



San Francisco Planning

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San Francisco, CA 94103
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www.sfplanning.org

2023-0000007

FILED

SAN FRANCISCO County Clerk

JAN 25 2023

Maribel Jaldon

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: 3,780square 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

JAN 25 2023

POSTED

TO

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:

\$75 filing 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

By Lisa Gibson
Environmental Review Officer

January 24, 2023

Date

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



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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



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 two-bedroom 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: DocuSigned by:
Erin Chappell
577E9A0211EF400... Date: 1/13/2023

Erin Chappell
Regional Manager
Bay Delta Region

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



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE

CASH RECEIPT

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

Print [REDACTED] **Finalize&Email**

RECEIPT NUMBER:
 38-01/25/2023-010
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN FRANCISCO PLANNING DEPARTMENT	LEAD AGENCY EMAIL florentina.craciun@sfgov.org	DATE 01/25/2023
COUNTY/STATE AGENCY OF FILING SAN FRANCISCO COUNTY	DOCUMENT NUMBER 2023-0000007	

PROJECT TITLE
 729 BUSH STREET PROJECT

PROJECT APPLICANT NAME SAN FRANCISCO PLANNING	PROJECT APPLICANT EMAIL florentina.craciun@sfgov.org	PHONE NUMBER (628) 652-7500
PROJECT APPLICANT ADDRESS 49 SOUTH VAN NESS AVE. STE 1400	CITY SAN FRANCISCO	STATE CA
		ZIP CODE 94103

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$ 3,839.25 \$ _____
 - Mitigated/Negative Declaration (MND)(ND) \$ 2,764.00 \$ _____
 - Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,305.25 \$ _____
 - Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
 - Fee previously paid (attach previously issued cash receipt copy)
-
- Water Right Application or Petition Fee (State Water Resources Control Board only) \$ 850.00 \$ _____
 - County documentary handling fee \$ 75.00 \$ _____ **75.00**
 - Other \$ _____

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other 790905448
 TOTAL RECEIVED \$ _____ **75.00**

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE Maribel Jaldon Deputy Clerk
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