net addition of shadow on properties under the jurisdiction of the Recreation and Parks Department.*

- u. **Inclusionary Affordable Housing Program (Section 415).** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, the current percentage requirements apply to projects that consist of ten 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, the Project must pay the Affordable Housing Fee ("Fee"). This Fee is made payable to the Department of Building Inspection ("DBI") for use by the Mayor's Office of Housing and Community Development for the purpose of increasing affordable housing citywide.

*The Project Sponsor 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 through payment of the Fee, in an amount to be established by the Mayor's Office of Housing and Community Development at a rate equivalent to an off-site requirement of 20%. The project sponsor has not selected an alternative to payment of the Fee. The EE application was submitted on September 19, 2012.*

8. **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 Project is necessary and desirable because it will create 29 new residential units in an established residential neighborhood. The approximately 8,000 square feet of new retail space will provide services to the immediate neighborhood and will create pedestrian oriented active uses on Hayes, Laguna, and Ivy Street, furthering the objectives of the Market Octavia plan. The Project design will enhance the neighborhood and remove an underutilized retail building and a vacant lot formerly used for parking thereby removing blight and better using the Project site.*

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. The nature of the proposed site, including its size and shape, and the proposed size, shape, and arrangement of structures.

*The Project site is a regularly-shaped corner property that is adequately sized to accommodate the development. The Project footprint will occupy the entire site and will match the development pattern of the immediately surrounding built environment that features retail, and residential buildings, many with full lot coverage. The Project will be constructed within the existing height and bulk limits with a five-story façade on the major Hayes and Laguna Streets frontages and a setback fourth and fifth-story portion on Ivy Street. Currently, the subject property contains a single story retail building which will be eliminated as part of the Project.*

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166.

*The Project Site is located within an urban context, where convenience goods and services are available within walking distance. Residents of the project will be able to walk to such services in the vicinity. In addition, the area is served by ample public transit. The Project provides 15 residential parking spaces and five commercial parking spaces, which are independently accessible and located underground. The parking spaces will be invisible from the street, thereby enhancing the aesthetics of the building design. The project will be providing 30 indoor bicycle storage units.*

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

*The Project is residential in nature with ground floor retail, and should not introduce operational noises or odors that are detrimental, excessive, or atypical for the area. While some temporary increase in noise can be expected during construction, this noise is limited in duration and will be regulated by the San Francisco Noise Ordinance which prohibits excessive noise levels from construction activity and limits the permitted hours of work. The building will not utilize mirrored glass or other highly reflective materials; therefore, the Project is not expected to cause offensive amounts of glare. All window glazing will comply with the Planning Code and relevant design guidelines to eliminate or reduce glare. Conditions regarding odor control unit installation, should a Restaurant occupy one of the three tenant spaces, have been added to this motion.*

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

*The Project includes street trees along Hayes Street, Laguna Street and Ivy Street frontages, as well as trees and other vegetation which would be located in the courtyard. The Project proposes approximately 5,340 sf of open space between the courtyard and roof deck. The parking spaces will be invisible from the street, appropriately screened from public view. Signage would be typical for a residential with ground floor retail project. The detailed lighting and signage plans would be subject to approval by the Planning Department.*

- a. Such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

*The Project generally complies with the applicable sections of the Code. The residential and retail uses contemplated for the Project are permitted within the Hayes-Gough NCT District. The Project complies with use and density requirements. The Project Site is well-served by transit and commercial services, allowing residents to commute, shop, and reach amenities by walking, transit, and bicycling. The Project conforms to multiple goals and policies of the General Plan, as described in further detail in Item #9.*

9. **General Plan Conformity.** The Project would affirmatively promote the following objectives and policies of the General Plan:

## COMMERCE AND INDUSTRY

### Objectives and Policies

#### **OBJECTIVE 1:**

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

#### **Policy 1.1:**

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development 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 proposed development will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. Further, the Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.*

**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 lose two retail tenants as the existing single story building is being demolished; however, the construction of the Project will result in four new tenant spaces 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.

*Although two commercial tenants would be displaced, the Project includes four new retail tenants; thereby contributing to the achievement of optimal diversity in the types of goods and services available in the neighborhood.*

**Policy 6.2:**

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

*The four proposed retail tenants are neighborhood serving uses. Formula Retail uses are not proposed.*

## TRANSPORTATION ELEMENT

### **OBJECTIVE 2:**

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

### **Policy 2.1:**

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

### **OBJECTIVE 11:**

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

### **Policy 11.3:**

Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

*The Project is located within a neighborhood rich with public transportation and the people occupying the building are expected to rely heavily on public transit, bicycling, or walking for the majority of their daily trips. The project includes bicycle parking for 42 bicycles (30 Class 1 and 12 Class 2 bike parking spaces). Within a few blocks of the project site, there is an abundance of local and regional transit lines, including MUNI bus lines 21, 16AX, 16BX, 47, 49, and all six MUNI Metro rail lines. Additionally such transit lines also provide access to BART, AC Transit (Transbay Terminal) and CalTrain.*

## HOUSING ELEMENT

### **Objectives and Policies**

### **OBJECTIVE 1:**

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

### **Policy 1.1:**

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

*The proposed mixed-use Project responds to the need for new housing by creating 29 dwelling units in an infill Project.*

**OBJECTIVE 4:**

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

**Policy 4.1**

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

*The Project directly supports this policy by creating 12 two-bedroom units and two three-bedroom units, consisting of 48% of the total units of the Project.*

**MARKET OCTAVIA AREA PLAN**

**OBJECTIVE 1.1:**

CREATE A LAND USE PLAN THAT EMBRACES THE MARKET AND OCTAVIA NEIGHBORHOOD'S POTENTIAL AS A MIXED-USE URBAN NEIGHBORHOOD.

**Policy 1.1.3**

Encourage housing and retail infill to support the vitality of the Hayes-Gough, Upper Market, and Valencia Neighborhood Commercial Districts.

**OBJECTIVE 2.2:**

ENCOURAGE CONSTRUCTION OF RESIDENTIAL INFILL THROUGHOUT THE PLAN AREA.

**Policy 2.2.1**

Eliminate housing density maximums close to transit and services.

**Policy 2.2.4**

Encourage new housing above ground-floor commercial uses in new development and in expansion of existing commercial buildings.

**OBJECTIVE 4.1:**

PROVIDE SAFE AND COMFORTABLE PUBLIC RIGHTS-OF-WAY FOR PEDESTRIAN USE AND IMPROVE THE PUBLIC LIFE OF THE NEIGHBORHOOD.

**Policy 4.2.2**

Improve the pedestrian character of Hayes Street, between Franklin and Laguna Streets, by creating an unobstructed, linear pedestrian thoroughfare linking commercial activities along Hayes Street to the new Octavia Boulevard.

*This infill Project will improve the neighborhood environment by providing retail uses with pedestrian level interest. The proposed design of the building will be consistent with other buildings in the neighborhood. The Project will result in an improvement to the neighborhood by eliminating the existing single-story*

*structure on the underutilized property. Increased commercial activity will improve neighborhood safety. The Project complies with the intent and design principles of the Market Octavia Area Plans.*

10. **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.

*The Project will enhance the district by providing up to three restaurants and one retail tenant in vibrant neighborhood commercial district. The businesses will be independently owned and will contribute to approximately 8, 000 square feet of ground floor retail space which will provide significant opportunities for resident employment.*

- 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 units in the surrounding neighborhood would not be adversely affected and there is no existing housing currently on the subject Site. The Project will contribute to the neighborhood character and preserve and enhance the cultural and economic diversity of the neighborhood. The Project is compatible with the scale and design of the neighborhood and will provide much needed in-fill housing on an underutilized site.*

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

*No housing is being removed as a part of this Project and the Project will comply with the Inclusionary Affordable Housing Program requirements.*

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

*The Project is located within a neighborhood rich with public transportation and the people occupying the building are expected to rely heavily on public transit, bicycling, or walking for the majority of their daily trips. Within a few blocks of the project site, there is an abundance of local and regional transit lines, including MUNI bus lines 21, 16AX, 16BX, 47, 49, and all six MUNI Metro rail lines.*

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

*The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.*

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

*The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*A landmark or historic building does not occupy the Project Site.*

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

*The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.*

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

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2012.0903CEK** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 25, 2012, 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.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 09, 2007.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: June 26, 2014

## EXHIBIT A

### AUTHORIZATION

This authorization is for a Conditional Use Authorization to development of a lot larger than 10,000 square feet located at 580 Hayes Street, Block 0807, and Lot 010, pursuant to Planning Code Section(s) 121.1 and 303 in the Hayes-Gough Street Neighborhood Commercial Transit District and a 55-X Height and Bulk District; in general conformance with plans, dated March 25, 2012, and stamped "EXHIBIT B" included in the docket for Case No. 2012.0903CEK and subject to conditions of approval reviewed and approved by the Commission on **June 26, 2014** 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 **June 26, 2014** 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.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

6. **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](http://www.sf-planning.org)*

## DESIGN

7. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

8. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

10. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

11. **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](http://www.sf-planning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## PARKING AND TRAFFIC

13. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 42 bicycle parking spaces: 30 Class 1 spaces and 12 Class 2 spaces for the commercial portion of the Project. The Project requires a minimum of 29 indoor secure Class 1 bicycle parking spaces and one Class 2 bicycle parking space for the residential component. The commercial component contains approximately 8,000 square feet of retail uses that may potentially be Restaurant uses; therefore, one Class 1 space and 11 Class 2 spaces are required.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

14. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than twenty 20 off-street parking spaces. With 29 units, up to 15 parking spaces are permitted. With approximately 8,000 square feet of commercial floor area, five parking spaces are permitted. If the occupied floor area of the tenant spaces changes significantly as to affect the amount of commercial parking that may be provided, the commercial parking shall be adjusted accordingly.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://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](http://www.sf-planning.org).*

## PROVISIONS

16. **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](http://www.onestopSF.org)*

17. **Transit Impact Development Fee.** Pursuant to Planning Code Section 411, the Project Sponsor shall pay the Transit Impact Development Fee (TIDF) as required by and based on drawings submitted with the Building Permit Application. Prior to the issuance of a temporary certificate of occupancy, the Project Sponsor shall provide the Planning Director with certification that the fee has been paid.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

18. **Market Octavia Affordable Housing Fee.** Pursuant to Planning Code Section 416, the Project Sponsor shall comply with the Market Octavia Affordable Housing requirements through payment of the Market Octavia Affordable Housing Fee in full to the Treasurer, prior to the issuance by Department of Building Inspection of the first certificate of occupancy for the development project.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

19. **Market Octavia Community Improvements Fund.** Pursuant to Planning Code Section 421, the Project Sponsor shall comply with the Market Octavia Community Improvements Fund provisions through payment of an Impact Fee in full to the Treasurer, or the execution of a Waiver Agreement, or an In-Kind agreement approved as described per Planning Code Section 421 (formerly 326) prior to the issuance by Department of Building Inspection of the construction document for the development project.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

20. **Inclusionary Affordable Housing Requirement.** Pursuant to Planning Code 415.5, the Project Sponsor must pay an Affordable Housing Fee at a rate equivalent to the applicable percentage of the number of units in an off-site project needed to satisfy the Inclusionary Affordable Housing Program Requirement for the principal project. The applicable percentage for this project is twenty percent (20%).

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

21. **Inclusionary Affordable Housing 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 the terms of the 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 Mayor's Office of Housing ("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 or rent.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- a. The Project Sponsor must pay the Fee in full sum to the Development Fee Collection Unit at the DBI for use by MOH prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Inclusionary Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.
- b. Prior to the issuance of the first construction permit by the DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy 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.
- c. If project applicant 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 Sections 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all other remedies at law.

## MONITORING

22. **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](http://www.sf-planning.org)*

23. **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](http://www.sf-planning.org)*

## OPERATION

24. **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>*

25. **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>*

26. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

*For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, [www.sfdph.org](http://www.sfdph.org)*

*For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, [www.sfdbi.org](http://www.sfdbi.org)*

*For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, [www.sf-police.org](http://www.sf-police.org)*

27. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

*For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), [www.baaqmd.gov](http://www.baaqmd.gov) and Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

28. **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.

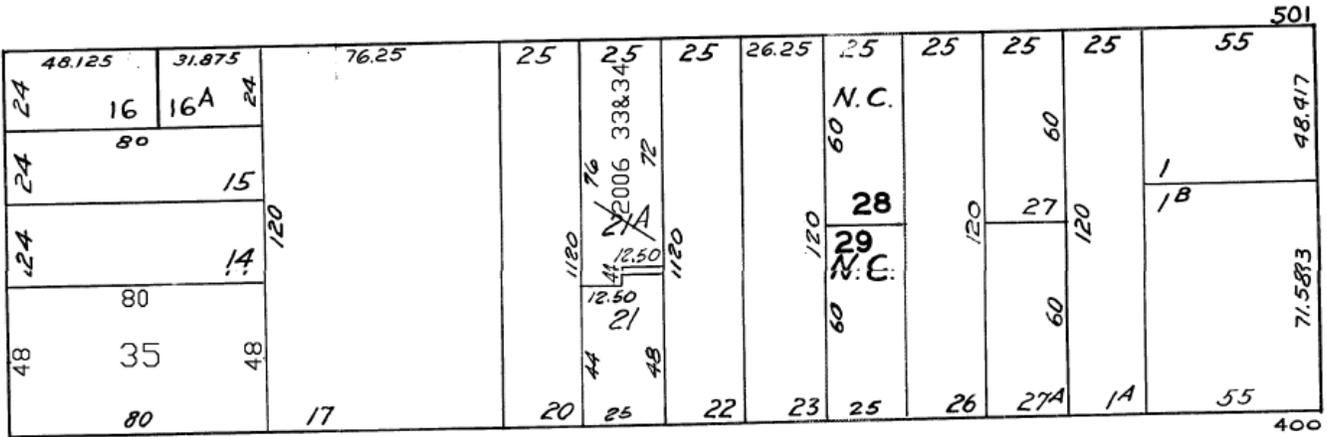
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

29. **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.

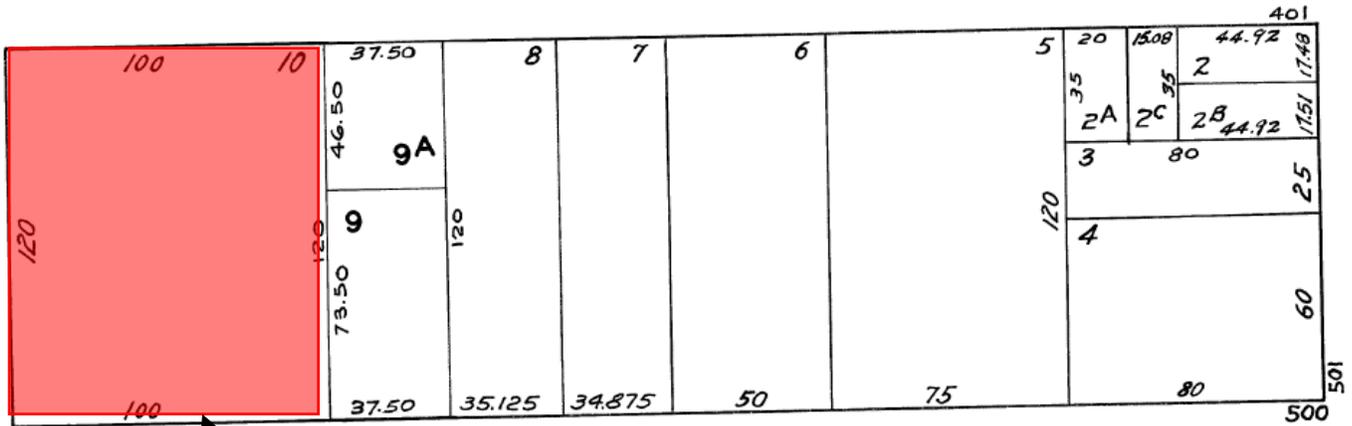
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

# Parcel Map

GROVE



IVY



HAYES

SUBJECT PROPERTY

LAGUNA

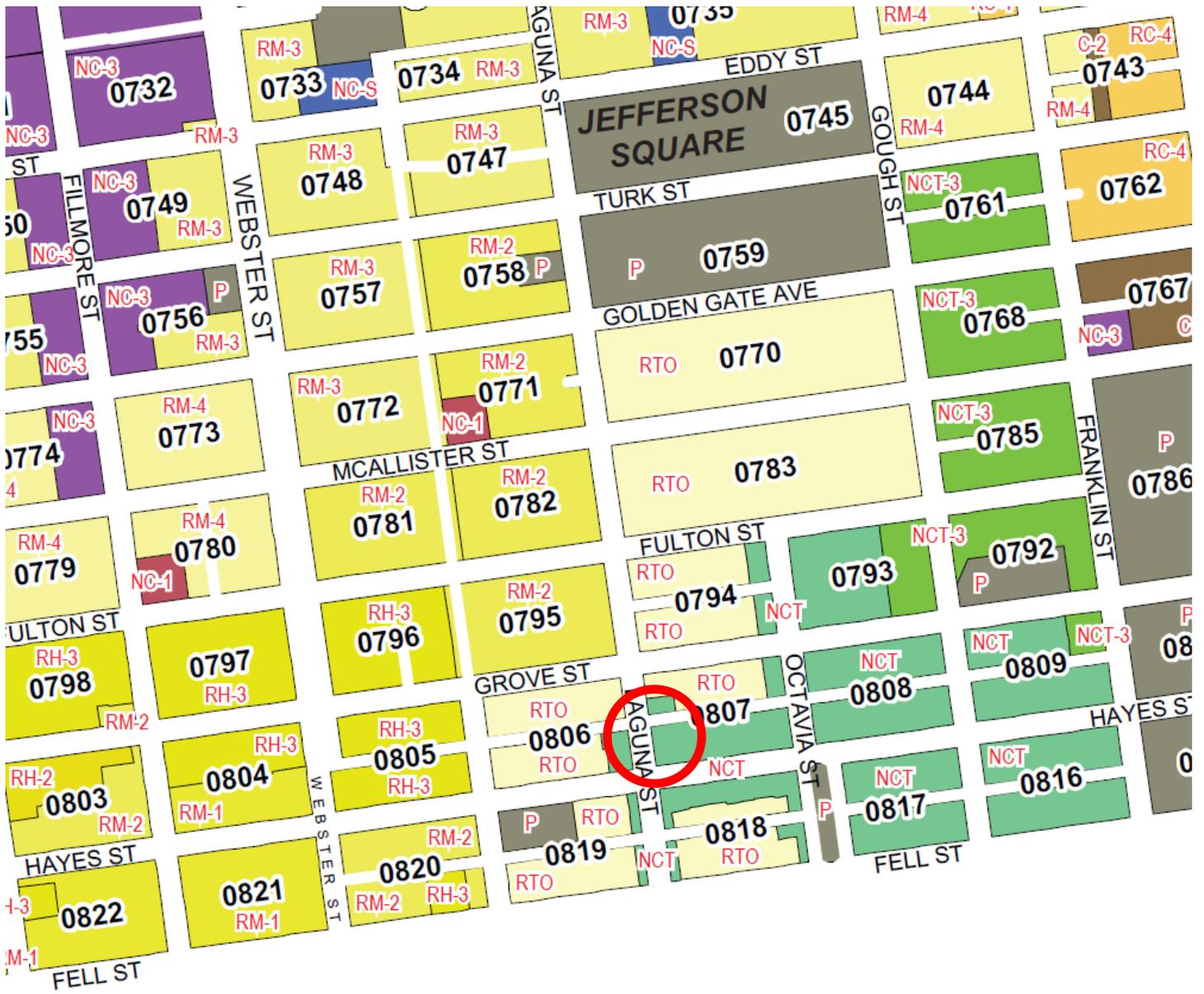
OCTAVIA



Conditional Use Authorization Hearing  
Case Number 2012.0903C  
580 Hayes Street

