



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use

HEARING DATE: MARCH 24, 2016

*Date:* March 14, 2016  
*Case No.:* **2014.002961CUA**  
*Project Address:* **1699 MARKET STREET**  
*Zoning:* NCT-3 Moderate-Scale Neighborhood Commercial Transit District  
Market & Octavia Area Plan  
85-X Height and Bulk District  
*Block/Lots:* 3504/030  
*Project Sponsor:* Melinda Sarjapur  
Reuben, Junius & Rose, LLP  
One Bush Street, Suite 600  
San Francisco, CA 94104  
*Staff Contact:* Doug Vu – (415) 575-9120  
[Doug.Vu@sfgov.org](mailto:Doug.Vu@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The proposed project includes demolition of an existing commercial building and the construction of an approximately 198,151 square-foot, 84-foot tall, nine-story Planned Unit Development (PUD) that includes two mid-rise towers over a one-story podium. The proposed development would include up to 160 dwelling units with a unit mix of fifteen studios, 81 one-bedroom and 64 two-bedroom units. Approximately 10,820 square-feet of usable common open space for the project's residents would be located at the first, second and rooftop levels, and 3,664 square feet of ground-floor retail commercial space that will front Market Street. A total of 82 basement-level accessory parking spaces with primary access off Stevenson Street and secondary access off McCoppin Street are proposed, 128 Class 1 bicycle parking spaces would be provided and accessed at the ground floor, and 33 Class 2 spaces would be added as part of the PUD's required streetscape plan that also includes significant improvements to the public right-of-way.

### SITE DESCRIPTION AND PRESENT USE

The project site is located on the south side of Market Street between Valencia and Gough Streets and is also known as Lot 030 of Assessor's Block 3504. 1699 Market Street is approximately 25,900 square feet in the Moderate-Scale Neighborhood Commercial Transit (NCT-3) District, an 85-X Height and Bulk District, and is improved with a two-story 22,170 square-foot commercial building constructed in 1954 in the International style. The building was originally a showroom and manufacturing plant for the Hermann Safe Company and is currently occupied by Flax Art & Design, an arts and crafts supplies store. The irregularly shaped parcel has 150 feet of primary frontage along Market Street, 50 feet of secondary frontage along McCoppin Street and 20 feet of frontage at the spur of Stevenson Street.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The subject property is located near the western boundary of the South of Market neighborhood, and is within the Market Octavia Plan Area. 1699 Market Street's location is important because of its location at the convergence of three other neighborhoods including Downtown/Civic Center, Western Addition, and the Mission. The west adjacent property at 1707 Market Street is improved with a tourist hotel (dba Travelodge) and the adjacent property to the east is improved with a six-story apartment building with a restaurant at the ground floor (dba Delessio Market & Bakery). The Central Freeway spur that connects to Octavia Boulevard is one block west, and this area of Market Street is characterized by one-, two- and multi-story buildings that establish a continuous retail and commercial street frontage with residential dwellings above the ground floor. Other surrounding land uses and zoning districts include public institutions (San Francisco Community College District and Spectrum Center School), offices, commercial parking lots and moderate-density residential blocks in the Public (P), Downtown-General (C-3-G), and Residential Transit Oriented (RTO) districts, respectively.

NCT-3 Districts are transit-oriented moderate- to high-density mixed-use neighborhoods of varying scale concentrated near transit services. They are mixed use districts that support neighborhood-serving commercial uses on lower floors and housing above. These districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. Residential parking is not required and generally limited, and there are prohibitions on access (i.e. driveways, garage entries) to off-street parking and loading on critical stretches of NC and transit streets to preserve and enhance the pedestrian-oriented character and transit function. A total of 26 MUNI bus and light-rail transit routes are located within a one-quarter mile of the proposed project, in addition to regional Golden Gate transit and SamTrans lines.

## **ENVIRONMENTAL REVIEW**

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (CEQA), on March 23, 2016, the Planning Department of the City and County of San Francisco will determine that the proposed application is exempt from further environmental review under Section 15183 of the CEQA Guidelines and California Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Market & Octavia Area Plan and was encompassed within the analysis contained in the Market & Octavia Area Plan Final EIR. Since the Final EIR was finalized, there have been no substantial changes to the Market & 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 Certificate of Determination will be provided to the Commission at the hearing.

## **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	March 4, 2016	March 2, 2016	22 days
Posted Notice	20 days	March 4, 2016	March 4, 2016	20 days
Mailed Notice	20 days	March 4, 2016	March 4, 2016	20 days

The proposed project requires a Section 312 Neighborhood notification, which was conducted in conjunction with the required hearing notification for the Conditional Use Authorization.

## **PUBLIC COMMENT/COMMUNITY OUTREACH**

- As of February 29, 2016, the Department has received five letters in support of this project including the San Francisco Housing Action Coalition and the existing tenant at the property (Flax Art & Design). The Department also received one letter stating concerns about the secondary garage entrance on McCoppin Street.
- In addition to the required pre-application meeting that was held on June 10, 2014 at the LGBT Center, the project sponsor has conducted further outreach including a community meeting with the Hayes Valley Neighborhood Association and several other meetings, e-mails and telephone calls with neighbors that include the Allen Hotel/Delessio Market (1693 Market Street), 68 McCoppin Street owners and residents, S.F. City College (33 Gough Street), 95 McCoppin Street residents, McRoskeys (1687 Market St.) and the Travelodge (1707 Market Street). These outreach efforts resulted in modifications to the project's design that include: 1) reducing the number of residential parking spaces to less than the principally permitted ratio (77 total spaces or a 0.48 ratio); 2) a 135 percent increase over the required number of Class 2 public bicycle parking spaces; 3) an additional car share parking space; 4) re-design of the project's façade to be more compatible with the surrounding buildings; 5) providing more on-site amenities for the new building's residents; 6) re-design of the Market Street plaza area to provide functional public realm space with future programming possibilities; and 7) providing the required affordable housing units on-site.

## **ISSUES AND OTHER CONSIDERATIONS**

- As part of the Conditional Use Authorization for a Planned Unit Development (PUD), the Commission may grant modifications from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests modifications from the rear yard, usable open space and off-street loading requirements pursuant to Planning Code Sections 134, 135 and 1 52, respectively. Department staff is generally in agreement with the proposed modifications given the overall project and its design.
- Pursuant to Planning Code Section 260(b), the Zoning Administrator may grant a height exemption for an elevator penthouse for a building with a height limit of more than 65 feet to the extent that such an exemption is required to meet state or federal laws or regulations. The project's proposed penthouse measures eighteen-feet four-inches in height and requests an exemption from the Zoning Administrator at a separate public hearing to be held on April 27, 2016.
- The Project received extensive design review and responds to the mass and scale of the subject block and multiple frontages which include a combination of one- to six-story buildings that create varied street walls along Market and McCoppin Streets. The proposed development consists of two buildings over a single-story podium that are separated by a 60-foot by 43-foot interior courtyard, with the larger building having 150 feet of frontage along Market Street and the appropriately smaller building having 50 feet along McCoppin Street. The placement of these

buildings take advantage of the property’s irregular shape and maximizes the area available for residential amenities and efficient access and circulation throughout the PUD. The frontage of the larger building is dominated by the eighteen-feet eight-inch tall retail commercial space and public plaza that will significantly improve activity along Market Street.

- The City is currently in an extensive, long-range community planning process for a major redesign of Market Street, called the Better Market Street (BMS) project. In addition, a public realm plan for the area called the Hub Public Realm Plan is in the early stages of being developed. The proposed development falls within the planning area for both the BMS Project and Hub Public Realm Plan, and the Sponsor will be required to collaborate with Planning, Department of Public Works and Metropolitan Transportation Administration staff to coordinate all streetscape and public realm improvements with these efforts, which will result in a streetscape redesign that could include sidewalk widening, circulation changes, corner bulb-outs, landscaping, street trees, activation zones, bike improvements, and transit enhancements, among other streetscape improvements.
- The Project has elected to provide on-site affordable housing as identified in Planning Code Section 415.6, which requires twelve percent of the total number of units to be designated as part of the inclusionary affordable housing program. The Project contains 160 dwelling units and the Sponsor will fulfill this requirement by providing the nineteen affordable units on-site, which will be available for rent. As part of the project, the sponsor has entered into a Costa-Hawkins Agreement with the City of San Francisco. A copy of this agreement will be provided at the Planning Commission hearing.
- The Project would be subject to development and impact fees for the construction of net new commercial and residential development, which are estimated as follows:

<b>FEE TYPE</b>	<b>PLANNING CODE SECTION / FEE</b>	<b>AMOUNT</b>
M & O Community Improvements Impact Fee: (151,864 gsf New Residential)	421.3 / \$11.47	\$1,741,880.00
M & O Community Improvements Impact Fee: (18,506 gsf Non-Residential to Residential)	421.3 / \$7.14	\$132,132.84
Transportation Sustainability Fee (107,712 gsf 1-99 DU)	411A/ \$7.74 x 50%	\$416,845.44
Transportation Sustainability Fee (66,368 gsf 100-160 DU)	421.3 / \$8.74 x 50%	\$290,028.16
Child Care Fee (151,864 gsf New Residential 10+ DU)	414A / \$1.83	\$277,911.12

Child Care Fee (22,170 gsf Non- Residential to Residential 10+ DU)	414A / \$0.26	\$5,764.20
Affordable Housing Fee (3.00) – Studios	415 (@ \$198,008)	\$594,024.00
Affordable Housing Fee (16.20) – 1 Bedroom Units	415 (@ \$268,960)	\$4,357,152.00
Affordable Housing Fee (12.80) – 2 Bedroom Units	415 (@ \$366,369)	\$4,689,523.20
	<b>TOTAL</b>	<b>\$12,505,260.96</b>

These fees are subject to change between Planning Commission approval and approval of the associated Building Permit Application, as based upon the annual updates managed by the Development Impact Fee Unit of the Department of Building Inspection.

**REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant Conditional Use Authorization for a Planned Unit Development pursuant to Planning Code Sections 121.1, 303 and 304 to allow demolition of the existing structure and construction of an approximately 198,151 square-foot, nine-story development with two mid-rise towers over a one-story podium that would include 160 total dwelling units, approximately 14,780 square-feet of usable common open space, 3,664 square feet of ground-floor retail commercial space that will front Market Street, 82 basement-level accessory parking spaces, 128 Class 1 and 33 Class 2 bicycle parking spaces on a lot more than 10,000 square feet in area, and to allow modifications to the requirements for rear yard and off-street loading pursuant to Planning Code Sections 134, 135 and 152, respectively.

**BASIS FOR RECOMMENDATION**

- The Project is consistent with the Planning Code, Priority Policies, and the General Plan.
- The Project is located in a zoning district where residential use is principally permitted.
- The Project in an appropriate in-fill development that will add 160 new dwelling units to the City’s housing stock and 3,664 square feet of commercial space in an area that encourages the development of high-density, mid-rise housing and continuous ground floor commercial frontage with pedestrian-oriented retail activities.
- The Project is compatible with the existing neighborhood character, and provides an appropriate massing and scale for the subject block.
- The Project’s design is of high quality and will complement the rapidly changing nature of its location on Market Street.
- The Project complies with the First Source Hiring Program.
- The project will convert an underused site into a productive mixed-use development that includes significant streetscape upgrades consistent with the Better Market Street and Hub Public Realm Plans.
- The Project will

- The Project will fully utilize the Market & Octavia Area Plan controls and pay the appropriate development impact fees, including the Affordable Housing Fee.

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

- Draft Conditional Use Authorization Motion
- Block Book Map
- Sanborn Map
- Zoning Map
- Aerial Photographs
- Site Photographs
- Major Projects Map
- Affordable Housing Affidavit
- Public Communication
- Architectural Drawings and Renderings

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 type="checkbox"/> Height & Bulk Map                      | <input checked="" type="checkbox"/> Check for legibility   |
| <input checked="" type="checkbox"/> Parcel Map                  | <input type="checkbox"/> Health Dept. Review of RF levels  |
| <input checked="" type="checkbox"/> Sanborn Map                 | <input type="checkbox"/> RF Report   |
| <input checked="" type="checkbox"/> Aerial Photo                | <input type="checkbox"/> Community Meeting Notice  |
| <input checked="" type="checkbox"/> Context Photos              | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program:<br>Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos                 |  |

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

\_\_\_\_\_ DV  
Planner's Initials



# 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 (MO, TSF, CR Impact Fees)

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## Planning Commission Motion No. XXXXX HEARING DATE: MARCH 24, 2016

*Date:* March 14, 2016  
*Case No.:* **2014.002961CUA**  
*Project Address:* **1699 MARKET STREET**  
*Zoning:* NCT-3 Moderate-Scale Neighborhood Commercial Transit District  
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**ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION FOR A PLANNED UNIT DEVELOPMENT PURSUANT TO PLANNING CODE SECTIONS 121.1, 303 AND 304 TO ALLOW DEMOLITION OF THE EXISTING STRUCTURES AND CONSTRUCTION OF AN APPROXIMATELY 198,151 SQUARE FOOT, 84-FOOT TALL, NINE-STORY MIXED-USE BUILDING CONTAINING UP TO 160 DWELLING UNITS, 3,664 SQUARE FEET OF GROUND-FLOOR COMMERCIAL SPACE AND 82 OFF-STREET UNDERGROUND PARKING SPACES LOCATED AT 1699 MARKET STREET, LOT 030 IN ASSESSOR’S BLOCK 3504, WITHIN THE MODERATE-SCALE NEIGHBORHOOD COMMERCIAL TRANSIT (NCT-3) ZONING DISTRICT AND AN 85-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On December 19, 2014, Melinda Sarjapur of Reuben, Junius & Rose, LLP for Hermco, Inc. (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 121.1, 303 and 304 to allow demolition of existing structures and construction of a Planned Unit Development containing two new nine-story, 84-foot tall buildings over a one-story podium with up to 160 dwelling units, 4,500 square feet of ground

floor commercial space, and underground parking for up to 94 spaces at 1699 Market Street (Block 3504 and Lot 030) in San Francisco, California.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Market and Octavia Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 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 Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Market and Octavia Plan 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 of a proposed project, 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 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, 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 March 23, 2016, the Department 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 Market and Octavia Plan Final EIR. Since the Market and Octavia Plan 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 Plan 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 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 March 24, 2016, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014.002961CUA.

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 for a Planned Unit Development requested in Application No. 2014.002961CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is located on the south side of Market Street between Valencia and Gough Streets and is also known as Lot 030 of Assessor's Block 3504. 1699 Market Street is approximately 25,900 square feet in in the Moderate-Scale Neighborhood Commercial Transit (NCT-3) District, an 85-X Height and Bulk District, and is improved with a two-story 22,170 square-foot commercial building constructed in 1954 in the International style. The building was originally a showroom and manufacturing plant for the Hermann Safe Company and is currently occupied by Flax Art & Design, an arts and crafts supplies store. The irregularly shaped parcel has 150 feet of primary frontage along Market Street, 50 feet of secondary frontage along McCoppin Street and 20 feet of frontage at the spur of Stevenson Street.
3. **Surrounding Properties and Neighborhood.** The subject property is located near the western boundary of the South of Market neighborhood, and is within the Market Octavia Plan Area. 1699 Market Street's location is important because of its location at the convergence of three other neighborhoods including Downtown/Civic Center, Western Addition, and the Mission. The west adjacent property at 1707 Market Street is improved with a tourist hotel (dba Travelodge) and the adjacent property to the east is improved with a six-story apartment building with a restaurant at the ground floor (dba Delessio Market & Bakery). The Central Freeway spur that connects to Octavia Boulevard is one block west, and this area of Market Street is characterized by one-, two- and multi-story buildings that establish a continuous retail and commercial street frontage with residential dwellings above the ground floor. Other surrounding land uses and zoning districts include public institutions (San Francisco Community College District and Spectrum Center

School), offices, commercial parking lots and moderate-density residential blocks in the Public (P), Downtown-General (C-3-G), and Residential Transit Oriented (RTO) districts, respectively.

NCT-3 Districts are transit-oriented moderate- to high-density mixed-use neighborhoods of varying scale concentrated near transit services. They are mixed use districts that support neighborhood-serving commercial uses on lower floors and housing above. These districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. Residential parking is not required and generally limited, and there are prohibitions on access (i.e. driveways, garage entries) to off-street parking and loading on critical stretches of NC and transit streets to preserve and enhance the pedestrian-oriented character and transit function. A total of 26 MUNI bus and light-rail transit routes are located within a one-quarter mile of the proposed project, in addition to regional Golden Gate transit and SamTrans lines.

4. **Project Description.** The proposed project includes demolition of an existing commercial building and the construction of an approximately 198,151 square-foot, 84-foot tall, nine-story Planned Unit Development (PUD) that includes two mid-rise towers over a one-story podium. The proposed development would include up to 160 dwelling units with a unit mix of fifteen studios, 81 one-bedroom and 64 two-bedroom units. Approximately 10,820 square-feet of usable common open space for the project's residents would be located at the first, second and rooftop levels, and 3,664 square feet of ground-floor retail commercial space that will front Market Street. A total of 82 basement-level accessory parking spaces with primary access off Stevenson Street and secondary access off McCoppin Street are proposed, 128 Class 1 bicycle parking spaces would be provided and accessed at the ground floor, and 33 Class 2 spaces would be added as part of the PUD's required streetscape plan that also includes significant improvements to the public right-of-way.
5. **Public Comment.** The Department has received five letters in support of this project, including the property's existing tenant (Flax Art & Design). The Department also received an e-mail communication stating concerns about a previously proposed secondary garage entrance on McCoppin Street.

In addition to the required pre-application meeting that was held on June 10, 2014 at the LGBT Center, the project sponsor has conducted further outreach including a community meeting with the Hayes Valley Neighborhood Association and several other meetings, e-mails and telephone calls with neighbors that resulted in reducing the number of accessory residential parking spaces to less than the principally permitted ratio (77 total spaces or a 0.48 ratio), a 135 percent increase over the required number of Class 2 public bicycle parking spaces, an additional car share parking space, re-design of the project's façade to be more compatible with the surrounding buildings, providing more on-site amenities for the new building's residents, re-design of the Market Street plaza area to provide functional public realm space with future programming possibilities and including the required affordable housing units on-site.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

A. **Non-Residential Floor Area Ratio.** Planning Code Sections 124 and 731.20 per it a maximum floor to area ratio of 3.6 to 1 for the subject 25,900 sq. ft. parcel.

*The project complies with this provision because it proposes 3,664 sq. ft. of commercial space that is equal to a ratio of 0.14 to 1, with the option to convert a portion of the proposed ground floor residential amenity/community room at the McCoppin Street frontage to a future commercial use.*

B. **Rear Yard Modification.** Pursuant to Planning Code Section 134(a)(1)(C), a 25% rear yard or an area equal to that provided via inner courtyards shall be provided at the lowest story containing a dwelling unit, and at each succeeding level or story of the building. The proposed project requires a rear yard of a t least 6,475 sq. ft. at every residential level.

*The project proposes a rear yard that is approximately 3,870 sq. ft. at the first floor and increases to 6,180 sq. ft. at the second floor and above, which is less than the required 6,475 sq. ft. The Sponsor requests a modification to this requirement as permitted under Planning Code Section 304 (Planned Unit Developments) for the following reasons: 1) the project includes residential uses with a comparable amount of usable open space totaling 14,780 sq. ft. at three rooftop decks and green recreation areas and an interior courtyard that will be more accessible to residents; 2) the proposed building has been designed with setbacks and notches to not significantly impede the access of light and air to the adjacent properties; and 3) the building will not adversely affect the block's interior open space because interior open space does not exist on the subject block.*

C. **Usable Residential Open Space.** Planning Code Sections 135 and 731.93 require a minimum 100 sq. ft. of common usable open space per dwelling unit, or 16,200 sq. ft. for the proposed 162-unit development.

*The project proposes 14,780 sq. ft. of usable open space through three rooftop decks and green roof recreation areas above the Market Street building and a 63,960 sq. ft. north courtyard, also at the Market Street building. Although the project also proposes an additional 2,220 sq. ft. of open space at a proposed south interior courtyard, it is not considered usable by the Code because the courtyard does not have a minimum width of 65-ft. to allow the required amount of sunlight penetration. Although the required amount of usable open space as defined by the Code is not proposed, the south courtyard has a minimum dimension of 63-ft., which is only 2-ft. less than required. The Code-complying rooftop decks and north courtyard total 14,780 sq. ft., and while the remaining 2,220 sq. ft. south courtyard is not Code-complying, it is essentially still usable given the minimal 2-ft. deficiency in horizontal width and the additional 1,220 sq. ft. that is required. Therefore, and the project requests a modification from this requirement as part of the Planned Unit Development.*

D. **Pedestrian Streetscape Plan.** Planning Code Section 138.1 requires the submittal of a streetscape plan 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 City is currently in an extensive, long-range community planning process for a major redesign of Market Street, called the Better Market Street (BMS) project. In addition, a public realm plan for the area called the Hub Public Realm Plan is in the early stages of being developed. The proposed development falls within the planning area for both the BMS Project and Hub Public Realm Plan, and the Sponsor will be required to collaborate with Planning department staff to coordinate all streetscape and public realm improvements with these efforts, which will result in a streetscape redesign that could include sidewalk widening, circulation changes, corner bulb-outs, landscaping, street trees, activation zones, bike improvements, and transit enhancements, among other streetscape improvements.*

- E. Exposure.** Planning Code Section 140 requires the windows of at least one room in each dwelling unit to face directly on an open area that includes a public street, public alley at least 20 feet in width, side yard at least 25 feet in width, rear yard meeting the requirements of the Planning Code, or an inner court or a space between separate buildings on the same lot) which is unobstructed and is no less than 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 of five feet in every horizontal dimension at each subsequent floor

*Each of the 162 proposed dwelling units face onto Market Street, McCoppin Street or either of the north and south interior courtyards. There are eight levels of dwelling units that face onto the north courtyard, requiring a minimum horizontal distance of 55 ft. The north courtyard has been designed with a minimum width of 60-ft., which exceeds the requirement. Similarly, the south courtyard contains nine levels of dwelling units that face onto the courtyard, requiring a minimum horizontal distance of 60 ft. The south courtyard has been designed with a minimum width of 63-ft. that exceeds the minimum requirement. Therefore, the project fully complies with the exposure requirement.*

- F. Street Frontages.** Planning Code Section 145.1 requires the following for street frontages in Neighborhood Commercial Districts: (1) not more than 1/3 the width of the building facing the street may be devoted to ingress/egress to parking; (2) off-street parking at street grade must be set back at least 25 feet; (3) “active” use shall be provided within the first 25 feet of building depth at the ground floor; (4) ground floor non-residential uses in shall have a floor-to-floor height of 14-feet; (5) frontages with active uses shall be fenestrated with transparent windows; and, (6) decorative railings or grillwork placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular views.

*The project meets the requirements of Section 145.1 as follows: (1) the sole automobile access to the project is located at the terminus of Stevenson Street and includes a 20-ft wide garage door. The width of this garage door is significantly less than one-third the width of the building that faces either Market or McCoppin Streets; (2) all proposed parking is located at the below-grade basement level; (3) active uses including a commercial storefront, a residential lobby, and a residential amenity room are*

*proposed along the entire frontage of both buildings; (4) the non-residential commercial space at the ground floor of the Market Street building will have a generous floor to ceiling height of 18-ft. 10-inches; and (5) significantly more than two-thirds of the total street frontages are fenestrated with transparent windows.*

- G. **Off-Street Parking.** Planning Code Section 151 principally permits 0.5 parking spaces per dwelling unit, and up to 0.75 spaces with Conditional Use authorization. Additionally, one off-street space for every 1,500-square-foot of occupied commercial floor area is also permitted. The project is principally permitted to have 81 residential spaces and three commercial spaces.

*The project proposes up to 77 residential parking spaces and three commercial spaces for a total of 80 spaces, not including the two car-share spaces. This is less than the principally permitted number of spaces, and complies with the off-street parking provisions.*

- H. **Off-Street Loading.** Planning Code Section 152 requires one off-street loading space for residential buildings that are between 100,001 and 200,000 gross square feet in area.

*The project proposes one loading space at the end of Stevenson Street adjacent to the building's garage entrance, and within the public right-of-way. Typically, this 8' wide area would be improved with a sidewalk but since Stevenson Street terminates into the subject property there is no sidewalk along the south side of Stevenson Street. Due to the restrictions for loading zones and curb cuts on Market Street and the existence of bicycle lanes on McCoppin Street, the best location for the project's required loading space is on Stevenson Street. However, Stevenson Street is also the project's only auto garage entrance and exit, and is required to be 20' wide for two-way traffic. Stevenson Street is 20'-0" wide curb to curb, which doesn't provide any space for an on-street loading zone, or a combined garage/loading zone. In order to provide an internal loading zone, the truck loading would overlap with the garage ramp width, reducing the ramp to less than 20'. Independent of whether the loading space is inside the project or abutting the project as proposed, trucks will likely be required to back down Stevenson Street and then back into the loading zone space. If the loading space is inside the building, trucks would obstruct the flow of automobile movement from the garage. Furthermore, the proposed off-site loading space abutting the building will be easier for trucks to access, resulting in less interference with garage automobile traffic. Additionally, at least one residential unit will be lost if the loading space is located inside the project in order to provide the required clear height for truck access. Therefore, the project requests a modification from this requirement.*

- I. **Bicycle Parking.** Planning Code Section 155.2 requires one Class 1 bicycle parking space for each dwelling unit up to 100 units, and one Class 1 space for every four units above a density of 100 dwelling units. Additionally, one Class 2 space for every 20 units is required, and each 2,500 sq. ft. of occupied commercial floor area.

