P. Wing low

From: Robert Caccia <<u>robert@italbridge.com</u>> Date: December 19, 2018 at 9:44:41 PM PST To: Rene Bihan <<u>rbihan@SWAGroup.com</u>>, <u>ginnyfang08@gmail.com</u> Subject: Fwd: To the Planning Commissioners re: 10 Aladdin

Hi Ginny and René, hope it's not too late but I wasn't checking email earlier... I sent the note below to Jonas just now. Best of luck at the hearing tomorrow!

Rob c.

Begin forwarded message:

From: Robert Caccia <<u>robert@italbridge.com</u>> Date: December 19, 2018 at 9:38:30 PM PST To: jonas.ionin@sfgov.org Subject: To the Planning Commissioners re: 10 Aladdin

Dear Jonas,

Please forward this to the Planning Commissioners. It is a letter of support related to one of the agenda items for tomorrow's Planning Commission meeting.

-

President Hillis and Planning Commissioners,

I am writing in full support of the proposed project at 10 Aladdin. Unfortunately the hearing on 12/20/18 is at the same time as the Sts. Peter & Paul Christmas show in North Beach in which my son (8th grade) and wife (teacher) have a part. I am sending this email in place of attending the hearing.

We have owned/improved our home on Magnolia street for 25 years and applaud Ginny and René's effort to also improve their home and raise their family in North Beach instead of fueling the disturbing trend of moving out of SF to raise families (and collect high rents from transitional professionals with no ties to the city). My connection to North Beach is through the school and the Salesian Boys & Girls Club as well as having spent 3 years as a Banker at Wells Fargo on Columbus. My in-laws live on Filbert and I participate in the Italian Heritage Day Parade parade every year. I have known René for the past 9 years and helped him coach our son's soccer team through the club for the past 3 years. René has always been focused on keeping families in SF and is one to put community first often.

Ginny and René showed me the planned improvements at 10 Aladdin and I honestly believe they were super thoughtful about creating something that works best for their family and improves the property and neighborhood significantly while minimizing impact to their neighbors. I am not surprised since René's is so passionate about improving open space and wilderness in urban settings through his landscape architecture work.

Feel free to contact me with any questions.

Thank you, Robert M. Caccia 415 767 6333

# Subject: To the Planning Commissioners in support of 10 Aladdin

Dear Jonas,

Please forward this to the Planning Commissioners. It is a letter of support related to one of the agenda items for tomorrow's Planning Commission meeting.

Thank you,

Sarra He Resident of the Marina, San Francisco Owner of Little Bee Preschool (in San Francisco)

\_\_\_\_

President Hillis and Planning Commissioners,

I am writing in full support of the proposed project at 10 Aladdin. I would be in attendance at the hearing in person. However, our schedules do not allow it so I am sending this email in place of attending the hearing.

I grew up in San Francisco and continue to live here with my family. I am also a small business owner in San Francisco, running a Mandarin immersion preschool. I know the project sponsors, René Bihan and Ginny Fang, because their son attends my school. I know that they have been an incredibly engaged, positive and active part of the North Beach community, as well as the city at large. Ginny has served as our school's "House Mom" acting as the parent liaison, and supporting our school parent community. They are truly a model of the type of family that our city should work to keep in SF.

They have shared the remodeling plans for their new home at Aladdin Terrace. I think the proposed designs are beautifully designed and should be approved as is. It will be a tremendous improvement to the neighborhood.

I give my full support to their proposed project.

Thank you,

Sarra He Resident of the Marina, San Francisco Owner of Little Bee Preschool (in San Francisco)

## Dear Jonas,

Please forward this to the Planning Commissioners. It is a letter of support related to one of the agenda items for tomorrow's Planning Commission meeting.

President Hillis and Planning Commissioners,

I am writing in full support of the proposed project at 10 Aladdin. I would be in attendance at the hearing in person, except that our children's school holiday show in North Beach is also occurring on December 20th. I am sending this email in place of attending the hearing.

I have been part of the North Beach community for 25 years, and have known the project sponsors, René Bihan and Ginny Fang, for several years. Our children have gone to the same school in North Beach, Saints Peter and Paul, from pre-K through 8th grade. They have been an incredibly engaged, positive and active part of the community. In fact, René has been their volunteer soccer coach for the past 9 years! My husband and I used to publish the neighborhood newspaper, The North Beach Journal, and have researched and reported about literally hundreds of stories related to housing in the neighborhood.

They shared the remodeling plans for their new home at Aladdin Terrace with me. I think the proposed designs are beautiful, and will be a tremendous improvement to the neighborhood while integrating well with the existing community. Despite the demanding schedules of busy working parents, I know that Rene and Ginny did a great deal of outreach and have tremendous community support for their project.

I have seen more families leave our neighborhood than stay. When an involved, community-oriented family decides to put down roots in the neighborhood, I'm frankly equal parts astonished and grateful. I hope you will support their project and help to keep this family in North Beach.

Thank you, Mary Macpherson

# From: Chris Collins <<u>chriscraigcollins@gmail.com</u>> Date: December 19, 2018 at 4:00:56 PM PST To: jonas.ionin@sfgov.org Subject: To President Hillis and Planning Commissioners re: 10 Aladdin

Dear Jonas,

I appreciate you please forwarding this to the Planning Commissioners. It is a letter of support related to one of the agenda items for tomorrow's Planning Commission meeting.

Thank you,

Chris and Alison Collins Residents of Russian Hill, San Francisco

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President Hillis and Planning Commissioners,

We are writing in full support of the proposed project at 10 Aladdin. We would be in attendance at the hearing in person however our schedules do not allow so are sending this email in place of attending the hearing.

We have been part of the North Beach/Russian Hill community for 20 years and have known the project sponsors, René Bihan and Ginny Fang, for several years. We know them both professionally as well as personally. They have been an incredibly engaged, positive and active part of the North Beach community, as well as the city at large. René has served on the Arts Commission, and Ginny has worked in the S.F. non profits as well as raised significant funds for the development at the Hunters point shipyards. They have given a great deal back to San Francisco.

They shared the remodeling plans for their new home at Aladdin Terrace. We think the proposed designs are beautifully designed with a great deal of thought to the neighboring buildings. It will be a tremendous improvement to the neighborhood while integrating well with the existing community. We know that they did a great deal of outreach and have responded to their neighbors requests which has resulted in tremendous support.

We give our full support to their proposed project at 10 Aladdin.

Thank you,

Chris and Alison Collins Residents of Russian Hill 415-309-7504 December 17, 2018

Received at CPC Hearing 12/20/18

President Rich Hillis, Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

cc: Vice-President Myra Melgar, Rodney Fong, Millicent Johnson, Joel Koppel, Kathrin Moore, Dennis Richards, Jonas Ionin - Commission Secretary, Corey Teague -Zoning Director, Claudine Asbagh - Quadrant 3 Team Leader, Sima Adina - Project Planner

# Re: Discretionary Review Hearing for 10-12 Aladdin Terrace Block 0100 / Lot 034A, 035A Case No.: 2017.1103.3069

Dear President Hillis and Commissioners:

Russian Hill neighbors have signed this letter in support for the Request for Discretionary Review of the proposed construction project at 10-12 Aladdin Terrace. We are requesting that design modifications be required to bring the project into greater conformance with the surrounding context, per the design criteria included in the Residential Guidelines. Approval of the project as currently designed will undermine decades of professional consideration and sound reasoning which form the basis of our planning guidelines and regulations for new development.

The Residential Design Team and a Notice of Planning Dept. Requirements have directed the Project Sponsors to make certain changes to the proposed design. Although neighboring residents appreciate these modifications, they are insufficient with respect to balancing the opportunity for developing the property with a respectful acknowledgement of the surrounding neighborhood. The Project Sponsors should be directed to reduce the expanse of glazing at the east façade of the building. Please do not reinforce expectations that such incongruous and aggressively large window openings are an appropriate design feature in a fine-grained residential district of older homes and smaller-scale details. Such blatant disregard for established neighborhood character is neither necessary nor desirable, and sets a negative precedent for review of projects throughout San Francisco.

We believe that, taken as a whole, the issues discussed above represent the "extraordinary and unusual circumstances that justify Discretionary Review of the project." Portions of the Residential Design Guidelines that are most closely related to the concerns of the Request for Discretionary Review are listed on the following page.

Thank you for your consideration of this case, and for your ongoing commitment to urban design and the City of San Francisco.

# WHY DO WE HAVE RESIDENTIAL DESIGN GUIDELINES?

The Residential Design Guidelines (Guidelines) articulate expectations regarding the character of the built environment and are <u>intended to promote design that will protect</u> <u>neighborhood character</u>, <u>enhancing the attractiveness and quality of life in the City</u>. The Guidelines address basic principles of urban design that will result in residential development that <u>maintains cohesive neighborhood identity</u>, preserve historic resources, and <u>enhances the unique setting and character of the City and its residential neighborhoods</u>.

# SECTION II: NEIGHBORHOOD CHARACTER

DESIGN PRINCIPLE: Design buildings to be responsive to the overall neighborhood context, in order to preserve the existing visual character.

Page 7, NEIGHBORHOOD CONTEXT; Though each building will have its own unique features, <u>proposed projects must be responsive to the overall neighborhood context</u>. A sudden change in the building pattern can be <u>visually disruptive</u>. Development must build on the common rhythms and elements of architectural expression found in a neighborhood. In evaluating a project's compatibility with neighborhood character, the buildings on the same block face are analyzed. However, depending on the issues relevant to a particular project, it may be appropriate to consider a larger context.

Page 10, MIXED VISUAL CHARACTER, GUIDELINE: In areas with a mixed visual character, design buildings to <u>help define</u>, <u>unify and contribute positively to the existing</u> visual context.)

# SECTION VI, BUILDING DETAILS,

DESIGN PRINCIPLE: Use architectural details to establish and define a building's character and to <u>visually unify a neighborhood</u>.

Page 43, <u>ARCHITECTURAL DETAILS, GUIDELINE</u>; Design the placement and <u>scale of</u> <u>architectural details</u> to be compatible with the building <u>and the surrounding area</u>.

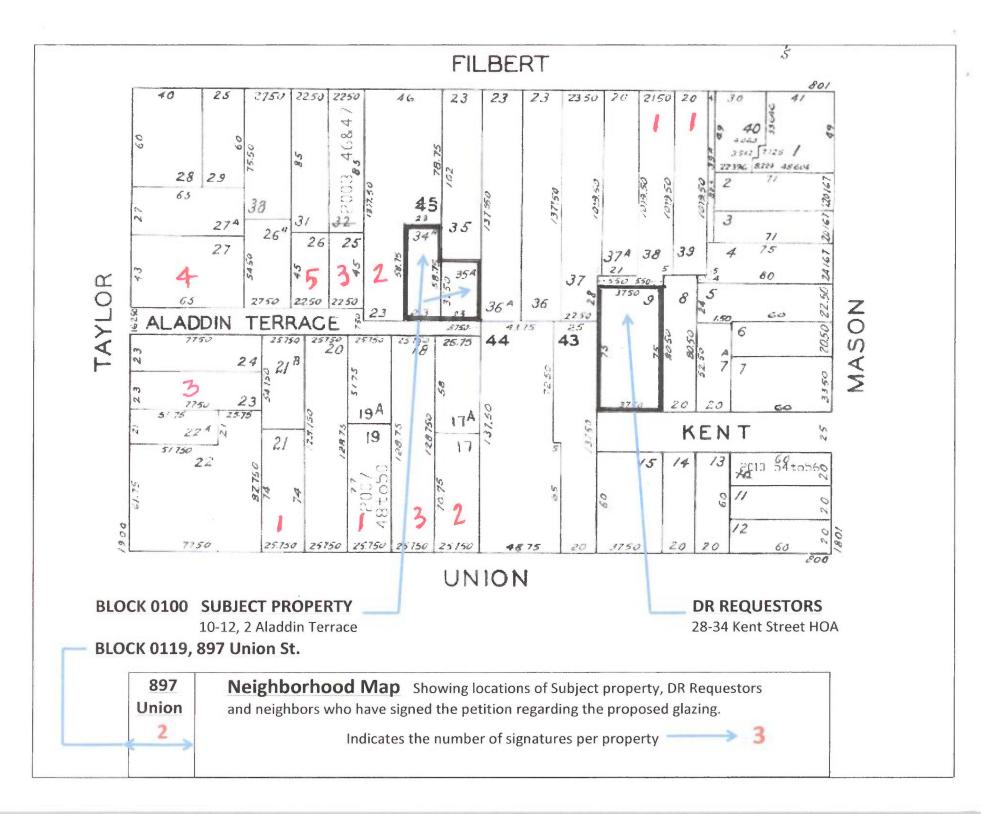
Page 44, <u>WINDOWS, GUIDELINE</u>: Use windows that contribute to the architectural character of the building <u>and the neighborhood</u>.

Page 45, <u>WINDOW SIZE</u>, <u>GUIDELINE</u>; Relate the <u>proportion and size</u> of windows to that of existing buildings in the neighborhood.

Page 45, <u>WINDOW FEATURES, GUIDELINE</u>; Design window features to be <u>compatible</u> with the building's architectural character<u>, as well as other buildings in the</u> <u>neighborhood</u>.

Page 46, <u>WINDOW MATERIALS, GUIDELINE</u>; Use window materials that are <u>compatible</u> with those found on surrounding buildings, especially on facades visible from the street.

Page 47, <u>EXTERIOR MATERIALS, GUIDELINE</u>; The type, finish, and quality of a building's materials must be <u>compatible with those used in the surrounding area</u>.



Re: Discretionary Review Hearing for 10-12 Aladdin Terrace Block 0100 / Lot 034A, 035A Case No.: 2017.1103.3069

1 **Print Name** 2 Print Name Fritz GOLDEN Signature Signature Address Address SIS 51 882 Email / Phone Email / Phone 415 Optional 2002 Optional 3 Print, Name Print Name 4 ihes # Mananne "ignature Signature Address Address 30 erra. SI Email / Phone Optional M Email / Phone Smaile 10g @qmail:com Optional 5 **Print Name** 6 Print Name, 10 Signature Signature Address Address SF 94133 952 . UNION ST. 100 Email / Phone Email / Phone 415.673.0580 6420 75. Optional Optional 7 Print Name 8 Print Name AUIS RM uca 0 )or Signature Signature en Address Address 5 2 N ON aylor S . 22 Email / Phone Email / Phone 0580 2183 Optional Optional 9 **Print Name** Print Name 10 LLIAM Hice oden Carle Signature Signature Cathe den Address 1932 Address SAVARANCISU Lon Email / Phone Email / Phone 441-148 Optional Optional 11 **Print Name** 12 **Print Name** DEVA Signature Signature Address Address 01 Email / Phone Email / Phone row Optional Optional 13 Print Name Print Name 14 an OWEN An . Signature Signature Address Address race levicel 21 Liele Email / Phone Email / Phone 2 6 Optional Optional

Re: Discretionary Review Hearing for 10-12 Aladdin Terrace Block 0100 / Lot 034A, 035A Case No.: 2017.1103.3069

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15	Print Name Shannon Brady	16	Print Name Jennifer Hill
	Signature Janna Brag		Signature
	Address 28A Aladdin Terr.		Address 1920 Taylor St
	Email / Phone Optional		Email / Phone Jenfer Hill a gmail. com
17	Print Name bel Webber	18	Print Name Hugh Williams
	Signature		Signature
	Address A Abidin terroct		Address 858 Union ST
	Email / Phone Optional		Email / Phone hugh bobble@ad LOM
19	Print Name Kenneth Todeno	20	Print Name Chris Bigelow
	Signature		Signature Chi Bylon
	Address 864 Union St		Address 22 Aladdin Terrace
	Email/Phone Optional Kaytat@hotmail.com		Email / Phone Optional 415.928.8041
21	Print Name Philip Warton	22	Print Name Audrey Cook
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Received at CPC Hearing 12/









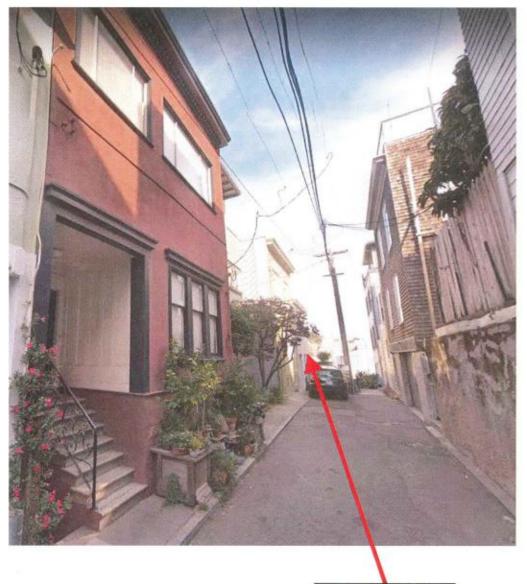








# **Site Photo**



SUBJECT PROPERTY

eived Hearing

Justin Tin 2024 15<sup>th</sup> Ave. San Francisco, CA 94116

Dec 10, 2018

Planning Department 1650 Mission St., #400 San Francisco, CA 94103

Dear Sirs,

I am writing to support Mr and Mrs Tsang's proposed building plan of 2025 15<sup>th</sup> Ave. My house is directly across the street to the Tsang's property. I am pleased to know their intention to build a bigger house to accommodate their elderly parents and two kids. I believe the values of the properties on this block will increase after the construction is completed. Our property is way above the street level so I think the view will not be affected that much by the proposed additional floor.

Thank you very much for your consideration.

Sincerely,

Justin Tin (Owner of 2024 15th Ave., San Francisco, CA 94116)

Received at CPC Hearing

Samantha Yen Wong Beep's Burgers 1051 Ocean Avenue San Francisco, Ca 94112 P: (415) 584 – 2650 C: (415) 533 – 3032

Hello,

My name is Samantha Wong. I am the current owner of Beep's Burgers located at 1051 Ocean Avenue in San Francisco, California - diagonal of the intersection from Whole Foods in Ingleside.

Whole Foods is known for having local, fresh, natural and organic produce and products. I feel as everyone gets older, and especially in today's era being health conscious is very important to most individuals. Not only does Whole Foods shelf local, fresh, natural and organic products they ensure their staff has proper knowledge or the products sold in their store – to where products are located in the store, particular brands or items the employee may recommend in their own personal opinion and even allowing the customer to know Whole Foods' lenient policy on trying items if the customer is unsure if he or she will like it.

I believe having a Whole Foods in the community has helped my business grow. Having my business located so closely to Whole Foods has given Beep's a lot of exposure due to the high foot traffic attracted by having a Whole Foods in the neighborhood.

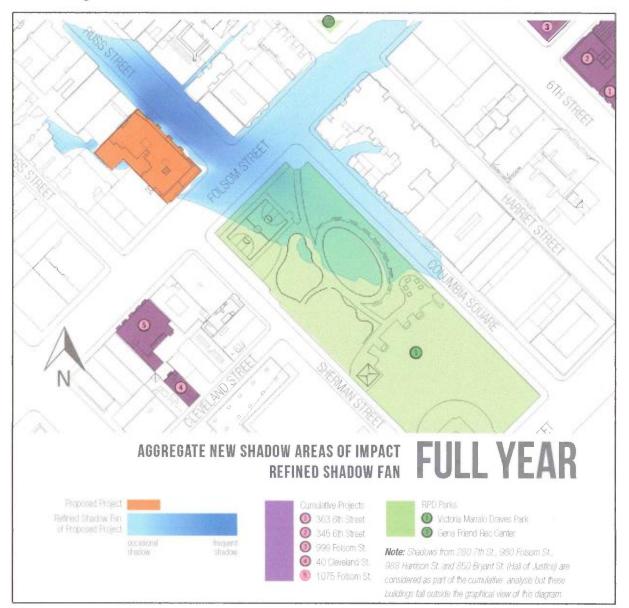
Many of their employees are frequent patrons of Beep's as are their shopping patrons. I hear from many of my customers, "Oh, I was just picking up a few things at Whole Foods across the street and thought why don't I grab a burger on my way home." Or, "I was paying for my groceries at Whole Foods, and the cashier mentioned Beep's across the street has a killer crispy chicken sandwich." Then we have some patrons who park in our lot, come to the cashier window and say, "Hi, I'm just running across the street to Whole Foods, I parked my car here, but I will buy something before I leave."

These are just a few examples of how having a Whole Foods as a neighboring business has helped my business grow by allowing more exposure to my business. Weather it is a cashier mentioning items they like on the Beep's menu or a Whole Foods patron who is desperate for parking. Overall, I believe a new addition of Whole Foods in a community would create more awareness of being health conscious and also help community grow due to giving more exposure to the community and making it a more desirable place to reside.

