



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use and Determination of Compliance with Planning Code Section 309 and Request for Exceptions

HEARING DATE: JULY 9, 2015

Date: July 2, 2015
Case No.: **2012.1531CEX**
Project Address: **361 TURK STREET**
Zoning: RC-4 (Residential-Commercial, General Commercial) District
80-T Height and Bulk District
Block/Lots: 0345/017
Project Address: **145 LEAVENWORTH STREET**
Zoning: C-3-G (Downtown, General Commercial) District
80-X Height and Bulk District
Block/Lots: 0345/002
Project Sponsor: Forge Land Company LLC
260 Townsend Street
San Francisco, CA 94107
Staff Contact: Kate Conner – (415) 575-6914
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The overall project includes the construction of two group housing buildings with a total of 231 group housing rooms on two properties (361 Turk Street and 145 Leavenworth Street) previously developed with surface parking lots. The Project Sponsor contends that the size and location of these rental units makes them “affordable” by design and that the target market for the units averages 150% of Average Median Income (AMI).

361 Turk Street: The Project Sponsor proposes to construct a nine-story building consisting of 4,216 square feet of ground floor commercial space and 137 group-housing rooms, with shared common spaces on alternating floors, a second floor common patio, and a common roof deck open space. There are six parking spaces proposed on-site; however five of these spaces are not affiliated with the Project and serve the adjacent building. The sixth space is a handicapped accessible parking space.

The Project consists of approximately 56,298 gsf of residential uses on a site containing 10,263 sf of lot area. The 137 group housing rooms will each be provided with a private bath and limited cooking facilities.

There is a 1,078 sf interior courtyard located at the second floor and a 2,663 roof deck and outdoor amenity space. The outdoor spaces may have cooking facilities or may be wired for entertainment depending on the needs of the users living in the building. In addition to these exterior common

amenities, there are interior amenity spaces located on alternating floors. These rooms are double height spaces which provide openness in the building and an attractive space for residents to congregate. These spaces will also be programed dependent on the residents but will likely include common areas for cooking and entertainment, and quieter areas for reading and computer work. The Project includes a Conditional Use Authorization for construction of a building over 40 feet pursuant to Planning Code Sections 253 and 303.

145 Leavenworth Street: The Project Sponsor proposes to construct an eight-story building consisting of 2,725 square feet of ground floor commercial space and 98 group-housing rooms, with shared common spaces on alternating floors, a second floor common patio, and a common roof deck open space. There is no parking proposed on-site.

The Project consists of approximately 38,460 gsf of residential uses on a site containing 6,873 sf of lot area. The 98 group housing rooms will each be provided with a private bath and limited cooking facilities. There is a 935 sf interior courtyard located at the second floor and a 2,712 roof deck and outdoor amenity space. The common spaces will be programmed similarly to 361 Turk Street. The Project includes a 309 exception for the Reduction of Ground-Level Wind Currents in C-3 Districts.

SITE DESCRIPTION AND PRESENT USE

361 Turk Street: The Project Site is a vacant lot with surface parking for 38 automobiles with a ramped access to one level below grade located on the south side of Turk Street, west of the intersection with Leavenworth Street, Lot 0017 in Assessor's Block 0345 (hereinafter "Subject Property"). The Subject Property is in the Downtown/Civic Center neighborhood, which features a mixture of high-density dwellings with supporting commercial uses. The ramp located on the Subject Property connects via an existing easement over Lot 018 to 145 Leavenworth Street. The Subject Property is in a RC-4 (Residential-Commercial, High Density) Zoning District, the North of Market Residential Special Use District 1, Fringe Financial Services Restricted Use District and 80-T Height and Bulk District and has a lot area of approximately 10,263 square feet.

145 Leavenworth Street: The Project Site is a vacant lot with surface parking for 26 automobiles located on the west side of Leavenworth Street, south of the intersection with Turk Street, Lot 002 in Assessor's Block 0345 (hereinafter "Subject Property"). The Subject Property is in the Downtown/Civic Center neighborhood, which features a mixture of high-density dwellings with supporting commercial uses. There is an access easement connecting the two properties. The Subject Property is in a C-3-G (Downtown General Commercial) District and an 80-X Height and Bulk District and has a lot area of approximately 6,875 square feet.

The subject block is bounded by Leavenworth Street to the east, Turk Street to the north, Hyde Street to the west, and Golden Gate Avenue to the south. There is approximately 50 feet of frontage on Leavenworth Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

361 Turk Street: Adjacent to the west of the Subject Property is a seven-story apartment building with a retail use at the ground floor, directly to the east is a fourteen-story residential building, and directly

south is a four-story building with ground floor retail and a five-story building occupied by the Service Employees Union and Care through Touch institute. The remainder of the block is developed with residential and commercial buildings ranging from two to fourteen stories. There is a market located at the northeast corner of Golden Gate Avenue and Leavenworth Street and social services offered across Leavenworth Street to the east.

145 Leavenworth Street: Adjacent to the north of the Subject Property is a four-story residential hotel, the Page Hotel; directly to the west is a fourteen-story residential building, and directly south is the Young Man Christians' Association. The remainder of the block is developed with residential and commercial buildings ranging from two to fourteen stories. There is a market located at the northeast corner of Golden Gate Avenue and Leavenworth Street and social services offered across Leavenworth Street to the east.

The Project Site is one block north on the Civic Center Historic District and is located in the Upper Tenderloin Historic District. Plaza. Phillip Burton Courthouse is two blocks to the west and United Nations Plaza is two blocks to the south. Properties to the south are zoned P (Public) Zoning and contain such civic structures as the Asian Art Museum, the San Francisco Public Library and Hastings College of Law. To the north, the zoning changes to RC-4 (Residential Commercial, High Density) and supports high density residential uses. Many of these buildings have ground floor commercial uses. The Project Site is approximately three blocks north of Market Street and the Civic Center Station serving BART and MUNI. The Project is well served by transit of all varieties.

BACKGROUND

The Project originally consisted of both new construction group housing projects and five residential hotel conversion applications. Five downtown hotels were planning to convert their residential hotel rooms to tourist hotel rooms and utilize the new construction group housing as replacement rooms in order to permit the conversion pursuant to Chapter 41 of the Administrative Code. The hotel conversion portion of the application is no longer part of this Project but may be revisited at a later time. If the group housing under consideration with this application is to be considered as replacement housing, not only the hotel conversion cases have to be heard by the Planning Commission, but also the replacement group housing cases would require Planning Commission approval.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 32 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	April 10, 2015	April 7, 2015	62 days
Posted Notice	20 days	April 10, 2015	April 10, 2015	59 days
Mailed Notice	10 days	April 20, 2015	April 20, 2015	49 days

PUBLIC COMMENT

- The Project Sponsor has participated in various community group meetings with the Tenderloin Community Benefit District, Tenderloin Housing Clinic, Tenderloin Housing Action, Tenderloin Neighborhood Development Corporation, San Francisco Housing Coalition, Kelly Cullen Community Center, Tenderloin Community School, and Community Benefit District. To date, there has been concern raised over the lack of affordability, setbacks to adjacent properties, the amount of community outreach, the use of the ground floor retail uses, and concern over the original project submittal which included a SRO residential hotel conversion component. The Department has received 72 letters expressing concerns about the Project and five letters in support of the Project. It should be noted that the Project as proposed no longer includes the SRO residential hotel conversion.
- Those opposed were concerned that there are not adequate setbacks provided between the proposed structures and adjacent buildings and that there are no affordable units being provided on-site. In addition, there was concern that long-time residents of San Francisco are being displaced by high-income employees of the high-tech industry (although there is no displacement caused directly by this Project).
- This case was heard at the Planning Commission on June 4, 2015 and issues regarding affordability, setbacks, and community outreach were discussed during public comment for the project. The matter was continued in an effort to address these issues. As of this writing, according to the Project sponsor, there has been community engagement and modifications to both buildings to increase setbacks, not block property line windows, and address the needs of adjacent buildings. The bedroom count has been reduced to accommodate these changes.
- Ordinance file No. 150348 has been introduced by Supervisor Avalos and sponsored by Supervisors Avalos and Kim amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, including group housing projects. This ordinance is scheduled to be heard at the Planning Commission on July 2, 2015. An addition to the standard "Conformity with Current Law" condition of approval has been drafted stating that if this ordinance is passed, the Project will be subject to the Inclusionary Affordable Housing Program.
- In addition, the Department is aware of a private community benefit agreement that may address specific community issues. As a private agreement, the City cannot condition compliance with the private agreement as a condition of approval.

ISSUES AND OTHER CONSIDERATIONS

- The design of 361 Turk Street and 145 Leavenworth Street is a mix of contemporary and vernacular architecture. Although it is a modern design, it fulfills the requirements of the Secretary of Interior Standards for historic compatibility within the historic district. There is an exoskeletal steel system that serves as a frame on the building. Behind the frame is a building of floor-to-ceiling glass. To soften the effect, the Project is skinned in perforated patinaed copper

panels allowing the glass and steel to be seen through the materials. The finish is expected to be similar to the De Young Museum and is made by the same team. The windows are patterned to emulate the pattern language of punched openings of the adjacent buildings.

- **Planning Code Exceptions.** The Project does not strictly conform to an aspects of the Planning Code. As part of the Section 309 review process for 145 Leavenworth Street, the Commission may grant an exception from certain requirements of the Planning Code for projects that meet specified criteria. The Project requests an exception regarding "Reduction of Ground-Level Wind Currents in C-3 Districts" (Section 148). Compliance with the specific criteria for each exception is summarized below, and is described in the attached draft Section 309 motion.
 - **Ground Level Wind Currents.** The Code requires that new buildings in C-3 Districts must be designed so as to not cause ground-level wind currents to exceed specified comfort levels. When preexisting ambient wind speeds exceed the comfort levels, new buildings must be designed to attenuate ambient wind speeds to meet the specified comfort level. A wind study was prepared in May 2014 by Rowan Williams Davies & Irwin Inc. for the proposed Project that tested existing and existing plus project conditions. The wind study found that six of the 35 sidewalk test point locations exceed the pedestrian comfort criterion of 11mph (more than 10 percent of the time) under existing conditions. The wind study concluded that the proposed Project would result in the exact same exceedances (these locations are on Turk Street, in front and cross the proposed building at 361 Turk Street, and on Leavenworth Street, across the proposed building at 145 Leavenworth Street as well as south of Golden Gate Avenue). The proposed Project would not result in any net new exceedances of the 11 mph pedestrian comfort criterion; nonetheless, because the Project would not eliminate existing wind speeds to meet the pedestrian comfort criteria at all test points, a Section 309 exception is required.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Conditional Use Authorization and a Downtown Project Authorization to construct two group housing buildings with a total of 231 group housing rooms on two properties (361 Turk Street and 145 Leavenworth Street) previously developed with surface parking lots.

BASIS FOR RECOMMENDATION

- The Project would add approximately 2,725 sf of new commercial space at 145 Leavenworth Street and approximately 4,216 sf of new commercial space at 361 Turk Street that is intended to serve residents in the building and likely draw a wider range of new neighborhood-serving retail businesses than it does today.
- The Project provides 231 group housing rooms. These are smaller units built with a sustainable methodology which is projected to reduce the construction period.
- The Project is well designed and compatible with the scale and proportions of buildings in the area, and will be built with high quality materials.

- The Project would not displace an existing retail tenant providing convenience goods and services to the neighborhood. Instead it will develop two vacant lots currently used as surface parking lots.
- The Project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION: Approval with Conditions
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Attachments:

Draft Motion 361 Turk Street

Draft Motion 145 Leavenworth Street

Block Map

Sanborn Map

Zoning Map

Aerial Photographs

Site Photographs

CEQA Exemption

Project Sponsor Submittal, including:

- Letter from Project Sponsor summarizing changes since the June 4, 2015 hearing
- Letter from Project Sponsor
- Community Outreach Summary
- Site Photographs
- Reduced Plans

Attachment Checklist

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

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

KMC
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☐ Inclusionary Housing (Sec. 415)

☒ First Source Hiring (Admin. Code)

☐ Jobs Housing Linkage Program (Sec. 413)

☐ Child Care Requirement (Sec. 414)

☐ Downtown Park Fee (Sec. 412)

☒ Other

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Planning Commission Motion XXXXX

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ADOPTING FINDINGS AUTHORIZING A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 253 TO ALLOW CONSTRUCTION OF A BUILDING OVER 40 FEET IN HEIGHT ON A PROPERTY PREVIOUSLY USED AS A SURFACE PARKING LOT. THE PROPOSED PROJECT IS TO CONSTRUCT AN NINE-STORY GROUP HOUSING BUILDING, CONTAINING 137 GROUP HOUSING ROOMS, AND APPROXIMATELY 4,216 GROSS SQUARE FEET OF GROUND FLOOR RETAIL SPACE. THE PROJECT SITE IS LOCATED WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY) ZONING DISTRICT, THE NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT 1, FRINGE FINANCIAL SERVICES RESTRICTED USE DISTRICT AND 80-T HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 30, 2014, Richard Hannum (hereinafter "Project Sponsor") filed an application (Case No. 2012.1531CEX) with the Planning Department (hereinafter "Department") seeking authorization for new construction of a residential building, nine stories and approximately 80 feet in height, containing 137 group housing rooms and 4,216 gross square feet of ground floor retail space (hereafter "Project") at 361 Turk Street, south side between Leavenworth and Hyde Streets (hereafter "Project Site"), the RC-4 (Residential-Commercial, High Density) Zoning District, the North of Market Residential Special Use District 1, Fringe Financial Services Restricted Use District and 80-T Height and Bulk District.

On September 15, 2014 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project;

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2012.1531CEX at 1650 Mission Street, Fourth Floor, San Francisco, California.

On July 9, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2012.1531CEX.

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 approves the Conditional Use Authorization requested in Application No. 2012.1531CEX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the recitals 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 a vacant lot with surface parking for 38 automobiles with a ramped access to one level below grade located on the south side of Turk Street, west of the intersection with Leavenworth Street, Lot 0017 in Assessor's Block 0345 (hereinafter "Subject Property"). The Subject Property is in the Downtown/Civic Center neighborhood, which features a mixture of high-density dwellings with supporting commercial uses. The property at 145 Leavenworth Street is also being developed as part of this project and is located directly east of the subject property, fronting on Leavenworth Street and located on the same Assessor's Block as the Subject Property. The ramp located on the Subject Property connects via an existing easement over Lot 018 to 145 Leavenworth Street. The Subject Property is in a RC-4 (Residential-Commercial, High Density) Zoning District, the North of Market Residential Special Use District 1, Fringe Financial Services Restricted Use District and 80-T Height and Bulk District and has a lot area of approximately 10,263 square feet.

The subject block is bounded by Leavenworth Street to the east, Turk Street to the north, Hyde Street to the west, and Golden Gate Avenue to the south. There is approximately 50 feet of frontage on Leavenworth Street.

3. **Surrounding Properties and Neighborhood.** Adjacent to the west of the Subject Property is a seven-story apartment building with a retail use at the ground floor, directly to the east is a fourteen-story residential building, and directly south is a four-story building with ground floor retail and a five-story building occupied by the Service Employees Union and Care Through Touch institute. The remainder of the block is developed with residential and commercial buildings ranging from two to fourteen stories. There is a market located at the northeast corner

of Golden Gate Avenue and Leavenworth Street and social services offered across Leavenworth Street to the east.

The Project Site is one block north on the Civic Center Historic District and is located in the Upper Tenderloin Historic District. Plaza. Phillip Burton Courthouse is two blocks to the west and United Nations Plaza is two blocks to the south. Properties to the south are zoned P (Public) Zoning and contain such civic structures as the Asian Art Museum, the San Francisco Public Library and Hastings College of Law. To the north, the zoning changes to RC-4 (Residential Commercial, High Density) and supports high density residential uses. Many of these buildings have ground floor commercial uses. The Project Site is approximately three blocks north of Market Street and the Civic Center Station serving BART and MUNI. The Project is well served by transit of all varieties.

The Project Site is located in the RC-4 District: Residential-Commercial, High-Density Zoning District. These Districts are intended to recognize, protect, conserve, and enhance areas characterized by structures combining Residential uses with neighborhood-serving Commercial uses. The predominant Residential uses are preserved, while provision is made for supporting Commercial uses, usually in or below the ground story, that meet the frequent needs of nearby residents without generating excessive vehicular traffic. The compact, walkable, transit-oriented and mixed-use nature of these Districts is recognized by no off-street parking requirements. The RC-4 Districts provide for a mixture of high-density Dwellings similar to those in RM-4 Districts with supporting Commercial uses. Open spaces are required for Dwellings in the same manner as in RM-4 Districts, except that rear yards need not be at ground level and front setback areas are not required.

4. **Project Description.** The Project Sponsor proposes to construct an nine-story building consisting of 4,216 square feet of ground floor commercial space and 137 group-housing rooms, with shared common spaces on alternating floors, a second floor common patio, and a common roof deck open space. There are six parking spaces proposed on-site; however five of these spaces are not affiliated with the Project and serve the adjacent building. The sixth space is a handicapped accessible parking space.

The Project consists of approximately 56,298 gsf of residential uses on a site containing 10,263 sf of lot area. The 137 group housing rooms will each be provided with a private bath and limited cooking facilities. The Project Sponsor contends that the size and location of these rental units makes them "affordable" by design and that the target market for the units averages 150% of Average Median Income (AMI).

There is a 1,078 sf interior courtyard located at the second floor and a 2,663 roof deck and outdoor amenity space. The outdoor spaces may have cooking facilities or may be wired for entertainment depending on the needs of the users living in the building. In addition to these exterior common amenities, there are interior amenity spaces located on alternating floors. These rooms are double height spaces which provide openness in the building and an attractive space for residents to congregate. These spaces will also be programed dependent on the residents but

will likely include common areas for cooking and entertainment, and quieter areas for reading and computer work.

The Project includes a Conditional Use Authorization for construction of a building over 40 feet pursuant to Planning Code Sections 253 and 303.

5. **Design.** The design of 361 Turk Street is a mix of contemporary and vernacular architecture. Although it is a modern design, it fulfills the requirements of the Secretary of Interior Standards for historic compatibility with the historic context. There is an exoskeletal steel system that serves as a frame on the building. Behind the frame is a building of floor-to-ceiling glass. To soften the effect, the Project is skinned in perforated patinaed copper panels allowing the glass and steel to be seen through the materials. The finish is expected to be similar to the De Young Museum and is made by the same team. The windows are patterned to emulate the pattern language of punched openings of the adjacent buildings. The copper finish was chosen because it will age to a similar patina as the brick which is common throughout the historic district.
6. **Public Comment.** The Project Sponsor has participated in various community group meetings with the Tenderloin Community Benefit District, Tenderloin Housing Clinic, Tenderloin Housing Action, Tenderloin Neighborhood Development Corporation, San Francisco Housing Coalition, Kelly Cullen Community Center, Tenderloin Community School, and Community Benefit District. To date, there has been concern raised over the lack of affordability, setbacks to adjacent properties, the amount of community outreach, the use of the ground floor retail uses, and concern over the original project submittal which included a SRO residential hotel conversion component. The Department has received 72 letters expressing concerns about the Project and five letters in support of the Project. It should be noted that the Project as proposed no longer includes the SRO residential hotel conversion.

Those opposed were concerned that there are not adequate setbacks provided between the proposed structures and adjacent buildings and that there are no affordable units being provided on-site. In addition, there was concern that long-time residents of San Francisco are being displaced by high-income employees of the high-tech industry (although there is no displacement caused directly by this Project).

This case was heard at the Planning commission on Jun4, 2015 and issues regarding affordability, setbacks, and community outreach were discussed during public comment for the project. The matter was continued in an effort to address these issues. As of this writing, according to the Project sponsor, there has been community engagement and modifications to both buildings to increase setbacks, not block property line windows, and address the needs of adjacent buildings. The bedroom count has been reduced to accommodate these changes.

Ordinance file No. 150348 has been introduced by Supervisor Avalos and sponsored by Supervisors Avalos and Kim amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, including group housing projects. This ordinance is scheduled to be heard at the Planning Commission on July 2, 2015. An addition to the standard "Conformity with Current Law" condition of approval has been drafted stating that

if this ordinance is passed, the Project will be subject to the Inclusionary Affordable Housing Program.

In addition, the Department is aware of a private community benefit agreement that may address specific community issues. As a private agreement, the City cannot condition compliance with the private agreement as a condition of approval.

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

- a. **Floor Area Ratio (Section 124).** The floor area ratio (FAR) limit as defined by Planning Code Section 124, shall not apply to dwellings or to other residential uses in R, RC, NC, and Mixed Use Districts. The FAR limit is the RC-4 district is 4.8:1.0.

The proposed gsf subject to FAR is 4,216 sf on a 10,263 sf lot, thereby yielding a FAR of .41 to 1.0. The 4,216 gsf of retail on the ground floor is subject to FAR calculations in the RC-4 District pursuant to Planning Code Section 102.9. the Project meets this requirement.

- b. **Rear Yard (Section 134).** Planning Code Section 134 requires that a project provide a minimum rear yard depth be equal to 25 percent of the total depth of the lot on which the building is situated at the lowest story containing a dwelling unit, and at each succeeding story, except those buildings which contain only single room occupancy (SRO) units.

The rear yard provision of the Planning Code does not apply to the Project because there are no dwelling units; the Project includes only group housing rooms which would qualify as SRO units for the purposes of rear yard calculations.

- c. **Residential Open Space (Section 135).** Planning Code Section 135, requires is 36 sf per dwelling unit of residential open space requirement if the open space is private and 48 sf per dwelling unit if it is provided through common open space. For group housing structures, SRO units, and dwelling units that measure less than 350 square feet plus a bathroom, the minimum amount of usable open space provided for use by each bedroom or SRO unit shall be one-third the amount required for a dwelling unit; therefore, the requirement per bedroom is 12 sf for private and 16 sf for common open space.

The Project includes 137 group housing rooms; therefore, the Project must provide 2,192 sf of common open space. Included in the proposal are a 2,663 sf roof deck and a 1,078 sf second level courtyard. The second level courtyard does not meet the exposure requirements for open space; however, the roof deck alone satisfies the open space requirements.

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

This Planning Code Section applies only to dwelling units; group housing rooms are not considered dwelling units.

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

The ground floor along Turk Street contains “active uses” with direct access to the sidewalk within the first 25 feet of building depth and are thus compliant with this Code Section. Along Turk Street, the Project includes a lobby, retail space, parking access, and pedestrian corridor. Lobbies are only considered active uses, if they do not exceed 40 feet or 25% of building frontage, whichever is larger. The frontage on Leavenworth is 54’-9” feet and the lobby is approximately 12 feet, thereby meeting this requirement. The retail space occupies the majority of the frontage. The Project meets this Section of the Code in that the frontage is completely devoted to active uses, building systems, and residential entry.

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

The Turk Street frontage measures approximately 54’-9” feet and meets the transparency requirement for the active uses on each frontage. The residential entry and retail tenant space will meet the glazing requirements by being 100% glazed and transparent.

- g. **Parking (Section 151).** Planning Code Section 151 does not require off-street parking for group housing projects.

The Project includes six parking spaces. Five parking spaces are associated with the adjacent building and there is one handicapped accessible parking space affiliated with the Project. The Project complies with this requirement.

- h. **Bicycle Parking (Section 155.5).** Planning Code Section 155.2 requires one Class 1 space for every four beds and a minimum of two Class 2 spaces for the residential portion. A minimum of two Class 2 spaces are required for the retail use.

The Project requires a minimum of 34 indoor secure Class 1 bicycle parking spaces. The Class 1 bicycle spaces would be provided at basement level and accessed from the main residential entry. The Project is required to provide four Class 2 spaces on the sidewalk. For the retail component, an additional two Class 2 spaces are required bringing the bicycle requirement total to 34 Class 1 spaces and 4 Class 2 spaces. The Project is providing 35 Class 1 spaces and 4 Class 2 spaces, thereby meeting this requirement.

- i. **Density (Section 209.3).** Planning Code Section 209.3 states that the density for group housing is up to one bedroom for every 70 square feet of lot area.

The proposed residential density of 137 group housing rooms on a parcel that is 10,263 sf in area is one group housing room per 75 sf of area which meets the Planning Code requirement.

- j. **Use (Sections 209.3, 102).** The Project Site is located in a RC-4 District wherein residential and commercial uses at the ground floor and below are permitted.

The residential and retail uses of the proposed Project at the density proposed would be consistent with the permitted uses, pursuant to Planning Code Section 209.3.

- k. **Review of Proposed Buildings and Structures Exceeding a Height of 50 Feet in RC Districts (Section 253).** In reviewing any such proposal for a building or structure exceeding 50 feet in height in a RC District the Planning Commission shall consider the expressed purposes of this Code, of the RC Districts, and of the height and bulk districts (80-T), as well as the criteria stated in Section 303(c) of this Code and the objectives, policies and principles of the General Plan, and may permit a height of such building or structure up to but not exceeding the height limit prescribed by the height and bulk district in which the property is located. In reviewing a proposal for a building exceeding 50 feet in RM and RC districts, the Planning Commission may require that the permitted bulk and required setbacks of a building be arranged to maintain appropriate scale on and maximize sunlight to narrow streets (rights-of-way 40 feet in width or narrower) and alleys.

The Project is not out of scale with surrounding buildings which are mixed in character. The Project complies with the height requirement.

- l. **Height (Section 260).** The property is located in the 80-T Height and Bulk District, thus permitting structures up to a height of 80 feet and requiring sculpting above 80 feet with a maximum length of 110 and a maximum diagonal dimension of 125 feet.

The Project would reach a height of approximately 80'-0" conforming in its entirety to the Height and Bulk District. The building includes various features, such as elevator/stair penthouses, mechanical structures, and wind screens that extend above the 80-foot proposed height; however, these features meet the Planning Code for exemptions to the height calculation. The Project would therefore comply with the Planning Code's 80-T Height and Bulk District.

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

The preliminary shadow fan prepared by the Planning Department found that both of the new buildings' shadow could reach the Turk and Hyde Mini-Park, a Recreation and Parks Department property. However, the preliminary shadow fan assumes no other buildings are present. Therefore, a more detailed shadow study was conducted that includes intervening buildings by PreVision Design on March 7, 2013. The results of the shadow study indicate that the proposed Project would not result in any net new shadows on Turk and Hyde Mini-Park. Shadows cast by existing buildings in the vicinity subsume any potential shadow cast by the proposed development, at the times when the proposed Project could cast shadow on the Turk and Hyde Mini-Park. At the times when shadow would be cast by the proposed Project that is not subsumed by existing shadows, the Project-related net new shadow would not be long enough to reach Turk and Hyde Mini-Park. Therefore, the proposed Project would not add any net new shadow on public open spaces under Recreation and Parks jurisdiction.

- n. **Inclusionary Affordable Housing Program (Section 415).** 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, these requirements would apply to projects that consist of 10 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 and 415.6, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 12% of the proposed dwelling units as affordable.

The Project is not subject to the Inclusionary Affordable Housing Program in that it is a group housing project. The Inclusionary Affordable Housing Program only applies to projects with dwelling units. Ordinance file No. 150348 has been introduced by Supervisor Avalos and sponsored by Supervisors Avalos and Kim amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, including group housing projects. This ordinance is scheduled to be heard at the Planning Commission on July 2, 2015. An addition to the standard "Conformity with Current Law" condition of approval has been drafted stating that if this ordinance is passed, the Project will be subject to the Inclusionary Affordable Housing Program.

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

requirements for street trees in C-Districts. Street trees must have a minimum 2 inch caliper (measured at breast height); must maintain branches a minimum of 80 inches above sidewalk grade; must be planted in a sidewalk opening at least 16 square feet, and have a minimum soil depth of 3 feet 6 inches; and include street tree basins edged with decorative treatment, such as pavers or cobbles. Edging features may be counted toward the minimum sidewalk opening per (cc) if they are permeable surfaces per Section 102.33.

The Project includes a total of approximately 54'-9" feet of street frontage, along the Turk Street frontage, which results in a requirement for 3 street trees. Conditions of approval are included that require the Project to plant 3 street trees as part of the Project's site plan, along the Leavenworth Street frontage, unless DPW cannot grant approval for installation of any of the required trees on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare. In any such case, the requirements of Section 138.1 may be modified or waived by the Zoning Administrator. There are no existing trees located on Turk Street.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

The proposed Project responds to the need for new housing by providing 137 group housing rooms on a previously vacant lot.

OBJECTIVE 3:

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

Policy 3.4:

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

The proposed Project provides 137 group housing rooms. These are smaller units built with a sustainable methodology which is projected to reduce the construction period.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.5:

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

Policy 11.6:

Foster a sense of community through architectural design, using features that promote community interaction.

The Project is well designed and compatible with the scale and proportions of buildings in the area, and will be built with high quality materials. The design is compatible with design elements in the neighborhood and would add to the image and mixed-use orientation of the downtown district. The design of the building incorporates contemporary design and detailing that responds appropriately to the variety of heights, scales, styles and periods found in the area. The design and proportions feature clean lines with appropriately scaled massing coupled with quality materials and fixtures that will add to the evolving rich and varied pedestrian experience in this neighborhood.

OBJECTIVE 12:

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.1:

Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Policy 12.3:

Ensure new housing is sustainably supported by the City's public infrastructure systems.

The Project is well served by public transit. Within ¼ mile of the Project are the F, 5, 9, 9L, 16X, 19, 27, 31, 38, and 38L Muni Lines, the Civic Center Station with the J,K,L,M,N,S, and T Metro Lines; connections to Golden Gate Transit, BART, and AC Transit. Located in the downtown core, Project residents that do not utilize public transit are well situated to commute by walking or bicycle. The Project proposes 35 Class One bicycle spaces and four Class Two bicycle spaces.

OBJECTIVE 13:

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1:

Support “smart” regional growth that locates new housing close to jobs and transit.

Policy 13.3:

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

The Project is located within the downtown core and is close to concentrated employment. The Project is within easy walking distance to transit and will affirmatively increase sustainable mode share.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The Project would add approximately 4,216 sf of new commercial space that is intended to serve residents in the building and likely draw a wider range of new neighborhood-serving retail businesses than it does today. Retail is encouraged and principally permitted on the ground floor of buildings in the Downtown General District, and is thus consistent with activities in the commercial land use plan.

TRANSPORTATION ELEMENT

OBJECTIVE 2:

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

Policy 2.1:

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

OBJECTIVE 11:

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

Policy 11.3:

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

The Project is located within a neighborhood rich with public transportation and the people occupying the building are expected to rely heavily on public transit, bicycling, or walking for the majority of their daily trips. The Project is well served by public transit. Within ¼ mile of the Project are the F, 5, 9, 9L, 16X, 19, 27, 31, 38, and 38L Muni Lines, the Civic Center Station with the J,K,L,M,N,S, and T Metro Lines; connections to Golden Gate Transit, BART, and AC Transit. Located in the downtown core, Project residents that do not utilize public transit are well situated to commute by walking or bicycle. The Project proposes 35 Class One bicycle spaces and four Class Two bicycle spaces. The Project is well served by transit of all varieties.

URBAN DESIGN ELEMENT

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 1.3:

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

The height, massing, and shape of the proposed building would ensure its compatibility with the other buildings in the vicinity by transitioning appropriately with the context of the surrounding neighborhood.

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 3.2:

Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.

Policy 3.5:

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

Policy 3.6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project would be compatible with the visual relationship and transitions between new and older buildings in the neighborhood. The design and proportions of the building would be compatible with the varying sizes of the buildings in the vicinity. The design of the building incorporates contemporary design that responds appropriately to the variety of styles and periods of this Residential-Commercial, High Density District. The Project's height and bulk would be consistent with the surrounding streetscape and would be visually compatible with the surrounding buildings.

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 includes a well landscaped second story courtyard and a roof deck.

DOWNTOWN AREA PLAN

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

Encourage development which produces substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences which cannot be mitigated.

The Project will bring additional housing without off-street parking spaces and a total of 39 bicycle parking spaces into a neighborhood that is well served by public transit. The Project will create substantial net benefits for the City without any undesirable consequences that cannot be mitigated.

OBJECTIVE 7:

EXPAND THE SUPPLY OF HOUSING IN AND ADJACENT TO DOWNTOWN.

Policy 7.1:

Promote the inclusion of housing in downtown commercial developments.

Policy 7.2:

Facilitate conversion of underused industrial and commercial areas to residential use.

The Project would construct a nine-story, 137 bedroom group housing residential building and 4,216 sf of ground floor commercial space, which will provide services to the immediate neighborhood.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project will not displace a neighborhood-serving retail space and will add 4,216 sf of retail.

- 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 would not remove any existing housing, and would create 137 group housing rooms. The Project Site is located within a dense, urban-infill neighborhood on Turk Street at the intersection with Leavenworth Street and within a Residential Commercial District. The Project would enhance the character of the neighborhood by replacing a vacant lot currently used for parking. The Project adds to the continuous ground level streetscape on Turk Street by providing active uses which will animate the street level. The Project would add to the cultural and economic diversity of the area by providing 137 group housing rooms.

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

There is currently no housing on the site; therefore, no affordable housing will be lost as part of this Project. The Project would, however, enhance the City's supply of affordable housing serving moderate income households. The Project would provide "naturally affordable" bedrooms at a lower cost than typical market rate dwelling units in the surrounding area.

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

Commuter traffic would be extremely limited, consisting primarily of support staff and retail space employees. The site is three blocks north of Market Street and approximately three blocks from the Civic Center Station serving BART and MUNI. The Project is well served by transit of all varieties.

- 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.

No industrial or service sector business would be displaced by the proposed project, and there is no commercial office space in the development. The Project includes only residential uses and neighborhood-serving retail. Many of the building's new residents will support the existing industrial

or service sector businesses in the neighborhood, prompting the creation of more employment opportunities.

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

The Project would be constructed to meet all of the most current and rigorous seismic and life-safety requirements of the San Francisco Building Code. This Project will not adversely affect the property's ability to withstand an earthquake; rather, it will result in the production of seismically safe housing.

- G. That landmarks and historic buildings be preserved.

No landmarks or historic buildings would be demolished. The Project has been determined to be compatible with the Upper Tenderloin Historic District.

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

The Project will not have an impact on existing parks and open spaces and access to sunlight. Existing public parks and open space areas in the project vicinity include the Civic Center Plaza and the United Nations Plaza, which are all at least three blocks away. The project would not shade any of these parks.

10. 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.
11. The Commission hereby finds that approval of the Determination of Compliance with exceptions would promote the health, safety and welfare of the City.

DECISION

Based upon the whole record, the submissions by the Project Sponsor, the staff of the Department, and other interested parties, the oral testimony presented to the Commission at the public hearing, and all other written materials submitted by all parties, in accordance with the standards specified in the Code, the Commission hereby **APPROVES Application No. 2012.1531CEX** pursuant to Planning Code Section 303 and 253, subject to the following conditions attached hereto as Exhibit A which are incorporated herein by reference as though fully set forth, in general conformance with the plans stamped Exhibit B and on file in Case Docket No. **2012.1531CEX**.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 309 Determination of Compliance and Request for Exceptions 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 this Motion if not appealed 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 in person at 1650 Mission Street, Room 304, San Francisco, CA 94103, or call (415) 575-6880.