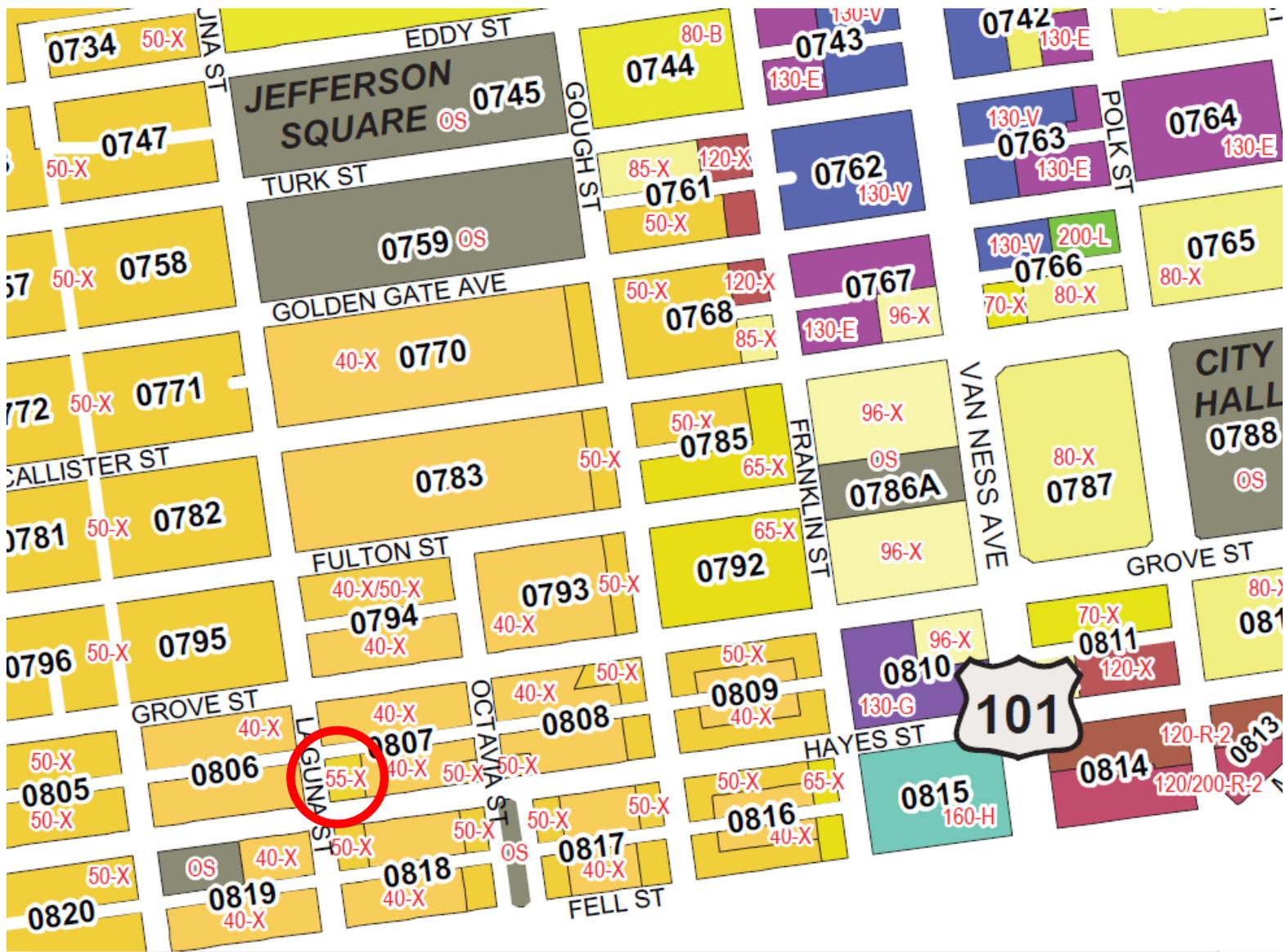


# Zoning Map



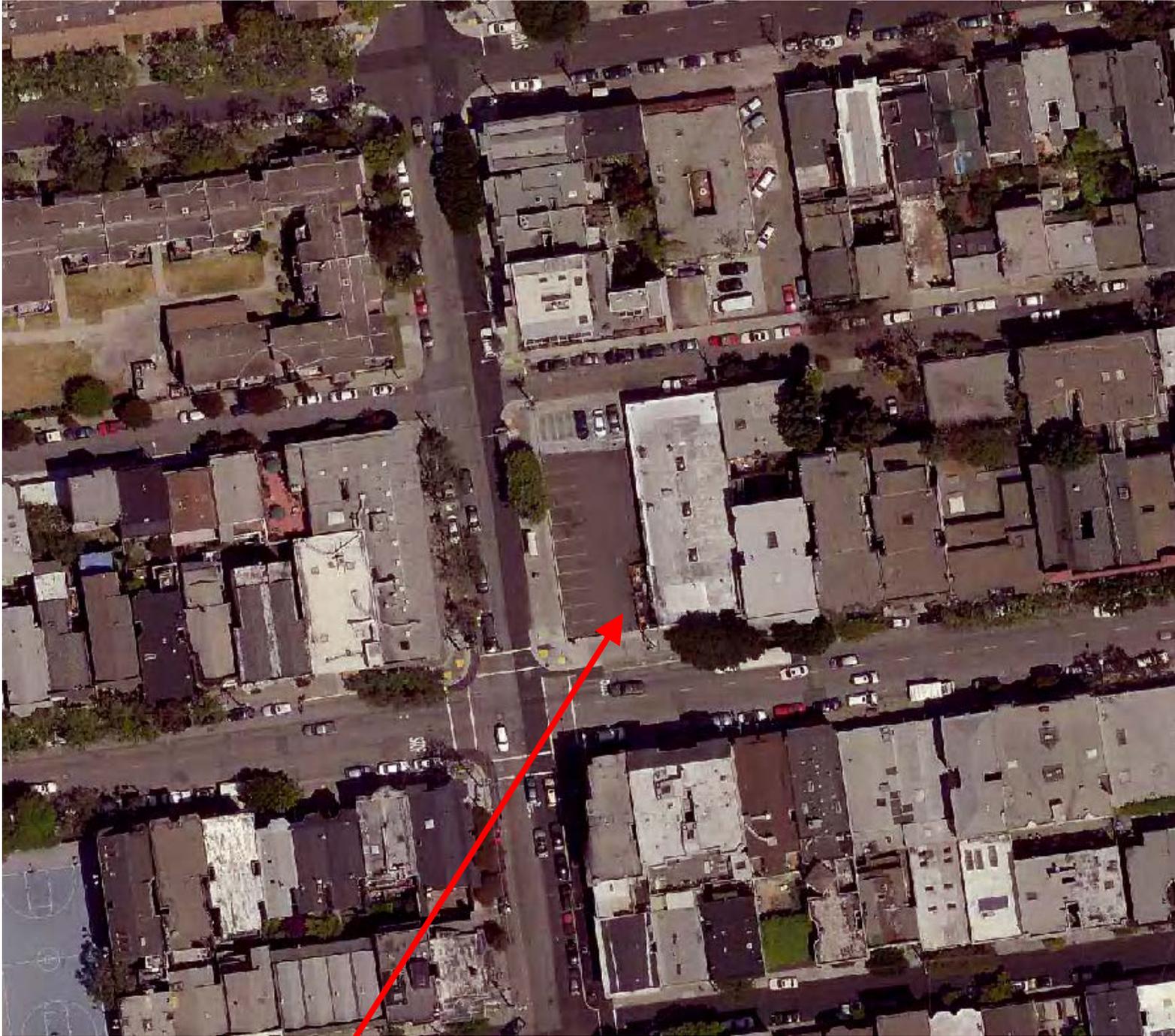
Conditional Use Authorization Hearing  
Case Number 2012.0903C  
580 Hayes Street

# Height and Bulk Map



Conditional Use Authorization Hearing  
Case Number 2012.0903C  
580 Hayes Street

# Aerial Photo



**SUBJECT PROPERTY**



Conditional Use Authorization Hearing  
Case Number 2012.0903C  
580 Hayes Street

# Site Photo



Conditional Use Authorization Hearing  
Case Number 2012.0903C  
580 Hayes Street

580 Hayes Planning Hearing – June 26th

To: Planning Commission  
From: Hayes Valley Merchants Assn.  
June 10<sup>th</sup>, 2014

Attention Kate Conner

Hello Kate

On behalf of the Hayes Valley Merchants Assn., I wanted to let you and the planning commissioners know that we are in favor of the project at 580 Hayes and we have no opposition to the conditional use for the lot larger than 10,000 sq. ft.

We have met with the developers and look forward to the completion of their project which will bring much needed housing to our neighborhood as well as lots of additional retail space.

Although it is a large lot footprint on this site, we are happy to see that the retail frontage has a setback allowing for outdoor seating at the proposed restaurant spaces in the building. This outdoor seating will add a quality of street activation that we have now enjoyed for a few years with the outdoor seating at Hayes and Kebab, the current tenant.

We support the approval of this project.

Thank you

Russell Pritchard  
Owner Zonal Home Interiors, 568 Hayes  
President, Hayes Valley Merchants Assn.





# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2012.0903E  
 Project Address: 580-582 Hayes Street  
 Zoning: Hayes-Gough Neighborhood Commercial-Transit District  
 40-X Height and Bulk District  
 Hayes Valley Commercial Historic District  
 Block/Lot: 0807/010  
 Lot Size: 12,000 square feet  
 Plan Area: Market and Octavia Neighborhood Plan  
 Project Sponsor: Dan Schalit, Laguna Hayes, LLC – (415) 505-0078  
 Staff Contact: Christopher Espiritu – (415) 575-9022, Christopher.Espiritu@sfgov.org

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
 Information:  
**415.558.6377**

### PROJECT DESCRIPTION:

The proposed project would include the demolition of an existing single-story, approximately 18-foot-tall, 6,435-square-foot (sq ft) commercial building and 1,160-sq ft surface parking lot with four parking spaces. The project also includes the construction of a new five-story (55-foot-tall) mixed-use building with a basement-level garage, ground-floor retail space, and residential use on upper floors. The existing building, currently used for restaurant/retail purposes, would be demolished and the proposed building would include 29 dwelling units, 8,000 sq ft of ground-floor retail, and 20 off-street parking spaces in the basement garage. The new mixed-use building would be approximately 39,300 sq ft and 55-foot tall, excluding an approximately 16-foot-tall elevator penthouse. The project site is located on a corner lot, bounded by Ivy Street to the north, Hayes Street to the south, Octavia Street to the east, and Laguna Street to the west, within the Hayes Valley neighborhood. The project is within the Hayes-Gough Neighborhood Commercial-Transit (NCT) Zoning District and the Hayes Valley Commercial Historic District. (Continued on next page.)

### EXEMPT STATUS:

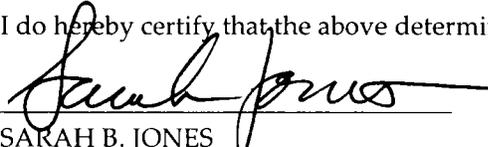
Exempt per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

### REMARKS:

(See next page.)

### DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

  
 SARAH B. JONES  
 Environmental Review Officer

April 29, 2014  
 Date

cc: Dan Schalit, Project Sponsor; Supervisor London Breed, District 5; Kate Conner, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File, Historic Preservation Distribution List

**PROJECT DESCRIPTION (continued):**

The proposed project would include 29 dwelling units ranging from one- to three-bedroom units on each of the upper floors (Floors 2-5) and would provide 15 one-bedroom units, 12 two-bedroom units, and 2 three-bedroom units. The proposed project would provide 20 off-street parking spaces and 15 Class 1 bicycle parking spaces within a basement-level garage accessed from an entrance on Ivy Street. The proposed dwelling units would be accessed from a residential lobby located on Hayes Street. Also, the proposed project would include the excavation to a depth of 15 feet below ground surface and an estimated 5,800 cubic yards of soil disturbance.

**Project Approval**

The proposed project would require the following approvals:

- **Conditional Use Authorization** (*Planning Commission*). The proposed project would require a Conditional Use Authorization to allow development on a lot exceeding 10,000 sq ft.
- **Variance** (*Zoning Administrator*). The proposed project would require a variance from the Planning Code as the project would not meet the Code-required rear yard under Section 134.
- **Site Permit** (*Department of Building Inspection*). The proposed project would require approval from DBI for a site permit.

While the proposed project requires multiple approvals, the overall development would be collectively reviewed by the Planning Commission and the Zoning Administrator at a consolidated hearing. Approval Action for the proposed project would be granted through the approval of the Conditional Use Authorization under the Planning Code Section 303. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

**REMARKS:**

CEQA Guidelines Section 15183 provides an exemption from environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR; and d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects peculiar to the 580-582 Hayes Street project described above, and incorporates by reference information contained within the Market and Octavia Neighborhood Plan Final EIR (FEIR) (Planning Department Case No. 2003.0347E and

State Clearinghouse No. 2004012118), which is the underlying EIR for the proposed 580-582 Hayes Street project. Project-specific studies summarized in this determination were prepared for the proposed project to determine if there would be any additional potentially significant impacts attributable to (i.e., "peculiar" to) the proposed project.

This determination assesses the proposed project's potential to cause environmental impacts and concludes that the proposed project would not result in new, significant environmental effects, or effects of greater severity than were already analyzed and disclosed in the FEIR. This determination does not identify new or additional information that would alter the conclusions of the FEIR. In addition, this determination identifies mitigation measures contained in the FEIR that would be applicable to the proposed project. Relevant information pertaining to prior environmental review conducted for the FEIR as well as an evaluation of potential environmental effects are provided in the Community Plan Exemption (CPE) Checklist for the proposed project.<sup>1</sup>

## **BACKGROUND:**

On April 5, 2007, San Francisco Planning Commission certified the FEIR for the Market and Octavia Plan (Case No. 2003.0347E; State Clearinghouse No. 2004012118). The FEIR analyzed amendments to the Planning Code and Zoning Maps and to the Market and Octavia Plan, an element of the San Francisco General Plan. The FEIR analysis was based upon assumed development and activities that were anticipated to occur under the Market and Octavia Plan.

Subsequent to the certification of the FEIR, in April 5, 2007, the Board of Supervisors approved, and the Mayor signed into law, revisions to the Planning Code, Zoning Maps, and General Plan that constituted the "project" analyzed in the Market and Octavia FEIR. The legislation created several new zoning controls which allow for flexible types of new housing to meet a broad range of needs, reduces parking requirements to encourage housing and services without adding cars, balances transportation by considering people movement over auto movement, and builds walkable "whole" neighborhoods meeting everyday needs. The land use, density, and design of the proposed project at 580-582 Hayes Street are consistent with the assumptions used to evaluate future development of the site in the Market and Octavia Plan FEIR.

Individual projects that occur under the Plan undergo project-level evaluation to determine if they would result in further impacts specific to the development proposal, and the site at the time of development, and to determine if additional environmental review is required. This determination concludes that the proposed project at 580-582 Hayes Street is consistent with and was encompassed within the analysis in the FEIR for the Market and Octavia Neighborhood Plan. Further, this determination finds that the FEIR adequately anticipated and described the impacts of the proposed project, and identified the applicable mitigation measures. The proposed project is also consistent with the zoning controls for the project site. Therefore, no further CEQA evaluation is necessary.

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<sup>1</sup> The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2012.0903E.

**PROJECT SETTING:**

The project site, which is located on a corner lot on the north side of Hayes Street between Laguna and Octavia streets, is in the Hayes Valley neighborhood. Existing uses near the project site consists of mostly two- to three-story residential buildings, with ground floor commercial uses, located to the east of the project site. Directly across from the project site is a five-story mixed-use building and is the tallest building in the vicinity of the project site. To the west of the project site is a primarily residential area with two- to three-story residential homes along Hayes Street. There are no buildings under construction in the immediate surroundings of the project site. Proposed developments on former Central Freeway parcels located within a ¼-mile of the project site are currently under review by the department. The project site, similar to other parcels surrounding the project site, is zoned NCT. The project site has a height and bulk limit of 55-X, while surrounding parcels range from 40-X and 50-X.<sup>2</sup>

**POTENTIAL ENVIRONMENTAL EFFECTS:**

The Market and Octavia Neighborhood Plan FEIR included analyses of environmental issues including: land use and zoning; plans and policies; visual quality and urban design; population, housing, and employment (growth inducement); transportation; noise; air quality; wind and shadow; archeological resources; historic architectural resources; hazardous materials; geology and soils; public facilities, services, and utilities; hydrology; and biology. The proposed 580-582 Hayes Street project is within the allowable development density and consistent with the designated uses for the site described in the Market and Octavia FEIR and would represent a small part of the growth forecast for the Market and Octavia Area Plan. As a result, the Market and Octavia FEIR considered the incremental impacts of the proposed 580-582 Hayes Street project. The proposed 580-582 Hayes Street project would not result in any new or substantially more severe impacts than were identified in the Market and Octavia FEIR. Topics for which the FEIR identified a significant program-level impact are addressed in this Certification of Determination, while project impacts for all other topics are discussed in the Community Plan Exemption Checklist.<sup>3</sup> The following discussion demonstrates that the proposed 580-582 Hayes Street project would not result in significant impacts beyond those analyzed in the FEIR.

Significant and unavoidable impacts were identified in the Market and Octavia FEIR for the following topics: transportation and circulation, and shadow. The project, as proposed, would not contribute to the identified significant and unavoidable shadow impact since the FEIR found the potentially significant adverse shadow impacts would occur on the War Memorial Open Space from development on Franklin Street and the United Nations Plaza from the proposed tower development at the Market Street and Van Ness Avenue intersection. These sites are located more than a ¼-mile from the project site. Also, the proposed 580-582 Hayes Street building would not cast net new shadow on parks or open spaces under the jurisdiction of the Recreation and Parks Commission.<sup>4</sup> As for the identified significant and

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<sup>2</sup> Height and bulk districts of 40-X, 50-X, and 55-X, as established by Planning Code Section 250, states that proposed developments for lots located in these height and bulk districts would not exceed building heights of 40, 50, and 55 feet, respectively. Lots located in districts with an "X" bulk limit designation, have a maximum width for the base of the proposed building of approximately 55 to 65 feet (identified as the lowest portion of the building extending vertically to a streetwall height, per Section 270 of the Planning Code).

<sup>3</sup> Ibid.

<sup>4</sup> Kevin Guy, Current Planning Division – Preliminary Shadow Analysis for 580-582 Hayes Street, January 2, 2014. This document is available for review as part of Case File No. 2013.0903E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

unavoidable impact related to transportation and circulation, the proposed project would add approximately 47 vehicles to the existing transportation network and would not contribute considerable to the critical vehicle movements that operate poorly at nearby intersections (Hayes/Gough and Hayes/Franklin streets) that were identified in the FEIR. Therefore, the proposed 580-582 Hayes Street project would not contribute to the significant and unavoidable transportation or shadow impacts identified in the Market and Octavia Plan FEIR.