Sincerely, Samantha Wong Community Plan Evaluation Initial Study Checklist

1052-1060 Folsom Street and 190-194 Russ Street 2016-004905ENV

d at CPC Hearing 12



## Figure 2 – Full Year Shadow Fan – 1052-1060 Folsom Street and 190-194 Russ Street

Source: Prevision Design, 2018



aceived at CPC Hearing

1038 Howard Street · San Francisco, CA 94103

www.unitedplayaz.org

December 20, 2018

Dear RPD and Planning Commissioners,

My name is Rudy Corpuz Jr. I am the Founder and Director of United Playaz, a violence prevention and leadership development organization committed to providing youth with positive role models and activities to engage in as an alternative to involvement with gangs, drugs or other high risk behaviors. I am writing this letter to express my opposition to the project at 1052 Folsom Street that proposes a significantly negative shadow impact on Victoria Manalo Draves Park in Soma.

UP, in solidarity with many other Soma organizations and community members, opposed a project by the same developer in 2015 because of its 0/07% shadow impact on the park. At the joint RPD and Planning Commission, the original project was unanimously rejected. This new project has a shadow impact almost FIVE times larger at 0.38%. On it's worst day, this project will shadow almost half of the park. This is unacceptable. It is unacceptable not only because of the impact that it will have on park users but even more so for the precedent that it will set for future projects.

I strongly oppose this project and it's shadow impact as detrimental to our ONLY neighborhood park and its users. Stand with the vote that you cast in 2015 and reject this project.

In peace,

Rudy Corpuny (

Rudy Corpuz Jr. Executive Director

ed at CPC Hearing

# TENDERLOIN HOUSING CLIN 126 Hyde Street

RANDALL M. SHAW STEPHEN L. COLLIER RAQUEL FOX STEPHEN P. BOOTH MARGARET DEMATTEO TYLER ROUGEAU MICHAEL ZITANI 126 Hyde Street San Francisco, CA 94102 Tel. (415) 771-9850 Fax. (415) 771-1287

> Contact: Email: <u>stephen@thclinic.org</u> Phone: 771-9850 ext. 1105

December 11, 2018

San Francisco Planning Commission 1660 Mission Street, Ground Floor. San Francisco, CA 94103-2479

# Re: 1052-1058 Folsom and 194 Russ Streets Re-Development Project Tenant Re-Location Package and Assistance Owner – Developer: Paul Iantorno / Golden Properties, LLC

Dear Commission:

I represent the tenants in two residential units located at 1054-1056 Folsom Street and one residential unit at 194 Russ Street, which the ownership seeks to redevelop. In particular, I am advising the tenants in 1054 Folsom [tbe Carrillo family of 4], 1056 Folsom [another Carrillo family of 3] and 194 Russ [the Lopez family of 4] (hereinafter "tenants") as to their rights as long-term tenants.

In their effort to bring the development project to fruition, the ownership (Paul Iantorno / Golden Properties, LLC) has proceeded with utmost good faith and has agreed to provide (1) excellent temporary housing, (2) adequate relocation funds, and (3) improved replacement housing units, upon completion of the project.

The tenants and the ownership have reached agreement on all substantive terms, and the tenants look forward to returning to newly-upgraded and rentcontrolled premises when the project is completed.

Very truly yours,

Stephen P. Booth, Esq. Tenderloin Housing Clinic, Inc.

**Commissioner Rich Hillis** President, Planning Commission 1650 Mission Street, 4<sup>th</sup> Floor San Francisco, CA 94103

#### Proposed Building at 1052-1058 Folsom Street Re:

Dear Commissioner President Hillis and Planning Commission:

My name is Brisa Carrillo and I was born and raised in 1056 Folsom Street, San Francisco 94103. My family and I have been living here for over 37 years. Throughout the years, we've have a few landlords but Golden Properties has been treating us well. In seeking to accomplish its goals as developer, Golden Properties has considered the interests of us long-term tenants who enjoy rent-control and could not otherwise remain in San Francisco. Golden Properties listened to our requests and has worked with us in good faith through the process of coming to a comprehensive the relocation agreement. Whereas an owner could seek tenant displacement through the Rent Ordinance, Golden Properties is providing my family and me relocation assistance, including as relocation funds and a temporary relocation unit during the construction phase, and ultimately, a replacement unit. Thus, once the construction project is completed, my understanding is that my family and I will return to a newly-built unit at the same monthly rent-controlled rate.

Because of the efforts of Golden Properties and Paul Iantorno, my family and I are in support of the proposed building project at the corner of Folsom and Russ Street. After reviewing the plans, we are excited this is happening. From what we have seen, we believe this will be a positive change to the South of Market area. Our understanding is that 28% of the project will be affordable units and \$150,000 will be also donated for security services at the park across the street (Victoria Manolo Draves Park). My family and I believe that this project seeks to balances the need for new housing, and the preservation of rent-controlled housing, which avoids undue destruction of the fabric of, and represents a pouring back into, our community.

Sincerely,

Brisa I. Carrillo Francisco J. Carrillo Manuela A. Carrillo Manuela A. Carrillo Manuela A. Carrillo Manuela A. Carrillo

December 17, 2018

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

# Re: Proposed Building at 1052-1058 Folsom

Dear Commission President Hillis and Planning Commission:

My name is Carolina Carrillo. I have resided at 1054 Folsom Street, San Francisco, CA., since December 1980. I have three children and all of them were born and raised in the South of Market neighborhood.

I understand that Golden Properties LLC plans to redevelop the lots on the corner of Russ and Folsom Streets, which affects our long-term tenancy. From what I have learned, the project will benefit the community by: building needed and housing units, while at the same time, preserving the long-term rent-controlled units such as ours. The plans call for attractive apartment building, consistent with the neighborhood and the changing needs of the neighborhood.

I support the proposed building project at the corner of Folsom and Russ Streets. I understand that it will go before the planning commission on December 20, 2018. I have reviewed the plans and have spoken to the developers. The proposed project maximizes the number of units the lots can accommodate, while adding to the city's rental inventory for the city's much-needed housing. It is to my understanding that the developers will provide 25% BMR units for low-income residents and donate an additional \$150,000 to the neighboring park. Golden Properties, LLC has gone to lengths to ensure that our temporary relocation creates the least amount of hardship, and that we will ultimately come back to a new apartment in the same general location, at the rent-controlled rate. I believe that this is a well though-out project which balances the need for housing with a certain giving-back to the community.

Sincerely,

C. Caulle

Carolina Carrillo 415.350.2985 December 19, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge-Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Commissioners,

I, Manuela Carrillo, a tenant of 1056 Folsom St, in San Francisco, California, work at Bessie Carmichael. I have worked at Bessie Carmichael Elementary, located on 735 7<sup>th</sup> Street, for 31 years. As a resident and employee I am aware that the students of Bessie Carmichael Elementary School use the Victor Manolo Drave Park during school hours ,which are from 8:40 am to 2:40 pm. I support the proposed project at 1052 to 1060 Folsom Street.

Thank you,

Manuela Carrillo

Manuela a. Carrillo

December 18, 2018

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

# Re: Proposed Building at 1052-1058 Folsom

Dear Commission President Hillis and Planning Commission:

My name is Viviana C. Ruiz. I was born on June 23, 2000 and have been at 1054 Folsom Streeet ever since.

I understand that Golden Properties LLC plans to redevelop the lots on the corner of Russ and Folsom Streets, which affects our long-term tenancy. From what I have been told by my mother, the project will benefit the community by: building needed and housing units, while at the same time, preserving the long-term rent-controlled units such as ours. The plans call for attractive apartment building, consistent with the neighborhood and the changing needs of the neighborhood.

I am supportive of the proposed building project at the corner of Folsom and Russ Streets. I understand that it will go before the planning commission on December 20, 2018. My parents have reviewed the plans and have spoken to the developers. The proposed project maximizes the number of units the lots can accommodate, while adding to the city's rental inventory for the city's much-needed housing. It is to my understanding that the developers will provide 25% BMR units for low- income residents and donate an additional \$150,000 to the neighboring park. Golden Properties, LLC has gone to lengths to ensure that our temporary relocation creates the least amount of hardship, and that we will ultimately come back to a new apartment in the same general location, at the rent-controlled rate. I believe that this is a well though-out project which balances the need for housing with a certain giving-back to the community.

Sincerely,

may

Viviana Ruiz 415.627.7379

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Commissioners :

I am excited that Golden Properties LLC plans to redevelop the underutilized lots on the corner of Russ and Folsom Streets. The project will benefit the community by:

- Building Below Market Rate Units. Of the 63 rental units, 25% of the new 59 new units are below market rate and the four replacement units will continue to be rent controlled units.
- Donating \$150,000 to FundSecurity at Victoria Manolo Draves Park. The Recreation and Park Department, in coordination with the SF Parks Alliance, has agreed for the donation tofundbathroom security at the park, which improves safety for children.
- Housing for Existing Tenants. The existing residential tenants at the site will be provided relocation assistance and temporary relocation during construction. Upon building completion, the tenants will return to units in the newly built project and the units will remain rent controlled.
- Housing for Families.58% (37 of 63) of the units will be two bedroom units.
- Rental Units. All 63 residential units will be rental units adding to the city's housing stock following Mayor Lee's Executive Directive and Mayor Breed's Legislation to build more housing.
- New Commercial Units. Two existing outdated and inefficient retail storefronts will be replaced with three new retail spaces with glass fronts and 20' 1" ceiling heights, providing a more attractive pedestrian experience, and adding eyes on the street for improving public safety.

Salfa 12/18/18 Signature Date Date Sau Oper (415) 871-4624 Name Phone/Email 194 Russ St

I urge you to please approve this project.

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Commissioners :

I am excited that Golden Properties LLC plans to redevelop the underutilized lots on the corner of Russ and Folsom Streets. The project will benefit the community by:

- Building Below Market Rate Units. Of the 63 rental units, 25% of the new 59 new units are below market rate and the four replacement units will continue to be rent controlled units.
- Donating \$150,000 to FundSecurity at Victoria Manolo Draves Park. The Recreation and Park Department, in coordination with the SF Parks Alliance, has agreed for the donation tofundbathroom security at the park, which improves safety for children.
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- New Commercial Units. Two existing outdated and inefficient retail storefronts will be replaced with three new retail spaces with glass fronts and 20' 1" ceiling heights, providing a more attractive pedestrian experience, and adding eyes on the street for improving public safety.

I urge you to please approve this project.

Date Signature Phone/Email Name



December 17, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Re: Folsom & Russ Project

Dear Mr. Buell,

My name is Adam Mesnick and I am the owner and full-time operator of The Deli Board, a lunchtime restaurant. I have operated from this space since August 2011. I would like to voice my support for this project.

Introducing these 63 additional rental units, including affordable rental units, will help clean up and modernize the corner of Folsom and Russ Street.

Opposition to this project at the previous hearing, focused entirely on the shadow would have on Victoria Manolo Draves Park late in the day. Patrons of the park testified that they rely and depend on their use of that recreational area. Enjoyment of the park would not be affected by this infrequent shadow, affecting less than one half of one percent of the park square area. Moreover, I understand that the developers will donate \$150,000 to the park to make it safer for children.

Sincerely

Adam Mesnick, Chairman of the board The Deli Board **FONDUE COWBOY** 

1052A Folsom Street San Francisco, CA 94103

December 14, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Re: Folsom & Russ Project

Dear Mr. Buell,

I have been the owner and operator of The Fondue Cowboy restaurant since early 2009. My restaurant is located at the corner of Folsom and Russ Street. It's part of the commercial space for the condo project that will go before the Planning Commission on December 20, 2018. I'm writing to you today in support of this project.

After reviewing the plans and speaking in depth with the developers, I believe this is an exceptionally well designed project that provides a much-needed boost to the city's housing stock. The project will also support the local business economy, including my own restaurant, location within the project.

We continue to face a housing shortage in San Francisco, especially for affordable housing. I understand that all of the 63 units in the project will be rental units, and 25 percent of the units will be affordable units.

The developers have informed me that they will make a generous donation of \$150,000 to the Victoria Manolo Draves Park to make the park safer for children.

I've heard that opponents of the project object to the extremely small shadow that the project casts upon the park, after 6 p.m., during five months of the year. In my humble opinion, any detriment associated with this tiny shadow is easily outweighed by the enormous benefits to our community.

Sincerely,

David Mur, Owner

DOA

# San Francisco Bay Area Leather Alliance

December 14, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Re: Folsom & Russ Project

Dear Mr. Buell,

I am the President of the San Francisco Bay Area Leather Alliance, a group that supports the leather, motorcycle, kink and fetish communities. We operate SF Catalyst (sfcatalyst.org), a community-run educational and social space in SOMA. Many of the events sponsored by SF Catalyst are held at the large space we rent at 1060 Folsom St. This space is part of the future commercial space for the Folsom & Russ condo project that will go before the Planning Commission on December 20, 2018. We are pleased that the developers of the project will be extending an invitation for us to return to the space upon project completion, and we would like to voice our support for this project.

We understand that the Folsom & Russ project consists of 63 rental units, many of which are below market rate units. In our opinion, the project will help address the severe housing shortage while lending support to the diverse local community, including the LGBTQ and Leather Cultural District.

The Leather Cultural District is a cultural district in the South of Market neighborhood commemorating the history and culture of the leather subculture active in the area for approximately half a century. The San Francisco Board of Supervisors established the district in May 2018, and a ribbon cutting in June was held outside The Stud on 9th St., the city's oldest gay bar. The aim of the district is to "honor and commemorate the people, places and institutions that gave South of Market its distinctive culture and appeal, and would also help protect the remaining businesses and spaces, and sustain the people who live, work and recreate there".

Sincerely,

angel Sarfold

Angel Garfold President, San Francisco Bay Area Leather Alliance



December 17, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Commissioner Rich Hillis Planning Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

RE: Russ and Folsom Street Project proposed by Paolo and Sergio lantorno

Dear Commissioner Buell and Hillis:

I am familiar with the Russ and Folsom Street project proposed by Paolo and Sergio lantorno. My architectural office and home at 172 Russ St. is adjacent to the project site. I have reviewed the project drawings and I support the project, including its proposed 65' height and the building massing. I have also seen the shadow study prepared for this project which shows that additional shadows will fall primarily on a portion of Victoria Manalo Draves park which is slated to become a dog park. I am pretty sure that my dog, Seamus the Greyhound, will not mind shading on his dog park. I am a twice daily user of that park, mostly with Seamus at my side, and I see no problem whatsoever from additional shading on the park which will occur during late summer afternoons.

This project brings 63 units of much needed housing to our neighborhood. Four of those units are for the existing tenants at the property. For them, the lantorno's have agreed to pay for their relocation and will bring them back to the new building into new rent-controlled apartments. And, the lantorno's have agreed to go well beyond what San Francisco requires of them in terms of providing Below Market Rate units. They will provide 25% of the units as Below Market Rate units. I believe that the San Francisco BMR requirement would be only 19% of the units.

This is exactly the sort of project San Francisco and my SoMA neighborhood needs. I urge you to approve it.

Best regards, ma plus

John Goldman

GOLDMAN ARCHITECTS

172 RUSS STREET SAN FRANCISCO CA 94103 • 415-391-1339p • 415-621-3393f

## LAW OFFICES OF MAYOR JOSEPH L. ALIOTO AND \*‡ANGELA ALIOTO 700 MONTGOMERY STREET SAN FRANCISCO, CALIFORNIA 94111 (415) 434-8700 • FAX (415) 438-4638

# ‡ ADMITTED IN CALIFORNIA–WASHINGTON, D.C. www.AliotoLawOffices.com A PROFESSIONAL LAW CORPORATION

December 16, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Commissioner Rich Hillis President, Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103

Dear Commissioners,

I would like to lend my support to the proposed project at Folsom & Russ St. being considered next Thursday, December 20, at the Recreation and Parks Commission and the Planning Commission hearings.

As San Francisco continues to struggle with a housing crisis, our Mayor is committed to accelerating the pace of housing construction, with a goal of creating 5,000 new units of housing annually. This cannot be accomplished unless we approve willing and capable developer's zoning and code compliant project proposals for medium and large developments. The ground up project at Folsom & Russ St. addresses this issue, with 63 new rental units, including 3 studios, 23 one-bedroom and 37 two-bedroom units. 25% or 15 of the units will be dedicated San Francisco inclusionary below market rate housing, serving the need for affordable units. This percentage excludes the four existing, rent-controlled apartments, where the families will be temporarily relocated to newly renovated homes the developer has offered with adequate relocation funding. Upon project completion, these families will be returned to brand new units in the Folsom & Russ St. project with no increase in rent. I understand that the proposed project will also generate about \$900,000 in required impact fees, a portion will go to the SoMa open space facilities development and improvement and affordable housing, transportation and infrastructure projects. These housing unit and impact fees are what San Franciscans want and need.

+

Although there is a shadow cast by the proposed project, the quantitative data is well below half of the allottable cumulative shadow of a newly proposed project. The Planning Department has already found that the additional shadow would not be adverse and is not expected to interfere with the use of the Victoria Manolo Draves Park. According to the February 3, 1989 memo on the Sunlight Ordinance (Section 295 of the Planning Code), the additional public benefits offered would justify the "*Public Good Served by Shadow Caster*."

All things considered, the project at Folsom & Russ St. seems well planned and highly desirable, fully in step with the goal of making San Francisco a more livable city.

I have zero financial interest in this project; my interest is solely in the interest of our great City.

Sincerely

Angela M. Alioto

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

**Rich Hillis Commission President** San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Commissioners :

I am excited that Golden Properties LLC plans to redevelop the underutilized lots on the corner of Russ and Folsom Streets. The project will benefit the community by:

- . Building Below Market Rate Units. Of the 63 rental units, 25% of the new 59 new units are below market rate and the four replacement units will continue to be rent controlled units.
- . Donating \$150,000 to FundSecurity at Victoria Manolo Draves Park. The Recreation and Park Department, in coordination with the SF Parks Alliance, has agreed for the donation tofundbathroom security at the park, which improves safety for children.
- Housing for Existing Tenants. The existing residential tenants at the site will be provided relocation assistance and temporary relocation during construction. Upon building completion, the tenants will return to units in the newly built project and the units will remain rent controlled.
- Housing for Families.58% (37 of 63) of the units will be two bedroom units.
- . Rental Units. All 63 residential units will be rental units adding to the city's housing stock following Mayor Lee's Executive Directive and Mayor Breed's Legislation to build more housing.
- New Commercial Units. Two existing outdated and inefficient retail storefronts will be replaced . with three new retail spaces with glass fronts and 20' 1" ceiling heights, providing a more attractive pedestrian experience, and adding eyes on the street for improving public safety.

I urge you to please approve this project.

Muti fullian 12/18/2018 Signature Date MARTI SULLIVAN 415-25II-7200 Name Phone/Email THE ARC SAN FRANCISCO ISON HOWARD ST SAN Address FRANKISCO, CA 94103

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

**Rich Hillis Commission President** San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

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I urge you to please approve this project.

Date

Phone/Email

94133 1000 GALENSTASOIS Address

December 19, 2018

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

### Re: Proposed Building at 1052-1058 Folsom

Dear Commission President Hillis and Planning Commission:

My name is Abraham Gonzalez. I have resided at 1054 Folsom Street, San Francisco, CA., since May 1985. I was born and raised in the South of Market neighborhood.

I understand that Golden Properties LLC plans to redevelop the lots on the corner of Russ and Folsom Streets, which affects our long-term tenancy. From what I have learned, the project will benefit the community by: building needed and housing units, while at the same time, preserving the long-term rent-controlled units such as ours. The plans call for attractive apartment building, consistent with the neighborhood and the changing needs of the neighborhood.

I support the proposed building project at the corner of Folsom and Russ Streets. I understand that it will go before the planning commission on December 20, 2018. I have reviewed the plans. The proposed project maximizes the number of units the lots can accommodate, while adding to the city's rental inventory for the city's much-needed housing. It is to my understanding that the developers will provide 25% BMR units for low- income residents and donate an additional \$150,000 to the neighboring park. Golden Properties, LLC has gone to lengths to ensure that our temporary relocation creates the least amount of hardship, and that we will ultimately come back to a new apartment in the same general location, at the rent-controlled rate. I believe that this is a well though-out project which balances the need for housing with a certain giving-back to the community.

Sincerely,

Abrahu Gozaly

Abraham Gonzalez 415.867.0415

#### December 14, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Commissioner Rich Hillis President, Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103

Re:

Proposed building at 1052-1560 Folsom Street

Dear Commissioners,

I am writing in support of the proposed building project at the corner of Folsom and Russ Street that will go before the planning commission on December 20, 2018. I am a facilities manager at a nonprofit organization in the South of Market area and I experience daily the effects that the lack of housing is having on San Francisco. More homes in the neighborhood will lead to more pedestrian activity on the streets which will help to make it a safer place to live and work and will also help local businesses. Local housing at all levels is desperately needed, especially so close to downtown. The bmr units could be affordable homes for people who are getting priced out of the area. I understand that \$150,000 will also be provided for enhancements at the park - that is money the city does not have to spend and can be used in other yital areas.