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 constitutes 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 July 9, 2015.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 9, 2015

EXHIBIT A

AUTHORIZATION

This authorization is to grant a Conditional Use Authorization to allow construction of a building over 40 feet in height on a property previously used as a surface parking lot. The proposed project is to construct an nine-story group housing building, containing 137 group housing rooms, and approximately 4,216 gross square feet of ground floor retail space. The Project Site is located within the RC-4 (Residential-Commercial, High Density) Zoning District, the North of Market Residential Special Use District 1, Fringe Financial Services Restricted Use District and 80-T Height and Bulk District, in general conformance with plans dated June 25, 2015, and stamped "EXHIBIT B" included in the docket for Case No. **2012.1531CEX** and subject to conditions of approval reviewed and approved by the Commission on July 9, 2015 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 July 9, 2015 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. **XXXX** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

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

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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, including provisions referenced in an ordinance (Board File No. 150348) amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to group housing projects, should it be adopted. If this ordinance is adopted, the Project will be subject to the Inclusionary Affordable Housing Program, pursuant to Planning Code Section 415.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, ground floor, open spaces, 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 415-575-9078, www.sf-planning.org

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

For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, www.sf-planning.org

8. **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 architectural addendum to the permit. 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 415-575-9078, www.sf-planning.org

9. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff prior to Planning approval of the architectural addendum to the site permit. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, www.sf-planning.org

10. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects 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:

1. 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;
2. On-site, in a driveway, underground;
3. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
4. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
5. Public right-of-way, underground; and based on Better Streets Plan guidelines;
6. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
7. 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>

11. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, www.sfmta.org

12. **Noise, Ambient.** Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

13. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. A total of 3 trees are required on Turk Street. This total is the final required amount of street trees and does not take into account existing trees. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the

requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, www.sf-planning.org

PARKING AND TRAFFIC

14. **Bicycle Parking.** The Project shall provide no fewer than 34 Class 1 bicycle parking spaces and four Class 2 bicycle parking spaces as required by Planning Code Sections 155.2.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

15. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

16. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org.

MONITORING - AFTER ENTITLEMENT

17. **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

18. **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

OPERATION

19. **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>

20. **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>

21. **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

22. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the architectural addendum to the site permit.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, www.sf-planning.org



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☐ Inclusionary Housing (Sec. 415)

☒ First Source Hiring (Admin. Code)

☐ Jobs Housing Linkage Program (Sec. 413)

☐ Child Care Requirement (Sec. 414)

☐ Downtown Park Fee (Sec. 412)

☒ Other

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Planning Commission Motion XXXXX

HEARING DATE: JULY 9, 2015

Date: July 2, 2015
Case No.: **2012.1531CEX**
Project Address: **145 LEAVENWORTH STREET**
Zoning: C-3-G (Downtown, General Commercial) District
80-X Height and Bulk District
Block/Lots: 0345/002
Project Sponsor: Forge Land Company LLC
260 Townsend Street
San Francisco, CA 94107
Staff Contact: Kate Conner – (415) 575-6914
kate.conner@sfgov.org

ADOPTING FINDINGS AUTHORIZING A DETERMINATION OF COMPLIANCE PURSUANT TO PLANNING CODE SECTION 309, WITH EXCEPTIONS TO THE REQUIREMENTS FOR THE REDUCTION OF GROUND-LEVEL WIND CURRENTS IN C-3 DISTRICTS PURSUANT TO PLANNING CODE SECTION 148. THE PROPOSED PROJECT IS TO CONSTRUCT AN EIGHT-STORY 94-ROOM GROUP HOUSING BUILDING WITH APPROXIMATELY 3,776 GROSS SQUARE FEET (GSF) OF GROUND FLOOR RETAIL USES. THE PROJECT SITE IS LOCATED WITHIN THE C-3-G (DOWNTOWN GENERAL) ZONING DISTRICT AND 80-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 30, 2014, Richard Hannum (hereinafter "Project Sponsor") filed an application (Case No. 2012.1531CEX) with the Planning Department (hereinafter "Department") seeking authorization for new construction of a residential building, eight stories and approximately 80 feet in height, containing 94 group housing rooms and 3,776 gross square feet of ground floor retail space (hereinafter "Project") at 145 Leavenworth Street, northwest of the intersection with Golden Gate Avenue, within the C-3-G (Downtown General Commercial) District and a 80-X Height and Bulk District.

On September 15, 2014 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 32 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project;

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2012.1531CEX at 1650 Mission Street, Fourth Floor, San Francisco, California.

On July 9, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2012.1531CEX.

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 approves the Determination of Compliance and Exceptions to Section 309 requested in Application No. 2012.1531CEX, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the recitals 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 a vacant lot with surface parking for 26 automobiles located on the west side of Leavenworth Street, south of the intersection with Turk Street, Lot 002 in Assessor's Block 0345 (hereinafter "Subject Property"). The Subject Property is in the Downtown/Civic Center neighborhood, which features a mixture of high-density dwellings with supporting commercial uses. The property at 361 Turk Street is also being developed as part of this Project and is located directly west of the subject property, fronting on Turk Street and located on the same Assessor's Block as the Subject Property. There is an access easement connecting the two properties. The Subject Property is in a C-3-G (Downtown General Commercial) District and an 80-X Height and Bulk District and has a lot area of approximately 6,875 square feet.

The subject block is bounded by Leavenworth Street to the east, Turk Street to the north, Hyde Street to the west, and Golden Gate Avenue to the south. There is approximately 50 feet of frontage on Leavenworth Street.

3. **Surrounding Properties and Neighborhood.** Adjacent to the north of the Subject Property is a four-story residential hotel, the Page Hotel; directly to the west is a fourteen-story residential building, and directly south is the Young Man Christians' Association. The remainder of the block is developed with residential and commercial buildings ranging from two to fourteen stories. There is a market located at the northeast corner of Golden Gate Avenue and Leavenworth Street and social services offered across Leavenworth Street to the east.

The Project Site is one block north on the Civic Center Historic District and is located in the Upper Tenderloin Historic District. Plaza. Phillip Burton Courthouse is two blocks to the west and United Nations Plaza is two blocks to the south. Properties to the south are zoned P (Public) Zoning and contain such civic structures as the Asian Art Museum, the San Francisco Public

Library and Hastings College of Law. To the north, the zoning changes to RC-4 (Residential Commercial, High Density) and supports high density residential uses. Many of these buildings have ground floor commercial uses. The Project Site is approximately three blocks north of Market Street and the Civic Center Station serving BART and MUNI. The Project is well served by transit of all varieties.

The Project Site is located in the C-3-G District: Downtown General Commercial Zoning District. This District covers the western portions of downtown and is composed of a variety of uses: retail, offices, hotels, entertainment, clubs and institutions, and high-density residential. Many of these uses have a Citywide or regional function, although the intensity of development is lower here than in the downtown core area. As in the case of other downtown districts, no off-street parking is required for individual commercial buildings. In the vicinity of Market Street, the configuration of this district reflects easy accessibility by rapid transit.

4. **Project Description.** The Project Sponsor proposes to construct an eight-story building consisting of 3,776 square feet of ground floor commercial space and 94 group-housing rooms, with shared common spaces on alternating floors, a second floor common patio, and a common roof deck open space. There is no parking proposed on-site.

The Project consists of approximately 38,408 gsf of residential uses on a site containing 6,873 sf of lot area. The 94 group housing rooms will each be provided with a private bath and limited cooking facilities. The Project Sponsor contends that the size and location of these rental units makes them “affordable” by design and that the target market for the units averages 150% of Average Median Income (AMI).

There is a 935 sf interior courtyard located at the second floor and a 2,712 roof deck and outdoor amenity space. The outdoor spaces may have cooking facilities or may be wired for entertainment depending on the needs of the users living in the building. In addition to these exterior common amenities, there are interior amenity spaces located on alternating floors. These rooms are double height spaces which provide openness in the building and an attractive space for residents to congregate. These spaces will also be programmed dependent on the residents but will likely include common areas for cooking and entertainment, and quieter areas for reading and computer work.

The Project includes a 309 exception for the Reduction of Ground-Level Wind Currents in C-3 Districts.

5. **Design.** The design of 145 Leavenworth Street is a mix of contemporary and vernacular architecture. Although it is a modern design, it fulfills the requirements of the Secretary of Interior Standards for historic compatibility within the historic district. There is an exoskeletal steel system that serves as a frame on the building. Behind the frame is a building of floor-to-ceiling glass. To soften the effect, the Project is skinned in perforated patinaed copper panels allowing the glass and steel to be seen through the materials. The finish is expected to be similar to the De Young Museum and is made by the same team. The windows are patterned to emulate the pattern language of punched openings of the adjacent buildings. The copper finish was

chosen because it will age to a similar patina as the brick which is common throughout the historic district.

6. **Public Comment.** The Project Sponsor has participated in various community group meetings with the Tenderloin Community Benefit District, Tenderloin Housing Clinic, Tenderloin Housing Action, Tenderloin Neighborhood Development Corporation, San Francisco Housing Coalition, Kelly Cullen Community Center, Tenderloin Community School, and Community Benefit District. To date, there has been concern raised over the lack of affordability, setbacks to adjacent properties, the amount of community outreach, the use of the ground floor retail uses, and concern over the original project submittal which included a SRO residential hotel conversion component. The Department has received 72 letters expressing concerns about the Project and five letters in support of the Project. It should be noted that the Project as proposed no longer includes the SRO residential hotel conversion.

Those opposed were concerned that there are not adequate setbacks provided between the proposed structures and adjacent buildings and that there are no affordable units being provided on-site. In addition, there was concern that long-time residents of San Francisco are being displaced by high-income employees of the high-tech industry (although there is no displacement caused directly by this Project).

This case was heard at the Planning commission on Jun4, 2015 and issues regarding affordability, setbacks, and community outreach were discussed during public comment for the project. The matter was continued in an effort to address these issues. As of this writing, according to the Project sponsor, there has been community engagement and modifications to both buildings to increase setbacks, not block property line windows, and address the needs of adjacent buildings. The bedroom count has been reduced to accommodate these changes.

Ordinance file No. 150348 has been introduced by Supervisor Avalos and sponsored by Supervisors Avalos and Kim amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, including group housing projects. This ordinance is scheduled to be heard at the Planning Commission on July 2, 2015. An addition to the standard "Conformity with Current Law" condition of approval has been drafted stating that if this ordinance is passed, the Project will be subject to the Inclusionary Affordable Housing Program.

In addition, the Department is aware of a private community benefit agreement that may address specific community issues. As a private agreement, the City cannot condition compliance with the private agreement as a condition of approval.

7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - a. **Floor Area Ratio (Section 124).** The floor area ratio (FAR) limit as defined by Planning Code Section 124 for the Downtown General Commercial District is 6.0 to 1.

In the C-3-G District, the maximum floor area ratio (FAR) is 6.0:1. The proposed gsf subject to FAR is 38,408 sf on a 6,873 sf lot, thereby yielding a FAR of 5.9 to 1.0. The 3,776 gsf of retail on the ground floor is exempt from FAR calculations pursuant to Planning Code Section 102.9.

- b. **Rear Yard (Section 134).** Planning Code Section 134 requires that a project provide a minimum rear yard depth be equal to 25 percent of the total depth of the lot on which the building is situated at the lowest story containing a dwelling unit, and at each succeeding story, except those buildings which contain only single room occupancy (SRO) units.

The rear yard provision of the Planning Code does not apply to the Project because there are no dwelling units; the Project includes only group housing rooms which would qualify as SRO units for the purposes of rear yard calculations.

- c. **Residential Open Space (Section 135).** Planning Code Section 135, requires is 36 sf per dwelling unit of residential open space requirement if the open space is private and 48 sf per dwelling unit if it is provided through common open space. For group housing structures, SRO units, and dwelling units that measure less than 350 square feet plus a bathroom, the minimum amount of usable open space provided for use by each bedroom or SRO unit shall be one-third the amount required for a dwelling unit; therefore, the requirement per bedroom is 12 sf for private and 16 sf for common open space.

The Project includes 94 group housing rooms; therefore, the Project must provide 1,504 sf of common open space. Included in the proposal are a 2,712 sf roof deck and a 935 sf second level courtyard. The second level courtyard does not meet the exposure requirements for open space; however, the roof deck alone satisfies the open space requirements.

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

This Planning Code Section applies only to dwelling units; group housing rooms are not considered dwelling units.

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

The ground floor along Leavenworth Street contains “active uses” with direct access to the sidewalk within the first 25 feet of building depth and are thus compliant with this Code Section. Along Leavenworth Street, the Project includes a lobby, retail space, and pedestrian corridor. Lobbies are only considered active uses, if they do not exceed 40 feet or 25% of building frontage, whichever is larger. The frontage on Leavenworth is 50 feet and the lobby is approximately 12 feet, thereby meeting this requirement. The retail space occupies the majority of the frontage, aside from a narrow pedestrian corridor along the north property line. The Project meets this section of the Code in that the frontage is completely devoted to active uses, building systems, and residential entry.

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

The Leavenworth Street frontage measures approximately 50 feet and meets the transparency requirement for the active uses on each frontage. The residential entry and retail tenant space will meet the glazing requirements by being 100% glazed and transparent.

- g. **Shadows on Public Sidewalks (Section 146).** Planning Code Section 146(a) establishes design requirements for buildings on certain streets in order to maintain direct sunlight on public sidewalks in certain downtown areas during critical use periods. Section 146(c) requires that other buildings, not located on the specific streets identified in Section 146(a), shall be shaped to reduce substantial shadow impacts on public sidewalks, if it can be done without unduly creating an unattractive design and without unduly restricting development potential.

Section 146(a) does not apply to construction on Leavenworth Street, and therefore does not apply to the Project.

As it relates to Section 146(c), the Project would replace a vacant surface parking lot with an eight story building. Although there would be new shadows on sidewalks and pedestrian areas adjacent to the Site, the Project’s shadow effects would be limited in scope and would not increase the total amount of shading above levels that are commonly and generally accepted in urban areas. The Project is proposed at a height that is zoned for the property and cannot be further shaped to reduce substantial shadow impacts on public sidewalks without creating an unattractive design and without unduly restricting development potential. Therefore, the Project will not create substantial shadow impacts to public sidewalks.

- h. **Shadows on Public Open Spaces (Section 147).** Planning Code Section 147 seeks to reduce substantial shadow impacts on public plazas and other publicly accessible open spaces other than those protected under Section 295. Consistent with the dictates of good design and without unduly restricting development potential, buildings taller than 50 feet should be shaped to reduce substantial shadow impacts on open spaces subject to

Section 147. In determining whether a shadow is substantial, the following factors shall be taken into account: the area shaded the shadow's duration, and the importance of sunlight to the area in question.

A shadow analysis determined that the Project would not cast net new shadow on Turk and Hyde Mini Park or any other open space under the jurisdiction of, or designated to be acquired by the Recreation and Park Commission. No other significant public or private open spaces – including those not protected by Section 295 – would be affected by shadows from the Project.

- i. **Ground Level Wind (Section 148).** Pursuant to Section 148, in C-3 Districts, buildings and additions to existing buildings shall be shaped, or other wind-baffling measures shall be adopted, so that the developments will not cause ground-level wind currents to exceed more than 10 percent of the time year round, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 miles per hour equivalent wind speed in areas of substantial pedestrian use and seven miles per hour equivalent wind speed in public seating areas.

When preexisting ambient wind speeds exceed the comfort level, or when a proposed building or addition may cause ambient wind speeds to exceed the comfort level, the building shall be designed to reduce the ambient wind speeds to meet the requirements. An exception may be granted, in accordance with the provisions of Section 309, allowing the building or addition to add to the amount of time that the comfort level is exceeded by the least practical amount if (1) it can be shown that a building or addition cannot be shaped and other wind-baffling measures cannot be adopted to meet the foregoing requirements without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site in question, and (2) it is concluded that, because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded, the addition is insubstantial.

No exception shall be granted and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

A wind study was prepared in May 2014 by Rowan Williams Davies & Irwin Inc. for the proposed Project that tested existing and existing plus project conditions. The wind study found that six of the 35 sidewalk test point locations exceed the pedestrian comfort criterion of 11mph (more than 10 percent of the time) under existing conditions. The wind study concluded that the proposed Project would result in the exact same exceedances (these locations are on Turk Street, in front and cross the proposed building at 351 Turk Street, and on Leavenworth Street, across the proposed building at 145 Leavenworth Street as well as south of Golden Gate Avenue). The proposed Project would not result in any net new exceedances of the 11 mph pedestrian comfort criterion; nonetheless, because the Project would not eliminate existing wind speeds to meet the pedestrian comfort criteria at all test points, a Section 309 exception is required.

- j. **Parking (Section 151.1).** Planning Code Section 151.1 does not require off-street parking for the project, and permits up to one car for each three bedrooms or for each six beds, whichever results in the greater requirement.

The Project proposes no off-street parking, meeting this Planning Code requirement.

- k. **Loading (Section 152.1).** Section 152.1 establishes minimum requirements for off-street loading. In C-3 Districts, the loading requirement is based on the total gross floor area of the structure or use. Residential uses exceeding 100,000 square feet are required to provide one off-street loading spaces. Retail uses less than 10,000 square feet are not required to provide any loading spaces. Two service-vehicle spaces may be provided in place of one full-sized loading space.

The Project is not providing any off-street loading spaces. With a floor area of approximately 38,408 gsf, the residential component of the Project is not required to provide off-street loading spaces. No off-street loading is required for the approximately 3,776 sf devoted to retail uses.

- l. **Bicycle Parking (Section 155.5).** Planning Code Section 155.2 requires one Class space for every four beds and a minimum of two Class 2 spaces. A minimum of two spaces is required for the retail use.

The Project requires a minimum of 24 indoor secure Class 1 bicycle parking spaces. The Class 1 bicycle spaces would be provided at street level and accessed from the main residential entry. The Project is required to provide four Class 2 spaces on the sidewalk. For the retail component, an additional two Class 2 spaces are required bringing the bicycle requirement total to 25 Class 1 spaces and four Class 2 spaces. The Project is providing 25 Class 1 spaces and four Class 2 spaces, thereby meeting this requirement.

- m. **Car Share (Section 166).** Planning Code Section 166 requires one car-share space when a residential project includes between 50 and 200 residential units.

The Project does not propose any off-street parking and is therefore not required to provide any car-share parking.

- n. **Density (Section 210.2).** Planning Code Section 210.2 states that the C-3 districts do not have a density limit. Density is regulated by the permitted height and bulk, and required setbacks, exposure, and open space of each development lot.

The proposed residential density of 94 group housing rooms on a parcel that is 6,873 sf in area is one group housing room per 73 sf of area which meets the Planning Code requirement. There is no maximum density requirement.

- o. **Use (Sections 210.2, 208, 102).** The Project Site is located in a Downtown General (C-3-G) District wherein residential and commercial uses are permitted. Areas in the City identified as Downtown General include a variety of different uses, such as retail, offices,

hotels, entertainment, clubs and institutions, and high-density residential. Many of these uses have a Citywide or regional function, although the intensity of development is lower here than in the downtown core area.

The residential and retail uses of the proposed Project at the density proposed would be consistent with the permitted Downtown General uses, pursuant to Planning Code Section 210.2.

- p. **Height (Section 260).** The property is located in the 80-X Height and Bulk District, thus permitting structures up to a height of 80 feet.

The Project would reach a height of approximately 80'-0" conforming in its entirety to the Height and Bulk District. The building includes various features, such as elevator/stair penthouses, mechanical structures, and wind screens that extend above the 80-foot proposed height; however, these features meet the Planning Code for exemptions to the height calculation. The Project would therefore comply with the Planning Code's 80-X Height and Bulk District.

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

The preliminary shadow fan prepared by the Planning Department found that both of the new buildings' shadow could reach the Turk and Hyde Mini-Park, a Recreation and Parks Department property. However, the preliminary shadow fan assumes no other buildings are present. Therefore, a more detailed shadow study was conducted that includes intervening buildings by PreVision Design on March 7, 2013. The results of the shadow study indicate that the proposed Project would not result in any net new shadows on Turk and Hyde Mini-Park. Shadows cast by existing buildings in the vicinity subsume any potential shadow cast by the proposed development, at the times when the proposed Project could cast shadow on the Turk and Hyde Mini-Park. At the times when shadow would be cast by the proposed Project that is not subsumed by existing shadows, the Project-related net new shadow would not be long enough to reach Turk and Hyde Mini-Park. Therefore, the proposed Project would not add any net new shadow on public open spaces under Recreation and Parks jurisdiction.

- r. **Inclusionary Affordable Housing Program (Section 415).** 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, these requirements would apply to projects that consist of 10 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 and 415.6, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 12% of the proposed dwelling units as affordable.

The Project is not subject to the Inclusionary Affordable Housing Program in that it is a group housing project. The Inclusionary Affordable Housing Program only applies to projects with

dwelling units. Ordinance file No. 150348 has been introduced by Supervisor Avalos and sponsored by Supervisors Avalos and Kim amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, including group housing projects. This ordinance is scheduled to be heard at the Planning Commission on July 2, 2015. An addition to the standard "Conformity with Current Law" condition of approval has been drafted stating that if this ordinance is passed, the Project will be subject to the Inclusionary Affordable Housing Program.

- s. **Street Trees (Sections 138.1 and 428).** Planning Code Section 138.1 requires the installation of street trees in the case of the construction of a new building. One 24-inch box tree is required for every 20 feet of property frontage along each street or alley, with any remaining fraction of ten feet or more of frontage requiring an additional tree. The species and locations of trees installed in the public right-of-way shall be subject to approval by the Department of Public Works (DPW). The requirements of Section 138.1 may be waived or modified by the Zoning Administrator, pursuant to Section 428, where DPW cannot grant approval due to practical difficulties. There are additional requirements for street trees in C-Districts. Street trees must have a minimum 2 inch caliper (measured at breast height); must maintain branches a minimum of 80 inches above sidewalk grade; must be planted in a sidewalk opening at least 16 square feet, and have a minimum soil depth of 3 feet 6 inches; and include street tree basins edged with decorative treatment, such as pavers or cobbles. Edging features may be counted toward the minimum sidewalk opening per (cc) if they are permeable surfaces per Section 102.33.

The Project includes a total of approximately 50 feet of street frontage, along the Leavenworth Street frontage, which results in a requirement for 3 street trees. Conditions of approval are included that require the Project to plant 3 street trees as part of the Project's site plan, along the Leavenworth Street frontage, unless DPW cannot grant approval for installation of any of the required trees on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare. In any such case, the requirements of Section 138.1 may be modified or waived by the Zoning Administrator. There is one existing tree located on Leavenworth Street. Two additional street trees will be planted as part of the Project if the existing tree is retained.

- t. **Public Art (Section 429).** In the case of construction of a new building or addition of floor area in excess of 25,000 gsf to an existing building in a C-3 District, Section 429 requires a project to include works of art costing an amount equal to one percent of the construction cost of the building.

The Project would comply by dedicating one percent of construction cost to works of art, as required through the Conditions of Approval. The public art concept and location will be subsequently presented to the Planning Commission at an informational presentation.

- 8. **Exceptions Request Pursuant to Planning Code Section 309.** The Planning Commission has considered the following exceptions to the Planning Code, makes the following findings and grants each exception as further described below:

- a. **Section 148: Ground-Level Wind Currents.** In C-3 Districts, buildings and additions to existing buildings shall be shaped, or other wind-baffling measures shall be adopted, so that the developments will not cause ground-level wind currents to exceed more than 10 percent of the time year round, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 miles per hour equivalent wind speed in areas of substantial pedestrian use and seven miles per hour equivalent wind speed in public seating areas.

When preexisting ambient wind speeds exceed the comfort level, or when a proposed building or addition may cause ambient wind speeds to exceed the comfort level, the building shall be designed to reduce the ambient wind speeds to meet the requirements. An exception may be granted, in accordance with the provisions of Section 309, allowing the building or addition to add to the amount of time that the comfort level is exceeded by the least practical amount if (1) it can be shown that a building or addition cannot be shaped and other wind-baffling measures cannot be adopted to meet the foregoing requirements without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site in question, and (2) it is concluded that, because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded, the addition is insubstantial.

Section 309(a) (2) permits exceptions from the Section 148 ground-level wind current requirements. No exception shall be granted and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

Comfort Criterion

A wind study was prepared in May 2014 by Rowan Williams Davies & Irwin Inc. for the proposed Project that tested existing and existing plus project conditions. The wind study found that six of the 35 sidewalk test point locations exceed the pedestrian comfort criterion of 11mph (more than 10 percent of the time) under existing conditions. The wind study concluded that the proposed Project would result in the exact same exceedances (these locations are on Turk Street, in front and cross the proposed building at 351 Turk Street, and on Leavenworth Street, across the proposed building at 145 Leavenworth Street as well as south of Golden Gate Avenue). The proposed Project would not result in any net new exceedances of the 11 mph pedestrian comfort criterion; nonetheless, because the Project would not eliminate existing wind speeds to meet the pedestrian comfort criteria at all test points, a Section 309 exception is required.

An exception is warranted because the project will not add to the amount of time that the comfort level is exceeded. The project cannot be shaped and other wind-baffling measures cannot be adopted to meet the comfort criteria without creating an unattractive and ungainly building form and without unduly restricting the development potential of the project site.

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

HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

The proposed Project responds to the need for new housing by providing 94 group housing rooms on a previously vacant lot.

OBJECTIVE 3:

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

Policy 3.4:

Preserve "naturally affordable" housing types, such as smaller and older ownership units.

The proposed Project provides 948 group housing rooms. These are smaller units built with a sustainable methodology which is projected to reduce the construction period.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1:

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.5:

Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

Policy 11.6:

Foster a sense of community through architectural design, using features that promote community interaction.

The Project is well designed and compatible with the scale and proportions of buildings in the area, and will be built with high quality materials. The design is compatible with design elements in the neighborhood and would add to the image and mixed-use orientation of the downtown district. The design of the building

incorporates contemporary design and detailing that responds appropriately to the variety of heights, scales, styles and periods found in the area. The design and proportions feature clean lines with appropriately scaled massing coupled with quality materials and fixtures that will add to the evolving rich and varied pedestrian experience in this neighborhood.

OBJECTIVE 12:

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.1:

Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Policy 12.3:

Ensure new housing is sustainably supported by the City's public infrastructure systems.

The Project is well served by public transit. Within ¼ mile of the Project are the F, 5, 9, 9L, 16X, 19, 27, 31, 38, and 38L Muni Lines, the Civic Center Station with the J,K,L,M,N,S, and T Metro Lines; connections to Golden Gate Transit, BART, and AC Transit. Located in the downtown core, Project residents that do not utilize public transit are well situated to commute by walking or bicycle. The Project proposes 25 Class One bicycle spaces and four Class Two bicycle spaces.

OBJECTIVE 13:

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1:

Support "smart" regional growth that locates new housing close to jobs and transit.

Policy 13.3:

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

The Project is located within the downtown core and is close to concentrated employment. The Project is within easy walking distance to transit and will affirmatively increase sustainable mode share.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The Project would add approximately 3,776 sf of new commercial space that is intended to serve residents in the building and likely draw a wider range of new neighborhood-serving retail businesses than it does today. Retail is encouraged and principally permitted on the ground floor of buildings in the Downtown General District, and is thus consistent with activities in the commercial land use plan.

TRANSPORTATION ELEMENT

OBJECTIVE 2:

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

Policy 2.1:

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

OBJECTIVE 11:

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

Policy 11.3:

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

The Project is located within a neighborhood rich with public transportation and the people occupying the building are expected to rely heavily on public transit, bicycling, or walking for the majority of their daily trips. The Project is well served by public transit. Within ¼ mile of the Project are the F, 5, 9, 9L, 16X, 19, 27, 31, 38, and 38L Muni Lines, the Civic Center Station with the J,K,L,M,N,S, and T Metro Lines; connections to Golden Gate Transit, BART, and AC Transit. Located in the downtown core, Project residents that do not utilize public transit are well situated to commute by walking or bicycle. The Project proposes 25 Class One bicycle spaces and four Class Two bicycle spaces. The Project is well served by transit of all varieties.

URBAN DESIGN ELEMENT

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 1.3:

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

The height, massing, and shape of the proposed building would ensure its compatibility with the other buildings in the vicinity by transitioning appropriately with the context of the surrounding neighborhood.

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 3.2:

Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.

Policy 3.5:

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

Policy 3.6:

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project would be compatible with the visual relationship and transitions between new and older buildings in the neighborhood. The design and proportions of the building would be compatible with the varying sizes of the buildings in the vicinity. The design of the building incorporates contemporary design that responds appropriately to the variety of styles and periods of this Downtown General Commercial District. The Project's height and bulk would be consistent with the surrounding streetscape and would be visually compatible with the surrounding buildings.

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 includes a well landscaped second story courtyard, a roof deck and three street trees.

DOWNTOWN AREA PLAN

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

Encourage development which produces substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences which cannot be mitigated.

The Project will bring additional housing without off-street parking spaces and a total of 29 bicycle parking spaces into a neighborhood that is well served by public transit. The Project will create substantial net benefits for the City without any undesirable consequences that cannot be mitigated.

OBJECTIVE 7:

EXPAND THE SUPPLY OF HOUSING IN AND ADJACENT TO DOWNTOWN.

Policy 7.1:

Promote the inclusion of housing in downtown commercial developments.

Policy 7.2:

Facilitate conversion of underused industrial and commercial areas to residential use.

The Project would construct an eight-story, 94 bedroom group housing residential building and 3,776 sf of ground floor commercial space, which will provide services to the immediate neighborhood.

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project will not displace a neighborhood-serving retail space and will add 3,776 sf of retail.

- 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 would not remove any existing housing, and would create 94 group housing rooms. The Project Site is located within a dense, urban-infill neighborhood on Leavenworth Street at the intersection with Turk Street and within a C-3-G Downtown General Commercial District. The

Project would enhance the character of the neighborhood by replacing a vacant lot currently used for parking. The Project adds to the continuous ground level streetscape on Leavenworth Street by providing active uses which will animate the street level. The Project would add to the cultural and economic diversity of the area by providing 94 group housing rooms.

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

There is currently no housing on the site; therefore, no affordable housing will be lost as part of this Project. The Project would, however, enhance the City's supply of affordable housing serving moderate income households. The Project would provide "naturally affordable" bedrooms at a lower cost than typical market rate dwelling units in the surrounding area.

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

Commuter traffic would be extremely limited, consisting primarily of support staff and retail space employees. The Site is three blocks north of Market Street and approximately three blocks from the Civic Center Station serving BART and MUNI. The Project is well served by transit of all varieties.

- 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.

No industrial or service sector business would be displaced by the proposed project, and there is no commercial office space in the development. The Project includes only residential uses and neighborhood-serving retail. Many of the building's new residents will support the existing industrial or service sector businesses in the neighborhood, prompting the creation of more employment opportunities.

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

The Project would be constructed to meet all of the most current and rigorous seismic and life-safety requirements of the San Francisco Building Code. This Project will not adversely affect the property's ability to withstand an earthquake; rather, it will result in the production of seismically safe housing.

- G. That landmarks and historic buildings be preserved.

No landmarks or historic buildings would be demolished as part of the Project. The Project has been determined to be compatible with the Upper Tenderloin Historic District.

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

The Project will not have an impact on existing parks and open spaces and their access to sunlight. Existing public parks and open space areas in the project vicinity include the Civic Center Plaza and the United Nations Plaza, which are all at least three blocks away. The project would not shade any of these parks.

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

DECISION

Based upon the whole record, the submissions by the Project Sponsor, the staff of the Department, and other interested parties, the oral testimony presented to the Commission at the public hearing, and all other written materials submitted by all parties, in accordance with the standards specified in the Code, the Commission hereby **APPROVES Application No. 2012.1531CEX** and grants an exceptions to Section 148, pursuant to Section 309, subject to the following conditions attached hereto as Exhibit A which are incorporated herein by reference as though fully set forth, in general conformance with the plans dated June 25, 2015 stamped Exhibit B and on file in Case Docket No. **2012.1531CEX**.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 309 Determination of Compliance and Request for Exceptions 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 this Motion if not appealed 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 in person at 1650 Mission Street, Room 304, San Francisco, CA 94103, or call (415) 575-6880.

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 constitutes 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 July 9, 2015.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 9, 2015

EXHIBIT A

AUTHORIZATION

This authorization is to grant a Planning Code Section 309 Determination of Compliance and Request for Exceptions, in connection with a proposal seeking authorization for new construction of a residential building, eight stories and approximately 80 feet in height, containing 94 group housing rooms and 3,776 gross square feet of ground floor retail space at 145 Leavenworth Street, northwest of the intersection with Golden Gate Avenue, within the C-3-G (Downtown General Commercial) District and a 80-X Height and Bulk District, in general conformance with plans dated June 25, 2015, and stamped "EXHIBIT B" included in the docket for Case No. **2012.1531CEX** and subject to conditions of approval reviewed and approved by the Commission on July 9, 2015 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 July 9, 2015 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. **XXXX** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Determination of Compliance 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 Determination of compliance.

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

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

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

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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, including provisions referenced in an ordinance (Board File No. 150348) amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to group housing projects, should it be adopted. If this ordinance is adopted, the Project will be subject to the Inclusionary Affordable Housing Program, pursuant to Planning Code Section 415.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, ground floor, open spaces, 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 415-575-9078, www.sf-planning.org

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

For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, www.sf-planning.org

8. **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 architectural addendum to the permit. 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 415-575-9078, www.sf-planning.org

9. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff prior to Planning approval of the architectural addendum to the site permit. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, www.sf-planning.org

10. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects 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:

1. 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;
2. On-site, in a driveway, underground;
3. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
4. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
5. Public right-of-way, underground; and based on Better Streets Plan guidelines;
6. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
7. 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>

11. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, www.sfmta.org

12. **Noise, Ambient.** Interior occupiable spaces shall be insulated from ambient noise levels. Specifically, in areas identified by the Environmental Protection Element, Map1, "Background Noise Levels," of the General Plan that exceed the thresholds of Article 29 in the Police Code, new developments shall install and maintain glazing rated to a level that insulate interior occupiable areas from Background Noise and comply with Title 24.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

13. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. A total of 3 trees are required on Leavenworth Street. This total is the final required amount of street trees and does not take into account existing trees. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also

impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, www.sf-planning.org

PARKING AND TRAFFIC

14. **Bicycle Parking.** The Project shall provide no fewer than 24 Class 1 bicycle parking spaces and four Class 2 bicycle parking spaces as required by Planning Code Sections 155.2.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

15. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

16. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org.