The Market and Octavia Neighborhood Plan FEIR identified feasible mitigation measures to address other significant impacts related to: Shadow (A1), Wind (B1 and B2), Archeological Resources (C1 through C4), Transportation (D1 through D8), Air Quality (E1 and E2), Hazardous Materials (F1), and Geology, Soils, and Seismicity (G1). These mitigation measures would reduce impacts to less-than-significant level upon implementation, with the exception of Transportation (D1 through D8), which would remain significant impacts.

As analyzed and discussed in the CPE Checklist below, the following mitigation measures identified in the FEIR do not apply to the proposed project. Mitigation Measures related to Wind (B1 and B2) would not apply to the proposed project because these measures only apply to projects at proposed heights of 85 feet or taller. Mitigation Measures related to Archeological Resources (C1, C3, and C4) would not apply to the proposed project since these measures only apply to soils disturbing activities in archeologically documented properties, public streets and open spaces, and sites located within the Mission Dolores Archeological District (the project site is not located in one of these areas). Mitigation Measures related to Transportation (D1 through D8) would not apply to the project since traffic and transit mitigation measures have already been implemented or would need to be implemented by the San Francisco Municipal Transportation Agency (SFMTA). Mitigation Measure related to Air Quality (E1) in the Market and Octavia FEIR has been superseded by the Construction Dust Control Ordinance and therefore, Mitigation Measure (E1), is not applicable to the proposed project since the project would be required to implement the Dust Control Ordinance. Finally, the Mitigation Measure related to Hazards and hazardous materials (F1), would not apply to the proposed project since the project site does not contain any known (or documented) hazards or hazardous materials and there has been no previous industrial uses on-site.

As discussed in the CPE Checklist for the proposed 580-582 Hayes Street project below, Market and Octavia Neighborhood Plan FEIR Mitigation Measures related to Shadow (A1), Archeological Resources (C2), Air Quality (E2), and Geology, Soils, and Seismicity (G1) were determined to apply to the proposed project for the following reasons: 1) The proposed 580-582 Hayes Street project would not cast new shadow on parks subject to Section 295 of the Planning Code, however, the proposed project could potentially cast new shadows on parks and open space that are not subject to Section 295; thus, the Mitigation Measure related to Shadow (A1) would apply to the project. Mitigation Measure (A1) would ensure that the proposed project shall be designed and shaped to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295. 2) The project requires excavation of up to approximately 15 feet on a site with no previous archeological documentation and therefore Mitigation Measure for Archeological Resources (C2) to mitigate potential

project-related impacts to archeological resources is applicable to the proposed 580-582 Hayes Street project. Mitigation Measure (C2) requires the preparation of a preliminary archeological sensitivity study to assess the potential for a proposed project to have a significant impact on archeological resources. 3) Since construction of the proposed project would include the use of construction-related vehicles and equipment, as well as soils disturbance and excavation, Mitigation Measures for Air Quality (E2) and Geology, Soils, and Seismicity (G1) are applicable to the proposed 580-582 Hayes Street project. Mitigation Measure (E2) would minimize short-term impacts on air quality due to construction-related equipment and vehicles. Mitigation Measure (G1) would ensure that best management practices, regarding soil erosion control would be developed and implemented. With implementation of these above-noted four mitigation measures from the Market and Octavia FEIR, as well as the Dust Control Ordinance, the proposed 580-582 Hayes Street project would not result in significant impacts beyond those analyzed in the underlying Market and Octavia Plan FEIR.<sup>5</sup> In addition, and in accordance with the Market and Octavia Neighborhood Plan FEIR, the project sponsor has agreed to implement the following improvement measure addressing air pollutant impacts and to conform with Article 38 of the San Francisco Health Code: Improvement Measure 1 – Enhanced Ventilation Measures.<sup>6</sup>

### **Public Notice and Comment**

A “Notification of Project Receiving Environmental Review” was mailed on October 9, 2012 to adjacent occupants and owners of properties within 300 feet of the project site. Department Staff received requests from the public to be included in future notices for the proposed project. No members of the public commented specifically on the physical environmental effects of the proposed project. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public.

### **Conclusion**

The Market and Octavia Neighborhood Plan FEIR incorporated and adequately addressed all potential impacts of the proposed 580-582 Hayes Street project. As described above, the proposed 580-582 Hayes Street project would not have any project-specific significant adverse effects that are peculiar to the project or its site that were not examined in the Market and Octavia Neighborhood Plan FEIR, nor has any new or additional information come to light that would alter the conclusions of the Market and Octavia Neighborhood Plan FEIR. Thus, the proposed project would not have any new significant effects on the environment not previously identified in the Market and Octavia Neighborhood Plan FEIR, nor would any environmental impacts be substantially greater than described in the Market and Octavia Neighborhood Plan FEIR. Therefore, the proposed project is exempt from further environmental review pursuant to Section 21083.3 of CEQA and Section 15183 of the CEQA Guidelines.

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<sup>5</sup> Please refer the CPE Checklist for a complete discussion.

<sup>6</sup> The full text of this improvement measure is included in the MMRP.



SAN FRANCISCO  
PLANNING  
DEPARTMENT

# AFFIDAVIT FOR Compliance with the Inclusionary Affordable Housing Program

Date: **January 11, 2013**

To: **Applicants subject to Planning Code Section 415: Inclusionary  
Affordable Housing Program**

From: **San Francisco Planning Department**

Re: **Compliance with the Inclusionary Affordable Housing Program**

Planning Department  
1650 Mission Street  
Suite 400  
San Francisco, CA  
94103-9425

T: 415.558.6378  
F: 415.558.6409

All projects that involve five or more new dwelling units must participate in the *Inclusionary Affordable Housing Program* contained in Section 415 of the Planning Code. Every project subject to Section 415 must pay an Affordable Housing Fee that is equivalent to the applicable percentage of the number of units in the principal project, which is 20% of the total number of units proposed (or the applicable percentage if subject to different area plan controls or requirements).

A project may be eligible for an Alternative to the Affordable Housing Fee if the developer chooses to commit to sell the new on- or off-residential units rather than offer them as rental units. Second, the project may be eligible for an Alternative to the Affordable Housing Fee if it has demonstrated to the Planning Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act. All projects that can demonstrate that they are eligible for an alternative to the Affordable Housing Fee must provide the necessary documentation to the Planning Department and the Mayor's Office of Housing. Additional material may be required to determine if a project is eligible to fulfill the Program's requirements through an alternative.

Before the Planning Department and/or Planning Commission can act on the project, this *Affidavit for Compliance with the Inclusionary Affordable Housing Program* must be completed.

<sup>1</sup> California Civil Code Section 1954.50 et.al.

# Affidavit for Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415

6/2/14  
Date

I, Daniel K. Schalit, do hereby declare as follows:

a. The subject property is located at (address and block/lot):

580 Hayes Street  
Address

0807/010  
Block / Lot

b. The proposed project at the above address is subject to the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq.

The Planning Case Number and/or Building Permit Number is:

2012.0903C  
Planning Case Number

201312093685  
Building Permit Number

This project requires the following approval:

- Planning Commission approval (e.g. Conditional Use Authorization, Large Project Authorization)
- This project is principally permitted.

The Current Planner assigned to my project within the Planning Department is:

Kate Conner  
Planner Name

Is this project within the Eastern Neighborhoods Plan Area?

- Yes (if yes, please indicate Tier) \_\_\_\_\_
- No

This project is exempt from the Inclusionary Affordable Housing Program because:

- This project uses California Debt Limit Allocation Committee (CDLAC) funding.
- This project is 100% affordable.

c. This project will comply with the Inclusionary Affordable Housing Program by:

- Payment of the Affordable Housing Fee prior to the first site or building permit issuance (Planning Code Section 415.5).
- On-site or Off-site Affordable Housing Alternative (Planning Code Sections 415.6 and 416.7).

d. If the project will comply with the Inclusionary Affordable Housing Program through an **On-site** or **Off-site Affordable Housing Alternative**, please fill out the following regarding how the project is eligible for an alternative and the accompanying unit mix tables on page 4.

- Ownership.** All affordable housing units will be sold as ownership units and will remain as ownership units for the life of the project.
- Rental.** Exemption from Costa Hawkins Rental Housing Act.<sup>2</sup> The Project Sponsor has demonstrated to the Department that the affordable units are not subject to the Costa Hawkins Rental Housing Act, under the exception provided in Civil Code Sections 1954.50 through one of the following:
  - Direct financial contribution from a public entity.
  - Development or density bonus or other public form of assistance.
  - Development Agreement with the City. The Project Sponsor has entered into or has applied to enter into a Development Agreement with the City and County of San Francisco pursuant to Chapter 56 of the San Francisco Administrative Code and, as part of that Agreement, is receiving a direct financial contribution, development or density bonus, or other form of public assistance.

e. The Project Sponsor acknowledges that failure to sell the affordable units as ownership units or to eliminate the on-site or off-site affordable ownership-only units at any time will require the Project Sponsor to:

- (1) Inform the Planning Department and the Mayor’s Office of Housing and, if applicable, fill out a new affidavit;
- (2) Record a new Notice of Special Restrictions; and
- (3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

f. The Project Sponsor must pay the Affordable Housing Fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor’s Office of Housing prior to the issuance of the first construction document, with an option for the Project Sponsor to defer a portion of the payment to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge that would be deposited into the Citywide Affordable Housing Fund in accordance with Section 107A.13.3 of the San Francisco Building Code.

g. I am a duly authorized officer or owner of the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this day in:

Mill Valley, California

Location

6/2/14

Date

Signature



Daniel K. Schalit, Authorized Representative

Name (Print), Title

cc: Mayor’s Office of Housing  
Planning Department Case Docket  
Historic File, if applicable  
Assessor’s Office, if applicable

(415) 505-0078

Contact Phone Number

<sup>2</sup> California Civil Code Section 1954.50 and following.

## Unit Mix Tables

| NUMBER OF ALL UNITS IN PRINCIPAL PROJECT: |     |         |                   |                   |                     |
|---|-----|---------|-------------------|-------------------|---------------------|
| Total Number of Units                     | SRO | Studios | One-Bedroom Units | Two-Bedroom Units | Three-Bedroom Units |
| 29  | 0   | 0       | 15                | 12                | 2                   |

If you selected an On-site or Off-Site Alternative, please fill out the applicable section below:

- On-site Affordable Housing Alternative (Charter Section 16.110 (g) and Planning Code Section 415.6): calculated at 12% of the unit total.

| NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE |     |         |                   |                   |                     |
|--|-----|---------|-------------------|-------------------|---------------------|
| Total Affordable Units                           | SRO | Studios | One-Bedroom Units | Two-Bedroom Units | Three-Bedroom Units |
|  |     |         |                   |                   |                     |

- Off-site Affordable Housing Alternative (Planning Code Section 415.7): calculated at 20% of the unit total.

| NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE |     |         |                   |                   |                     |
|---|-----|---------|-------------------|-------------------|---------------------|
| Total Affordable Units                            | SRO | Studios | One-Bedroom Units | Two-Bedroom Units | Three-Bedroom Units |
|   |     |         |                   |                   |                     |

|  |                            |  |  |   |  |
|--|----------------------------|--|--|---|--|
| Area of Dwellings in Principal Project (in sq. feet) | Off-Site Project Address   |  |  |   |  |
| Area of Dwellings in Off-Site Project (in sq. feet)  |                            |  |  |   |  |
| Off-Site Block/Lot(s)                                | Motion No. (if applicable) |  |  | Number of Market-Rate Units in the Off-site Project |  |
|  |                            |  |  |   |  |

- Combination of payment of a fee, on-site affordable units, or off-site affordable units with the following distribution:

Indicate what percent of each option would be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.

1. Fee 100 % of affordable housing requirement.

2. On-Site \_\_\_\_\_ % of affordable housing requirement.

| NUMBER OF AFFORDABLE UNITS TO BE LOCATED ON-SITE |     |         |                   |                   |                     |
|--|-----|---------|-------------------|-------------------|---------------------|
| Total Affordable Units                           | SRO | Studios | One-Bedroom Units | Two-Bedroom Units | Three-Bedroom Units |
|  |     |         |                   |                   |                     |

3. Off-Site \_\_\_\_\_ % of affordable housing requirement.

| NUMBER OF AFFORDABLE UNITS TO BE LOCATED OFF-SITE |     |         |                   |                   |                     |
|---|-----|---------|-------------------|-------------------|---------------------|
| Total Affordable Units                            | SRO | Studios | One-Bedroom Units | Two-Bedroom Units | Three-Bedroom Units |
|   |     |         |                   |                   |                     |

|  |                            |  |  |   |  |
|--|----------------------------|--|--|---|--|
| Area of Dwellings in Principal Project (in sq. feet) | Off-Site Project Address   |  |  |   |  |
| Area of Dwellings in Off-Site Project (in sq. feet)  |                            |  |  |   |  |
| Off-Site Block/Lot(s)                                | Motion No. (if applicable) |  |  | Number of Market-Rate Units in the Off-site Project |  |
|  |                            |  |  |   |  |

**NOT APPLICABLE**

| CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT   | CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)   |
|---|---|
| Company Name  | Company Name  |
| Print Name of Contact Person  | Print Name of Contact Person  |
| Address   | Address   |
| City, State, Zip  | City, State, Zip  |
| Phone, Fax  | Phone, Fax  |
| Email   | Email   |
| I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above. | I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above. |
| _____<br>Signature  | _____<br>Signature  |
| _____<br>Name (Print), Title  | _____<br>Name (Print), Title  |



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

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

Reception:  
**415.558.6378**

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**415.558.6409**

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## RESIDENTIAL PIPELINE ENTITLED HOUSING UNITS 2007 to 2014 Q1

State law requires each city and county to adopt a Housing Element as a part of its general plan. The State Department of Housing and Community Development (HCD) determines a Regional Housing Need (RHNA) that the Housing Element must address. The need is the minimum number of housing units that a region must plan for in each RHNA period.

This table represents completed units and development projects in the current residential pipeline to the first quarter of 2014 (Q1). The total number of entitled units is tracked by the San Francisco Planning Department and is updated quarterly in coordination with the *Quarterly Pipeline Report*. Subsidized housing units – including moderate and low income units – as well as inclusionary units are tracked by the Mayor’s Office of Housing; these are also updated quarterly.

| 2014 QUARTER 1                    | RHNA Allocation<br>2007 - 2014 | Units Built<br>2007 - 2014 Q1 | Units Entitled in<br>2014 Q1 Pipeline* | Percent Built<br>and Entitled |
|-----------------------------------|--------------------------------|-------------------------------|--|-------------------------------|
| <b>Total Units</b>                | <b>31,193</b>                  | <b>18,078</b>                 | <b>16,733</b>                          | <b>111.6%</b>                 |
| Above Moderate ( > 120% AMI )     | 12,315                         | 11,993                        | 14,073                                 | 211.7%                        |
| Moderate Income ( 80 - 120% AMI ) | 6,754                          | 1,107                         | 753                                    | 27.5%                         |
| Low Income ( < 80% AMI )          | 12,124                         | 4,978                         | 1,907                                  | 56.8%                         |

*\*These totals do not include three entitled major development projects with a total of 23,714 net new units: Hunters' Point, Treasure Island and ParkMerced. While entitled, these projects are not expected to be completed during the 2007-2014 RHNA reporting period.*

**Before the  
San Francisco Planning Commission**

**PROJECT SPONSOR'S SUBMITTAL IN SUPPORT OF  
CONDITIONAL USE APPLICATION**

**for**

**Mixed Use Residential and Commercial Project at  
580 Hayes Street (Block 807, Lot 10)**

**Planning Department  
Case No. 2012.0903**

**PROJECT SPONSOR:  
Laguna Hayes, LLC**

**Hearing Date: June 26, 2014**

*Attorneys for Project Sponsor:*

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**REUBEN, JUNIUS & ROSE, LLP**

One Bush Street, Suite 600, San Francisco, CA 94104  
t] 415 567 9000 f] 415 399 9480

**TABLE OF CONTENTS**

A. INTRODUCTION ..... 1

B. SITE INFORMATION ..... 1

C. EXISTING SITE CONDITIONS ..... 2

D. PROJECT SUMMARY ..... 2

E. CONDITIONAL USE DETERMINATION PURSUANT TO SECTION 303 ..... 3

F. ADDITIONAL CRITERIA FOR DEVELOPMENT OF LOTS EXCEEDING  
LOT SIZE LIMITATIONS ..... 8

G. MODIFICATION OF REAR YARD REQUIREMENT IN NCT DISTRICT ..... 8

H. MARKET AND OCTAVIA NEIGHBORHOOD PLAN ..... 9

I. PROVISION OF OFF-STREET PARKING IN BASEMENT GARAGE ..... 9

J. GENERAL PLAN PRIORITY POLICIES ..... 10

K. CONCLUSION ..... 12

LIST OF EXHIBITS ..... 13

**A. INTRODUCTION**

Laguna Hayes, LLC (“Project Sponsor”) proposes to demolish an existing single-story commercial building and 1,160 sq. ft. surface parking lot at 580 Hayes Street (“Project Site”), and construct a five-story mixed-use building containing 29 dwelling units, approximately 8,000 square feet of ground floor commercial space, and 15 off-street residential parking spaces and 5 commercial parking spaces in an underground garage (“Project”). The dwelling units include 15 one-bedroom units; 12 two-bedroom units; and 2 three-bedroom units. The Project Site is located within the Hayes-Gough Neighborhood Commercial Transit (“NCT”) Zoning District, and a 55-X Height and Bulk District. Conditional use authorization is required for the development of a lot exceeding 10,000 square feet in the Hayes-Gough NCT District pursuant to Planning Code section 720.11<sup>1</sup>. As discussed below, the Project satisfies the criteria set forth in Section 303(c) of the Code, advances the objectives and policies of the General Plan, and provides infill housing on an under utilized commercial lot. The conditional use authorization should therefore be granted.

The Project Site previously received Conditional Use Authorization from the Planning Commission on June 19, 2008 for construction of a 5-story residential building for senior housing of approximately the same height and bulk – 63,625 sq. ft., with 3,300 sq. ft. of ground floor retail space, and 17 parking spaces in a basement garage. (Planning Commission Resolution No. 17626). The proposed Project is slightly smaller in size than the previously approved project, and has a larger allocation of commercial space on the ground floor. The Project Sponsor is a new applicant for the Project Site.

**B. SITE INFORMATION**

Street address: 580 Hayes Street

Cross streets: Laguna, Ivy, and Octavia Streets

Assessor’s block/lot: Block 807, Lot 10

Zoning district: Hayes - Gough Neighborhood Commercial Transit District

Height/bulk district: 55-X

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<sup>1</sup> Unless otherwise indicated, all sections cited herein refer to the San Francisco Planning Code.

Site size: 12,000 square feet

Existing Use: 6,345 sq. ft. commercial building and surface parking lot

**C. EXISTING SITE CONDITIONS**

The Project Site, which is located on a corner lot on the north side of Hayes Street between Laguna and Octavia Streets, is in the Hayes Valley neighborhood. Existing uses near the Project Site are a 5-story residential building with ground floor retail across the street on Hayes, and residential buildings with ground floor commercial uses located to the east of the Project Site. To the west of the Project Site is a primarily multi-story residential area along Hayes Street. To the east of the Project Site are two residential blocks leading to Symphony Hall. The Project appropriately provides ground-floor commercial space in a neighborhood commercial district, extending the Hayes Street commercial corridor to Van Ness Avenue and the Civic Center.

**D. PROJECT SUMMARY**

Present use: Single-story commercial building and surface parking lot.

Proposed use: Residential and Commercial - 29 dwelling units with 8,000 square feet of commercial space and 15 underground parking spaces and 5 commercial spaces.

