

49 South Van Ness Avenue. Suite 1400 San Francisco, CA 94103 628,652.7600 www.sfplanning.org

2023-0000007

FILED

JAN 2 5 2023 Marchan

by: Maribel Jaldon Deputy County Clerk

NOTICE OF DETERMINATION

Final Approval Date:

January 17,2023

Case No.:

2019-021810ENV

State Clearinghouse No:

2022110378

Project Title:

729 Bush Street Project

Zoning:

RC-4 (Residential-Commercial, High Density) Use District

65-A Height and Bulk District

Block/Lot:

0284/022

Lot Size:

3,780 square feet

Lead Agency:

San Francisco Planning Department

Project Sponsor:

729 Bush Street LLC·c/o Brett Gladstone, Esq.,

Goldstein, Gellman, Melbostad, Harris & McSparran, LLP

(415) 673-5600

Staff Contact:

Florentina Craciun

628.652.7510

Florentina.craciun@sfgov.org

To:

County Clerk, City and County of San Francisco

City Hall Room 168

1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102 State of California

Office of Planning and Research

PO Box 3044

Sacramento, CA 95812-3044

Pursuant to the California Environmental Quality Act (CEQA), the Guidelines of the Secretary for Resources, and San Francisco requirements, this Notice of Determination is transmitted to you for filing. At the end of the posting period, please return this Notice to the Staff Contact with a notation of the period it was posted.

Attached fee:

AND

⋈ No Effect Determination (From CDFW)

Project Description

The proposed project is located at 729 Bush on a 3,780-square-foot (approximately 0.09-acre) rectangular project site within the Downtown/Civic Center neighborhood - Assessors Block 0284 Lot 022. The project site is located within a portion of the block bounded by Bush Street to the north, Powell Street to the east, Sutter Street to the south, and Mason Street to the west. The project site is occupied by an approximately 5,520-square-foot

vacant building, which was previously operated as a night club and gay male porn theatre between 1968 and 2018. The project site is individually eligible for listing on the California Register, and as such the property is considered a historic resource for the purposes of CEQA. The proposed project would develop a four-story vertical addition on to the existing one-story-over-basement vacant building. The proposed addition would include 7,250 square feet of health service use and four residential units, with a proposed mix of three two-bedroom units and one five-bedroom unit. The proposed building would be 50 feet (five stories) above grade (66 feet with elevator penthouse). Streetscape improvements are proposed along Bush Street consisting of a new street tree, a Class-2 bicycle rack, and ADA upgrades.

Determination

The City and County of San Francisco decided to carry out or approve the project on December 15, 2022. The project was officially approved on January 17, 2023, when no appeal of the Conditional Use Permit was filed. A copy of the document(s) may be examined at

- 1. A Mitigated Negative Declaration was prepared pursuant to the provisions of CEQA. It is available to the public and may be examined at the Planning Department at the above address.
- 2. A determination was made that the project in its approved form will not have a significant effect on the environment.
- 3. Mitigation measures were made a condition of project approval.

Rich Hillis Planning Director

for Chelsea Fordham	January 24, 2023	c
By Lisa Gibson	Date	
Environmental Review Officer		

cc: Brett Gladstone, Esq., Goldstein, Gellman, Melbostad, Harris & McSparran, LLP other interested parties

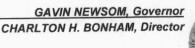


CALIFORNIA

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State of California - Natural Resources Agency DEPARTMENT OF FISH AND WILDLIFE

Bay Delta Region 2825 Cordelia Road, Suite 100 Fairfield, CA 94534 (707) 428-2002 www.wildlife.ca.gov





CEQA Filing Fee No Effect Determination

Applicant Name and Address: 729 Bush Street LLC c/o Brett Glastone, Esq., 46 Divisadero Street, San Francisco, CA 94117