17. **Art - C-3 District.** Pursuant to Planning Code Section 429, the Project shall pay the Public Art Fee in an amount equal to one percent of the hard construction costs for the Project as determined by the Director of the Department of Building Inspection. Prior to issuance of first construction document, the sponsor shall elect to use 100% of Public Art Fee to provide on-site public artwork, contribute 100% of the Public Art Fee amount to the Public Artwork Trust Fund, or expend a portion of the Public Art Fee amount to on-site public artwork and the remainder to the Public Artwork Trust Fund.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

18. **Art Plaques - C-3 District.** Pursuant to Planning Code Section 429(b) provided that the Project Sponsor provide the public art on-site, the Project Sponsor shall provide a plaque or cornerstone identifying the architect, the artwork creator and the Project completion date in a publicly

conspicuous location on the Project Site. The design and content of the plaque shall be approved by Department staff prior to its installation.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

19. **Art - C-3 District.** Pursuant to Planning Code Section 429, provided that the Project Sponsor provide the public art on-site the Project Sponsor and the Project artist shall consult with the Planning Department during design development regarding the height, size, and final type of the art. The final art concept shall be submitted for review for consistency with this Motion by, and shall be satisfactory to, the Director of the Planning Department in consultation with the Commission. The Project Sponsor and the Director shall report to the Commission on the progress of the development and design of the art concept prior to the submittal of the first building or site permit application.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

20. **Art - C-3 District.** Pursuant to Planning Code Section 429, prior to issuance of any certificate of occupancy, the Project Sponsor shall install the public art generally as described in this Motion and make it available to the public. If the Zoning Administrator concludes that it is not feasible to install the work(s) of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period of not more than twelve (12) months.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

21. **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

22. **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

OPERATION

23. **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>

24. **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>

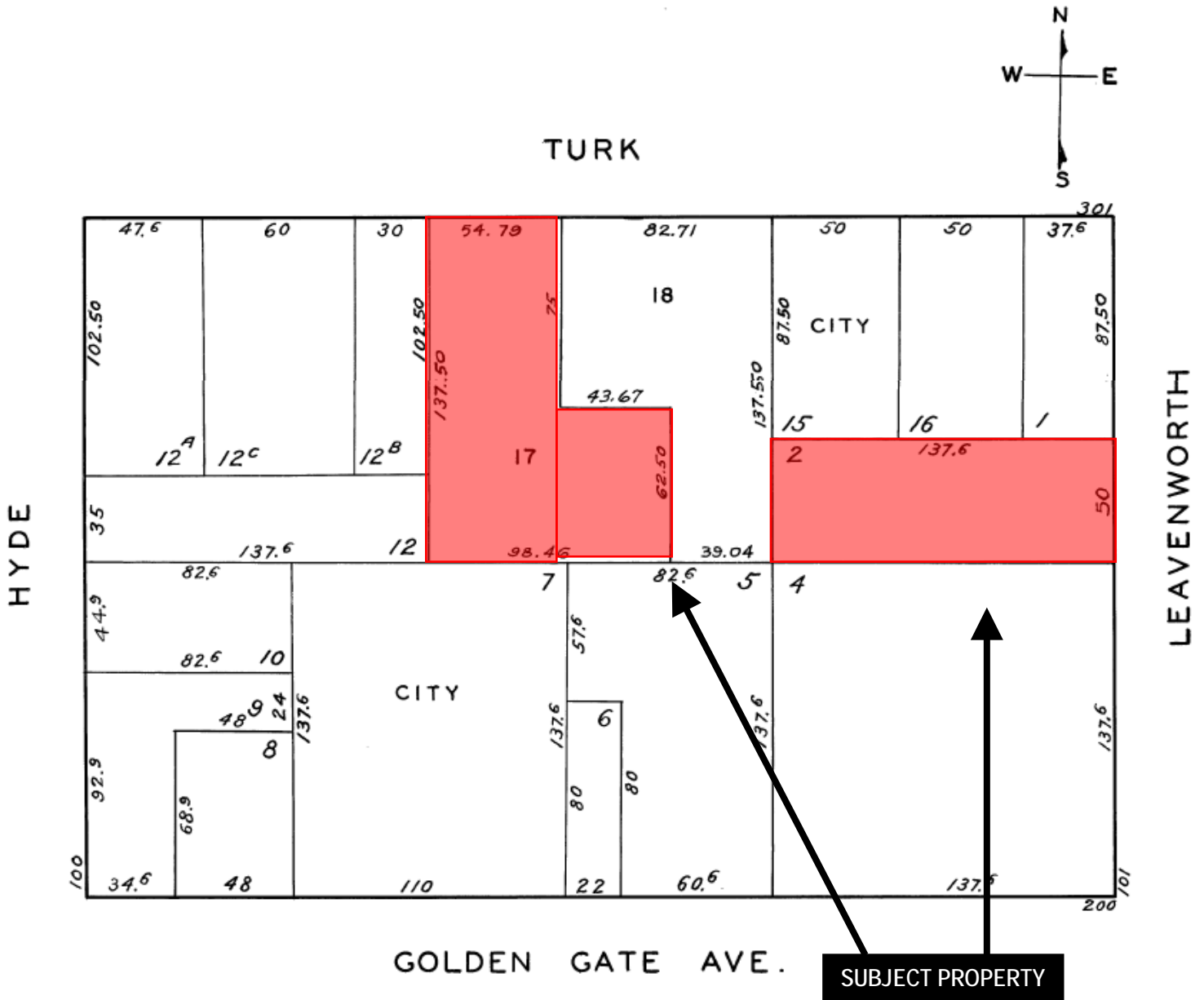
25. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the 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

26. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the architectural addendum to the site permit.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, www.sf-planning.org

Parcel Map



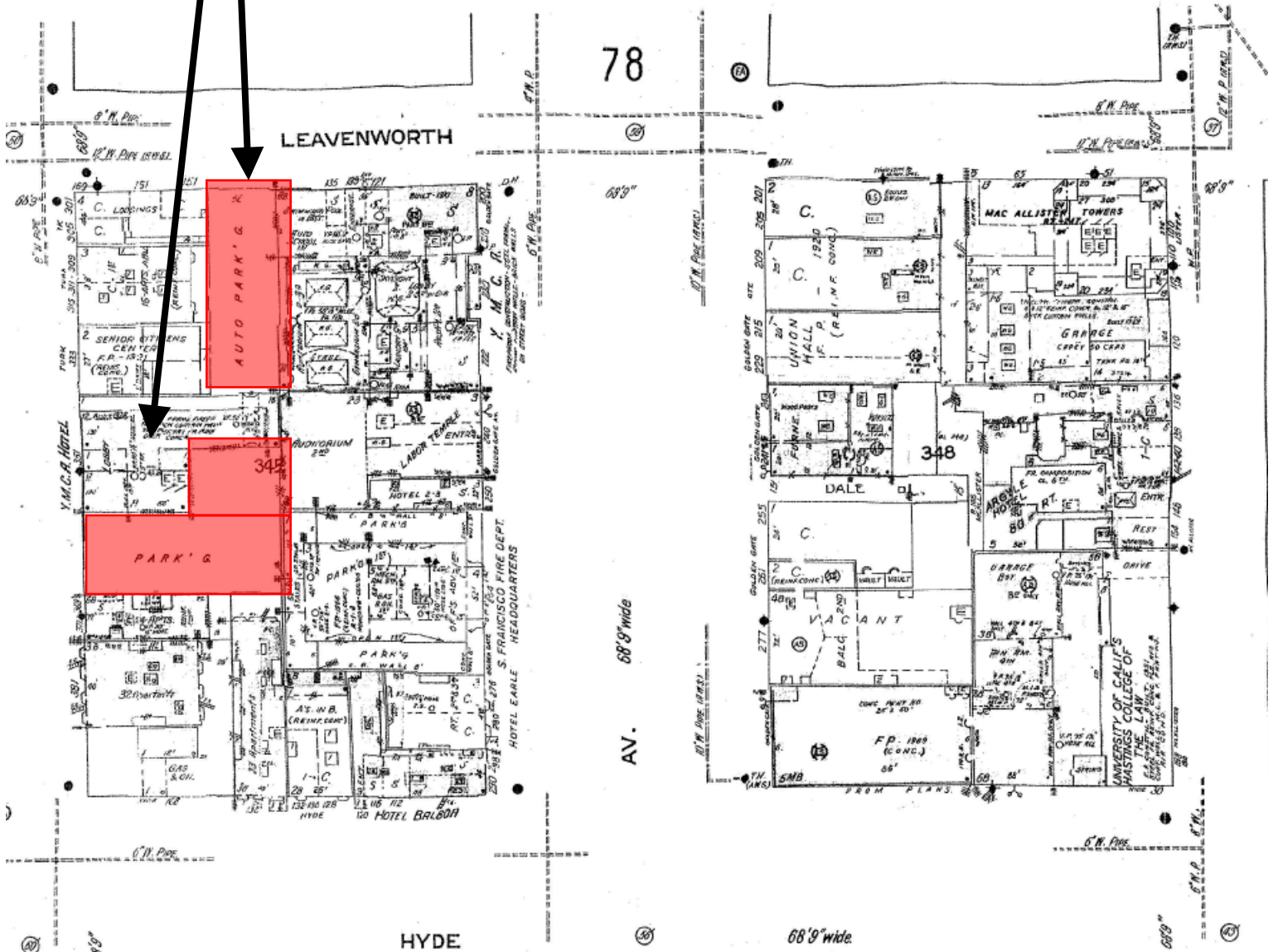
Conditional Use Authorization and Downtown Project Authorization Hearing

Case Number 2012.1531CEX

361 Turk Street and 145 Leavenworth Street

Sanborn Map*

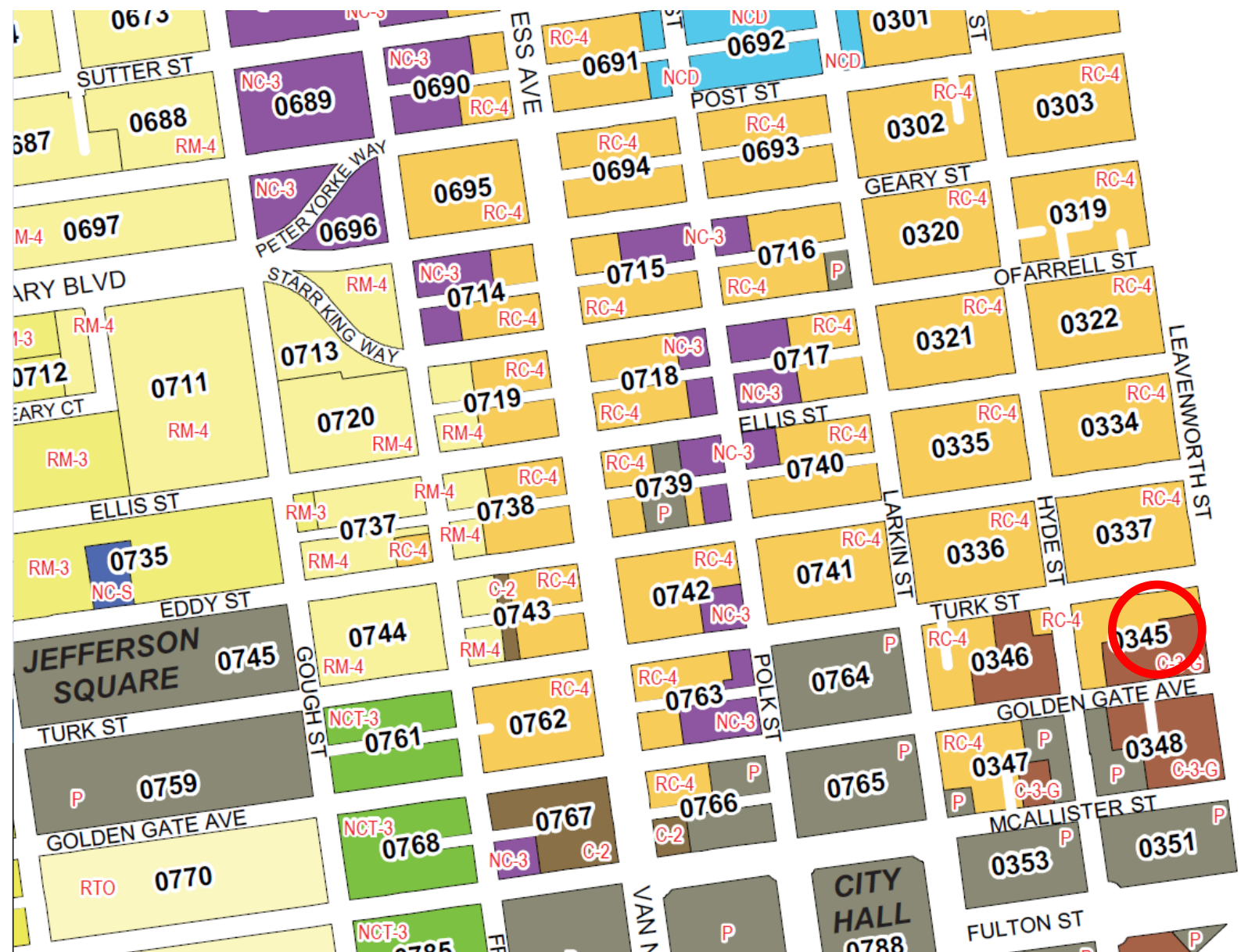
SUBJECT PROPERTY



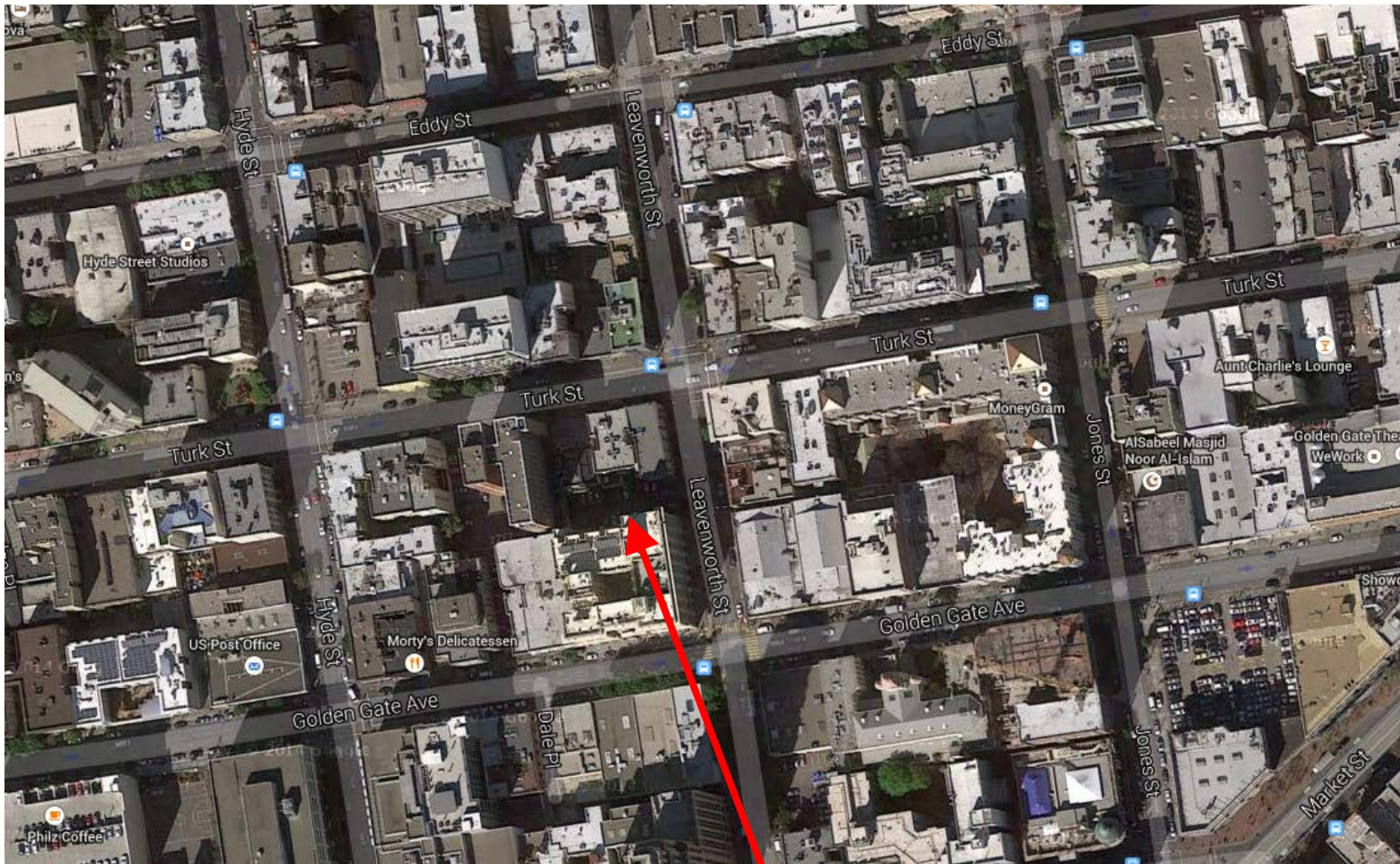
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Zoning Map



Aerial Photo



SUBJECT PROPERTY



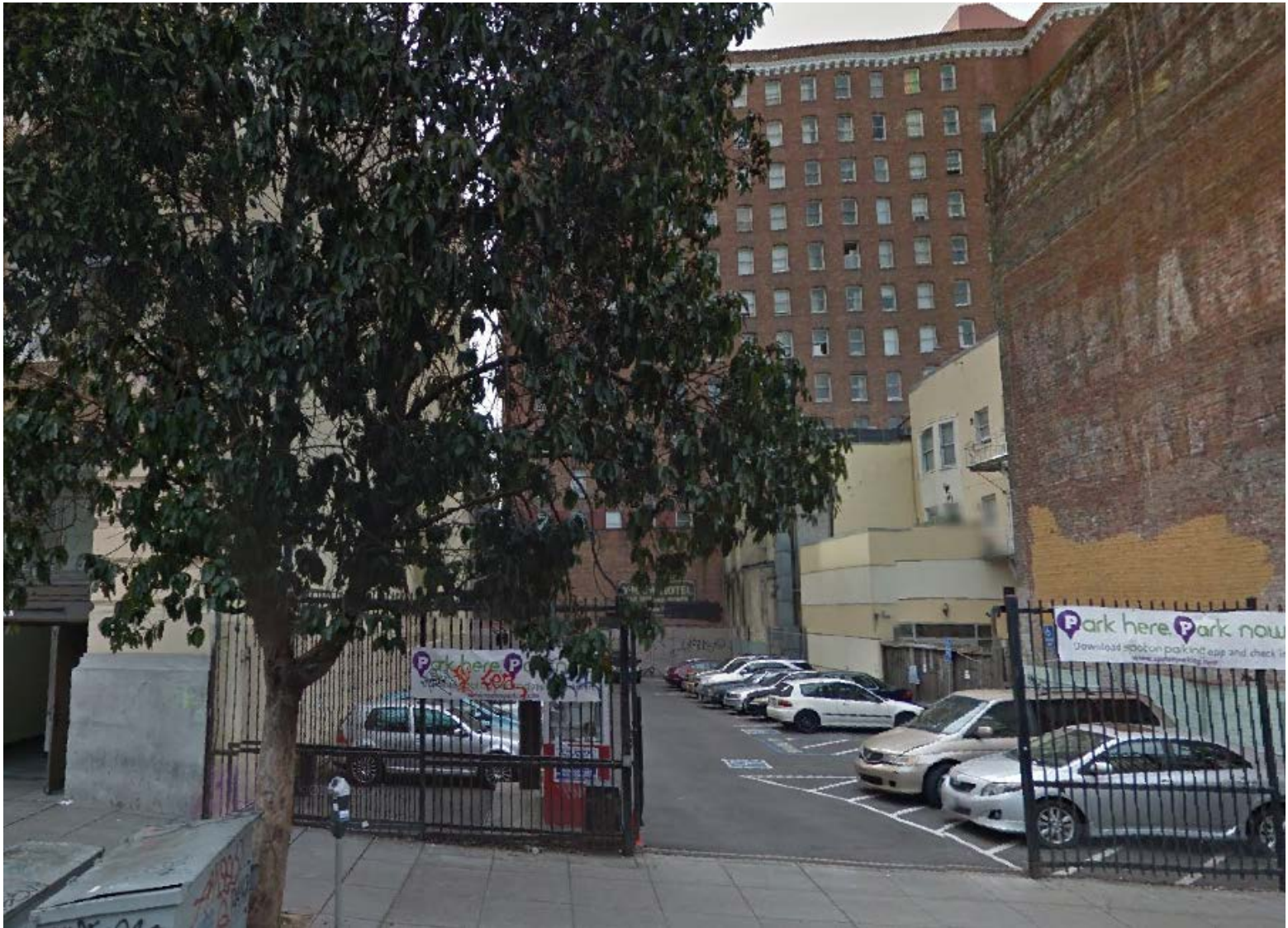
SAN FRANCISCO
PLANNING DEPARTMENT

Conditional Use Authorization and
Downtown Project Authorization Hearing
Case Number 2012.1531CEX
361 Turk Street and 145 Leavenworth Street

Site Photo: 361 Turk Street



Site Photo: 145 Leavenworth Street





SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: **2012.1531E**
Project Address: **351V Turk Street & 145 Leavenworth Street**
Zoning: 351V Turk Street: RC-4 (Residential-Commercial, High Density) Use District, 80-T Height and Bulk District;
145 Leavenworth Street: C-3-G (Downtown General Commercial) Use District, 80-X Height and Bulk District
54 4th Street: C-3-R (Downtown Retail) Use District,
160-S Height and Bulk District;
120 Ellis Street: C-3-R (Downtown Retail) Use District,
80-130-F Height and Bulk District;
140 Ellis Street: C-3-G (Downtown General Commercial) Use District,
80-130-F Height and Bulk District;
432 Geary Street: C-3-G (Downtown General Commercial) Use District,
80-130-F Height and Bulk District;
1412 Market Street: C-3-G (Downtown General Commercial) Use District,
120/320-R-2 Height and Bulk District;
Block/Lot: 351V Turk Street: 0345/017;
145 Leavenworth Street: 0345/002
54 4th Street: 3705/004;
120 Ellis Street: 0326/005;
140 Ellis Street: 0326/023;
432 Geary Street: 0306/006;
1412 Market Street: 0835/001;
Lot Size: 53,373 square feet (combined for all lots)
Project Sponsor: Victor Gonzalez —(415) 498-0141
Staff Contact: Wade Wietgreffe – (415) 810-9052
wade.wietgreffe@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION:

The project site consists of two vacant lots and five lots each occupied by an existing building in the Downtown/Civic Center and South of Market neighborhoods. The two vacant lots, 351V Turk Street and 145 Leavenworth Street, consist of surface parking lots with a combined 64 vehicular parking spaces. The five existing buildings are located at: 1) 54 4th Street; 2) 120 Ellis Street; 3) 140 Ellis Street; 4) 432 Geary Street; and 5) 1412 Market Street. Combined, the five existing buildings contain 238 residential hotel rooms (also known as group housing units), 345 tourist hotel rooms, and other commercial space. The proposed project has multiple sponsors and would include removal of the two existing surface parking lots and construction of 238 new group housing units combined at 351V Turk Street (140 units) and 145 Leavenworth Street (98 units). Upon occupancy of the new buildings proposed on the vacant lots, the proposed project allows for the conversion of the original 238 group housing units within the five existing buildings into 238 tourist hotel rooms by each of those five existing buildings' respective

property owners, per the one-for-one replacement requirements of Residential Hotel Unit Conversion and Demolition Ordinance (Ordinance No. 121-90; San Francisco Administrative Code, Chapter 41).

EXEMPT STATUS:

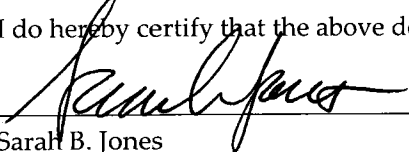
Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332)

REMARKS:

See next page.

DETERMINATION:

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



Sarah B. Jones
Environmental Review Officer

September 15, 2014
Date

cc: Victor Gonzalez, Project Sponsor
Virna Byrd, M.D.F

Supervisor David Chiu, District 3
Supervisor Jane Kim, District 6

PROJECT DESCRIPTION (CONTINUED):**Project Location**

The project site would include several lots. For the purposes of environmental review, these lots are presented under three separate categories, although the physical environmental effects are collectively considered. The following provides those three separate categories and the associated project lot location and existing lot characteristics, with lesser details for the Residential Hotel Conversion lots, given that no construction would occur at these lots as part of the proposed project.

351V Turk Street

The project lot at 351V Turk Street is located in the Downtown/Civic Center neighborhood and Uptown Tenderloin National Register Historic District. The 10,263-square-foot (sf) lot (Assessors Block 0345, Lot 017) is within the block bounded by Turk Street to the north, Leavenworth Street to the east, Golden Gate Avenue to the south, and Hyde Street to the west. The project lot fronts onto Turk Street and is approximately 200 feet east of Turk and Hyde Mini Park and approximately 1,000 feet north of Market Street. The project lot is within a Residential-Commercial, High Density (RC-4) Use District and an 80-T Height and Bulk District.

The project lot is currently used as a fenced-in surface parking lot for 38 vehicles. The surface parking lot is located one level (10.5 feet) below Turk Street sidewalk grade and is accessed by vehicles via a 12-foot-wide curb cut at Turk Street and a ramp along the east side of the project site. No trees exist on or around the perimeter of this project lot.

145 Leavenworth Street

The project lot at 145 Leavenworth Street is located in the Downtown/Civic Center neighborhood and Uptown Tenderloin National Register Historic District. The 6,875 sf project lot (Assessors Block 0345, Lot 002) is approximately 40 feet east of and separated by an existing building (Y.M.C.A. Hotel) from the 351V Turk Street lot. The project lot is on the same block as 351V Turk Street, but fronts onto Leavenworth Street. The project lot is within a Downtown General Commercial (C-3-G) Use District and an 80-X Height and Bulk District.

The project lot is currently used as a fenced-in surface parking lot for 26 vehicles. The surface parking lot is accessed by vehicles via an approximate 15-foot-wide curb cut at Leavenworth Street. A street tree, approximately 30-feet tall and 25 inches in diameter, exists adjacent to this project lot.

Residential Hotel Conversion Lots

The project lots are occupied by five separate buildings, which collectively include 238 group housing units. Table 1 provides the details for each of the affected buildings below.

TABLE 1
RESIDENTIAL HOTEL CONVERSION LOTS – EXISTING CONDITIONS

Address; Name	Block/Lot; Lot Size (square feet (sf))	Neighborhood; Cross Streets	Zoning	Existing Use; Building Size (sf)	Building Construction Year
54 4 th Street; Mosser Hotel	3705/004; 5,625 sf	South of Market; Adjacent to 4 th Street to the east and Jessie Street to the south	Downtown Retail (C-3-R) Use District; 160-S Height & Bulk District	81 group housing units, 120 tourist hotel rooms, and ground-floor commercial; 42,805 sf	1914
120 Ellis Street; Hotel Fusion – East Annex	0326/005; 4,112 sf	Downtown/Civic Center; Adjacent to Powell Street to the east and Ellis Street to the south	Downtown Retail (C-3-R) Use District; 80-130-F Height & Bulk District	69 group housing units and ground- floor commercial; 32,228 sf	1909
140 Ellis Street; Hotel Fusion	0326/023; 13,724 sf	Downtown/Civic Center; Adjacent to Cyril Magnin Street to the west and Ellis Street to the south	Downtown General Commercial (C-3-G) Use District; 80-130-F Height & Bulk District	12 group housing units, 112 tourist hotel rooms, and ground-floor commercial; 63,450 sf	1908
432 Geary Street; Union Square Plaza Hotel	0306/006; 4,125 sf	Downtown/Civic Center; North of Geary Street and to the west of the Geary Street/Mason Street intersection	Downtown General Commercial (C-3-G) Use District; 80-130-F Height & Bulk District	61 group housing units, 8 tourist hotel rooms, and ground-floor commercial; 31,405 sf	1911
1412 Market Street; New Central Hotel	0835/001; 8,651 sf	Downtown/Civic Center; Adjacent to Fell Street to the north and Market Street to the south	Downtown General Commercial (C-3-G) Use District; 120/320-R-2 Height & Bulk District	15 group housing units, 105 tourist hotel rooms, and ground-floor commercial; 35,921 sf	1907

Project Characteristics

The proposed project would include removal of the two existing surface parking lots and construction of 238 group housing units combined on these lots at 351V Turk Street (140 units) and 145 Leavenworth (98 units). Upon occupancy of the new buildings proposed on the vacant lots, the proposed project allows for the conversion of the original 238 group housing units within the five existing buildings on the Residential Hotel Conversion lots into 238 tourist hotel rooms by each of those five existing buildings' respective property owners, per the one-for-one replacement requirements of Residential Hotel Unit Conversion and Demolition Ordinance (Ordinance No. 121-90; San Francisco Administrative Code, Chapter 41).

351V Turk Street

The proposed project would include removal of the existing surface parking lot and construction of a new eight-story, 80-foot-tall (94-foot-tall with above roof structures), 57,890 gross sf (gsf) building. The new building would include 140 group housing units at the first through eighth floors, ground-floor retail space along Turk Street (1,755 sf), and a one-level below-grade parking for eight vehicles (2,453 sf).¹ The residential lobby and entrance would be located between the retail space to the west and parking garage entrance to the east. The parking garage would be accessed from the existing curb cut at Turk Street. This access would also serve a five vehicle parking easement for the existing Y.M.C.A Hotel (351 Turk Street) to the east. The parking garage would also include required mechanical and electrical services for both new buildings (i.e., 351V Turk Street and 145 Leavenworth Street) and 33 Class 1 and four Class 2 bicycle parking spaces.

The one-level basement would fill the entirety of the project site. Below ground surface (bgs) construction would include excavation for a mat foundation up to 3.5 feet bgs (or 14 feet below existing Turk Street sidewalk grade) and an elevator pit up to 5.5 bgs. The excavation area would require the removal and disposal of approximately 1,100 cubic yards of fill from the lot. The typical floor plate for second through eighth floors would consist of two multi-unit structures, connected by a bridge along the central portion of the project site. At the second floor, a 1,191 sf common courtyard would also be provided between the two multi-unit structures. The typical floor plate for ground through eighth floors would be set back approximately 11 feet, eight feet, and eight feet from the northeastern, southeastern, and southern portions of the project site property line, respectively. On the street frontage of the project lot, the proposed project would include two new trees.

A 1,781 sf common residential open space shared between the two (i.e., 351V Turk Street and 145 Leavenworth Street) buildings would be provided on the roof above the northern multi-unit structure of the 351V Turk Street building. The area of the roof above the southern multi-unit structure would be dedicated to solar panels providing energy efficient hot water for heating and domestic service to both new buildings.

Construction would last approximately eight months with an anticipated date of occupancy in summer 2015. Construction phases would consist of foundation and infrastructure followed by complete building assembly. The estimated construction cost is \$16,000,000.

¹ The parking garage space, 2,453 sf and mechanical space in the parking garage, 3,350 sf are not factored into the gross square footage calculations in accordance with Planning Code Section 102.9(b).

145 Leavenworth Street

The proposed project would include removal of the existing surface parking lot and construction of a new eight-story, 80-foot-tall (94-foot-tall with above roof structures), 40,167 gsf building. The new building would include 98 group housing units at the first through eighth floors and ground-floor retail space along Leavenworth Street (2,486 sf).² The residential lobby and entrance would be located to the south of the retail space. The existing curb cut at Leavenworth Street would be replaced with a new curb. The ground-floor would also include 25 Class 1 and four Class 2 bicycle parking spaces. The occupants of both the proposed new buildings (145 Leavenworth Street and 351V Turk Street) would have reciprocal access to the other proposed new building via an existing easement across the developed Y.M.C.A. Hotel lot (351 Turk Street) that separates the two sites. This existing easement would be improved into a passage linking the two new buildings providing secured access to shared facilities. The existing Y.M.C.A. Hotel (351 Turk Street) would also be provided secure fire exiting through this new passage.

The ground-floor layout would cover the majority of the project lot, but would be setback 10 feet in the rear yard (i.e., western property line). Below-grade construction would include excavation for a mat foundation system up to five feet bgs and an elevator pit up to seven feet bgs. The excavation area would require the removal and disposal of approximately 700 cubic yards of fill from the lot. The typical floor plate for second through eighth floors would consist of two multi-unit structures, connected by a bridge along the southern portion of the lot. At the second floor, a 1,500 courtyard would also be provided between the two multi-unit structures. A 1,814 sf common residential open space shared between the two proposed new buildings (i.e., 351V Turk Street and 145 Leavenworth Street) would be provided on the roof of the 145 Leavenworth Street building. On the street frontage of the project lot, the proposed project would include two new trees.

Construction would be concurrent with that at the 351V Turk Street lot and anticipated to last approximately eight months with an anticipated date of occupancy in summer 2015. Construction phases would consist of foundation and infrastructure followed by complete building assembly. The estimated construction cost is \$10,000,000.

Residential Hotel Conversion Lots

After completion of construction at 351V Turk Street and 145 Leavenworth Street, the proposed project allows for the conversion of the remaining 238 group housing units within the five existing buildings on the Residential Hotel Conversion lots into 238 tourist hotel rooms by each of those five existing buildings' respective property owners. No physical changes are proposed to these five existing buildings under the proposed project.

² The ground floor retail space, less than 5,000 square feet, is not factored into the gross square footage building calculations in accordance with Planning Code Section 102.9(b)(13)

Project Approvals

The proposed project would require the following approvals:

351V Turk Street

Planning Commission

- Conditional use authorization (Section 303 and 253 of the Planning Code). The conditional use authorization is identified as the Approval Action for the whole of the 351V Turk Street project.

Department of Building Inspection

- Approval of a Building Permit.

145 Leavenworth Street

Planning Commission

- Downtown project authorization (Section 309 of the Planning Code), including an exception for existing exceedance of ground-level wind comfort criterion. The downtown project authorization is identified as the Approval Action for the whole of the 145 Leavenworth Street project.

Department of Building Inspection

- Approval of a Building Permit.

Residential Hotel Conversion Lots

Planning Commission

- Conditional use authorization (Section 303 and 216(b) of the Planning Code) for each of the five separate building conversions. The conditional use authorization is identified as the Approval Action for the whole of each separate Residential Hotel Conversion project.
- Make a finding of comparability evaluating the new group housing units to those that would be converted at the Residential Hotel Conversion lots.

Department of Building Inspection

- Approval of a Permit to Convert, allowing the conversion of the residential hotel rooms.

REMARKS:

In-Fill Development. CEQA State Guidelines Section 15332, or Class 32, provides an exemption from environmental review for in-fill development projects which meet the following conditions:

- a) *The project is consistent with applicable general plan designations and policies as well as with applicable zoning designations.*

The *San Francisco General Plan (General Plan)*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The General Plan contains 10 elements (Commerce and Industry, Recreation and Open Space, Housing, Community Facilities, Urban Design, Environmental Protection, Transportation, Air Quality, Community Safety, and Arts) that set forth goals, policies and objectives for the physical development of the City. Any conflict between the proposed project and policies that relate to physical environmental issues are discussed in sections b, c, d, and e below. The compatibility of the proposed project with General Plan policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project.