Building height: 55 feet

Number of stories: Five stories and an underground parking garage.

Gross square footage: Approximately 60,650 square feet comprised of the following uses: 31,293 s.f. of residential living area, 8,000 s.f. of commercial space, 9,357 s.f. for lobby, stairs, corridor, and trash disposal. Private and common outdoor areas total approximately 5,400 sq. ft. in addition to the above areas. Basement garage and sloped entryway to basement will be the approximate area of the lot.

Parking spaces: 20 spaces located in an underground garage.

**E. CONDITIONAL USE DETERMINATION PURSUANT TO SECTION 303**

The Project requires conditional use authorization by the Planning Commission to permit the development of a lot exceeding 10,000 square feet (Section 720.11). Under Section 303(c), the City Planning Commission shall approve the application and authorize a conditional use if the facts presented establish the following:

1. Desirability and Compatibility of Project

Planning Code Section 303(c)(1) requires that facts be established which demonstrate the following:

**That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.**

The Project Site is located within the Market-Octavia Plan (“MOP”) and the Hayes-Gough NCT Zoning District. A residential project with ground floor commercial space is permitted and would be compatible with policies of the MOP and the Hayes-Gough NCT Zoning District.

*The Project is necessary, desirable and compatible with the neighborhood and the community for the following reasons:*

- (a) The Project is necessary and desirable because it will create 29 new residential units in an in-fill project in an established residential neighborhood;
- (b) The approximately 8,000 square feet of new retail/commercial space will provide services to the immediate neighborhood, will create pedestrian oriented, active uses on both Hayes Street and Laguna Street, and will further the objectives of the Hayes-Gough NCT Zoning District and Market-Octavia Plan policies; and
- (c) The Project design will aesthetically enhance the neighborhood and remove an underutilized retail building, thereby better using the Project site.

## 2. Effect of Project on Health, Safety, Convenience or General Welfare

Planning Code Section 303(c)(2) requires that facts be established which demonstrate the following:

**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 injuries to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:**

- (a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of the structure.
- (b) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.
- (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor.
- (d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

### (a) The Nature of the Project Site is appropriate for the Project

The Project Site is well suited for residential and commercial use. The Project Site is located at the corner of Hayes and Laguna Streets. Currently the Project Site contains a single story retail building, which will be demolished as part of the proposed Project.

The design of the proposed Project is compatible with the scale and context of the surrounding neighborhood and the Hayes-Gough NCT controls.

### (b) The Project has adequate off-street parking given the accessibility of the Site and Traffic Patterns

The Project provides 15 off-street underground residential parking spaces, and 5 commercial spaces, all principally permitted. The parking spaces will be invisible from the Street, thereby enhancing the aesthetics of the building design.

(c) The Project will not Produce Noxious Emissions

The proposed uses will not generate any noxious or offensive emissions, glare, dust or odors.

(d) Appropriate Treatment has been Given to Landscaping, Open Space, Parking, Loading, Service Areas and Lighting

The proposed Project is designed to produce an attractive, safe and comfortable environment including ample open space, extensive landscaping, and new street trees. The proposed Project will provide new and expanded lighting to increase neighborhood safety.

3. Compliance with the General Plan

Planning Code Section 303(c)(3) requires that facts be established that demonstrate the following:

**That such use or feature as proposed will comply with the applicable provisions of this code and will not adversely affect the General Plan.**

The Project will comply with the Planning Code and will affirmatively promote, is consistent with, and will not adversely affect the General Plan, including the following objectives and policies:

**Commerce and Industry Element Objectives and Policies**

Objective 6. Maintain and strengthen viable neighborhood commercial areas easily accessible to City residents.

Policy 6.3. Preserve and promote the mixed commercial-residential character in neighborhood commercial districts.

Policy 6.9. Regulate uses so that traffic impacts and parking problems are minimized.

*The Project redevelops the Project Site with ground floor retail uses that will enhance the neighborhood. The Project is consistent with the objectives of the Hayes-Gough NCT Zoning District and the Market-Octavia Plan. The Project Site is located along a transit artery, which will minimize traffic impacts.*

## **Neighborhood Environment**

Objective 4. Improvement of the neighborhood environment to increase personal safety, comfort, pride and opportunity.

Policy 4.12. Install, promote and maintain landscaping in public and private areas.

*The Project will provide new landscaping on all three streets surrounding the property, in accordance with the Planning Department's Better Streets Plan. The improvement of Ivy Street will contribute to and expand the recent alley improvements in the neighborhood.*

*The Project will further improve the neighborhood environment by providing retail uses with pedestrian level interest. The proposed design of the building will be consistent with other buildings in the neighborhood. The Project will result in an improvement to the neighborhood by eliminating the existing outdated structure and parking lot. Increased commercial activity will improve neighborhood safety.*

## **General Plan**

### **Environmental Protection Element**

OBJECTIVE 4: ASSURE THAT THE AMBIENT AIR OF SAN FRANCISCO AND THE BAY REGION IS CLEAN, PROVIDES MAXIMUM VISIBILITY, AND MEETS AIR QUALITY STANDARDS.

Policy 4.2 Encourage the development and use of urban mass transportation systems in accordance with the objectives and policies of the Transportation Element.

*The Project directly supports the use of urban mass transportation systems by creating dwelling units on a transit artery that is close to the Civic Center and the Downtown core employment centers.*

**General Plan**  
**Housing Element**

OBJECTIVE 1: TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.

Policy 1.1 Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are affordable to lower income households. Set allowable densities in established residential areas at levels which will promote compatibility with prevailing neighborhood scale and character where there is neighborhoods support.

*The Project directly supports this policy, which calls for increased infill housing in transit-rich areas, by creating high-density dwelling units on a transit artery.*

Policy 1.7 Encourage and support the construction of quality, new family housing.

*The Project directly supports this policy by creating 12 two-bedroom units, consisting of 41% of the total units of the Project, and 2 three-bedroom units in addition.*

**General Plan**  
**Transportation Element**

OBJECTIVE 2: USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1 Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

*The Project directly supports this policy by creating 29 dwelling units along a transit artery close to the Civic Center and the Downtown core employment areas.*

**F. ADDITIONAL CRITERIA FOR DEVELOPMENT OF LOTS EXCEEDING LOT SIZE LIMITATIONS**

In addition to the criteria articulated in Section 303 (c)(1-4), because the Project includes the development of a lot exceeding 10,000 square feet in the Hayes-Gough NCT District, the Commission shall consider the following additional criteria set forth in Section 121.1:

- 1. The mass and façade of the proposed structure are compatible with the existing scale of the district.**

The mass and scale of the Project are compatible with the existing scale of the Hayes-Gough NCT District, which is typified by large-scale lots, moderately large commercial uses, and housing above the ground floor. Nearby buildings include four to five-story apartment buildings on Hayes Street.

- 2. The façade of the proposed structure is compatible with design features of adjacent facades that contribute to the positive visual quality of the district.**

The Project's façade features a flat roof and large windows. The Project further enhances the visual quality of the neighborhood by adding articulation to break up the Project's mass and scale. In addition, the Project contains ground floor commercial space along Hayes Street and Laguna Street to create pedestrian interest and contribute to a lively streetscape.

**G. MODIFICATION OF REAR YARD REQUIREMENT IN NCT DISTRICT**

Planning Code Section 134(e)(2) allows for the rear yard requirement for corner lots in NCT districts to be substituted with an open area equal to 25% of the lot area in an inner court, provided that the Zoning Administrator determines that the following criteria are met. The Project utilizes a modified rear yard in the form of an inner courtyard located at the first residential level, in accordance with Section 134(e)(2). The area of the courtyard is 25% of the lot or 3,000 square feet. A roof deck will provide Code-compliant usable open space. In addition, several of the units will have their own private open space in the form of balconies.

- (A) **Each horizontal dimension of the open area shall be a minimum of 15 feet.**

Satisfied.

- (B) **The open area shall be wholly or partially contiguous to the existing midblock open space formed by the rear yards of adjacent properties.**

There is no midblock open space formed by the rear yards of adjacent properties.

- (C) **The open area will provide for access to light and air to, and views from, adjacent properties.**

Satisfied.

- (D) **The proposed new or expanding structure will provide for access to light and air from any existing or new residential uses on the subject property.**

Satisfied.

## **H. MARKET AND OCTAVIA NEIGHBORHOOD PLAN**

The Market and Octavia Neighborhood Plan (“MOP”) applies to the Project Site. Under the MOP, the Project Site has been rezoned to Hayes-Gough Neighborhood Commercial Transit (“NCT”). This zoning district permits residential development with no density limit. Residential parking is permitted up to 0.5 spaces per unit (14.5 spaces) or up to .75 spaces per unit with conditional use authorization. Commercial parking up to one space per 1,500 square feet is permitted.  $8,000 \text{ sq. ft. commercial space} / 500 \text{ sq. ft.} = 5.33$  commercial parking spaces, permitted by the Planning Code. Accordingly, the Project provides 15 residential and 5 commercial underground parking spaces.

## **I. PROVISION OF OFF-STREET PARKING IN BASEMENT GARAGE**

The original Project included .75 parking spaces per unit. During several outreach meetings with the Hayes Valley Neighborhood Association, the Association requested a reduction in parking. The Project Sponsor agreed to a reduction to 0.5 parking spaces per residential unit, as principally permitted by the Planning Code.

Residents are expected to use their vehicles primarily on the weekend and to walk, bike, or take public transit to work. Conditional use authorization is not required for the parking that is provided.

**J. GENERAL PLAN PRIORITY POLICIES**

Planning Code Section 101.1 establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The Project and this Conditional Use application are consistent with each of these policies as follows:

1. That Existing Neighborhood-Serving Retail Uses Be Preserved and Enhanced and Future Opportunities for Resident Employment in and Ownership of Such Businesses Enhanced;

The Project will provide 8,000 square feet of ground floor retail space, which will provide significant opportunities for resident employment in and ownership of new businesses.

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

No existing housing will be impacted. The Project Site is located within the Hayes Gough NCT Zoning District, which is a Neighborhood commercial district. The new dwelling units will provide opportunities for up to 29 families to live in the building. The Project will contribute to the neighborhood character and preserve and enhance the cultural and economic diversity of the neighborhood. The Project is compatible with the scale and design of the neighborhood within which the Project Site is located. The neighborhood is a well-established residential neighborhood near the downtown core and will provide much needed in-fill housing on an underutilized site currently used for commercial uses.

3. That the City's supply of affordable housing be preserved and enhanced;

The Project will further this priority policy by complying with the City's affordable housing requirements.

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

The Project Site is located on the 21 – Hayes bus line and within walking distance of transit service on Market Street and Van Ness Avenue. Therefore, the Project is not expected to generate commuter traffic, or overburden local streets or neighborhood parking.

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

No office development is proposed. By contributing to the City's housing supply, the Project will help San Francisco increase housing opportunities for resident workers, and thereby maintain a diverse economic base.

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

The Project will conform to the structural and seismic requirements of the San Francisco Building Code and will replace an unreinforced building.

7. That landmarks and historic buildings be preserved;

There are no landmarks or historic buildings at the Project Site.

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

The Project will not impact parks, open space, or their access to sunlight or vistas.

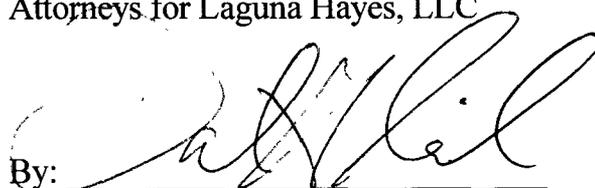
**K. CONCLUSION**

The Project satisfies all of the criteria of the Planning Code and the Master Plan for approval of a Conditional Use. The Project will replace a parking lot and single-story commercial building with 29 units of infill housing, as well as 8,000 sq. ft. of ground floor commercial space. The Project will therefore make a significant contribution to the City's housing supply, while aesthetically enhancing the neighborhood and removing unattractive uses. In accordance with the policies of the Master Plan, the Project will convert an underused commercial lot with surface parking to residential use, while locating infill housing on an appropriate site along a transit corridor and close to major job centers in the Civic Center and Downtown. Accordingly, we urge the Planning Commission to approve the Project.

Respectfully Submitted,

Reuben, Junius & Rose, LLP  
Attorneys for Laguna Hayes, LLC

Dated: 6-16-14

By:   
David Silverman

**LIST OF EXHIBITS**

- Exhibit A - Plans, elevations, rendering, and photographs of Project Site and Project Block
- Exhibit B - Letter of Support from Hayes Valley Merchants Association
- Exhibit C - Hayes Valley Neighborhood Association Outreach Meeting Sign-in Sheets and follow-up emails

A

**GENERAL CONDITIONS**

**CONTRACTORS RESPONSIBILITIES:**

- CONTRACTOR TO PROVIDE ALL WORK AND MATERIALS IN ACCORDANCE WITH THE 2007 CBC AS AMENDED BY ALL STATE AND LOCAL CODES, AND CALIFORNIA ADMINISTRATIVE CODE, TITLE 24, DISABLED ACCESS COMPLIANCE REGULATIONS.
- CONTRACTOR SHALL MAKE SITE INSPECTIONS AND BE RESPONSIBLE FOR ALL NEW AND DEMOLITION WORK, WHETHER DETAILED BY THE SPECIFICATIONS AND DRAWINGS, OR IMPLIED BY EXISTING CONDITIONS.
- ANY DISCREPANCIES IN THE CONSTRUCTION DOCUMENTS, AS CONFLICTS WITH ACTUAL SITE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
- CONTRACTOR SHALL PROVIDE ALL TEMPORARY SHORING & UNDERPINNING AS NECESSARY; WORK TO BE PERFORMED UNDER SEPARATE PERMIT.
- CONTRACTOR SHALL BE RESPONSIBLE TO COORDINATE AND PROVIDE ALL NECESSARY TEMPORARY UTILITY HOOR-UPS FOR ALL EQUIPMENT DURING CONSTRUCTION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR DISCONNECTION / CAPPING OFF OF ALL EXISTING UTILITIES AND RE-CONNECTION WHERE RE-USE IS POSSIBLE.
- CONFIRM ALL WINDOW SIZES WITH ACTUAL / EXISTING ROUGH OPENING DIMENSIONS PRIOR TO ORDERING WINDOWS.
- SLOPE ALL FLOORS / ROOFS TO DRAIN A MINIMUM OF 1/4" PER 1'-0", UNLESS SPECIFICALLY NOTED OTHERWISE.
- CONTRACTOR IS RESPONSIBLE TO PROCURE STATE INDUSTRIAL SAFETY PERMIT FOR ANY WORK OVER 36" IN HEIGHT, INVOLVING EXCAVATION OVER 5' & AS OTHERWISE REQUIRED.

**DRAWINGS:**

- DO NOT SCALE DRAWINGS! ALL WRITTEN DIMENSIONS SUPERSEDE SCALE DIMENSIONS.
- ALL DIMENSIONS ARE TO "FACE OF STUD" UNLESS SPECIFICALLY NOTED OTHERWISE. EXISTING DIMENSIONS DENOTED BY "EX" ARE TO "FACE OF EXISTING FINISH" UNLESS SPECIFICALLY NOTED OTHERWISE. ALL EXISTING DIMENSIONS SHALL BE FIELD VERIFIED PRIOR TO PROCEEDING WITH THE WORK.
- LARGE SCALE DRAWINGS TAKE PRECEDENCE OVER SMALL SCALE DRAWINGS. WRITTEN SPECIFICATIONS TAKE PRECEDENCE OVER ALL DRAWINGS.
- REFER TO EXTERIOR ELEVATIONS FOR INDICATIONS OF WINDOW OPERATION AND HANDING.

**ASSEMBLIES:**

(SEE COVER SHEET LEGEND FOR RATED WALL DESIGNATIONS AND OTHER WALL TYPES)

- PROVIDE MINIMUM 1-HOUR WALL AND FLOOR / CEILING ASSEMBLY BETWEEN ALL RESIDENTIAL UNITS. SEE PLANS AND BUILDING SECTIONS FOR DESIGNATIONS; AND STANDARD DETAILS FOR COMPLETE ASSEMBLY DESCRIPTIONS.
- PROVIDE MINIMUM 80 ETC AND IC REQUIREMENT AT ALL UNITS AT FLOORS, CEILINGS, AND WALLS. SEE PLANS AND BUILDING SECTIONS FOR DESIGNATIONS; AND STANDARD DETAILS FOR ASSEMBLY DESCRIPTIONS.
- INSULATE ALL ASSEMBLIES BETWEEN HEATED AND UNHEATED AREAS: R-30 AT ROOFS, R-13 AT WALLS, R-19 AT FLOORS; MINIMUM, UNLESS SPECIFICALLY NOTED OTHERWISE. SEE TITLE 24, ENERGY COMPLIANCE STATEMENT MANDATORY MEASURES CHECKLIST FOR SPECIFIC REQUIREMENTS.
- PROVIDE VENTILATION OF ALL JOIST, STUD AND RAFTER SPACES ENCLOSED BY BUILDING ASSEMBLIES BETWEEN HEATED AND UNHEATED AREAS INCLUDING ATTICS, BASEMENTS, ROOFS, SOFFITS, PARAPET AND RAILING WALLS, ETC.
- ALL DOORS BETWEEN HEATED AND UNHEATED AREAS SHALL BE PROVIDED WITH WEATHER-STRIPPING AND THRESHOLDS.
- ALL PROPERTY LINE WINDOWS (INDICATED ON DRAWINGS BY "P") SHALL BE STEEL SASH WITH FIXED WIRE GLASS, WITH SPRINKLER HEAD PROTECTION PER S.F. BUILDING CODE SECTION 909.5.
- PROVIDE MOISTURE RESISTANT GYPSUM WALL BOARD (MR GWS) ON ALL BATHROOM WALLS. DO NOT USE A CONTINUOUS VAPOR BARRIER BEHIND MR GWS. PROVIDE 30 POUND ROOFING FELT BEHIND FINISH SURFACE OF ALL TUB / SHOWER SURROUNDS, LAPPING ALL SEAMS. DO NOT USE MR GWS ON BATHROOM CEILINGS; USE 5/8" TYPE "X" GWS.

**MECHANICAL AND ELECTRICAL:**

- MECHANICAL AND ELECTRICAL WORK SHOWN ON DRAWINGS IS SCHEMATIC IN NATURE. CONTRACTOR TO CONFIRM FINAL LAYOUT WITH ARCHITECT, PRIOR TO PROCEEDING WITH THE WORK.
- ALL WORK TO BE PERFORMED UNDER SEPARATE PERMIT.
- PARKING GARAGE(S), CORRIDORS AND STAIRS SHALL BE VENTILATED AS REQUIRED PER CODE.
- PROVIDE EMERGENCY / EXIT LIGHTING AT ALL EXIT PATHS OF TRAVEL AS REQUIRED PER CODE.
- ALL INTERIOR COMMON AREA LIGHT FIXTURES, ETC. SHALL BE PROVIDED WITH SWITCHING VIA CENTRAL PHOTO-ELECTRIC SENSOR WITH TIMER CLOCK SWITCH OVERRIDE, UNLESS OTHERWISE SPECIFIED.
- PARKING GARAGE(S) AND ALL OTHER COMMON AREAS, NOT SERVED BY DAY LIGHTING WINDOWS, SHALL BE PROVIDED WITH ELECTRIC LIGHTING 24 HOURS PER DAY, UNLESS SPECIFICALLY NOTED OTHERWISE.
- STAGGER ALL ELECTRICAL AND MECHANICAL ITEMS IN ALL DEMISING WALLS AND FLOORS BETWEEN UNITS TO MAINTAIN ASSEMBLY ACCURACY RATINGS. SEE SPECIFICATIONS AND DETAILS FOR SPECIFIC REQUIREMENTS.
- ALL ELECTRICAL RECEPTACLES IN DAMP LOCATIONS TO BE GROUND FAULT INTERRUPTER (GFI) AS REQUIRED PER CODE.