CEQA Lead Agency: City and County of San Francisco

Project Title: 729 Bush Street

CEQA Document Type: Certified Regulatory Program Document

State Clearinghouse Number and/or local agency ID Number: 2022110378

Project Location: The 3,780-square-foot (approximately 0.09-acre) rectangular project site at 729 Bush Street is located within a portion of the block bounded by Bush Street to the north, Powell Street to the east, Sutter Street to the south, and Mason Street to the west in the Downtown/Civic Center neighborhood. The project site is located in the City and County of San Francisco at Longitude/Latitude (37,47',23.5"/122,24',33.1") on assessor's parcel number - 0284/022. The project site slopes downward from north to south from approximately 153 feet to 132 feet above mean sea level. Because of the sloped condition of the site, the building has one story fronting Bush Street and two stories at the rear, southern boundary of the project site. The site is currently occupied by a one-story-over-basement (approximately 20-foot-tall) 5,520-square-foot building that covers the majority of the lot and extends to the property line on the north, east, and west boundaries. An approximately 780-square-foot rear yard is located between the existing building and the southern property line. There is no existing vehicle access to the project site and one on-street parking space located on Bush Street. Pedestrian access is provided on Bush Street via an existing sidewalk. The project site is within the RC-4 zoning district and 65-A height and bulk district.

Brief Project Description: The proposed project would result in the development of a four-story vertical addition to an existing one-story-over-basement vacant commercial building. The existing structure is an approximately 20-foot-tall, 5,520-square-foot vacant commercial building. The proposed addition would result in a building with 7,250 square feet of health service use and four residential units that would include three twobedroom units and a five-bedroom unit. A portion of the existing building would be retained and the proposed building height would be 50 feet (five stories) above ground (66 feet with elevator penthouse). The existing basement would be expanded to extend across the entire property and would be lowered by approximately 2-1/2 feet. An additional partial basement level would be added below the southern end of the existing basement. Streetscape improvements are proposed along Bush Street consisting of a new street tree, a Class-2 bicycle rack, and ADA upgrades.

Florentina Craciun San Francisco Planning Department January 13, 2023 Page 2

Determination: Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish & G. Code, § 711.4, subd. (c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at the time of filing the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor's Office of Planning and Research (i.e., State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code section 711.4, subdivision (c)(3).

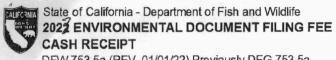
CDFW Approval By:

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FOR COUNTY CLERK USE ONLY

Stamp or initial inside the box to indicate acceptance of this signed No Effect Determination in lieu of a CEQA Document Filing Fee.

County Clerk Stamp or Initial



DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

		Print	Finalize&E
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		38-01/25/2023-0	010
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SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY LEAD AGENCY	LEADAGENCY EMAIL		DATE
SAN FRANCISCO PLANNING DEPARTMENT	florentina.craciun@sfgov.c	ora	01/25/2023
COUNTY/STATE AGENCY OF FILING	nordinal distriction and distr		DOCUMENT NUMBER
SAN FRANCISCO COUNTY			2023-0000007
			2023-000007
PROJECT TITLE			
729 BUSH STREET PROJECT			
PROJECT APPLICANT NAME	PROJECT APPLICANT E	EMAIL	PHONE NUMBER
SAN FRANCISCO PLANNING	florentina.craciun@sfgov	r.org	(628) 652-7500
PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
49 SOUTH VAN NESS AVE. STE 1400	SAN FRANCISCO	CA	94103
PROJECT APPLICANT (Check appropriate box)			
	Other Special District	☐ State A	gency Private Ent
 ☑ Environmental Impact Report (EIR) ☑ Mitigated/Negative Declaration (MND)(ND) ☑ Certified Regulatory Program (CRP) document - payment due ☑ Exempt from fee 	e directly to CDFW	\$ 2,764.00 \$	
□ Notice of Exemption (attach)			
CDFW No Effect Determination (attach)			
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☐ Fee previously paid (attach previously issued cash receipt co	ру)		
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