The project lot at 351V Turk Street is located within a RC-4 Use District and an 80-T Height and Bulk District. The RC-4 zoning district permits group housing units and ground-floor commercial uses. The 80 height district allows buildings up to 80 feet tall, with exceptions for additional features, such as an elevator, up to 16 feet above 80 feet. The T bulk district allows for maximum plan dimensions of 110 feet in length and 125 feet in diagonal above 80 feet. The proposed project would include removal of the existing surface parking lot and construction of a new eight-story, 80-foot-tall (94-foot-tall with above roof structures) building consisting of 238 group housing units and ground-floor commercial. Therefore, the proposed development at 351V Turk Street is consistent with applicable zoning designations.

The project lot at 145 Leavenworth Street is within a C-3-G Use District and an 80-X Height and Bulk District. The C-3-G zoning district permits group housing units and ground-floor commercial uses. The height district allows buildings up to 80 feet tall, with exceptions for additional features, such as an elevator, up to 16 feet above 80 feet. The X bulk district has no limits on dimensions. The proposed project would include removal of the existing surface parking lot and construction of a new eight-story, 80-foot-tall (94-foot-tall with above roof structures) building consisting of 98 group housing units and ground-floor commercial. Therefore, the proposed development at 145 Leavenworth Street is consistent with applicable zoning designations.

The five Residential Hotel Conversion lots are either within a C-3-G and also a C-3-R Use District. These zoning districts conditionally allow tourist hotel rooms. Therefore, the proposed project (proposed group housing to hotel conversion) at these lots is consistent with applicable zoning designations.

Thus, the proposed project would be consistent with applicable zoning plans and policies.

b) *The development occurs within city limits on a site of less than five acres surrounded by urban uses.*

The approximately 1.2-acre (53,373 sf) project site (combined all lots on-site) is located within a fully developed area of San Francisco. The surrounding uses near the project site include residential, office, and other commercial uses. The proposed project, therefore, would be properly characterized as in-fill development of less than five acres, completely surrounded by urban uses.

c) *The project site has no habitat for endangered, rare, or threatened species.*

The project site is within a developed urban area and variously occupied by two vacant paved surface parking lots and five existing buildings, with minimal landscaping, including hedges, ground cover, and street trees. Thus, the project site has no value as habitat for rare, threatened, or endangered species.

d) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

Traffic. The proposed project would include construction of 238 group housing units and 4,241 sf of ground-floor retail at 351V Turk Street (140 units; 1,755 sf retail) and 145 Leavenworth Street (98 units; 2,486 sf retail) within the Downtown/Civic Center neighborhood. Upon occupancy of the two proposed new buildings, the proposed project allows for the conversion of 238 existing group housing units at five locations on the Residential Hotel Conversion lots within the Downtown/Civic Center and South of Market neighborhoods to 238 tourist hotel rooms by each of those five existing buildings' respective property owners. Trip generation was estimated for the proposed development at 351V Turk Street, 145 Leavenworth Street, and five Residential Hotel Conversion lots separately based on the *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (*Transportation Guidelines*).³ However, the trips associated with the existing group housing units were subtracted from the totals for the proposed development at the Residential Hotel Conversion lots because the trips associated with the existing group housing are already present.

Table 2 below, shows the proposed project's calculated daily and PM peak hour trip generation by mode of transportation at each of the project lots and combined total. The daily and PM peak hour trip generation rate for tourist hotel rooms is less than the daily and PM peak hour trip generation rate for group housing units. Thus, the total amount of person trips at each Residential Hotel Conversion lot is less with implementation of the proposed project, although a particular mode may be higher, dependent on the mode split estimations for a particular location. The proposed project's total PM peak hour trips is reflective of the difference in trip generation and mode split estimation in that the total amount of trips for some modes is less with implementation of the proposed project. The proposed project's PM peak hour trips would consist of -2 vehicle trips, 128 transit trips, 69 walking trips, and -6 other trips. Other trips include bicycle, motorcycles, and taxis.

³ This document can be found here: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=6753>.

TABLE 2
PROPOSED PROJECT TRIP GENERATION

Address; Name	Daily Trips				PM Peak Hour Trips			
	Vehicle	Transit	Walk	Other ^b	Vehicle	Transit	Walk	Other ^b
351V Turk Street	84	668	422	63	11	112	65	8
145 Leavenworth Street	90	500	392	64	11	81	55	8
54 4 th Street; Mosser Hotel ^a	-1	-91	17	-31	-10	-19	-15	-8
120 Ellis Street; Hotel Fusion – East Annex ^a	49	-154	29	-24	0	-30	-11	-7
140 Ellis Street; Hotel Fusion ^a	9	-27	5	-4	0	-5	-2	-1
432 Geary Street; Union Square Plaza Hotel ^a	-31	-7	-48	-16	-13	-4	-22	-5
1412 Market Street; New Central Hotel ^a	5	-39	12	-2	-1	-7	-1	-1
TOTAL	205	850	829	50	-2	128	69	-6

Source: San Francisco Planning Department, *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 and Wade Wietgreffe, "Transportation Calculations," August 12, 2014.

- a. This row reflects the trip generation estimates for the proposed tourist hotel rooms minus the existing group housing units at the Residential Hotel Conversion lots. The daily and PM peak hour person trip generation rate for tourist hotel rooms is 7 trips per room and 0.7 trips per room, respectively. The daily and PM peak hour trip generation rate for group housing units is greater at 7.5 trips per unit and 1.3 trips per unit, respectively. Thus, the total amount of person trips at each Residential Hotel Conversion lot is less with implementation of the proposed project, although a particular mode may be higher, dependent on the mode split estimations for a particular location.
- b. "Other" mode includes bicycle, motorcycles, and taxis.

As set forth in the *Transportation Guidelines*, the Planning Department evaluates traffic conditions for the weekday PM peak hour conditions (between the hours of 4 PM to 6 PM), which typically represent the worse conditions for the local transportation network. Although the proposed project is estimated to generate 11 PM peak hour vehicle trips each at both the 351V Turk Street and 145 Leavenworth Street sites (total of 22 PM peak hour vehicle trips), these vehicle trips are not anticipated to substantially change the level of service at the intersections in the project vicinity, and would not be considered a substantial traffic increase to the existing capacity of the local street system. In addition, the proposed project is estimated to decrease the amount of vehicle trips at each of the Residential Hotel Conversion lots. Therefore, the proposed project's impact on existing vehicular traffic is considered less than significant. Overall, the proposed project would result in less-than-significant transportation impacts.

Noise. Ambient noise levels in the vicinity of the project site are typical of noise levels in neighborhoods in San Francisco, which are dominated by vehicular traffic, including Muni vehicles, trucks, cars, emergency vehicles, and land use activities, such as commercial businesses or street maintenance. Noises generated by residential uses are common and generally accepted in urban areas. An approximate doubling in traffic volumes in the area would be necessary to produce an increase in ambient noise levels barely perceptible to most people (3 decibel (dB) increase).⁴ The proposed development at 351V Turk Street and 145 Leavenworth Street would not double traffic volumes because the proposed project consists of a combined 238 group housing units, 4,241 sf of retail and approximately 174 average daily vehicle trips near roadways with volumes that would not be doubled by the proposed project's vehicle trips.

The proposed project could include new fixed noise sources, such as heating, ventilation, and air conditioning equipment, that would produce operational noise on both the 351V Turk Street and 145 Leavenworth Street sites. Operation of this equipment would be subject to the City's Noise Ordinance (Article 29 of the San Francisco Police Code). Section 2909(a)(1) regulates noise from mechanical equipment and other similar sources on residential property. Mechanical equipment operating on residential property must not produce a noise level more than five dBA above the ambient noise level at the property boundary. Section 2909(d) states that no fixed noise source may cause the noise level measured inside any sleeping or living room in a dwelling unit on residential property to exceed 45 dBA between 10 PM and 7 AM or 55 dBA between 7 AM and 10 PM with windows open, except where building ventilation is achieved through mechanical systems that allow windows to remain closed. The proposed project would be subject to and required to comply with the Noise Ordinance. For the above reasons, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity.

Project construction at the 351V Turk Street and 145 Leavenworth Street lots would generate noise. Construction noise is also regulated by the Noise Ordinance, which requires noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at 100 feet from the source. Impact tools must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Ordinance prohibits construction work between 8:00 PM and 7:00 AM if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works. Although construction noise could be annoying at times, it would not be expected to exceed noise levels commonly experienced in this urban environment and would not be considered significant.

Residential uses are considered noise sensitive uses because they may contain noise sensitive receptors, including children and the elderly. Residential development in noisy environments could expose these sensitive receptors to noise levels in excess of established standards. The United States Department of Housing and Urban Development (HUD) has developed minimum national noise standards for land use compatibility. HUD considers noise levels below 65 dB as generally "acceptable," between 65 dB and 75

⁴ A decibel is a unit of measurement describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals.

dB as “normally unacceptable,” and in excess of 75 dB as “considered unacceptable” for residential land uses.⁵ The California State Office of Planning and Research (OPR) has developed similar statewide guidelines.⁶ OPR’s guidelines have largely been incorporated into the Environmental Protection Element of the *General Plan*.⁷ In addition, the California Building Code and Title 24 of the California Code of Regulations have regulations to limit interior noise levels to 45 dBA L_{dn} .^{8,9} In instances where exterior noise levels exceed 60 L_{dn} , Title 24 requires an acoustical report to be submitted with the building plans describing the noise control measures that have been incorporated into the design of the project to meet the noise requirements.

Ambient noise levels in San Francisco are largely influenced by traffic-related noise. Figure V.G-2 and Figure V.G-3 in the San Francisco 2004 and 2009 Housing Element EIR identifies roadways within San Francisco with traffic noise levels exceeding 60 L_{dn} and 75 L_{dn} , respectively. Most of San Francisco’s neighborhoods are currently affected by traffic noise levels exceeding 60 L_{dn} .

Both the 351V Turk Street and 145 Leavenworth Street lots are located along a street with modeled noise levels above 75 dBA L_{dn} (Turk Street and Leavenworth Street) and potential existing noise-generating land uses are nearby. Therefore, noise analyses were prepared for the residential portions of the proposed project and the results are summarized below.¹⁰

Noise level measurements were taken as part of the noise analysis. Long-term measurements (continuous measurements with 15-minute intervals) were made at an elevation 12 feet above the sidewalk adjacent to the project sites at Turk Street and Leavenworth Street and along Golden Gate Avenue between August 28 – 30th, 2013. The Turk Street and Leavenworth Street noise level measurement locations are near the proposed new buildings’ façade for the residential units.

The primary noise source in the project area is transportation noise. Other potential noise-generating uses in the project vicinity are one bar, 11 restaurants, 12 liquor/grocery stores, two auto repair shops, and seven community centers. However, the noise from these uses would not be expected to be above the transportation noise levels. The calculated noise levels for the long-term measurements was 74 dBA L_{dn} at Turk Street, 76 dBA L_{dn} at Leavenworth Street, and 77 dBA L_{dn} at Golden Gate Avenue. The calculated maximum noise level measurements were between 73 and 115 dBA L_{max} .

⁵ Code of Federal Regulations, Title 24, Part 51, Section 51.100 – 51.105.

⁶ Office of Planning and Research, *State of California General Plan Guidelines*, October 2003.

⁷ *San Francisco General Plan*, Environmental Protection Element, Policy 11.1.

⁸ dBA refers to the sound level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives good correlation with subjective reactions to noise.

⁹ L_{dn} refers to the day-night average level or the average equivalent A-weighted sound level during a 24-hour day, obtained after the addition of 10 decibels to sound levels in the night after 10 p.m. and before 7 a.m.

¹⁰ Charles M. Salter Associates Inc., *351 Turk Street, San Francisco, Environmental Noise Study, CSA Project Number: 13-0454*, October 1, 2013. Charles M. Salter Associates Inc., *145 Leavenworth Street, San Francisco, Environmental Noise Study, CSA Project Number: 13-0454*, October 1, 2013. These documents are available for public review at the Planning Department, as part of Case No. 2012.1531E.

Typical residential building construction would generally provide exterior-to-interior noise level reduction performance of no less than 25 dB when exterior windows and doors are closed. In this case, exterior noise exposure would need to exceed 70 dBA L_{dn} to produce interior noise levels in excess of the City's and Title 24's interior noise criterion (45 dBA L_{dn}). Given the calculated exterior noise level of 74 and 76 dBA L_{dn} along both project lot frontages, the noise analysis for this project provided recommendations to achieve the interior noise criterion of 45 dBA L_{dn} .

The noise analysis recommendations include, but are not limited to, applying the Sound Transmission Class requirements listed in Table 3 below for full windows and exterior doors. The proposed project would be subject to and would comply with these recommendations to ensure that Title 24 requirements could be met. Furthermore, through the building permit review process, the Department of Building Inspection would ensure that Title 24 requirements would be met. Therefore, the proposed project would not expose persons to noise levels in excess of applicable noise standards.

TABLE 3
OPERATIONAL NOISE COMPONENTS

Floor	STC Rating for Full Window and Exterior Doors by Proposed Building Elevation (Residential) ^{a, b}			
	351V Turk Street		145 Leavenworth Street	
	Façade	Rear/Side Yard	Façade	Rear/Side Yard
Ground	--	28	--	--
2-4	38	28	40	28
5-8	38	28	40	30 – 34

STC = Sound Transmission Class

- STC rating recommended are for full window and exterior door assemblies (glass and frame), rather than just the glass.
- Refer to Figures 2 – 4 in Charles M. Salter Associates Inc., *351 Turk Street, San Francisco, Environmental Noise Study, CSA Project Number: 13-0454*, October 1, 2013 for the exact locations of the STC rating requirements for 351V Turk Street and Figure 2 in Charles M. Salter Associates Inc., *145 Leavenworth Street, San Francisco, Environmental Noise Study, CSA Project Number: 13-0454*, October 1, 2013 for the exact locations of the STC requirements for 145 Leavenworth Street. These documents are available for public review at the San Francisco Planning Department, as part of Case No. 2012.0678E.

The proposed project would not include any physical changes to the noise environment at the Residential Hotel Conversion lots that could result in changes to the existing noise environment or result in any significant noise impacts. Considering the above, the proposed project would result in less-than-significant impact with respect to noise.

Air Quality. In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂) and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The Bay Area Air Quality Management District (BAAQMD) has established thresholds of significance to determine if projects would violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in

criteria air pollutants within the San Francisco Bay Area Air Basin. To assist lead agencies, the BAAQMD, in their CEQA Air Quality Guidelines (May 2011), has developed screening criteria. If a proposed project meets the screening criteria, then the project would result in less-than-significant criteria air pollutant impacts. A project that exceeds the screening criteria may require a detailed air quality assessment to determine whether criteria air pollutant emissions would exceed significance thresholds. The proposed project combined would not exceed criteria air pollutant screening levels for operation or construction.¹¹

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but of short-term) adverse effects to human health, including carcinogenic effects. In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the "Air Pollutant Exposure Zone," were identified based on two health-protective criteria: (1) excess cancer risk from the contribution of emissions from all modeled sources greater than 100 per one million population, and/or (2) cumulative PM_{2.5} concentrations greater than 10 micrograms per cubic meter. Land use projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations.

Neither the 351V Turk Street nor 145 Leavenworth Street lots are within an Air Pollutant Exposure Zone as identified by the criteria above. Therefore, the proposed project would result in a less than significant impact with respect to exposing sensitive receptors to substantial levels of air pollution. Although the proposed project is not within an Air Pollutant Exposure Zone, the project sponsor has filed an application with the Department of Public Health to comply with Article 38 of the Health Code, which requires enhanced ventilation technologies incorporated into the new buildings' design to further reduce air pollutant exposure to new sensitive receptors.¹²

Both of the proposed new buildings would require construction activities for approximately eight months, which would occur at the same time. However, construction emissions would be temporary and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to, and comply with California regulations limiting idling to no more than five minutes,¹³ which would further reduce nearby sensitive receptors exposure to temporary and variable TAC emissions. Therefore, construction period TAC emissions would result in a less than significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

¹¹ Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, Updated May 2011, Table 3-1.

¹² Tracy Boxer Zill, "351 Turk and 145 Leavenworth, Application for Article 38 Compliance Assessment," to San Francisco Department of Public Health, Environmental Health, May 21, 2014. This document is on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.1531E.

¹³ California Code of Regulations, Title 13, Division 3, § 2485. This regulation applies to on-road heavy duty vehicles and not off-road equipment.

The proposed project would not include any physical changes that could result in changes to the air quality environment at the Residential Hotel Conversion lots that could result in significant air quality impacts. In conclusion, the proposed project would result in less-than-significant air quality impacts.

Water Quality. Both the 351V Turk Street and 145 Leavenworth Street lots are completely covered with impervious surfaces and natural groundwater flow would continue under and around the lots. Construction of the proposed project would not increase impervious surface coverage on these two lots nor reduce infiltration and groundwater recharge. Project-related wastewater and stormwater would flow to the City's combined sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge. Additionally, compliance with the San Francisco Stormwater Management Ordinance would require the project to maintain or reduce the existing volume and rate of stormwater runoff at these lots by retaining runoff onsite, promoting stormwater reuse, and limiting discharges before entering the combined sewer collection system. No physical changes are proposed to the five buildings on the existing Residential Hotel Conversion lots under the proposed project. Therefore, the proposed project would not substantially alter existing groundwater quality or surface flow conditions, and would result in less-than-significant water quality impacts.

e) The site can be adequately served by all required utilities and public services.

All of the project lots are located in dense urban areas where public services and utilities are available. The proposed project would be connected with existing drinking water, electric, gas, and wastewater services. Prior to receiving a building permit, the project would be reviewed by the City to ensure compliance with City and State fire and building code regulations concerning building standards and fire protection. The proposed project would not result in a substantial increase in intensity of use or demand for utilities or public services that would necessitate any expansion of public utilities or public service facilities.

Other Environmental Concerns

Archeological Resources. The proposed project would include below-grade construction at 351V Turk Street for a mat foundation up to 3.5 feet bgs (or 14 feet below existing Turk Street sidewalk grade) and an elevator pit up to 5.5 bgs. A Planning Department staff archeologist has reviewed the proposed project potential for encountering archeological resources at 351V Turk Street.¹⁴ No archeological resources are expected within the affected soils.

The proposed development at 145 Leavenworth Street would include bgs construction for a mat foundation system up to five feet bgs and an elevator pit up to seven feet bgs. A Planning Department staff archeologist approved an Archeological Testing Plan for the 145 Leavenworth project lot to aid in the identification of potentially significant archeological resources. After reviewing the site history and

¹⁴ Allison Vanderslice, *Environmental Planning Preliminary Archeological Review: Checklist for 351V Turk Street*, February 7, 2014. This document is on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.1531E.

the results of the Archeological Testing Plan, the staff archeologist determined that no archeological resources are expected within the affected soils.¹⁵

The proposed project would not include bgs construction for the Residential Hotel Conversion lots. Accordingly, the proposed project would not be expected to affect archeological resources.

Historic Architectural Resources. Both the 351V Turk Street and 145 Leavenworth Street lots are non-contributors to the Uptown Tenderloin National Register Historic District (District). The District comprises 18 whole and 15 partial city blocks and 477 total buildings and sites, of which 410 buildings and 67 buildings are considered to be contributing and non-contributing resources to the District, respectively. The project lot at 351V Turk Street frontage is adjacent to two district contributors: 351 Turk Street (14 stories) to the east and 371 Turk Street (seven stories). The project lot at 145 Leavenworth Street frontage is adjacent to two district contributors: 161 Leavenworth Street (four stories) to the north and 200 – 222 Golden Gate Avenue (eight stories) to the south. The buildings at 351 Turk Street and 200-222 Golden Gate Avenue are also considered individual historic resources. The character-defining features of the District include:

- Three- to-seven-story building height;
- Buildings occupy entire width of lot creating a continuous street wall;
- Building types: multi-unit apartments, hotels, or apartment-hotels, as well as other building types that support residential life, including institutional and commercial uses;
- Constructed of brick or reinforced concrete;
- Clear articulation of three-part vertical building composition of articulated base, shaft and prominent overhanging cornice;
- Punched double-hung wood-sash or casement windows with transoms;
- Projecting angled or curved bay windows;
- Prominent fire escapes on primary facades;
- Elaborately detailed residential entrances; and
- Other decorative features: segmented arches, iron window lintels, brick or stucco facings, molded galvanized iron, terra cotta or cast concrete features, sandstone or terra cotta rusticated bases, columns, sills, lintels, quoins, entry arches, keystones, string courses, engraved or painted signs and bronze plaques.

Planning Department Preservation Staff has reviewed the proposed project's potential for causing a significant adverse impact to a historic resource such that the significance of a historic resource would be

¹⁵ Allison Vanderslice, *Environmental Planning Preliminary Archeological Review: Checklist for 145 Leavenworth Street*, May 29, 2014. This document is on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.1531E.

materially impaired.^{16,17} The proposed project involves the construction of two buildings on two surface parking lots within the District and adjacent to two individual historic resources. The construction of the two buildings would occur on two existing non-contributor lots to the District; therefore, the proposed project would not have a direct impact on historical architectural resources.

Both new buildings would use perforated and dimpled copper finish as a main cladding material on the façades. This main cladding material is not traditionally found in the District and is not consistent with the character-defining features of the District. Therefore, the proposed project would not comply with Standard No. 9 of *The Secretary of Interior's Standard for Rehabilitation (Standards)*. However, both new buildings would include building types and three-part vertical compositions that are compatible with the District and adjacent individual historic resources. Although both new buildings would be eight-stories-tall, one floor higher than the typical three-to-seven-story buildings predominantly found in the District, both new buildings would step down from one adjacent contributing and individual historic resource. Additionally, both new buildings would create a more continuous street wall in the District compared to surface parking lots that currently occupy the lots, while the new building at 351V Turk Street would be set back from the adjacent 351 Turk Street building's decorative treatment and cornice that wraps around the corner to remain visible and intact. Therefore, the proposed project would comply with the remaining *Standards*. Thus, even with the different main cladding material and one-story taller development typically found in the District, both new buildings overall would not indirectly materially impair the District or individual historic architectural resources.

No physical changes are proposed to the five buildings on the Residential Hotel Conversion lots under the proposed project. Therefore, the proposed project's overall potential impact on historic architectural resources would be less than significant.

Wind. A wind assessment and study were prepared for the proposed development at the 351V Turk Street and 145 Leavenworth Street lots.¹⁸ The following discussion relies on the information provided in those reports.

Average wind speeds in San Francisco are the highest in the summer and lowest in winter. However, the strongest peak winds occur in winter. Throughout the year the highest wind speeds occur in mid-

¹⁶ San Francisco Planning Department, *351V Turk Street and 145 Leavenworth Street, Historic Resource Evaluation Response, Revised Part II Analysis* September 8, 2014, which utilized revised renderings of the proposed facades on September 3, 2014. This document and renderings are on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.1531E.

¹⁷ San Francisco Planning Department, *351V Turk Street and 145 Leavenworth Street, Historic Resource Evaluation Response*, August 11, 2014, which utilized information provided in ESA, *351V Turk Street/145 Leavenworth Street, San Francisco, California, Final Historic Resources Evaluation Report*, August 2014. These documents are on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.1531E.

¹⁸ RWDI, *351 Turk Street and 145 Leavenworth Street, San Francisco, CA, Pedestrian Wind Assessment*, RWDI #1401176, March 7, 2014. RWDI, *351 Turk Street and 145 Leavenworth Street, San Francisco, California, Pedestrian Wind Conditions Consultation, Wind Tunnel Tests*, RWDI #1401176, May 20, 2014. These documents are on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.1531E.

afternoon and the lowest in the early morning. West-northwest, west, northwest, and west-southwest are the most frequent and strongest of primary wind directions during all seasons (referred to as prevailing winds).

San Francisco Planning code Section 148, Reduction of Ground-level Wind Currents in C-3 Districts, outlines wind reduction criteria for projects in C-3 Districts. The 145 Leavenworth Street project lot is within a C-3 District and the proposed new building at this site is subject to these criteria. The *Planning Code* sets criteria for both comfort and hazards and requires buildings to be shaped so as not to cause ground-level wind currents to exceed these criteria. However, for the purposes of evaluating impacts under CEQA, the analysis uses the hazard criterion to determine whether the proposed project would alter wind in a manner that substantially affects public areas at both the 351V Turk Street and 145 Leavenworth Street lots.

The *Planning Code* pedestrian comfort criterion of 11 miles per hour (mph) is based on wind speeds measured and averaged over a period of one minute. In contrast, the *Planning Code* wind hazard criterion of 26 mph is defined by a wind speed that is measured and averaged over a period of one hour. When stated on the same time basis as the comfort criterion wind speed, the hazard criterion wind speed (26 mph averaged over one hour) is equivalent to a one-minute average of 36 mph, which is a speed where wind gusts can blow people over and are therefore hazardous. As stated above, the analysis uses the hazard criterion to determine significant effects under CEQA. In addition, the proposed project's effects related to the comfort criterion are presented for informational purposes.

Wind tunnel testing was conducted at 35 wind speed sensor locations under Existing Conditions at a pedestrian height of approximately five feet near the 351V Turk Street and 145 Leavenworth Street lots. The wind tunnel testing accounted for all relevant buildings and topography within a 1,200 foot radius of the two lots proposed for development. The results of the wind tunnel testing indicate that no sensor locations exceed the hazardous wind conditions criterion under Existing Conditions. For informational purposes, the results of the wind tunnel testing indicate that 6 of the 35 sensor locations measuring wind speeds around the project lots exceed the *Planning Code's* 11 mph pedestrian comfort criterion under Existing Conditions. Wind speeds of 10 percent exceedance (i.e., the wind speed exceeded 10 percent of time) are on average 9 mph over 35 sensor locations. The wind testing sensor locations that exceeded pedestrian comfort criterion include one adjacent to the existing curb cut at 351V Turk Street lot, two directly across Turk Street from the 351V Turk Street project lot, and one directly across Leavenworth Street from the 145 Leavenworth Street project lot. In addition, two wind testing sensor locations exceed the pedestrian comfort criterion mid-block along Leavenworth Street between Golden Gate Avenue and McAllister Street.

The proposed development at 351V Turk Street would include removal of the existing surface parking lot and construction of a new eight-story, 80-foot-tall (94-foot-tall with above roof structures), 57,890 gsf building. The proposed development at 145 Leavenworth Street would include removal of the existing surface parking lot and construction of a new eight-story, 80-foot-tall (94-foot-tall with above roof structures), 40,167 gsf building. The proposed project would include two rooftop common open spaces, one at each proposed new building. Wind tunnel testing was conducted for Existing plus Project Conditions. The results of the wind tunnel testing indicate that the proposed project new buildings

would not cause exceedances of the hazardous wind criterion at any sensors in the project vicinity. No physical changes are proposed to the buildings at the five Residential Hotel Conversion lots under the proposed project. Therefore, the proposed project would not alter wind in a manner that substantially affects public areas and impacts are considered less than significant.

For informational purposes, the results of the wind tunnel testing indicate that 6 of the 35 sensor locations would exceed the *Planning Code's* 11 mph pedestrian comfort criterion under Existing plus Project Conditions, the same number and at the same locations as under Existing Conditions. Wind speeds of 10 percent exceedance would be an average of 0.1 mph less over the 35 sensor locations, compared to under Existing Conditions. Although not tested with a sensor location, the analysis indicates the potential for the rooftop common open space at 351V Turk Street to exceed wind comfort criterion levels.

Shadow. The nearest public open spaces to the proposed new buildings are Turk and Hyde Mini-Park, approximately 200 feet west and 360 feet west of the 351V Turk Street project lot and 145 Leavenworth Street project lot, respectively. The proposed project would include removal of the existing surface parking lots and construction of two new eight-story, 80-foot-tall (94-foot-tall with above-roof structures) buildings; one each at the 351V Turk Street and 145 Leavenworth Street lots. The preliminary shadow fan prepared by the Planning Department found that both of the new buildings' shadow could reach the Turk and Hyde Mini-Park, a Recreation and Parks Department property.¹⁹ However, the preliminary shadow fan assumes no other buildings are present. Therefore, a more detailed shadow study was conducted that includes intervening buildings.²⁰

The results of the shadow study indicate that the proposed project for both new buildings would not result in any net new shadows on Turk and Hyde Mini-Park. Shadows cast by existing buildings in the vicinity subsume any potential shadow cast by the proposed development, at the times when the proposed project could cast shadow on the Turk and Hyde Mini-Park. At the times when shadow would be cast by the proposed project that is not subsumed by existing shadows, the project-related net new shadow would not be long enough to reach Turk and Hyde Mini-Park. Therefore, the proposed project would not add any net new shadow on public open spaces under Recreation and Parks jurisdiction.

The proposed project would cast net new shadow on nearby sidewalks including those along Turk Street and Leavenworth Street, at certain times of day throughout the year. Many of the sidewalks in this part of San Francisco are already shadowed for much of the day by densely developed, multi-story buildings, and additional project-related shadow would be temporary in nature and would not substantially affect the use of the sidewalks.

¹⁹ San Francisco Planning Department, "351 Turk/145 Leavenworth Street – PPA Shadow Analysis," January 24, 2013. This document is on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.1531U.

²⁰ PreVision Design, *Evaluation of Potential Section 295 Shadows from Proposed Projects at 351 Turk and 145 Leavenworth Street, San Francisco, CA*, March 7, 2013. This document is on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.1531E.

The proposed project would not include any expansion of building envelope at the Residential Hotel Conversion lots and thus no net new shadow would occur as a result of this project component. For the above reasons, the proposed project would not create new shadow that substantially affects outdoor recreation facilities or other public areas and this would be a less-than-significant impact.

The shadow analysis also found the proposed project would shade portions of nearby private property at times within the project vicinity. Although occupants of nearby property may regard the increase in shadow as undesirable, the limited increase in shading of private properties as a result of the proposed project would not be considered a significant impact under CEQA.

Hazards and Hazardous Materials

The proposed project would include below-grade construction at 351V Turk Street for a mat foundation up to 3.5 feet bgs (or 14 feet below existing Turk Street sidewalk grade) and an elevator pit up to 5.5 bgs. The proposed development at 145 Leavenworth Street would include bgs construction for a mat foundation system up to five feet bgs and an elevator pit up to seven feet bgs. Both project lots may contain underground storage tanks. Therefore, the proposed project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.²¹ The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to issuance of any building permit. The project applicant has submitted a Maher Application to DPH and would be required to remediate potential soil and/or groundwater contamination in accordance with Article 22A of the Health Code.

No physical changes are proposed to the five buildings at the Residential Hotel Conversion lots under the proposed project. Overall, the proposed project would result in a less-than-significant hazard to the public or the environment through the release of hazardous materials.

Neighborhood Concerns. A “Notification of Project Receiving Environmental Review” was mailed on March 7, 2014 to community organizations, tenants of the affected property and properties adjacent to the project site, and those persons who own property within 300 feet of the project site. Overall concerns and issues raised by the public in response to the notice were taken into consideration and incorporated into this Certificate of Determination as appropriate for CEQA analysis. Comments regarding physical

²¹ Note: A Phase I Environmental Site Assessment (ESA) was conducted for the site in 2005 and indicated the potential for encountering underground storage tanks. This Phase I ESA may inform DPH in accordance with the Maher Ordinance or DPH may request a new Phase I ESA. All West Environmental, Inc., *Environmental Site Assessment, Central YMCA, 220 Golden Gate Avenue, San Francisco, California*, July 22, 2005. This document is on file and available for public review at the San Francisco Planning Department, as part of Case File 2012.1531E.

environmental effects were related to light and air on adjacent buildings. This comment has been addressed under the “Shadow” topic above.

CONCLUSION:

CEQA State Guidelines Section 15300.2 states that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. No unusual circumstances surround the current proposal that would suggest a reasonable possibility of a significant effect. The proposed project would have no significant environmental effects. The proposed project would be exempt under the above-cited classification. For the above reasons, the proposed project is appropriately exempt from environmental review.

Forge Land Company LLC
260 TOWNSEND STREET SAN FRANCISCO

June 24, 2015

Kate Conner
Housing Implementation Specialist, LEED AP
Planning Department City and County of San Francisco
1650 Mission St, Suite 400
San Francisco, CA 94103

Re: Project at 361 Turk Street and 145 Leavenworth

Ms. Conner,

This letter describes the process we have undertaken to both understand and mitigate the concerns expressed by our neighbors and the community during the last hearing and ensuing month of outreach. Although most of the modifications were included in the last hearing presentation, we took advantage of the continuance to revisit and solidify our proposal in the eyes of our neighbors and constituents.

Over these weeks, we met with representatives from many of the concerned neighborhood and City organizations as well as the residents of the appurtenant buildings at 371, 351, 333 Turk, Curry Senior Center and 220 Golden Gate, the Kelly Cullen Community Center. Additional outreach has been ongoing with other owners in the area.

As noted by the Commissioners, concerns fell into three categories;:

1. Affordable Housing,
2. Increased Light and Air considerations, and
3. Overall community engagement in the process.

Forge has been working with Planning Department staff and the Director since last September to find a path thru the regulations to include BMR (Affordable) units in our project. It is consistent with our mission statement and our intent for projects in San Francisco and beyond. Partially as a result of the expressed concern and partially based on the proposed new legislation, we have successfully reached agreement with the City Attorney's office to include a commitment to providing this important housing solution as an on-site inclusionary component of the project. Although included in the last proposed conditions of approval, this language has been improved and now appears to meet the expectations of those concerned as well as Forge.

The second significant concern surrounds balancing light and air issues in a tight infill environment. Much of the solution was presented at the Commission hearing but had not been formalized in the documents for the project. These amendments have now been made to the plans in this submittal. In personal meetings held with the residents of each of the affected properties, Forge reached concurrence with the affected owners and residents. The Project now offers additional setback mitigation and shared improvements, especially in the open space of the Curry Senior Center garden. Planning Department staff also reviewed the amendment to the community space inside 361 and agreed that this would meet their expectations for the Group Occupancy designation.

The final element, Community engagement and communications, has been significantly expanded including meetings with numerous representatives of the concerned interest groups in the Tenderloin Community as well as the individual residents most affected by the new construction. In an active exchange Forge was able to hone its response to the project and better share our vision for the project and our involvement in the neighborhood. We hope this is reflected in the newly expressed level of support for the project.

Based on the efforts of the last few weeks, Forge offers the following amendments to the project.