*The project will comply with this requirement by providing 128 Class 1 bicycle parking spaces in two separate locations for convenient access to units in both buildings, and 33 Class 2 spaces along the building's Market and McCoppin Street frontages.*

- J. **Curb Cuts.** Planning Code Section 155(l) limits driveways crossing sidewalks to be no wider than necessary for ingress and egress, and shall be arranged to minimize the width and frequency of curb cuts to maximize on-street parking spaces and minimize conflicts with pedestrian and transit movements.

*The project proposes one 20-ft. wide driveway at the spur of Stevenson Street where sidewalks do not exist nor are they proposed in the future, and one 10-ft. wide driveway for secondary vehicular access off McCoppin Street. The location of the Stevenson Street driveway at the terminus of a street will not eliminate any on-street parking spaces and will not result in any conflicts with pedestrians or transit movement.*

- K. **Car Share Requirement.** Planning Code Section 166 requires one dedicated car-share space for developments with 50 to 200 dwelling units.

*The project proposes two car share spaces, which is twice the required amount and complies with this Code provision.*

- L. **Dwelling Unit Mix.** Planning Code Section 207.6 requires no less than 40 percent of the total number of proposed dwelling units to contain at least two bedrooms, or no less than 30 percent of the total number of proposed dwelling units shall contain at least three bedrooms.

*The project will comply with this requirement by providing 66 two-bedroom units that equal 41 percent of the total number of dwelling units.*

- M. **Height Exemptions.** Planning Code section 260(b) allows specific height exemptions including stair, mechanical and elevator penthouses that are limited to the top sixteen feet of such features and the footprint of the elevator shaft. The Zoning Administrator may, after conducting a public hearing, grant a further height exemption for an elevator penthouse for a building of more than 65 feet but only to the extent the Zoning Administrator determines that such an exemption is required to meet state or federal laws or regulations.

*The project proposes an elevator penthouse with a height of 18-ft. 4-in. that is the minimum height for a machine room less (MRL) elevator, which minimizes the footprint of the penthouse because the mechanical equipment is located above the elevator instead of requiring a separate machine room adjacent to the penthouse.*

- N. **Shadow Analysis.** Pursuant to Planning Code Section 295, projects over 40 feet in height that will cast any shade or shadow upon any property under the jurisdiction of, or designated for acquisition by, the Recreation and Park Commission requires approval by the Planning Commission pursuant to the provisions of Section 295.

*A preliminary shadow analysis was conducted by the Planning Department based on the plans submitted for the project. The analysis indicated there would be no shadows cast on properties under the jurisdiction of the Recreation and Park Department.*

- O. **Transportation Sustainability Fee.** Planning Code Section 411A imposes a Transportation Sustainability Fee (“TSF”) that would apply to large projects like 390 1<sup>st</sup> Street. The TSF (Ordinance No. 200-15) that was adopted and went into effect on December 25, 2015 provides that residential, non-residential and PDR uses shall pay the TSF to address the burden that new development will create on the City’s transportation network, including all modes of transportation. The TSF will provide revenue that is significantly below the costs that SFMTA and other transit providers will incur to mitigate the transportation infrastructure and service needs resulting from the development.

*The Project includes approximately 174,034 gross square feet of new development that is subject to the Transportation Sustainability Fee, as outlined in Planning Code Section 411A. However, the Project will receive a credit for the existing commercial use on the subject lot. These fees must be paid prior to the issuance of the building permit application.*

- P. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, 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 July 3, 2014.*

- Q. **Childcare Requirements.** Planning Code Section 414A requires the Department to determine the applicability of Section [414A](#) to any development project requiring a First Construction Document and, if Section [414A](#) is applicable, the number of gross square feet of space subject to its requirements, and shall impose these requirements as a condition of approval for issuance of the First Construction Document for the development project to mitigate the impact on the availability of child-care facilities that will be caused by the residents attracted to the proposed development project.

*The Project includes the construction of approximately 174,034 gross sq. ft. of new residential development, which is subject to the Childcare Requirement Impact Fee. This fee must be paid prior to the issuance of the building permit*

- R. **Market and Octavia Community Improvements Impact Fee.** Planning Code Section 421 is applicable to any development project in the Market and Octavia Area Plan that result in at least one net new residential unit or the new construction of a non-residential use.

*The Project includes the construction of approximately 153,248 gross sq. ft. of new residential development and the conversion of 17,670 sq. ft. of commercial to residential development, which are subject to the Market and Octavia Community Improvement Impact Fee. This fee must be paid prior to the issuance of the building permit.*

8. **Development of Large Lots.** Planning Code Section 121.1 establishes the following additional criteria the Planning Commission shall consider for new construction on lots of the same size or larger than 10,000 sq. ft. in the NCT-3 District.

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

*The proposed project's mass and façade are in keeping with the existing and intended scale and character of the NCT-3 District, where high-density housing over a commercial ground floor is encouraged. The project's Market Street façade at the ground floor includes 74 ft. 10-in. of commercial frontage with a generous height of 18-ft. 8-in. and approximately 19-ft. of frontage for the building's residential lobby. In front of the façade will be a public seating area that will be programmed to be consistent with the upcoming Better Market Street project and Hub Public Realm Plan to ensure the area is activated. The upper stories of the building include a mix of dwelling unit types organized in a pattern of structural bays that are scaled similarly to other upper story dwellings and comparably tall buildings found throughout the Market Street corridor of this district.*

*The project's 50-ft. McCoppin Street façade includes a residential amenity or community room at the ground floor, which can be changed to a commercial use if desired in the future to ensure the continued occupancy of active uses. The upper stories of this smaller building also include dwelling units organized in a pattern of structural bays that are appropriately scaled to other buildings on McCoppin Street, and include setbacks and notches to preserve the usability of the adjacent buildings' windows.*

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

*The project's façade is compatible with the design features of adjacent properties because the distinction between ground floor commercial spaces and upper floor residential dwellings are made primarily through recessed walls at the ground floor, the width and dimension of bay windows, architectural features such as awnings and beltcourses, and the use of exterior materials to*



*differentiate the ground and upper floors to be consistent with similar land uses at adjacent properties and along Market Street.*

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

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

*The proposed project is in keeping with the intended character and development of the NCT-3 District in this area of the Market Street corridor, where high-density housing over a commercial ground floor is required. The project is necessary and desirable because 160 dwelling units will be added to the City's housing stock in a location where larger development near a public transit corridor is encouraged. The proposed mixed-use development is characteristic of other similar and recently developed mixed-use buildings located along Market Street.*

- 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:

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

*The height and bulk of the project proposes a building scale that is compatible with the scale and width of Market and McCoppin Streets, and other existing developments. The location of the commercial space which fronts Market Street is appropriate in providing a continuous commercial frontage at the ground floor. The location of the basement level parking garage entrance at the terminus of Stevenson Street is the most appropriate for the project and eliminates any conflicts with the pedestrian experience along Market and McCoppin Streets.*

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

*The project proposes 82 off-street parking spaces, including two designated car-share spaces that are accessed by a single 20-foot wide vehicular driveway and curb cut at the terminus of Stevenson Street that is accessed from Gough Street and a narrow secondary 10-foot wide driveway along McCoppin Street. An on-street loading space is also proposed at the end of Stevenson Street within the public right-of-way adjacent to the building's garage entrance.*

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

*Noxious or offensive emissions such as noise, glare, dust and odor are not typically associated with residential uses or with the commercial uses permitted in this zoning district.*

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

*The project will include street trees and other significant streetscape improvements consistent with the future Better Market Street Project and Hub Public Realm Plans.*

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

*The project facilitates the conversion of an underutilized lot in an evolving neighborhood to more desirable mixed uses that will combine residential and commercial uses. The project will increase the supply of housing in conformity with the development standards of the NCT-3 District, and because of its location on a large 25,900 sq. ft. parcel, will create a Planned Unit Development consistent with the Planning Code that will function as an integrated unit and designed to produce an environment of stable and desirable character that will benefit the occupants and the City as a whole. The Project is also consistent with the City's policies of providing housing appropriate for families as 41 percent (or 66) of the units contain two bedrooms that range in size from approximately 850 to 1,261 square feet.*

10. **Planned Unit Development.** Planning Code Section 304 establishes that in addition to the criteria applicable to conditional uses stated in Section 303, the proposed development shall also meet the following criteria.

- a. Affirmatively promote applicable objectives and policies of the General Plan;

*The proposed project promotes the applicable objectives and policies of the General Plan as described below.*

- b. Provide off-street parking adequate for the occupancy proposed;

*The Project proposes a total of 82 off-street parking spaces in a basement-level parking garage that will be accessed exclusively from Stevenson Street. This amount of parking equals 0.48 spaces per unit and is adequate because the project is located in an NCT-3 District that fronts Market Street, which is the City's primary transit corridor that residents are highly encouraged to utilize.*

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

*Approximately 14,780 sq. ft. of usable open space is provided via three rooftop decks and green recreation areas, and a north courtyard for the project's residents. In addition, a south interior 2,220 sq. ft. courtyard is also available to the residents for use as common open space. Public open space will be provided within the public realm in front of the project's Market Street building that*

*will be improved with site furniture and programming that is consistent with the Better Market Street Plan and the Hub Public Realm Plan that are currently being developed.*

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

*The project is located in the NCT-3 District, which does not establish a maximum dwelling unit density but instead is restricted by the physical building envelope controls of height, bulk, setbacks, open space, exposure, and other applicable controls, as well as by applicable design guidelines, elements and area plans of the General Plan, and design review by the Planning Department. Therefore, this criterion is not applicable.*

- e. Under no circumstances be excepted from any height limit established by Article 2.5 of this Code;

*The proposed project complies with this criterion because the maximum building height is 84 feet, and is under the maximum 85 feet height limit. Pursuant to Planning Code Section 260, the proposed elevator penthouse is an excepted structure that is not included in the building's height.*

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

*The proposed project complies with this criterion because the maximum permitted non-residential gross floor area ratio is 3 to 1, and the project proposes 3,664 sq. ft. of commercial space that is equivalent to a ratio of 0.14 to 1.*

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

*The proposed project complies with this criterion because commercial and other active uses will occupy the ground floor and residential uses will occupy the upper floors, consistent with the use limitations of the NCT-3 District pursuant to Planning Code Section 731.*

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

*The extension of Stevenson Street through the project site was determined to not be desirable during the design review process due to the irregular shape of the subject parcel, the triangular shape of the subject block, and the parcel's location within the block.*

- i. Provide street trees as per the requirement of Section 138.1 of the Code;

*The project will comply with this criterion by providing the eight required street trees as an element of the streetscape plan the Sponsor will develop and construct in collaboration with the Planning Department to be consistent with the Better Market Street Project and the Hub Public Realm Plan.*

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

*The project will comply with this criterion by providing landscaping and permeable surfaces as part of the streetscape plan that the Sponsor will develop and construct in collaboration with the Planning Department to be consistent with the Better Market Street Project and the Hub Public Realm Plan.*

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

## HOUSING ELEMENT

### Objectives and Policies – Housing Supply

**OBJECTIVE 1.** 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 1.4.** Locate in-fill housing on appropriate sites in established residential neighborhoods.

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

### Objectives and Policies -- Housing Density, Design and Quality of Life

**OBJECTIVE 11.** IN INCREASING THE SUPPLY OF HOUSING, PURSUE PLACE MAKING AND NEIGHBORHOOD BUILDING PRINCIPLES AND PRACTICES TO MAINTAIN SAN FRANCISCO'S DESIRABLE URBAN FABRIC AND ENHANCE LIVABILITY IN ALL NEIGHBORHOODS.

**Policy 11.1.** Use new housing development as a means to enhance neighborhood vitality and diversity.

**Policy 11.2.** Ensure housing is provided with adequate public improvements, services, and amenities.

**Policy 11.3.** Encourage appropriate neighborhood-serving commercial activities in residential areas, without causing affordable housing displacement.

**Policy 11.5.** Promote the construction of well-designed housing that enhances existing neighborhood character.

**Policy 11.8.** Strongly encourage housing project sponsors to take full advantage of allowable building densities in their housing developments while remaining consistent with neighborhood character.

*The Project facilitates the conversion of an underutilized lot in an evolving neighborhood to more desirable mixed-use development that includes residential and commercial uses. The Project also appropriately locates dwelling units on a property zoned for residential use and increases the supply of housing in conformity with the development standards of the NCT-3 District. The Project is also consistent with the City's policies of providing housing appropriate for families as 41 percent (or 66) of the units contain two bedrooms that range in size from approximately 850 to 1,261 square feet.*

*The Project's architectural design is compatible with the existing scale, character of the neighborhood, and the property's unique location with multiple frontages. The Project is well designed, provides a quality living environment, and further promotes neighborhood-serving commercial activities by providing ground floor commercial space.*

## COMMERCE AND INDUSTRY ELEMENT

**OBJECTIVE 6.** MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

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

*The project proposes 82 off-street parking spaces, including two designated car-share spaces that are accessed by a single 20-foot wide vehicular driveway and curb cut at the terminus of Stevenson Street that is accessed from Gough Street. An on-street loading space is also proposed at the end of Stevenson Street within the public right-of-way adjacent to the building's garage entrance. A secondary narrow 10' driveway is also proposed along McCoppin Street. The location of the basement level parking garage entrance is the most appropriate for the project, ensures active uses are located along the Market and McCoppin Street frontages, and eliminates any conflicts with the pedestrian and transit movements.*

## URBAN DESIGN ELEMENT

### City Pattern

**OBJECTIVE 1.** EMPHASIS OF THE CHARACTERISTIC PATTERN, WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE AND A MEANS OF ORIENTATION.

**Policy 1.2.** Protect and reinforce the existing street pattern, especially as it is related to topography.

**Policy 1.3.** Recognize that buildings, when seen together, produce a total effect that characterizes the City and its districts.

*The Project will enhance the NCT-3 District by reinforcing the urban nature of the street pattern, and by providing a unified street wall along its Market and McCoppin Street frontages. The Project's design is compatible with the design features of surrounding buildings, but introduces a high quality design with a contemporary architectural expression that will result in a more desirable aesthetic for the neighborhood and better utilization of the Project site than the current single use building. The Project will also continue the development pattern of residential over ground floor retail/commercial uses that predominate the Market Street corridor.*

### **Visual Harmony**

**OBJECTIVE 3.** MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

**Policy 3.1.** Promote harmony in the visual relationships and transitions between new and older buildings.

**Policy 3.3.** Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

### **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 improve the neighborhood environment by providing a ground floor commercial space with pedestrian-oriented active uses. The new building will be compatible in use and design with other recently constructed buildings in the neighborhood, and several existing curb cuts along Market and McCoppin Streets will be removed to increase the personal safety and comfort of pedestrians along the sidewalk. Street trees and other streetscape improvements will also be constructed along Market Street, beautifying a unique location that sits at the convergence of several neighborhoods.*

## **MARKET AND OCTAVIA AREA PLAN**

### **Land Use**

**OBJECTIVE 1.2.** IN AREAS OF THE MISSION WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

**Policy 1.2.1:** Ensure that in-fill housing development is compatible with its surroundings.

*The Proposed Project is designed to fit within the existing context of residential, commercial and institutional buildings. The Project complies with the 85-foot height limit and provides a high amount of residential density while not compromising amenities that contribute to the quality of life for the dwelling units, including usable open space. The Project is designed in a contemporary architectural style that utilizes high quality materials and respects its surroundings while providing some distinction, and is an appropriate infill development.*

### **Housing**

**OBJECTIVE 2.5.** PROMOTE HEALTH THROUGH RESIDENTIAL DEVELOPMENT DESIGN AND LOCATION.

**Policy 2.5.3:** Require new development to meet minimum levels of “green” construction.

*The Project will be required to meet the standards for new construction as required by the Green Building Ordinance, the mechanism which the City of San Francisco uses to ensure “green” construction.*

### **Built Form**

**OBJECTIVE 3.1.** PROMOTE AN URBAN FORM THAT REINFORCES THE MISSION'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS PHYSICAL FABRIC AND CHARACTER.

**Policy 3.1.6:** New buildings should epitomize the best in contemporary architecture, but should do so with full awareness of, and respect for, the height, mass, articulation and materials of the best of the older buildings that surrounds them.

**Policy 3.1.8:** New development should respect existing patterns of rear yard open space. Where an existing pattern of rear yard open space does not exist, new development on mixed-use-zoned parcels should have greater flexibility as to where open space can be located.

*The Project features a contemporary architectural style that respects its surroundings while providing some distinction. The proposed height and massing of the Project blend well with the surrounding context of multi-storied buildings, and the exterior of the building will be finished with high quality materials. There is no mid-block open space pattern and the Project proposes open courtyards between the buildings and recreational open space on the roof.*

**OBJECTIVE 3.2.** PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM.

**POLICY 3.2.3:** Minimize the visual impact of parking.

**POLICY 3.2.4:** Strengthen the relationship between a building and its fronting sidewalk.

*The Project's ground floor does not include any unfenestrated walls and all the ground floor uses are accessed from the public right-of-way to strengthen the building's relationship with its fronting sidewalk. The proposed off street parking is located in a below grade basement that is accessed by an automobile entry at the end of the Stevenson Street spur, further de-emphasizing the presence of automobiles at the site. Although a secondary 10' wide entrance is located off McCoppin Street. It is anticipated the majority of the auto circulation will use the Stevenson Street entrance/exit.*

### **Streets and Open Space**

**OBJECTIVE 5.2:** ENSURE THAT NEW DEVELOPMENT INCLUDES HIGH QUALITY, PRIVATE OPEN SPACE

**Policy 5.2.1:** Require new residential and mixed-use residential development to provide on-site, private open space designed to meet the needs of residents.

**Policy 5.2.3:** Encourage private open space to be provided as common spaces for residents and workers of the building wherever possible

*The Project provides open space through two common interior courtyards that total 6,180 square feet and several rooftop decks and recreation areas above the Market Street building that total 10,020 square feet. The Project provides an ample 14,780 square feet of Code-complying open space for the residents of the building and their guests to socialize and recreate.*

12. **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 existing retail use has been successfully relocated to another location at the Fort Mason Center and the proposed project would provide 3,664 sq. ft. of new neighborhood-serving retail use(s) that will enhance the neighborhood and provide opportunities for future employment and ownership.*

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



*The project will have no negative impact on this policy, as there is no existing housing at the project site.*

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

*The project does not include the removal of any existing affordable housing, and will contribute to the City's supply by contributing nearly five-million dollars for the construction of affordable units in the future.*

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

*Traffic generated by the residential uses and the 82 accessory and two car-share parking spaces would be intermittent and not significant to overburden local streets. Traffic would not significantly impede MUNI transit service or overburden neighborhood parking because primary access to the building's garage is located at the end of Stevenson Street where there is no transit service or on-street parking spaces, and the secondary driveway off McCoppin Street would only require the removal of one on-street space.. The site is also very well served by public transit as 26 MUNI bus and light-rail transit routes are located within a one-quarter mile of the proposed project, in addition to regional Golden Gate transit and SamTrans 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 industrial establishments.*

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

*The project will be designed and constructed to conform to the structural and seismic safety requirements of the Building Code and 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, and the project has been sensitively designed to be compatible with the adjacent historical resource at 1693-1695 Market Street.*

- 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.*

13. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

*The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.*

14. 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.
15. 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. 2014.002961CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 14, 2016, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Section 303 and 304 Conditional Use Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

**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 March 24, 2016.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: March 24, 2016

## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is for a Conditional Use to allow demolition of the existing structures and construction of an approximately 198,151 square-foot, 84-foot tall, nine-story Planned Unit Development (PUD) that includes two mid-rise towers over a one-story podium with up to 160 dwelling units, approximately 10,820 square-feet of usable common open space, 3,664 square feet of ground-floor retail commercial space and a total of 82 basement-level parking spaces, located at 1699 Market Street, Block 3635 and Lot 014 pursuant to Planning Code Sections 121.1, 303 and 304 within the Moderate-Scale Neighborhood Commercial Transit (NCT-3) Zoning District and an 85-X Height and Bulk District; in general conformance with plans, dated March 14, 2016, and stamped "EXHIBIT B" included in the docket for Case No. 2014.002961CUA and subject to conditions of approval reviewed and approved by the Commission on March 24, 2016, under Motion No. XXXXX. 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 March 24, 2016, under Motion No. XXXXX.

### **PRINTING OF CONDITIONS OF APPROVAL ON PLANS**

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXX 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 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.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](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 for the Market & Octavia Area Plan EIR (Case No. 2012.0865E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to 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)*

## DESIGN – COMPLIANCE AT PLAN STAGE

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 415-558-6613, [www.sf-planning.org](http://www.sf-planning.org)*

8. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with the Department of Public Works and the Metropolitan Transportation Agency, to refine the design and programming of the Streetscape Plan so that the plan generally will meet the standards of the Better Market Street and Hub Public Realm Plans, 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 415-558-6613, [www.sf-planning.org](http://www.sf-planning.org)*

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

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

10. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

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

11. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant impacts to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning

Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- A. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- B. On-site, in a driveway, underground;
- C. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- D. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding impacts on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- E. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- F. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- G. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

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

## PARKING AND TRAFFIC

12. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have priority access to a total of five parking spaces, and equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

13. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 82 off-street parking spaces, including two car-share spaces for the 160 dwelling units (or .48 off-street parking spaces for each dwelling unit) contained therein.

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



14. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 128 Class 1 bicycle parking spaces and 13 Class 2 parking spaces.  
*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 impacts 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. **Transportation Sustainability Fee.** Pursuant to Planning Code Section 411A, the Project Sponsor shall pay the Transit Sustainability Fee (TSF) 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)*
17. **Market & Octavia Community Infrastructure Impact Fee.** Pursuant to Planning Code Section 421, the Project Sponsor shall comply with the Market & Octavia Community Infrastructure Impact Fee provisions through payment of an Impact Fee pursuant to Article 4.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*
18. **Residential Childcare Impact Fee.** Pursuant to Planning Code Section 414A, the Project Sponsor shall comply with the Residential Childcare Impact Fee provisions through payment of an Impact Fee pursuant to Article 4.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*
19. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.  
*For information about compliance, contact the First Source Hiring Manager at 415-581-2335, [www.onestopSF.org](http://www.onestopSF.org)*

## INCLUSIONARY AFFORDABLE HOUSING PROGRAM

20. **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 and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

21. **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 and Community Development ("MOHCD") at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing and Community Development'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 and Community Development 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 MOHCD prior to the issuance of the first construction document.
- 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 MOHCD or its successor.
- c. If the 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. **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)*
27. **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.