**WATERPROOFING:**

- ALL SHEET METAL WORK TO BE IN ACCORDANCE WITH CURRENT EDITION OF S.M.A.C.N.A. STANDARDS.
- PROVIDE GALVANIZED SHEET METAL FLASHING AT ALL WINDOW AND DOOR HEADS: INSTALL UNDER EXTERIOR SIDING OR CEMENT PLASTER AND BUILDING PAPER, AND OVER HEAD FRAME OF ALL NEW DOORS AND WINDOWS. PROVIDE ADDITIONAL FLASHING MEMBRANE PER STANDARD WINDOW FLASHING DETAIL (SEE DETAIL SHEETS) AROUND ALL WINDOW AND DOOR OPENINGS.
- PROVIDE GALVANIZED SHEET METAL FLASHING AT ALL ROOF CONDITIONS INCLUDING BUT NOT LIMITED TO: PERIMETER EDGES, VALLEYS, PARAPET CAPS, WALL / ROOF INTERSECTIONS, ROOF PENETRATIONS, ETC. SEE DETAIL SHEETS FOR SPECIFIC REQUIREMENTS.
- ALL NEW EXTERIOR FINISHES TO BE INSTALLED OVER A MINIMUM MOISTURE BARRIER OF TWO LAYERS OF 15 POUND GRADE D) BUILDING PAPER.

**SCOPE OF WORK**

CONSTRUCTION OF A NEW FOUR STORY, TWENTY-NINE (29) UNIT, RESIDENTIAL OVER GROUND FLOOR COMMERCIAL AND BASEMENT AUTO GARAGE BUILDING. FOUR STORY TYPE V, ONE-HOUR BUILDING OVER ONE STORY TYPE I BUILDING.

**PLANNING DEPARTMENT NOTES**

PROJECT LOCATION: 580 HAYES STREET, BLOCK 0807, LOT 010, SAN FRANCISCO, CA. 100'-0" ALONG HAYES STREET, 120'-0" ALONG LAGUNA STREET, & 100'-0" ALONG IVY STREET. LOT SIZE: 12,000 SQUARE FEET.

ZONING DISTRICT: HAYES NCD - NEIGHBORHOOD COMMERCIAL DISTRICT. NON-RESIDENTIAL USES OF 3,000 S.F. OR MORE REQUIRE A CONDITIONAL USE. DEVELOPMENTS ON LOT SIZES OF 10,000 S.F. AND MORE SHALL ALSO REQUIRE A CONDITIONAL USE.

DWELLING UNIT DENSITY: NO RESIDENTIAL DENSITY LIMIT BY LOT AREA.

PROPOSED BUILDING USE: TWENTY-NINE (29) UNIT RESIDENTIAL BUILDING OVER GROUND FLOOR COMMERCIAL, RESIDENTIAL ENTRY AND UTILITY ROOMS, OVER BASEMENT GARAGE.

BUILDING HEIGHT LIMIT: 55'-X. THE PROPOSED BUILDING HEIGHT SHALL BE 55'-0" MEASURED AT LAGUNA STREET FRONTAGE FROM CURB AT CENTERLINE OF BUILDING TO ROOF OF BUILDING. ADDITIONAL HEIGHT LIMIT PER PLANNING CODE SECTION 281.1 - HEIGHT SCULPTING ON ALLEYS - ADDITIONAL BUILDING SETBACKS ARE REQUIRED ON IVY ST. 60'-0" AWAY FROM LAGUNA ST.

USABLE OPEN SPACE: MINIMUM 60 S.F. OF PRIVATE USABLE OUTDOOR OPEN SPACE, OR 80 S.F. (PRIVATE X 1.33) OF COMMON USABLE OUTDOOR OPEN SPACE REQUIRED PER RESIDENTIAL UNIT, WITH A MINIMUM HORIZONTAL DIMENSION OF 6' REQUIRED FOR PRIVATE AND 18' FOR COMMON. RESIDENTIAL UNITS 201, 208, 301, 401, 407, 408, 501, 502 & 508 HAVE PRIVATE USABLE OUTDOOR SPACE MEETING REQUIREMENTS. REMAINING 20 RESIDENTIAL UNITS HAVE ACCESS TO A COMMON OUTDOOR SPACE LOCATED ON THE ROOF LEVEL WITH AN AREA GREATER THAN 1,600 SQ. FT. (20 X 80 SQ. FT. MIN. REQUIRED AREA) MEETING REQUIREMENTS.

REAR YARD SET-BACK: REQUIRED AT THE AT THE LOWEST STORY CONTAINING A RESIDENTIAL UNIT AND ABOVE AT EACH SUCCEEDING LEVEL ABOVE. PLANNING CODE SECTION 134(K)2 FOR CORNER LOT ADJUSTMENTS APPLY TO THIS PROJECT. 25% OF LOT AREA = 3,000 S.F. 3,000 S.F. PROVIDED AT FIRST RESIDENTIAL FLOOR. PER PLANNING CODE SECTION 134 (K) (1) REAR YARD REQUIREMENTS MAY BE MODIFIED OR WAIVED BY THE ZONING ADMINISTRATOR IN HAYES-GOUGH NCD DISTRICT.

FRONT SETBACK: AVERAGE OF NEIGHBORS SETBACKS REQUIRED. NEIGHBORS DO NOT HAVE FRONT SETBACKS. FRONT SETBACK NOT REQUIRED OR PROVIDED. SETBACKS REQUIRED ON UPPER FLOORS PER PLANNING CODE SECTION 281.1 - HEIGHT SCULPTING. SEE "BUILDING HEIGHT LIMIT".

SIDE SETBACK NOT REQUIRED IN HAYES - GOUGH NCD - NEIGHBORHOOD COMMERCIAL DISTRICT.

FLOOR AREA RATIO (F.A.R.): 3.0 TO 1. 12,000 S.F. X 3.0 = 36,000 S.F. OF COMMERCIAL SPACE ALLOWED. APPROX. 7,850 S.F. OF COMMERCIAL PROVIDED. FAR IS NOT REQUIRED FOR RESIDENTIAL IN HAYES NCD DISTRICT.

AUTO PARKING PERMITTED: COMMERCIAL: UP TO 1 PARKING SPACE PER 1,500 SQ. FT. OF OCCUPIED AREA; 8,000 / 1,500 = 5.33 PARKING SPACES. 5 PARKING SPACES PROVIDED. RESIDENTIAL: UP TO 5 PARKING SPACE PER UNIT PERMITTED = 29 X 5 = 14.5 PARKING SPACES. 15 PARKING SPACES INCLUDING 1 ADA VAN ACCESSIBLE PROVIDED. PROJECT HAS A TOTAL OF 20 PARKING SPACES.

BICYCLE PARKING REQUIRED: COMMERCIAL: 1 CLASS 1 PARKING SPACE PER 7,500 SQ. FT. 1 REQUIRED. RESIDENTIAL: ONE CLASS 1 PARKING SPACE REQUIRED PER RESIDENTIAL UNIT = 29 BICYCLE SPACES REQUIRED. 30 CLASS 1 BICYCLE PARKING SPACES PROVIDED.

**BUILDING GROSS FLOOR AREA CALCULATIONS:**

| BASEMENT                                      | TOTAL AREA | SALEABLE AREA |
|---|------------|---------------|
| GARAGE/UTILITY                                | 8,875 SF   |               |
| COMMON STAIRS/ELEVATOR/STORAGE                | 3,125 SF   |               |
| TOTAL BASEMENT                                | 12,000 SF  |               |
| GROUND FLOOR:                                 |            |               |
| UTILITY:                                      | 810 SF     |               |
| COMMON STAIRS/ENTRY                           | 2,000 SF   |               |
| COMMERCIAL / RETAIL GROSS:                    | 8,000 SF   | 8,000 SF      |
| TOTAL GROUND FLOOR:                           | 10,810 SF  |               |
| 1ST RESIDENTIAL FLOOR:                        |            |               |
| RESIDENTIAL UNITS:                            | 8,870 SF   | 8,089 SF      |
| COMMON / PRIVATE OUTDOOR AREA                 | 3,000 SF   |               |
| COMMON STAIRS/ELEVATOR/CORRIDOR:              | 280 SF     |               |
| TOTAL 1ST FLOOR:                              | 12,150 SF  |               |
| 2ND RESIDENTIAL FLOOR:                        |            |               |
| RESIDENTIAL UNITS:                            | 8,870 SF   | 8,089 SF      |
| COMMON STAIRS/CORRIDOR:                       | 1,280 SF   |               |
| TOTAL 2ND FLOOR:                              | 10,150 SF  |               |
| 3RD RESIDENTIAL FLOOR:                        |            |               |
| RESIDENTIAL UNITS:                            | 8,440 SF   | 7,705 SF      |
| COMMON STAIRS/CORRIDOR:                       | 1,280 SF   |               |
| TOTAL 3RD FLOOR:                              | 9,690 SF   |               |
| 4TH RESIDENTIAL FLOOR:                        |            |               |
| RESIDENTIAL UNITS:                            | 7,780 SF   | 7,410 SF      |
| COMMON STAIRS/CORRIDOR:                       | 1,100 SF   |               |
| TOTAL 4TH FLOOR:                              | 8,880 SF   |               |
| ROOF:   |            |               |
| COMMON / PRIVATE OUTDOOR AREA                 | 8,400 SF   |               |
| TOTAL RESIDENTIAL & GARAGE & UTILITY & COMMON | 52,850 SF  |               |
| (THIS TOTAL DOES NOT INCLUDE OUTDOOR AREA)    |            |               |
| TOTAL SALEABLE COMMERCIAL                     |            | 8,000 SF      |
| TOTAL RESIDENTIAL SALEABLE AREA               |            | 31,293 SF     |
| TOTAL COMMON / PRIVATE OUTDOOR AREA           |            | 8,400 SF      |

**BUILDING DEPARTMENT NOTES**

580 - 582 HAYES STREET, SAN FRANCISCO, CA.

BLOCK 0807 LOT 010

APPLICABLE BUILDING CODES: 2010 CALIFORNIA BUILDING CODE W/ SAN FRANCISCO AMENDMENTS, 2010 MECHANICAL, ELECTRICAL, PLUMBING AND FIRE CODES.

OCCUPANCY CLASSIFICATION: GROUP A-3 ROOF TERRACE OVER GROUP R-2, 29 UNIT RESIDENTIAL OVER GROUP M MERCANTILE AND COMMON AREAS, BASEMENT GROUP S-2 PARKING GARAGE.

CONSTRUCTION TYPE: FOUR STORY TYPE V-A, 1 HOUR, WOOD FRAME OVER ONE STORY TYPE I CONCRETE PODIUM CONSTRUCTION.

SPRINKLER WORK: SPRINKLER WORK SHALL BE UNDER SEPARATE PERMIT.

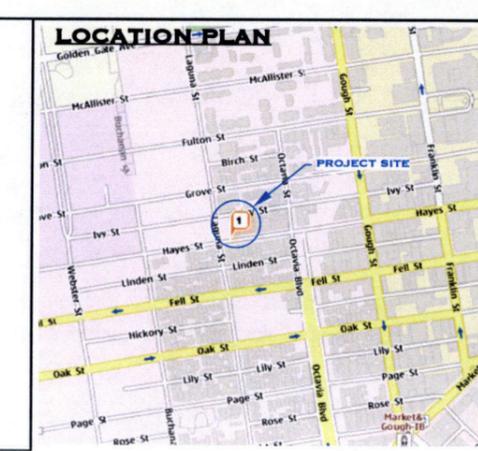
**DRAWING INDEX**

|        |                                |
|--------|--------------------------------|
| TS.00  | COVER SHEET/DRAWING INDEX      |
| TS.01  | SITE & AREA PHOTOS             |
| TS.02  | GREEN BUILDING CHECKLIST       |
| A 2.01 | BASEMENT                       |
| A 2.02 | GROUND FLOOR & SITE PLAN       |
| A 2.03 | SECOND & THIRD FLOOR PLANS     |
| A 2.04 | FOURTH FLOOR PLAN              |
| A 2.05 | FIFTH FLOOR PLAN               |
| A 2.06 | ROOF PLAN                      |
| A 2.07 | SITE ROOF PLAN FOR SHADE STUDY |
| A 3.01 | HAYES STREET ELEVATION         |
| A 3.02 | LAGUNA STREET ELEVATION        |
| A 3.03 | IVY STREET ELEVATION           |
| A 4.01 | BUILDING CROSS SECTION         |



**LEGEND**

- NEW 1-HOUR WALL
- EXIST. WALL TO REMAIN
- EXIST. WALL TO BE REMOVED
- ONE-WAY SWITCH
- TWO-WAY SWITCH
- DIMMER SWITCH
- 24 HOUR TIMERSWITCH
- DUPLEX RECEPTACLE
- 240: 220/240 VOLT WP: WATERPROOF CA: ABOVE COUNTER
- FLOOR DUPLEX RECEPT W/ REMOVABLE FLUSH COVER
- FOURPLEX RECEPT.
- DIRECT CONNECTION RECEPTACLE
- RECEPTACLE STRIP (OUTLETS @ 6" O.C.)
- RECESS MOUNTED ELEC. PANEL BOX
- TELEPHONE RECEPT. (W/ WALL MTD.)
- CEILING HEATER
- SURFACE-MOUNTED INCANDESCENT LIGHT FIXTURE AT WALL. PC=PULL CHAIN, LV=LOW VOLTAGE
- SURFACE-MOUNTED INCANDESCENT LIGHT FIXTURE AT CEILING. PC=PULL CHAIN, LV=LOW VOLTAGE
- SURFACE-MOUNTED COMPACT FLUORESCENT LIGHT FIXTURE AT WALL. LV=LOW VOLTAGE
- SURFACE-MOUNTED COMPACT FLUORESCENT LIGHT FIXTURE AT CEILING. LV=LOW VOLTAGE
- RECESSED INCANDESCENT LIGHT FIXTURE AT CEILING. (H: HEAT LAMP LV: LOW VOLT.)
- RECESSED COMPACT FLUORESCENT LIGHT FIXTURE AT CEILING.
- UNDER CABINET FLUOR. LIGHT STRIP
- FLUORESCENT LIGHT FIXTURE
- INCANDESCENT TRACK LIGHT FIXTURE
- HALOGEN TRACK LIGHT FIXTURE
- T.V. OUTLET; VIACOM COMPATIBLE CABLE
- INTERCOM
- SMOKE / CARBON MONOXIDE DETECTOR (AC POWERED W/ BATTERY BACK-UP U.O.N.)
- THERMOSTAT
- DOOR BELL
- LIGHTED EXIT SIGN W/ BATTERY BACK-UP
- SECURITY ALARM
- SECURITY ALARM PANEL BOX
- IN-SINK TRASH DISPOSAL EXHAUST FAN
- GAS METER
- ELECTRIC METER
- WATER CONNECTION AS REQUIRED
- HOSE BIB
- GAS HOOK-UP
- FLOOR SUPPLY
- FLOOR RETURN
- CEILING SUPPLY
- CEILING RETURN
- WALL/TOE SPACE SUPPLY
- WALL/TOE SPACE RETURN
- ELECTRIC WALL HEATER
- FLOOR DRAIN



**TITLE SHEET**  
**LAGUNA-HAYES**  
**MIXED USE PROJECT**  
**580 - 582 HAYES STREET**  
**BLOCK 807 LOT 10**  
**SAN FRANCISCO, CA**

SITE SUBMIT 11.29.13  
 P.P.A. SUBMIT 07.11.18  
 REV./ISSUE DATE

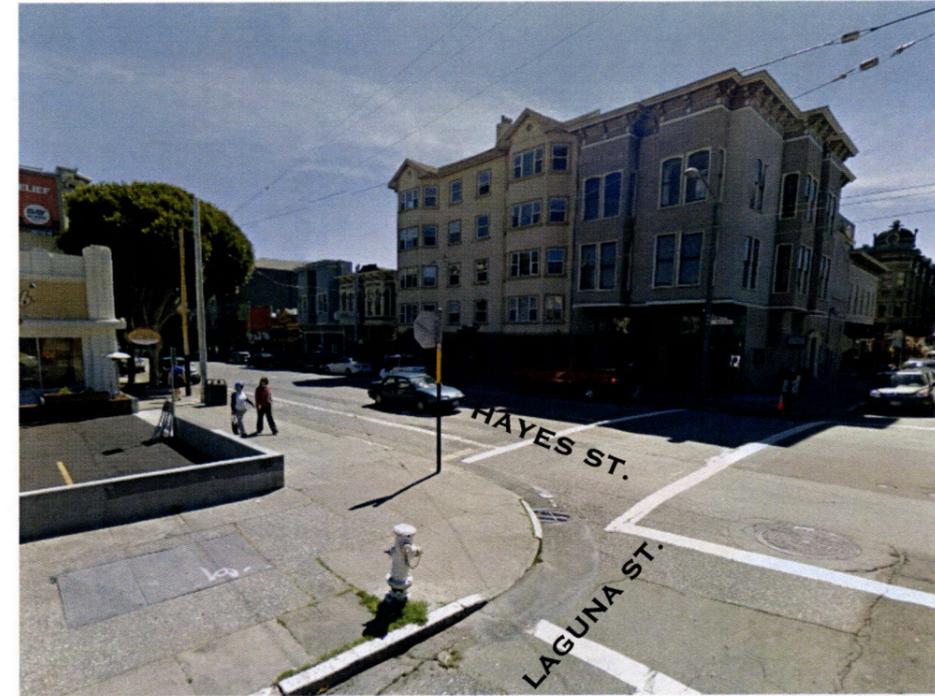
DATE: 09.25.18  
 SCALE: 1/8"=1'-0"  
 DRAWN: M.P.B.