361 Turk:

In direct discussions with the residents and owners of the adjacent properties, the project has been amended to reflect:

- The northern most exit stair has been relocated inside the body of the building, removing it from the area above the drive aisle. This relocation results in removing 4 units from the project. It provides 11 feet of separation for all units in the adjacent building along the drive aisle façade.
- In an additional agreement, the “community space” was reduced allowing the new structure to “expose” the bathroom window of one unit on the drive aisle. This reduced the community space but it was deemed to be sufficient by Planning Department staff to warrant continued support for the Group Occupancy designation.
- As a result of these changes, only two stairway windows will be impacted by the new building.
- To make up for the loss of units in the overall project, an additional floor was added at the lowest level of the mid-block portion of 361. This is designated as “Level 0”. It adds 10 units to the project. This meets our density allowance and there is no change in the overall height, bulk or mass of the proposed structure, nor does it change the foundations or parking level of the building.
- As part of our program and in alignment with our goals, Forge proposes a new unit option. We altered the 6-8th floors at the back of the project to include larger units. These larger units average 430sf and are suitable for 2 occupants in the Group Occupancy rules. This mix better balances our offering to both the workforce and BMR housing.
- Total unit count for the building remains at 137.

145 Leavenworth:

The issues of light and air required the most negotiations among the affected parties. In joint discussions with both TNDC and the Curry Center, we were able to reach a compromise that appears to suit the balanced interests of all three communities.

- All of the proposed changes reflected in the plans are centered in the area of the “community” space at the center of the plan.
- The submitted design shows a new setback along the community space area of 145 Leavenworth of 7.5 feet from the property line.
- In the area adjacent to 220 Golden Gate at the Leavenworth end of the community space, Forge will eliminate one unit per floor from 5-8 and align the two buildings.
- This design amendment will eliminate 4 units reducing the overall count to 94 units. In the process however, we increased the size of 4 units to over 300sf and they qualify, per Planning, to account for 2 beds in the Group Occupancy profile, leaving the overall residential occupancy at 98 persons.

- To improve light quality, it was agreed that the 145 building wall will be clad in a reflective material and some glass. This is shown in the plans submitted.
- The opposite side will be setback 24 feet from the property line adjacent to the Curry Senior Center. In a separate agreement, Forge will provide landscape and other amenities for the Curry garden area.

In addition, Forge has been preparing Community Benefit Agreements with TNDC, and the Curry Center, (City of San Francisco DPH) which reflect our commitment on this and other issues concerning the process and execution of the project. These agreements will be provided under separate cover should the Department wish to see them

Richard Hannum AIA, LEED AP
Forge Land Company, LLC.

Cc: David Cincotta

Forge Land Company LLC
260 TOWNSEND STREET SAN FRANCISCO

March 6, 2015

Kate Conner
Housing Implementation Specialist, LEED AP
Planning Department City and County of San Francisco
1650 Mission St, Suite 400
San Francisco, CA 94103

Re: Project at 361 Turk Street and 145 Leavenworth

Ms. Conner,

Forge Land Company is pleased to offer our new project addressing housing in our City for your consideration. The buildings to be located at 361 Turk and 145 Leavenworth Streets are the first buildings of their type to be built in the Bay Area and are only the second efforts using this unique technology anywhere in the country.

Forge and its partners, Swinerton Innovative Systems (a Swinerton Inc Company) and SLI, creators of the system, will introduce our solution to high density housing in this first of what we hope will be many buildings in San Francisco.

The proposed project is 238 units of Group Occupancy Housing to be built in two connected buildings on the sites. Each unit is approximately 230 square feet. The size and location of these rental units makes them "affordable" by design. The target market for the units averages 150% of AMI. Since the project is Group Occupancy, there are no BMR units however, our target rental range in the proposed project is 60% AMI up to 180% AMI.

Group Occupancy means many things but in our projects, users will have access to many shared amenities within the complex including interior courtyards, two roof garden areas (to be tasked differently) shared common areas for cooking and entertainment, reading, and gathering. Although there is no parking in the building, we have partnered with service providers in the "concierge" world to bring on demand parking, car share, package delivery, laundry and other services, at discounted rates, to the Forge user group. **Every unit will be provided with private bath, limited cooking fixtures and quality finishes.**

Forge sponsors a healthy lifestyle and environment. Building systems are extremely energy efficient. Outside air is provided thru HEPA filter pressurization systems to every unit. Acoustic privacy is important and the SLI product offers the highest rated assemblies available in the market. We provide extensive bicycle and personal storage in both buildings. Large construction projects are disruptive for long periods of time. Major construction for this project, providing 238 units of Type 1 housing, will be completed within one year. This is a reduction in time of at least 30-40% or longer. Our outdoor spaces are appurtenant to the shared interior facilities which will be tasked to suit the needs of the users living in the building. Some have cooking abilities and others are heavily wired for data and entertainment. Some are anticipated to support quieter activities. The amenity spaces, located on alternating floors, are

double height spaces to provide variety and openness within the buildings. One courtyard opens into a private party/dining area for smaller private gatherings available on a scheduled basis.

Retail spaces are provided on the entry levels of both buildings. 361 retail is earmarked for a food and beverage experience incorporating the wash and fold services on the lower floor. The units do not have individual wash and dry equipment. This will be incorporated into the retail on the lower level taking advantage of the large quantity of recycled water the complex will generate. It becomes not only a source of community interaction for our residents but is available to the community. After hours, we plan for a commercial operation taking advantage of the water and energy systems incorporated into the building.

Design:

Our project falls within the Uptown Historic District and has undergone a comprehensive and interactive review with the Planning Department addressing the exterior design. Although this is a modern design, it fulfills the requirements of the Secretary of Interior Standards for historic compatibility.

The SLI system is an exo-skeletal steel system that allows the expression of the structure on the exterior. Behind this frame is a building of floor to ceiling glass. To soften this effect, we skin the building in perforated patinaed copper panels allowing the glass and steel to be seen thru the materials. The finish is very much like the other San Francisco building that uses this approach, the DeYoung Museum, and is made by the same team. The windows are patterned to emulate the pattern language of punched openings of the adjacent buildings. In particular, we chose the copper finish because it will age to a similar value as the Brick on the adjacent historic YMCA hotel (Y). We did not want to compete with the Y by copying the finish. It was our direction to juxtapose this intrinsically valuable material next to the Brick finishes letting the historic building remain important and singular on the street.

Great care was taken in addressing the detailing of the skin, depth and detail of balconies and other elements extending from the height of the spandrel panel at the retail to the depth and detail of the cornice. Of real importance was the setback from the Y at 361. There is a detail of the watertable that returns about 25 feet down the property line. Our project was held back from that edge for that depth to allow the public to see the side wall of the Y as it returned from the street.

Benefits:

Many of the benefits of this building typology exceed the expectations of current sustainability standards. A sampling of the features include:

- All elements used in the construction either are made of recycled material or can be recycled at the end of their useful life.
- The components of the buildings will be assembled within 100 miles of San Francisco reducing the shipping distances for our materials.
- Because the building is so very light, the foundations and excavation of the land is minimized reducing impact on the environment and significantly reducing our use of greenhouse offensive concrete.
- In floor radiant heating, individually controlled, is supplied from state of the art panels on the roof. Current modeling indicates that the system will supply 100% of the heating required for the building.
- All interior services and lighting are controlled thru the patented All in One panel. This plug and play system delivers lighting thru low voltage circuits that are user defined and adjustable. This

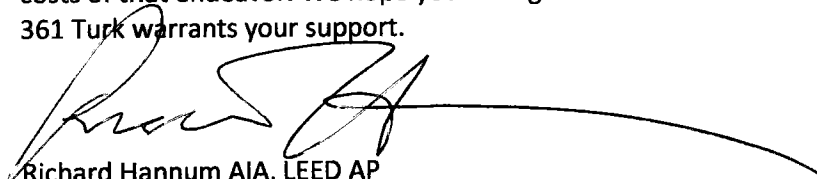
distribution provides all low voltage, data, telecom, and power to every unit. Energy use in the project is reduced by over 50% on normal.

- The project takes advantage of state of the art gray water recycling. Onsite equipment and systems treats and reuses water reducing overall water demand by 50%.
- Since there is no sheetrock in the units, they will not support mold and mildew.

Construction:

- **Swinerton Innovative Systems** is a new entity being created by **Swinerton Builders** for the purpose of delivering the **SLI** prefabricated building methodology to California. Forge and Swinerton are committed to the betterment of our community. **All of the labor for the project will be Union Labor.**
- Large construction projects are disruptive for long periods of time. Major construction for this project, providing 238 units of Type 1 housing, will be completed **within one year**. This is a reduction in time of at least 30-40%.
- **The project will be constructed by Union Labor.**

The project strives to bring much needed new housing to a part of the City in great need. Our product is truly the state of the art and offers new hope for the future of high density housing while addressing the costs of that endeavor. We hope you will agree that our effort and the project at 145 Leavenworth and 361 Turk warrants your support.

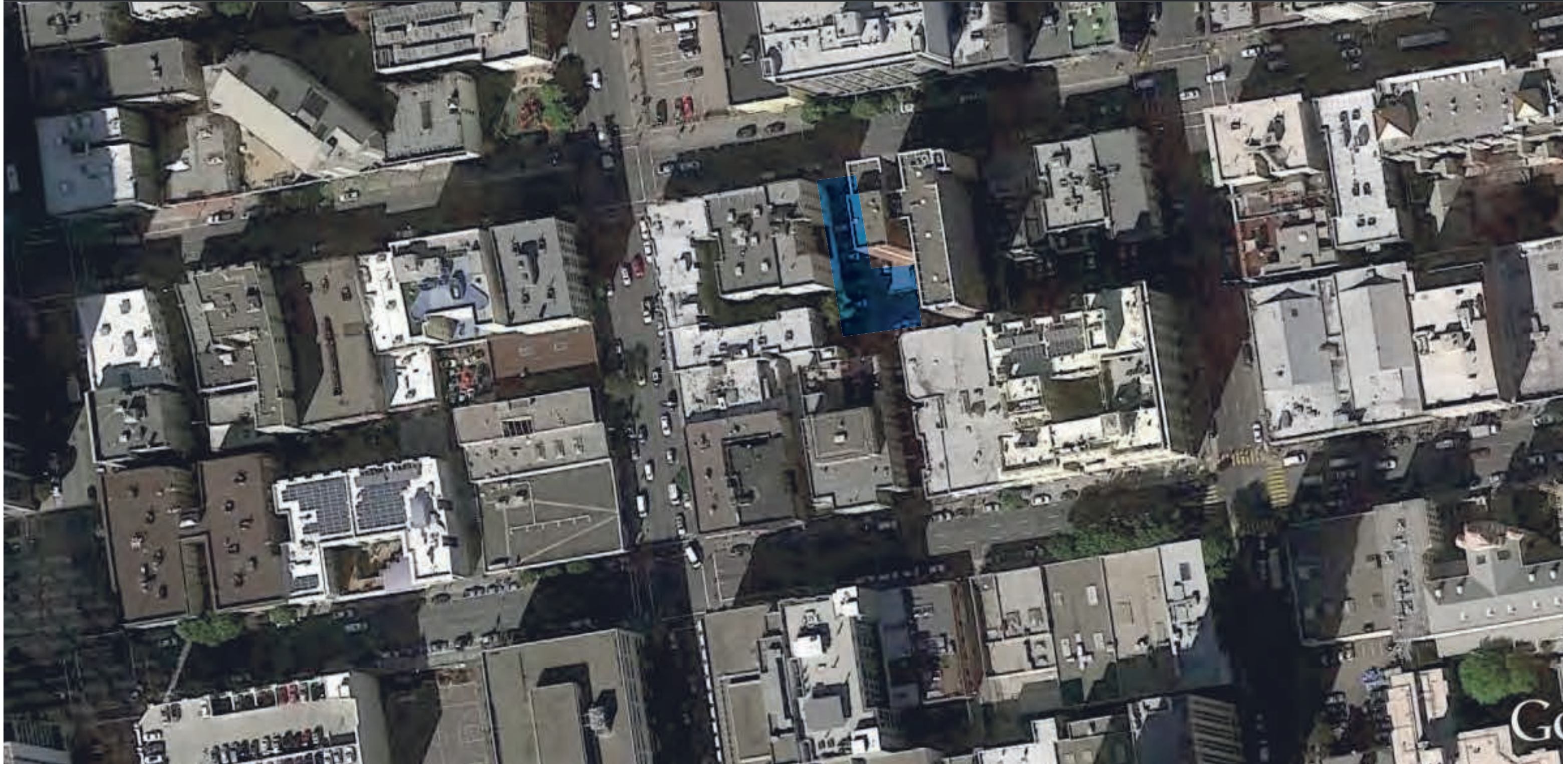


Richard Hannum AIA, LEED AP
Forge Land Company, LLC.

Community Outreach

Individual/Group	Date(s)
Jane Kim	May 2014 – February 2015 – Numerous Meetings
Rodney Fong	May 2014 – January 2015 – Numerous Meetings February 2015 – Tour
Cindy Wu	October 2014 December 2014
Mike Antonini	November 2014
Rich Hillis	October 2014 March 2015
Katherine Moore	March 2015
Dennis Richards	May 2014 – January 2015 – Numerous Meetings February 2015 – Tour
Christine Johnson	November 2014
Community Housing Partnership	October 2014
Tenderloin Community Benefit District	Summer 2014
Tenderloin Housing Clinic	May 2014 – February 2015 – Numerous Meetings
TNDC	May 2014 – February 2015 – Numerous Meetings
San Francisco Housing Action Coalition	4 th Quarter 2014 – Got full endorsement
Kelly Cullen Community Center	May 2014 – February 2015 – Numerous Meetings
Tenderloin Community School	May 2014 – February 2015 – Numerous Meetings
Bay Area Women's/Children's Center	May 2014 – February 2015 – Numerous Meetings

361 TURK STREET





STREET VIEW LOOKING SOUTHEAST

THE FACADE IS DESIGNED TO INCORPORATE A SKIN DESIGNED BY ONE OF OUR ARTISTS (TO BE SELECTED). THIS IS THE SAME METHOD IMPLIMENTED AT THE DE YOUNG MUSEUM TAILORED FOR THIS INSTALLATION. THE PANELS ARE DESIGNED TO BE 6" THICK AND MADE OF SHEET COPPER, AND ALLOWED TO WEATHER TO A RICH RED BROWN. THE DESIGN INTENTION- ALL REFLECTS THE VERTICAL EXPRESSIONS OF THE ADJACENT BUILDINGS - RESPECTING THEIR FABRIC, AGE, AND USE OF MATERIALS, WHILE BEING OF ITS OWN TIME.



Area Summary						
Level	Resid. Unit GSF	Resid. Common GSF	Commercial GSF	Parking GSF	Mech. GSF	Total GSF
R		2,021				2,021
8	4,396	1,614				6,010
7	4,396	1,369				5,765
6	4,396	1,614				6,010
5	4,396	1,369				5,765
4	4,396	1,614				6,010
3	4,396	1,369				5,765
2	4,396	1,614				6,010
1		1,053	2,696			3,749
1A	3,436	1,107	-			4,543
0	3,436	1,107	-			4,543
P1		3,433	1,520	3,320	1,143	9,416

Total	37,644	19,284	4,216	3,320	1,143	65,607
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Parking			
Resid. Parking Stalls	Carshare Stalls	Bicycle Stalls - Class 1	Bicycle Stalls - Class 2
6		35	6

6	0	35	6
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Open Space		
Residential Common	Residential Private	Commercial
2,663		
1,078		

3,741	-	-
-------	---	---

Net Rentable SF																				
GOU-A			# Per Floor		GOU-B		# per Floor		GOU-C		# per Floor		GOU-D		# per floor		Net Rentable SF			
0	0	0	251	10	0	0	0	0	0	0	0	0	0	0	0	2510				
P1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
1A	0	0	251	10	0	0	0	0	0	0	0	0	0	0	0	2510				
2	237	2	251	13	270	3	0	0	0	0	0	0	0	0	0	4547				
3	237	2	251	13	270	3	0	0	0	0	0	0	0	0	0	4547				
4	237	2	251	13	270	3	0	0	0	0	0	0	0	0	0	4547				
5	237	2	251	13	270	3	0	0	0	0	0	0	0	0	0	4547				
6	237	2	251	6	270	3	432	4	432	4	432	4	432	4	432	4518				
7	237	2	251	6	270	3	432	4	432	4	432	4	432	4	432	4518				
8	237	2	251	6	270	3	432	4	432	4	432	4	432	4	432	4518				
Total # of Units			GOU A		14		GOUB		90		GOU C		21		GOU D		12		36762	

Total Units	137		
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* All unit sizes are approximate

Site Area: 10,263 sf

Zoning: RC-4

Height District: 80-T

APN: 0345-017

Open Space Calculations:

Residential - Private:

0 sf / 36 sf per unit = 0 units have private open space

137 units - 0 units = 137 units

137 units x 16 sf per unit = 2,192 sf common open space required

Residential - Common:

Common Open Space Required = 2,400 sf

Common Open Space Provided = 3,741 sf

Commercial:

Open Space Required = 0 sf

Open Space Provided = 0 sf

Bicycle Parking Calculations:

Residential - Class 1:

Bicycle Space Required = 35

Bicycle Space Provided = 35

Residential - Class 2:

Bicycle Space Required = 4

Bicycle Space Provided = 4

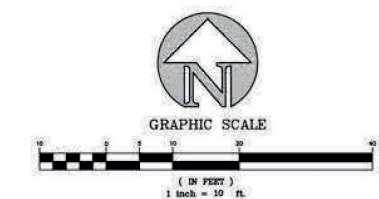
Commercial - Class 1:

Bicycle Space Required = 0

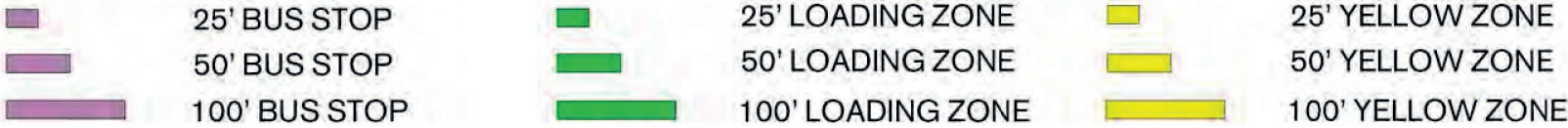
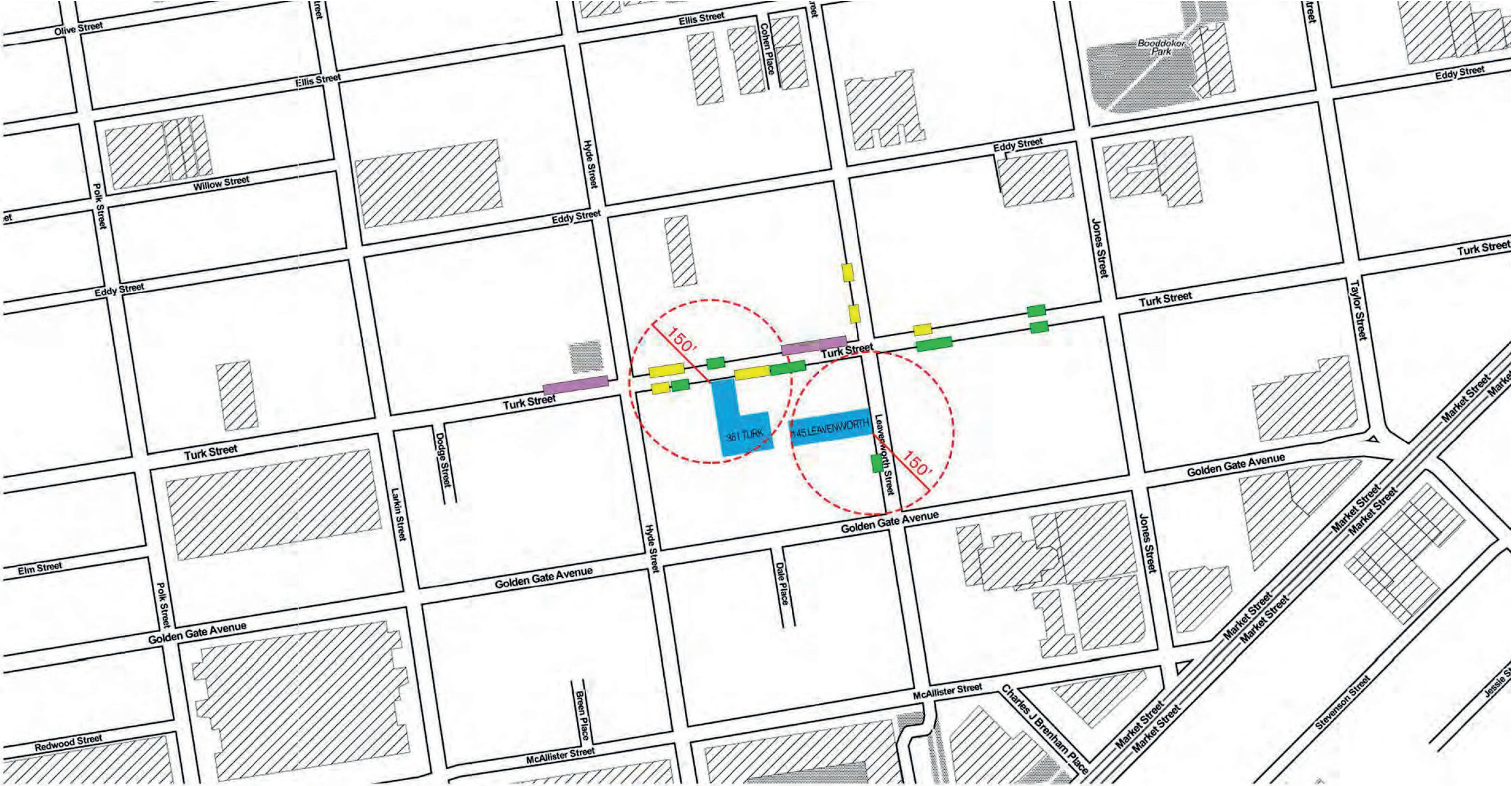
Commercial - Class 2:

Bicycle Space Required = 2

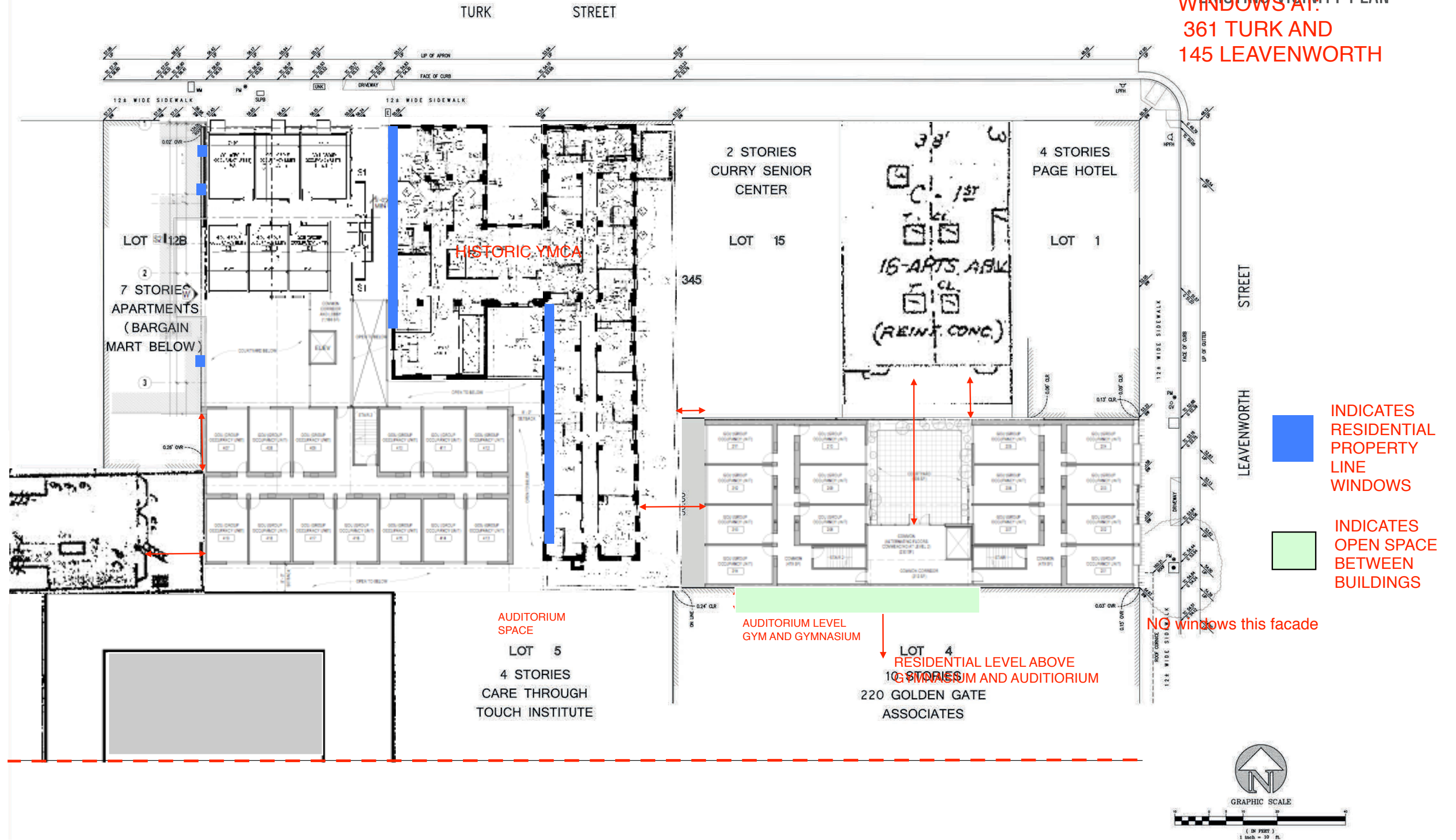
TURK STREET



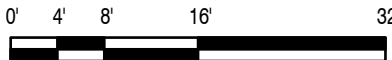
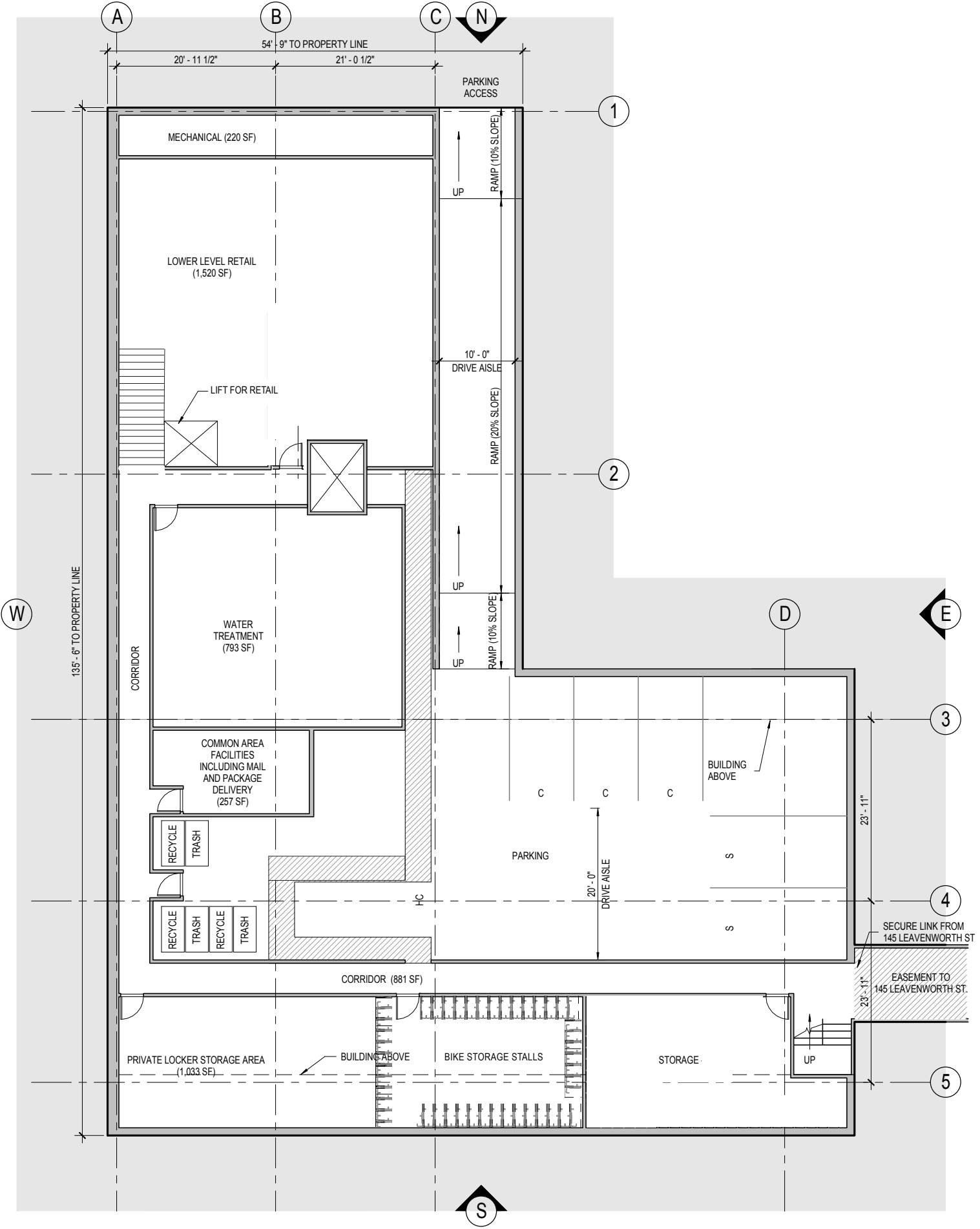
SURROUNDING LOADING ZONES AND BUS STOPS



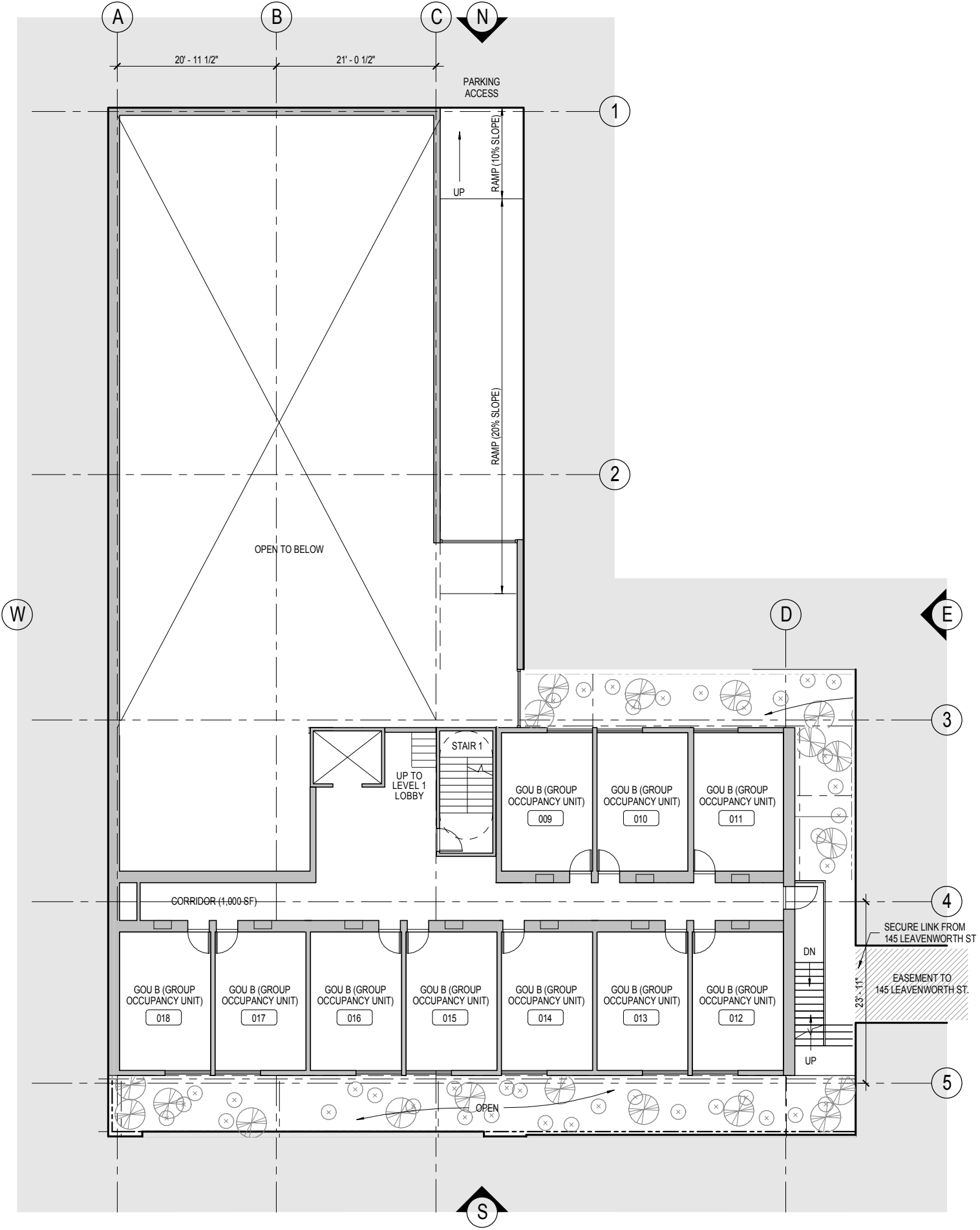
STUDY OF SETBACKS
AND PROPERTY LINE
WINDOWS AT:
361 TURK AND
145 LEAVENWORTH



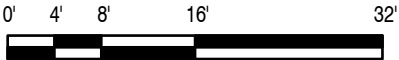
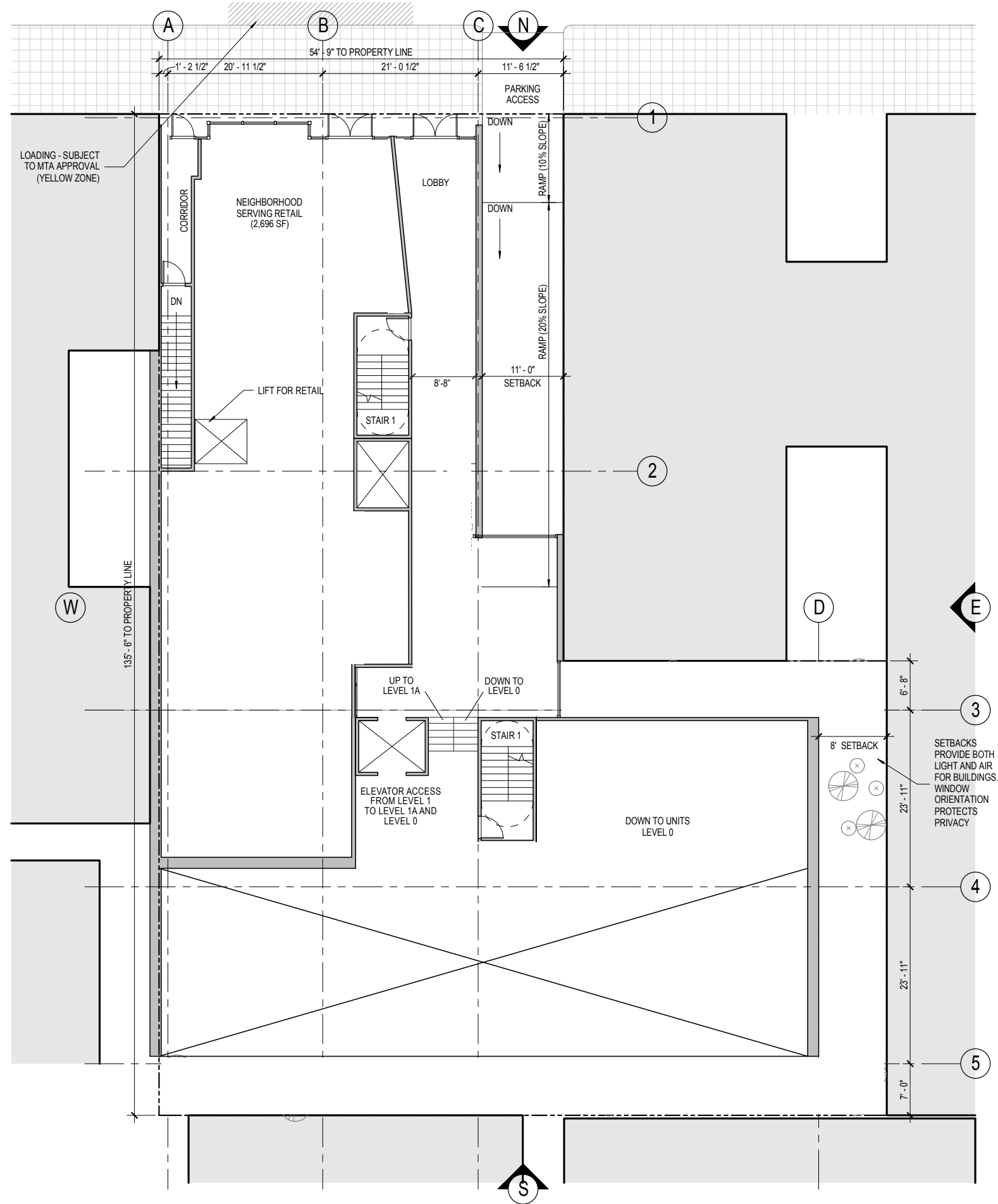
BASEMENT - P1