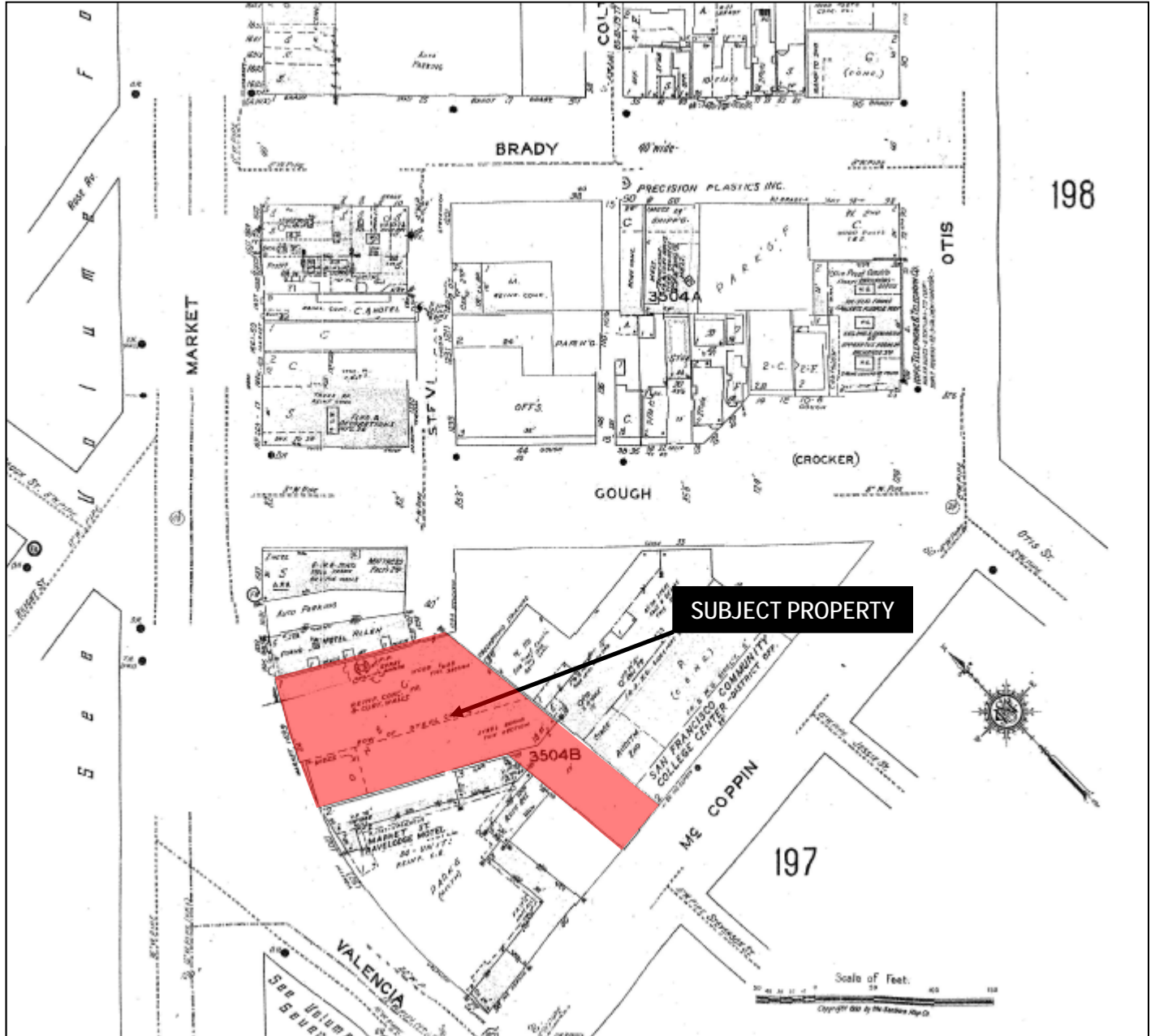
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

# Block Book Map



Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street

# Sanborn Map\*

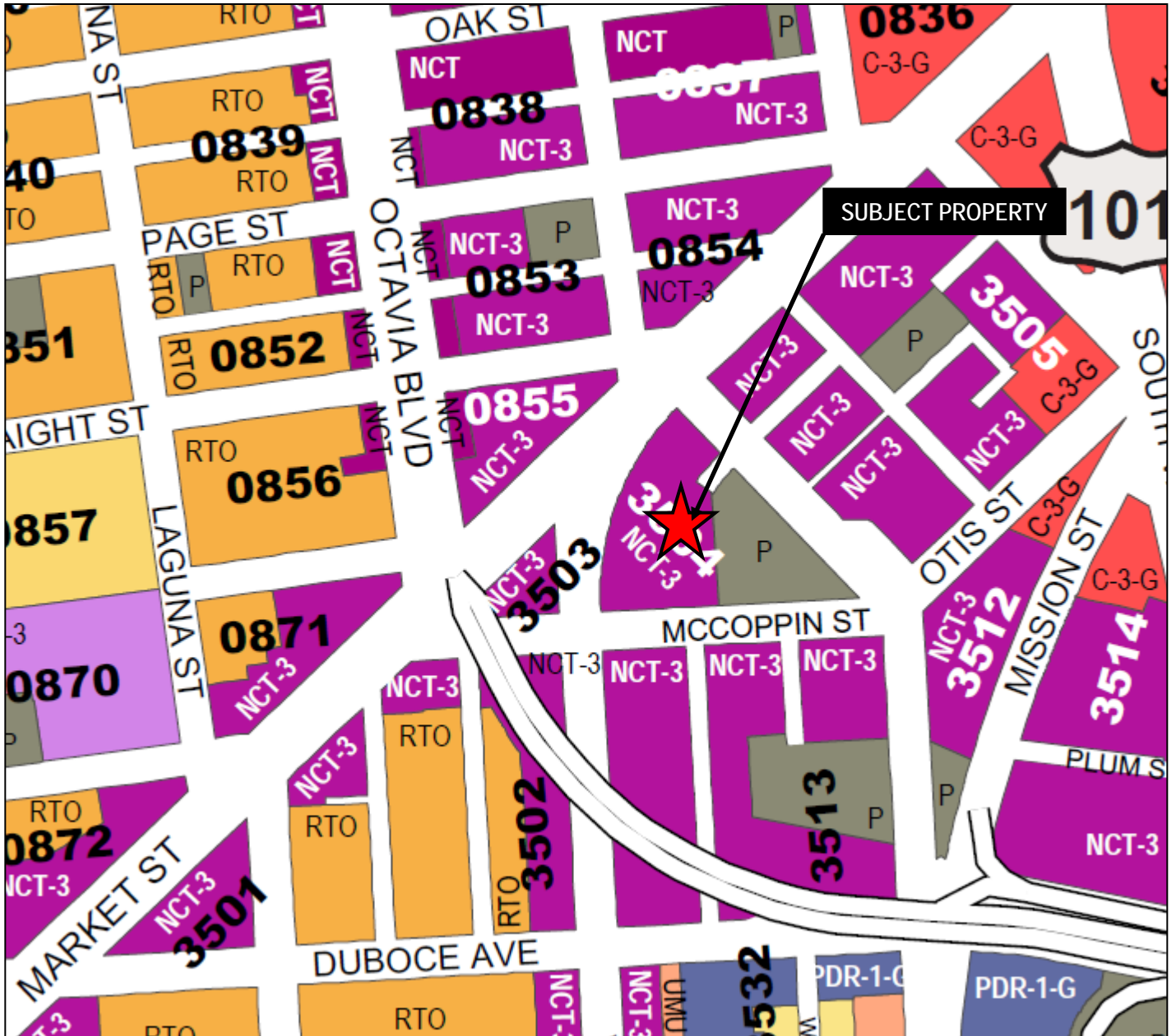


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street

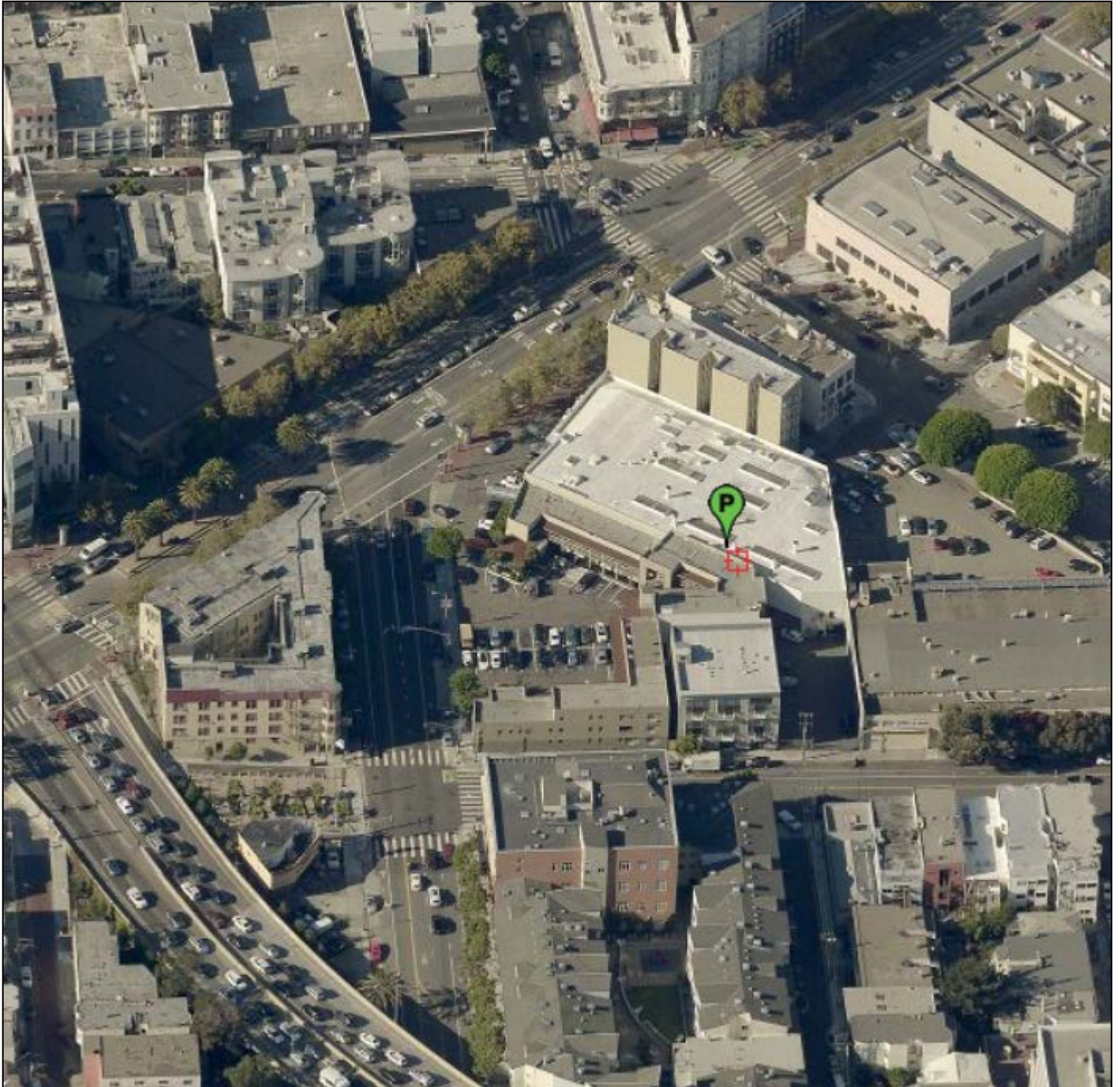
# Zoning Map



Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street

# Aerial Photo

## facing north

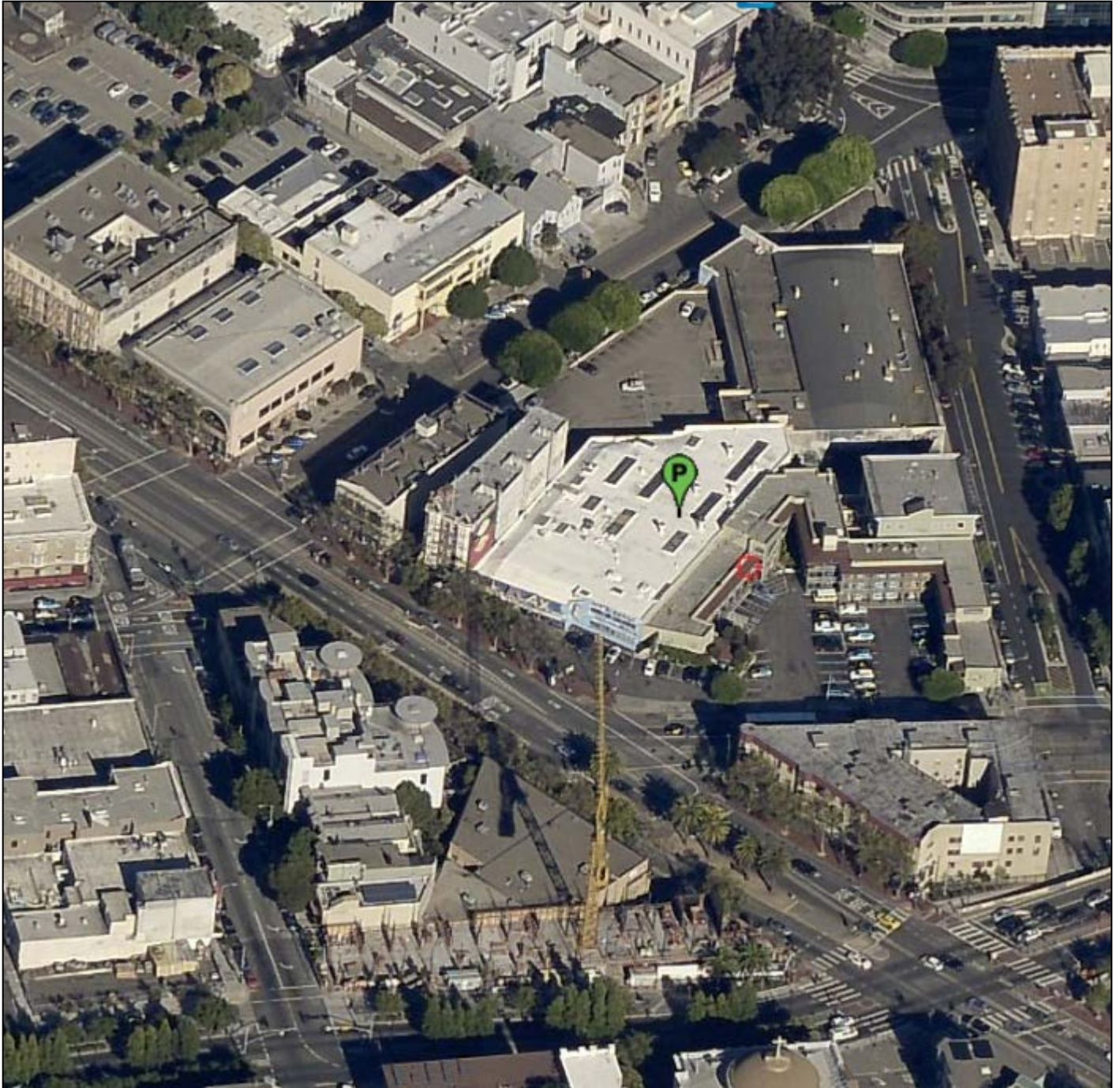


Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street



# Aerial Photo

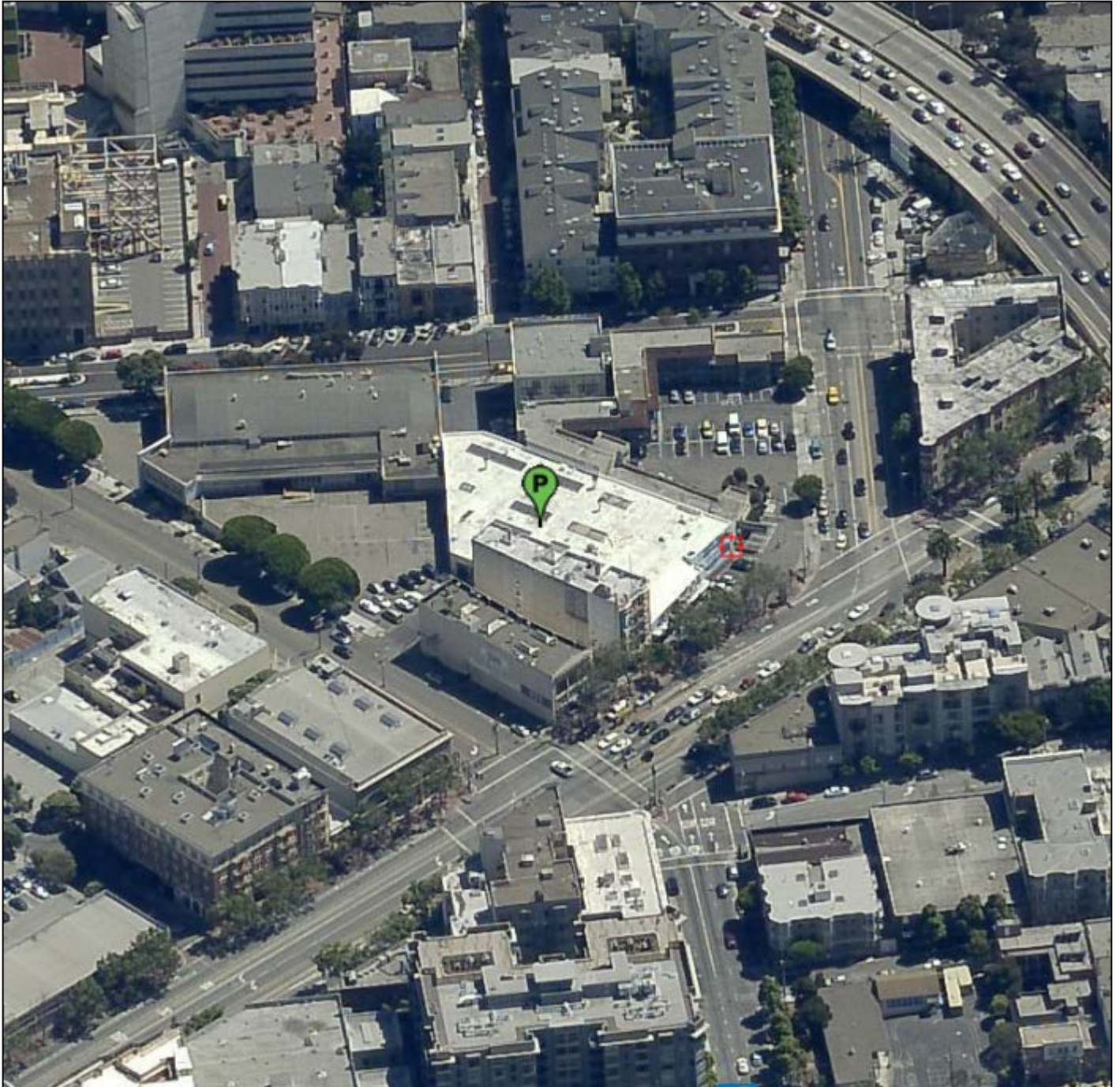
facing east



Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street

# Aerial Photo

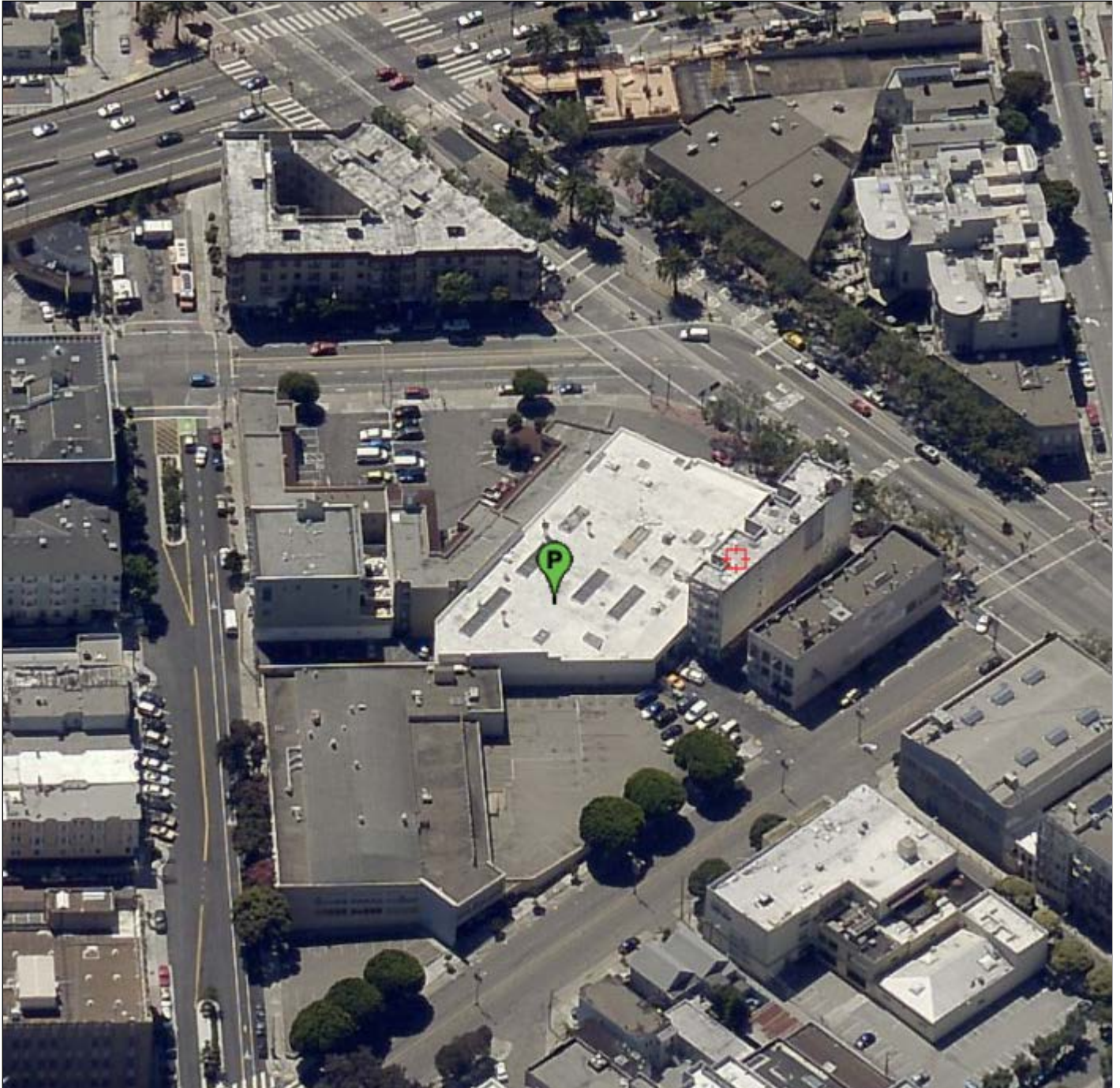
## facing south



Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street

# Aerial Photo

facing west



Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street

# Site Photo

## Market Street frontage



Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street

# Site Photo

## Market Street frontage



Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street

# Site Photo

## McCoppin Street frontage



Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street

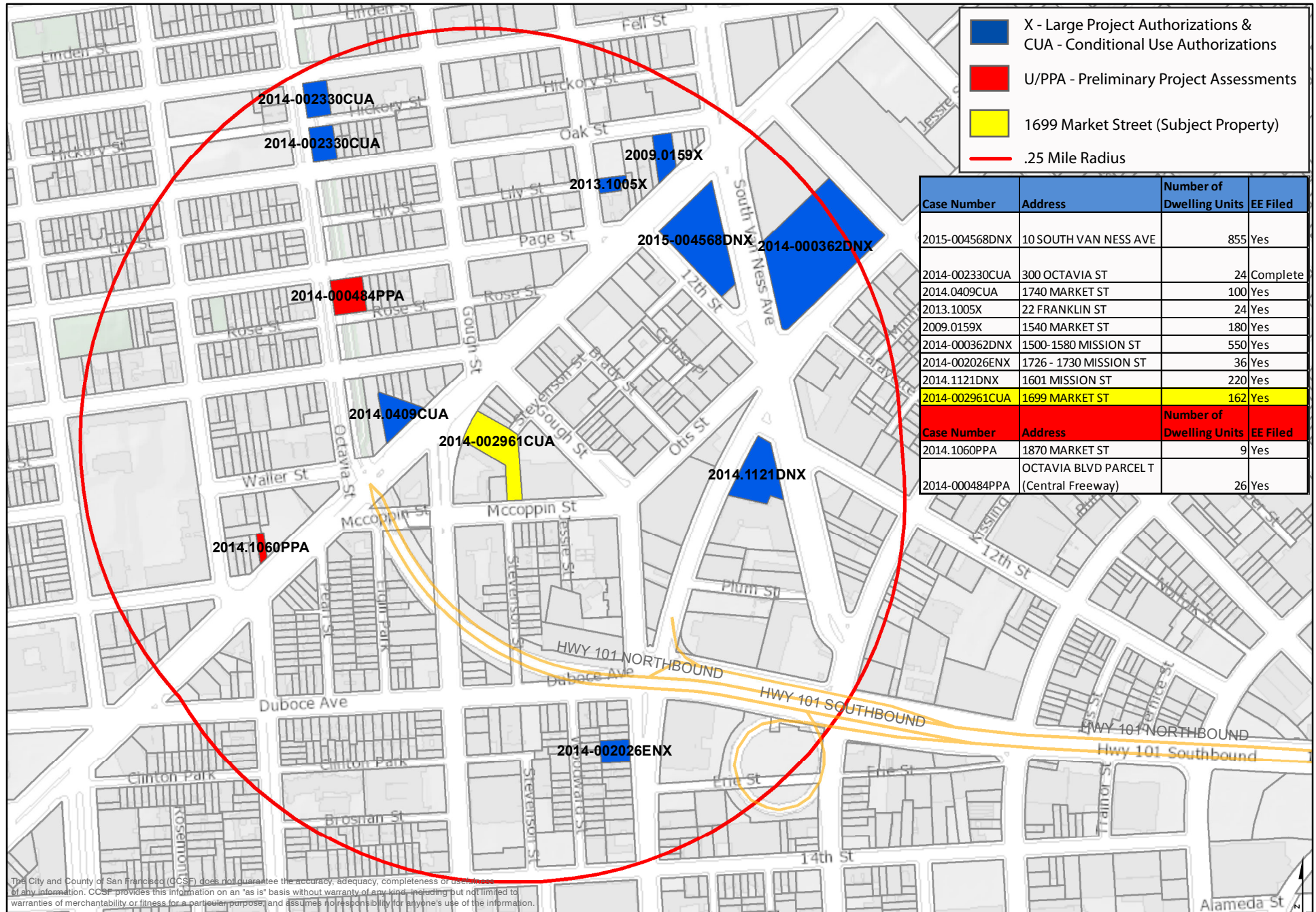
# Site Photo

## Stevenson Street frontage

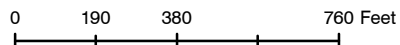


Conditional Use Authorization / PUD  
Case No. 2014.002961CUA  
1699 Market Street

# Major Projects within .25 Mile of 1699 Market Street



The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.