I understand that this building is not going to solve the housing crisis by itself, but every little bit helps. Please strongly consider approving this project and help put a small dent in our housing shortage.

Sincerely,

Mike Cutchin

# San Francisco Apartment Association

December 17, 2018 President Rich Hillis San Francisco Planning Commission

# Re: 1052-1060 Folsom St. and 190-194 Russ St. (2016-004905CUA/ENX/SHD/VAR)

Dear President Hillis and Members of the Planning Commission,

The San Francisco Apartment Association would like to express its support and ask for your approval of the proposed mixed use development at 1052-1060 Folsom Street and 190-194 Russ Street. The SFAA believes that the proposed project represents a win-win, offering an impressive array of benefits to the community while also delivering badly needed affordable, market rate, and family housing to the neighborhood and city. In addition to maximizing use of the site, where the number of homes for San Franciscans will go from 4 apartments to 63 apartments, the development will offer:

- 25% Below Market Rate Units. Of the 63 rental units, 25% (15 new and 4 replacement units) will be affordable.
- **\$150,000 to Victoria Manolo Draves Park.** The Recreation and Park Department, in coordination with the SF Parks Alliance, has agreed for the donation to fund bathroom security at the park, which improves safety for children, adults and all visitors to the park.
- **Replacement Housing for Existing Tenants**. The existing residential tenants at the site will be provided with relocation assistance and temporary relocation during construction. Upon building completion, the tenants will return to units in the newly built project and the units <u>will remain rent controlled</u>.
- Family Housing. 58% (37 of 63) of the units will be two-bedroom units.
- New Commercial Units. Two existing outdated and inefficient retail storefronts will be replaced with three new retail spaces with glass fronts and 20' 1" ceiling heights, providing a more attractive pedestrian experience, and adding eyes on the street for improving public safety.

This proposal strikes the right balance and offers what the City and County of San Francisco tends to look for in a multifamily development: a significant percentage of affordable housing, family-sized homes, funding for community benefits, replacement rent-controlled housing, and

San Francisco Apartment Association

much more. The SFAA requests that the Planning Commission vote to approve the development at 1052-1060 Folsom and 190-194 Russ Streets at its meeting on December 20, 2018.

Na anan New

Director San Francisco Apartment Association

December 15, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Commissioner Rich Hillis President, Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103



Re: Proposed building at 1052-1560 Folsom Street

Dear Commissioners,

I am the business owner of a Folsom Street restaurant located at 1123 Folsom Street, one block away from the proposed structure at 1051-1560 Folsom Street. I am writing in support of the proposed building project at the corner of Folsom and Russ Street.

I have met twice with the developer who explained to me his vision for the project. As a small business owner in an "up and coming" neighborhood in San Francisco, I often hear about the shortage of housing in areas in our are of SOMA; having this additional housing stock should alleviate the short-fall and help to lower asking rents. And as a small business owner, having more residents near my restaurant helps with our business.

Additionally, I understand the project incorporates a significant amount of below market rate units as well as a sizeable donation of \$150,000 to the local park, and a generous relocation plan for existing residents(which includes relocation back to the property) for existing residents. I appreciate this generous gesture, which helps to keep the existing residents in the neighborhood, while improving the appearance of the surrounding public play-areas.

I agree with the Planning Department statement that the project is necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity. I cannot see a downside in the proposal 1051-1560 Folsom Street. Therefore, I am in full support of this project and would be happy to answer any questions regarding my letter of support.

Kingston Wu San Francisco Resident & Business Owner



95 Brady Street San Francisco, CA 94103 415 541 9001 info@sfhac.org www.sfhac.org

December 17, 2018

Commissioner Richard Hillis President of Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103

Subject: Proposed Project at 1052 to 1060 Folsom Street.

Dear Commissioner Hillis,

On behalf of the San Francisco Housing Action Coalition (SFHAC), I would like to share our thoughts on the proposed project at 1052-1060 Folsom Street. SFHAC's Project Review Committee has not formally reviewed or endorsed this proposal, so our comments are to be considered general. The Project is a mixed-use development with ground floor retail along Folsom Street and 63 residential units. We believe that the project aligns with SFHAC's goals of increasing the supply of well-designed, well-located housing at all levels of affordability.

We do understand that there is a problematic history specifically related to this site and we take that concern seriously. As we understand it, the project sponsor has shown the desire to make up for past mistakes and we certainly believe in the spirit of Saint Francis, that second chances are deserved.

The Project will redevelop currently underutilized lots that contain four residential units, retail and commercial uses. The proposed project will add 59 new rental units to the City's housing stock, of which 25 % (15 units) will be on-site affordable units and we applaud projects that go above and beyond the minimum requirement. In addition, 58% (or 37) of the Project's 63 units will be family housing with two bedrooms, which far exceeds the 40% required by the Planning Code.



The San Francisco Housing Action Coalition advocates for the creation of well-designed, well-located housing, at ALL levels of affordability, to meet the needs of San Franciscans, present and future.





While the Project will demolish four existing dwelling units, the Project includes four replacement rent controlled units, resulting in no loss to the City's rent controlled unit inventory. Moreover, we understand the existing tenants will be provided relocation and rent assistance while they are temporarily relocated in other dwelling units until the four replacement rent control units are available for their occupancy. The tenants' rent will only be increased by an amount that is allowable under rent control criteria.

The design of the proposed building is appropriate in scale and massing as contemplated by the Eastern Neighborhood Plan. The Project provides 17 off-street parking spaces, substantially less than allowed under the Planning Code.

Finally, the proposed project will generate approximately \$900,000 in impact fees. A portion of the approximately \$500,000 Eastern Neighborhood impact fee will be used for affordable housing and open space. Other fees will be for SFMTA and for childcare.

This type of projects strikes us as high quality urban in-fill housing.

Cheers,

Jude Dis

Todd David Executive Director, SFHAC



The San Francisco Housing Action Coalition advocates for the creation of well-designed, well-located housing, at ALL levels of affordability, to meet the needs of San Franciscans, present and future.

December 16, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Commissioner Rich Hillis President, Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103

# Re: Proposed building at 1052-1560 Folsom Street

Dear Commissioners,

I am a local chef that runs a pop-up restaurant and catering kitchen a block away from the proposed project sight. I am writing in support of the proposed building project at the corner of Folsom and Russ Street that will go before the planning commission on December 20, 2018.

ALCHEMY

After reviewing the plans and the shadow impact, speaking to the developers, the proposed project maximizes the number of units, while adding to the city's rental inventory for the city's much-needed housing.

It is to my understanding that the developers will provide 25% bmr's for low income residents and donate \$150,000 to the neighboring park.

I believe that this is a well-designed project which balances the need for housing while giving back to the community.

The project will bring more people to the existing businesses which will stimulate the neighborhood economy.

I kindly ask you to grant this project.



Sincerely,

**Ronnie Taylor** 

San Francisco Resident & Chef of Trademark Sports Bar & Eatery

Cat Club

1190 Folsom Street, San Francisco CA 94103 Tel. (415) 264-2882

December 11, 2018

Mr. Doug Vu Principal Planner Planning Department City and County of San Francisco 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Mr. Vu.,

I am writing in support of the proposed building project at the corner of Folsom and Russ Street that will be scheduled at the planning commission on December 20, 2018.

After reviewing the plans and speaking to the developers in depth about the project, the proposed project maximizes the number of units the lots can accommodate while adding to the city's rental inventory for the much-needed housing San Francisco needs. It is to my understanding that the developers will provide 25% of The Below Rate Units for qualified lower income residents and donate \$150,000 to the Victoria Manolo Draves Park for the security attendant program.

I believe that this Building Project which balances the need for housing while giving back to the community.

**Eric Chung** Managing Member

# KLEINER PERKINS

December 17, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Commissioner Rich Hillis President, Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103

## Re: Proposed building at 1052-1560 Folsom Street

Dear Commissioners,

I am writing in support of the proposed building project at the corner of Folsom and Russ Street that will go before the planning commission on December 20, 2018. Golden Gate Properties is a respected developer who has put incredible thought into their plans to help further develop SOMA while helping the existing community. As someone who works in the SOMA neighborhood and frequents local establishments, I see the development of Folsom Russ as one that will bring affordable housing and more business to a neighborhood that needs it. San Francisco is and has been in transition and we need more responsible developers like Golden Properties to help lead positive change. I kindly ask that you support this project.

Sincerely,

Steven Hong Partner, Kleiner Perkins <u>shong@kpcb.com</u> (937) 760-0338

# **INDUSTRY CAPITAL**

December 14, 2018

Commissioner Rich Hillis President, Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103

#### Re: Proposed building at 1052-1560 Folsom Street

Dear Commissioner,

Industry Capital is a private equity firm that invests in real assets globally. We were formed and still operate out of San Francisco's financial district. Many of our employees live and work in the surrounding neighborhoods and often struggle to find adequately priced housing close to our offices, which increases our own costs to operate and offer our employees a livable wage.

The proposed project at 1052-1560 Folsom Street appears to be on the up-and-up across all financial and social benefit standards. Not only does it take an underutilized real estate parcel, transforming it into a well-designed commercial and residential project, it goes above and beyond by offering 25% of the newly created housing stock at below market rates.

The developer was introduced to me through one of my employees; I was impressed with their development plan, and thoughtful approach to reinvesting a portion of their profits back into the city.

I am in full support of this project and look forward to the changes projects like these bring to San Francisco.

Your Truly,

Norman D. Villarina Managing Partner One Sansome St., 15th Floor San Francisco, CA 94104

Dear Commission President Hillis and Planning Commission:

I am excited that Golden Properties LLC plans to redevelop the underutilized lots on the corner of Russ and Folsom Streets. The project will benefit the community by:

- Building Below Market Rate Units. Of the 63 rental units, 28% (15 new and 4 replacement units) will be affordable.
- Donating \$150,000 to Fund Security at Victoria Manolo Draves Park. The Recreation and Park
  Department, in coordination with the SF Parks Alliance, has agreed for the donation to fund
  bathroom security at the park, which improves safety for children.
- Housing for Existing Tenants. The existing residential tenants at the site will be provided relocation assistance and temporary relocation during construction. Upon building completion, the tenants will return to units in the newly built project and the units will remain rent controlled.
- Rental Units. All 63 residential units will be rental units adding to the city's housing stock following Mayor Lee's Executive Directive and Mayor Breed's Legislation to build more housing.
- New Commercial Units. Two existing outdated and inefficient retail storefronts will be replace with three new retail spaces with glass fronts and 20' 1" ceiling heights, providing a more attractive pedestrian experience, and adding eyes on the street for improving public safety.

Signature

Name

Address

Modus Company

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Justing Dusting foots. Mission bay foots. Signature ADAMS Address

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KdG	Rubtlyt			12/17/18
Signature		1		Date
Kelly	Watling	ton		(415)684-5962
Name	7			Phone/Email
<u>333</u> Address	7th St.	SF	Ca	94/03

Dear Commission President Hillis and Planning Commission:

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I urge you to please approve this project.

Date

Phone/Email

Address

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Date Phone/Email Address

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I urge you to please approve this project. TMA Signature Date 467 Phone/Email Address

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- New Commercial Units. Two existing outdated and inefficient retail storefronts will be replace with three new retail spaces with glass fronts and 20' 1" ceiling heights, providing a more attractive pedestrian experience, and adding eyes on the street for improving public safety.

Date Phone/Email

Dear Commission President Hillis and Planning Commission:

I am excited that Golden Properties LLC plans to redevelop the underutilized lots on the corner of Russ and Folsom Streets. The project will benefit the community by:

- Building Below Market Rate Units. Of the 63 rental units, 28% (15 new and 4 replacement units) will be affordable.
- Donating \$150,000 to Fund Security at Victoria Manolo Draves Park. The Recreation and Park Department, in coordination with the SF Parks Alliance, has agreed for the donation to fund bathroom security at the park, which improves safety for children.
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Date Phone/Email 54

# December 14, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Commissioner Rich Hillis President, Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103

# Re: Proposed building at 1052-1560 Folsom Street

Dear Commissioners,

I am writing in support of the proposed building project at the corner of Folsom and Russ Street that will go before the planning commission on December 20, 2018. After reviewing the plans and the shadow impact, speaking to the developers, the proposed project maximizes the number of units, while adding to the city's rental inventory for the city's much-needed housing. It is to my understanding that the developers will provide 25% bmr's for low income residents and donate \$150,000 to the neighboring park. I believe that this is a well-designed project which balances the need for housing while giving back to the community. The project will bring more people to the existing businesses which will stimulate the neighborhood economy.

I kind y ask you to grant this project.

Kevin Bazant 45 Bartlett Street #207 San Francisco Ca 94103.

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Commissioners :

I am excited that Golden Properties LLC plans to redevelop the underutilized lots on the corner of Russ and Folsom Streets. I believe we need more developers and development projects like this one in the city. The project will benefit the community by:

- Building Below Market Rate Units. Of the 63 rental units, 25% of the new 59 new units are below market rate and the four replacement units will continue to be rent controlled units.
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- New Commercial Units. Two existing outdated and inefficient retail storefronts will be replaced with three new retail spaces with glass fronts and 20' 1" ceiling heights, providing a more attractive pedestrian experience, and adding eyes on the street for improving public safety.

I respectfully urge you to please approve this project.

12/15/18 Signature Date

Samuel Magruder Name

415-6245113 Phone/Email

50 Juniper st San Francisco CA 94103

Dear Commission President Hillis and Planning Commission:

I am excited that Golden Properties LLC plans to redevelop the underutilized lots on the corner of Russ and Folsom Streets. The project will benefit the community by:

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12/10/18
Signature Date
Phomiphat Chatwingaled Into Emreast kitchen.com
Name Phone/Email
1179 Pine St, Apl 4 SF CA 94109
Address
Owner of Mr. East kitchen at
276 Sth St., SF 94103

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Busin	ss owner is , Levin Chaw's ,	Antom	ative, Inc.	

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Signature Name Address

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Signature Date Name Phone/Email Address Uscar Kinning (ompany on Colombia St (6twn Folsom + Harrism)

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12-10-18 5 510-75 Name APF. 3 Ogkland Kelly move Paints (Ita+6th) Harrison St. (Ita+6th) Wants not for adble Wants in the UNITS in the Address

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Date (415) 410 61001 Name Phone/Email SF 300 4103 Address

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I urge you to please approve this project.

Signature

Date

**Phone/Email** 

Name

Address

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12-1 Date

Signature

Name

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Address

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Date Signature Phone/Email Name 0 Address

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Date 5-724-5268 Phone/Email

Name

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I urge you to please approve this project.

ennessee

Date 415-502 Signature

Phone/En

1106

Name

Address

December 18, 2018

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

#### Re: Proposed Building at 1052-1058 Folsom

Dear Commission President Hillis and Planning Commission:

My name is Viviana C. Ruiz. I was born on June 23, 2000 and have been at 1054 Folsom Streeet ever since.

I understand that Golden Properties LLC plans to redevelop the lots on the corner of Russ and Folsom Streets, which affects our long-term tenancy. From what I have been told by my mother, the project will benefit the community by: building needed and housing units, while at the same time, preserving the long-term rent-controlled units such as ours. The plans call for attractive apartment building, consistent with the neighborhood and the changing needs of the neighborhood.

I am supportive of the proposed building project at the corner of Folsom and Russ Streets. I understand that it will go before the planning commission on December 20, 2018. My parents have reviewed the plans and have spoken to the developers. The proposed project maximizes the number of units the lots can accommodate, while adding to the city's rental inventory for the city's much-needed housing. It is to my understanding that the developers will provide 25% BMR units for low- income residents and donate an additional \$150,000 to the neighboring park. Golden Properties, LLC has gone to lengths to ensure that our temporary relocation creates the least amount of hardship, and that we will ultimately come back to a new apartment in the same general location, at the rent-controlled rate. I believe that this is a well though-out project which balances the need for housing with a certain giving-back to the community.

Rug

Viviana Ruiz 415.627.7379

December 19, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge-Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Commissioners,

I, Manuela Carrillo, a tenant of 1056 Folsom St, in San Francisco, California, work at Bessie Carmichael. I have worked at Bessie Carmichael Elementary, located on 735 7<sup>th</sup> Street, for 31 years. As a resident and employee I am aware that the students of Bessie Carmichael Elementary School use the Victor Manolo Drave Park during school hours ,which are from 8:40 am to 2:40 pm. I support the proposed project at 1052 to 1060 Folsom Street.

Thank you,

Manuela Carrillo

Manuela a. Carrillo

December 17, 2018

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

### Re: Proposed Building at 1052-1058 Folsom

Dear Commission President Hillis and Planning Commission:

My name is Carolina Carrillo. I have resided at 1054 Folsom Street, San Francisco, CA., since December 1980. I have three children and all of them were born and raised in the South of Market neighborhood.

I understand that Golden Properties LLC plans to redevelop the lots on the corner of Russ and Folsom Streets, which affects our long-term tenancy. From what I have learned, the project will benefit the community by: building needed and housing units, while at the same time, preserving the long-term rent-controlled units such as ours. The plans call for attractive apartment building, consistent with the neighborhood and the changing needs of the neighborhood.

I support the proposed building project at the corner of Folsom and Russ Streets. I understand that it will go before the planning commission on December 20, 2018. I have reviewed the plans and have spoken to the developers. The proposed project maximizes the number of units the lots can accommodate, while adding to the city's rental inventory for the city's much-needed housing. It is to my understanding that the developers will provide 25% BMR units for lowincome residents and donate an additional \$150,000 to the neighboring park. Golden Properties, LLC has gone to lengths to ensure that our temporary relocation creates the least amount of hardship, and that we will ultimately come back to a new apartment in the same general location, at the rent-controlled rate. I believe that this is a well though-out project which balances the need for housing with a certain giving-back to the community.

l'Caulto

Carolina Carrillo 415.350.2985

#### **Commissioner Mark Buell**

President, Recreation and Park Commission McLaren Lodge-Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

#### Re: Proposed Building at 1052-1058 Folsom Street

Dear Commissioner President Buell and Recreation and Park Commission:

My name is Brisa Carrillo and I was born and raised in 1056 Folsom Street, San Francisco 94103. My family and I have been living here for over 37 years. Throughout the years, we've have a few landlords but Golden Properties has been treating us well. In seeking to accomplish its goals as developer, Golden Properties has considered the interests of us long-term tenants who enjoy rent-control and could not otherwise remain in San Francisco. Golden Properties listened to our requests and has worked with us in good faith through the process of coming to a comprehensive the relocation agreement. Whereas an owner could seek tenant displacement through the Rent Ordinance, Golden Properties is providing my family and me relocation assistance, including as relocation funds and a temporary relocation unit during the construction phase, and ultimately, a replacement unit. Thus, once the construction project is completed, my understanding is that my family and I will return to a newly-built unit at the same monthly rent-controlled rate.

Because of the efforts of Golden Properties and Paul Iantorno, my family and I are in support of the proposed building project at the corner of Folsom and Russ Street. After reviewing the plans, we are excited this is happening. From what we have seen, we believe this will be a positive change to the South of Market area. Our understanding is that 28% of the project will be affordable units and \$150,000 will be also donated for security services at the park across the street (Victoria Manolo Draves Park). My family and I believe that this this project seeks to balances the need for new housing, and the preservation of rent-controlled housing, which avoids undue destruction of the fabric of, and represents a pouring back into, our community.

Brisa I. Carrillo Francisco J. Carrillo Manuela A. Carrillo Manuela A. Carrillo Manuela A. Carrillo

Doug Vu Principal Planner Planning Department City and County of San Francisco 1650 Mission Street, Suite 400, San Francisco, CA 94103 <u>doug.vu@sfgov.org</u>

December 12, 2018

Dear Mr. Vu.,

I am writing in support of the proposed building project at the corner of Folsom and Russ Street that will go before the planning commission on December 20, 2018. After reviewing the plans and speaking to the developers, the proposed project maximizes the number of units the lots can accommodate, while adding to the city's rental inventory for the city's much-needed housing. It is to my understanding that the developers will provide 25% bmr's for low income residents and donate \$150,000 to the neighboring park. I believe that this is a well-designed project which balances the need for housing while giving back to the community.

George Nyquist

Doug Vu

**Principle Planner** 

Planning Department City and County of San Francisco

December 14,2018

Dear Mr.Vu.,

My name is Elizabeth Laboy. As a resident of SoMa for 8 years I am writing in full support of the proposed project at 1052-1056 Folsom & 190-194 Russ. The proposed project will lead to an increase in foot traffic which, in turn will help local businesses and help bring increased safety to the neighborhood.