SHEET: **TS.00**

1331 MARKET STREET  
 SAN FRANCISCO, CA 94103  
 TEL: 415.778.7457 FAX: 415.778.7176  
**STERNBERG**  
**BENJAMIN**  
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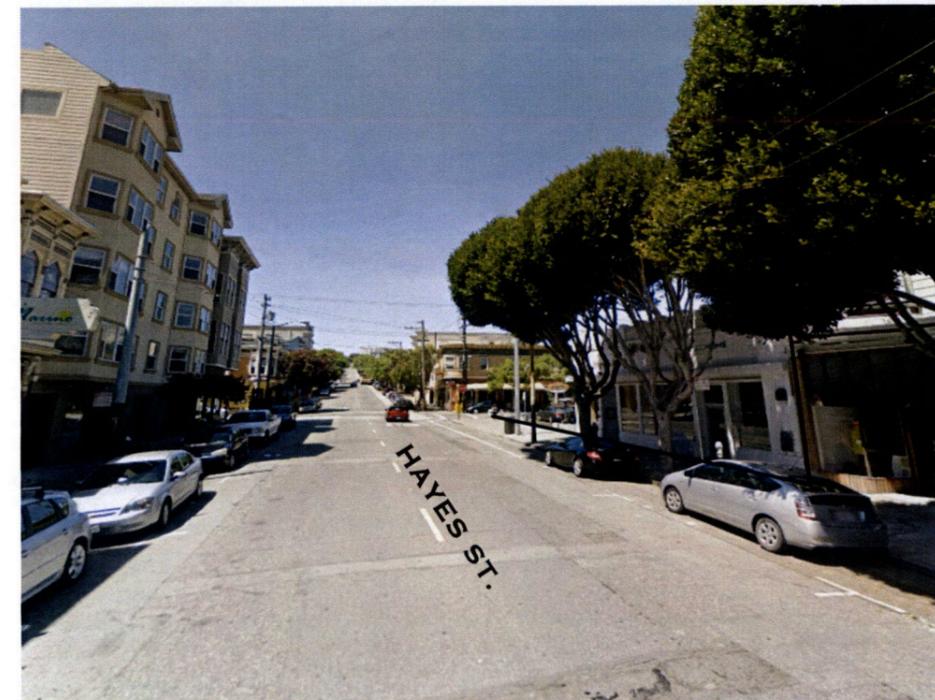
PROJECT SITE @ CORNER OF HAYES & LAGUNA STREETS **1**



PROJECT SITE @ LEFT LOOKING SOUTH ACROSS HAYES ST. **3**



PROJECT SITE @ LEFT - LOOKING EAST ALONG HAYES ST. **2**



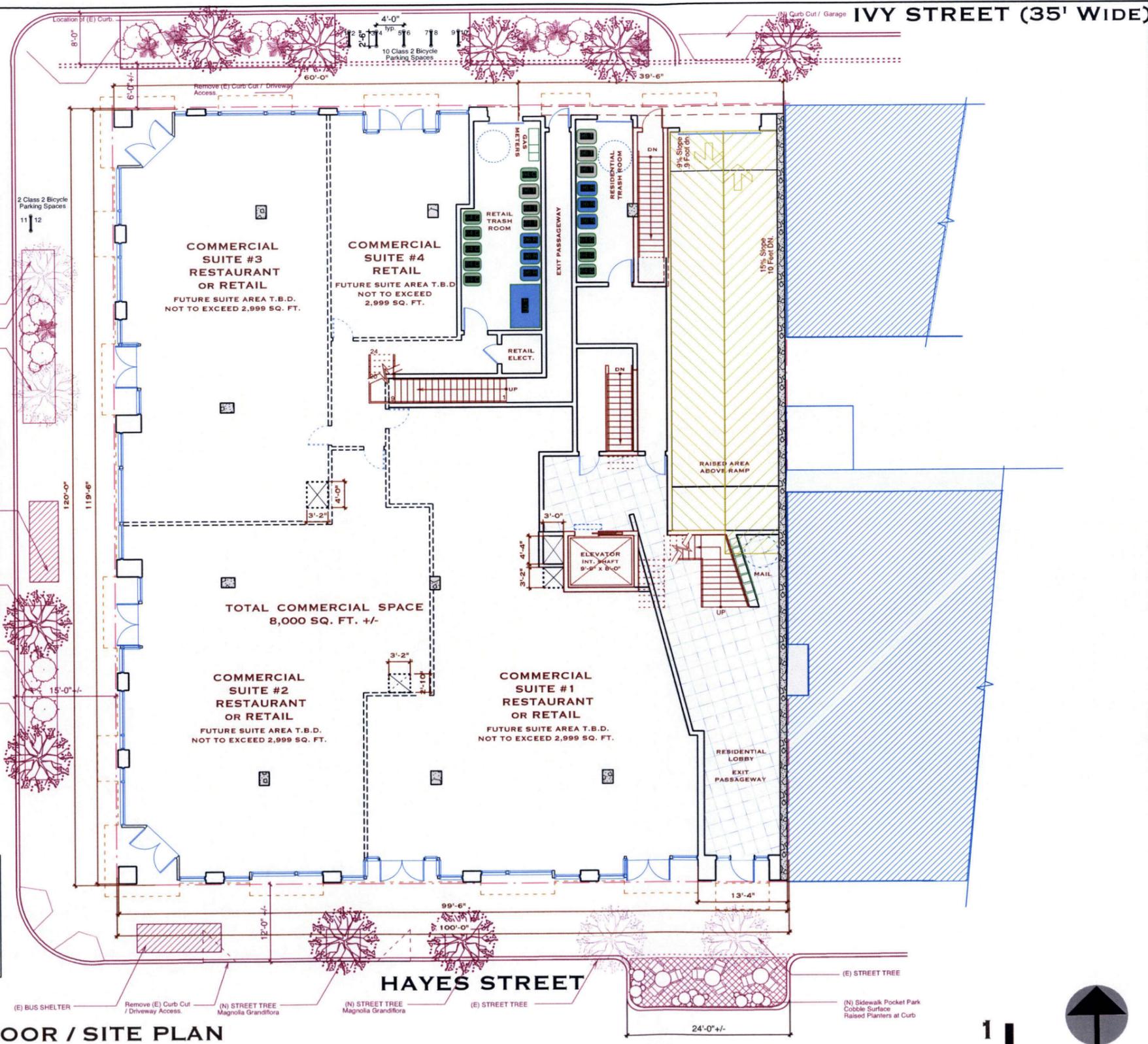
PROJECT SITE @ RIGHT LOOKING WEST ALONG HAYES ST. **4**



**IVY STREET IMPROVEMENT:**  
 REPLACE & WIDEN SIDEWALK 8'-0" FROM 6'-0" WIDE TO 14'-0" WIDE. PLANT STREET TREES (MAGNOLIA GRANDIFLORA, AND PROVIDE A CONTINUOUS PLANTING STRIP BETWEEN TREES FOR UNDERSTORY LANDSCAPING. REMOVE (E) PARKING ON NORTH SIDE OF IVY STREET TO ACCOMMODATE PLANTING. ALL IMPROVEMENTS TO BE COORDINATED WITH SAN FRANCISCO PLANNING DEPT. (BETTER STREETS PLAN) AND D.P.W.

**LAGUNA STREET IMPROVEMENT:**  
 PLANT STREET TREES (MAGNOLIA GRANDIFLORA, AND PROVIDE A CONTINUOUS PLANTING STRIP BETWEEN TREES FOR UNDERSTORY LANDSCAPING. NEW PLANTING STRIP AT (E) TREES. ALL IMPROVEMENTS TO BE COORDINATED WITH SAN FRANCISCO PLANNING DEPT. (BETTER STREETS PLAN) AND D.P.W.

**HAYES STREET IMPROVEMENT:**  
 DEVELOP NEW SIDEWALK POCKET PARK PLANT STREET TREES (MAGNOLIA GRANDIFLORA) INSTALL NEEHAH FOUNDRY PARKWAY COLLECTION TREE GRATE AT NEW TREES. ALL IMPROVEMENTS TO BE COORDINATED WITH SAN FRANCISCO PLANNING DEPT. (BETTER STREETS PLAN) AND D.P.W.



**GROUND FLOOR / SITE PLAN**



1371 HARRISON STREET  
 SAN FRANCISCO, CA 94103  
 TEL 415.882.9783 FAX 415.882.9784

**STERNBERG BENJAMIN**  
 ARCHITECTS

**LAGUNA-HAYES**  
 MIXED USE PROJECT  
 580 - 582 HAYES STREET  
 BLOCK 807 LOT 10  
 SAN FRANCISCO, CA

**GROUND FLOOR**  
**SITE PLAN**

SITE SUBMIT 11.25.13  
 P.P.A. SUBMIT 07.11.12  
 REV./ISSUE DATE

DATE: 03.25.12  
 SCALE: 1/8"=1'-0"  
 DRAWN: M.P.B.  
 SHEET:

**A2.02**

LAGUNA STREET

IVY STREET



HAYES STREET

SECOND & THIRD FLOOR (1ST & 2ND RESIDENTIAL FLOOR) PLANS

1



RESIDENTIAL UNITS

| Floor    | Unit Count | Unit # | One Bed<br>One Bath | Two Bed<br>Two Bath | Three Bed<br>Three Bath | Sq. Ft. |
|----------|------------|--------|---------------------|---------------------|-------------------------|---------|
| 1st Res. | 1          | 201    |                     | X                   |                         | 1,252   |
|          | 2          | 202    | X                   |                     |                         | 810     |
|          | 3          | 203    |                     | X                   |                         | 1,277   |
|          | 4          | 204    | X                   |                     |                         | 797     |
|          | 5          | 205    | X                   |                     |                         | 797     |
|          | 6          | 206    |                     | X                   |                         | 1,145   |
|          | 7          | 207    | X                   |                     |                         | 795     |
|          | 8          | 208    |                     | X                   |                         | 1,216   |
| 2nd Res. | 9          | 301    |                     | X                   |                         | 1,252   |
|          | 10         | 302    | X                   |                     |                         | 810     |
|          | 11         | 303    |                     | X                   |                         | 1,277   |
|          | 12         | 304    | X                   |                     |                         | 797     |
|          | 13         | 305    | X                   |                     |                         | 797     |
|          | 14         | 306    |                     | X                   |                         | 1,145   |
|          | 15         | 307    | X                   |                     |                         | 795     |
|          | 16         | 308    |                     | X                   |                         | 1,216   |
| 3rd Res. | 17         | 401    |                     | X                   |                         | 1,252   |
|          | 18         | 402    | X                   |                     |                         | 810     |
|          | 19         | 403    |                     | X                   |                         | 1,277   |
|          | 20         | 404    | X                   |                     |                         | 797     |
|          | 21         | 405    | X                   |                     |                         | 797     |
|          | 22         | 406    |                     | X                   |                         | 1,145   |
|          | 23         | 407    | X                   |                     |                         | 789     |
|          | 24         | 408    | X                   |                     |                         | 838     |
| 4th Res. | 25         | 501    |                     |                     | X                       | 2,112   |
|          | 26         | 502    |                     | X                   |                         | 1,277   |
|          | 27         | 503    | X                   |                     |                         | 797     |
|          | 28         | 504    | X                   |                     |                         | 797     |
|          | 29         | 505    |                     |                     | X                       | 2,427   |
| TOTAL    | 29         |        | 15                  | 12                  | 2                       | 31,293  |

2ND & 3RD FLOOR PLAN

LAGUNA-HAYES  
MIXED USE PROJECT  
580 - 582 HAYES STREET  
BLOCK 807 LOT 10  
SAN FRANCISCO, CA

SITE SUBMIT 11.25.13  
P.P.A. SUBMIT 07.11.12  
REV/ISSUE DATE  
DATE: 03.25.12  
SCALE: 1/8"=1'-0"  
DRAWN: M.P.B.  
SHEET:

A2.03

1331 HAYES STREET  
SAN FRANCISCO, CA 94133  
TEL: 415 882 9793 FAX: 415 882 9796  
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BENJAMIN  
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www.sternbergbenjamin.com

LAGUNA STREET

SECOND & THIRD FLOOR (1ST & 2ND RESIDENTIAL FLOOR) PLANS



RESIDENTIAL UNITS

| Floor    | Unit Count | Unit # | One Bath | Two Bath | Three Bath | Sq. Ft. |
|----------|------------|--------|----------|----------|------------|---------|
| 1st Res. | 1          | 201    | X        |          |            | 1,252   |
|          | 2          | 202    | X        |          |            | 810     |
|          | 3          | 203    | X        |          |            | 1,277   |
|          | 4          | 204    | X        |          |            | 797     |
|          | 5          | 205    | X        |          |            | 1,145   |
|          | 6          | 206    | X        |          |            | 795     |
|          | 7          | 207    | X        |          |            | 795     |
|          | 8          | 208    | X        |          |            | 1,216   |
| 2nd Res. | 9          | 301    | X        | X        |            | 1,252   |
|          | 10         | 302    | X        | X        |            | 810     |
|          | 11         | 303    | X        | X        |            | 1,277   |
|          | 12         | 304    | X        | X        |            | 797     |
|          | 13         | 305    | X        | X        |            | 1,145   |
|          | 14         | 306    | X        | X        |            | 795     |
|          | 15         | 307    | X        | X        |            | 795     |
|          | 16         | 308    | X        | X        |            | 1,216   |
| 3rd Res. | 17         | 401    | X        | X        |            | 1,252   |
|          | 18         | 402    | X        | X        |            | 810     |
|          | 19         | 403    | X        | X        |            | 1,277   |
|          | 20         | 404    | X        | X        |            | 797     |
|          | 21         | 405    | X        | X        |            | 1,145   |
|          | 22         | 406    | X        | X        |            | 795     |
|          | 23         | 407    | X        | X        |            | 797     |
|          | 24         | 408    | X        | X        |            | 838     |
| 4th Res. | 25         | 501    | X        |          |            | 2,112   |
|          | 26         | 502    | X        |          |            | 1,277   |
|          | 27         | 503    | X        |          |            | 797     |
|          | 28         | 504    | X        |          |            | 2,427   |
|          | 29         | 505    |          |          |            | 2,427   |
| TOTAL    | 29         |        |          |          |            | 31,293  |

A2.03

DATE: 09.28.19  
SCALE: 1/8"=1'-0"  
DRAWN: M.P.B.  
SHEET:

REV. NO. DATE  
P.L.A. SUBMIT 07.11.19  
SITE SUBMIT 11.25.19

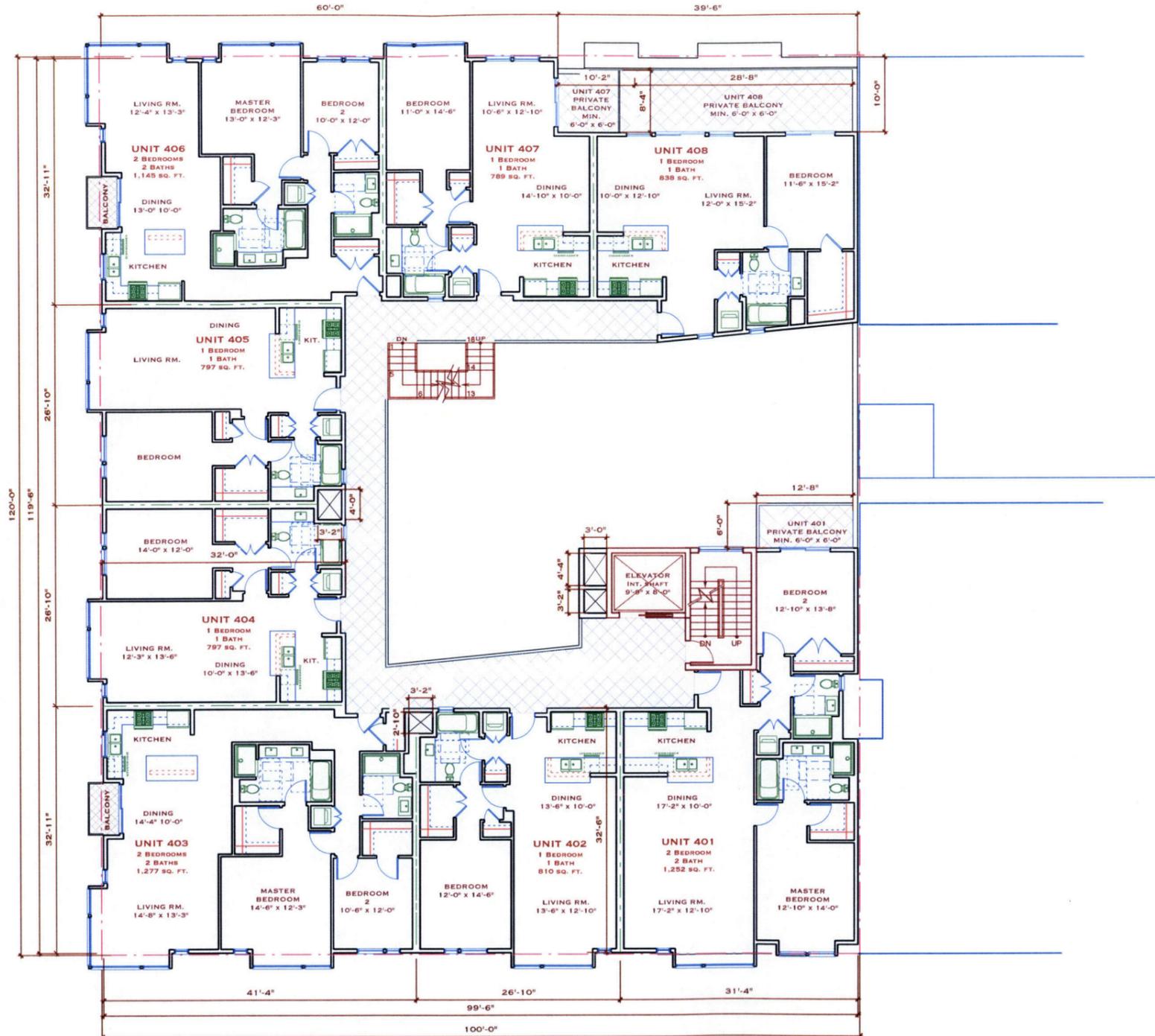
LAGUNA-HAYES  
MIXED USE PROJECT  
580 - 582 HAYES STREET  
BLOCK 807 LOT 10  
SAN FRANCISCO, CA

2ND & 3RD  
FLOOR PLAN

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LAGUNA STREET

IVY STREET



HAYES STREET

FOURTH FLOOR (3RD RESIDENTIAL FLOOR) PLAN

1



RESIDENTIAL UNITS

| Floor    | Unit Count | Unit # | One Bed<br>One Bath | Two Bed<br>Two Bath | Three Bed<br>Three Bath | Sq. Ft. |
|----------|------------|--------|---------------------|---------------------|-------------------------|---------|
| 1st Res. | 1          | 201    |                     | X                   |                         | 1,252   |
|          | 2          | 202    | X                   |                     |                         | 810     |
|          | 3          | 203    |                     | X                   |                         | 1,277   |
|          | 4          | 204    | X                   |                     |                         | 797     |
|          | 5          | 205    | X                   |                     |                         | 797     |
|          | 6          | 206    |                     | X                   |                         | 1,145   |
|          | 7          | 207    | X                   |                     |                         | 795     |
|          | 8          | 208    |                     | X                   |                         | 1,216   |
| 2nd Res. | 9          | 301    |                     | X                   |                         | 1,252   |
|          | 10         | 302    | X                   |                     |                         | 810     |
|          | 11         | 303    |                     | X                   |                         | 1,277   |
|          | 12         | 304    | X                   |                     |                         | 797     |
|          | 13         | 305    | X                   |                     |                         | 797     |
|          | 14         | 306    |                     | X                   |                         | 1,145   |
|          | 15         | 307    | X                   |                     |                         | 795     |
|          | 16         | 308    |                     | X                   |                         | 1,216   |
| 3rd Res. | 17         | 401    |                     | X                   |                         | 1,252   |
|          | 18         | 402    | X                   |                     |                         | 810     |
|          | 19         | 403    |                     | X                   |                         | 1,277   |
|          | 20         | 404    | X                   |                     |                         | 797     |
|          | 21         | 405    | X                   |                     |                         | 797     |
|          | 22         | 406    |                     | X                   |                         | 1,145   |
|          | 23         | 407    | X                   |                     |                         | 789     |
|          | 24         | 408    | X                   |                     |                         | 838     |
| 4th Res. | 25         | 501    |                     |                     | X                       | 2,112   |
|          | 26         | 502    |                     | X                   |                         | 1,277   |
|          | 27         | 503    | X                   |                     |                         | 797     |
|          | 28         | 504    | X                   |                     |                         | 797     |
|          | 29         | 505    |                     |                     | X                       | 2,427   |
| TOTAL    | 29         |        | 15                  | 12                  | 2                       | 31,293  |