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

March 14, 2016

Date

I, Urban Communities LLC, do hereby declare as follows:

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

1699 Market Street

Address

Block 3504, Lot 030

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:

2014-002961CUA

Planning Case Number

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:

Doug Vu

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 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).

Affidavit for **Compliance with the Inclusionary Affordable Housing Program**

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:

San Francisco, CA

Location

March 14, 2016

Date



Signature

Mark Conroe, Manager

Name (Print), Title

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

415-431-6506

Contact Phone Number

## 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
160		15	81	64	0

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 \_\_\_\_\_ % 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

Affidavit for **Compliance with the Inclusionary Affordable Housing Program**

CONTACT INFORMATION AND DECLARATION OF SPONSOR OF PRINCIPAL PROJECT	CONTACT INFORMATION AND DECLARATION OF SPONSOR OF OFF-SITE PROJECT (IF DIFFERENT)
Company Name Urban Communities LLC	Company Name 
Print Name of Contact Person Mark Conroe	Print Name of Contact Person 
Address 1390 Market Street, Suite 303	Address 
City, State, Zip San Francisco, CA 94102	City, State, Zip 
Phone, Fax 415-431-6506	Phone, Fax 
Email Mark@PresidioDP.com	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.
<div style="text-align: center;">                       _____                      Signature                      Mark Conroe, Manager                      _____                      Name (Print), Title                 </div>	<div style="text-align: center;">                     _____                      Signature                      _____                      Name (Print), Title                 </div>



SAN FRANCISCO  
PLANNING  
DEPARTMENT

# AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM

## Administrative Code

### Chapter 83

1650 Mission Street, Suite 400 • San Francisco CA 94103-2479 • 415.558.6378 • <http://www.sfplanning.org>

#### Section 1: Project Information

PROJECT ADDRESS		BLOCK/LOT(S)	
1699 Market Street		Block 3504, Lot 030	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
	2014-002961CUA		
PROJECT SPONSOR	MAIN CONTACT	PHONE	
Urban Communities LLC	Mark Conroe	415/431-6506	
ADDRESS			
1390 Market Street, Suite 303			
CITY, STATE, ZIP		EMAIL	
San Francisco, CA 94102		mark@presidiotp.com	
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT COMMERCIAL SPACE	ESTIMATED HEIGHT/FLOORS	ESTIMATED CONSTRUCTION COST
162	4500	85' / 9 floors	\$38 million
ANTICIPATED START DATE			
October 2016			

#### Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
<input type="checkbox"/>	Project is wholly Residential
<input type="checkbox"/>	Project is wholly Commercial
<input checked="" type="checkbox"/>	Project is Mixed Use
<input checked="" type="checkbox"/>	A: The project consists of ten (10) or more residential units;
<input type="checkbox"/>	B: The project consists of 25,000 square feet or more gross commercial floor area.
<input type="checkbox"/>	C: Neither 1A nor 1B apply.
NOTES:	
<ul style="list-style-type: none"> <li>If you checked <b>C</b>, this project is <u>NOT</u> subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.</li> <li>If you checked <b>A</b> or <b>B</b>, your project <u>IS</u> subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.</li> <li>For questions, please contact OEWD's CityBuild program at <a href="mailto:CityBuild@sfgov.org">CityBuild@sfgov.org</a> or (415) 701-4848. For more information about the First Source Hiring Program visit <a href="http://www.workforcedevelopmentsf.org">www.workforcedevelopmentsf.org</a></li> <li>If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.</li> </ul>	

Continued...

Section 3: First Source Hiring Program – Workforce Projection

Per Section 83.11 of Administrative Code Chapter 83, it is the developer's responsibility to complete the following information to the best of their knowledge.

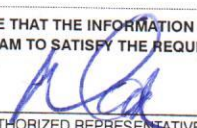
Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

Check the anticipated trade(s) and provide accompanying information (Select all that apply):

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer	-	-	0	Laborer	\$52	3	30
Boilermaker	-	-	0	Operating Engineer	\$75	1	6
Bricklayer	\$78	1	8	Painter	\$81	2	16
Carpenter	\$79	2-4	50	Pile Driver	-	-	0
Cement Mason	\$75	1	8	Plasterer	\$88	1	12
Drywall/Latherer	\$87	2-4	20	Plumber and Pipefitter	\$137	2	20
Electrician	\$106	2	20	Roofer/Water proofer	\$95	2	12
Elevator Constructor	\$222	1	10	Sheet Metal Worker	\$101	1	12
Floor Coverer	\$71	2	16	Sprinkler Fitter	\$72	1	8
Glazier	\$82	2	16	Taper	\$89	2	16
Heat & Frost Insulator	\$75	1	10	Tile Layer/ Finisher	\$52	1	10
Ironworker	\$84	4	20	Other:			
<b>TOTAL:</b>			178	<b>TOTAL:</b>			122

- |  |   |                                     |
|--|---|-------------------------------------|
| 1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage?  | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/>         |
| 2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? | <input type="checkbox"/>                | <input checked="" type="checkbox"/> |
| 3. Will hiring and retention goals for apprentices be established?   | <input type="checkbox"/>                | <input checked="" type="checkbox"/> |
| 4. What is the estimated number of local residents to be hired?  | <u>25</u>                               |                                     |

Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Mark Conroe, Manager	mark@presidiop.com	415/431-6506
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.		
 (SIGNATURE OF AUTHORIZED REPRESENTATIVE)		Feb. 1, 2016 (DATE)

FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG

Cc: Office of Economic and Workforce Development, CityBuild  
 Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415-701-4848  
 Website: www.workforcedevelopmentsf.org Email: CityBuild@sfgov.org

# REUBEN, JUNIUS & ROSE, LLP

March 15, 2016

## Delivered via E-Mail

President Rodney Fong  
San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

**Re: 1699 Market Street  
Planning Case No. 2014.002961  
Hearing Date: March 24, 2016  
Our File No.: 7861.01**

Dear President Fong and Commissioners:

This office represents Urban Communities LLC, the sponsor (“Sponsor”) of a proposed mixed-use development (the “Project”) at 1699 Market Street, Assessor’s Block 3504, Lot 030 (the “Property”).

The Property is located on the south side of Market Street between Valencia and Gough Streets, in the South of Market neighborhood. The Sponsor proposes to demolish an existing two-story commercial structure and surface parking lot, and construct an attractive new 9-story mixed-use building containing 160 residential units and 3,664 gross square feet of ground floor retail on Market Street.

The Project is smart infill development that will improve a currently underutilized lot and further policies of the Market & Octavia Area Plan by locating mixed-use residential development in close proximity to the City’s central core and public transit. The Sponsor respectfully requests that the Planning Commission approve the Project and grant a Conditional Use Authorization to allow:

1. Development of a lot greater than 10,000 square feet in the NCT-3 District; and
2. A Planned Unit Development (“PUD”) for new construction of a project on a site greater than ½ acre, with exceptions for (a) rear yard setback (b) dimensions of usable open space within inner courtyards; and (c) off-street loading.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin  
Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben<sup>1</sup> | Tuija I. Catalano | Thomas Tunny  
David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Stephanie L. Haughey  
Chloe V. Angelis | Louis J. Sarmiento | Jared Eigerman<sup>2,3</sup> | John McInerney III<sup>2</sup>

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

One Bush Street, Suite 600  
San Francisco, CA 94104

tel: 415-567-9000  
fax: 415-399-9480

www.reubenlaw.com

We look forward to presenting the Project to you on March 24, 2016.

**A. Surrounding Neighborhood**

The Property is an irregularly-shaped lot fronting on the south side of Market Street between Valencia and Gough Streets, near the northwest corner of the South of Market neighborhood and within the Market & Octavia Area Plan. It has limited frontage on Stevenson and McCoppin Streets, and currently contains a two-story commercial building (d.b.a Flax Art & Design) and an associated surface parking lot. The Property is within the NCT-3 (Moderate Scale, Neighborhood Commercial Transit) Zoning District, and 85-X Height and Bulk District.

The owner of Flax Art & Design (“Flax”) has decided to leave the existing commercial space. The Sponsor has spent the last two years working with Flax, to help them relocate in San Francisco and found them their new Ft. Mason location. It was very important to the Sponsor, as a local San Franciscan, to keep Flax in town and ensure a smooth transition.

The neighborhood is a vibrant mix of residential, retail/commercial, office and institutional uses, varying in scale. The Property is bounded to its west by Market Street, the City’s most prominent thoroughfare, and Valencia Streets; to its south by the two-story San Francisco Central Travelodge; to its north by a five-story residential hotel; and to its east by Stevenson Street and a two-story administrative office building for the City College of San Francisco.

The area is extremely well served by public transit, and is ideally situated for residential development, as it is located in close proximity to jobs in the City’s downtown and mid-Market core.

**B. Project Description**

The Project proposes to demolish the existing two-story commercial structure and surface parking lot, and construct a 9-story, 84-foot tall mixed-use building. The Project would include 3,664 square feet of active commercial use along Market Street, and 160 residential units comprised of 15 studio units, 81 one-bedroom units, and 64 two-bedroom units. The Project’s two-bedroom units would be suitably sized for family occupancy.

A below-grade parking garage will provide 77 residential parking spaces, 3 commercial parking spaces, and 2 car-share spaces, with vehicular access located off Stevenson Street. The Project will contain 128 Class 1 bicycle parking spaces (10% more than what is required by Code) and 33 Class 2 bicycle parking spaces (over double of what is required by Code). The Project would also provide 2 car-share spaces, where only 1 is required by Code.

Approximately 17,000 square feet of common open space will be provided through attractively-landscaped areas including two interior courtyards at the building’s lower levels

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containing a combined 6,180 square feet, approximately 6,605 square feet of accessible green roof areas, and two rooftop decks containing a combined 4,215 square feet. This *exceeds the 16,000 square feet required by the Planning Code*; however, the project is seeking an exception as part of the PUD authorization from certain dimensional requirements at the inner courtyards, as described below.

The Project will put an underutilized property on a prominent site to more productive use, and will directly further policies of the Market & Octavia Area Plan, which encourages the production of residential uses and development of mixed-use infill projects along Market Street with varying scale and stature.

### C. Summary of Project Benefits

The Project will provide significant benefits to the City, including the following:

- **Provides smart infill development.** The Project will construct an attractive new mixed-use residential and retail development on an underutilized site that is in close proximity to jobs within the City's downtown and mid-Market core, and is within easy walking distance public transit. The Property is just two blocks from the Market Street & South Van Ness Avenue MUNI Metro Station, providing access to MUNI light rail lines, and is within easy walking distance of both the Civic Center and 16<sup>th</sup> & Mission Street BART stations, connecting commuters to areas throughout the City, the East Bay, and the Peninsula. In addition, it is located near to a range of MUNI bus lines, including the 6, 7, 14, 14L, 16A, 16B, 47 49, 71, and 90-OWL Lines.
- **Adds 160 new dwelling units to the City's housing stock.** San Francisco is suffering from a housing shortage that has resulted in pent-up demand and an undesirable escalation in rental and for-sale housing prices. The Project would construct 160 new units, comprised of 15 studio units, 81 one-bedroom units, and 64 two-bedroom units. The two-bedroom units would be suitably sized for family occupancy. This will help to incrementally alleviate housing demand and diversify the range of options available within the neighborhood.
- **Significant street improvements.** The Project will dramatically beautify the streetscape adjacent to the site, including installation of attractive new seating, landscaped planters, and resurfacing of an approximately 1,500 square-foot patio area along Market Street as well as approximately 2,100 square feet of public realm space. This will activate the streetscape adjacent to the new retail frontage and significantly improve pedestrian experience in the area.
- **Provides development consistent with the Market & Octavia Area Plan.** The Projects' scale and proposed land uses are consistent with the underlying zoning adopted through the Market & Octavia Area Plan, and Project would further

policies and objectives of the Plan, which encourage production of new residential uses and development of mixed-use infill projects on Market Street with varying scale and statute. This includes *Policy 1.1.2* to “concentrate more intense uses and activities in those areas best served by transit and most accessible on foot,” and *Policy 1.1.5* to “Reinforce the importance of Market Street as the city’s cultural and ceremonial spine” by providing active ground floor commercial uses and encouraging high-density residential uses above the ground floor.

- **Eliminates a surface parking lot.** The Project would eliminate the type of surface parking that is discouraged by current Planning Department policy and replace it with an attractive, architecturally interesting development and landscaping, including new street trees.
- **Creates jobs.** In the short-term, the Project will create construction jobs. In the long-term, the new ground floor retail space is anticipated to create full and part-time positions, which may be filled by local residents.

#### **D. Required Project Approvals**

The Project requires Conditional Use Authorization pursuant to Planning Code Sections 303, 304, and 121.1 for the development of a lot greater than 10,000 square feet in the NCT-3 zoning district, and for a PUD with exceptions from rear yard setback (Section 134); dimensional requirements for usable open space (Section 135); and off-street loading (Section 152). These exceptions are minor in nature, as described below:

- **Development of Large Lots.** Planning Code Sections 121.1 requires Conditional Use Authorization for the development of a lot that is greater than 10,000 square feet. The Project Site is 27,708 square feet. Therefore, the Project Sponsor is seeking Conditional Use Authorization to allow for the development of a lot greater than 10,000 square feet.
- **Rear Yard Setback.** The Project is an irregularly-shaped lot; providing a standard rear yard setback would significantly and undesirably restrict development potential. In lieu of a traditional setback, the Project would provide multiple landscaped open areas which meet the intent of Section 134, including a 4,455 square-foot courtyard beginning at the first and second levels, a 2,488 square-foot courtyard beginning at the first level, and a 466 setback along a portion of the north property line. The combined area of these spaces would exceed the area required for a code compliant rear yards.
- **Usable Open Space.** The Project would provide approximately 17,000 square feet of common usable open space through a number of attractively-landscaped areas, including a variety of inner courts at rooftop decks. This does not account

for the significant publicly open area along the Market Street frontage (approximately 3,600 square feet) that will benefit from the Project's significant streetscape improvements. However, the project is seeking an exception from the dimensional requirements of common usable open space within the inner courts under Planning Code Section 132(g)(2), as the wall created by the building is taller than the width of the courtyard features. This exception is justified, as the Project has maximized usable open space elsewhere within the irregularly-shaped lot, and the impact on usability of the inner courtyards will be minimal. These attractively-landscaped areas will provide ample access to light and air, creating functional and enjoyable outdoor recreation space for building occupants.

- **Off-Street Loading.** Planning Code Section 152 requires 1 off-street loading space for projects containing between 100,000 and 200,000 gross square feet ("gsf") of residential use. The Project would contain more than 100,000 gsf of residential use, but proposes to provide a 10' X 25' on-street loading space along Stevenson in lieu of the off-street requirement. It is anticipated that this space will be sufficient to meet the limited loading needs of project residents.

In addition, the Project is seeking an exception from the Zoning Administrator under Planning Code Section 260(b)(1)(B), for a minor increase to the area of exempt elevator penthouse height (approximately 2.5 feet), as necessary to meet state and federal elevator design requirements.

#### **E. Community Outreach**

The Sponsor has conducted a number of meetings to present the Project and hear neighborhood input. To date, the Project has received four letters in favor of the project. The letter provided by Flax (the existing tenant) praises the Sponsor for working with them conscientiously over the past two years to help them find a new home in San Francisco (resulting in their new location in Ft. Mason); other letters praise the Sponsor for the project design, for reducing car parking and increasing bike parking over what was originally proposed, and for proactively reaching out to them over the past year.

The Sponsor has conducted outreach to the adjacent neighbors and community groups who may have an interest, including the Hayes Valley Neighborhood Association (HVNA), the Market/Octavia Community Advisory Committee, the Castro/Eureka Valley Neighborhood Association, the Valencia Corridor Merchant Association and the Civic Center CBD. The Sponsor hosted one pre-application meeting. Additionally, the Sponsor attended a community meeting with HVNA as well as had a number of meetings, emails and calls with the neighbors (to include the Allen Hotel/Delessio [1693 Market St], 68 McCoppin owners and residents, City College [33 Gough], 95 McCoppin residents, McRoskeys and the Travelodge [1707 Market St]). These meetings resulted in the Sponsor modifying the proposed project design by: a) reducing the car parking ratio from 0.75 to 0.48 per unit; b)

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President Fong and Commissioners

March 15, 2016

Page 6

increasing the public (Class 2) bike parking spaces to be over twice what is required by code and providing more Class 1 bike parking spaces than required by code; c) doubling the Car Share spaces that are required by code; d) redesigning the project façade to be more compatible with the surrounding buildings; e) providing more on-site amenities for the residents; and f) redesigning the Market Street plaza area to provide functional public realm space with future programming possibilities.

**F. Conclusion**

The Project would create an attractive new mixed-use residential and retail building on an underutilized lot, in keeping with the evolving neighborhood character and directly furthering policies and objectives of the Market & Octavia Area Plan. The Project will provide active ground floor retail use along Market Street and substantial new streetscape improvements that will dramatically improve pedestrian experience. The Project will also add 160 desirable new housing units, including 68 two-bedroom units, to the City's housing stock. For these reasons, we urge you to support this Project.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**



Melinda Sarjapur

cc: Commissioner Vice-President Dennis Richards  
Commissioner Michael J. Antonini  
Commissioner Rich Hillis  
Commissioner Christine D. Johnson  
Commissioner Kathrin Moore  
Commissioner Cindy Wu  
Jonas P. Ionin – Commission Secretary  
John Rahaim – Planning Director  
Scott Sanchez – Zoning Administrator  
Douglas Vu – Project Planner

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January 18, 2016

Mark Conroe  
Presidio Development Partners, LLC  
1390 Market Street, Suite 303  
San Francisco, CA 94102

Re: 1699 Market Street

Dear Mark,

I wish to express my appreciation for the support you have provided to Flax. At the onset Presidio Development Partners established a cooperative relationship that has resulted in our company being well positioned for the future.

Your firm was a great advocate and advisor as we searched for a new site in San Francisco to relocate our flagship store. Particularly during the extensive due diligence pursuing the 3146 Mission Street and 1465 Folsom locations, I was grateful for the onsite consultations and your firm's presence at the meetings with the Planning Dept.

Credit is due you for the introduction that ultimately led to the opening of our new store at Fort Mason Center (FMC) last November. Soon it will be our exclusive San Francisco location, and sales are strong!

I wish you much success with the development project. From all appearances you'll be helping to meet outrageously pent up demand for housing. Over the past 18 months I have met a number of people who know you and respect you, and I can see why. You have a knack for doing the right thing.

My family and I find relief in the extra time that has been granted us at 1699 Market as we wind down operations and ready for the move. Please also extend my sentiments to Jim, Lynn and Kris. We have appreciated the good working relationship we have had with the landlord/owner over the past 38 years and the two years of advance notice they gave us regarding their desire to pursue a higher use of their property. It's been a good run.

Best Regards,

A handwritten signature in blue ink that appears to read 'Howard'.

Howard

February 1, 2016

San Francisco Planning Commission  
1650 Mission St #400,  
San Francisco, CA 94103

**1699 Market Street Proposed Residential Project**

Dear Planning Commissioners,

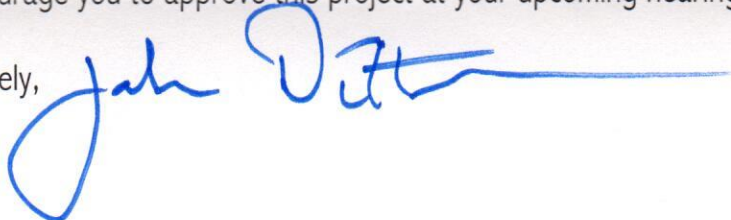
I live at 1693 Market Street, room 306 in San Francisco; I have lived there for 3 years. The building that I live in is immediately adjacent to the proposed project at 1699 Market Street.

Over the past two years I have met several times with the developer of the proposed project, Mark Conroe of Urban Communities LLC, to review the project plans. I like the idea of building new apartments along the Muni lines and walking distance to BART; I like that the affordable housing units are being built within the project; I like the amenities that they are offering residents of the project; and I like that they are limiting car parking to encourage the use of bikes and public transportation.

I think this project design is well thought out and would be a nice improvement to our neighborhood.

I encourage you to approve this project at your upcoming hearing.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Dittmar", with a long horizontal flourish extending to the right.

John Dittmar



Mr. Mark Conroe  
Presidio Development Partners, LLC  
1390 Market Street, Suite 202  
San Francisco, CA 94102

January 11, 2015

**Ref: 1699 Market Street - Mixed-Use Development**

Dear Mr. Conroe,

Thank you for presenting your plans for 1699 Market Street to our Project Review Committee on November 18, 2015. After thorough review and discussion, we are pleased to endorse the project. We believe it has merit and aligns with our mission of increasing the supply of well-designed, well-located at all levels of affordability in San Francisco. Please review our letter, which explains how your project meets our guidelines. Also see our report card, which grades your project according to each guideline. We have attached a copy of our Project Review Guidelines for your reference.

**Project Description:** You propose to demolish the existing art supply store and construct 162 homes with space for a restaurant on the ground floor and subterranean parking for 97 cars.

**Land Use:** Flax Art and Design currently occupies the site. While this is a treasured business in San Francisco, it's a single story building with notably low intensity of land use. Housing is a much more appropriate use for this transit-rich location.

**Density:** The project takes advantage of the building envelope and proposes a mix of unit types, 40 percent of which would be two-bedrooms. We believe you have maximized the site's capacity subject to attractively designing the building.

**Affordability:** The below-market-rate (BMR) units will be located on site, 12 percent of the total unit count. We encourage you to look into the using the state density program or local Affordable Housing Bonus Program (AHBP) as a way to increase this percentage. We also suggest you look into the inclusionary "dial" to provide more BMRs for a greater range of incomes.

**Parking and Alternative Transportation:** The site is within walking distance of two BART stations and several Muni bus and rail stops, as well as numerous neighborhood amenities and job centers. We would urge you to reduce the car parking to the as-of-right ratio of 0.5 spaces per unit and for the bike parking to be increased to one space per bedroom. We consistently hear from developers in this area that they've overestimated the need for car parking and underestimated it for bike parking.

Mr. Mark Conroe  
January 11, 2016  
Page Two

**Preservation**: There are no structures of significant cultural or historic merit on or near the site that would be impacted by the proposed project.

**Urban Design**: Our members all agreed that the ground floor is well planned and appreciate the way it spills out into the plaza. We also commend you for successfully taking on a challenging, odd-shaped site. Open space requirements would be provided with a roof deck and interior courtyard.

While our members do not generally deeply review the architectural design of buildings we review, our Committee encourages boldness by the architect whenever possible.

**Environmental Features**: You stated that the building would achieve LEED Silver. We encourage you to implement additional features that might further green the building, especially for water conservation.

**Community Input**: We commend the work you have done to successfully relocate Flax Art and Design to a new location in Fort Mason and the East Bay. We strongly encourage you to meet with more neighbors, including the Hayes Valley Neighborhood Association (HVNA), as well as our trade union members, some of whom have offices near your site.

Thank you for presenting your plans for 1699 Market Street to our Project Review Committee. We are pleased to endorse the project. Please keep us abreast of any changes and let us know how we may be of assistance.

Sincerely,



Tim Colen  
Executive Director



## **SFHAC Project Review Guidelines**

**Land Use:** Housing should be an appropriate use of the site given the context of the adjacent properties and the surrounding neighborhood and should enhance neighborhood livability.

**Density:** The project should take full advantage of the maximum unit density and/or building envelope, allowable under the zoning rules.

**Affordability:** The need for affordable housing, including middle income (120-150 of Area Median Income) housing, is a critical problem and SFHAC gives special support to projects that propose creative ways to expand or improve unit affordability beyond the legally mandated requirements.

**Parking and Alternative Transportation:** SFHAC expects the projects it endorses to include creative strategies to reduce the need for parking, such as ample bicycle storage, provision of space for car-share vehicles on-site or nearby, un-bundling parking cost from residential unit cost, and measures to incentivize transit use. Proximity to transit should result in less need for parking.

In districts with an as-of-right maximum and discretionary approval up to an absolute maximum, SFHAC will support parking exceeding the as-of-right maximum only to the extent the Code criteria for doing so are clearly met. In districts where the minimum parking requirement is one parking space per residential unit (1:1), the SFHAC will not, except in extraordinary circumstances, support a project with parking in excess of that amount.

**Preservation:** If there are structures of significant historic or cultural merit on the site, their retention and/or incorporation into the project consistent with historic preservation standards is encouraged. If such structures are to be demolished, there should be compelling reasons for doing so.

**Urban Design:** The project should promote principles of good urban design: Where appropriate, contextual design that is compatible with the adjacent streetscape and existing neighborhood character while at the same time utilizing allowable unit density: pleasant and functional private and/or common open space; pedestrian, bicycle and transit friendly site planning; and design treatments that protect and enhance the pedestrian realm, with curb cuts minimized and active ground floor uses provided.

Projects with a substantial number of multiple bedroom units should consider including features that will make the project friendly to families with children.