I understand the communities concern about the shadow hitting the Victoria Manalo Draves Park (VMD) however, after reviewing the shadow study I would like to stress that the shadow does not hit the designated play area for kids. I ask you to take the time to review the shadow study. Ask yourself, does this shadow that does not affect children's play area take precedence over the housing that this community needs.

Eizekith Jaboj

Elizabeth Laboy

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

**Rich Hillis Commission President** San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Commissioners :

I am excited that Golden Properties LLC plans to redevelop the underutilized lots on the corner of Russ and Folsom Streets. The project will benefit the community by:

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Signature

Date

Phone/Email

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I urge you to please approve this	project.
1 - A	Little Light
Summel T	1217118
Signature	This Date
Santogi	Jattillo 1
Name	Phone/Email

Address

**Rich Hillis** 

**Commission President** San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

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1. Canillo 12-18-Date J. (ARRILLO (413) 2 RANCISCO

Address

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12-18-Date R. ESQI Phone/Email SF, CA 94/28 360 BERRY

Address

**Rich Hillis** 

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

Dear Commissioners :

I am excited that Golden Properties LLC plans to redevelop the underutilized lots on the corner of Russ and Folsom Streets. The project will benefit the community by:

- Building Below Market Rate Units. Of the 63 rental units, 25% of the new 59 new units are below market rate and the four replacement units will continue to be rent controlled units.
- Donating \$150,000 to FundSecurity at Victoria Manolo Draves Park. The Recreation and Park Department, in coordination with the SF Parks Alliance, has agreed for the donation tofundbathroom security at the park, which improves safety for children.
- Housing for Existing Tenants. The existing residential tenants at the site will be provided relocation assistance and temporary relocation during construction. Upon building completion, the tenants will return to units in the newly built project and the units will remain rent controlled.
- Housing for Families.58% (37 of 63) of the units will be two bedroom units.
- Rental Units. All 63 residential units will be rental units adding to the city's housing stock following Mayor Lee's Executive Directive and Mayor Breed's Legislation to build more housing.
- New Commercial Units. Two existing outdated and inefficient retail storefronts will be replaced with three new retail spaces with glass fronts and 20' 1" ceiling heights, providing a more attractive pedestrian experience, and adding eyes on the street for improving public safety.

S	12/19/18
Signature	Date
NARCISO TIGLAO	
Name	Phone/Email
B.C.	
Address	

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

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May C. In	12/19/18
Signature	Date
Mary C. S.	
Name	Phone/Email
B.C	
Address	

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19 Signature AGEWHIPPLE Phone/Email Name MICHAELF Addr STREET . SF. CA. 9403

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Date DYMAC 415 Date Signature acropolisizz Bamail.com Name

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famelewachai	12.19.18
Signature Jane Chaj	Date missianechai@gmail.com
Name	Phone/Email
335 Benny Street Unit 5	12 SF, CA 94158
A 1 4	

Address

The tenants at the existing dwelling units are being offered replacement rent-controlled units at the new building, and will be provided relocation assistance and temporary housing while the Project is under construction. Including the replacement rent-controlled units, 28% of the Project's 63 units will be affordable units. The Project sponsor will offer to provide \$150,000 to fund an economic development and security program (that will extend the funding when a program allocated by the Board of Supervisor ends) at the Victoria Manalo Draves Park, which is located across Folsom Street from the Project Site.

Name/Company	Address	Contact Number	Email	Signature
Judi Ting/ Extreme Pizza	1062 Folsom 5t. 5F CA 94103			X
John Gallman Looldmen Groth	172 Rug St			han
Gordona Dunc Gra Goldman Archit				AmicGares
modos, LLC	190 Russ Street Saw Francisco, CA. 94103	415-261-0000	Cbordovaroe modus-corp.com	Rob Parker OD behalt of Call Borlowa
Starco Mart	1070 Howard			Jony Lall

#	Name/Company	Address	Contact Number	Email	Signature
	Hohard Markt 1000 Howard St	1000 Howard St	Abdul	Howard Food Mow Ke Offor TMGit COM	
	LIONS DEN 11C	1000 HOWAVE \$#	Khaled	LIONS. DEN. 11CO HOTTMGil.com	
	Narket	2016th Street	Tony	Tonysingh8000 Yahoo.com	18han Lings
	MALIA SPANYOL	224 6th St.		info e Woodenman muaythai.com	¥
	WOUDEN MAN MUAY THA			2	
	DAVID MUR FONDUE COMBAY 1052 FOLSOM ST	1052 Forson ST. SAN FRANCISCO	415 517-8434	DAVED FONDUE Laby Chu	DD

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#	Name/Company	Address	Contact Number	Email	Signature
1	KUNDURA	- 524 Hannas 56, CA 941-2	415.401831	ASLANER12Q EMAIL.	Cal
2	PRINCESS JACOB- FAMBRO	P.D. BOX 426417- SAN FRANCISCO , 04 94142	415-374-	PRINCESS FOR President @ Aol Con	K .
3	Julis Lora	a plande A	650-67-8-9737	1	A
4	And rei Fiarles	1 158 Precita ST. ef 94116	415696564	2 lidehord tag	
5	Arite Herner	982 Porrell St San Sorresco, de		anifer Mermoni B grad, cm	men

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Name/Company	Address	Contact Number	Email	Signature
	240 Leth Street-	415-235- 8140	GMAIL. COM	
ElizabethL	3 Bayside 9407	786-360 93918	elabory accsF.edu	Eeizabet gab Q
TOPNIL'S SHUI PL	1619 poil ST			P
Dahiel Ayers	\$1830m Ave	415-299-		Re
Jennifer Lebherz Brystde	120 BRANNON ST. SF	(415)9900 - 1564		Ø

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#	Name/Company	Address	Contact Number	Email	Signature
1	Chathan Face	? W Ofamell St. Apt 2007 Sen Francisco, CA 94109	415.993.1988	Christian Price C grand in con	4
2	Sam Lack	1555 Larkin St. San Fran, ct 94109	651.307.2378	San Jo Zack D Amail.	AC
3	Justin Respicio		702-515 .9099	Justin respiced Camail un	Mg
4	Jamal Odom	,		Jodon 2378 egmail.com	
5	Noll Daniel	249 Mangels the. S.P. 94131		nolly og Cyphos.	Notton

#	Name/Company	Address	Contact Number	Email	Signature
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8	George	8 OCTAVIA ST, UNIT SAN FRANCISCO, SOJ 94102		RUFENG, XING Q.G.M.BIL.COM	C=Zge
9	Drew Hamlin Salesforce	1318 Church St SF CA 94114		drewhanlin@me.con	A
10	Nayiri Kechianian				Not Bein
11	Robin Anderson	450 Steller 87. 3F C1A 94108	10	robin 1,231. va O gmail	Robustino
12	Cavlos Bryant	508 Larkin #310 SE (1A 94102		Carboy 2200 Rychno. con	$\overline{\mathcal{P}}$
3	Leonard Datasel			Iconard datage 10 yahoo con	
4	Mille Brown	St Fillin 3B St 946		Mile Garapas.a	$\sim$

#	Name/Company	Address	Contact Number	Email	Signature
15	Kennedo Seer			Kenneth Chijen. com	ME
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#	Name/Company	Address	Contact Number	Email	Signature
1	Greg Pincen	450 E. Stravkony Dr. #54 Mill Valler CA 94941	415-676-8510	gedunean@gmail.com	
2	Stephanielebean	1801 FM Imore St. SF CA 94115	4157568887	ythediacashon Stephenie	E.
3 (	Rophortm	21 011 111	4152725333	JJROSTR @ AUL.	South
4	Don Romesburg	214 HARTFORD ST SF CA 94114	4156977540	SCOTT. A ROMESKURG SCOTT. A ROMESKURG SCARFERDA	Sout
5	Mario Carvajal	9409 Zoth street Son Francisco, CH 94114	415 699 7454	Marco Corveja @ gnailion	Mark

#	Name/Company	Address	Contact Number	Email	Signature
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7	MaheshPatti		415.513.2989	mpathie bunguardsf un	n Mallenn
8	SEAN WEINSTOCK	118 LIBERTY ST SF, CA 94110	408 768 1305	SEANWEINSTOCKES CGMAIL.COM	S.L.
9	Devin Wong	271 9th Avenue SF, CH 9448	416-613-8140	devih w SIGCyahar	R
10	QMARS ANSAICI	2259 UNION ST. SF, GA 94123	415-225-2527	- PANSARI@GMAIL-	F
11	Judson Cassels	819 Van Ness Arc #803 SF, CA 94/09	415-508-6392	Jud cossels Camailrom	Joseh
12	JIMENO, Rodribuez	S.T. (11 /11)	415-648-3242	JIMENS@At.LET	June Dury
13	Daniel Emglish	420 Fultonst.#C	415.309.	Janielo Vanguardsf-Cong	and a
14	ILYA TSAY	1801 FILLMORE ST SPAN FURDWARD, CA	415-872-2929	ilya e ilya tsay. cam	Therentor

#	Name/Company	Address	Contact Number	Email	Signature
15	Aldo Cur	642 ALVANAD.	415-2977103	AGO CHNGUMOSF.	an Alp
16	Christne Gan Gran		415203-1735	1 - 7	Ch.
17	Juliene S.V.	316 Sanchez St	415 9670108	JULIETTE C TEAM VOSF.com	AA
18	Tim Carkle	1801 Fillme	415/361- 1723	timovenseedst.	The
19 (	Couldre Andrewski	733 Front St	UB1 1788343	Coscildra Quanguard st	0
20	Verencefogers	45 lancing st	(450) 858 DI49	Yesunia @ vangvordsf	0
21	ROB WELLENSTEIN	163 OCTAVID ST	415 871-3564	OCTAVIA BOBE	Pallelit
22	SCOTT MORTON	1229 Divisadero BT.	415,218,3260	BOOTTHNONISTER 23 E YAHOOO COM	03/-
23	GREGGERY ONZE-TASNER	1040 (VL+02) ST	415 609 54SI	GREGGORY R VONGUARDS F. 18M	Reh

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#	Name/Company	Address	Contact Number	Email	Signature
1	Jonny Moffakher	400 FAIROANS SF CA 94110	415-920-3731	Jonnyin of @Smail.	11-
2	Catherine Watson	143 48 MAUE SECA 94121	415-568-1578	Catherine w@ vunguerdsl-com	Catherine Ulikon
3	Jay LAMPHS	1730 Heyde 3	7155556070	JeepLAmpler @	
4	DEN'S LANCERUN	264 GOLD RING BR	415-420-2366	den's Qvampuond sf. G	NL
5	OMARI WILLIAMS	939 JACKSON STREET #103 SAN FRANCISCO	415 205 8101	WILLIAMS_OWAR Qyahooco	"Occord

#	Name/Company	Address	Contact Number	Email	Signature
6	Mike Stack	311 CARL STREET SF, CA 94117	415.580.9045	irishnstact32y. Los.con	the At
7	Massimo LoPorto	283 Docland St #101 SFCA 94114		mf.loporto@gmaila	may 280
8	Watter Johnson	150 Franklin 5. FCA 94102	415-298-535	Wallerjjohnson 2 Quail. (n	hjih
9	DEREK JACKS.J	3356 23rd St SA, CA 94110	415.875.7558	derekij 1@ hotmail.cm	Dut
10	Greg Fulford	558 Sanchez It San Francisco, CA 94114	415-305-3251	gpfulford @gmail . Com	My Jupe
11	Sam Wones	1915 Alemen Bive, SF CA guin	925.852-430	Sam Quonenerdst ce	in 1
12	Haleigh Andel	352 Jan Jose Ave SF, CA 94110	415.724.1460	haleighandel @ g mai 1:com	. 50
13	Arthur Lum	1854 42nd Ave SF, CA 94122	415 385-6161	Lum. Arthur @gmail.com	AS
14	Maryconne Diaz	340 HATES ST. #304 SF, CA 94102	4155774873	theproinster grand.con	Manyan

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#	Name/Company	Address	Contact Number	Email	Signature
15	Kowin Kropp	2267 15th St	4115-606-1415	KKSF68@gmail	Kun Ky
16	Jenny	199 New mantgomen st	925-291. 9266	juny wy809 ha's in	Q
17	Robert Broke	2051 3rd 5+ #612 5 F, CA	650-867-8731	bris 415 @gmäil. cu	The
18	Drew Wilkerson	1870 Jackson St. #301 SF, CA 94109	415-802-959	drew wilke gmail.com	while
19	Adrawar	361 Lexinghist	415321-7058	andrew weren Clica	A
20	Andreu Regjo	5010 Californiast SF	415-606-5401	aregjo@hotmail.	(100
21	Adeliida	1465 fre alista	415-885- 6824	mengral com	Mg.
22	JAMES NUNEMALED	El 430 central Ave Sunfrancisco 94117	415-519-7772	jn C. vang vardst.	pre
23	Zava Rabbit	865 Doloves ran San Francisco, CA	925·216 6216	Zarasreal estate @ gmail.com	soto D
		94110			

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1	Name/Company And Sul Choodelgyez ARC	1 Front st.		antonio. rodrigoez y	Cuto
2	Daniel Jiménez SOM	1 Front St		daniel.jimenez Osom.com	395
3	Arezoo Torabi SOM	1 Front St		arezutorabi@yahoo. Com	Mund.
4	Dianchian hi som	1 Front St.		Jiandian. li® Som.com	00
5	Ioanna Tatli	(Frout St		i cannota@ listusil.com	fled

#	Name/Company	Address	Contact Number	Email	Signature
6	DANIEL LEE SOM	I FRONT ST.		LEEDANIELCUQ GMAIL.(OM	alle
7	aron Baumbark Sous	1 Front St.		aaron baumbach@ gmail.com	-
8	Danielle Dictor SoM	I Front St		danielledictor@gmail. com	
9	Romen Martinz SIGM	One trout St		mtz.ramon@ainail.au	Starter 1
10	ROLLEN PERET	1440 CLAY ST	MADER	ROLENPEGMNL.	Sector 1
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#	Name/Company	Address	Contact Number	Email	Signature
1	George Williams	JUZ 21st Ave Son Francesco CA. 94121	401-835-5952	georgewillin ms 090 gmeil	Junge H Chill
2	Kaden Freeman	30 SEWARD ST 94114	530-722-7637	Kfreeman(a) vedhat.com	Rate
3	Maryan Marissen	29.78 West 31 st st.	604-773-895	harrand strategy.	- m
4	Mark Marissen	<b>η</b> τι	<u>N</u>	mark a burrard strategy. co	mla
5	NGUSON ZHAO	10 Doric ALY 94/33	415-203.5382	Nelson N2600 C GANALL-CON	Mer?
					VS

#	Name/Company	Address	Contact Number	Email	Signature
6	Baban Estandiori	825 La Playe St #223 SF, CA 94121	925-399 2409	BESFandiant Obrail. com	Boher
7	Nic Werrer	Address 825 La plaja St #223 SF, CA 94121 233A Collingunosed St	415-619-157	niz « daima.city	nh
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#	Name/Company	Address	Contact Number	Email	Signature
1	Philip MCNAMARS	68 MARRIET ST UNITIO SF, CA 94103	510 6847750	philenum.io	P
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eceived at CPC Hearing

# LAW OFFICES OF MAYOR JOSEPH L. ALIOTO AND ‡ANGELA ALIOTO 700 MONTGOMERY STREET SAN FRANCISCO, CALIFORNIA 94111 (415) 434-8700 • FAX (415) 438-4638

# ‡ ADMITTED IN CALIFORNIA–WASHINGTON, D.C. www.AliotoLawOffices.com A PROFESSIONAL LAW CORPORATION

December 16, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge - Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Commissioner Rich Hillis President, Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103

Dear Commissioners,

I would like to lend my support to the proposed project at Folsom & Russ St. being considered next Thursday, December 20, at the Recreation and Parks Commission and the Planning Commission hearings.

As San Francisco continues to struggle with a housing crisis, our Mayor is committed to accelerating the pace of housing construction, with a goal of creating 5,000 new units of housing annually. This cannot be accomplished unless we approve willing and capable developer's zoning and code compliant project proposals for medium and large developments. The ground up project at Folsom & Russ St. addresses this issue, with 63 new rental units, including 3 studios, 23 one-bedroom and 37 two-bedroom units. 25% or 15 of the units will be dedicated San Francisco inclusionary below market rate housing, serving the need for affordable units. This percentage excludes the four existing, rent-controlled apartments, where the families will be temporarily relocated to newly renovated homes the developer has offered with adequate relocation funding. Upon project completion, these families will be returned to brand new units in the Folsom & Russ St. project with no increase in rent. I understand that the proposed project will also generate about \$900,000 in required impact fees, a portion will go to the SoMa open space facilities development and improvement and affordable housing, transportation and infrastructure projects. These housing unit and impact fees are what San Franciscans want and need.

Although there is a shadow cast by the proposed project, the quantitative data is well below half of the allottable cumulative shadow of a newly proposed project. The Planning Department has already found that the additional shadow would not be adverse and is not expected to interfere with the use of the Victoria Manolo Draves Park. According to the February 3, 1989 memo on the Sunlight Ordinance (Section 295 of the Planning Code), the additional public benefits offered would justify the "*Public Good Served by Shadow Caster*."

All things considered, the project at Folsom & Russ St. seems well planned and highly desirable, fully in step with the goal of making San Francisco a more livable city.

I have zero financial interest in this project; my interest is solely in the interest of our great City.

Sincerely

Angela M. Alioto

December 18, 2018

### **Rich Hillis**

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

#### Re: Proposed Building at 1052-1058 Folsom

Dear Commission President Hillis and Planning Commission:

My name is Viviana C. Ruiz. I was born on June 23, 2000 and have been at 1054 Folsom Streeet ever since.

I understand that Golden Properties LLC plans to redevelop the lots on the corner of Russ and Folsom Streets, which affects our long-term tenancy. From what I have been told by my mother, the project will benefit the community by: building needed and housing units, while at the same time, preserving the long-term rent-controlled units such as ours. The plans call for attractive apartment building, consistent with the neighborhood and the changing needs of the neighborhood.

I am supportive of the proposed building project at the corner of Folsom and Russ Streets. I understand that it will go before the planning commission on December 20, 2018. My parents have reviewed the plans and have spoken to the developers. The proposed project maximizes the number of units the lots can accommodate, while adding to the city's rental inventory for the city's much-needed housing. It is to my understanding that the developers will provide 25% BMR units for low- income residents and donate an additional \$150,000 to the neighboring park. Golden Properties, LLC has gone to lengths to ensure that our temporary relocation creates the least amount of hardship, and that we will ultimately come back to a new apartment in the same general location, at the rent-controlled rate. I believe that this is a well though-out project which balances the need for housing with a certain giving-back to the community.

Sincerely,

2 May

Viviana Ruiz 415.627.7379

# December 19, 2018

Commissioner Mark Buell President, Recreation and Park Commission McLaren Lodge-Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Commissioners,

I, Manuela Carrillo, a tenant of 1056 Folsom St, in San Francisco, California, work at Bessie Carmichael. I have worked at Bessie Carmichael Elementary, located on 735 7<sup>th</sup> Street, for 31 years. As a resident and employee I am aware that the students of Bessie Carmichael Elementary School use the Victor Manolo Drave Park during school hours ,which are from 8:40 am to 2:40 pm. I support the proposed project at 1052 to 1060 Folsom Street.

Thank you,

Manuela Carrillo

Manuela a. Carrillo

December 17, 2018

#### **Rich Hillis**

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

### Re: Proposed Building at 1052-1058 Folsom

Dear Commission President Hillis and Planning Commission:

My name is Carolina Carrillo. I have resided at 1054 Folsom Street, San Francisco, CA., since December 1980. I have three children and all of them were born and raised in the South of Market neighborhood.

I understand that Golden Properties LLC plans to redevelop the lots on the corner of Russ and Folsom Streets, which affects our long-term tenancy. From what I have learned, the project will benefit the community by: building needed and housing units, while at the same time, preserving the long-term rent-controlled units such as ours. The plans call for attractive apartment building, consistent with the neighborhood and the changing needs of the neighborhood.

I support the proposed building project at the corner of Folsom and Russ Streets. I understand that it will go before the planning commission on December 20, 2018. I have reviewed the plans and have spoken to the developers. The proposed project maximizes the number of units the lots can accommodate, while adding to the city's rental inventory for the city's much-needed housing. It is to my understanding that the developers will provide 25% BMR units for low-income residents and donate an additional \$150,000 to the neighboring park. Golden Properties, LLC has gone to lengths to ensure that our temporary relocation creates the least amount of hardship, and that we will ultimately come back to a new apartment in the same general location, at the rent-controlled rate. I believe that this is a well though-out project which balances the need for housing with a certain giving-back to the community.