4TH FLOOR PLAN

LAGUNA-HAYES  
MIXED USE PROJECT  
580 - 582 HAYES STREET  
BLOCK 807 LOT 10  
SAN FRANCISCO, CA

SITE SUBMIT 11.25.13  
P.P.A. SUBMIT 07.11.12  
REV/ISSUE DATE

DATE: 03.25.12  
SCALE: 1/8"=1'-0"  
DRAWN: M.P.B.  
SHEET:

A2.04

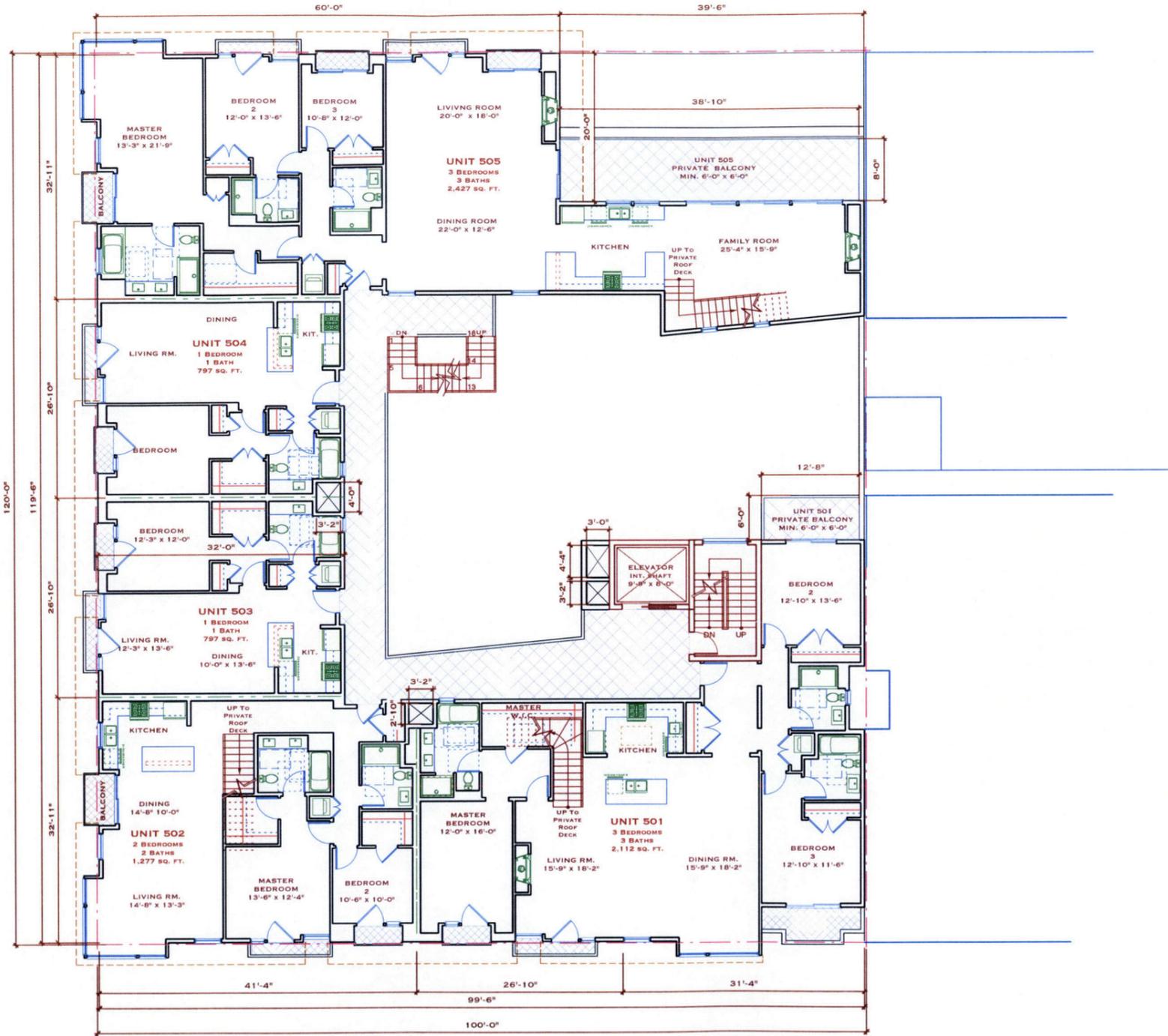
1321 HARRISON STREET  
SAN FRANCISCO, CA 94103  
TEL: 415.882.9782 FAX: 415.882.9786  
STERNBERG  
BENJAMIN  
ARCHITECTS  
www.sternbergbenjamin.com

LAGUNA STREET

IVY STREET

HAYES STREET

FIFTH FLOOR (4TH RESIDENTIAL FLOOR) PLAN



1



RESIDENTIAL UNITS

| Floor        | Unit Count | Unit # | One Bed<br>One Bath | Two Bed<br>Two Bath | Three Bed<br>Three Bath | Sq. Ft.       |
|--------------|------------|--------|---------------------|---------------------|-------------------------|---------------|
| 1st Res.     | 1          | 201    |                     | X                   |                         | 1,252         |
|              | 2          | 202    | X                   |                     |                         | 810           |
|              | 3          | 203    |                     | X                   |                         | 1,277         |
|              | 4          | 204    | X                   |                     |                         | 797           |
|              | 5          | 205    | X                   |                     |                         | 797           |
|              | 6          | 206    |                     | X                   |                         | 1,145         |
|              | 7          | 207    | X                   |                     |                         | 795           |
|              | 8          | 208    |                     | X                   |                         | 1,216         |
| 2nd Res.     | 9          | 301    |                     | X                   |                         | 1,252         |
|              | 10         | 302    | X                   |                     |                         | 810           |
|              | 11         | 303    |                     | X                   |                         | 1,277         |
|              | 12         | 304    | X                   |                     |                         | 797           |
|              | 13         | 305    | X                   |                     |                         | 797           |
|              | 14         | 306    |                     | X                   |                         | 1,145         |
|              | 15         | 307    | X                   |                     |                         | 795           |
|              | 16         | 308    |                     | X                   |                         | 1,216         |
| 3rd Res.     | 17         | 401    |                     | X                   |                         | 1,252         |
|              | 18         | 402    | X                   |                     |                         | 810           |
|              | 19         | 403    |                     | X                   |                         | 1,277         |
|              | 20         | 404    | X                   |                     |                         | 797           |
|              | 21         | 405    | X                   |                     |                         | 797           |
|              | 22         | 406    |                     | X                   |                         | 1,145         |
|              | 23         | 407    | X                   |                     |                         | 789           |
|              | 24         | 408    | X                   |                     |                         | 838           |
| 4th Res.     | 25         | 501    |                     |                     | X                       | 2,112         |
|              | 26         | 502    |                     | X                   |                         | 1,277         |
|              | 27         | 503    | X                   |                     |                         | 797           |
|              | 28         | 504    | X                   |                     |                         | 797           |
|              | 29         | 505    |                     |                     | X                       | 2,427         |
| <b>TOTAL</b> | <b>29</b>  |        | <b>15</b>           | <b>12</b>           | <b>2</b>                | <b>31,293</b> |

5TH FLOOR PLAN

LAGUNA-HAYES  
MIXED USE PROJECT  
580 - 582 HAYES STREET  
BLOCK 807 LOT 10  
SAN FRANCISCO, CA

SITE SUBMIT 11.25.13  
P.P.A. SUBMIT 07.11.12  
REV/ISSUE DATE

DATE: 03.25.12  
SCALE: 1/8"=1'-0"  
DRAWN: M.P.B.  
SHEET:

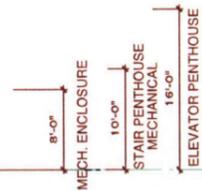
A2.05

1371 MARKET STREET  
SAN FRANCISCO, CA 94103  
TEL: 415.882.9782 FAX: 415.882.9786  
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ARCHITECTS  
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- BAY WINDOW W/ ALUMINUM FRAME WINDOWS
- ALUMINUM FRAME WINDOWS
- SWISSPEARL CONCRETE PANEL
- ALUMINUM FIN
- PAINTED METAL GRILLE
- MARQUEE 3'-6" DEEP
- STONE PANELS AT COLUMNS
- STOREFRONT GLAZING
- STONE PANELS AT BASE

SPANDREL GLASS SYSTEM  
DECORATIVE LIGHT FIXTURE



55'-0" Measured At Centre Of Laguna Street

LAGUNA ST.

HAYES STREET (SOUTH) ELEVATION

1

**HAYES STREET  
ELEVATION**

**LAGUNA-HAYES  
MIXED USE PROJECT  
580 - 582 HAYES STREET  
BLOCK 807 LOT 10  
SAN FRANCISCO, CA**

|               |          |
|---------------|----------|
| STONE BASE    | 09.16.13 |
| SITE SUBMIT   | 11.25.13 |
| P.P.A. SUBMIT | 07.11.12 |
| REV./ISSUE    | DATE     |

DATE: 03.25.12  
SCALE: 1/8"=1'-0"  
DRAWN: M.P.B.  
SHEET:

**A3.01**



LAGUNA STREET (WEST) ELEVATION

1

**LAGUNA STREET  
ELEVATION**

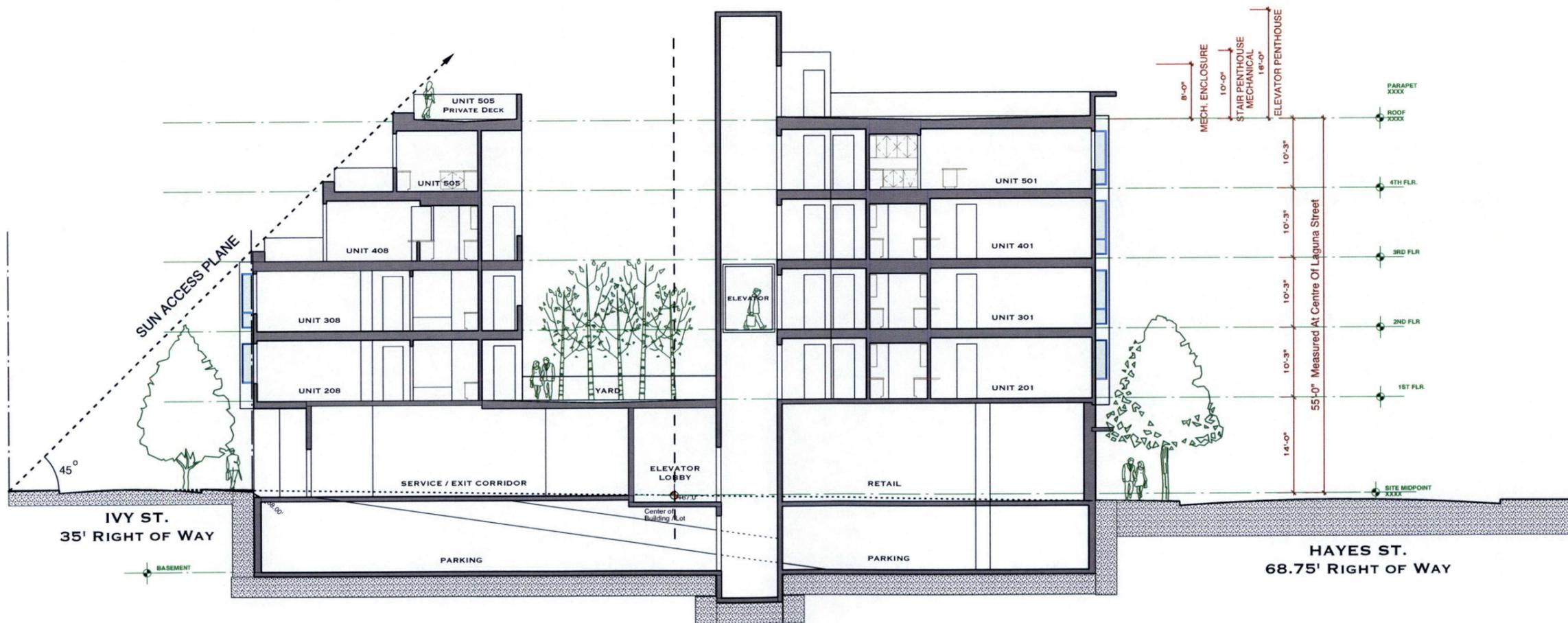
**LAGUNA-HAYES  
MIXED USE PROJECT  
580 - 582 HAYES STREET  
BLOCK 807 LOT 10  
SAN FRANCISCO, CA**

SITE SUBMIT 11.25.13  
P.P.A. SUBMIT 07.11.12  
REV./ISSUE DATE

DATE: 03.25.12  
SCALE: 1/8"=1'-0"  
DRAWN: M.P.B.  
SHEET:

**A3.02**





**BUILDING SECTION 1-1**

**1**

**BUILDING  
SECTION**

**LAGUNA-HAYES  
MIXED USE PROJECT  
580 - 582 HAYES STREET  
BLOCK 807 LOT 10  
SAN FRANCISCO, CA**

|               |          |
|---------------|----------|
| SITE SUBMIT   | 11.25.13 |
| P.P.A. SUBMIT | 07.11.12 |
| REV./ISSUE    | DATE     |

|        |            |
|--------|------------|
| DATE:  | 03.25.12   |
| SCALE: | 1/8"=1'-0" |
| DRAWN: | M.P.B.     |
| SHEET: |            |

**A4.01**





580



Robert Frank 2014

**B**

580 Hayes Planning Hearing – June 26th

To: Planning Commission  
From: Hayes Valley Merchants Assn.  
June 10<sup>th</sup>, 2014

Attention Kate Conner

Hello Kate

On behalf of the Hayes Valley Merchants Assn., I wanted to let you and the planning commissioners know that we are in favor of the project at 580 Hayes and we have no opposition to the conditional use for the lot larger than 10,000 sq. ft.

We have met with the developers and look forward to the completion of their project which will bring much needed housing to our neighborhood as well as lots of additional retail space.

Although it is a large lot footprint on this site, we are happy to see that the retail frontage has a setback allowing for outdoor seating at the proposed restaurant spaces in the building. This outdoor seating will add a quality of street activation that we have now enjoyed for a few years with the outdoor seating at Hayes and Kebab, the current tenant.

We support the approval of this project.

Thank you

Russell Pritchard  
Owner Zonal Home Interiors, 568 Hayes  
President, Hayes Valley Merchants Assn.

**C**

## David Silverman

---

**From:** Dan Schalit [dan@villageprop.com]  
**Sent:** Thursday, June 12, 2014 8:20 AM  
**To:** David Silverman; Mitchell Benjamin  
**Subject:** Fwd: 580 Hayes discussion at HVNA Meeting last night

Daniel K. Schalit  
[dan@villageprop.com](mailto:dan@villageprop.com)  
(415) 227-2217

----- Forwarded message -----

**From:** Jim Warshell <[jimwarshell@yahoo.com](mailto:jimwarshell@yahoo.com)>  
**Date:** Wed, Jun 11, 2014 at 8:47 PM  
**Subject:** Re: 580 Hayes discussion at HVNA Meeting last night  
**To:** Dan Schalit <[dan@villageprop.com](mailto:dan@villageprop.com)>

Yes, I believe we should have it out either the end of this week or early next week. Jason Henderson just got back and he wants to write it. It will be good having both endorsements. I will let you know if there is any delay, but it should be well in advance of your hearing.

Jim

Sent from my iPad

On Jun 11, 2014, at 6:58 PM, Dan Schalit <[dan@villageprop.com](mailto:dan@villageprop.com)> wrote:

Jim,  
This week we received an endorsement from the Hayes Valley Merchants Association via Russell Pritchard. Thank you for any influence you had in its making.

Is there also an endorsement in the works from HVNA? Or is the Merchants Association acting as the voice of the HVNA? I ask because we were seeking to be endorsed by the HVNA, and are still hoping they will do so.

I would appreciate any news or feedback you can share.

On another note I did have a chat with Chris at Restoration Workshop about salvaging the trusses and sent him some information about the site so he could come check them out. He seems like he would be good to work with. I have also reached out to Bobby at the Haight Street market and provided some information there as well. For both prospects nothing really meaningful can happen until the project is approved, but I wanted to make the connections now to pave the way for future discussions.

Thanks for everything to date.

Regards,

Daniel K. Schalit  
[dan@villageprop.com](mailto:dan@villageprop.com)  
(415) 227-2217

On Sat, Jun 7, 2014 at 2:40 PM, Jim Warshell <[jimwarshell@yahoo.com](mailto:jimwarshell@yahoo.com)> wrote:  
Pleasure to help. Please let us know if we can be of further assistance.  
Jim

Sent from my iPad

On Jun 7, 2014, at 11:28 AM, Dan Schalit <[dan@villageprop.com](mailto:dan@villageprop.com)> wrote:

Jim and Gail,  
Thanks for forwarding contacts for Restoration Workshop and Haight Street Market. We will get in touch with them next week to begin to explore the opportunities.

Also,  
Thanks for forwarding the notice about the upcoming Ivy living alley project. We will plan on being represented at that meeting.

Lastly we heard from Russell that your group voted to endorse our project. Many thanks for bringing our project to them for the vote.

Regards,

Daniel K. Schalit  
[dan@villageprop.com](mailto:dan@villageprop.com)  
(415) 227-2217

On Thu, Jun 5, 2014 at 6:08 PM, Jim Warshell <[jimwarshell@yahoo.com](mailto:jimwarshell@yahoo.com)> wrote:

Hi dan,  
The guy who might put the wood to good reuse is Christopher Yerke of Restoration Workshop, [chris@resworkshop.com](mailto:chris@resworkshop.com) 639 treat ave, SF (415)596-0843... Just mention my meeting him when he hosted Victorian alliance at his studio.  
Haight street market is bobby vardakastanis, Haight street market, 1539 Haight, SF 255-0643 is store number.  
We enjoyed meeting with you again and I am reaching out to Jason Henderson as to how to proceed on an endorsement.

10  
EIVN/A TRANSPORTATION COMMITTEE MEETING

Attendees:

Dan Schelit  
Mitchell Benjamin

- 1) LAWRENCE CRONAUER LCRONAUER@YAHOO.COM
- 2) Susan Henderson
- 3) Jim Warshell
- 4) Paul Baugh
- 5) VLADIMIR VLAD
- 6) Tes Welborn
- 7) GAIL BAUGH
- 8) ROBIN LEVITT

# Pre-Application Meeting Sign-in Sheet

Meeting Date: September 10, 2013  
 Meeting Time: 6:00 PM  
 Meeting Address: Hamilton Rec. Center, 1900 Geary Blvd.  
 Project Address: 580 Hayes Street  
 Property Owner Name: Laguna Hayes, LLC  
 Project Sponsor/Representative: Mitchell Benjamin, Sternberg Benjamin Architects.