Mr. Mark Conroe  
January 11, 2016  
Page Four

**Environmental Features:** SFHAC is particularly supportive of projects that employ substantial and/or innovative measures that will enhance their sustainability and reduce their carbon footprint.

**Community Input:** Projects for which the developer has made a good faith effort to communicate to the community and to address legitimate neighborhood concerns, without sacrificing SFHAC's objectives, will receive more SFHAC support.



March 14, 2016

San Francisco Planning Commission  
City Hall Room 400

**RE: 1699 Market Street**

Dear President Fong and Planning Commissioners,

The Hayes Valley Neighborhood Association's Transportation & Planning Committee, based on our sixteen-years supporting the Market and Octavia Better Neighborhoods Plan, opposes the current version of the proposal at 1699 Market Street. We urge the developer, with guidance from the planning commission, to make the following changes to the proposal:

- 1) The project should include a minimum of 20 percent on- site BMR
- 2) Zero parking
- 3) Careful consideration of the public right of way at the intersection of Valencia and Market Streets.

We point out that the current proposal ignores the Market and Octavia Plan's urban design standards for maximizing ceiling height with 15-foot ground floor retail spaces. Instead the developer is squeezing in an additional upper floor for market rate residential units, and creates considerably more value conferred to the developer. With that in mind we suggest that an increased increment of on-site BMR and zero parking represent a fair exchange. In this letter we detail our position and expectations for this proposal.

In the Market and Octavia Plan planning process, the community worked closely with city planners to create strong urban design standards. In projects like the proposal at 1699 Market, the ground floor is supposed to be at 15 feet height, and the 85-foot height limit enables seven additional standard stories for residential units. That was the clear intent through the hundreds of hours of discussions with the community about "gracious ground floor ceilings" enabled by adding another five feet to building envelopes. In this proposal the five extra feet of height is being used to squeeze in an extra residential floor, making a total of 9 stories in what was intended for 8 stories. If this is allowed, the developer is effectively getting extra value conferred without giving any extra public benefit. We ask that the planning staff and commission press any developer squeezing in extra floors to do a higher inclusionary level – 20% BMR. We also point out that the developer is seeking modifications in the required rear yard, open space, and off-street loading, and so even more value is being conferred without public benefit.

For HVNA to support this development, the following must be part of the project:

**20% BMR units:** The developer is proposing 12% BMR on site but we believe more BMR's can be added using a tiered approach. Pressing developers to provide 20% BMR in Upper Market is the sentiment of HVNA, DTNA, EVPA and other neighborhood groups in the Market Street Corridor. There is also a June 2016 ballot measure proposing all new developments include 25% BMR, and so what we are asking for is less than what will likely soon become the standard. HVNA asks that 12% of the BMR target low income (55% AMI) and that another 8% BMR target moderate income households (90-110% AMI). We have asked this of the developer and that they memorialize this in writing to the Planning Commission and Board of Supervisors.

HVNA also points out that 20% BMR is aligned with the Planning Department's proposed Affordable Housing Density Program, in that by squeezing-in an extra floor, the developer is increasing density. We believe that **Fairness requires increased BMR to 20%** at this site.

**Zero Parking:** 1699 Market is in an extremely bikeable, walkable, transit rich location. It doesn't get any better than this. Yet the developer wants to load the site with 86 parking spaces, forgoing any potential to make Stevenson Street a living alley, and dumping more cars onto already constrained Market Street (as well as Valencia and Gough). The site is zoned for zero parking minimums, so zero parking is an easy option. We also point out that the underground parking structure will incur significant costs to the construction of the project, which will be passed on to renters. This is bad housing policy, especially at a time when so few San Franciscans can afford housing in the city.

**Public ROW:** The area in front of 1699 Market that is currently mostly surface parking is actually mostly public right of way. We ask that the developer and city work together to make sure that there is a adequate space for bicycling, including future capacity for 15-20% mode share or higher. There must be a good bikeway and this can be made into a notable space for cycling. We also suggest widening the sidewalk and improving the pedestrian crossing of Valencia.

In addition to the three major concerns above, we also have these suggestions for the project:

**Commercial Space:** We suggest that instead of a floor plate of one or two large retail spaces, that the developer consider a micro-retail approach. This might fit in well with the lower ground floor heights, and the high volume of bicycle and foot traffic makes this a great site for neighborhood serving micro-retail. Micro-retail might be a viable way for small businesses to afford space in a high traffic area of the city at a time when many small businesses can't survive the inflated rents.

**Design:** The developer should consider something other than stucco on the upper floors facing Market Street. We also have concerns about the two massive west-facing blank walls that would overlook the neighboring Travelodge and be visible from Market Street. Given their prominence, these walls deserve careful design attention—if not architectural then possibly they could serve as a canvas for a mural or another type of art feature.

In summary, HVNA welcomes new, dense infill to this site. However, this is a centrally located development where the city needs to be encouraging as much affordable housing as possible, and where the investment value for the developer is significant. Expecting 20% BMR is fair, especially given that this project proposes the extra floor of residential and lower ground floor retail heights. The site is adjacent to some of the best cycling and walking spaces on the west coast, and near an array of high capacity public transit. It should maintain the zero parking for which it is currently zoned. And the public right of way on Valencia and Market warrants exceptional bicycle and pedestrian improvements.

We urge you to make this an excellent development that truly reflects the city's affordable housing and sustainable transportation goals.

Sincerely,

A handwritten signature in black ink, appearing to read 'JH', followed by a long horizontal line extending to the right.

Jason Henderson  
Chair, Transportation and Planning Committee,  
Hayes Valley Neighborhood Association  
300 Buchanan Street, #503  
San Francisco, CA  
94102  
(415)-255-8136  
[jhenders@sbcglobal.net](mailto:jhenderson@sbcglobal.net)

**From:** [Mark Conroe](#)  
**To:** [Vu, Doug \(CPC\)](#)  
**Subject:** FW: HVNA Letter - 1699 Market  
**Date:** Wednesday, March 16, 2016 3:44:49 PM

---

Doug,

Here is my response to Jason Henderson's letter that we received today. If you include his letter in the PC package, can you also include our response?

Thanks,

Mark

-----Original Message-----

From: Mark Conroe  
Sent: Wednesday, March 16, 2016 3:41 PM  
To: 'Jason M Henderson'; Gail  
Subject: RE: HVNA Letter - 1699 Market

Dear Jason,

I appreciated the opportunity to present our project to you and HVNA on March 7. I am disappointed that you are opposing our project when it is consistent with the Market Octavia Plan and provides much needed rental housing to this transit (and bike) rich location. I wanted to address a few issues you raised in your letter which are incorporated in the project design going before the Planning Commission on March 24:

- Commercial space: We are providing over 18' of height for our commercial space to provide the "gracious ground floor ceilings" that you refer to. The plans sent to you on Feb. 25 show this. Maybe you saw an earlier version which didn't have this?
- Public ROW: We spent a lot of time with the City discussing the space in front of our project (which has been used for private purposes the past 70 years) to come up with a community-friendly solution. The solution shown on our plans reflects these extensive discussions. Over 60% of this space will be used solely for public-realm activities; in fact, we are paying to improve this area so it can be programmed for public realm uses in the future. The remaining 40% will provide outdoor seating for our restaurant(s) to activate and create a vibrant scene along Market Street.
- Design: Since meeting with you last week, the City asked us to redesign the project to create a better transition to the Allen Hotel and otherwise improve the Market Street façade. I have attached new renderings reflecting these changes. This is what will be presented to the Planning Commission. As I mentioned during our meeting, I am supportive of a mural on our west facing building walls.
- BMRs and Parking: We are meeting City code requirements.

I hope that you can support this important project. Having a single-story warehouse building at this location is a poor use in what would otherwise contribute to providing much needed housing at one of the best transit and bike friendly sites in San Francisco.

Sincerely,

Mark

-----Original Message-----

From: Jason M Henderson [<mailto:jhenderson@sbcglobal.net>]  
Sent: Wednesday, March 16, 2016 9:07 AM  
To: Mark Conroe; Gail  
Subject: HVNA Letter - 1699 Market

Mark

First, thank you for spending time going over your proposal with us. HVNA stands firmly in support of dense infill housing at sites like this, and our longstanding support of the Market and Octavia Plan dovetails with this project nicely.

However you are aware that we had concerns, and they are detailed in the attached letter. We hope to make this the best project for the plan area as well as this key site in the city and so respectfully ask you consider our requests. We've also sent, this morning, the letter to the planning staff and committee.

thank you,

-jh

--

Jason Henderson  
Chair, HVNA Transportation & Planning Committee San Francisco, CA 94102



February 27, 2016

RE: 1699 MARKET STREET PROPOSED PROJECT

Dear Planning Commissioners,

I am a long-term San Francisco business owner and resident, who owns Delessio Market & Bakery adjacent to the proposed project at 1699 Market Street.

The developer, Mark Conroe of Urban Communities, took the time to describe the proposed project in detail, and I found his plan to be well-conceived, attractively designed, and a positive addition to our Mid-Market neighborhood.

Since meeting with him, I have learned that Mark Conroe has been responsible for a number of high-quality projects in San Francisco during his career. Additionally, I found it reassuring that he lives and works in San Francisco and has his offices only a few blocks from my business and the proposed building site. Based on this information, I believe he truly understands the needs of the neighborhood and has a personal, long-term interest in its betterment.

In conclusion, for all the reasons listed above, I urge you to approve this project at your upcoming hearing. If for any reason you need to reach me directly, please email me at [james@delessiomarket.com](mailto:james@delessiomarket.com).

Sincerely,

A handwritten signature in blue ink that reads "James D. Faber".

James Faber, owner/ceo



February 24, 2016

San Francisco Planning Commission  
1650 Mission St., Ste 400  
San Francisco, CA 94103

**1699 Market Street Proposed Residential Project**

Dear Planning Commissioners,

I have lived at 95 McCoppin Street in Francisco for the past 14 years. My unit faces McCoppin St. and is nearly directly across the street to the proposed 1699 Market Street project's McCoppin Street facade.

At a public meeting in June 2014 with the developer, Urban Communities, they presented their proposed plan (which is very consistent with what is before you today) and gave neighbors the opportunity to ask questions and addressed those questions. I was glad to learn at that meeting that Urban Communities intends to own and manage this building and have on site property management. The neighbors present also appreciated that the main garage entrance and trash pick up location for 1699 Market is located on Stevenson and not busy McCoppin St.

I think the project's design is well thought out and is a good use of the site. The fact that they are providing the below market housing requirement on site is exciting since this will increase the affordable housing stock in our neighborhood. It is also appropriate that they limited the on-site parking to 0.5 spaces per unit and have provided car share spaces and public bike parking greater than required by code. This is a great bike and pedestrian neighborhood and I'm sure the abundant bike parking will be well used and the car parking be less used as the 1699 Market Street residents realize that it is much easier to walk in our neighborhood than drive. Their on-site car share spaces will be useful to the future residents.

I hope they will be successful and focused in leasing out the commercial space at the ground floor. I'm sure you are aware that many of the new market rate developments on Market Street have not been focused on leasing their commercial space, leaving large vacant spaces in the neighborhood where the homeless feel comfortable inhabiting. This, unfortunately, creates an unsafe environment for pedestrians.

I encourage you to approve this project at your upcoming hearing. Should you have questions regarding the above, please contact me at [schristen20002000@yahoo.com](mailto:schristen20002000@yahoo.com).

Sincerely,



Sharon Christen  
95 McCoppin St. E209  
San Francisco, CA 94103



Urban Communities LLC

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CONDITIONAL USE & PLANNED UNIT DEVELOPMENT (PUD) SUBMITTAL

# 1699 MARKET STREET RESIDENCES

12\_19\_14; updated 05\_13\_15; updated 11\_13\_15  
updated 02\_25\_16; updated 03\_14\_16