Sincerely,

C. Cault-

Carolina Carrillo 415.350.2985

Doug Vu Principal Planner Planning Department City and County of San Francisco 1650 Mission Street, Suite 400, San Francisco, CA 94103

doug.vu@sfgov.org

December 12, 2018

Dear Mr. Vu.,

I am writing in support of the proposed building project at the corner of Folsom and Russ Street that will go before the planning commission on December 20, 2018. After reviewing the plans and speaking to the developers, the proposed project maximizes the number of units the lots can accommodate, while adding to the city's rental inventory for the city's much-needed housing. It is to my understanding that the developers will provide 25% bmr's for low income residents and donate \$150,000 to the neighboring park. I believe that this is a well-designed project which balances the need for housing while giving back to the community.

Sincerely,

**George Nyquist** 

Cat Club

1190 Folsom Street, San Francisco CA 94103 Tel. (415) 264-2882

December 11, 2018

Mr. Doug Vu Principal Planner Planning Department City and County of San Francisco 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Mr. Vu.,

I am writing in support of the proposed building project at the corner of Folsom and Russ Street that will be scheduled at the planning commission on December 20, 2018.

After reviewing the plans and speaking to the developers in depth about the project, the proposed project maximizes the number of units the lots can accommodate while adding to the city's rental inventory for the much-needed housing San Francisco needs. It is to my understanding that the developers will provide 25% of The Below Rate Units for qualified lower income residents and donate \$150,000 to the Victoria Manolo Draves Park for the security attendant program.

I believe that this Building Project which balances the need for housing while giving back to the community.

Sincerely,

Eric Chung

Managing Member

Doug Vu

**Principle Planner** 

Planning Department City and County of San Francisco

December 14,2018

Dear Mr.Vu.,

My name is Elizabeth Laboy. As a resident of SoMa for 8 years I am writing in full support of the proposed project at 1052-1056 Folsom & 190-194 Russ. The proposed project will lead to an increase in foot traffic which, in turn will help local businesses and help bring increased safety to the neighborhood.

I understand the communities concern about the shadow hitting the Victoria Manalo Draves Park (VMD) however, after reviewing the shadow study I would like to stress that the shadow does not hit the designated play area for kids. I ask you to take the time to review the shadow study. Ask yourself, does this shadow that does not affect children's play area take precedence over the housing that this community needs.

Sincerely,

Cuzetith Laboy

Elizabeth Laboy

**Commissioner Rich Hillis** President, Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103

#### Re: Proposed Building at 1052-1058 Folsom Street

Dear Commissioner President Hillis and Planning Commission:

My name is Brisa Carrillo and I was born and raised in 1056 Folsom Street, San Francisco 94103. My family and I have been living here for over 37 years. Throughout the years, we've have a few landlords but Golden Properties has been treating us well. In seeking to accomplish its goals as developer, Golden Properties has considered the interests of us long-term tenants who enjoy rent-control and could not otherwise remain in San Francisco. Golden Properties listened to our requests and has worked with us in good faith through the process of coming to a comprehensive the relocation agreement. Whereas an owner could seek tenant displacement through the Rent Ordinance, Golden Properties is providing my family and me relocation assistance, including as relocation funds and a temporary relocation unit during the construction phase, and ultimately, a replacement unit. Thus, once the construction project is completed, my understanding is that my family and I will return to a newly-built unit at the same monthly rent-controlled rate.

Because of the efforts of Golden Properties and Paul Iantorno, my family and I are in support of the proposed building project at the corner of Folsom and Russ Street. After reviewing the plans, we are excited this is happening. From what we have seen, we believe this will be a positive change to the South of Market area. Our understanding is that 28% of the project will be affordable units and \$150,000 will be also donated for security services at the park across the street (Victoria Manolo Draves Park). My family and I believe that this project seeks to balances the need for new housing, and the preservation of rent-controlled housing, which avoids undue destruction of the fabric of, and represents a pouring back into, our community.

Sincerely,

Brisa I. Carrillo *Blikhuillo* Francisco J. Carrillo *Francisco & Casillo* Manuela A. Carrillo *Januele A. Carriello* 

#### **Commissioner Mark Buell**

President, Recreation and Park Commission McLaren Lodge-Golden Gate Park 501 Stanyan Street San Francisco, CA 94117

#### Proposed Building at 1052-1058 Folsom Street Re:

Dear Commissioner President Buell and Recreation and Park Commission:

My name is Brisa Carrillo and I was born and raised in 1056 Folsom Street, San Francisco 94103. My family and I have been living here for over 37 years. Throughout the years, we've have a few landlords but Golden Properties has been treating us well. In seeking to accomplish its goals as developer, Golden Properties has considered the interests of us long-term tenants who enjoy rent-control and could not otherwise remain in San Francisco. Golden Properties listened to our requests and has worked with us in good faith through the process of coming to a comprehensive the relocation agreement. Whereas an owner could seek tenant displacement through the Rent Ordinance, Golden Properties is providing my family and me relocation assistance, including as relocation funds and a temporary relocation unit during the construction phase, and ultimately, a replacement unit. Thus, once the construction project is completed, my understanding is that my family and I will return to a newly-built unit at the same monthly rent-controlled rate.

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Brisa I. Carrillo Francisco J. Carrillo Manuela A. Carrillo Aganuele A. Carrillo

#### **Rich Hillis**

**Commission President** San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Commissioners :

I am excited that Golden Properties LLC plans to redevelop the underutilized lots on the corner of Russ and Folsom Streets. The project will benefit the community by:

- Building Below Market Rate Units. Of the 63 rental units, 25% of the new 59 new units are below . market rate and the four replacement units will continue to be rent controlled units.
- Donating \$150,000 to FundSecurity at Victoria Manolo Draves Park. The Recreation and Park • Department, in coordination with the SF Parks Alliance, has agreed for the donation tofundbathroom security at the park, which improves safety for children.
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 C. Camillo
 12/18/18

 Signature
 Date

 Carolina Carrillo
 415:352:298-5

 Name
 Phone/Email

 1254 Folson St
 5.F. Cn 94/03

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I urge you to please approve this project.

I. A

Date

Name

Phone/Email

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I urge you to please approve this project. Date Signatu Phone/Email Name

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I urge you to please approve this project.

Salto	12/18/18
Signature	Date
Saw Lopez	(415) 871-4624
Name	Phone/Email
194 Russ st	

**Rich Hillis Commission President** San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

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I urge you to please approve this project.

<u>I. Carrillo 12-18-18</u> Date J. CARRILO (415) 269-5372 Phone/Email St. SF

Name

#### **Rich Hillis**

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

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Date SF, CA 94128

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2/19/18 Date TIGLAD Name Phone/Email Address

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I urge you to please approve this project.

May C. Sy	12/19/18
Signature	Date
Mary C.S.	
Name	Phone/Email
B.C.	

#### **Rich Hillis**

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San Francisco, CA 94103

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19 Signature AGEWHIPPLE Name Phone/Email MICHAEL Addr STREET . SF. CA. 9403

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Date Signature acropolisizz Pamail.com 415

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fanelewschai	12.19.18
Signature Jane Chai	Date missianechai@gmail.com
Name	Phone/Email
335 Benry Street Unit 5/2	- SF, CA 94158

Address

Rich Hillis Commission President San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

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Date Signature Phone/Email Name

From:	Mole Verde
То:	Vu, Doug (CPC)
Subject:	Concerning the Proposed project at 1052-1060 Folsom and 190-194 Russ streets
Date:	Thursday, December 20, 2018 1:27:19 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Doug Vu and The San Francisco Planning Commission,

I am writing as a resident of SOMA near 7<sup>th</sup>and Folsom. I also rent an office across the street from Victoria Manolo Draves Park.

The proposed building project at 1052-1060 Folsom and 190-194 Russ streets would negatively affect our neighborhood for multiple reasons, particularly as the building would cast shade on the northern sections of the park.

The park is a vitally important aspect of our community. The basketball court, community garden, playground, and grass hill on the north side of the park are all used consistently, every day, by a diverse milieu of the inhabitants of SOMA. It is also the only green space and the only children's play space in the whole neighborhood and it deserves to be as sun-filled as often as our weather allows.

Just as important as the shade aspect of these projected buildings is the fact that they are all slated to be "market-rate housing", which means luxury housing that is only affordable to wealthy individuals or speculators, as opposed to the many working people in SOMA and in San Francisco who need housing.

Meanwhile the other new housing in the neighborhood stands half-used or empty. The 99 Rausch complex only just reached 50% capacity after being completed for two years. The Ironworks complex at 8<sup>th</sup> and Harrisson was at only 60% as recently as last summer. Across from the community garden in the park stands a five-unit, four story building that has sat empty every day since its completion five years ago. And on the sidewalk in front of these places there are people living in tents. Clearly, looking at the housing crisis as a question of simply supply-and-demand fails as an accurate analysis of the problem, ignoring speculators, flippers, Air BnB, and other predatory forces currently making millions in the housing market.

Which is another negative aspect of building these half-empty condominium complexes: more stretches of sidewalk are rendered dark and uninhabited which makes the neighborhood less safe at night for all the inhabitants.

Also, and this is important, SOMA is among other things a nightlife district and across Folsom street from this proposed project is the club called 1015 Folsom. In the other direction, between 7<sup>th</sup>and 8<sup>th</sup>streets, are several bar/clubs like Copyright and The Raven that cater to a weekend crowd. The existing businesses at 1052-1060 Folsom like Extreme Pizza and Fondue Cowboy serve the late-night crowds that are part of our neighborhood's economy. And Extreme Pizza functions as a neighborhood bar as well.

And lastly there is the character, the soul, the aesthetics of the neighborhood. The buildings that would be destroyed in order to construct this project are all of the old-fashioned, wooden style with a retail space below and apartments upstairs. There's something to be said for preserving the neighborhood's feel, if possible.

Building more luxury housing that will sit empty will do nothing to help with the housing crisis. Unless at least 40% of the units in these new buildings will be designated as affordable housing, this project will a bane to our community and I urge you to oppose its approval.

Thank you for your time.

David Martinez Independent Filmmaker SOMA Resident and Union Worker

David Martinez Itinerant Film Worker c: 512.501.9311 Draft Motion December 20, 2018

## **EXHIBIT A**

#### AUTHORIZATION

This authorization is for a Large Project Authorization to demolish five existing buildings, merge three the lots into once parcel, and construct a new seven-story, 64-ft. 6-in. tall, and 58,719 gross sq. ft. mixeduse building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling units (including three studio, 23 one-bedroom and 37 two-bedroom units), a combined 6,991 sq. ft. of private and common open space, and a new 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 off-street auto and 63 Class 1 bicycle parking spaces, pursuant to Planning Code Section 329, located at Lots 021, 023 & 087 in Parcel 3731, within the RED and SoMa NCT Zoning Districts, SoMa Youth and Family SUD, and a 65-X Height and Bulk District, in general conformance with plans, dated December 10, 2018, and stamped "EXHIBIT B" included in the docket for Case No. 2016-004905ENX, and subject to conditions of approval reviewed and approved by the Commission on December 20, 2018 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 December 20, 2018 under Motion No. XXXXXX.

#### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Large Project 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 Large Project 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 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, <u>www.sf-planning.org</u>.

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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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

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

6. **Mitigation Measures.** Mitigation measures described in the MMRP attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor. Their implementation is a condition of project approval.

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

7. Additional Project Authorization. The Project Sponsor must also obtain a Conditional Use Authorization under Planning Code Sections 121.1, 121.7, 303 and 317 to allow the demolition of five existing buildings containing commercial uses and four dwelling units on three lots, merger of the lots into one parcel, and the construction of a new seven-story, 64'-6" tall, and 58,719 gross sq. ft. mixed use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for 63 dwelling (three studio, 23 one-bedroom and 37 two-bedroom) units, a combined 8,923 sq. ft. of private and common open space, and a 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for 16 accessory off-street auto and 63 Class 1 bicycle parking spaces. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

#### **DESIGN – COMPLIANCE AT PLAN STAGE**

8. **Final Materials.** Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

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

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

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

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

11. **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:

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

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

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

## PARKING AND TRAFFIC

12. **Parking Requirement.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than sixteen (16) off-street accessory residential parking spaces, not including the one required car share parking space.

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

- Bicycle Parking. Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 63 Class 1 and ten (10) Class 2 bicycle parking spaces. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>
- 14. **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

15. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

16. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee, as applicable, pursuant to Planning Code Section 411A. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378,* 

www.sf-planning.org

17. **Residential Childcare Impact Fee.** Pursuant to Planning Code Section 414A, the Project Sponsor shall comply with the Residential Childcare Impact Fee provisions through payment of an Impact Fee pursuant to Article 4.

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

- 18. Eastern Neighborhoods Infrastructure Impact Fee. The Project is subject to the Eastern Neighborhoods Infrastructure Impact Fee, as applicable, pursuant to Planning Code Section 423. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>
- 19. First Source Hiring. The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

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

## **MONITORING - AFTER ENTITLEMENT**

- 20. 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*
- 21. **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, <u>www.sf-planning.org</u>

## OPERATION

- 22. 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
- 23. 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 at* 415-554-.5810, <u>http://sfdpw.org</u>
- 24. **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, <u>www.sf-planning.org</u>

## INCLUSIONARY AFFORDABLE HOUSING PROGRAM

Affordable Units. The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.

25. Number of Required Units. Pursuant to Planning Code Section 415.3, the Project is required to provide 17.6% of the proposed dwelling units in the RED Zoning District as affordable to qualifying households, and 25% of the proposed dwelling units in the SoMa NCT Zoning District as affordable to qualifying households. The Project contains 17 net new units in the RED Zoning District and 42 units in the SoMa NCT Zoning District; therefore, three (3) affordable units in the RED Zoning District are currently required. The Project Sponsor will fulfill this requirement by providing the 14 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org</u>.

- 26. Voluntary Affordable Unit. The Project Sponsor elected to provide a total of 25% of the proposed dwelling units in the RED Zoning District as Inclusionary Units by adding one additional affordable unit beyond what is required by Section 415. The additional unit is subject to the requirements of the Inclusionary Affordable Housing Program under Planning Code Section 415 et seq. and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual").
- 27. Unit Mix. The Project contains three (3) studios, 23 one-bedroom, and 33 two-bedroom units; therefore, the required affordable unit mix is 6 one-bedroom and 8 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.
- 28. Mixed Income Levels for Affordable Units. Pursuant to Planning Code Section 415.3, the Project is required to provide 17.6% of the proposed dwelling units in the RED Zoning District and 25% of the proposed dwelling units in the SoMa NCT Zoning District as affordable to qualifying households. At least 17.6% of the proposed dwelling units in the RED Zoning District and 15% of the proposed dwelling units in the SoMa NCT Zoning District must be affordable to low-income households, at least 5% of the proposed dwelling units in the SoMa NCT Zoning District must be affordable to moderate income households, and at least 5% of the proposed dwelling units in the SoMa NCT Zoning District must be affordable to middle income households. Rental Units for low-income households shall have an affordable rent set at 55% of Area Median Income or less, with households earning up to 65% of Area Median Income eligible to apply for low-income units. Rental Units for moderate-income households shall have an affordable rent set at 80% of Area Median Income or less, with households earning from 65% to 90% of Area Median Income eligible to apply for moderate-income units. Rental Units for middle-income households shall have an affordable rent set at 110% of Area Median Income or less, with households earning from 90% to 130% of Area Median Income eligible to apply for middle-income units. For any affordable units with rental rates set at 110% of Area Median Income, the units shall have a minimum occupancy of two persons. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org</u>.

29. **Minimum Unit Sizes.** The affordable units shall meet the minimum unit sizes standards established by the California Tax Credit Allocation Committee (TCAC) as of May 16, 2017. One-bedroom units must be at least 450 square feet, two-bedroom units must be at least 700 square feet, and three-bedroom units must be at least 900 square feet. Studio units must be at least 300 square feet pursuant to Planning Code Section 415.6(f)(2). The total residential floor area devoted to the affordable units shall not be less than the applicable percentage applied to the total

residential floor area of the principal project, provided that a 10% variation in floor area is permitted.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org</u>.

30. **Replacement of Existing** <u>Rent-Controlled</u> Affordable Units. The principal project has resulted in demolition of four (4) affordable housing units that are subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate , low or very low-income, or housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power and determined to be affordable housing. Pursuant to Planning Code Section 415.6(a)(9), the project sponsor shall replace the 4 <u>rent-controlled</u> units that were removed with units of a comparable number of bedrooms and rents. <u>The project sponsor will enter into an agreement with the City to qualify for a waiver from the Costa Hawkins Rental Housing Act based on the received exceptions to the rear yard and dwelling unit exposure requirements of Planning Code Sections 134 and 140, respectively.</u>

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org</u>.

31. Conversion of Rental Units. In the event one or more of the Rental Units are converted to Ownership units, the project sponsor shall either (A) reimburse the City the proportional amount of the inclusionary affordable housing fee, which would be equivalent to the then-current inclusionary affordable fee requirement for Owned Units, or (B) provide additional on-site or offsite affordable units equivalent to the difference between the on-site rate for rental units approved at the time of entitlement and the then-current inclusionary requirements for Owned Units, The additional units shall be apportioned among the required number of units at various income levels in compliance with the requirements in effect at the time of conversion.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org</u>.

32. Notice of Special Restrictions. The affordable units <u>and the four replacement rent-controlled</u> <u>units</u> shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to architectural addenda. The designation shall comply with the designation standards published by the Planning Department and updated periodically.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org</u>.

33. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twenty-five percent (25%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org.</u>

- 34. Duration. Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org</u>.
- 35. **Expiration of the Inclusionary Rate.** Pursuant to Planning Code Section 415.6(a)(10), if the Project has not obtained a site or building permit within 30 months of Planning Commission Approval of this Motion No. XXXXX, then it is subject to the Inclusionary Affordable Housing Requirements in effect at the time of site or building permit issuance.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org</u>.

36. Reduction of On-Site Units after Project Approval. Pursuant to Planning Code Section 415.5(g)(3), any changes by the project sponsor which result in the reduction of the number of on-site affordable units shall require public notice for hearing and approval from the Planning Commission.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org</u>.

- 37. Other Conditions. The Project is Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <a href="http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451">http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451</a>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <a href="http://www.sf-planning.org">www.sf-planning.org</a> or the Mayor's Office of Housing and Community Development at 415-701-5500, <a href="http://www.sf-moh.org">www.sf-moh.org</a>.
  - a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (2) be evenly distributed throughout the building; and (3) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-

current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.

- b. If the units in the building are offered for rent, the affordable unit(s) shall be rented to qualifying households, with a minimum of 17.6% of the units in the RED Zoning District and 15% of the units in the SoMa NCT Zoning District affordable to low-income households, 5% of the units in the SoMa NCT Zoning District to moderate-income households, and the remaining 5% of the units of the units in the SoMa NCT Zoning District affordable to middle-income households such as defined in the Planning Code and Procedures Manual. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law, Including penalties and interest, if applicable.

Free Recording Requested Pursuant to Government Code Section 27383

When recorded, mail to:

San Francisco Planning Department 1650 Mission Street, Room 400 San Francisco, California 94103 Attn: Director

#### Block 3731, Lots 21, 23 and 87

## AGREEMENT TO SUBJECT NEWLY-CONSTRUCTED ON-SITE REPLACEMENT DWELLING UNITS TO THE SAN FRANCISCO RESIDENTIAL RENT STABILIZATION AND ARBITRATION ORDINANCE BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND GOLDEN PROPERTIES LLC, RELATIVE TO THE DEVELOPMENT KNOWN AS 1052-1060 FOLSOM STREET AND 190-194 RUSS STREET

THIS AGREEMENT TO SUBJECT NEWLY-CONSTRUCTED ON-SITE REPLACEMENT DWELLING UNITS TO THE SAN FRANCISCO RESIDENTIAL RENT STABILIZATION AND ARBITRATION ORDINANCE ("Agreement") dated for reference purposes only as of this 21<sup>th</sup> day of December, 2018, is by and between the CITY AND COUNTY OF SAN FRANCISCO, a political subdivision of the State of California (the "City"), acting by and through its Planning Department, and GOLDEN PROPERTIES LLC ("Developer") with respect to the project approved for 1052-1060 Folsom Street and 190-194 Russ Street (the "Project") in San Francisco, California. City and Developer are also sometimes referred to individually as a "Party" and together as the "Parties."