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

|    | NAME/ORGANIZATION        | ADDRESS      | PHONE #      | EMAIL                             | SEND PLANS |
|----|--------------------------|--------------|--------------|-----------------------------------|------------|
| 1  | DANA Nguyen              | 583 Hayes    | 415-814-0284 | Dana.L.Nguyen@gmail.com           | X          |
| 2  | Randeep Chahal           | 583 Hayes    | 415-347-6615 | Randeep.Chahal@gmail.com          | X          |
| 3  | Russell Pritchard        | 568 Hayes    | 415-255-9307 |                                   |            |
| 4  | MADLINE BEHRENS- BRIGHAM | 616 #1 Hayes | 415-863-2514 | madeline.behrns@brigham@gmail.com | X          |
| 5  |                          |              |              |                                   |            |
| 6  |                          |              |              |                                   |            |
| 7  |                          |              |              |                                   |            |
| 8  |                          |              |              |                                   |            |
| 9  |                          |              |              |                                   |            |
| 10 |                          |              |              |                                   |            |
| 11 |                          |              |              |                                   |            |
| 12 |                          |              |              |                                   |            |
| 13 |                          |              |              |                                   |            |
| 14 |                          |              |              |                                   |            |
| 15 |                          |              |              |                                   |            |
| 16 |                          |              |              |                                   |            |
| 17 |                          |              |              |                                   |            |
| 18 |                          |              |              |                                   |            |

# Summary of discussion from the Pre-Application Meeting

Meeting Date: September 10, 2013  
 Meeting Time: 6:00 PM  
 Meeting Address: Hamilton Rec. Center, 1900 Geary Blvd.  
 Project Address: 580 Hayes Street  
 Property Owner Name: Laguna Hayes, LLC  
 Project Sponsor/Representative: Mitchell P. Benjamin

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns

Question/Concern #1 by (name of concerned neighbor/neighborhood group): #1 & #2

What will happen to existing tenants (Hayes Kebab & Cisco)

Project Sponsor Response: #1 & #2  
The property owner will offer a lease opportunity in the new building.

Question/Concern #2: What will commercial space use be?  
Yes

Project Sponsor Response: Retail & restaurant use, except for chain

Question/Concern #3: Make-up of residential units (Kessel)

Project Sponsor Response: Will there be affordable units associated with the project (Artist Lady)

Question/Concern #4

Project Sponsor Response:

Why is it a modern design? (#1 & #2)

- Are the colors set? Yes The greys & browns (Artist Lady) are preferred, blue - doesn't like it. - Others agreed. Richer color than blue, warmer colors.
- Time frame for the project
- concern that project will stress street parking supply #1 & #2 M.

# Notice of Pre-Application Meeting

August 16, 2013

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 580 Hayes Street, cross street(s) Laguna Street (Block/Lot#: 807/10; Zoning: Hayes NCT), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at [www.sfgov.org/dbi](http://www.sfgov.org/dbi).

The Pre-Application process is only required for projects subject to Planning Code Section 311 or 312 Notification. It serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification when the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- New Construction;
- Any vertical addition of 7 feet or more;
- Any horizontal addition of 10 feet or more;
- Decks over 10 feet above grade or within the required rear yard;
- All Formula Retail uses subject to a Conditional Use Authorization.

The development proposal is to: Construction of a new four story residential building over ground floor retail and basement parking.

|  |                                 |                       |
|--|---------------------------------|-----------------------|
| Existing # of dwelling units: <u>0</u>             | Proposed: <u>29</u>             | Permitted: <u>Yes</u> |
| Existing bldg square footage: <u>8,000 sq. ft.</u> | Proposed: <u>57,000 sq. ft.</u> | Permitted: <u>Yes</u> |
| Existing # of stories: <u>1</u>                    | Proposed: <u>5</u>              | Permitted: <u>Yes</u> |
| Existing bldg height: <u>19 Feet</u>               | Proposed: <u>55 Feet</u>        | Permitted: <u>Yes</u> |
| Existing bldg depth: <u>120 Feet</u>               | Proposed: <u>120 Feet</u>       | Permitted: <u>Yes</u> |

**MEETING INFORMATION:**

Property Owner(s) name(s): Laguna Hayes, LLC.  
 Project Sponsor(s): Laguna Hayes, LLC.  
 Contact information (email/phone): mbenjamin@sternbergbenjamin.com 415.882.9783 x10  
 Meeting Address\*: Hamilton Rec Center, 1900 Geary Blvd. (Between Steiner & Scott Streets) Meeting Rm.  
 Date of meeting: Tuesday September 10, 2013  
 Time of meeting\*\*: 6:00 PM

\*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

\*\*Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m. unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have any questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at [pic@sfgov.org](mailto:pic@sfgov.org). You may also find information about the San Francisco Planning Department and on-going planning efforts at [www.sfpplanning.org](http://www.sfpplanning.org).

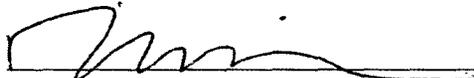
# Affidavit of Conducting a Pre-Application Meeting, Sign-in Sheet and Issues/Responses submittal

I, Mitchell P. Benjamin, do hereby declare as follows:

1. I have conducted a Pre-Application Meeting for the proposed new construction or alteration prior to submitting any entitlement (Building Permit, Variance, Conditional Use, etc.) in accordance with Planning Commission Pre-Application Policy.
2. The meeting was conducted at Hamilton Rec. Center, 1900 Geary Blvd. (location/address) on Sept 10, 2013(date) from 6:00 PM (time).
3. I have included the mailing list, meeting initiation, sign-in sheet, issue/response summary, and reduced plans with the entitlement Application. I understand that I am responsible for the accuracy of this information and that erroneous information may lead to suspension or revocation of the permit.
4. I have prepared these materials in good faith and to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED ON THIS DAY, Sept 10, 2013 IN SAN FRANCISCO.

  
Signature

Mitchell P. Benjamin  
Name (type or print)

Agent, Sternberg Benjamin Architects.  
Relationship to Project (e.g. Owner, Agent)  
(if Agent, give business name & profession)

580 Hayes Street.  
Project Address

RADIUS SERVICES 1221 HARRISON ST #18 SAN FRANCISCO CA 94103 415-391-4775

| BLOCK | LOT | OWNER                         | OADDR                | CITY          | STATE | ZIP        |
|-------|-----|-------------------------------|----------------------|---------------|-------|------------|
| 0001  | 001 | RADIUS SERVICES NO. 0807010T  | 580 HAYES ST         | STERNBERG     | 13    | 0726       |
| 0001  | 002 |                               |                      |               |       |            |
| 0001  | 003 | RADIUS SERVICES               | 1221 HARRISON ST #18 | SAN FRANCISCO | CA    | 94103      |
| 0001  | 004 | STERNBERG BENJAMIN ARCHITECTS | 1331 HARRISON ST     | SAN FRANCISCO | CA    | 94103      |
| 0001  | 005 |                               |                      |               |       |            |
| 0806  | 002 | PACIFIC INSTITUTE             | 432 IVY ST           | SAN FRANCISCO | CA    | 94102      |
| 0806  | 002 | OCCUPANT                      | 601 LAGUNA ST        | SAN FRANCISCO | CA    | 94102      |
| 0806  | 002 | OCCUPANT                      | 611 LAGUNA ST        | SAN FRANCISCO | CA    | 94102      |
| 0806  | 002 | OCCUPANT                      | 602 HAYES ST         | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | AMMEL PARK INC                | 1422 EUCLID AV #900  | CLEVELAND     | OH    | 44115      |
| 0806  | 041 | OCCUPANT                      | 635 GROVE ST # 1     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 635 GROVE ST # 2     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 635 GROVE ST # 3     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 635 GROVE ST # 4     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 635 GROVE ST # 5     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 635 GROVE ST # 6     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 GROVE ST # A     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 GROVE ST # B     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 GROVE ST # C     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 GROVE ST # D     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 GROVE ST # E     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 GROVE ST # F     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 639 GROVE ST # 1     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 639 GROVE ST # 2     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 639 GROVE ST # 3     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 639 GROVE ST # 4     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 639 GROVE ST # 5     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 639 GROVE ST # 6     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 639 GROVE ST # 7     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 639 GROVE ST # 8     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 639 GROVE ST # 9     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 641 GROVE ST # A     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 641 GROVE ST # B     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 641 GROVE ST # C     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 641 GROVE ST # D     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 641 GROVE ST # E     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 641 GROVE ST # F     | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 651 GROVE ST         | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 653 GROVE ST         | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 LAGUNA ST # 1    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 LAGUNA ST # 2    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 LAGUNA ST # 3    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 LAGUNA ST # 4    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 LAGUNA ST # 5    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 637 LAGUNA ST # 6    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 649 LAGUNA ST # A    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 649 LAGUNA ST # B    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 649 LAGUNA ST # C    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 649 LAGUNA ST # D    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 649 LAGUNA ST # E    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 649 LAGUNA ST # F    | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 740 BUCHANAN ST # 1  | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 740 BUCHANAN ST # 2  | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 740 BUCHANAN ST # 3  | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 740 BUCHANAN ST # 4  | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 500 IVY ST # 1       | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 500 IVY ST # 2       | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 500 IVY ST # 3       | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 500 IVY ST # 4       | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 500 IVY ST # 5       | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 502 IVY ST # 6       | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 502 IVY ST # 7       | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 550 IVY ST           | SAN FRANCISCO | CA    | 94102      |
| 0806  | 041 | OCCUPANT                      | 552 IVY ST           | SAN FRANCISCO | CA    | 94102      |
| 0807  | 009 | RKJ INVSTMTS LLC              | 940 EMMETT AV #200   | BELMONT       | CA    | 94002-3881 |

RADIUS SERVICES 1221 HARRISON ST #18 SAN FRANCISCO CA 94103 415-391-4775

|      |      |                             |                     |               |    |            |
|------|------|-----------------------------|---------------------|---------------|----|------------|
| 0807 | 009  | OCCUPANT                    | 568 HAYES ST        | SAN FRANCISCO | CA | 94102-4214 |
| 0807 | 009  | OCCUPANT                    | 570 HAYES ST #1     | SAN FRANCISCO | CA | 94102-4214 |
| 0807 | 009  | OCCUPANT                    | 570 HAYES ST #2     | SAN FRANCISCO | CA | 94102-4214 |
| 0807 | 009  | OCCUPANT                    | 570 HAYES ST #3     | SAN FRANCISCO | CA | 94102-4214 |
| 0807 | 009  | OCCUPANT                    | 570 HAYES ST #4     | SAN FRANCISCO | CA | 94102-4214 |
| 0807 | 009  | OCCUPANT                    | 572 HAYES ST        | SAN FRANCISCO | CA | 94102-4214 |
| 0807 | 009A | RICHARD FRAIGE              | PO BOX 475730       | SAN FRANCISCO | CA | 94147-5730 |
| 0807 | 009A | OCCUPANT                    | 469 IVY ST          | SAN FRANCISCO | CA | 94102-4215 |
| 0807 | 009A | OCCUPANT                    | 475 IVY ST          | SAN FRANCISCO | CA | 94102-4215 |
| 0807 | 010  | LAGUNA HAYES LLC            | 940 EMMETT AV #200  | BELMONT       | CA | 94002-3881 |
| 0807 | 010  | OCCUPANT                    | 580 HAYES ST        | SAN FRANCISCO | CA | 94102-4214 |
| 0807 | 010  | OCCUPANT                    | 580A HAYES ST       | SAN FRANCISCO | CA | 94102-4214 |
| 0807 | 017  | KEYS RESIDENTIAL CARE HOMES | 16 RIMCREST CT      | PITTSBURG     | CA | 94565-7357 |
| 0807 | 017  | OCCUPANT                    | 565 GROVE ST        | SAN FRANCISCO | CA | 94102-4205 |
| 0807 | 017  | OCCUPANT                    | 567 GROVE ST        | SAN FRANCISCO | CA | 94102-4205 |
| 0807 | 035  | PACIFIC INSTITUTE           | 432 IVY ST          | SAN FRANCISCO | CA | 94102-4254 |
| 0807 | 035  | OCCUPANT                    | 624 LAGUNA ST       | SAN FRANCISCO | CA | 94102-4217 |
| 0818 | 017  | LAGUNA HAYES PTNRS LLC      | 136 PARNASSUS AV #1 | SAN FRANCISCO | CA | 94117-4213 |
| 0818 | 017  | OCCUPANT                    | 595 HAYES ST        | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 017  | OCCUPANT                    | 597 HAYES ST        | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 017  | OCCUPANT                    | 534 LAGUNA ST       | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 017  | OCCUPANT                    | 536 LAGUNA ST       | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 017  | OCCUPANT                    | 540 LAGUNA ST       | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 017  | OCCUPANT                    | 548 LAGUNA ST       | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 017  | OCCUPANT                    | 560 LAGUNA ST       | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 020  | RICHARD FRAIGE              | PO BOX 475730       | SAN FRANCISCO | CA | 94147-5730 |
| 0818 | 020  | OCCUPANT                    | 575 HAYES ST        | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 020  | OCCUPANT                    | 577A HAYES ST       | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 020  | OCCUPANT                    | 577B HAYES ST       | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 020  | OCCUPANT                    | 579 HAYES ST        | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 021  | DANIEL BACON                | 569 HAYES ST        | SAN FRANCISCO | CA | 94102-4235 |
| 0818 | 021  | OCCUPANT                    | 567 HAYES ST        | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 021  | OCCUPANT                    | 569 HAYES ST #1     | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 021  | OCCUPANT                    | 569 HAYES ST #2     | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 021  | OCCUPANT                    | 569 HAYES ST #3     | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 021  | OCCUPANT                    | 573 HAYES ST        | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 021  | OCCUPANT                    | 472 LINDEN ST       | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 055  | WILLIAM MANDEL TRS          | 112 LYON ST         | SAN FRANCISCO | CA | 94117-2113 |
| 0818 | 055  | OCCUPANT                    | 581 HAYES ST        | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 056  | WILLIAM & PATRICIA MANDEL   | 112 LYON ST         | SAN FRANCISCO | CA | 94117-2113 |
| 0818 | 056  | OCCUPANT                    | 583 HAYES ST #1     | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 057  | WILLIAM & PATRICIA MANDEL   | 112 LYON ST         | SAN FRANCISCO | CA | 94117-2113 |
| 0818 | 057  | OCCUPANT                    | 583 HAYES ST #2     | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 058  | WILLIAM & PATRICIA MANDEL   | 112 LYON ST         | SAN FRANCISCO | CA | 94117-2113 |
| 0818 | 058  | OCCUPANT                    | 583 HAYES ST #3     | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 059  | WILLIAM & PATRICIA MANDEL   | 112 LYON ST         | SAN FRANCISCO | CA | 94117-2113 |
| 0818 | 059  | OCCUPANT                    | 583 HAYES ST #4     | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 060  | WILLIAM & PATRICIA MANDEL   | 112 LYON ST         | SAN FRANCISCO | CA | 94117-2113 |
| 0818 | 060  | OCCUPANT                    | 583 HAYES ST #5     | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 061  | WILLIAM & PATRICIA MANDEL   | 112 LYON ST         | SAN FRANCISCO | CA | 94117-2113 |
| 0818 | 061  | OCCUPANT                    | 583 HAYES ST #6     | SAN FRANCISCO | CA | 94102-4213 |
| 0818 | 062  | WILLIAM & PATRICIA MANDEL   | 112 LYON ST         | SAN FRANCISCO | CA | 94117-2113 |
| 0818 | 062  | OCCUPANT                    | 583 HAYES ST #7     | SAN FRANCISCO | CA | 94102-4253 |
| 0818 | 063  | WILLIAM & PATRICIA MANDEL   | 112 LYON ST         | SAN FRANCISCO | CA | 94117-2113 |
| 0818 | 063  | OCCUPANT                    | 583 HAYES ST #8     | SAN FRANCISCO | CA | 94102-4213 |
| 0819 | 001  | RICHARD FRAIGE              | 123 W SECOND ST     | CARSON CITY   | CA | 89703      |
| 0819 | 001  | OCCUPANT                    | 603 HAYES ST #1     | SAN FRANCISCO | CA | 94102      |
| 0819 | 001  | OCCUPANT                    | 603 HAYES ST #2     | SAN FRANCISCO | CA | 94102      |
| 0819 | 001  | OCCUPANT                    | 525 LAGUNA ST       | SAN FRANCISCO | CA | 94102      |
| 9999 | 999  |                             |                     |               |    |            |

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|---|---|--|
| Nihonmachi Comm. Develop. Corp.<br>1698 Post Street<br>San Francisco, CA 94115                                  | Allen Simpson<br>Greater Divisadero Bus. Assn.<br>2852 1/2 California Street<br>San Francisco, CA 94115         | J. Kaninsky<br>Planning Assoc.of Divisadero St.<br>339 Divisadero Street<br>San Francisco, CA 94117                    |
| Western Addition Sr. Citizens Cntr<br>1390 Turk Street<br>San Francisco, CA 94115                               | Jan Bolaffi<br>Western Addition Neigh. Assn.<br>2331 Bush Street<br>San Francisco, CA 94115                     | Patricia Vaughey<br>Marina/Cow Hollow Neigh.&Merchants<br>2742 Baker Street<br>San Francisco,, CA 94123                |
| Leela Gill<br>North of Panhandle Neigh. Assoc.<br>850 Baker Street<br>San Francisco, CA 94115                   | Thomas Reynolds<br>Fillmore Merchants & Imp. Assn.<br>2130 Fillmore Street #155<br>San Francisco, CA 94115-2224 | London Breed<br>City Hall, Room #244<br>1 Dr. Carlton B. Goodlett Place<br>San Francisco, CA 94102                     |
| Dennis Richards<br>Duboce Triangle Neighborhood Assn.<br>2261 Market Street PMB #301<br>San Francisco, CA 94114 | Lisa Zahner<br>Alamo Square Neighborhood Assoc.<br>P.O.Box 15372<br>San Francisco, CA 94115                     | William Rostov<br><br>209 Lincoln Way, Apt. 5<br>San Francisco, CA 94122   |
| Ella Hill Hutch Community Center<br>1050 McAllister St.<br>San Francisco, CA 94115                              | Russell Pritchard<br>Hayes Valley Merchants Association<br>568 Hayes Street<br>San Francisco, CA 94102          | Michael Nulty<br>Alliance for a Better District 6<br>PO Box 420782<br>San Francisco, CA 94142-0782                     |
| Pat Scott<br>Booker T. Washington Comm. Center<br>800 Presidio Avenue<br>San Francisco, CA 94115                | Mark Farrell<br>Board of Supervisors<br>1 Dr. Carlton B. Goodlett Pl.<br>San Francisco, CA 94102                | Mark Pope<br>Cathedral Hill/Van Ness Neighborhood Assn.<br>807 Franklin Street<br>San Francisco, CA 94102              |
| Japantown Merchants Association<br>1581 Webster Street<br>San Francisco, CA 94115                               | UNION BANK<br>1675 Post Street<br>San Francisco, CA 94115   | Anne McTavish<br>Laussat Street Neighborhood Association<br>269 Laussat Street<br>San Francisco, CA 94117              |
| Cathy Inamasu<br>Nihonmachi Little Friends<br>2031 Bush Street<br>San Francisco, CA 94115                       | Joe Pecora<br>Alamo Square Association<br>PO Box 15372<br>San Francisco,, CA 94115                              | Vallie Brown<br>Lower Haight Neighborhood Organization<br>152 Fillmore Street<br>San Francisco, CA 94117               |
| Al Sodini<br>Anza Vista Civ. Improvemt. Club<br>140 Terra Vista Avenue<br>San Francisco, CA 94115               | Joanne Meneske<br>Oak Fillmore Neighborhood<br>829 Hayes Street #3<br>San Francisco, CA 94117                   | Paul Olsen<br>Hayes Valley Neighborhood Association<br>1800 Market St., PMB #104<br>San Francisco, CA 94102            |
| Paul Osaki<br>Japanese Comm. & Cultural Center<br>1840 Sutter Street<br>San Francisco, CA 94115-3220            | Marvis Phillips<br>Alliance for a Better District 6<br>230 Eddy Street #1206<br>San Francisco, CA 94102-2607    | Jason Henderson<br>Market/Octavia Community Advisory Comm.<br>300 Buchanan Street, Apt. 503<br>San Francisco, CA 94102 |

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