1. NEIGHBORING PROPERTY; LOOKING SOUTH-WEST DOWN MARKET



2. SUBJECT PROPERTY



3. SUBJECT PROPERTY



4. NEIGHBORING PROPERTY; LOOKING NORTH-EAST UP MARKET





5. NEIGHBORING PROPERTY; LOOKING NORTH UP VALENCIA



6. NEIGHBORING PROPERTY, LOOKING EAST UP McCOPPIN



7. LOOKING AT SUBJECT PROPERTY, ACROSS MCCOPPIN



8. NEIGHBORING PROPERTY, LOOKING WEST DOWN McCOPPIN





DEVELOPMENT SITE

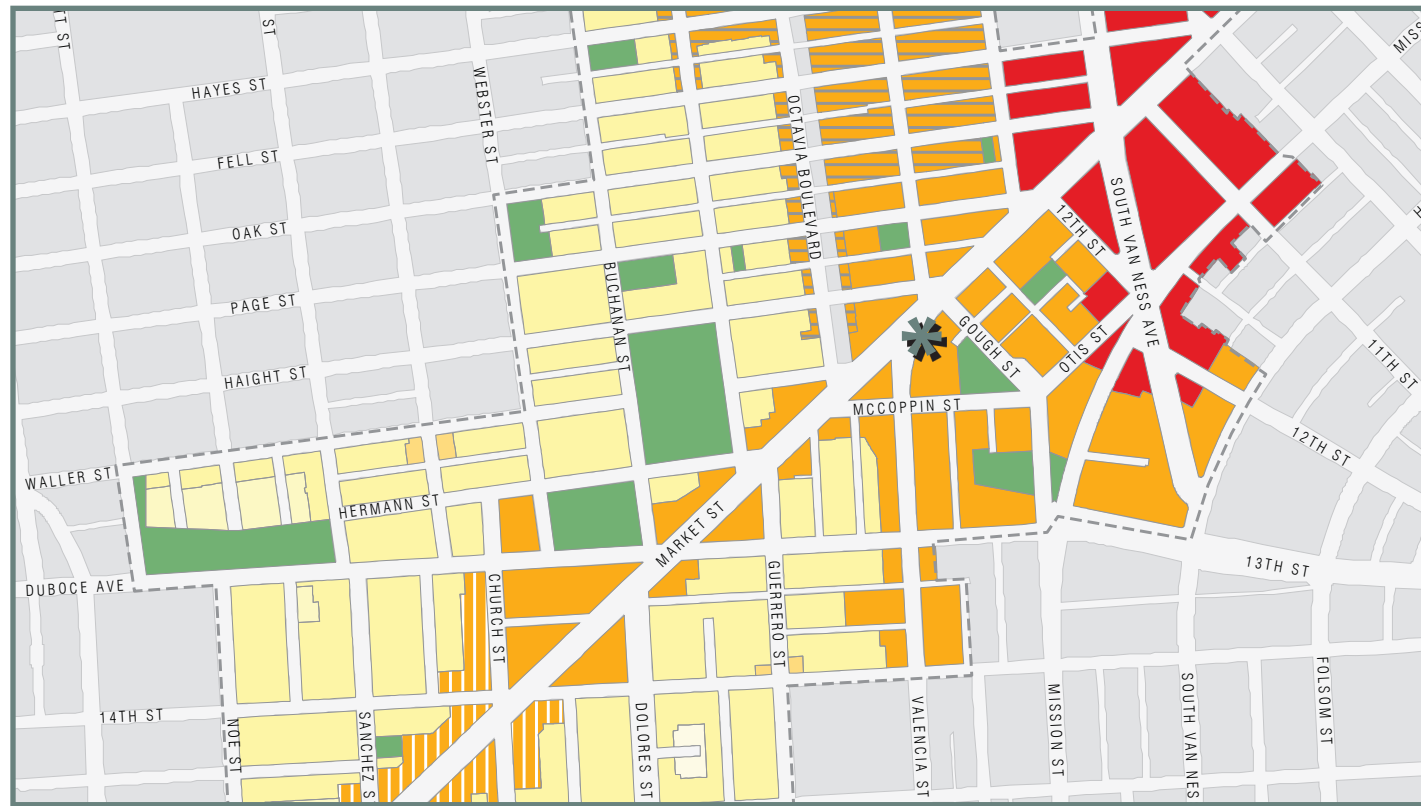
McCoppin Street



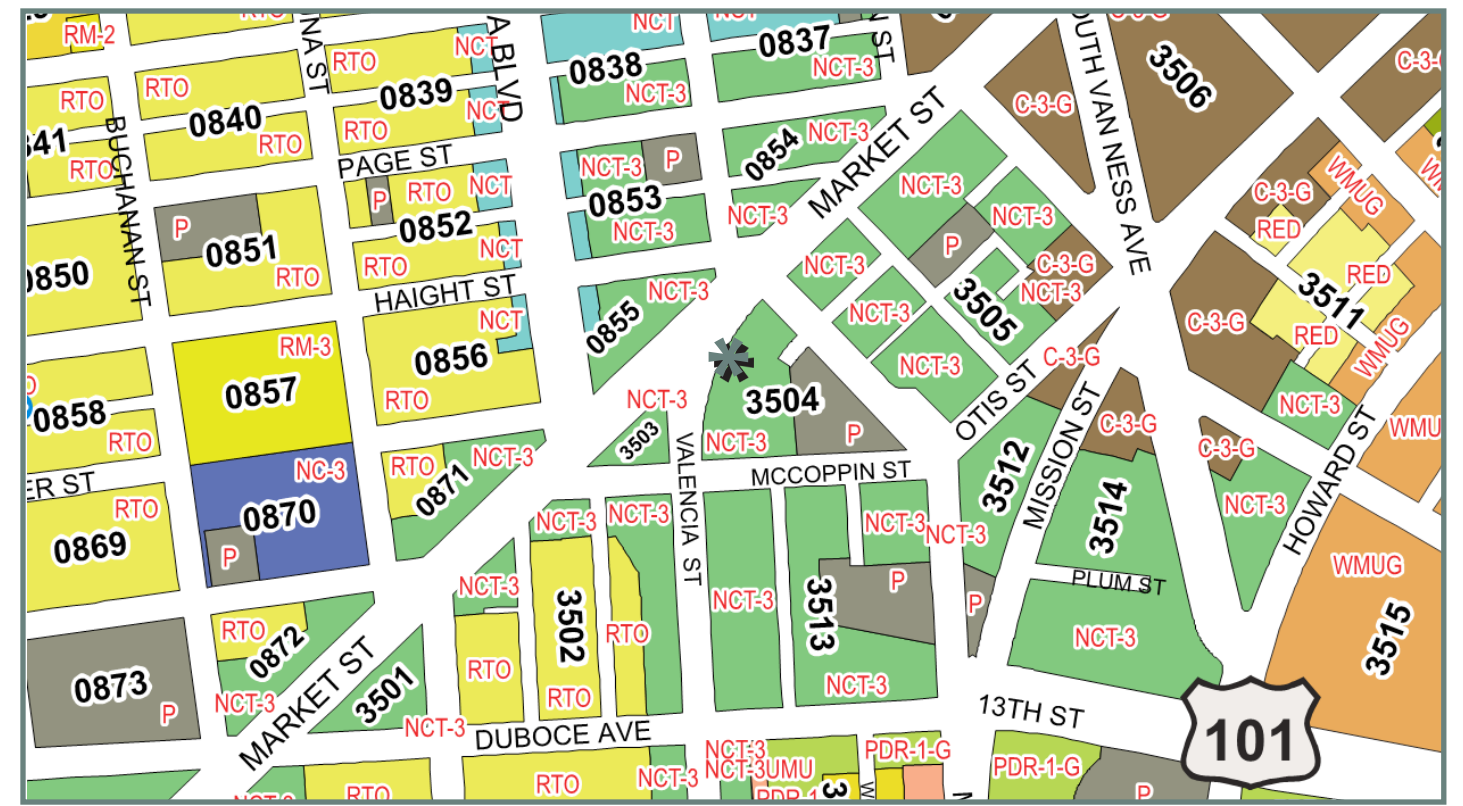
DEVELOPMENT SITE

Market Street

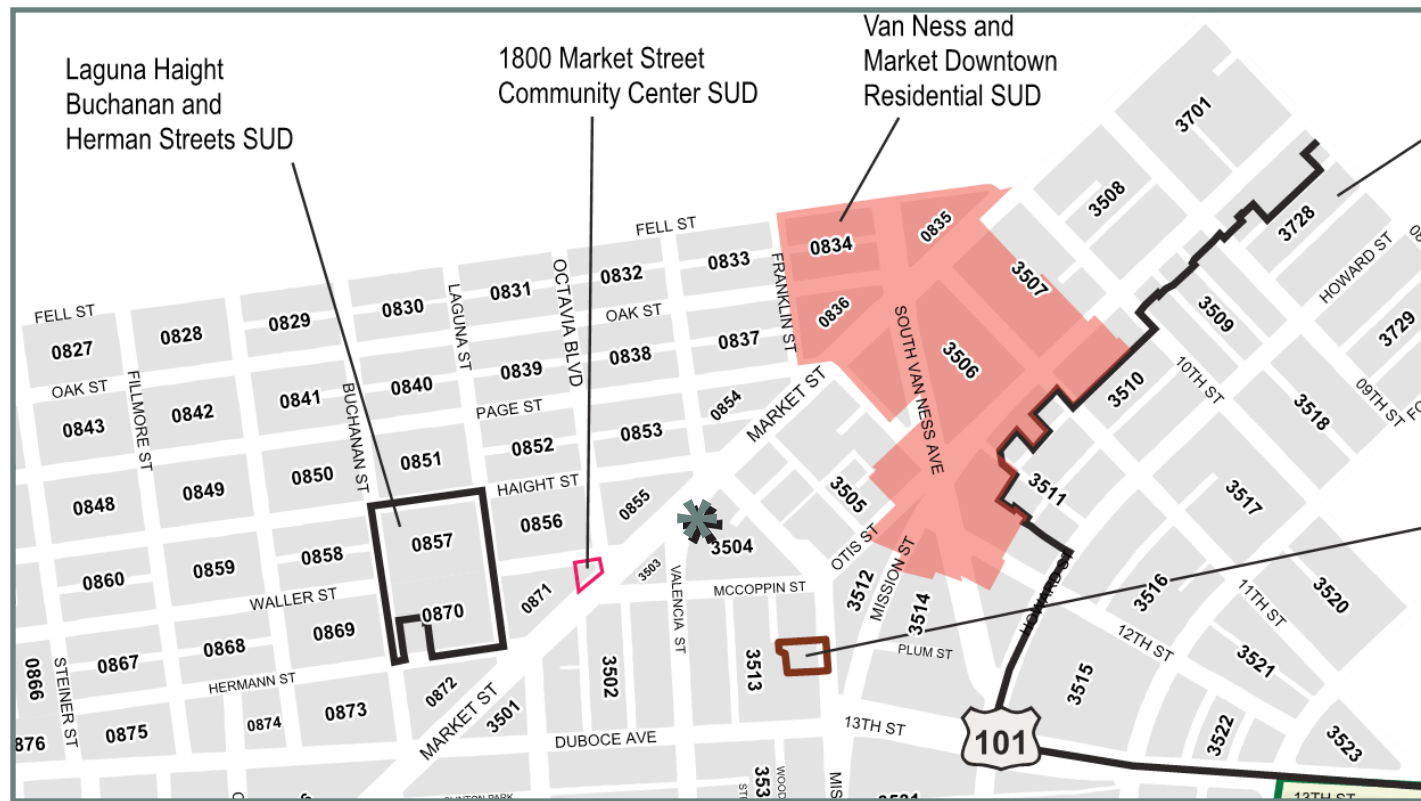




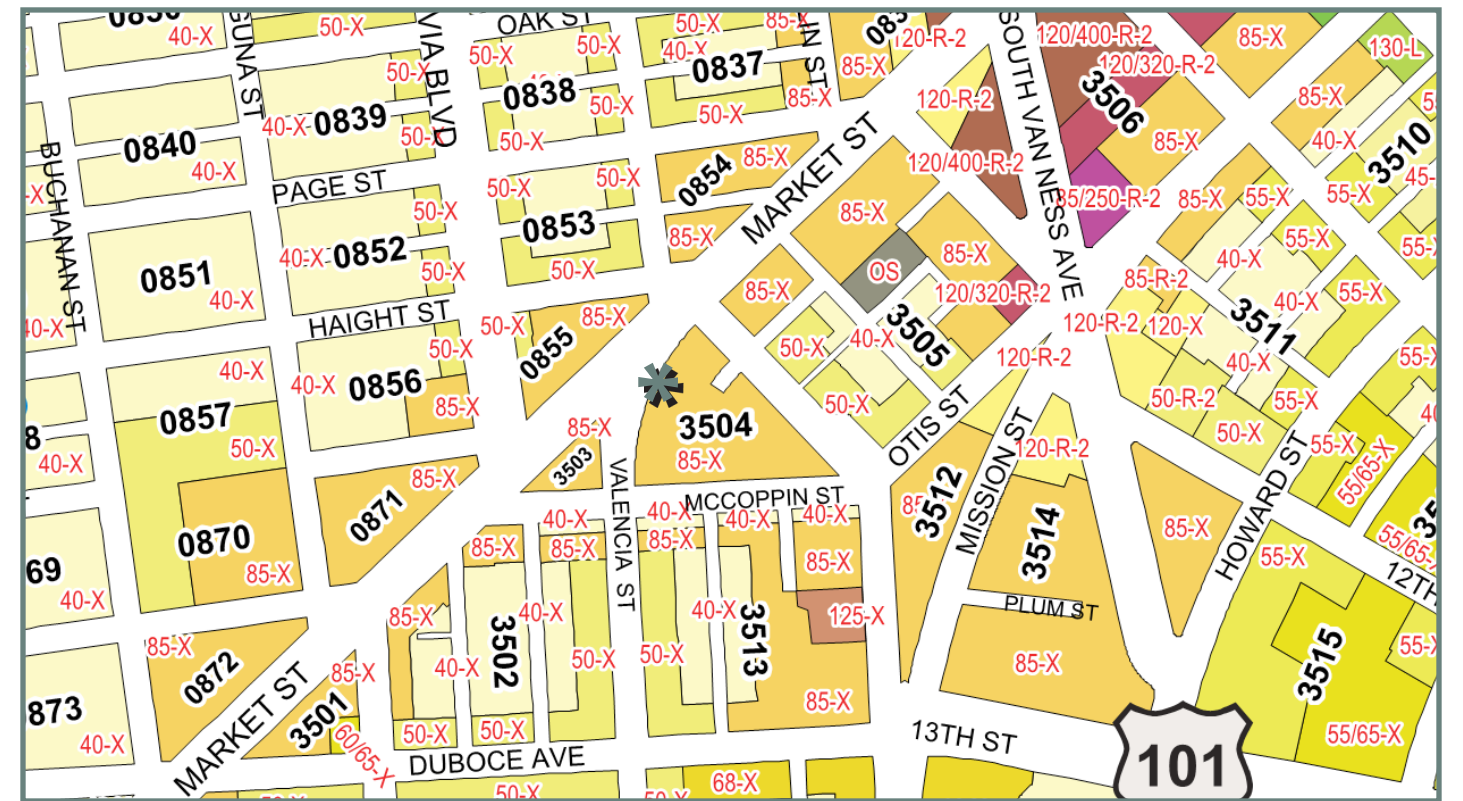
MARKET & OCTAVIA AREA PLAN



ZONING DISTRICT: NCT-3



SPECIAL USE DISTRICT: NONE



HEIGHT/BULK DISTRICT: 85-X



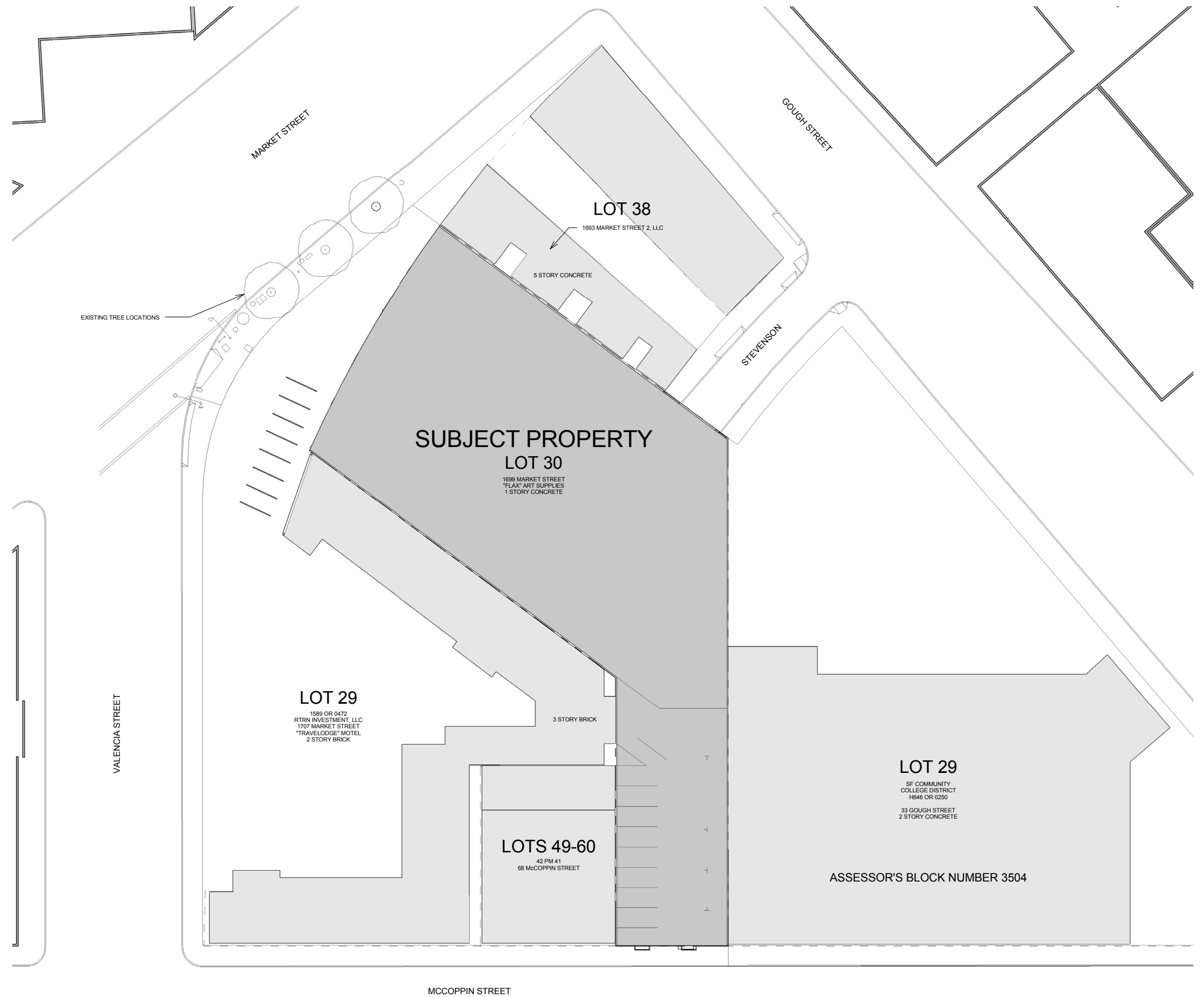
1699 MARKET STREET			ZONING SUMMARY
SECTION	REFERENCE	NOTES	
	ASSESSORS BLOCK	map	3504
	SITE AREA	survey	27,708 sf
	ZONING DISTRICT	Map ZN07	NCT-3: Moderate Scale Neighborhood Commercial Transit District
	SPECIAL USE DISTRICTS	Map SU07	none
731.10	HEIGHT & BULK	Map HT07	85-X
	OTHER DISTRICTS		Market & Octavia Area Plan (M&O)
731.11	LOT SIZE (PER DEVELOPMENT)	121.1	>10,000 sf: conditional use
731.12	REAR YARD	134	25 % required
731.13	STREET FRONTAGE	145.1	required
731.13a	STREET FRONTAGE, ABOVE GRADE PARKING SETBACK	145.1	min. 25' on ground floor, 15' on floor above
731.13b	REQUIRED GROUND FLOOR COMMERCIAL	145.4	14' minimum f/f; 145.1.c.4.B
731.13c	PARKING & LOADING ACCESS RESTRICTIONS	155r	not permitted on Market Street
731.17	STREET TREES	138.1	required
731.20	FLOOR AREA RATIO, COMMERCIAL		3.6; limited for commercial only
731.93	OPEN SPACE	135; 135d	80 sf / unit if all private; 100 sf / unit if common
731.22	COMMERCIAL OFF-STREET PARKING		none required; permitted up to 1 space / 1,500 sf
731.90	RESIDENTIAL USE	790.88	permitted
731.91	RESIDENTIAL DENSITY, DWELLING UNITS	207, 207.1	no density limit by lot area
	RESIDENTIAL DENSITY, BASED ON UNIT SIZE	M&O	40% 2B, 10% 3B encouraged; C for unit size exceptions (M&O)
	OFF-STREET LOADING	152	retail < 10,000 sf: 0 spaces
		152	residential: 100,001 - 200,000 sf: 1 space. 1st space, 10' x 25'
731.94	RESIDENTIAL CAR PARKING	151.1	not required; P up to .5 space / unit; C up to .75 space / unit
	REQUIRED CAR SHARE	Table 166	Resid, 50-200 units: 1, plus 1 for every 200 dwelling units over 200
		Table 166	Non-residential: 1 space per 50 non-residential spaces
	ACCESSIBLE PARKING SPACES		Accessible spaces: 1 per 25 parking spaces
	BIKES	155.2.11	Resid, Class 1: > 100 DU: 100 spaces +1 space for every 4 over 100
		155.2.11	Resid, Class 2: 1 per 20 dwelling units
		155.2.15	Retail Sales, Class 1: 1 per 7,500 sf
		155.2.15	Retail Sales, Class 2: 1 per 2,500 sf, minimum 2 spaces
	ADDITIONAL HEIGHT LIMITS FOR NARROW STREETS	261.1	in NCT; Market & McCoppin wider than 40'





**SUBJECT PROPERTY  
BLOCK 3504 / LOT 30**

<b>PROPERTY ADDRESS:</b>	1699 MARKET ST. SAN FRANCISCO, CA
<b>BLOCK &amp; LOT NUMBER:</b>	BLOCK 3504 / LOT 30
<b>SITE AREA:</b>	27,708 sf
<b>ZONING DISTRICT:</b>	NCT-3 MODERATE SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
<b>HEIGHT / BULK DISTRICT:</b>	85-X
<b>CURRENT USE:</b>	COMMERCIAL & SURFACE PARKING
<b>PROPOSED USE:</b>	RESIDENTIAL, COMMERCIAL, BELOW-GRADE PARKING
<b>BUILDING HEIGHT:</b>	85' MEASURED FROM MARKET STREET.
<b>PROJECT DESCRIPTION:</b>	9-STORY, 160-UNIT RESID. BUILDING WITH 3,664 SF OF COMMERCIAL SPACE & BELOW-GRADE PARKING



**Project Areas**

	residential				parking		retail	total
	units	eff.	nsf	gsf	spaces	gsf	gsf	gsf
mech.				1,455				1,455
09	17	70.1%	11,692	16,671				16,671
08	20	74.0%	14,353	19,402				19,402
07	20	74.1%	14,353	19,367				19,367
06	20	79.5%	15,388	19,367				19,367
05	20	79.4%	15,388	19,386				19,386
04	21	79.4%	15,388	19,386				19,386
03	21	79.4%	15,388	19,386				19,386
02	15	73.8%	10,401	14,099				14,099
01	6	25.1%	4,012	15,962		2,895	3,664	22,521
LL	0		0	5,862	82	21,222		27,111
<b>total</b>	<b>160</b>	<b>68.3%</b>	<b>116,363</b>	<b>170,343</b>	<b>82</b>	<b>24,117</b>	<b>3,664</b>	<b>198,151</b>
	<b>units</b>	<b>eff.</b>	<b>nsf</b>	<b>gsf</b>	<b>spaces</b>	<b>gsf</b>	<b>gsf</b>	<b>gsf</b>
			727					
			avg. nsf					

**Required Bike Parking**

Residential, Class 1			
1/first 100 units	100		
1/4 units >100	15		
	<b>115</b>	<b>spaces</b>	
Residential Class 2			
1/20 units	8	<b>spaces</b>	
Retail/Rest., Class 1			
retail/rest. 1/7,500 sf	1	<b>spaces</b>	
Retail/Rest., Class 2			
rest. 1/750 sf	5	<b>spaces</b>	
<b>REQUIRED CLASS 1, TOTAL</b>	<b>116</b>	<b>spaces</b>	
<b>REQUIRED CLASS 2, TOTAL</b>	<b>13</b>	<b>spaces</b>	
<b>PROVIDED CLASS 1, TOTAL</b>	<b>128</b>	<b>spaces</b>	
<b>PROVIDED CLASS 2, TOTAL</b>	<b>33</b>	<b>spaces</b>	

**Parking, Permitted & Proposed**

Resid, conditional: .75 space / unit (not requested)	120	<b>spaces</b>
Resid, permitted: .5 space / unit	80	<b>spaces</b>
Commercial: 1 space / 1500 sf	3	<b>spaces</b>
<b>PERMITTED PARKING</b>	<b>83</b>	<b>spaces</b>
Required Car Share spaces	1	<b>space</b>
<b>PROPOSED PARKING:</b>		
accessible	3	<b>spaces</b>
accessible van	1	<b>spaces</b>
standard surface	2	<b>spaces</b>
stacked spaces with pits	51	<b>spaces</b>
tandem stacked spaces with pits	23	<b>spaces</b>
<b>PROPOSED PARKING</b>	<b>80</b>	<b>spaces</b>
car share	2	<b>spaces</b>
<b>TOTAL PROPOSED PARKING</b>	<b>82</b>	<b>spaces</b>

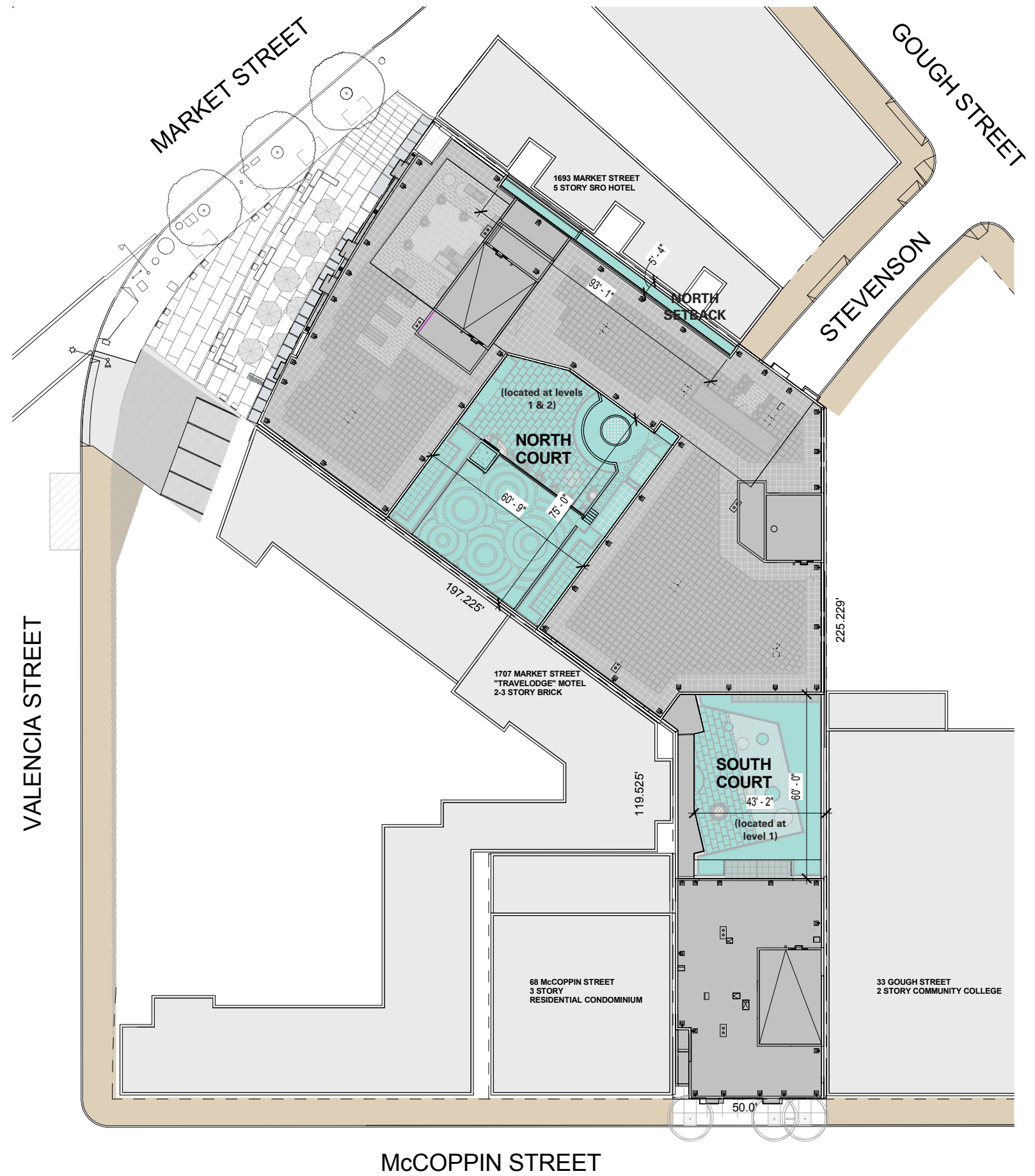
**1699 MARKET**

**Unit Breakdown**

unit#	studio		1 bedroom													2 bedroom											
	X10	X11	X05	X03	X08	X13	X15	X16	X20	X17	X19	X2	X4	X11	X13	X07	X07b	X01	X02	X04	X12	117	X22	X21	X3	X2	
type	ST	ST	1B	1B	1B	1B	1B	1B	1B	1B	1B	1B	1B	1B	1B	2B	2B	2B	2B	2B	2B	2B	2B	2B	2B	2B	2B
nsf	418	550	636	598	659	704	610	623	618	621	650	637	624	621	564	1,035	900	889	912	917	955	916	942	940	850	1,261	
mech.																											
09	1		1	1	1	1	1	1	1	1	1						1	1	1	1			1	1			
08	1	1	1	1	1	1	1	1	1	1	1						1	1	1	1			1	1	1	1	
07	1	1	1	1	1	1	1	1	1	1	1						1	1	1	1			1	1	1	1	
06	1	1	1	1	1	1	1	1	1	1	1						1	1	1	1			1	1	1	1	
05	1	1	1	1	1	1	1	1	1	1	1						1	1	1	1			1	1	1	1	
04	1	1	1	1	1	1	1	1	1	1	1	1	1				1	1	1	1			1	1	1	1	
03	1	1	1	1	1	1	1	1	1	1	1	1	1				1	1	1	1			1	1	1	1	
02	1	1			1	1	1	1	1	1	1	1	1								1		1	1	1	1	
01											1	1	1									1					
LL																											
<b>total</b>	<b>8</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>9</b>	<b>4</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>8</b>	<b>1</b>	<b>8</b>	<b>8</b>	<b>7</b>	<b>4</b>	
	<b>total</b>	<b>15</b>												<b>total</b>	<b>81</b>										<b>total</b>	<b>64</b>	
	<b>ST</b>	<b>9.4%</b>												<b>1B</b>	<b>50.6%</b>									<b>2B</b>	<b>40.0%</b>		
	3344	3850	4452	4186	5272	5632	4880	4984	4944	4968	5850	2548	2496	621	564	4140	2700	6223	6384	6419	7640	916	7536	7520	5950	5044	
	<b>TOTAL ST:</b>	<b>7194</b>												<b>TOTAL 1B:</b>	<b>51397</b>									<b>TOTAL 2B:</b>	<b>60472</b>		
	<b>AVG. ST:</b>	<b>480</b>												<b>AVG 1B:</b>	<b>635</b>									<b>AVG 2B:</b>	<b>945</b>		

McCoppin Building Units

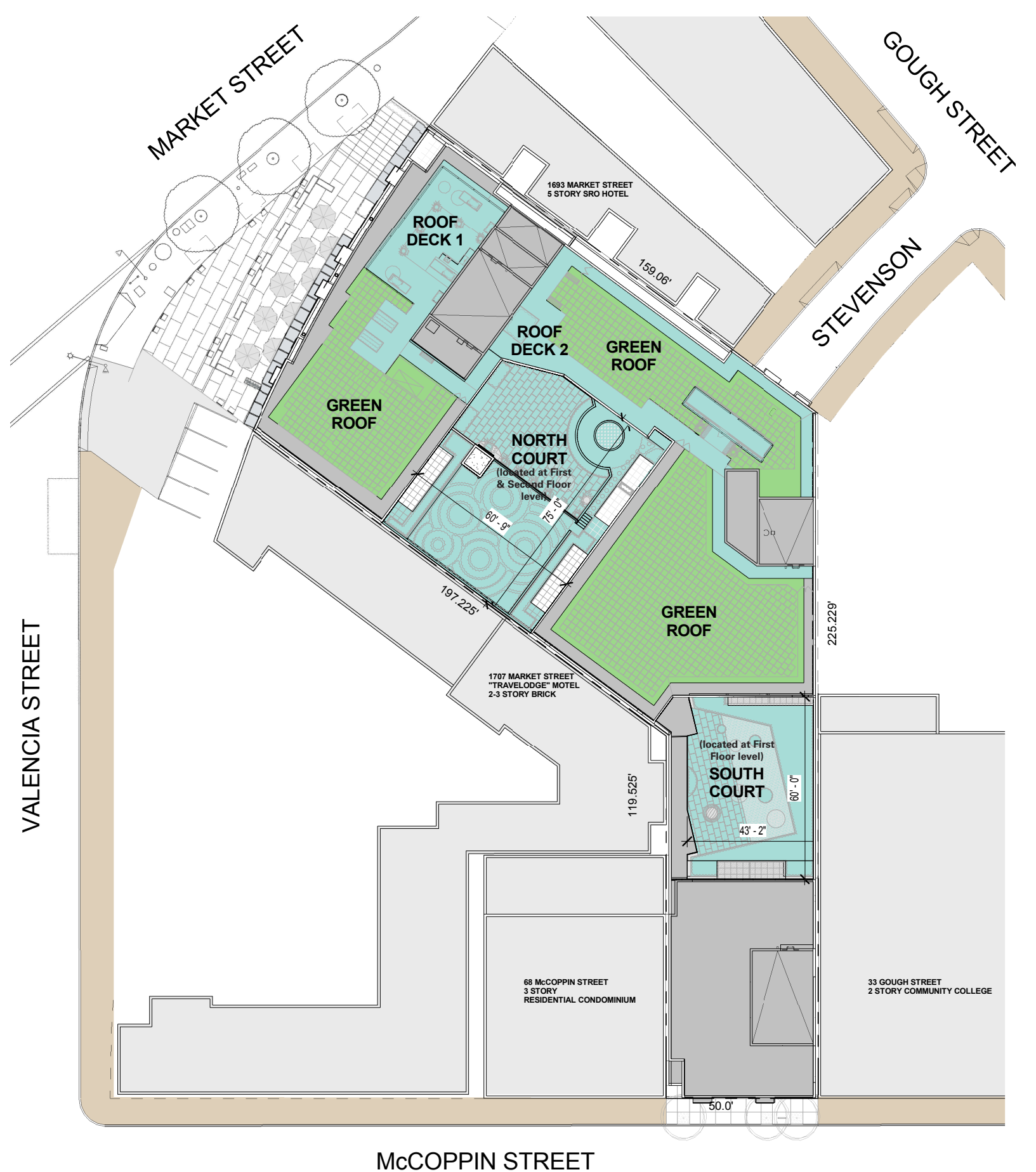




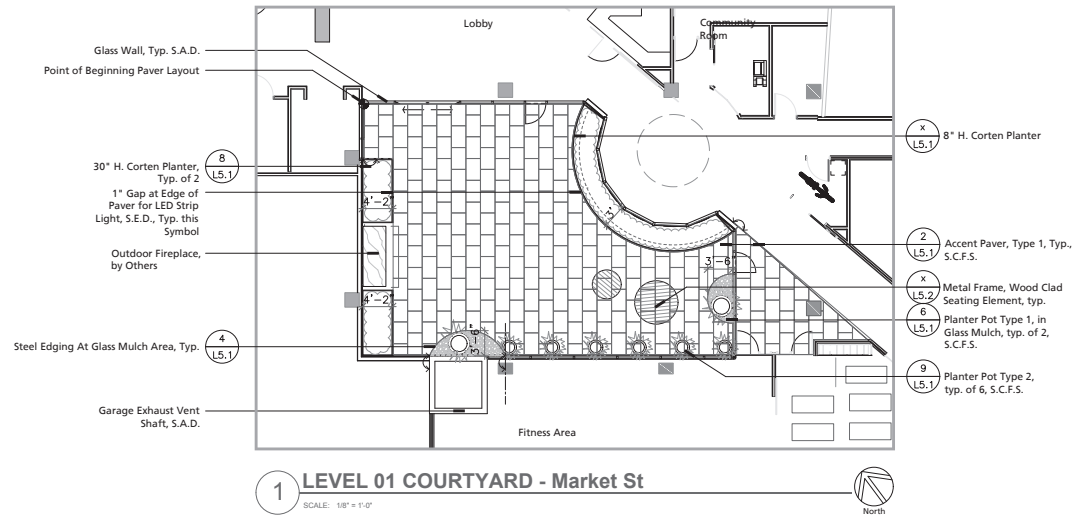
Rear Yard Requirements		
Rear Yard, required: 25% x 27,708 sf	6,927	sf
North Court	4,455	sf
South Court	2,448	sf
North Setback	466	sf
Total Rear Yard provided	7,369	sf