#### RECITALS

This Agreement is made with reference to the following facts:

A. <u>Code Authorization</u>. Chapter 4.3 of the California Government Code (commencing with Section 65915 of Division 1 of Title 7, hereafter "Government Code Chapter 4.3") directs public agencies to grant concessions and incentives to private developers for the production of housing for lower income households. The Costa-Hawkins Rental Housing Act (California Civil Code Sections 1954.50 et seq., hereafter the "Costa-Hawkins Act") imposes limitations on the establishment of the initial and all subsequent rental rates for a dwelling unit with a certificate of occupancy issued after February 1, 1995, with exceptions, including an exception in Civil Code Section 1954.52(b) for dwelling units constructed pursuant to a contract with a public entity in consideration for a direct financial contribution or any other form of assistance specified in Government Code Chapter 4.3. The City has enacted as part of the Inclusionary Affordable Housing Program, Planning Code Section 415 et seq. (the "Affordable Housing Program"), procedures and requirements for entering into an agreement with a developer to memorialize the

concessions and incentives granted by the City and thereby confirm the nonapplicability of the Costa-Hawkins Act limitations.

Planning Code Section 415.6(a)(9) provides that if a principal project has resulted in demolition, conversion, or removal of housing that is subject to rent control and determined to be affordable housing, the Planning Commission or Planning Department shall require that the project sponsor replace the number of affordable units removed with units of a comparable number of bedrooms and rents, in addition to compliance with the other requirements of Planning Code Section 415.6.

B. <u>Property Subject to this Agreement</u>. The property that is the subject of this Agreement consists of the real property in the City and County of San Francisco, California, more particularly described in <u>Exhibit A</u> attached hereto (the "Property"). The Property is owned in fee by Developer. The Property is located in the SoMa NCT (Neighborhood Commercial Transit) Zoning District and the RED (Residential Enclave) Zoning District.

C. <u>Development Proposal; Intent of the Parties</u>. The Developer proposes to demolish five existing buildings containing 10,349 sq. ft. of commercial use and 4,656 sq. ft. of residential use in four dwelling units on three lots, merge the lots into one parcel, and construct a new sevenstory, 64'-6" tall, 58,719 gross sq. ft. mixed-use building containing 2,832 sq. ft. of ground floor commercial retail use and 55,887 sq. ft. of residential use for sixty-three (63) dwelling units (consisting of three (3) studio, twenty-three (23) one-bedroom and thirty-seven (37) two-bedroom units), a combined 6,991 sq. ft. of private and common open space, and a 3,572 sq. ft. ground floor garage with access from a new driveway on Russ Street for sixteen (16) off-street parking spaces and a car share space and sixty-three (63) Class 1 bicycle parking spaces.

On 20<sup>th</sup> of December, 2018, the Planning Commission (i) adopted Motion \_\_\_\_\_\_, granting a Large Project Authorization under Planning Code Section 329 for new construction over 25,000 sq. ft. in the RED Zoning District, including modifications to Planning Code Section 134 requirements for rear yards and Planning Code Section 140 requirements for dwelling unit exposure; (ii) adopted Motion No. \_\_\_\_\_\_, granting a Conditional Use Authorization under Planning Code Sections 121.1, 121.7, 303 and 317 for development on a lot greater than 10,000 sq. ft., merger of lots resulting in a street frontage greater than 50 feet in the RED Zoning District, and demolition of four (4) existing dwelling units; and (iii) adopted Motion \_\_\_\_\_\_, finding that the additional shadow cast by the Project on Victoria Manola Draves Park would not be adverse to the use of the park pursuant to Planning Code Section 295 (collectively, the "Project Approvals").

The Project will result in the demolition of four (4) rental units as defined in Section 37.2(r) of the San Francisco Residential Rent Stabilization and Arbitration Ordinance (San Francisco Administrative Code Chapter 37, hereafter "the Rent Ordinance"). Developer agreed to construct four (4) replacement rent-controlled dwelling units (herein the "Replacement Units") on-site and enter into this Agreement with the City to subject the Replacement Units to the Rent Ordinance as a condition of approval.

In addition to the Replacement Units, Developer has elected to provide fifteen (15) dwelling units in the Project as on-site inclusionary units (the "Inclusionary Units") and the

remainder will be market rate units (the "Market Rate Units"). The Inclusionary Units are subject to the requirements of the Affordable Housing Program and are not subject to the rent restrictions of the Costa Hawkins Act. This Agreement is not intended to impose restrictions on the Market Rate Units or any portions of the Project other than the Replacement Units. The Parties acknowledge that this Agreement is entered into in consideration of the respective burdens and benefits of the Parties contained in this Agreement and in reliance on their agreements, representations and warranties.

D. <u>Developer to Provide On-Site Replacement Units</u>. Developer has agreed to enter into this Agreement to provide the Replacement Units on-site in satisfaction of its obligation under Planning Code Section 415.6(A)(9), and to provide for an exception to the rent restrictions of the Costa-Hawkins Act for the Replacement Units.

E. <u>Compliance with All Legal Requirements</u>. It is the intent of the Parties that all acts referred to in this Agreement shall be accomplished in such a way as to fully comply with the California Environmental Quality Act (Public Resources Code Section 21000 et seq., "CEQA"), Chapter 4.3 of the California Government Code, the Costa-Hawkins Act, the San Francisco Planning Code, and all other applicable laws and regulations.

F. <u>Project's Compliance with CEQA</u>. Pursuant to CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, the environmental impacts associated with the Project were determined by the Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report ("EIR") certified by the Planning Commission on August 7, 2008, by Motion No. 17661. The information in the EIR was considered by all entities with review and approval authority over the Project prior to the approval of the Project. On December 11, 2018, the Planning Department issued a determination that the proposed Project did not require further review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3.

G. <u>General Plan Findings</u>. This Agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan and any applicable area or specific plan, and the Priority Policies enumerated in Planning Code Section 101.1, as set forth in the Planning Commission Motion No.

#### AGREEMENT

The Parties acknowledge the receipt and sufficiency of good and valuable consideration and agree as follows:

#### 1. GENERAL PROVISIONS

1.1 <u>Incorporation of Recitals and Exhibits</u>. The preamble paragraph, Recitals, and Exhibits, and all defined terms contained therein, are hereby incorporated into this Agreement as if set forth in full.

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# 2. CITY'S CONCESSIONS AND INCENTIVES IN RETURN FOR SUBJECTING THE REPLACEMENT UNITS TO THE RENT ORDINANCE.

2.1 <u>Exceptions, Concessions and Incentives</u>. The Developer has received the following exceptions, concessions and incentives for the production of the Replacement Units on-site.

2.1.1 <u>Read Yard Requirement</u>. The Project includes three (3) ground floor units that do not meet the minimum rear yard requirement under Planning Code Section 134(a)(1). The Zoning Administrator approved a variance for the ground floor units located in the SoMa NCT Zoning District under Case No. 2016-004905VAR, and the Planning Commission granted an exception for the ground floor unit located in the RED Zoning District as part of the Large Project Authorization.

2.1.2 <u>Dwelling Unit Exposure</u>. The Project includes eleven (11) units that do not meet the dwelling unit exposure requirement under Planning Code Section 140. The Zoning Administrator approved a variance for the eight (8) units located in the SoMa NCT Zoning District under Case No. 2016-004905VAR, and the Planning Commission granted an exception to the remaining three (3) units located in the RED Zoning District as part of the Large Project Authorization.

City would not be willing to enter into this Agreement and provide the concessions and incentives set forth above without the understanding and agreement that the Costa-Hawkins Act provisions set forth in California Civil Code Section 1954.52(a) do not apply to the Replacement Units consistent with the exemption set forth in California Civil Code Section 1954.52(b).

## 2.2 Costa-Hawkins Act Inapplicable to Replacement Units.

2.2.1 <u>Replacement Units</u>. The Parties acknowledge that under Section 1954.52(b) of the Costa-Hawkins Act, the Replacement Units are not subject to the restrictions and limitations of the Costa-Hawkins Act. Through this Agreement, Developer hereby enters into an agreement with a public entity in consideration for forms of concessions and incentives specified in California Government Code Sections 65915 et seq. The concessions and incentives are comprised of, but not limited to, the concessions and incentives set forth in Section 2.1.

2.2.2 <u>Market Rate Units</u>. The Parties hereby agree and acknowledge that this Agreement does not alter in any manner the way that the Costa-Hawkins Act or any other law, including the Rent Ordinance, apply to the Market Rate Units.

## 3. COVENANTS OF DEVELOPER

3.1 <u>On-Site Replacement Units</u>. In consideration of the concessions and incentives set forth in Section 2.1 and in accordance with the terms and conditions set forth in the Project Approvals, upon Developer obtaining its first certificate of occupancy for the Project, Developer shall provide four (4) of the dwelling units in the Project as on-site Replacement Units with a comparable number of bedrooms and rents as the dwelling units that were demolished, in addition to compliance with the other requirements of Planning Code Section 415.6. Upon identification of the Replacement Units and before any occupancy of the Replacement Units, Developer shall record a condominium map identifying the locations of the Replacement Units as well as the Below Market Rate Units approved by City with the Office of Assessor-Recorder of the City and County of San Francisco.

3.2 Developer's Waiver of Rights Under the Costa Hawkins Act and Section 37.2(r)(5)of the Rent Ordinance as to the Replacement Units. The Parties acknowledge that under the Costa-Hawkins Act and Section 37.2(r)(5) of the Rent Ordinance, the owner of newly constructed residential real property may establish the initial and all subsequent rental rates for dwelling units in the property without regard to the Rent Ordinance. The Parties also understand and agree that by entering into this Agreement, the Costa-Hawkins Act and Section 37.2(r)(5) of the Rent Ordinance do not and in no way shall limit or otherwise affect application of the Rent Ordinance to the Replacement Units and the restriction of rental charges for the Replacement Units because this Agreement falls within an express exception to the Costa-Hawkins Act as a contract with a public entity in consideration for a direct financial contribution or other forms of assistance specified in Government Code Chapter 4.3, including but not limited to the concessions and incentives specified in Section 2.1. Developer acknowledges that the concessions and incentives specified above result in identifiable and actual cost reductions to the Project. In addition, Developer, on behalf of itself and all Transferees (as defined in Section 7.1) expressly waives, now and forever, any and all rights it may have under the Costa-Hawkins Act and/or Section 37.2(r)(5) of the Rent Ordinance with respect to the Replacement Units (but only the Replacement Units and not as to the Market Rate Units) consistent with Section 3.1 of this Agreement, and agrees not to bring any legal or other action against City seeking application of the Costa-Hawkins Act to the Replacement Units for so long as the Replacement Units are subject to the restriction on rental rates pursuant to the Rent Ordinance. The Parties understand and agree that the City would not be willing to enter into this Agreement without the waivers and agreements set forth in this Section 3.2.

3.3 <u>Developer to be Bound by the Rent Ordinance as to the Replacement Units.</u> Developer specifically agrees to be bound by all of the provisions of the Rent Ordinance with respect to the Replacement Units.

## 4. MUTUAL OBLIGATIONS

4.1 <u>Good Faith and Fair Dealing</u>. The Parties shall cooperate with each other and act in good faith in complying with the provisions of this Agreement and implementing the Project Approvals.

4.2 <u>Other Necessary Acts</u>. Each Party shall execute and deliver to the other all further instruments and documents as may be reasonably necessary to carry out this Agreement, the Project Approvals, the Rent Ordinance (as applied to the Replacement Units) and applicable law in order to provide and secure to each Party the full and complete enjoyment of its rights and privileges hereunder.

## 5. DEVELOPER REPRESENTATIONS, WARRANTIES AND COVENANTS.

5.1 <u>Interest of Developer</u>. Developer represents that it is the legal and equitable fee owner of the Property, that it has the power and authority to bind all other persons with legal or equitable interest in the Replacement Units to the terms of this Agreement, and that all other persons holding legal or equitable interest in the Replacement Units are to be bound by this Agreement. Developer is duly organized and validly existing in the State of Delaware and in good standing and qualified to do business in the State of California. Developer has all requisite power and authority to own property and conduct business as presently conducted.

5.2 <u>No Conflict With Other Agreements; No Further Approvals; No Suits</u>. Developer warrants and represents that it is not a party to any other agreement that would conflict with the Developer's obligations under this Agreement. Neither Developer's articles of organization, bylaws, or operating agreement, as applicable, nor any other agreement or law in any way prohibits, limits or otherwise affects the right or power of Developer to enter into and perform all of the terms and covenants of this Agreement. No consent, authorization or approval of, or other action by, and no notice to or filing with, any governmental authority, regulatory body or any other person is required for the due execution, delivery and performance by Developer of this Agreement or any of the terms and covenants contained in this Agreement. To Developer's knowledge, there are no pending or threatened suits or proceedings or undischarged judgments affecting Developer or any of its members before any court, governmental agency, or arbitrator which might materially adversely affect Developer's business, operations, or assets or Developer's ability to perform under this Agreement.

5.3 <u>Priority of Agreement</u>. Developer warrants and represents that there is no prior lien or encumbrance against the Property which, upon foreclosure, would be free and clear of the obligations set forth in this Agreement.

5.4 <u>No Inability to Perform; Valid Execution</u>. Developer warrants and represents that it has no knowledge of any inability to perform its obligations under this Agreement. The execution and delivery of this Agreement and the agreements contemplated hereby by Developer have been duly and validly authorized by all necessary action. This Agreement will be a legal, valid and binding obligation of Developer, enforceable against Developer in accordance with its terms.

5.5 <u>No Bankruptcy</u>. Developer represents and warrants to City that Developer has neither filed nor is the subject of any filing of a petition under the federal bankruptcy law or any federal or state insolvency laws or laws for composition of indebtedness or for the reorganization of debtors, and, to the best of Developer's knowledge, no such filing is threatened.

5.6 <u>Conflict of Interest</u>. Through its execution of this Agreement, the Developer acknowledges that it is familiar with the provisions of Section 15.103 of the City's Charter, Article III, Chapter 2 of the City's Campaign and Governmental Conduct Code, and Section 87100 et seq. and Section 1090 et seq. of the California Government Code, and certifies that it does not know of any facts which constitute a violation of said provisions and agrees that it will immediately notify the City if it becomes aware of any such fact during the term of this Agreement.

5.7 <u>Notification of Limitations on Contributions</u>. Through execution of this Agreement, the Developer acknowledges that it is familiar with Section 1.126 of City's Campaign and Governmental Conduct Code, which prohibits any person who contracts with the City, whenever such transaction would require approval by a City elective officer or the board on which that City elective officer serves, from making any campaign contribution to the officer at any time

from the commencement of negotiations for the contract until three (3) months after the date the contract is approved by the City elective officer or the board on which that City elective officer serves. San Francisco Ethics Commission Regulation 1.126-1 provides that negotiations are commenced when a prospective contractor first communicates with a City officer or employee about the possibility of obtaining a specific contract. This communication may occur in person, by telephone or in writing, and may be initiated by the prospective contractor or a City officer or employee. Negotiations are completed when a contract is finalized and signed by the City and the contractor. Negotiations are terminated when the City and/or the prospective contractor end the negotiation process before a final decision is made to award the contract.

5.8 <u>Nondiscrimination</u>. In the performance of this Agreement, Developer agrees not to discriminate on the basis of the fact or perception of a person's, race, color, creed, religion, national origin, ancestry, age, height, weight, sex, sexual orientation, gender identity, domestic partner status, marital status, disability or Acquired Immune Deficiency Syndrome or HIV status (AIDS/HIV status), or association with members of such protected classes, or in retaliation for opposition to discrimination against such classes, against any City employee, employee of or applicant for employment with the Developer, or against any bidder or contractor for public works or improvements, or for a franchise, concession or lease of property, or for goods or services or supplies to be purchased by the Developer. A similar provision shall be included in all subordinate agreements let, awarded, negotiated or entered into by the Developer for the purpose of implementing this Agreement.

## 6. AMENDMENT; TERMINATION

6.1 <u>Amendment</u>. This Agreement may only be amended with the mutual written consent of the Parties. No amendment of a Project Approval shall require an amendment to this Agreement; provided, if the number of Replacement Units changes for any reason, the Parties agree to reflect such change in the NSRs recorded against the Property. If there is any conflict between this Agreement and the NSRs (as it relates to the number of Replacement Units), the NSRs shall govern.

6.2 <u>Automatic Termination</u>. This Agreement shall automatically terminate in the event that the Replacement Units are no longer subject to regulation as to the rental rates of the Replacement Units under the Rent Ordinance or successor program.

## 7. TRANSFER OR ASSIGNMENT; RELEASE; RIGHTS OF MORTGAGEES; CONSTRUCTIVE NOTICE

7.1 <u>Agreement Runs With The Land; Release Upon Transfer or Assignment</u>. Developer shall notify all persons interested in purchasing the Property of this Agreement before any transfer of the Property. As provided in Section 9.2, this Agreement runs with the land and any successor owner of all or part of the Property (each, a "Transferee", and all references in this Agreement to "Developer" shall mean Developer and each Transferee during its period of ownership of all or part of the Property) will be bound by all of the terms and conditions of this Agreement. Upon any such transfer, Developer shall be released from any obligations required to be performed under this Agreement from and after the date of transfer with respect to the portion of the Property so transferred; provided, each Developer and each Transferee will remain responsible for its obligations under this Agreement for its period of ownership of the Property (or part thereof). Following any transfer, a default under this Agreement by a Party (i.e., the Developer or any Transferee) shall not constitute a default by any other Party under this Agreement, and shall have no effect upon the nondefaulting Party's rights and obligations under this Agreement with respect to their portions of the Property.

7.2 <u>Rights of Developer</u>. The provisions in this Section 7 shall not be deemed to prohibit or otherwise restrict Developer from (i) granting easements or licenses to facilitate development of the Property, (ii) encumbering the Property or any portion of the improvements thereon by any mortgage, deed of trust, or other device securing financing with respect to the Property or Project, (iii) granting a leasehold interest in all or any portion of the Property, or (iv) transferring all or a portion of the Property pursuant to a sale, transfer pursuant to foreclosure, conveyance in lieu of foreclosure, or other remedial action in connection with a mortgage. None of the terms, covenants, conditions, or restrictions of this Agreement or the other Project Approvals shall be deemed waived by City by reason of the rights given to the Developer pursuant to this Section 7.2.

7.3 <u>Developer's Responsibility for Performance</u>. If Developer transfers all or any part of the Property, Developer shall continue to be responsible for performing the obligations under this Agreement up to the date of transfer. The City is entitled to enforce each and every such obligation directly against the Transferee following a transfer as if the Transferee were an original signatory to this Agreement with respect to the transferred portion of the Property. The transferor shall remain responsible for the performance of all of its obligations under the Agreement prior to the date of transfer, and shall remain liable to the City for any failure to perform such obligations prior to the date of the transfer.

#### 7.4 Rights of Mortgagees; Not Obligated to Construct; Right to Cure Default.

7.4.1 Notwithstanding anything to the contrary contained in this Agreement (including without limitation those provisions that are or are intended to be covenants running with the land), a mortgagee or beneficiary under a deed of trust, including any mortgagee or beneficiary who obtains title to the Property or any portion thereof as a result of foreclosure proceedings or conveyance or other action in lieu thereof, or other remedial action ("Mortgagee"), shall not be obligated under this Agreement to construct or complete the Replacement Units required by this Agreement or to guarantee their construction or completion solely because the Mortgagee holds a mortgage or other interest in the Property or this Agreement. The foregoing provisions shall not be applicable to any other party who, after such foreclosure, conveyance, or other action in lieu thereof, or other remedial action, obtains title to the Property or a portion thereof from or through the Mortgagee or any other purchaser at a foreclosure sale other than the Mortgagee itself. A breach of any obligation secured by any mortgage or other lien against the mortgaged interest or a foreclosure under any mortgage or other lien shall not by itself defeat, diminish, render invalid or unenforceable, or otherwise impair the obligations or rights of the Developer under this Agreement.

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7.4.2 Subject to the provisions of the first sentence of Section 7.4.1, any person, including a Mortgagee, who acquires title to all or any portion of the mortgaged property by foreclosure, trustee's sale, deed in lieu of foreclosure, or otherwise shall succeed to all of the rights and obligations of the Developer under this Agreement and shall take title subject to all of the terms and conditions of this Agreement. Nothing in this Agreement shall be deemed or construed to permit or authorize any such holder to devote any portion of the Property to any uses, or to construct any improvements, other than the uses and improvements provided for or authorized by the Project Approvals and this Agreement.

7.4.3 If City receives a written notice from a Mortgagee or from Developer requesting a copy of any Notice of Default delivered to Developer and specifying the address for service thereof, then City shall deliver to such Mortgagee, concurrently with service thereon to Developer, any Notice of Default delivered to Developer under this Agreement. In accordance with Section 2924 of the California Civil Code, City hereby requests that a copy of any notice of default and a copy of any notice of sale under any mortgage or deed of trust be mailed to City at the address set forth in Section 9.8 of this Agreement.