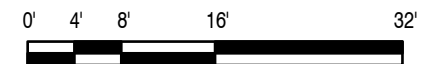
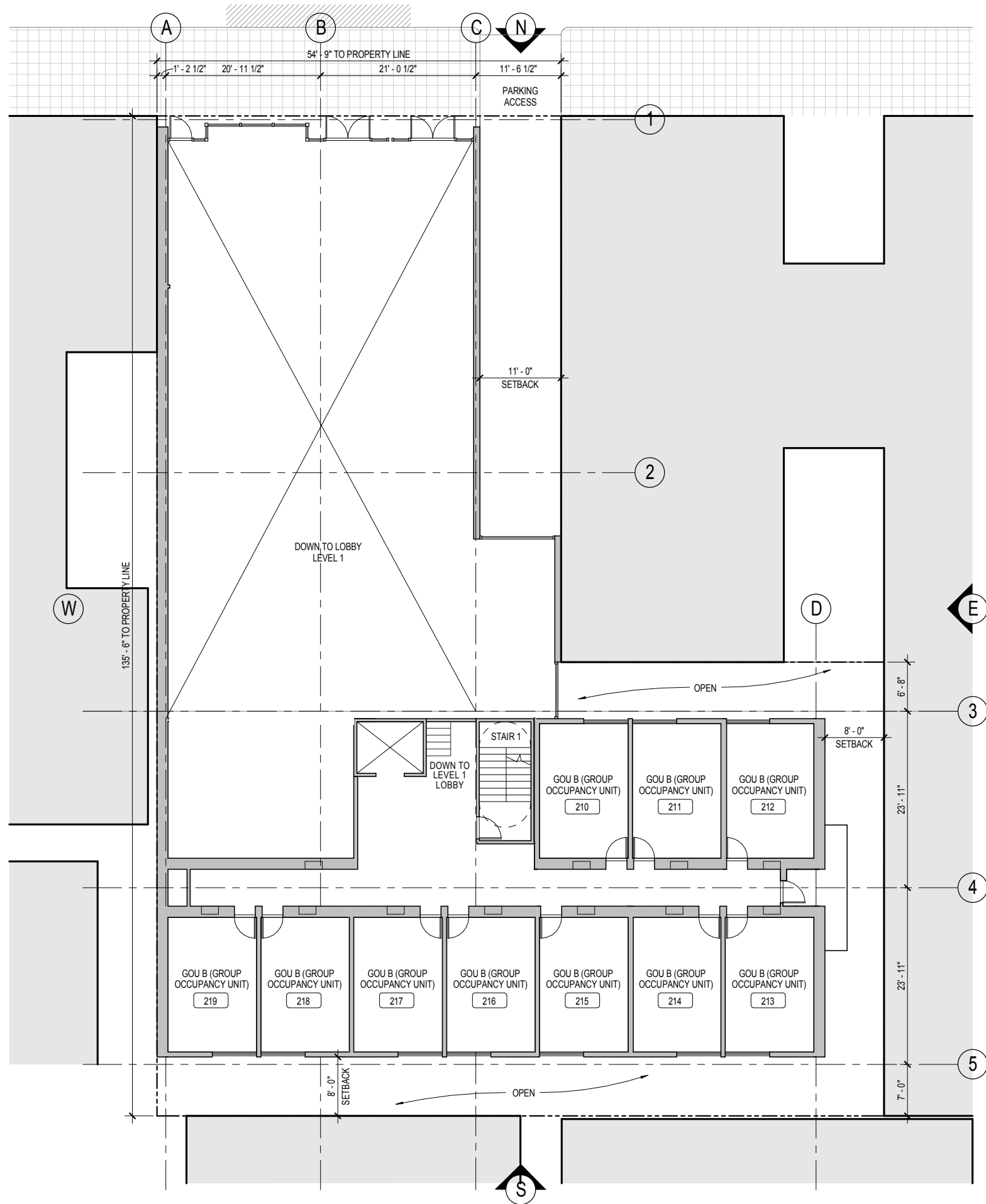
LEVEL 0



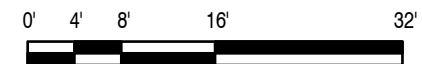
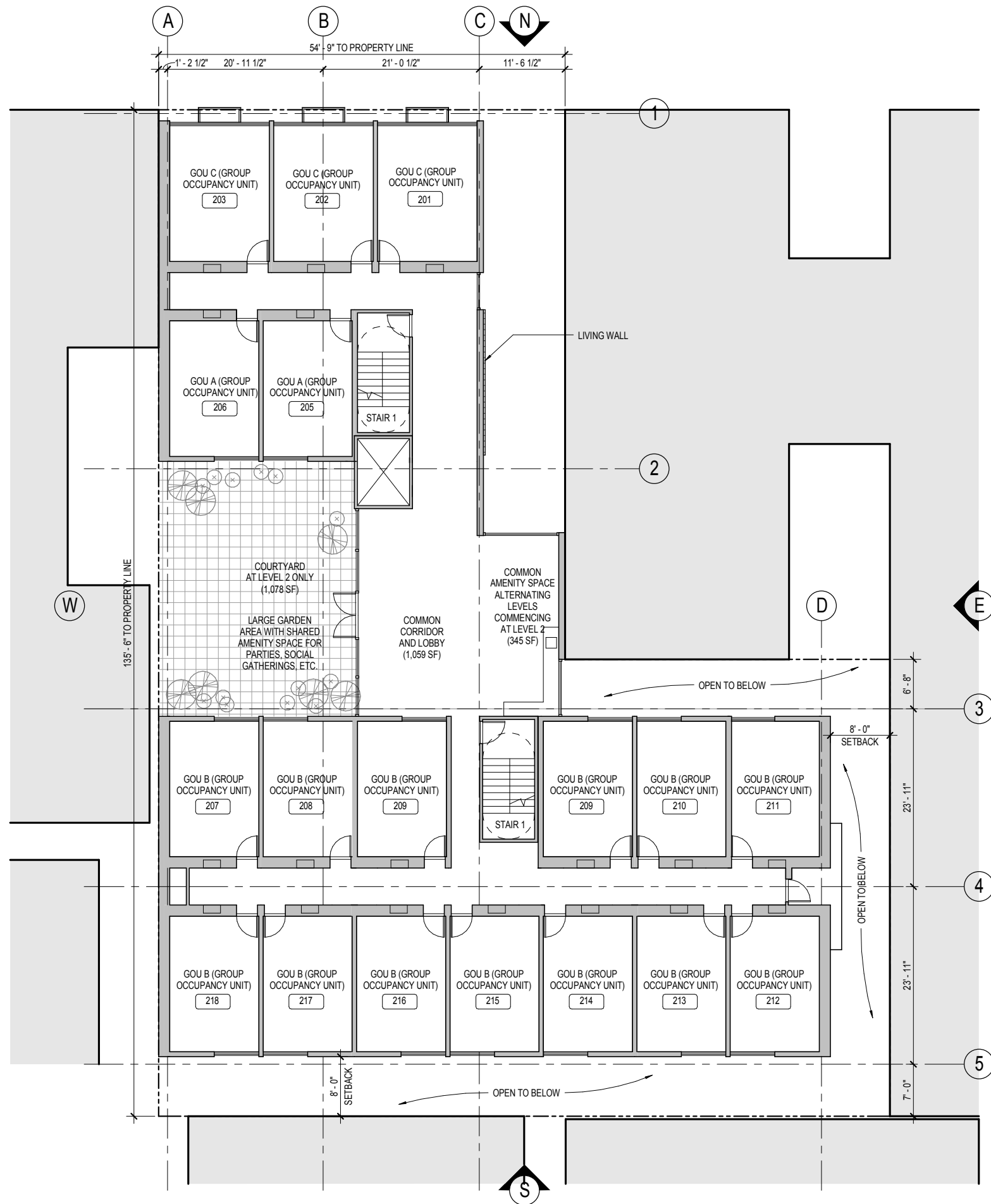
LEVEL 1 - GROUND FLOOR



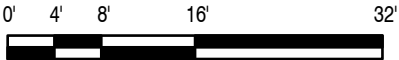
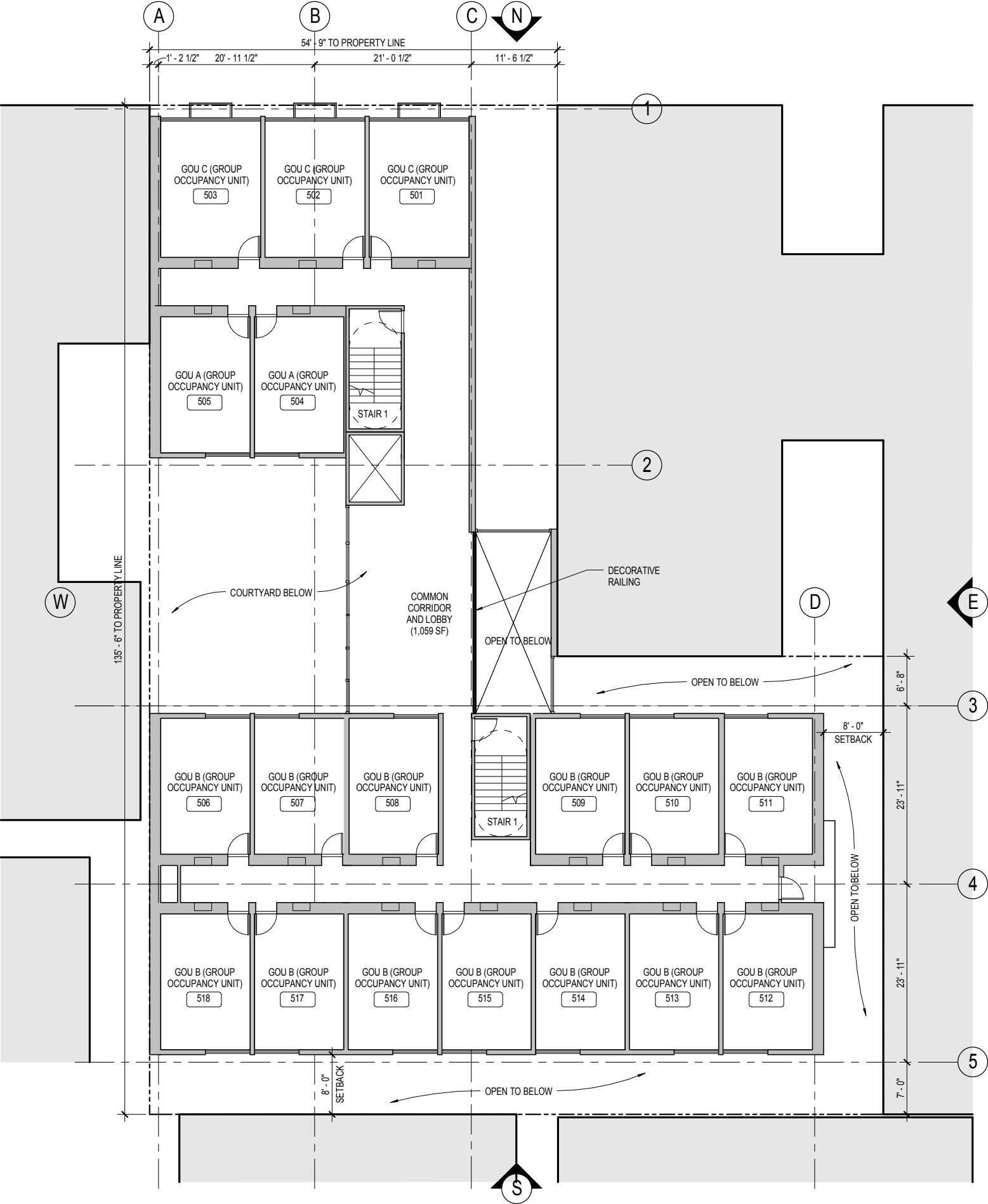
LEVEL 1A



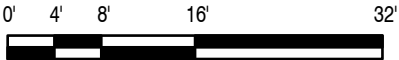
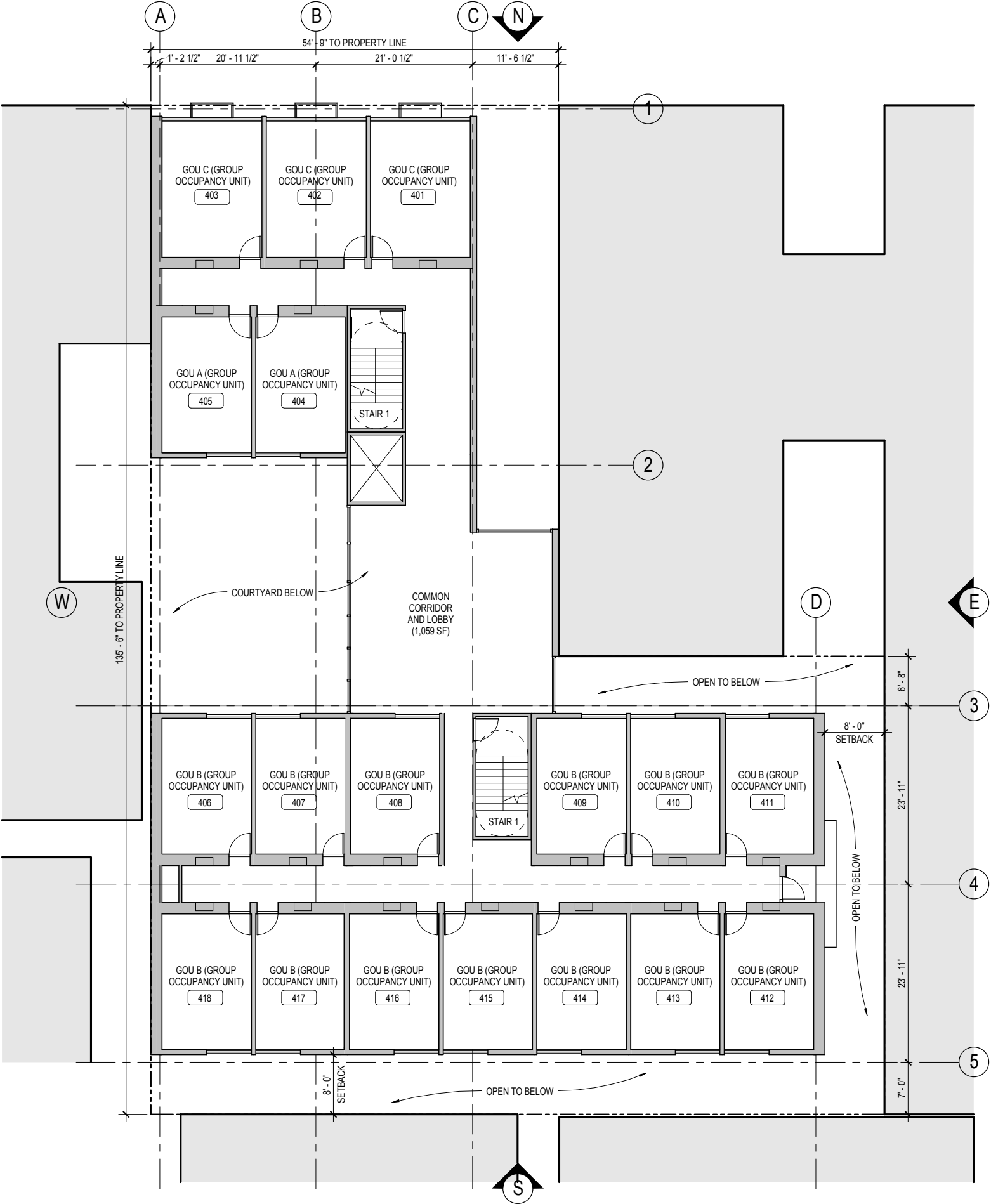
LEVELS 2

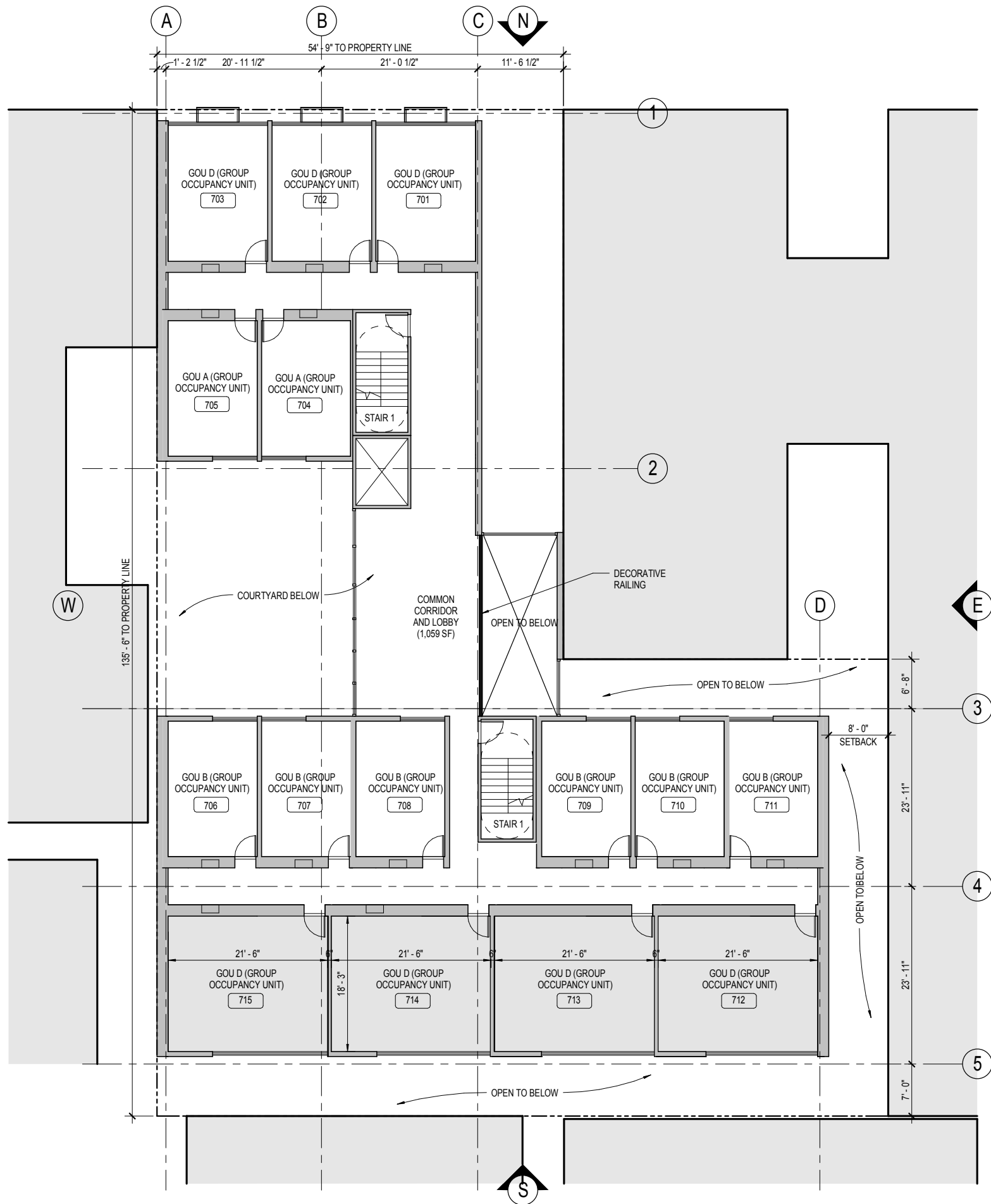


LEVELS 3, 5

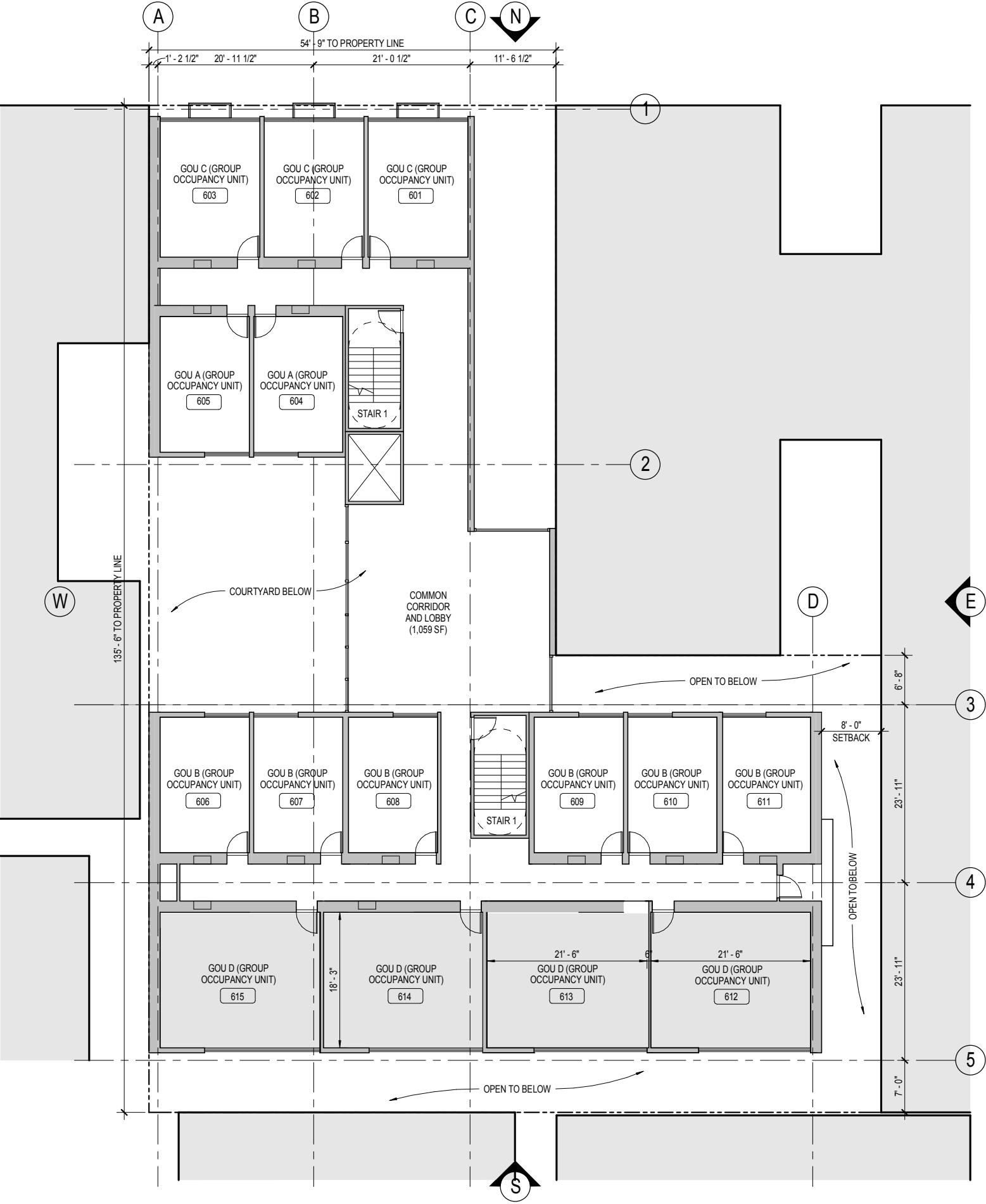


LEVEL 4

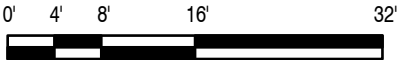
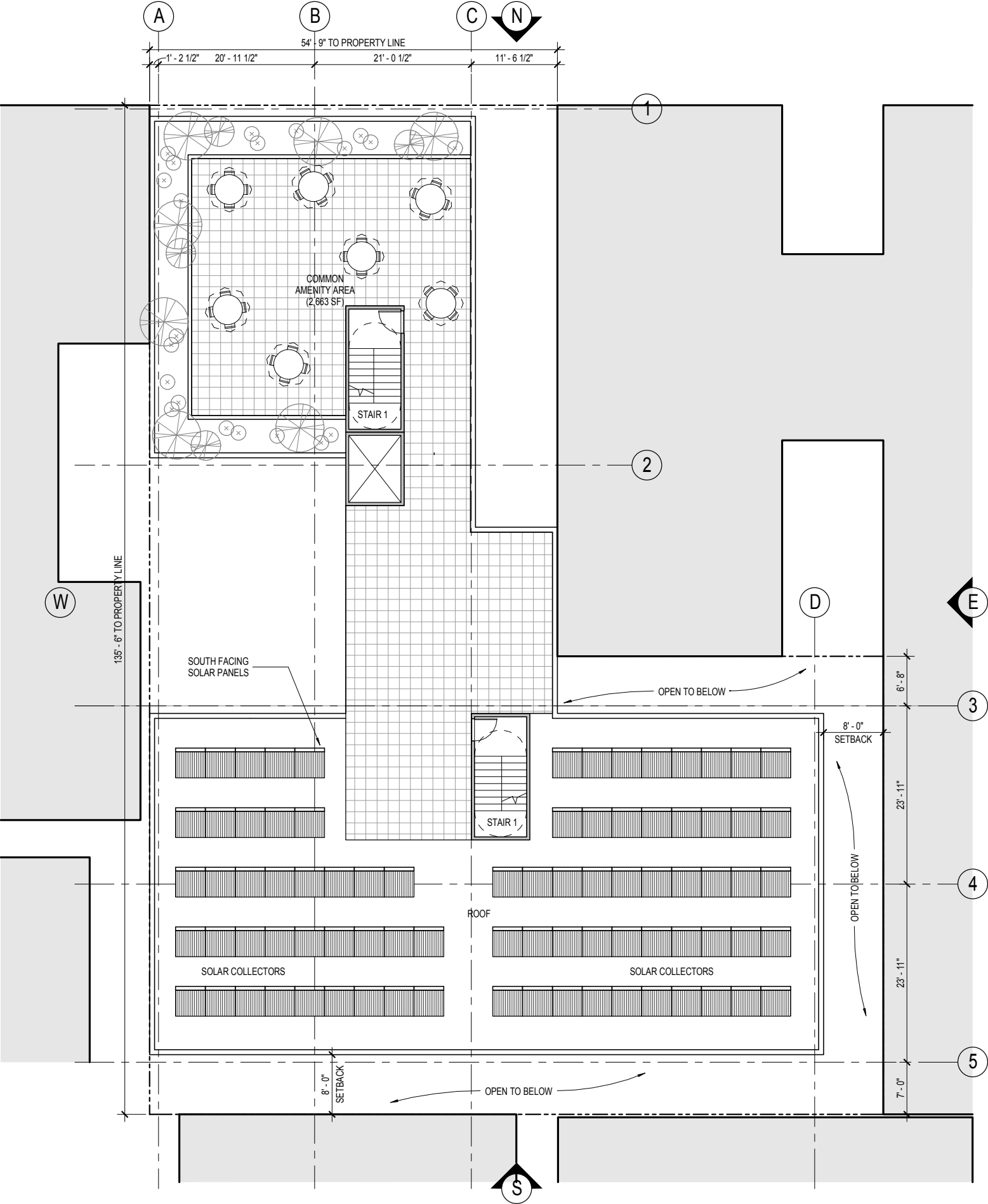