McCOPPIN STREET

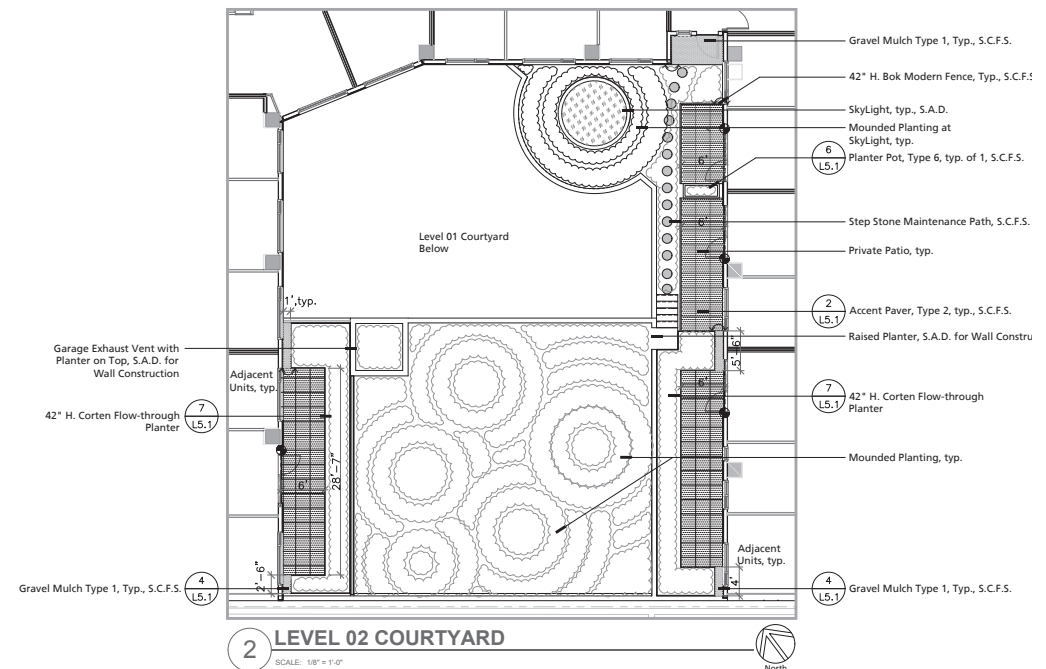
Open Space Requirements			
80 sf/unit private; 100 sf/unit common:			
units with balconies	A	-	units
private open space; A * 80	B	-	sf
private open space provided	C	-	sf
balance of private space; B-C	D	-	sf
convert balance to common; D * 1.25	E	-	sf
balance of units w/o private space	F	160	units
common open space; F * 100	G	16,000	sf
REQUIRED COMMON OPEN SPACE; E+G	H	16,000	sf
North Court, common open space		3,960	sf
South Court, common open space		2,220	sf
Roof Deck 1, common open space		1,655	sf
Roof Deck 2, common open space		2,560	sf
Green Roof, common open space		6,605	sf
PROVIDED COMMON OPEN SPACE		17,000	sf



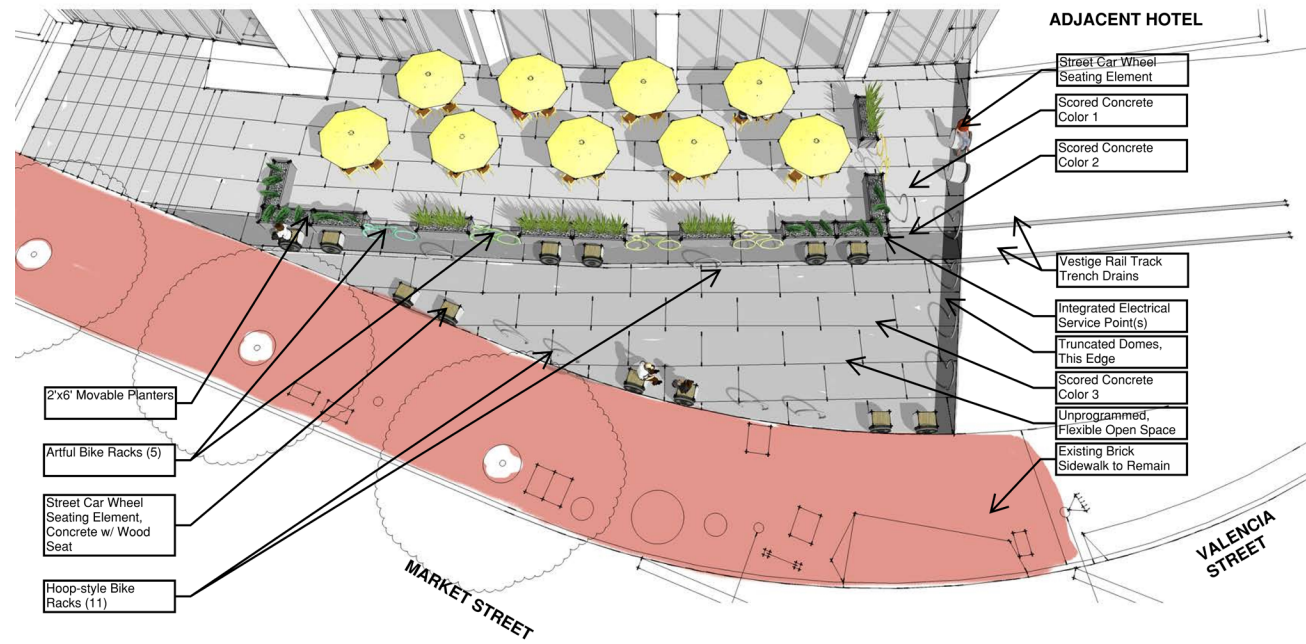
McCOPPIN STREET



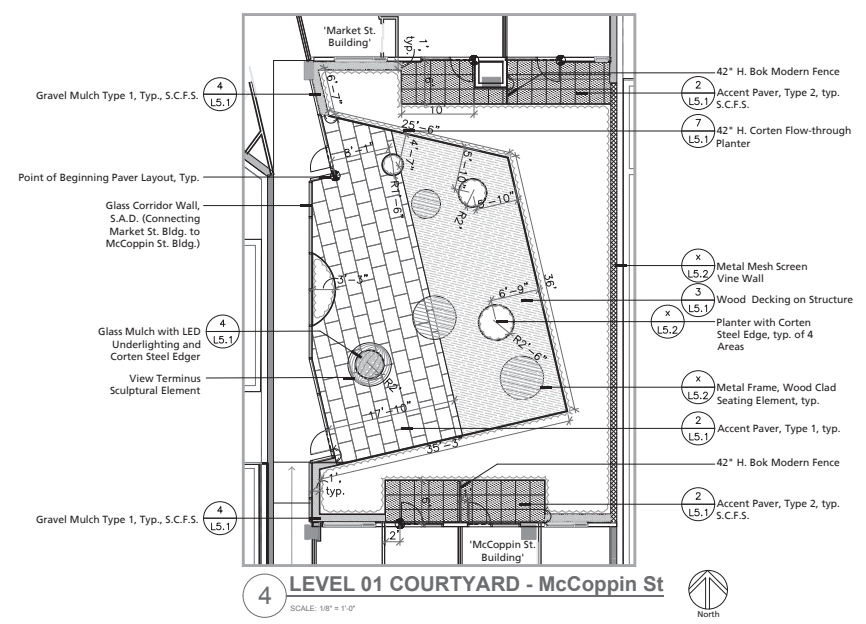
**1 LEVEL 01 COURTYARD - Market St**  
SCALE: 1/8" = 1'-0"



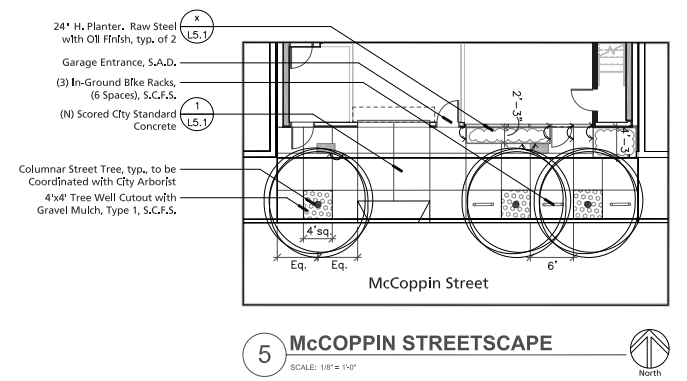
**2 LEVEL 02 COURTYARD**  
SCALE: 1/8" = 1'-0"



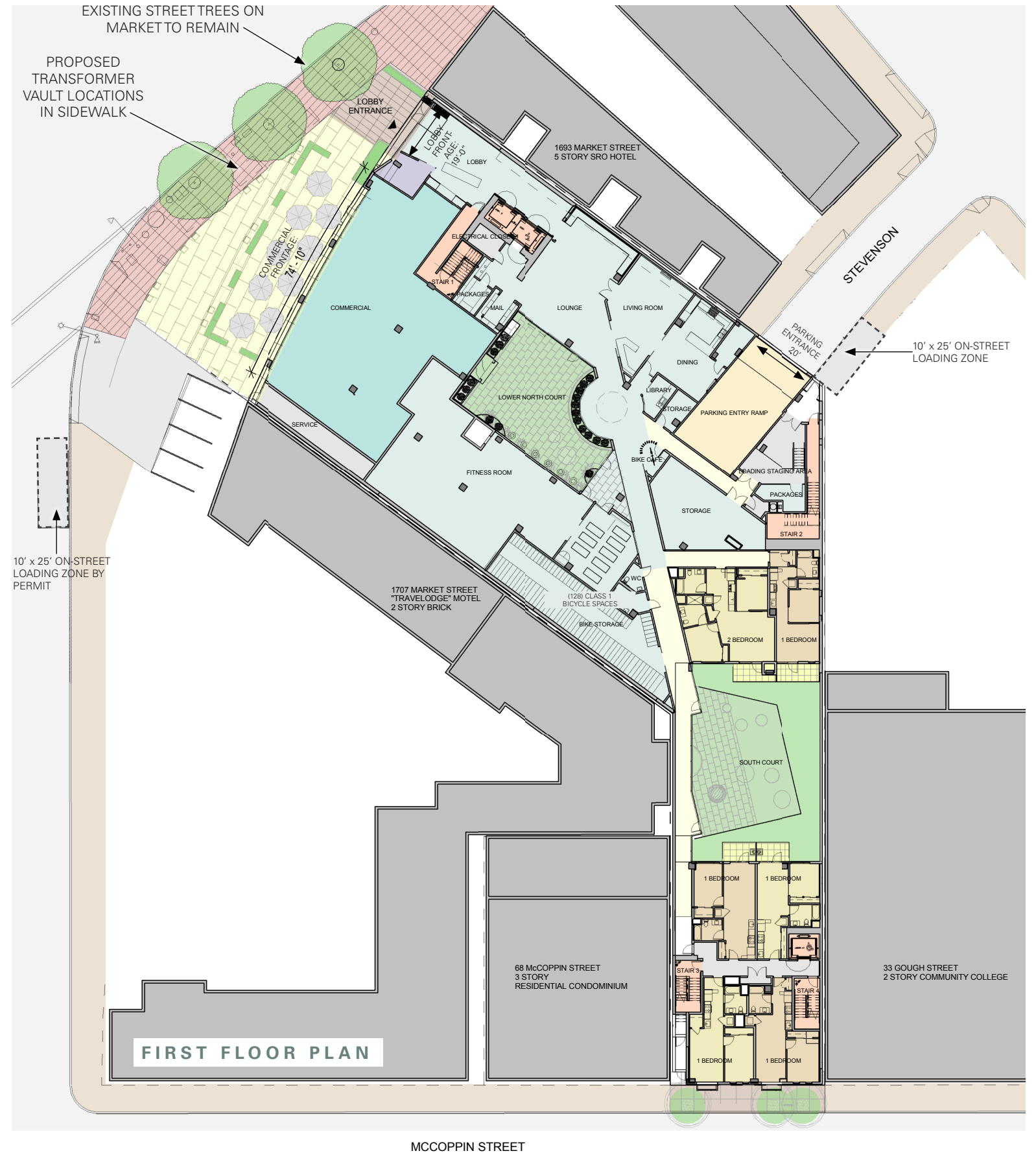
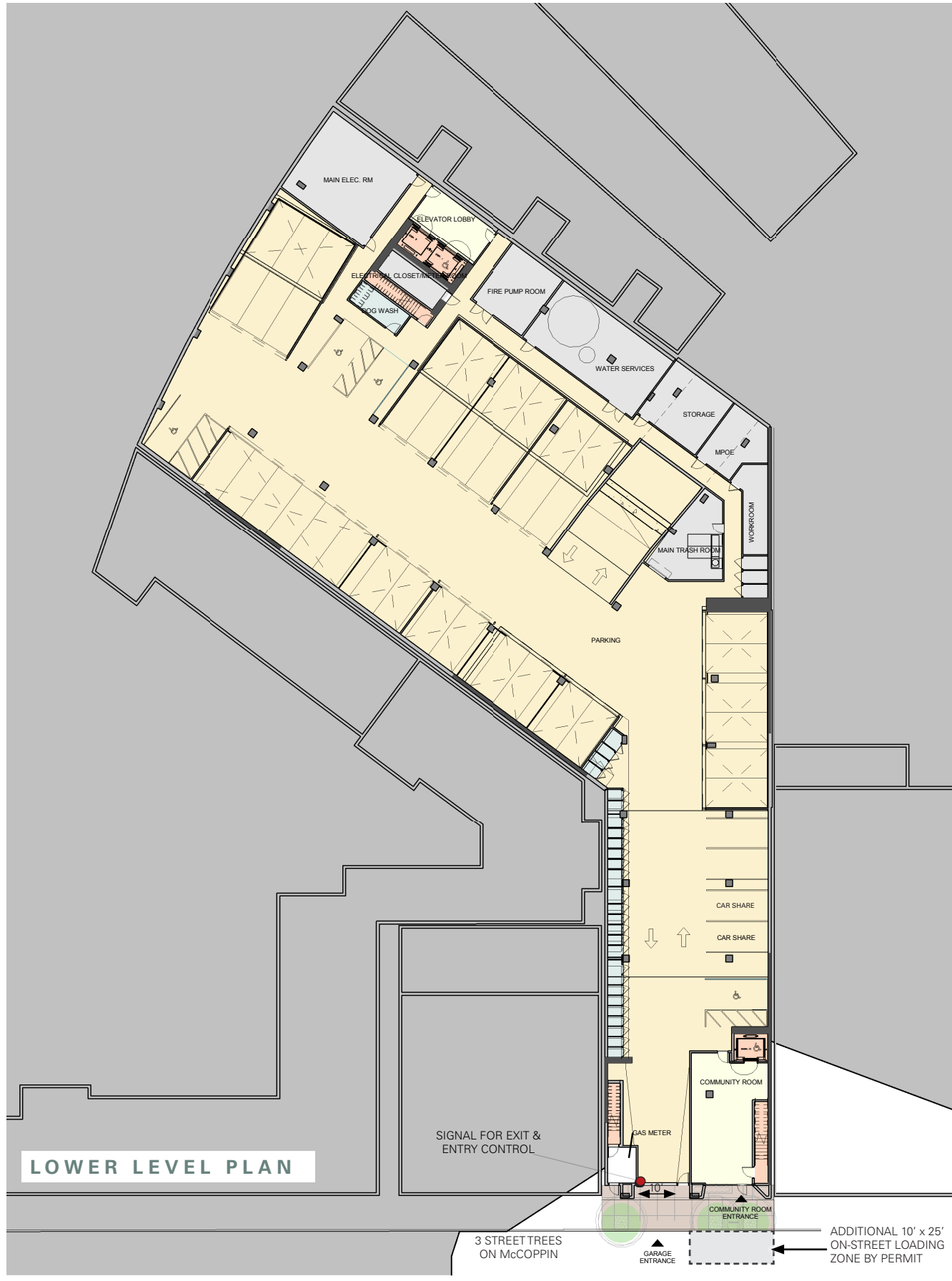
**MARKET STREET ENTRANCE PLAZA**

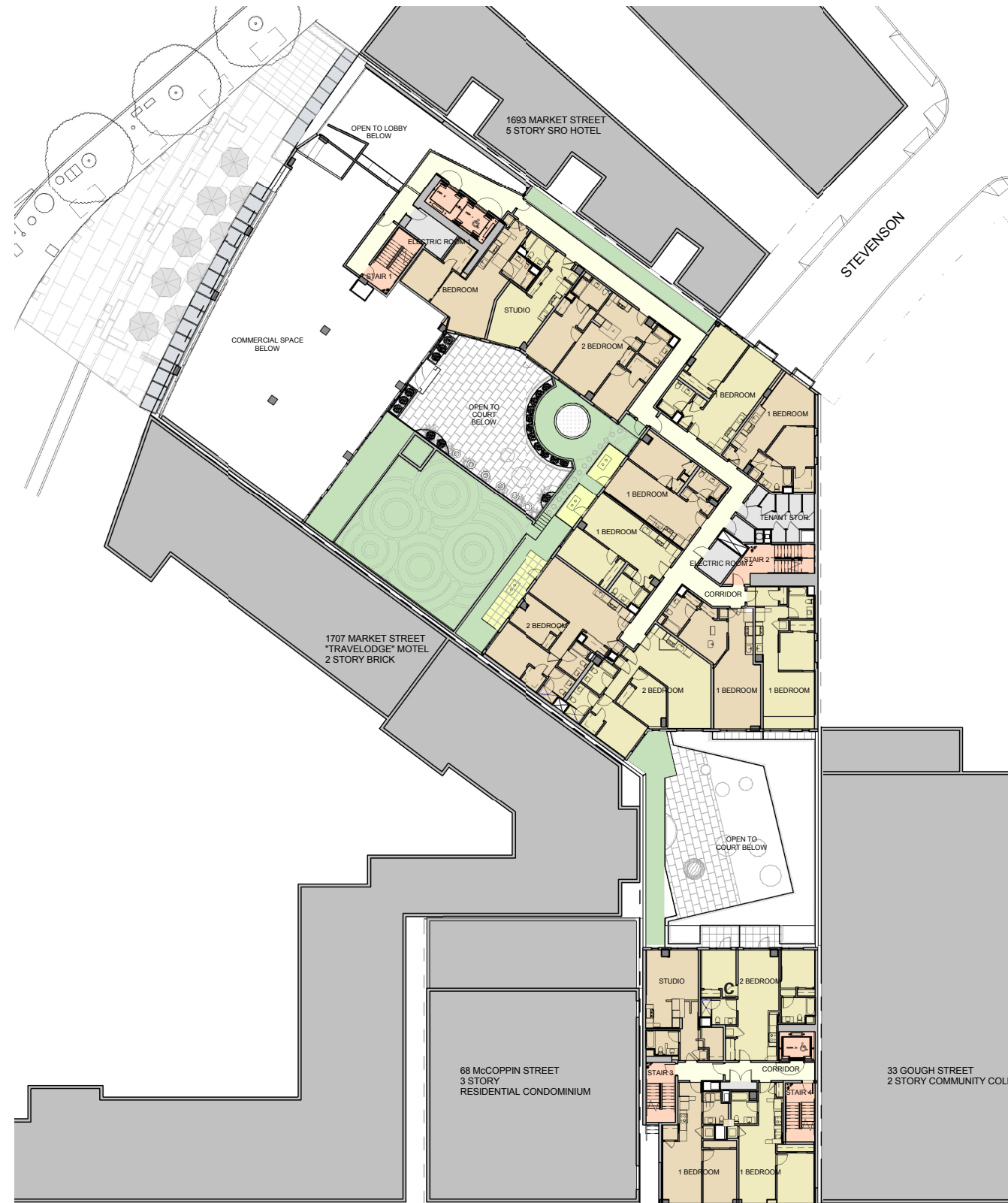


**4 LEVEL 01 COURTYARD - McCoppin St**  
SCALE: 1/8" = 1'-0"



**5 MCCOPPIN STREETSCAPE**  
SCALE: 1/8" = 1'-0"





SECOND FLOOR PLAN

MCCOPPIN STREET



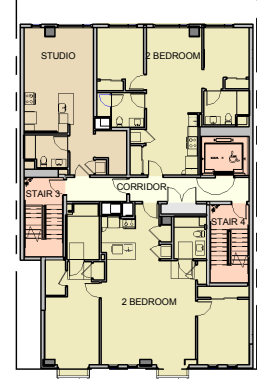
3rd - 6th FLOOR PLAN - MARKET



3rd - 4th FLOOR PLAN - MCCOPPIN



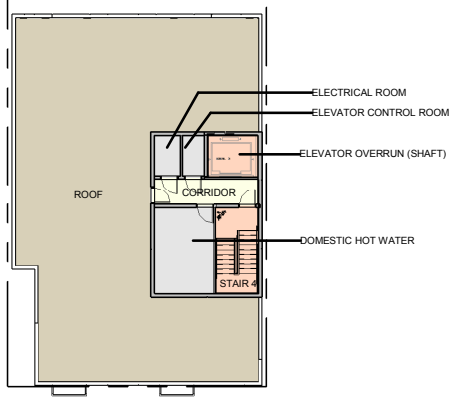
7th - 9th FLOOR PLAN - MARKET



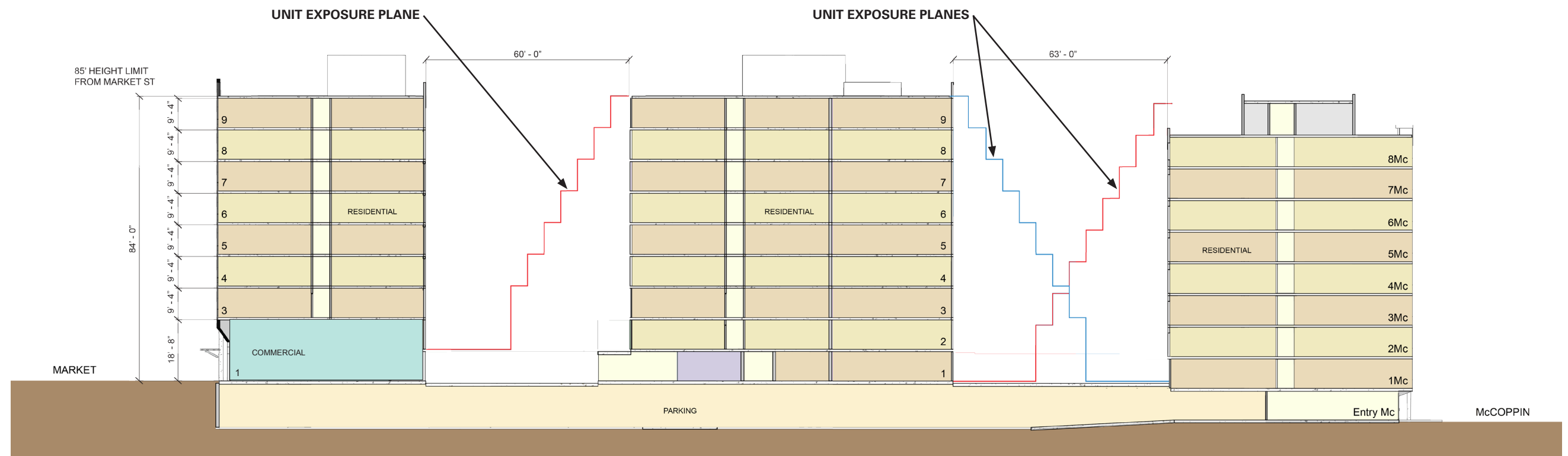
5th - 8th FLOOR PLAN - MCCOPPIN



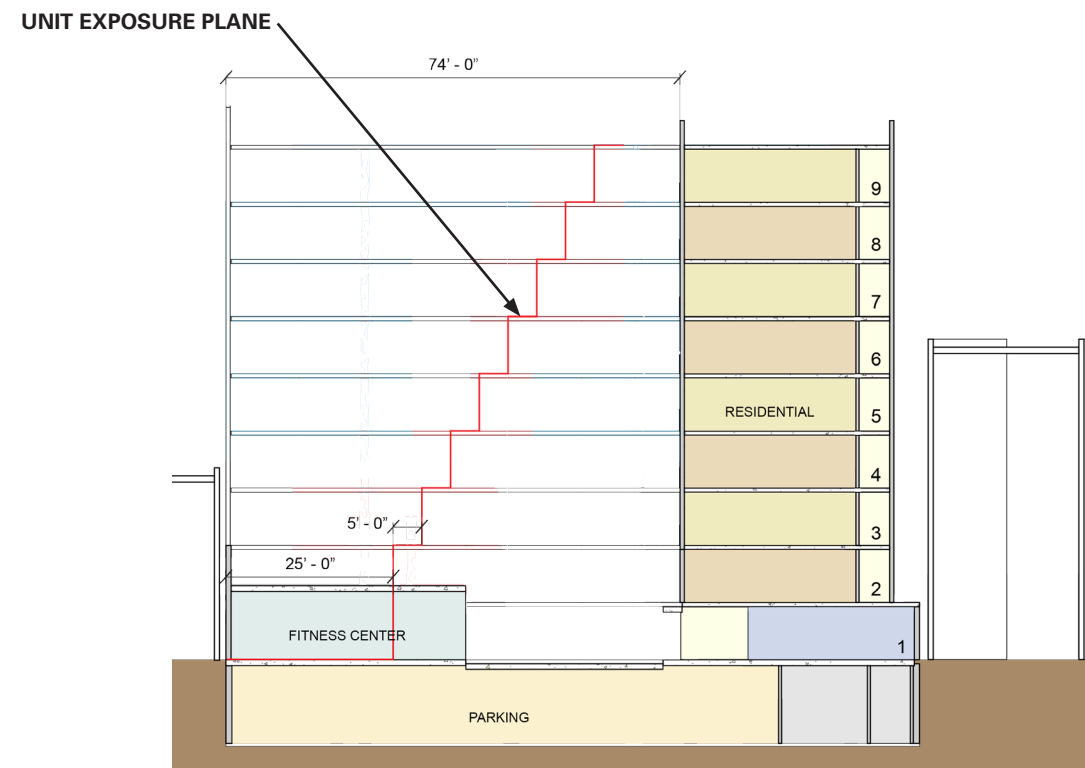
ROOF PLAN



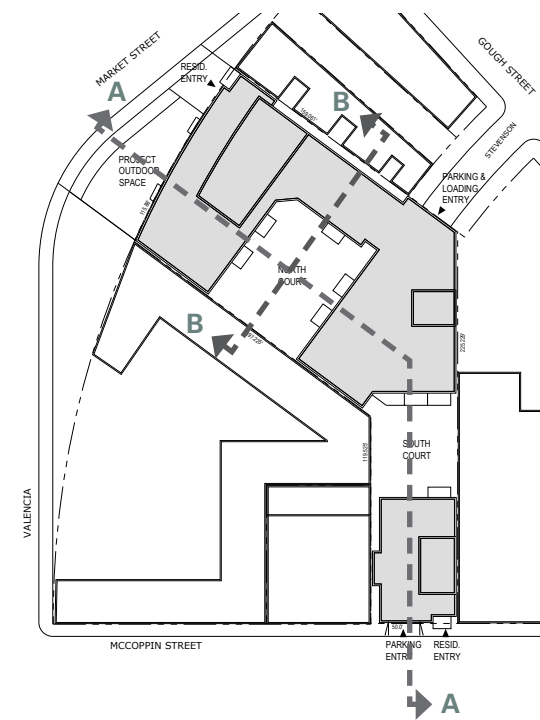




SECTION A-A



SECTION B-B





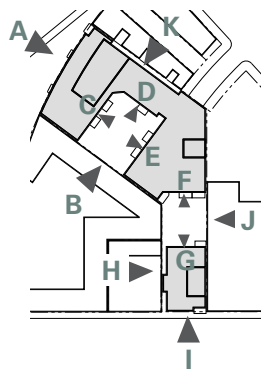
A. MARKET STREET ELEVATION



B. SOUTH-WEST ELEVATION

TYPICAL BUILDING MATERIALS

1. Plaster-Cement Stucco
2. Tinted, Low-Reflectivity, Low-E, High-Performance Vision Glass
3. Porcelain Tile Cladding
4. Elastomeric Coating