7.4.4 A Mortgagee shall have the right, at its option, to cure any default by the Developer under this Agreement within the same time period as Developer has to remedy or cause to be remedied any default, plus an additional period of (i) thirty (30) calendar days to cure a default by the Developer to pay any sum of money required to be paid hereunder and (ii) ninety (90) days to cure or commence to cure a non-monetary default and thereafter to pursue such cure diligently to completion; provided that if the Mortgagee cannot cure a non-monetary default without acquiring title to the Property, then so long as Mortgagee is diligently pursuing foreclosure of its mortgage or deed of trust, Mortgagee shall have until ninety (90) days after completion of such foreclosure to cure such non-monetary default. Mortgagee may add the cost of such cure to the indebtedness or other obligation evidenced by its mortgage, either before or after foreclosure or action in lieu thereof or other remedial measure, to undertake or continue the construction or completion of the improvements (beyond the extent necessary to conserve or protect improvements or construction already made).

7.4.5 If at any time there is more than one mortgage constituting a lien on any portion of the Property, the lien of the Mortgagee prior in lien to all others on that portion of the mortgaged property shall be vested with the rights under this Section 7.4 to the exclusion of the holder of any junior mortgage; provided that if the holder of the senior mortgage notifies the City that it elects not to exercise the rights sets forth in this Section 7.4, then each holder of a mortgage junior in lien in the order of priority of their respective liens shall have the right to exercise those rights to the exclusion of junior lien holders. Neither any failure by the senior Mortgagee to exercise its rights under this Agreement nor any delay in the response of a Mortgagee to any notice by the City shall extend Developer's or any Mortgagee's rights under this Section 7.4. For purposes of this Section 7.4, in the absence of an order of a court of competent jurisdiction that is served on the City, a then current title report of a title company licensed to do business in the State of California setting forth the order of priority of lien of the mortgages shall be reasonably relied upon by the City as evidence of priority.

7.5 <u>Constructive Notice</u>. Every person or entity who now or hereafter owns or acquires any right, title or interest in or to any portion of the Project or the Property is and shall be constructively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Project or the Property.

7.6 <u>Obligations Not Dischargeable in Bankruptcy</u>. Developer's obligations under this Agreement are not dischargeable in bankruptcy, and shall survive any sale or foreclosure.

#### 8. ENFORCEMENT OF AGREEMENT; REMEDIES FOR DEFAULT; DISPUTE RESOLUTION

8.1 <u>Enforcement</u>. The only parties to this Agreement are the City and the Developer (and, as set forth in Sections 7.1 and 9.2, each Transferee). This Agreement is not intended, and shall not be construed, to benefit or be enforceable by any other person or entity whatsoever.

8.2 <u>Default</u>. For purposes of this Agreement, the following shall constitute a default under this Agreement: the failure to perform or fulfill any material term, provision, obligation, or covenant hereunder and the continuation of such failure for a period of thirty (30) calendar days following a written notice of default and demand for compliance; provided, however, if a cure cannot reasonably be completed within thirty (30) days, then it shall not be considered a default if a cure is commenced within said 30-day period and diligently prosecuted to completion thereafter, but in no event later than one hundred twenty (120) days.

8.3 <u>Remedies for Default</u>. In the event of an uncured default under this Agreement, the remedies available to a Party shall include specific performance of the Agreement in addition to any other remedy available at law or in equity. Without limiting the foregoing, the City shall have the right to withhold any permit or certificate of occupancy for so long as a default remains outstanding and has not been cured.

8.4 <u>No Waiver</u>. Failure or delay in giving notice of default shall not constitute a waiver of default, nor shall it change the time of default. Except as otherwise expressly provided in this Agreement, any failure or delay by a Party in asserting any of its rights or remedies as to any default shall not operate as a waiver of any default or of any such rights or remedies; nor shall it deprive any such Party of its right to institute and maintain any actions or proceedings that it may deem necessary to protect, assert, or enforce any such rights or remedies.

#### 9. MISCELLANEOUS PROVISIONS

9.1 <u>Entire Agreement</u>. This Agreement, including the preamble paragraph, Recitals and Exhibits, constitute the entire understanding and agreement between the Parties with respect to the subject matter contained herein.

9.2 <u>Binding Covenants; Run With the Land</u>. From and after recordation of this Agreement, all of the provisions, agreements, rights, powers, standards, terms, covenants and obligations contained in this Agreement shall be binding upon the Parties, and their respective heirs, successors (by merger, consolidation, or otherwise) and assigns, and all persons or entities acquiring the Property, any lot, parcel or any portion thereof, or any interest therein, whether by

sale, operation of law, or in any manner whatsoever, and shall inure to the benefit of the Parties and their respective heirs, successors (by merger, consolidation or otherwise) and assigns. All provisions of this Agreement shall be enforceable during the term hereof as equitable servitudes and constitute covenants and benefits running with the land pursuant to applicable law, including but not limited to California Civil Code Section 1468.

9.3 <u>Applicable Law and Venue</u>. This Agreement has been executed and delivered in and shall be interpreted, construed, and enforced in accordance with the laws of the State of California. All rights and obligations of the Parties under this Agreement are to be performed in the City and County of San Francisco, and such City and County shall be the venue for any legal action or proceeding that may be brought, or arise out of, in connection with or by reason of this Agreement.

9.4 <u>Construction of Agreement</u>. The Parties have mutually negotiated the terms and conditions of this Agreement and its terms and provisions have been reviewed and revised by legal counsel for both City and Developer. Accordingly, no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement. Language in this Agreement shall be construed as a whole and in accordance with its true meaning. The captions of the paragraphs and subparagraphs of this Agreement are for convenience only and shall not be considered or referred to in resolving questions of construction. Each reference in this Agreement to this Agreement or any of the Project Approvals shall be deemed to refer to the Agreement or the Project Approval as it may be amended from time to time pursuant to the provisions of the Agreement, whether or not the particular reference refers to such possible amendment.

#### 9.5 Project Is a Private Undertaking; No Joint Venture or Partnership.

9.5.1 The Project proposed to be undertaken by Developer on the Property is a private development. The City has no interest in, responsibility for, or duty to third persons concerning the Project or the Property. The Developer shall exercise full dominion and control over the Property, subject only to the limitations and obligations of the Developer contained in this Agreement or in the Project Approvals and applicable law.

9.5.2 Nothing contained in this Agreement, or in any document executed in connection with this Agreement, shall be construed as creating a joint venture or partnership between the City and the Developer. Neither Party is acting as the agent of the other Party in any respect hereunder. The Developer is not a state or governmental actor with respect to any activity conducted by the Developer hereunder.

9.6 <u>Signature in Counterparts</u>. This Agreement may be executed in duplicate counterpart originals, each of which is deemed to be an original, and all of which when taken together shall constitute one and the same instrument.

9.7 <u>Time of the Essence</u>. Time is of the essence in the performance of each and every covenant and obligation to be performed by the Parties under this Agreement.

9.8 <u>Notices</u>. Any notice or communication required or authorized by this Agreement shall be in writing and may be delivered personally or by registered mail, return receipt requested.

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Notice, whether given by personal delivery or registered mail, shall be deemed to have been given and received upon the actual receipt by any of the addressees designated below as the person to whom notices are to be sent. Either Party to this Agreement may at any time, upon written notice to the other Party, designate any other person or address in substitution of the person and address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at their addresses set forth below:

#### To City:

John Rahaim Director of Planning San Francisco Planning Department 1650 Mission Street San Francisco, California 94103

with a copy to:

Dennis J. Herrera, Esq. City Attorney City Hall, Room 234 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102 Attn: Real Estate/Finance Team Re: 1052-1060 Folsom Street and 190-194 Russ Street

To Developer:

Paul Iantorno Golden Properties LLC 2710 Sutter Street, San Francisco, CA 94115 E-mail: paolo@realtywestsf.com

with a copy to"

Alice Barkley Duane Morris LLP. 1 Market Plaza, Spear Tower, Suite 2200 San Francisco, CA 94105 E-mail: ASBarkley@DuaneMorris.com

9.9 <u>Severability</u>. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect unless enforcement of the remaining portions of the Agreement would be unreasonable or grossly inequitable under all the circumstances or would frustrate the purposes of this Agreement. 9.10 <u>MacBride Principles</u>. The City urges companies doing business in Northern Ireland to move toward resolving employment inequities and encourages them to abide by the MacBride Principles as expressed in San Francisco Administrative Code Section 12F.1 et seq. The City also urges San Francisco companies to do business with corporations that abide by the MacBride Principles. Developer acknowledges that it has read and understands the above statement of the City concerning doing business in Northern Ireland.

9.11 <u>Tropical Hardwood and Virgin Redwood</u>. The City urges companies not to import, purchase, obtain or use for any purpose, any tropical hardwood, tropical hardwood wood product, virgin redwood, or virgin redwood wood product.

9.12 <u>Sunshine</u>. The Developer understands and agrees that under the City's Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) and the State Public Records Law (Gov't Code Section 6250 et seq.), this Agreement and any and all records, information, and materials submitted to the City hereunder are public records subject to public disclosure.

9.13 <u>Effective Date</u>. This Agreement will become effective on the date that the last Party duly executes and delivers this Agreement. This Agreement shall remain in effect for the life of the Project.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

#### CITY

CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation Approved as to form: Dennis J. Herrera, City Attorney

By:

John Rahaim Director of Planning By: \_\_\_\_

Deputy City Attorney

**DEVELOPER** 

GOLDEN PROPERTIES LLC

By:

Sergio Iantorno, Managing Member

#### ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California County of \_\_\_\_\_)

On \_\_\_\_\_\_ before me, \_\_\_\_\_

(insert name and title of the officer)

personally appeared

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature (Seal)

#### ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California County of \_\_\_\_\_\_)

On \_\_\_\_\_\_ before me, \_\_\_\_\_\_ (insert name and title of the officer)

personally appeared

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

## EXHIBIT A

## Legal Description of Property

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DM2\9521875.1



I strongly support AT&T's efforts to improve wireless coverage with a new wireless facility at 2990 24<sup>th</sup> Street. Please vote in favor of improved wireless service in San Francisco.

**Received at CPC Hearing** 

Name	Address	Email
Curlos Ramos	5 754 Thrift.ST	Sr624126 Dgmoil.com
laven Dohrz	2299 Mission a	beaucar @ sbe clobal Met
Carlos Perez	133. Santos St. S.F CaliF.	194134
Olivia Perez	233-Santos St. S.F. Calif 9	4134
Fail Ortega	540 (app Street, #209, S.F.C.A.	14110 edilnahum 1997 Ciclud
RICH MCNLMLA	ARD 422 25TH ANK. S.F.C.L	94121



Name	Address	Email
Curtis i	Woods 1249 19,	AVE S.F. finebikmalezz@ayahoo.com
Bernardo	Fuentes 2502 vermon	Al street, SF, CA Fuentesberrardoggegmai
Edgar Go	omez 625 Shotwell	Street, SF, CA Edgargm2345@cjmail.com
Emilie	Durán 287	0 0 1 - 1 0 - 2
Manue	Arwalo Tot	Barlett St 23



Name	Address	Email
Marcos R	potrero Ave	AzerA15@gmail.com
Folando R	Alabana	ALX Bods For GMUI. 1.
SAM	2948 24th St	0
Victor Marceda	2918 24ST TH	
BILADETA VAZUUR	2872 ZYA SH-	Trochilos @ Yahoo earc
JOSUC Rosqles	7802 255 St	



Name	Address	Email
Marisd tores	230 Allison	
Lacky Monge	218 Graffen AVE.	
Vatsut	2790 24th ST	
Renard Davis	2750 24 th st	
PAUL APATS	2736 24th ST.	
Mayka conza	2799 24 th St	



Name	Address	Email
MANIA M	2799 244 St	
Jesenia Gomá	lez 29B 24TH ST.	
Kenneth Curring	han 31957 24th Sta	
Swati Subedi	3196 24th street	



Name	Address	Email
Caroling	269 Cherry way Hayward Ca	Pamirez Caroling 494 Egmail.com

Body: Dear San Francisco Planning Commission,

I am writing to urge you to help us bring more reliable cell service to the Mission District and nearby neighborhoods by adding a cell site to 2990 24th Street.

Everyone uses broadband. Many of us depend on our mobile devices to take care of things at work or at home, every day. This type of service is especially important in San Francisco. We rely heavily on mobile technology more and more to do what we need to every day, and to stay connected for learning, health care, public safety, and so much more.

As a resident of San Francisco, I ask that you do what you can to bring better service to our area as quickly as possible, and support our efforts in the Mission District and across San Francisco.

Sincerely,

OSCAR RAMIREZ

1358 S Van Ness Ave

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Sincerely,

Nathan Rockhold 1001 Mariposa St San Francisco, CA 94107

Body: Dear San Francisco Planning Commission,

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Sincerely,

Noah Salzman 285 Fair Oaks St

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Sincerely,

SJ SULLIVAN

272 Dolores St

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Sincerely,

Kevin Isacks

1188 Valencia St

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Sincerely,

LaQuita Pierce

1201 Tennessee St

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Sincerely,

Patrick Collins

1141 Florida St

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Jose Granillo 1400 Mission St

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Sincerely,

**Richard Dupree** 

56 Sheridan St

Body: Dear San Francisco Planning Commission,

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Sincerely,

Jim Dacoro

672 Minna St

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Sincerely,

**Yuval Binur** 

1 S Park St

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Sincerely,

Derran Cannady 553 Pennsylvania Ave San Francisco, CA 94107

As a Mission District merchant, I have been presented this form letter by AT&T, which I endorse. I strongly support AT&T's efforts to provide enhanced wireless coverage with a new cell site at 2990 24<sup>th</sup> Street. I understand that the proposed site is expected and intended to help provide critical coverage improvements and better wireless service for neighbors, merchants, and passersby.

I strongly encourage you to help keep the Mission covered and to vote in favor of improved wireless service.

sincerely, J.L. (Sidewalk Juice) 3100 24th Street

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I strongly encourage you to help keep the Mission covered and to vote in favor of improved wireless service.

Sincerely, Juie M. Boumbofer, LAc

1364 Valencia

Received at CPC Hearing 2/20/18 S. Edwarson

# MODERNIZING Long Range Planning Data Analysis

CITYWIDE PROGRAM OVERVIEW

Planning

Planning Commission Informational Item December 20, 2018

Joshua Switzky Land Use Planning Manager, Citywide Division

Scott T. Edmondson, AICP Sr. Planner-Economist.

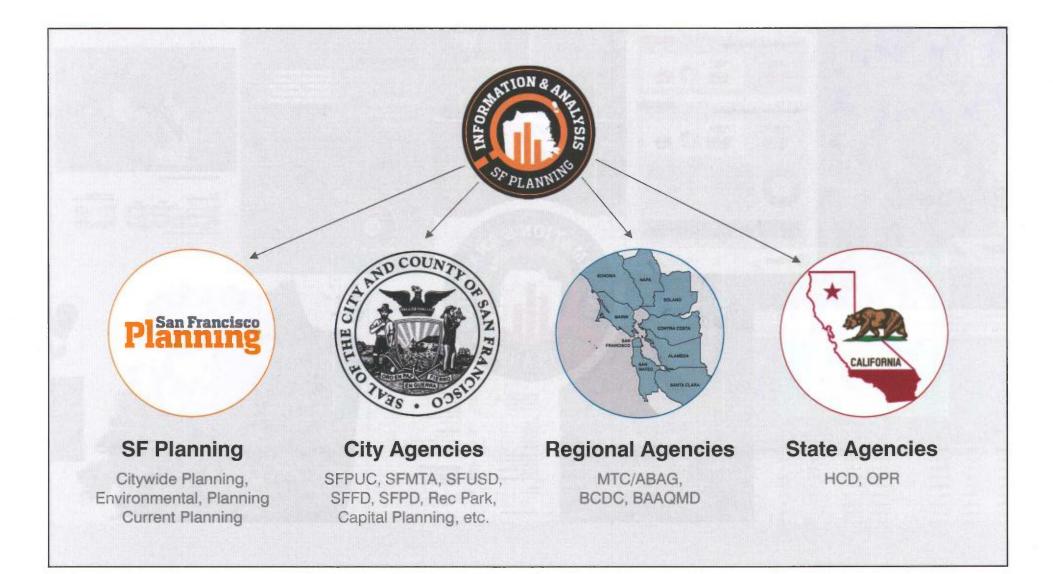
Sr. Planner-Economist, Information & Analysis Group (IAG), Citywide Division

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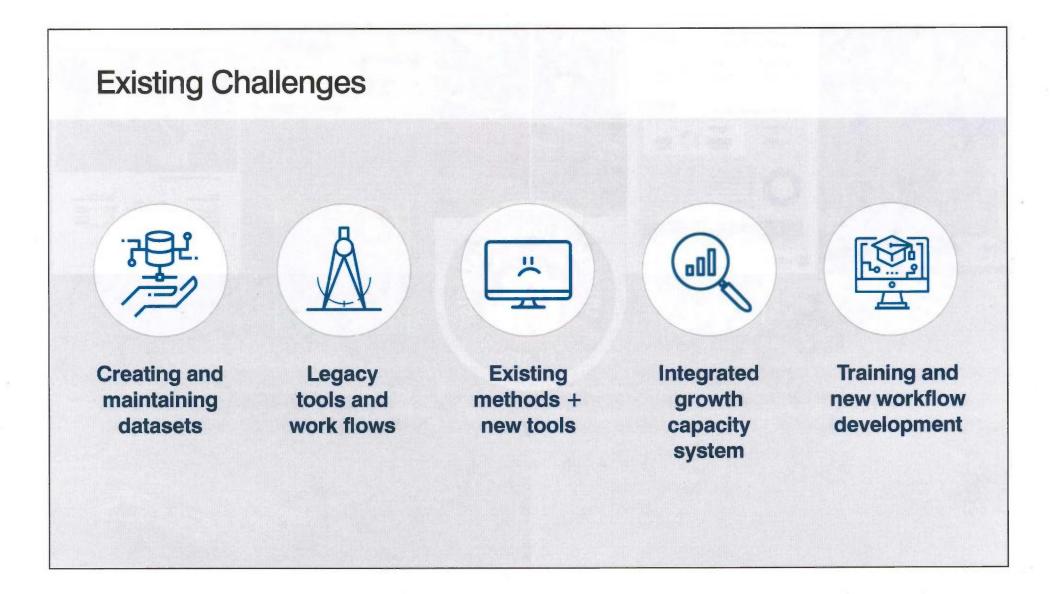


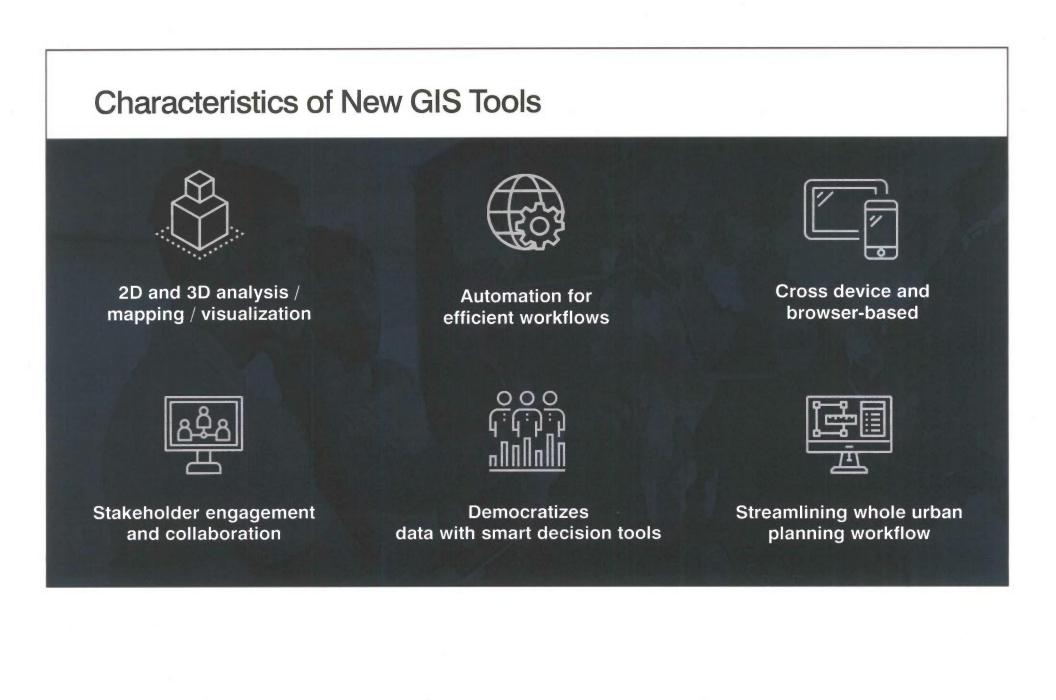
# Land Use Information Systems & Analytics LUISA Program