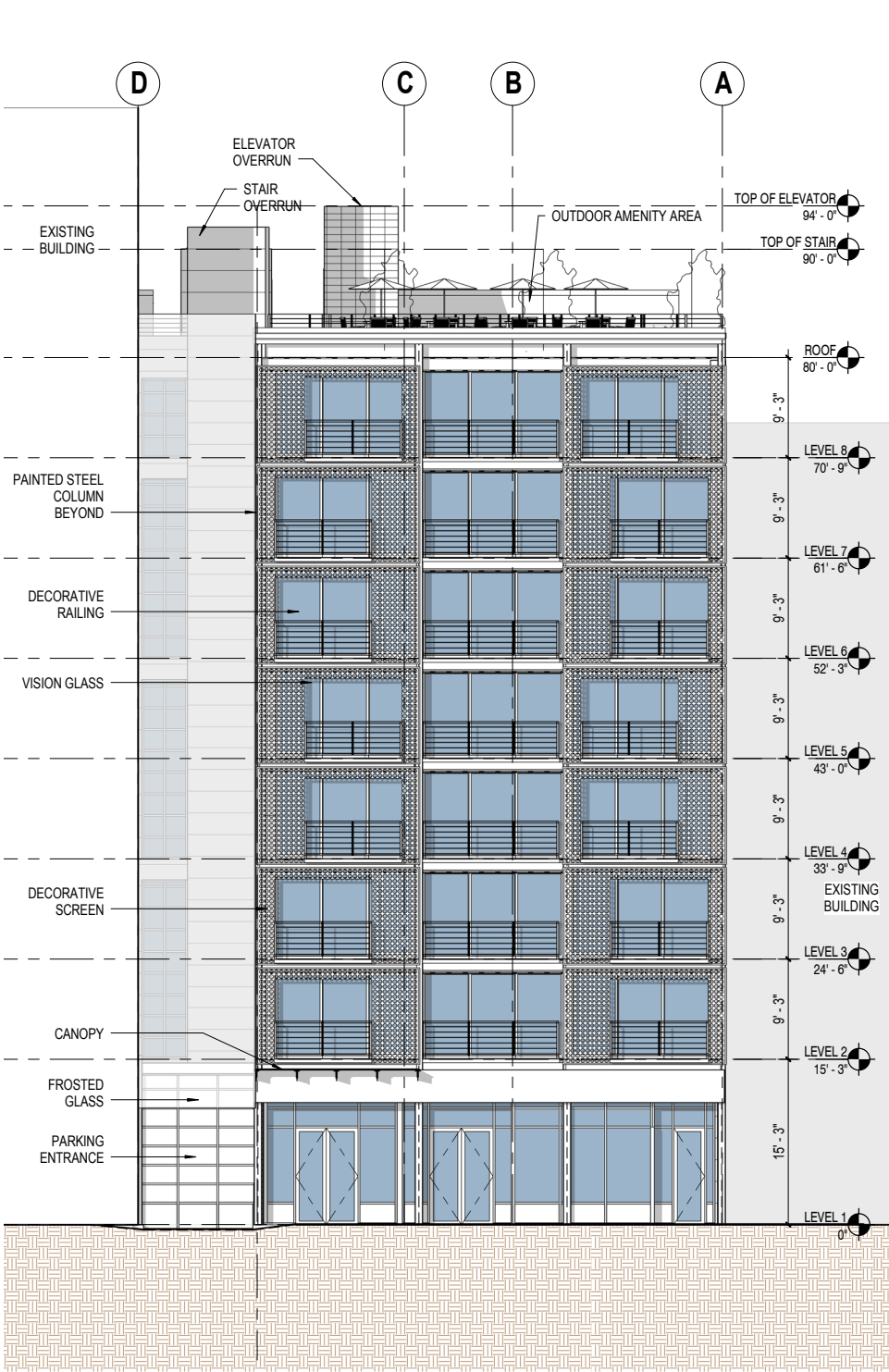
LEVELS 6, 8



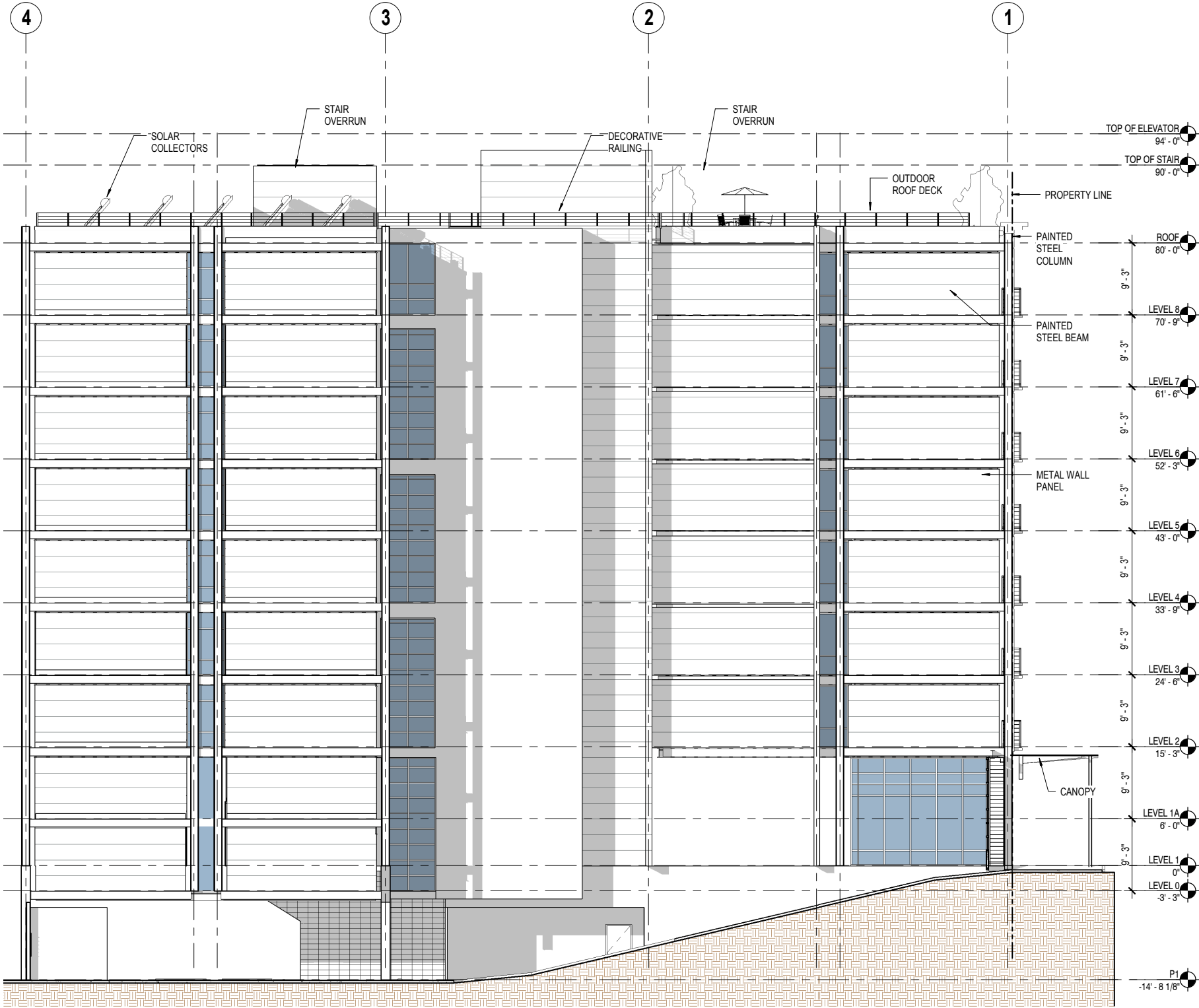
ROOF LEVEL



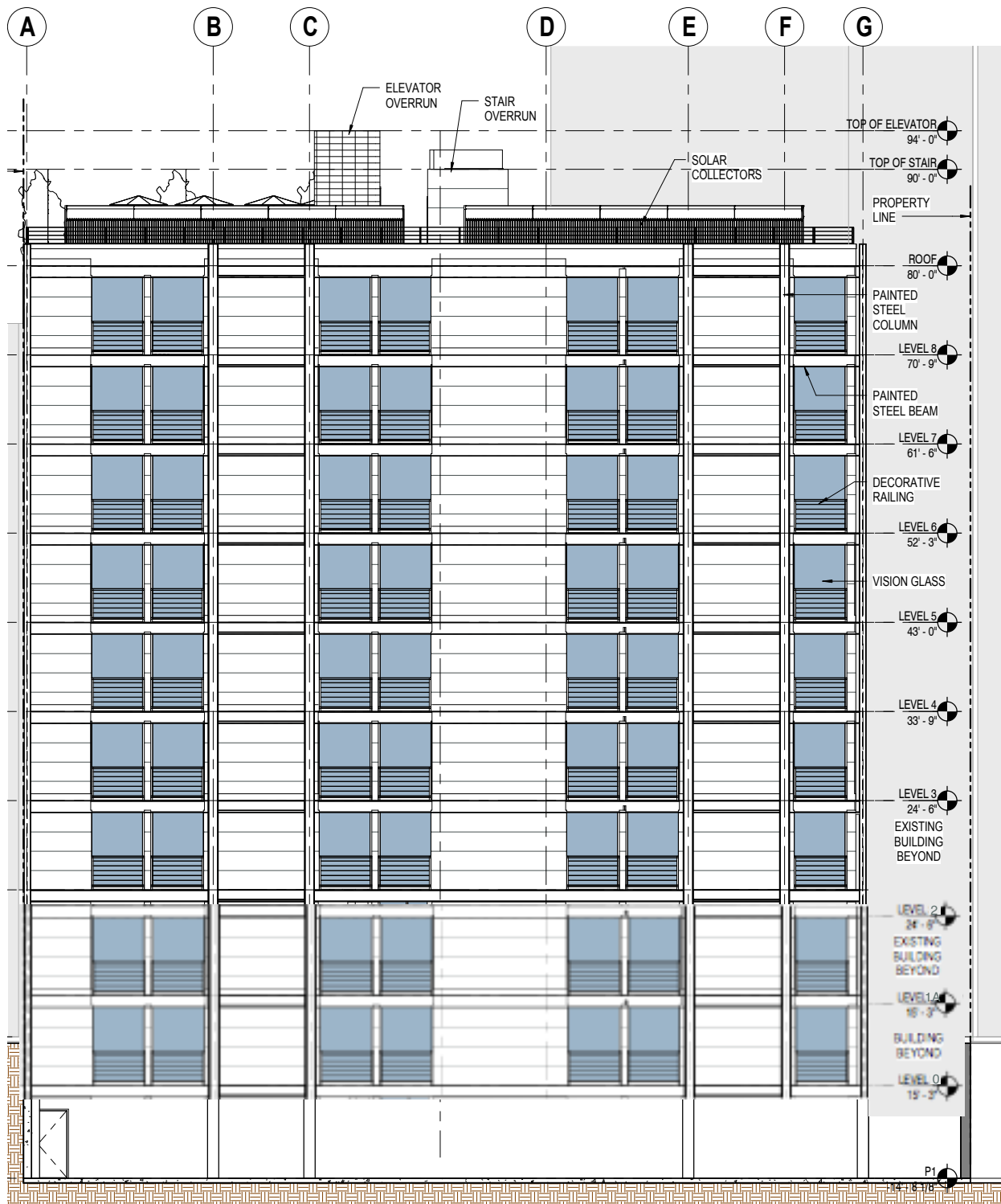
ELEVATIONS



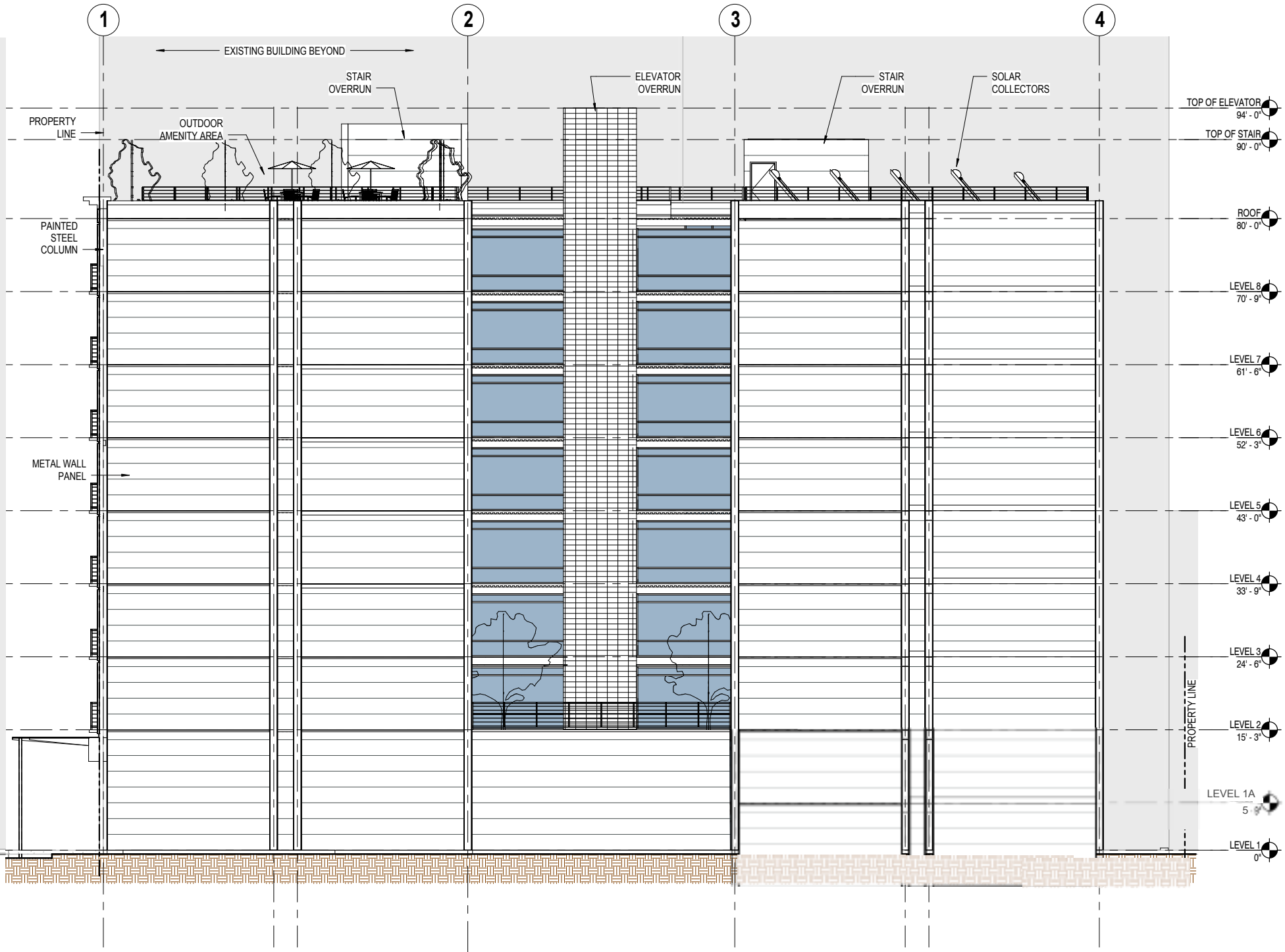
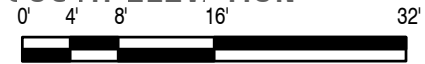
NORTH ELEVATION



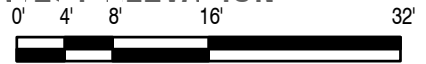
ELEVATIONS



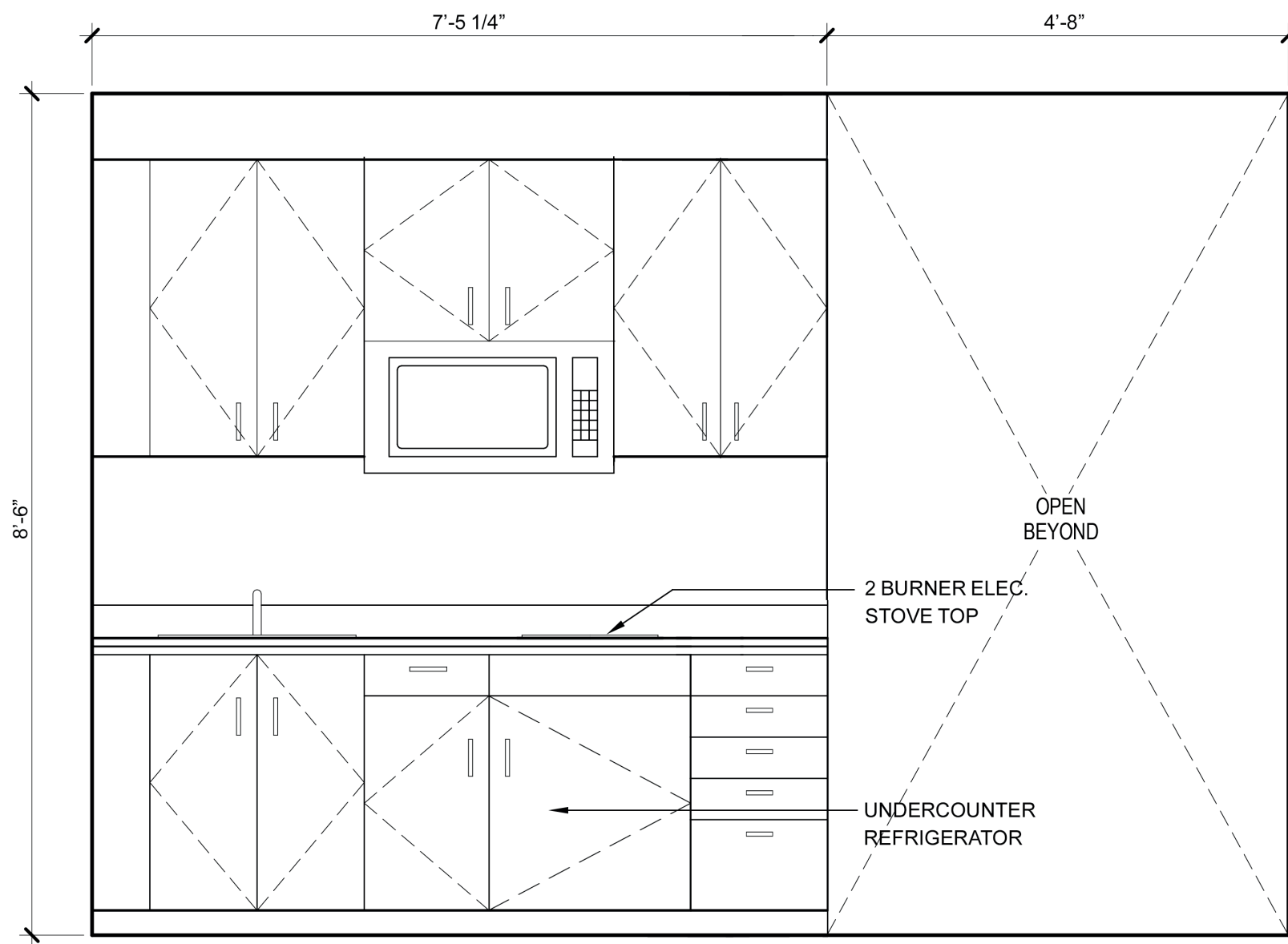
SOUTH ELEVATION



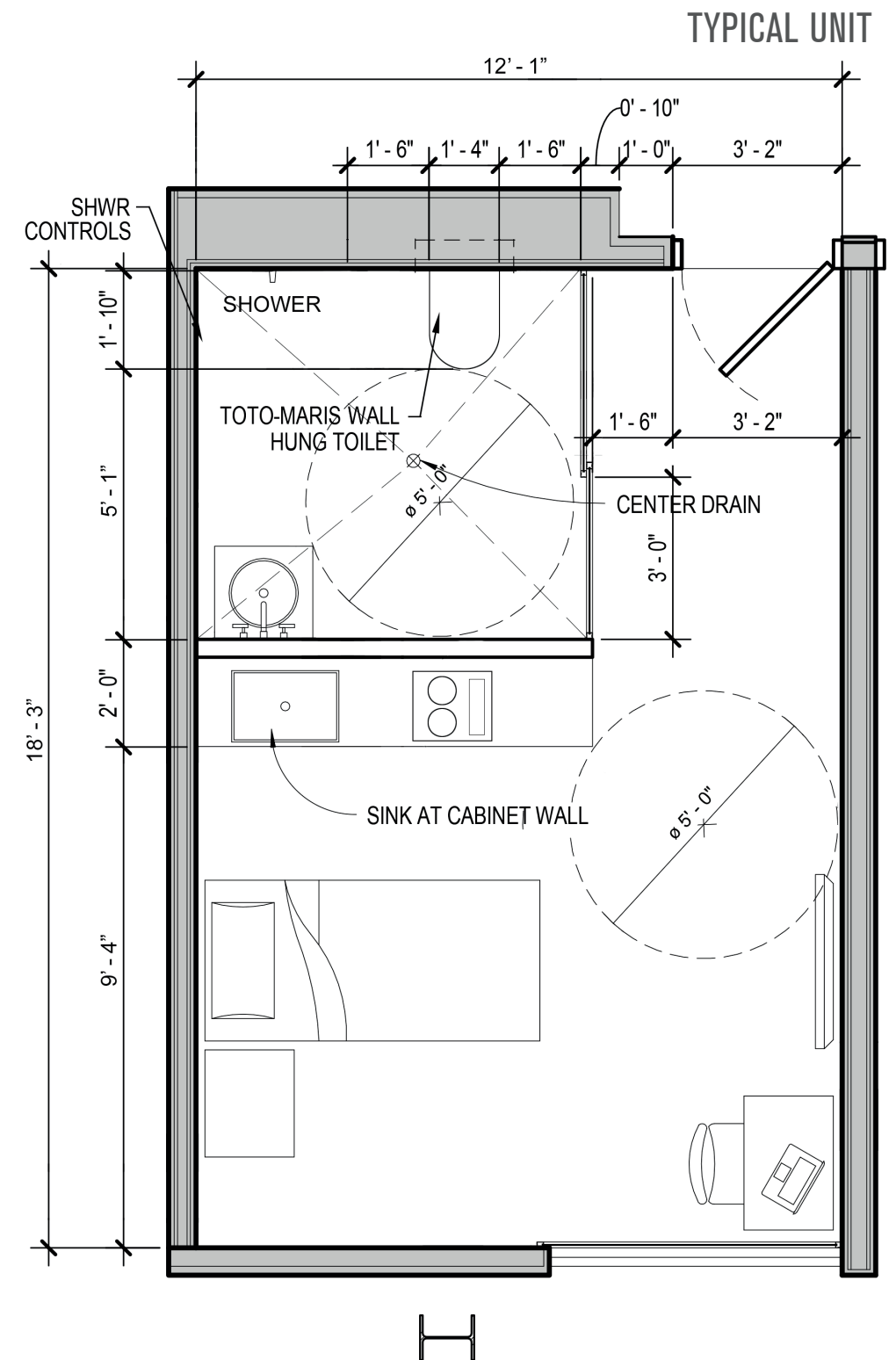
WEST ELEVATION



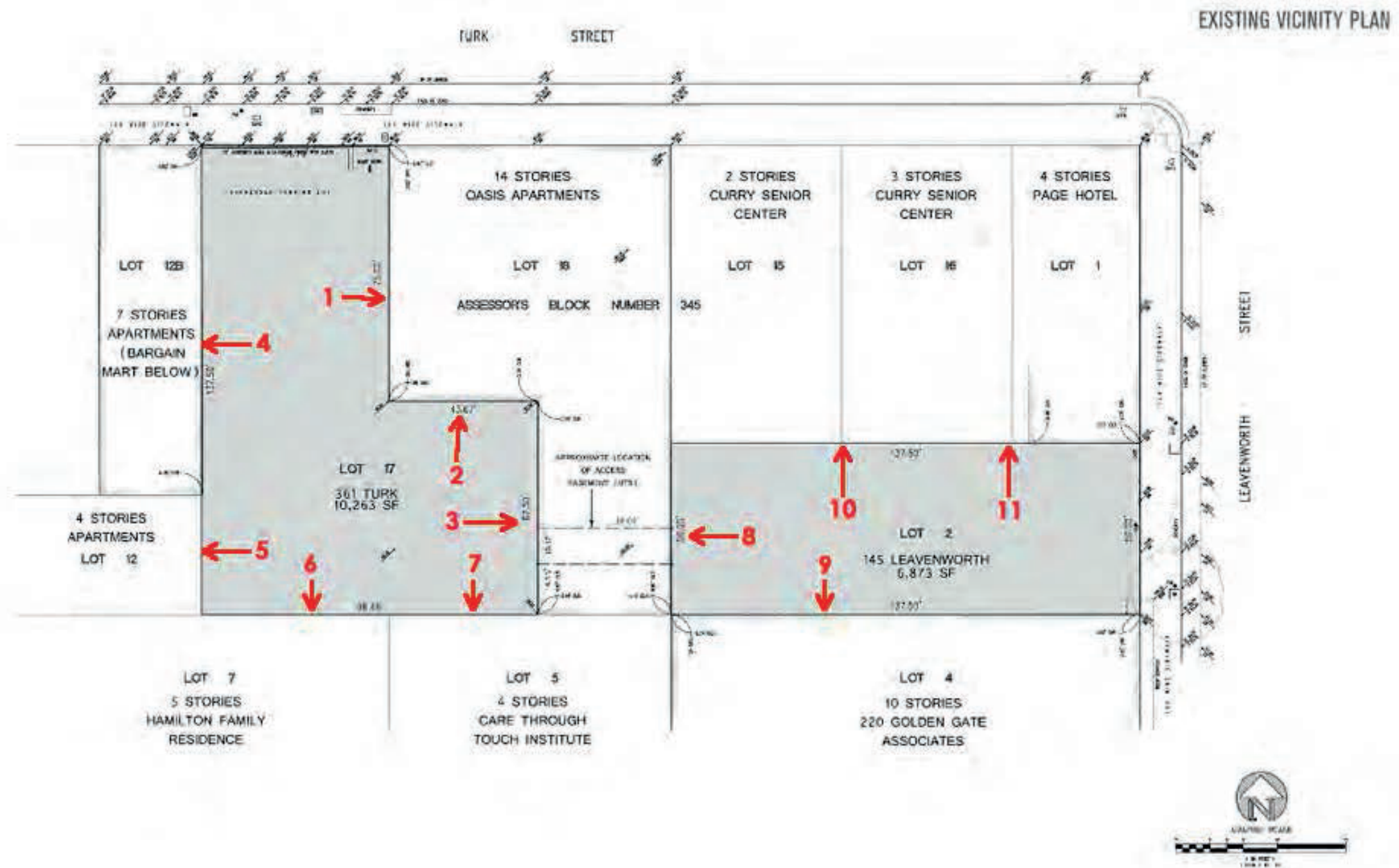




POSSIBLE COOKING FACILITIES AT CABINET WALL | 3/4"=1'



MOBILITY UNIT | 3/8"=1'



CONTEXT PHOTOGRAPHS

371 Turk - Lot 12B
East Façade (4)



138 Hyde - Lot 12
East Façade (5)



260 Golden Gate - Lot 7
North Façade (6)



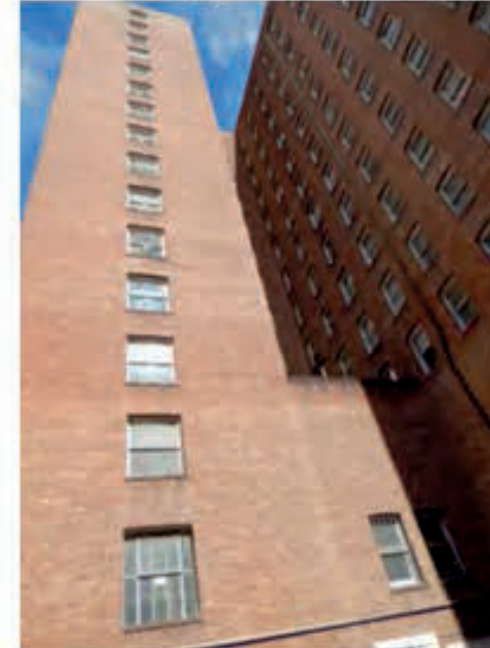
240 Golden Gate - Lot 5
North Façade (7)



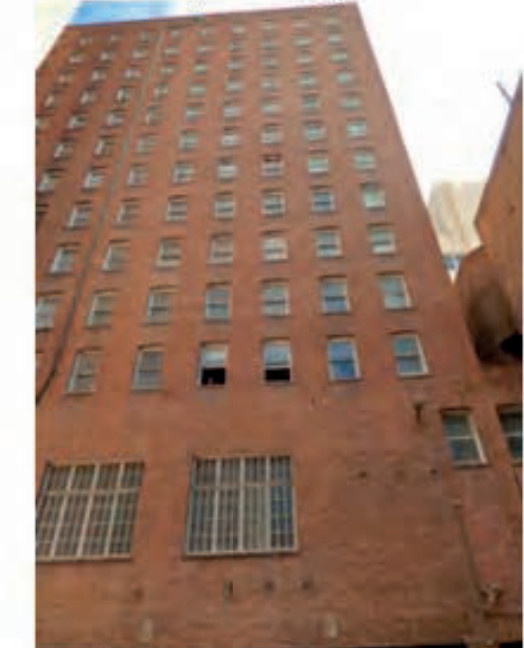
351 Turk - Lot 18
West Façade (1)



South Façade (2)



West Façade (3)



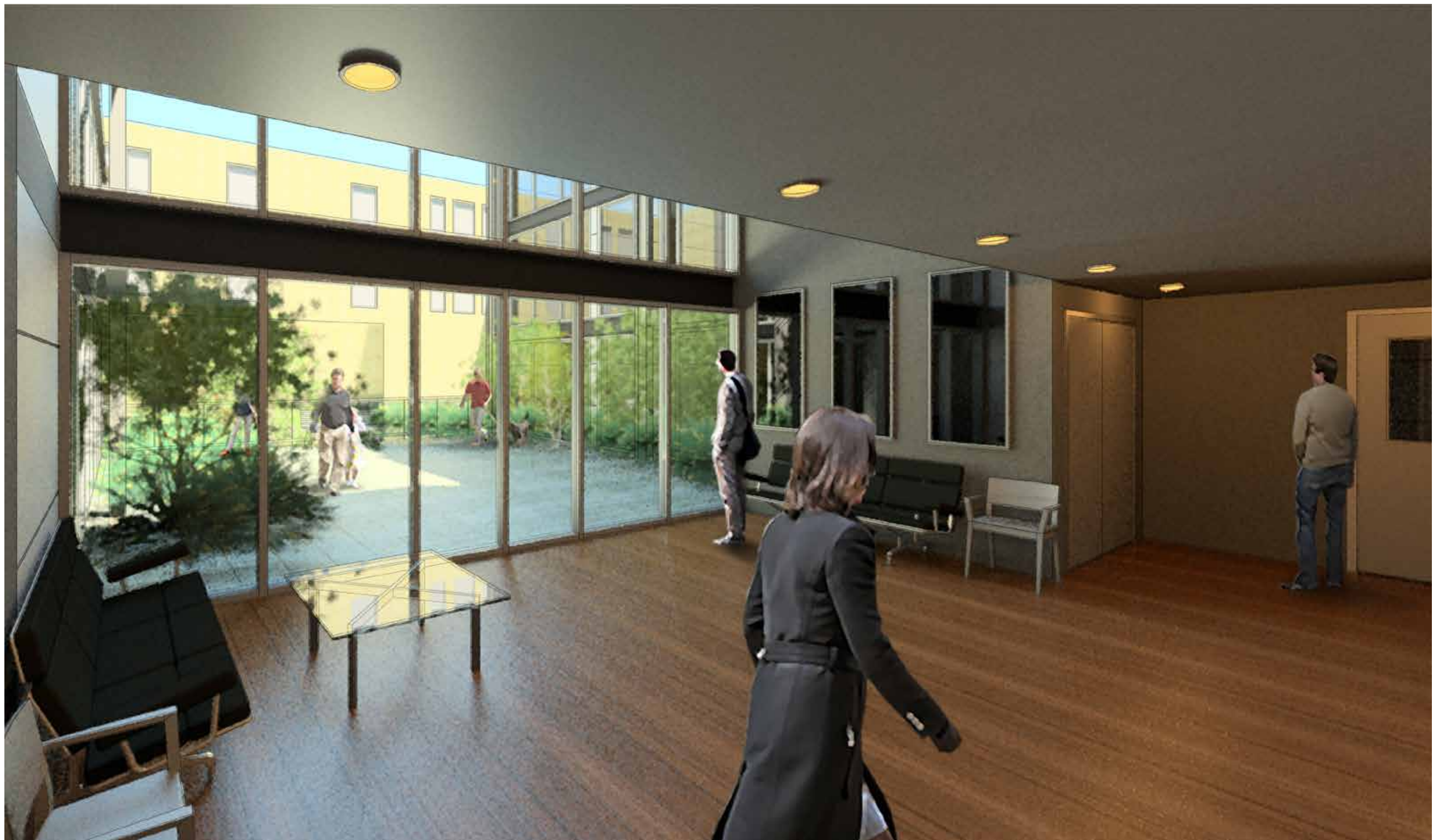


145 LEAVENWORTH STREET





STREET VIEW LOOKING SOUTHWEST



145 Leavenworth

San Francisco, CA

Sustainable Living Innovations

23-Jun-15

Area Summary						
Level	Resid. Unit GSF	Resid. Common GSF	Commercial GSF	Parking GSF	Mech. GSF	Total GSF
R		2,021				2,021
8	3,360	1,881				5,241
7	3,360	1,651				5,011
6	3,360	1,881				5,241
5	3,360	1,651				5,011
4	3,360	1,881				5,241
3	3,360	1,651				5,011
2	3,360	1,881				5,241
1		2,411	2,800			5,211

Total	23,520	16,909	2,800			43,229
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Site Area: 6,873 sf

Zoning: C-3-G

Height District: 80-X

APN: 0345-002

Parking			
Resid. Parking Stalls	Carshare Stalls	Bicycle Stalls - Class 1	Bicycle Stalls - Class 2
		25	4

		25	4
--	--	----	---

Open Space		
Residential Common	Residential Private	Commercial
2,712		
935		
		145

3,647		145
-------	--	-----

Net Rentable SF					
Floor	GOU-E	# Per Floor	GOU-F	# Per Floor	Net Rentable SF
2	220	14	344	-	3,080
3	220	14	344	-	3,080
4	220	14	344	-	3080
5	220	12	344	1	2984
6	220	12	344	1	2984
7	220	12	344	1	2984
8	220	12	344	1	2984
Total	220	90	344	4	21,176

* All unit sizes are approximate

Open Space Calculations:

Residential - Private:

0 sf / 36 sf per unit = 0 units have private open space

94 units - 0 units = 94 units

94 units x (1/3) 48 sf per unit = 1,489 sf common open space required

Residential - Common:

Common Open Space Required = 1,568 sf

Common Open Space Provided = 3,647 sf

Commercial:

Public Open Space Required = (1 sf per 50 non-residential gsف) = 2,725 sf / 50 = 55 sf required

Public Open Space Provided = 145 sf

Bicycle Parking Calculations:

Residential - Class 1:

Bicycle Space Required = 25

Bicycle Space Provided = 25

Residential - Class 2:

Bicycle Space Required = 2

Bicycle Space Provided = 2

Commercial - Class 1:

Bicycle Space Required = 0

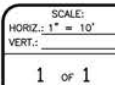
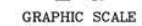
Bicycle Space Provided = 0

Commercial - Class 2:

Bicycle Space Required = 2

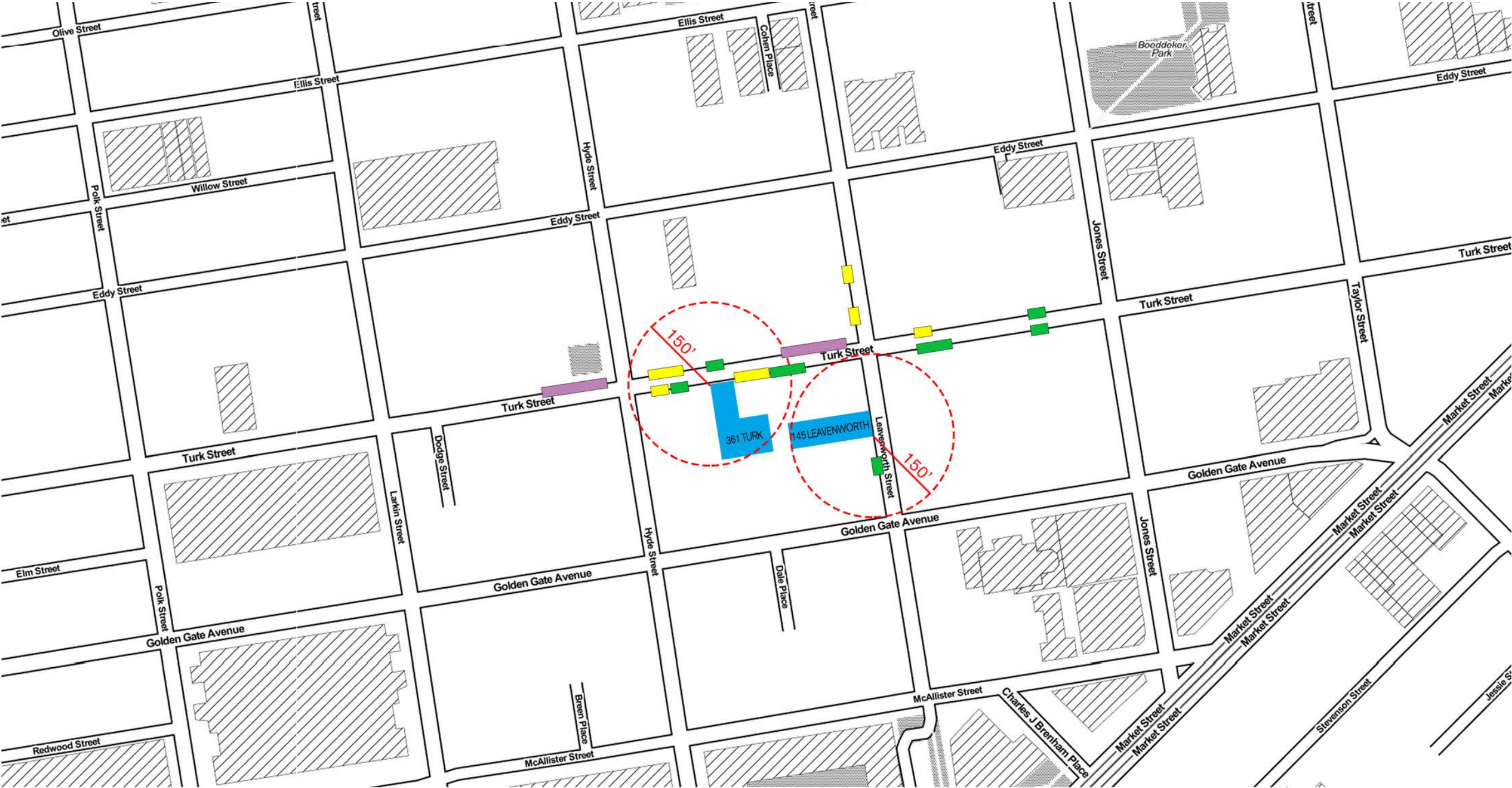
Bicycle Space Provided = 2

TURK STREET



SAN FRANCISCO SITE SURVEY OF 351 TURK AND 145 LEAVENWORTH STREETS ASSESSOR'S BLOCK NO. 0345 ~ LOTS 002 AND 017 CALIFORNIA