C. SOUTH-EAST ELEVATION  
- NORTH COURTYARD



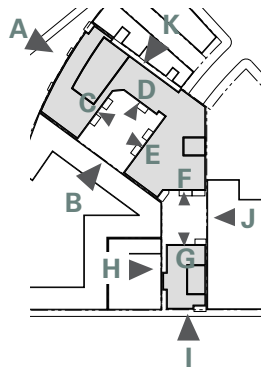
D. SOUTH-WEST ELEVATION  
- NORTH COURTYARD

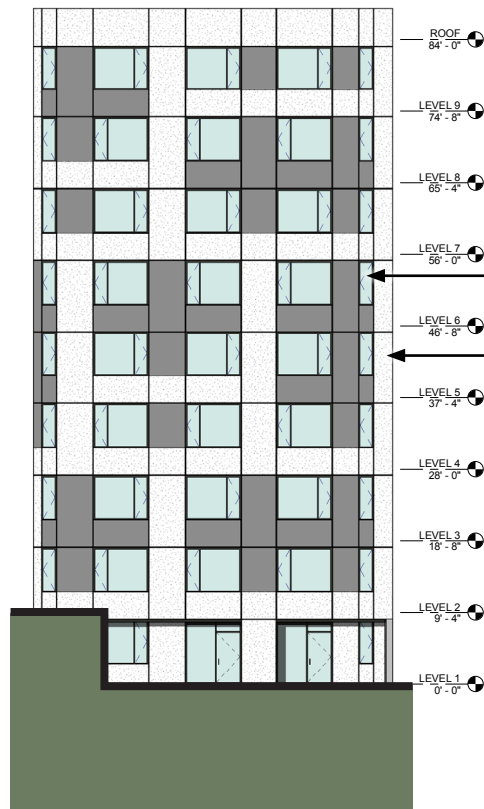


E. NORTH-WEST ELEVATION  
- NORTH COURTYARD

TYPICAL BUILDING MATERIALS

1. Plaster-Cement Stucco
2. Tinted, Low-Reflectivity, Low-E, High-Performance Vision Glass
3. Porcelain Tile Cladding
4. Elastomeric Coating

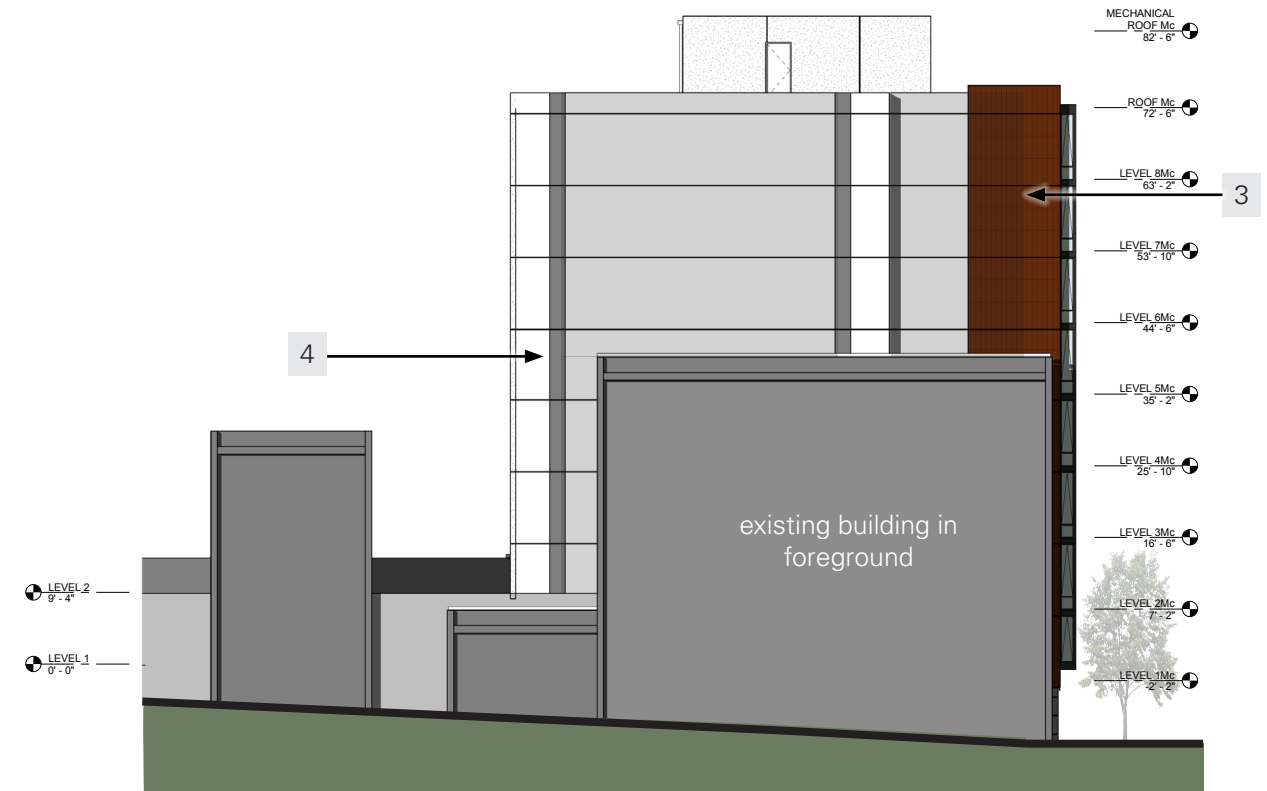




F. SOUTH ELEVATION  
- SOUTH COURTYARD



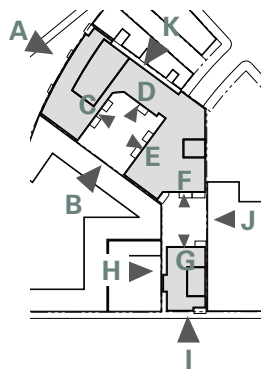
G. NORTH ELEVATION  
- SOUTH COURTYARD

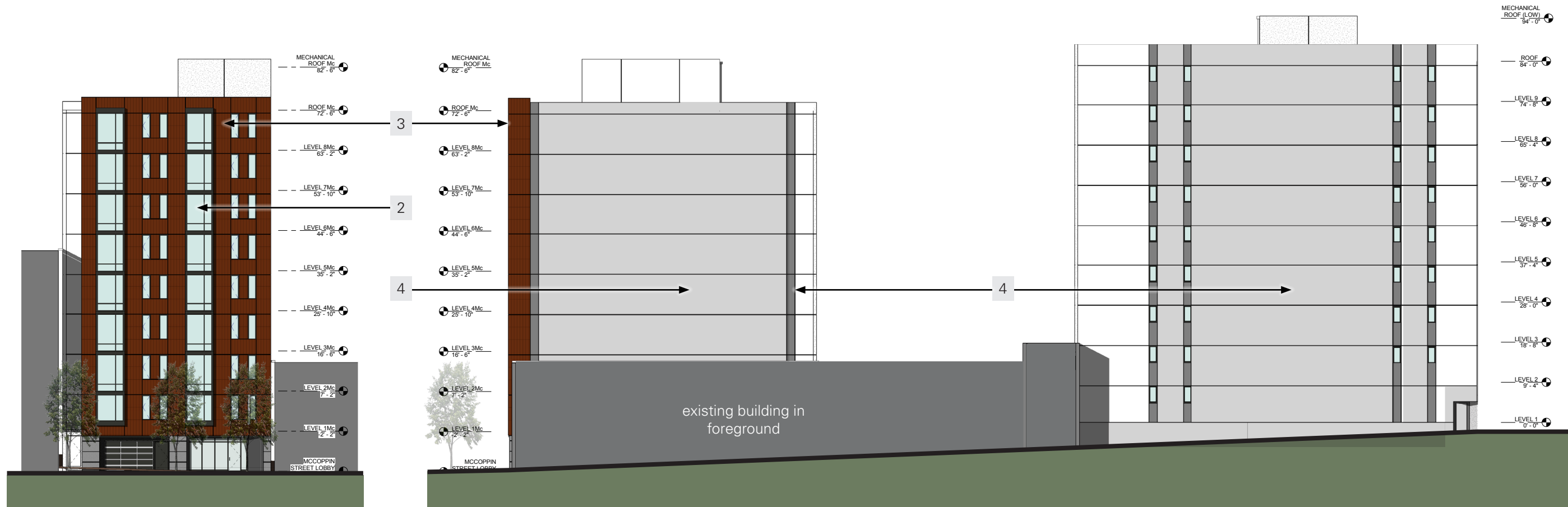


H. WEST ELEVATION

TYPICAL BUILDING MATERIALS

1. Plaster-Cement Stucco
2. Tinted, Low-Reflectivity, Low-E, High-Performance Vision Glass
3. Porcelain Tile Cladding
4. Elastomeric Coating

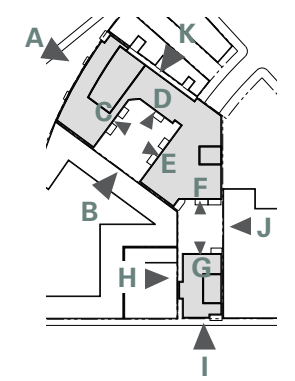


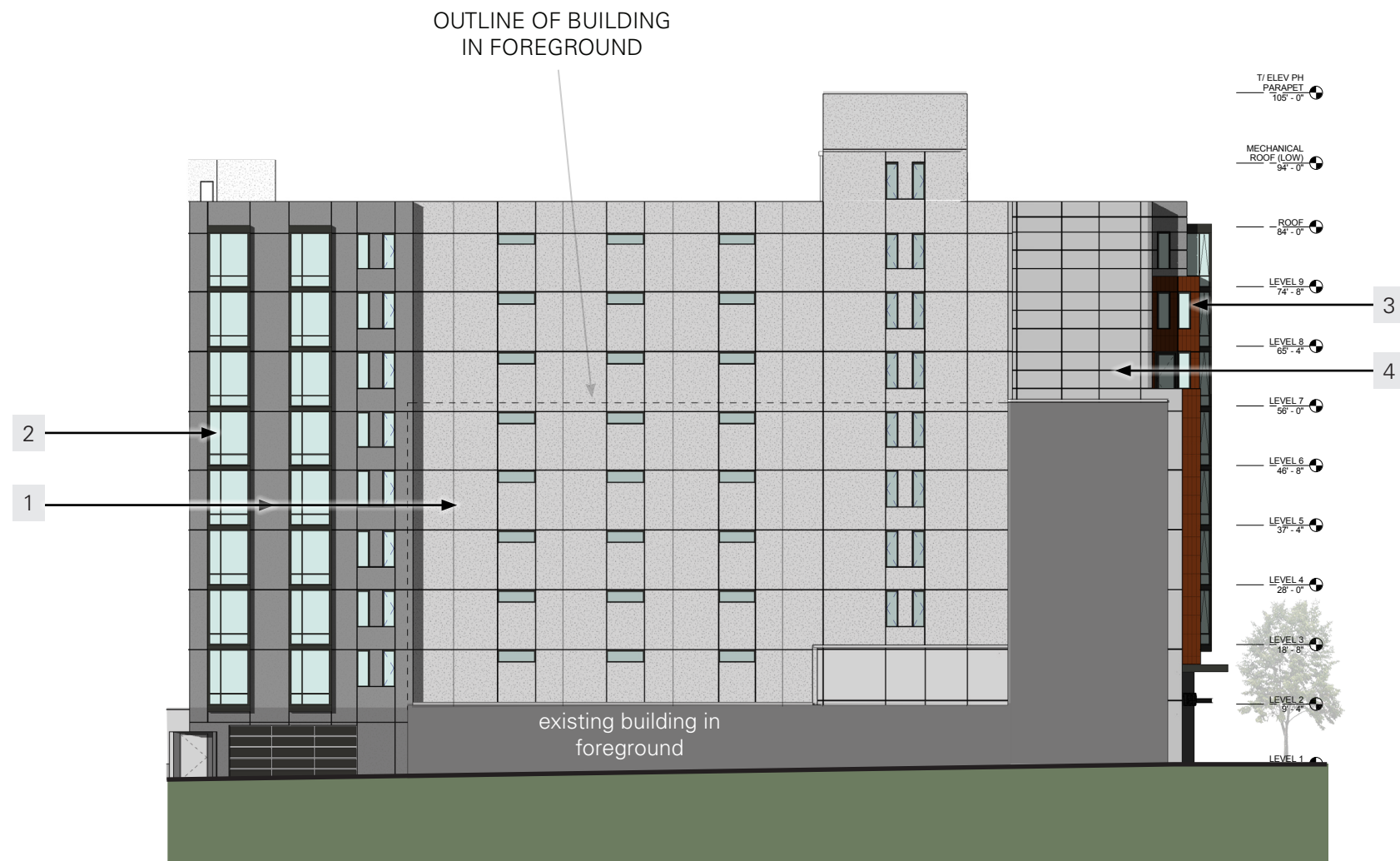


I. McCOPPIN STREET ELEVATION

J. EAST ELEVATION

- TYPICAL BUILDING MATERIALS
1. Plaster-Cement Stucco
  2. Tinted, Low-Reflectivity, Low-E, High-Performance Vision Glass
  3. Porcelain Tile Cladding
  4. Elastomeric Coating

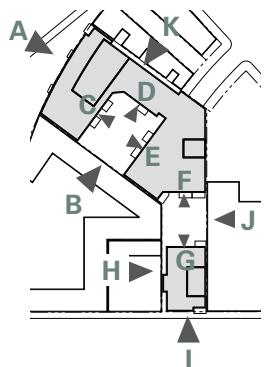


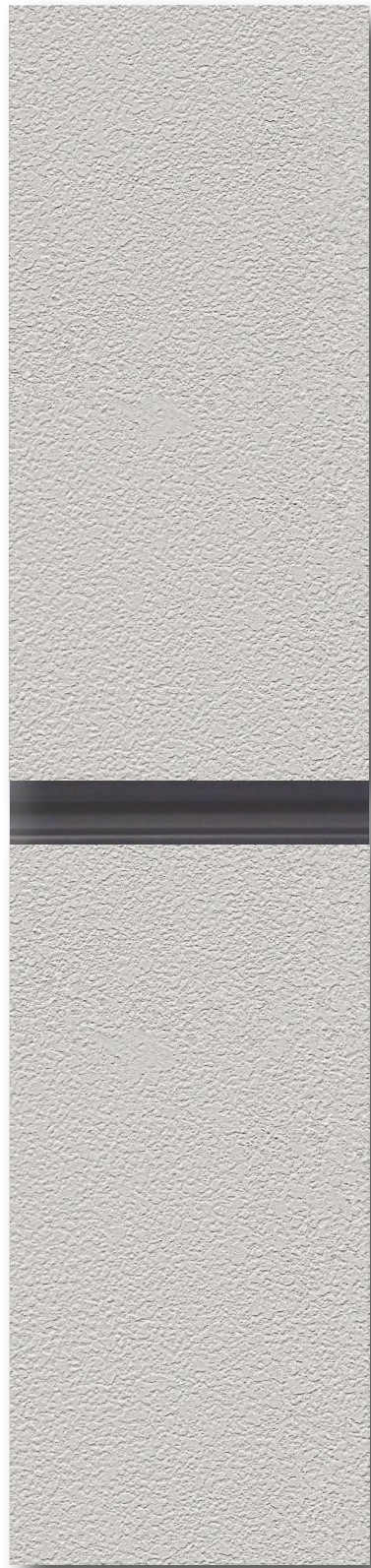


K. NORTH-EAST ELEVATION

TYPICAL BUILDING MATERIALS

- 1. Plaster-Cement Stucco
- 2. Tinted, Low-Reflectivity, Low-E, High-Performance Vision Glass
- 3. Porcelain Tile Cladding
- 4. Elastomeric Coating





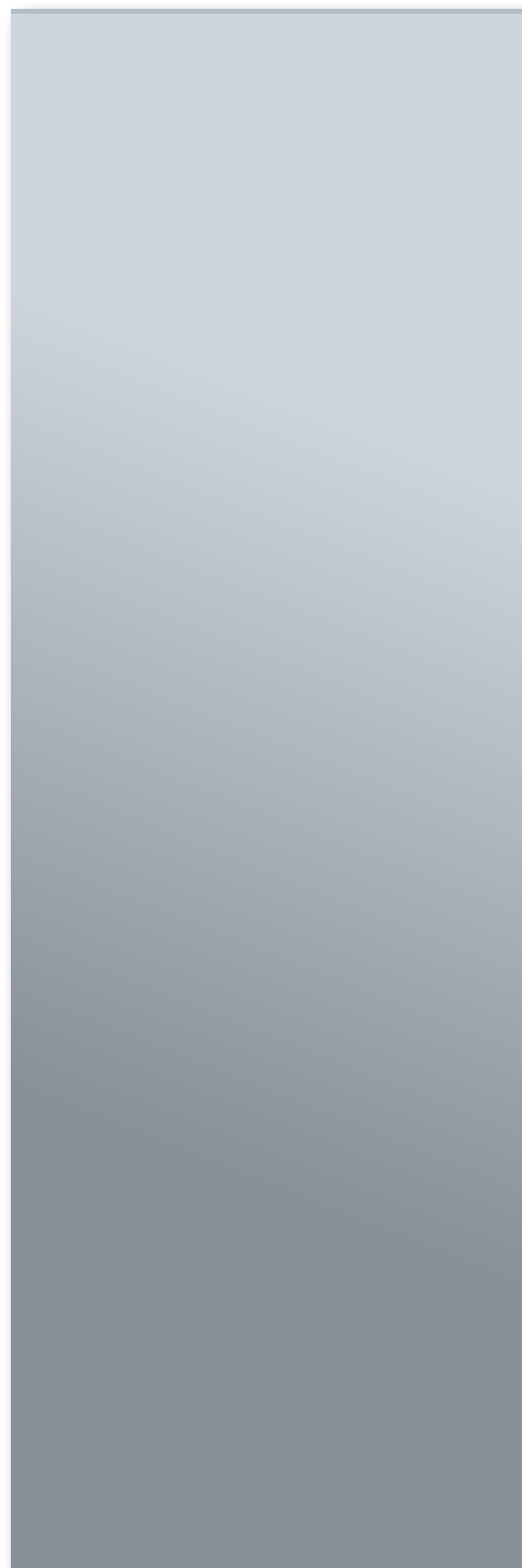
STUCCO & CONTROL JOINT



MULLIONS



ENTRY ACCENT



VISION GLASS



PORCELAIN CLADDING





RESIDENTIAL ENTRANCE



MARKET STREET







MARKET STREET

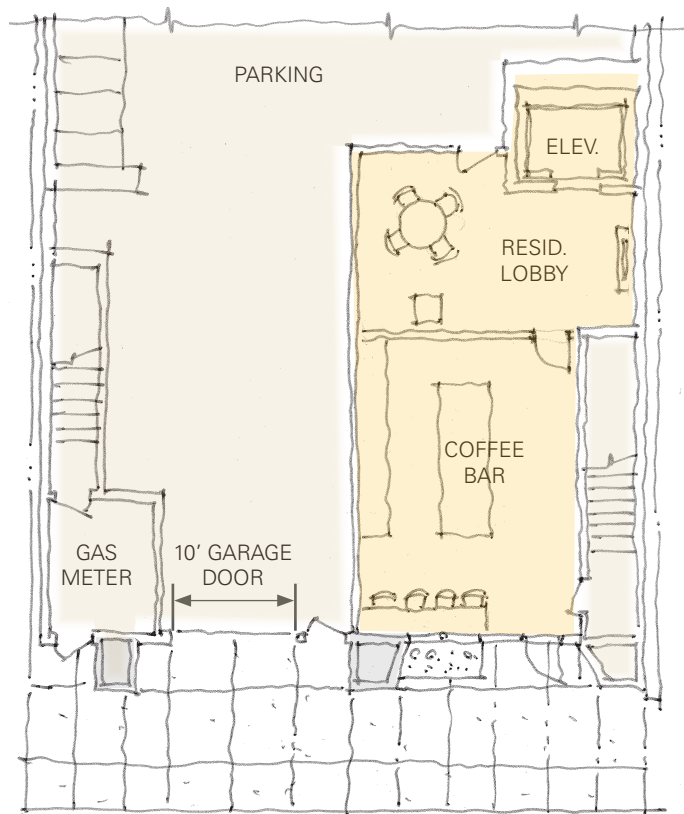


MCCOPPIN STREET

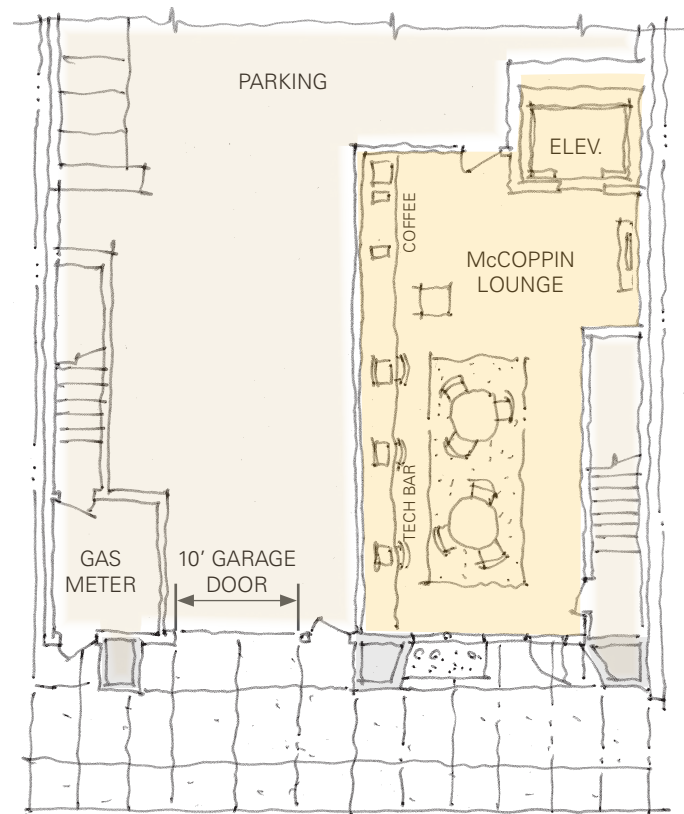


MARKET STREET





POTENTIAL COFFEE BAR



LOUNGE



McCOPPIN LOUNGE