SURROUNDING LOADING ZONES AND BUS STOPS

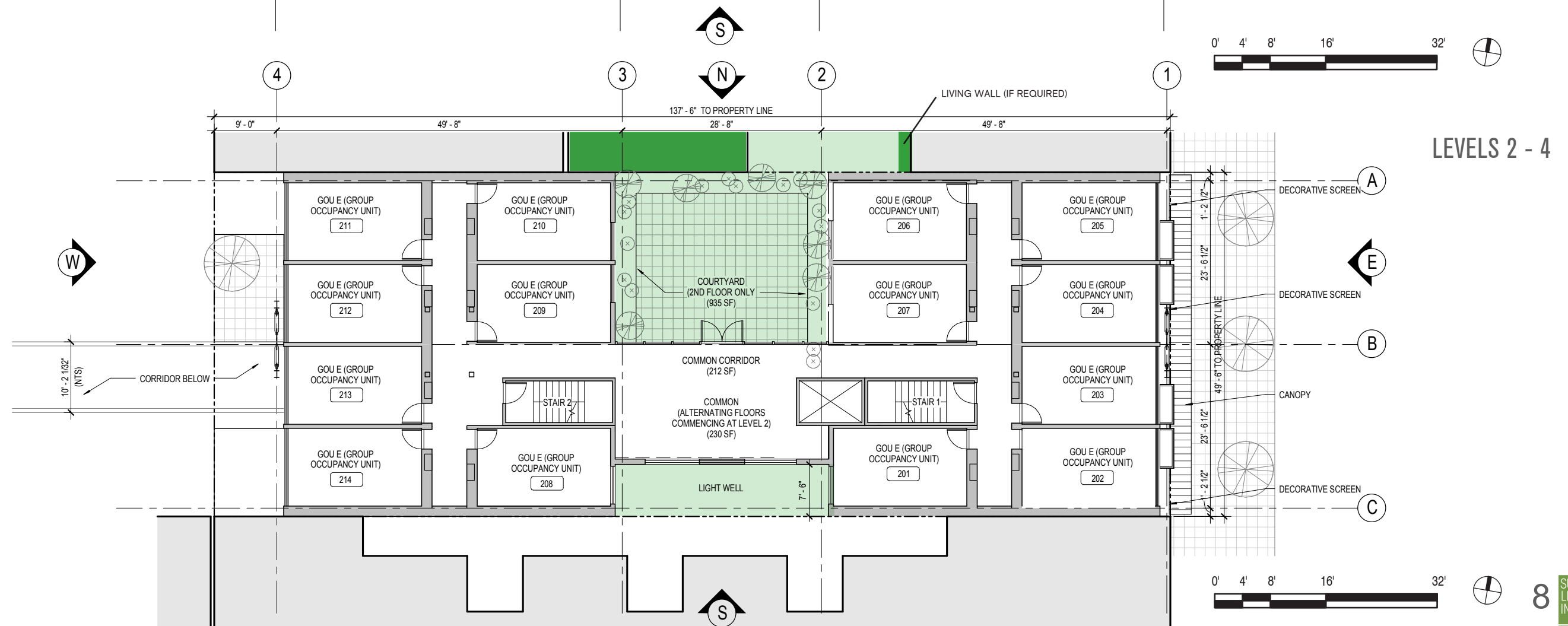
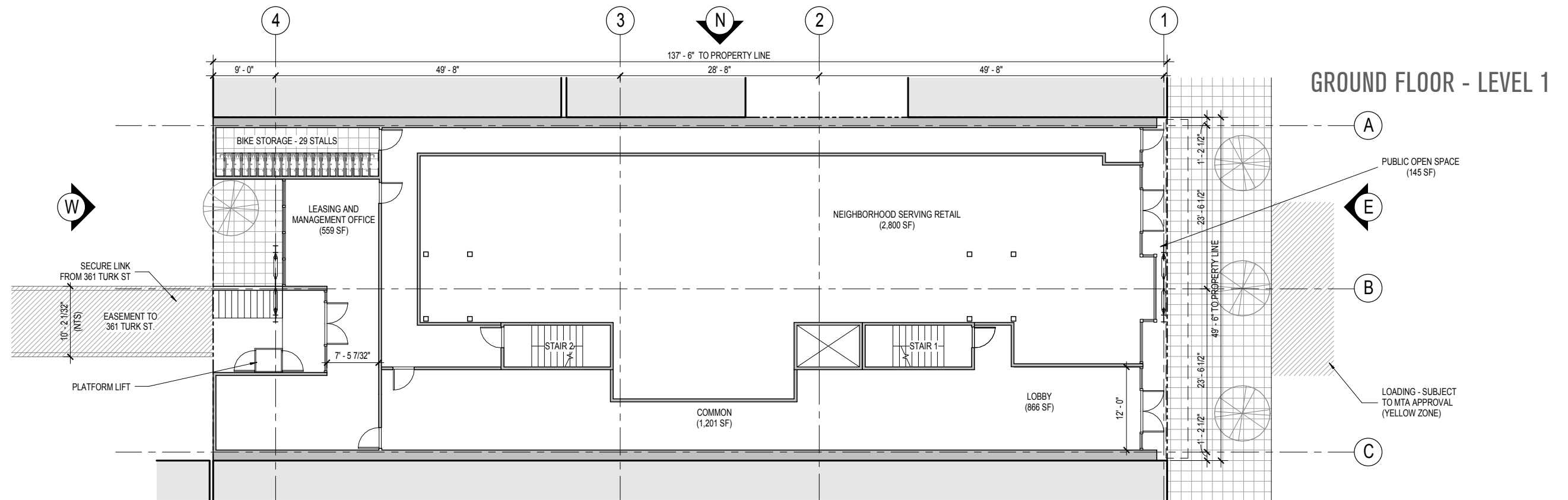


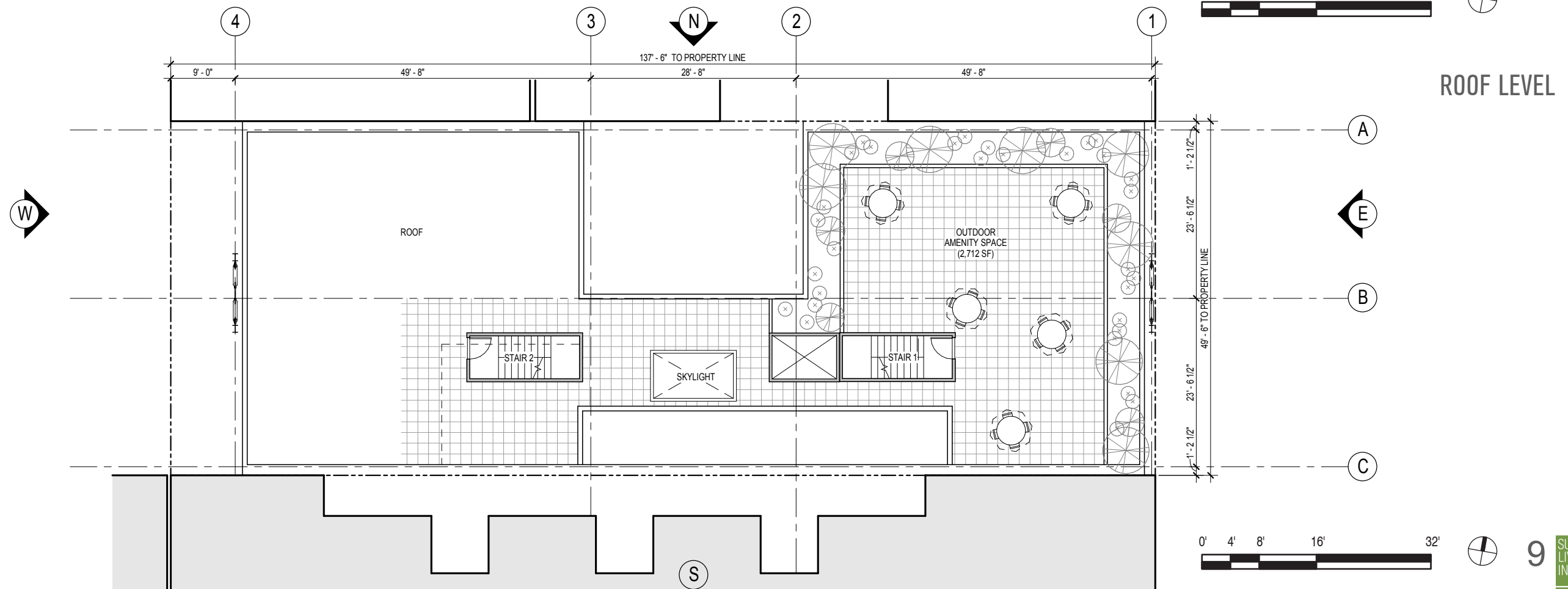
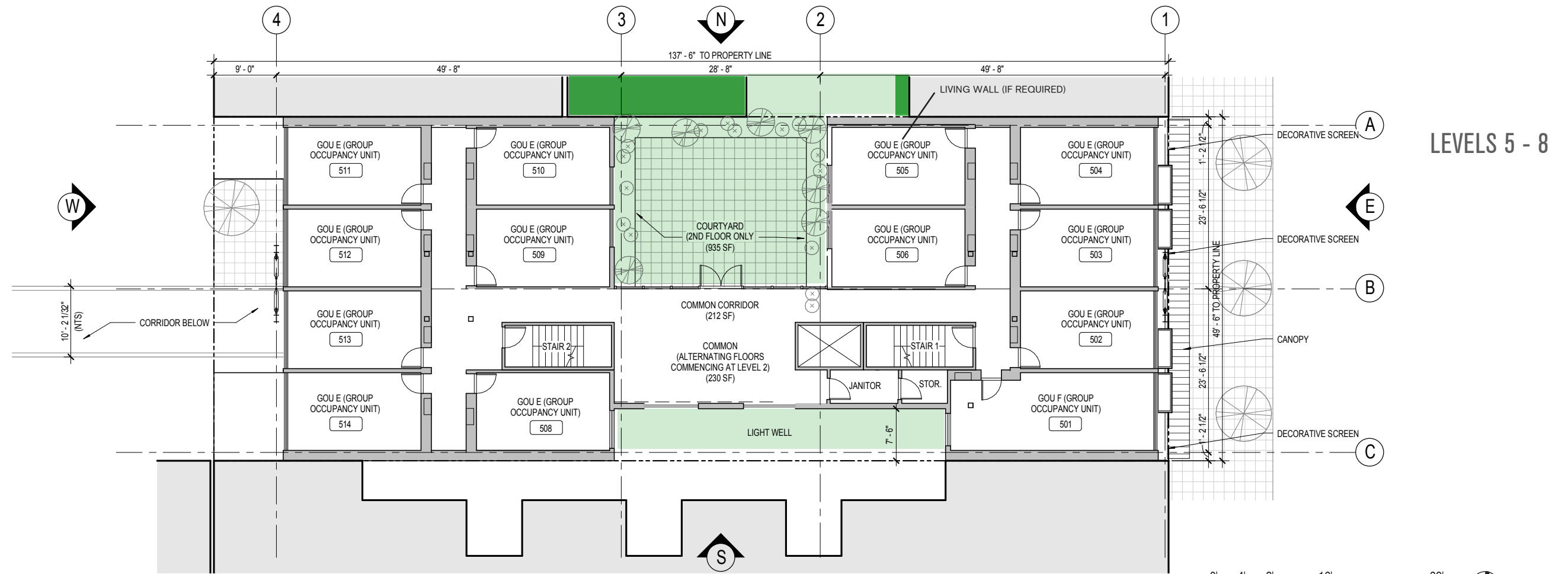
- | | | | | | |
|--|---------------|--|-------------------|--|------------------|
| | 25' BUS STOP | | 25' LOADING ZONE | | 25' YELLOW ZONE |
| | 50' BUS STOP | | 50' LOADING ZONE | | 50' YELLOW ZONE |
| | 100' BUS STOP | | 100' LOADING ZONE | | 100' YELLOW ZONE |



EXISTING VICINITY PLAN

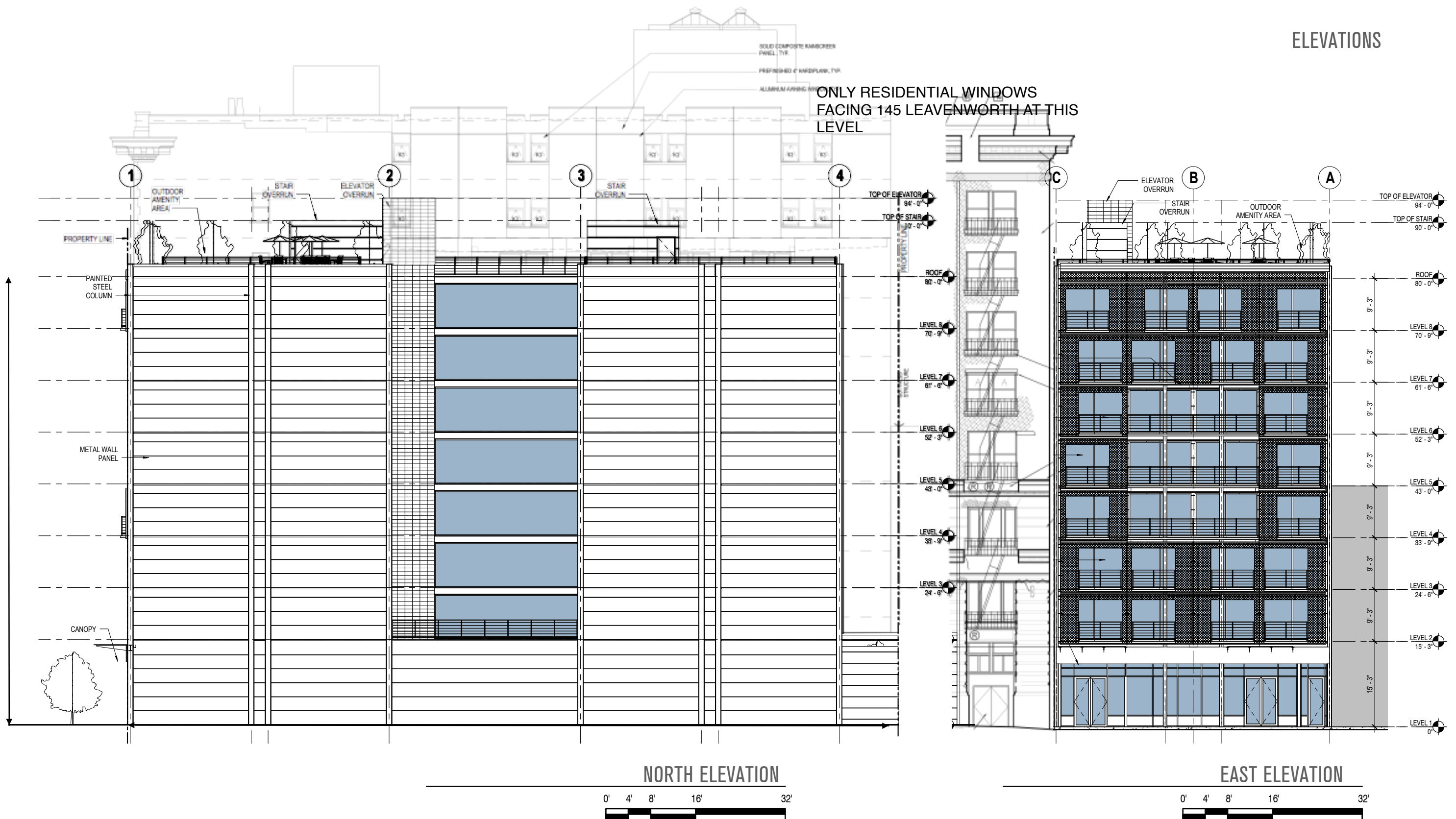






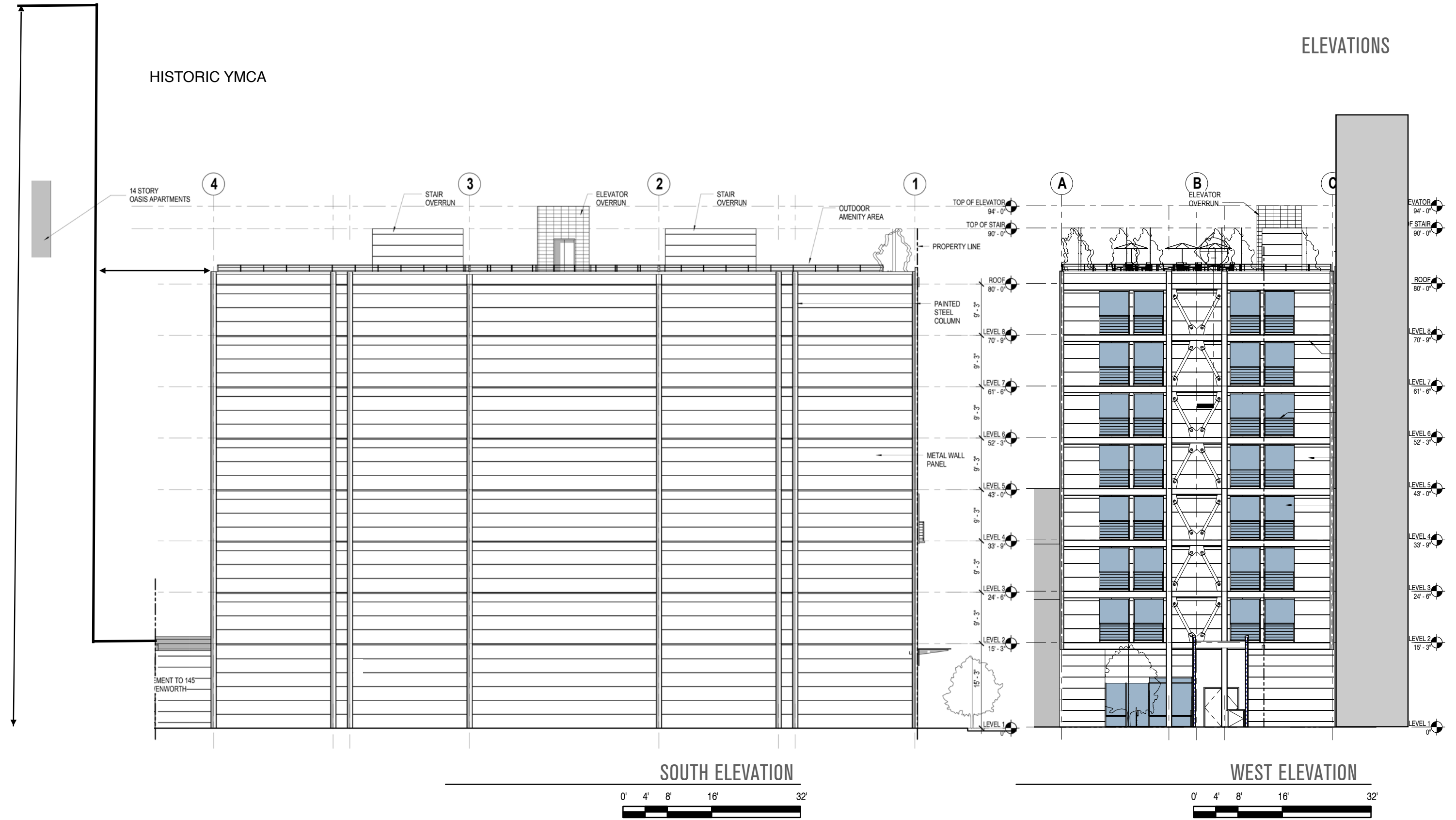
ELEVATIONS

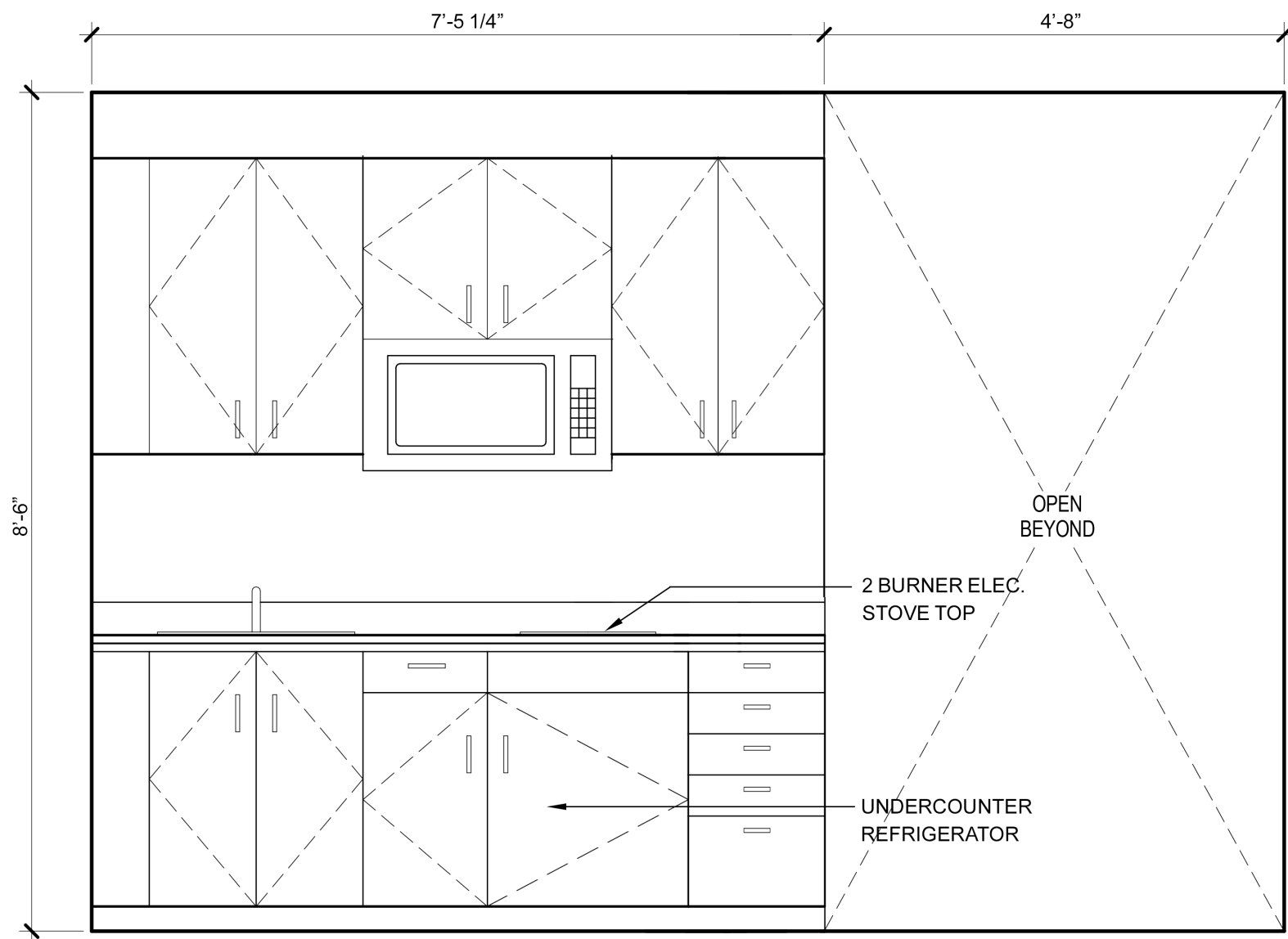
ONLY RESIDENTIAL WINDOWS
FACING 145 LEAVENWORTH AT THIS
LEVEL



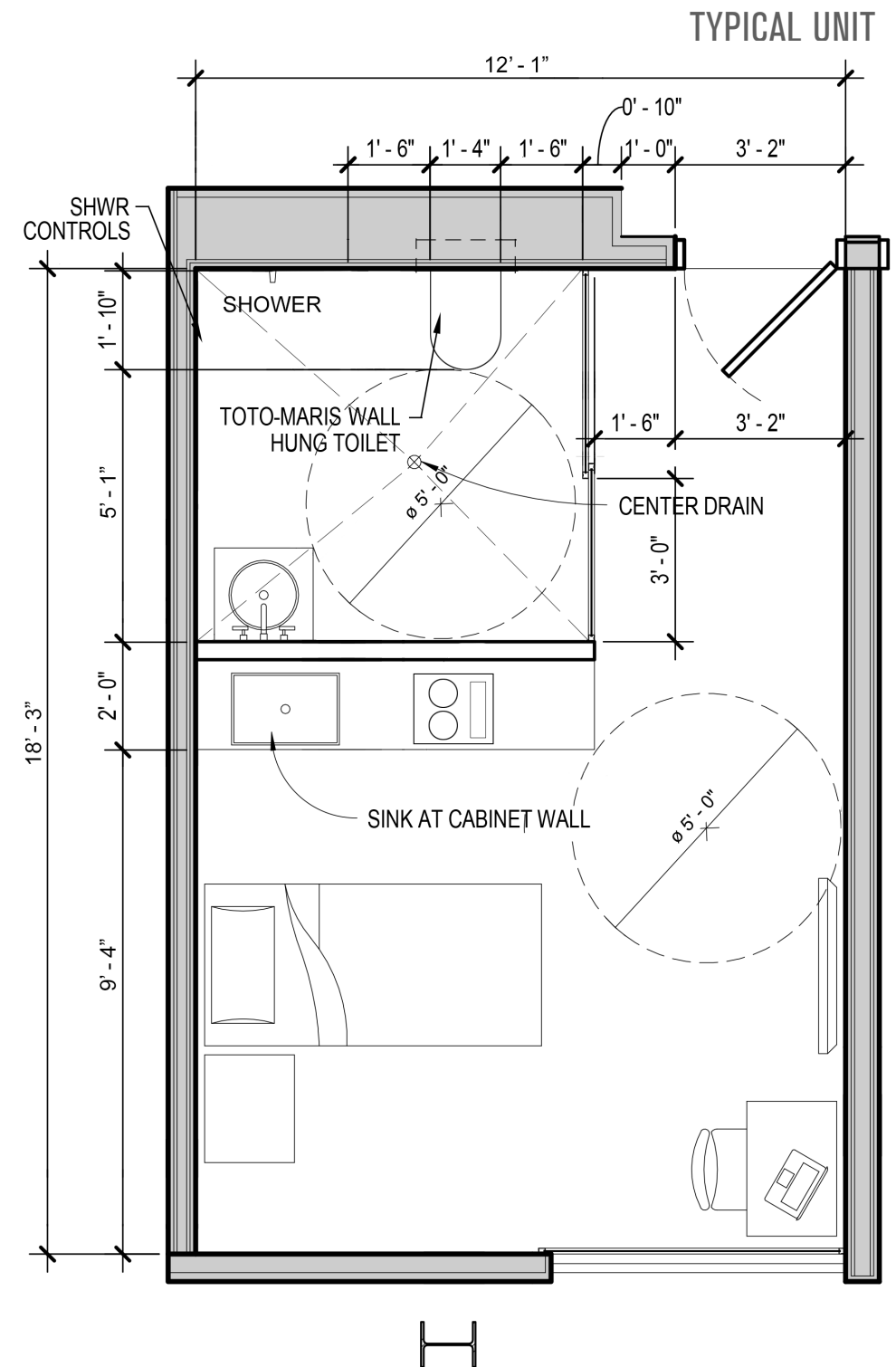
ELEVATIONS

HISTORIC YMCA

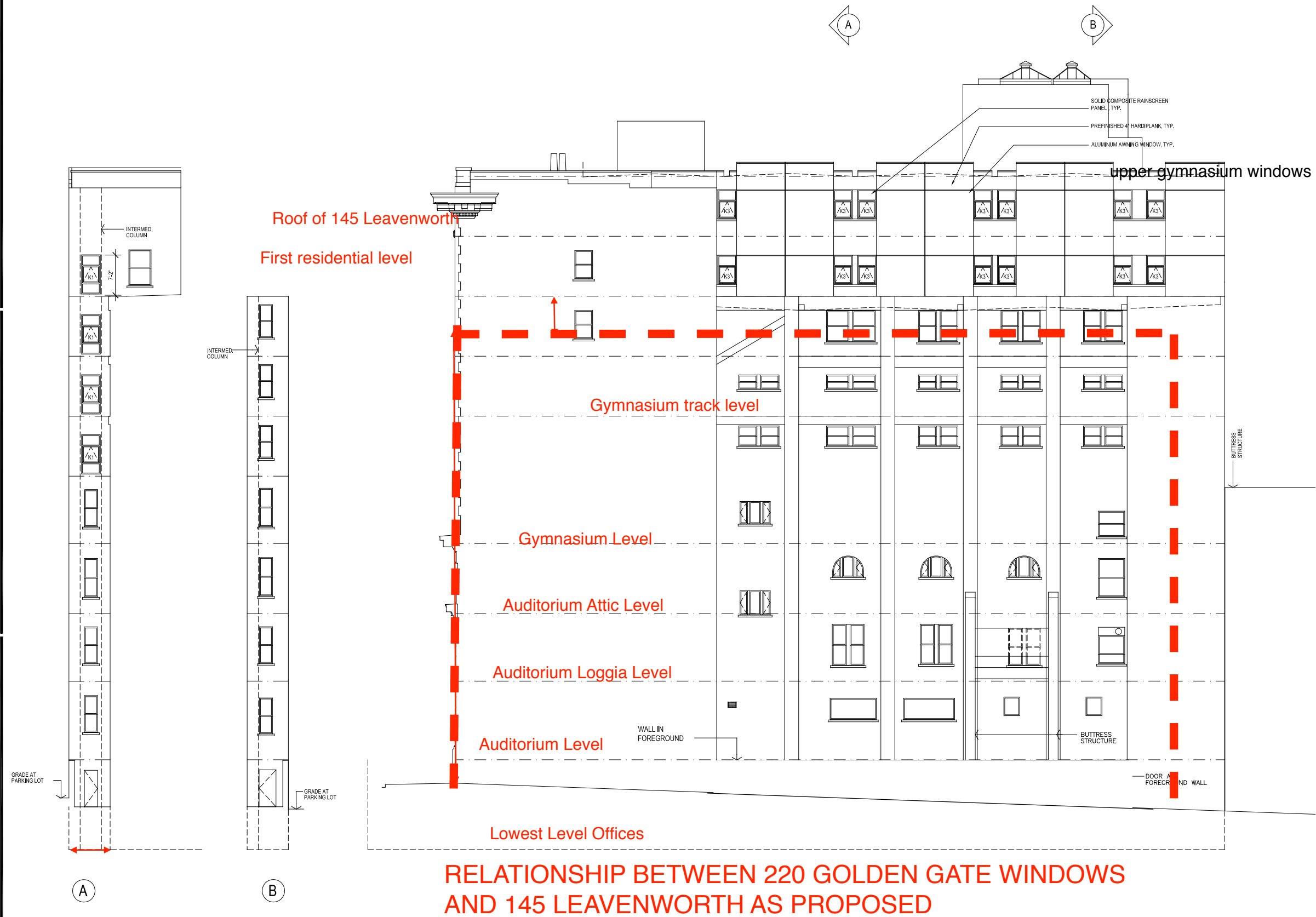




POSSIBLE COOKING FACILITIES AT CABINET WALL | 3/4"=1'



MOBILITY UNIT | 3/8"=1'



1 New North Elevation
SCALE: 1/8" = 1'-0"

June 29, 2015

Drawing Record	
Issue/ Submission	Date
100% Schematic Design	11/15/07
100% SD Resubmission	12/14/07

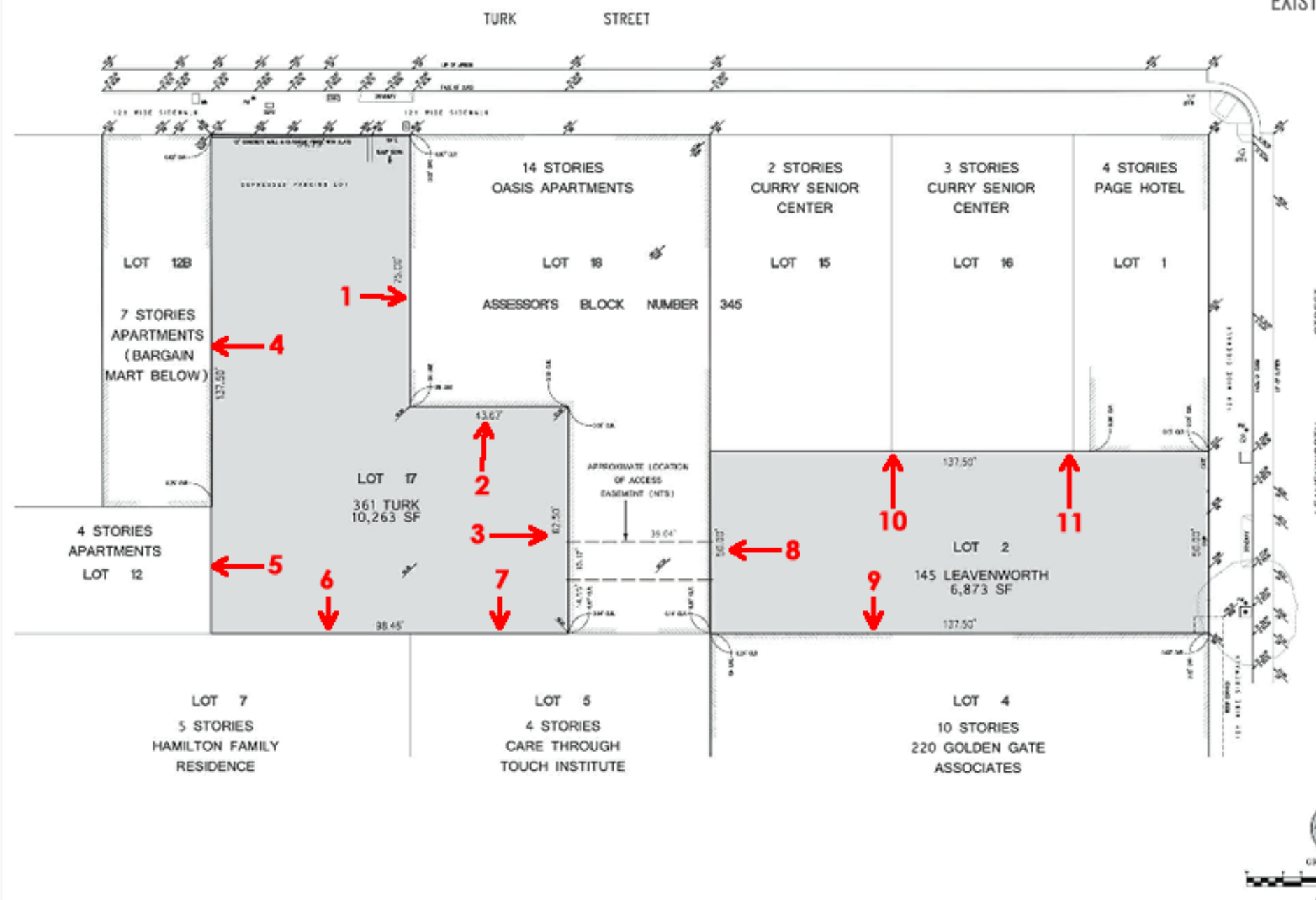
Project
YMCA REUSE
220 Golden Gate Avenue
San Francisco, CA
[GPA PROJECT #05/08]

Sheet

New North Elevation
13

CONTEXT PHOTOGRAPHS

EXISTING VICINITY PLAN



CONTEXT PHOTOGRAPHS

351 Turk - Lot 18
East Façade (8)



145 Leavenworth - Lot 2



333 Turk - Lot 15 & 16
South Façade (10)



301 & 333 Turk - Lot 1 and 15 & 16
South Façade (11)



220 Golden Gate - Lot 4
North Façade (9)





COURTYARD SOLAR STUDY