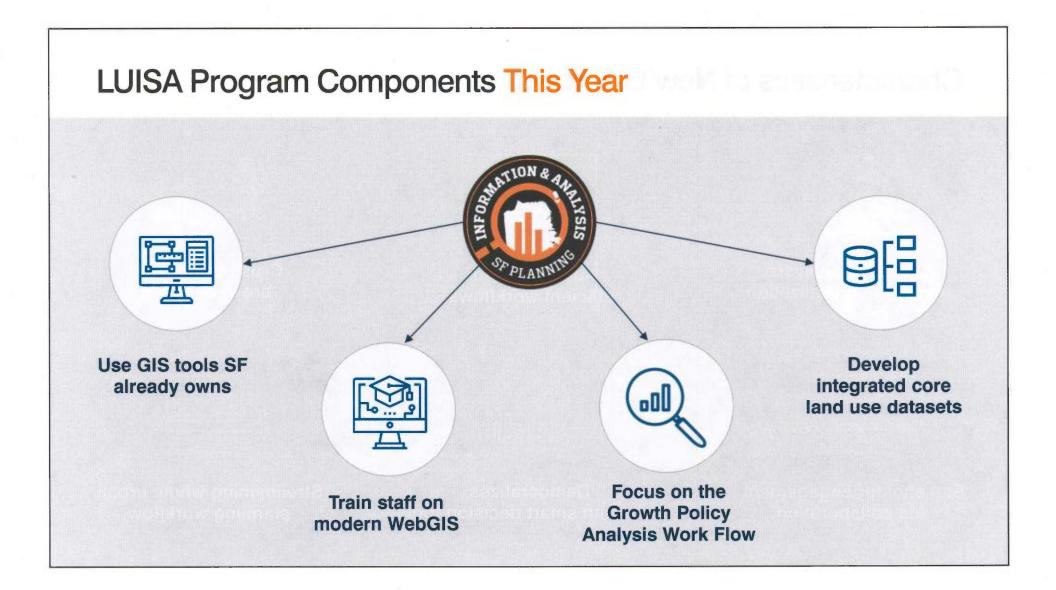










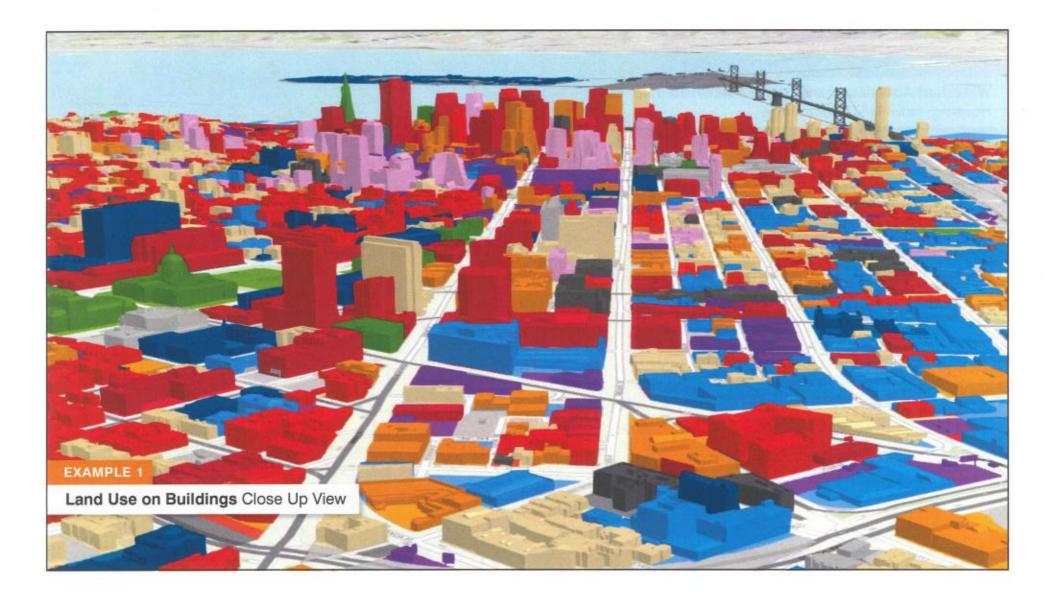


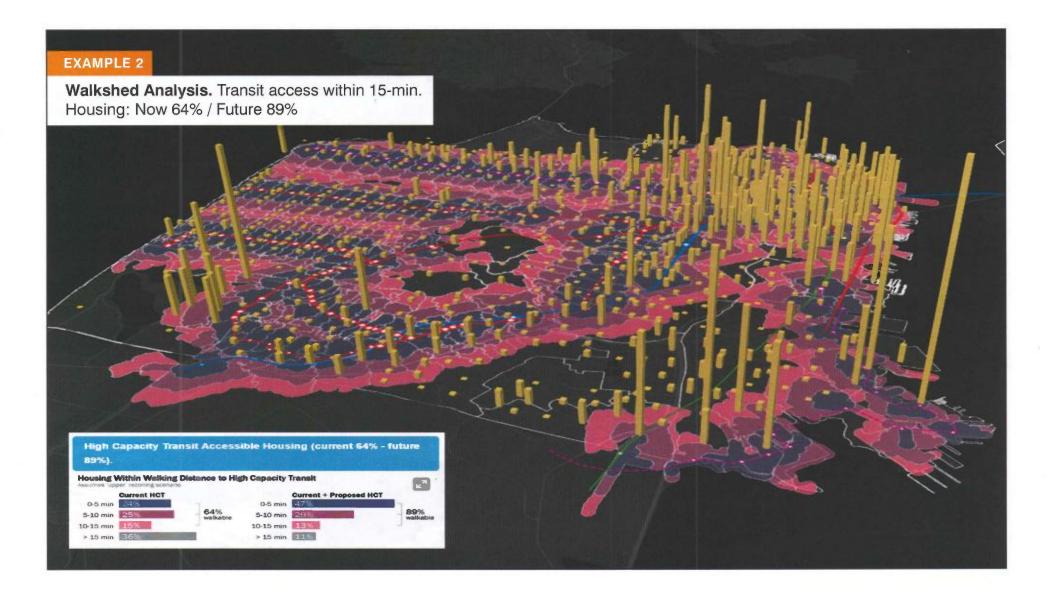


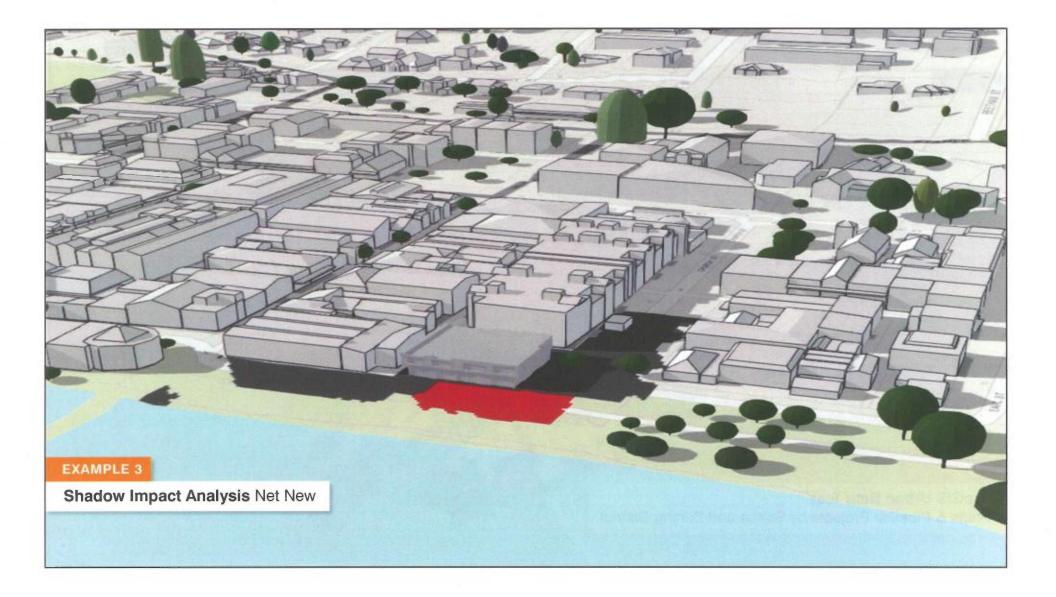
# EXAMPLES: Our world is in 3D but traditional tools are 2D

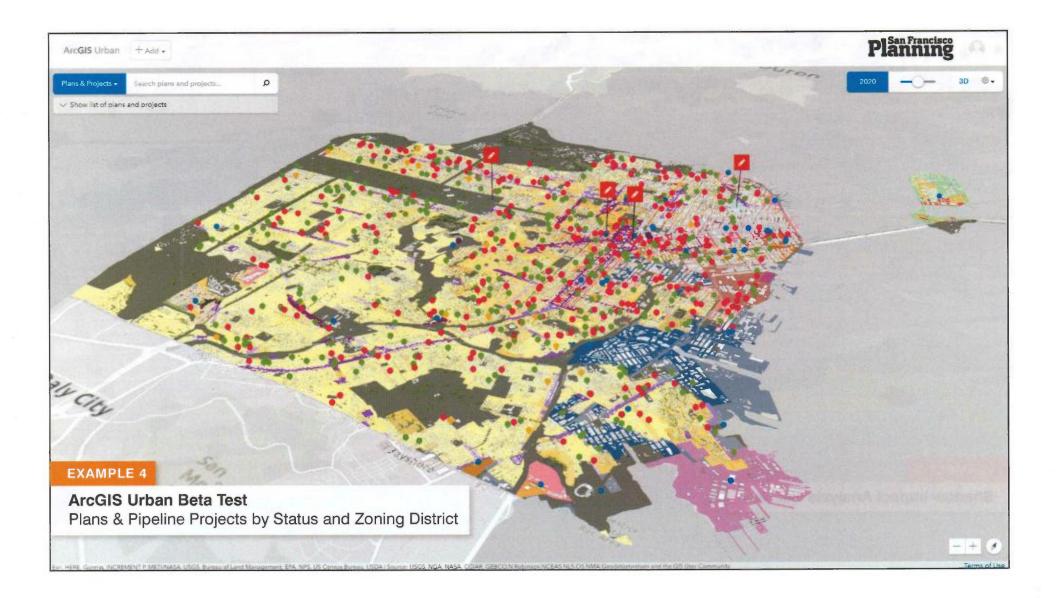
New tools shift from 2D to 3D mapping, analysis, visualization

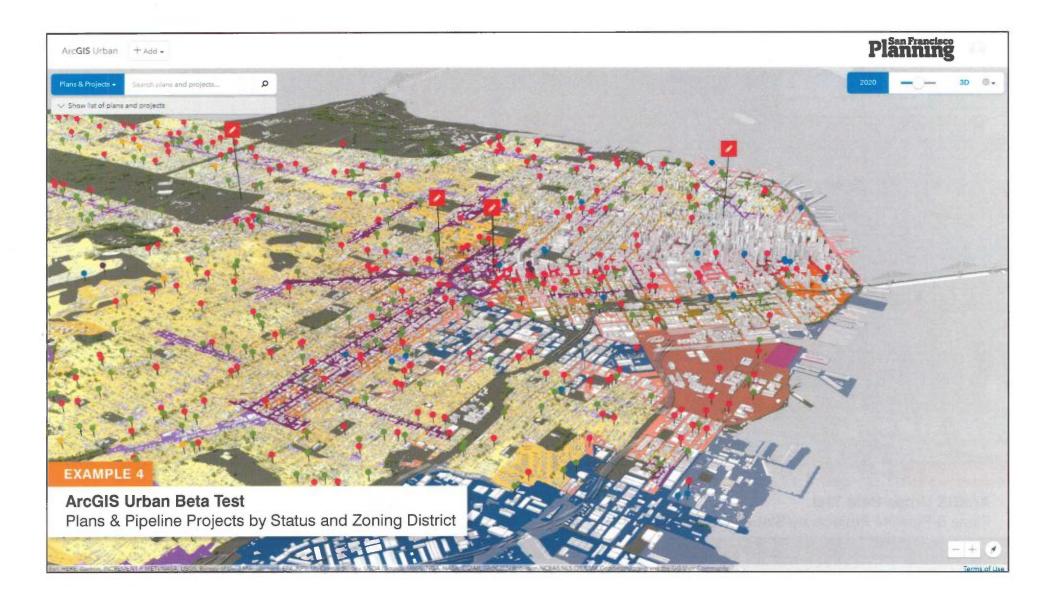




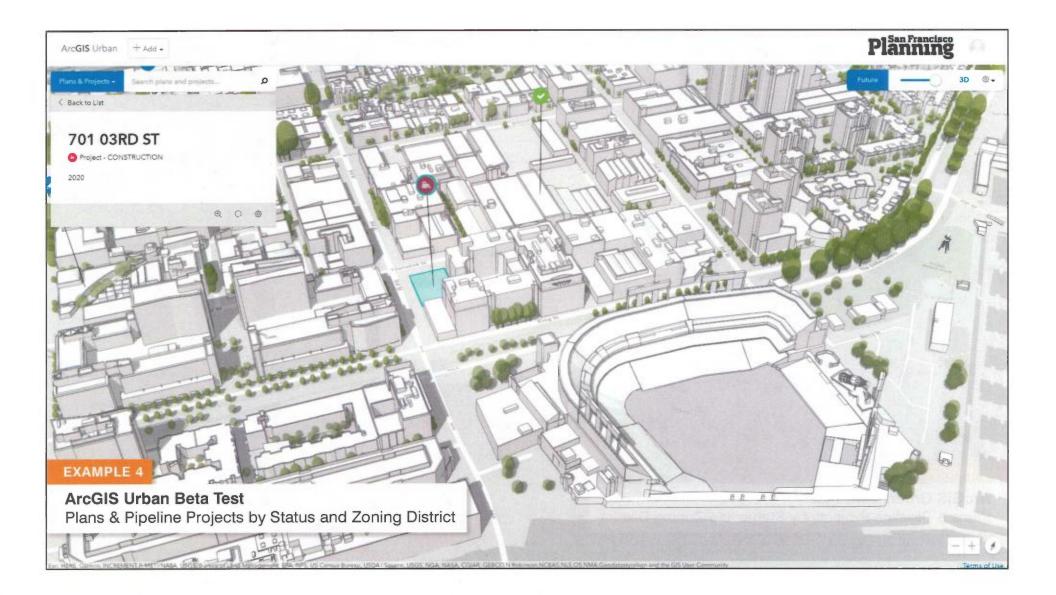


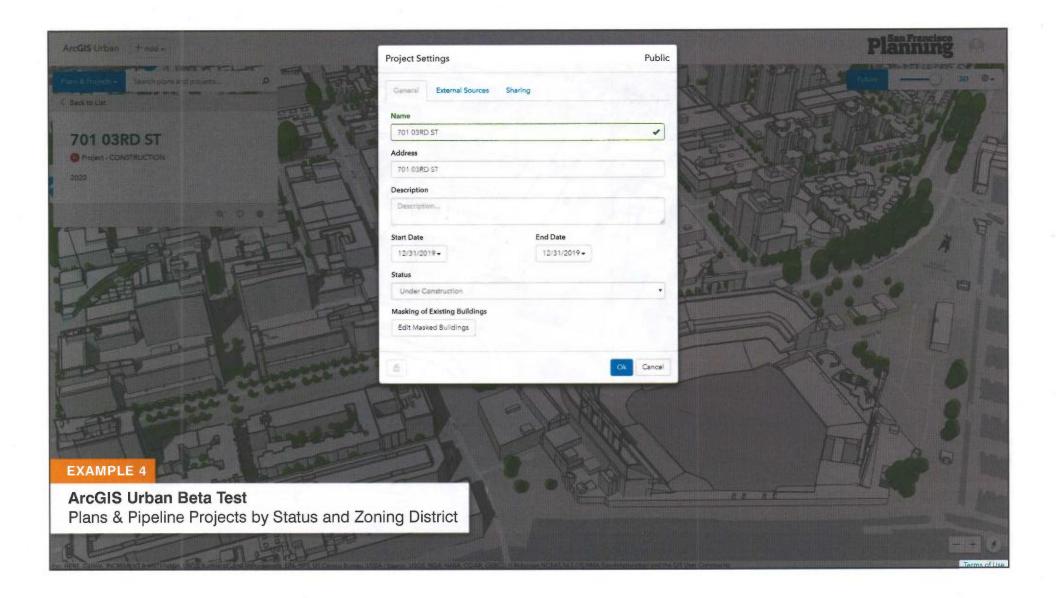


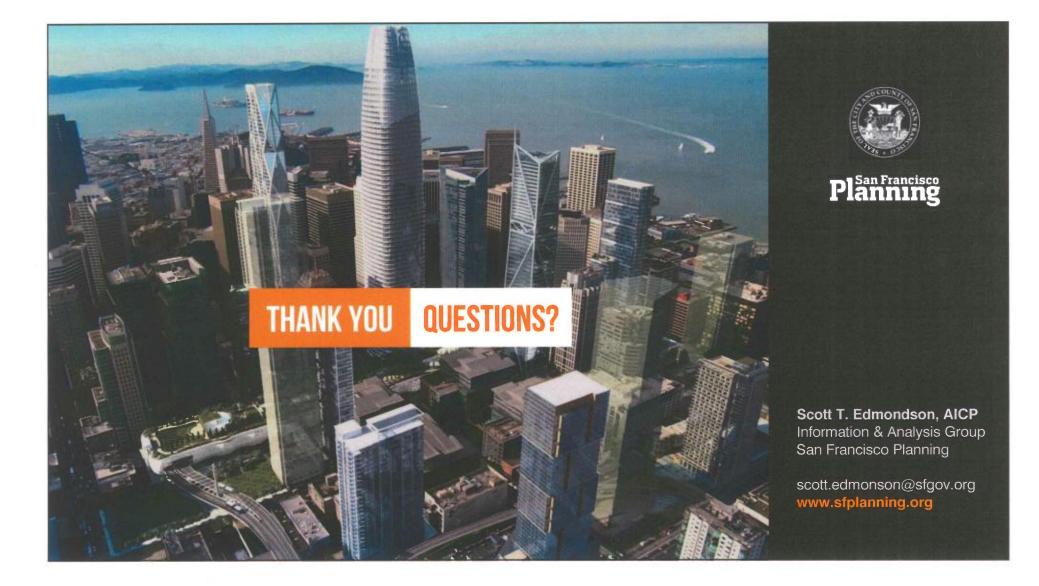












# **MPRNews**

## Your yard is a powerful force against climate change

Cody Nelson · St. Paul · Mar 9, 2018

Environment

Received at CPC Hearing 12/20/8 Purlow 2000 M NYT 3/6/2018



Carly Ziter collects a soil sample in Madison, Wis. University of Wisconsin-Madison

City yards are more than just idle patches of grass.

They're also powerful traps of carbon - a primary cause of the warming climate, put into the atmosphere as a gas by human activity.

A <u>new study (http://onlinelibrary.wiley.com/wol1/doi/10.1002/eap.1689/abstract)</u> from University of Wisconsin-Madison researchers Carly Ziter and Monica Turner finds that spaces like backyards or public parks can store more carbon than urban grasslands or forests.

That means even the smallest urban green spaces are a major factor in how the natural world is holding down rising temperatures.

For the study, Ziter took soil samples from a variety of locations in Madison and measured how different features on the urban landscape store carbon, affect water quality and mitigate floods.

 Related: Think road salt won't reach your drinking water? Ask Madison (https://www.mprnews.org/story/2018/02/02/road-salt-trickling-into-drinking-water-madison)

On average, she found that urban soil generally stores more carbon than the dirt on farms or other agricultural areas.

Forests were best at regulating runoff to hold back floods, and grasslands and open spaces were best for water quality, the study found.

It's important to understand just how city ecosystems affect the environment, the researchers wrote, but many surveys ignore or underestimate urban landcapes' impact.

"We treat the city as this kind of gray box," Ziter <u>told the university (https://news.wisc.edu/green-spaces-in-cities-help-control-floods-store-carbon/</u>). "And what we've discovered here is that ... we need to be thinking about the city as part of the landscape."

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#### About the author

Cody Nelson • Digital Producer/Reporter cnelson@mpr.org • 651-290-1072 • @codyleenelson

Received at CPC Hearing 1-120/181 40JUST V BI (AL DEMD y 400110042LY 20 5.0

Memo to President Fong and Northern of the Planning Comprise

Memo to President Fong and Members of the Planning Commission

From: Georgia Schuttish

Here is a list of projects that perhaps should have come to you for review as Mandatory DRs either due to demolition or de facto unit merger. I talked about many of these during the Public Comment over the past year.

90 Jersey; 168 Jersev; 481 Jersev; 457 Valley: 752 Duncan; 865 Duncan; 310 Duncan; 3749 21st; 525 28th; 3946 25th; 4028 25th: 4184/4186 25th; 1566 Sanchez; 1436 Sanchez; 1402 Sanchez: 1415 Sanchez; 372 25th; 4218 24th; 655 27th; 4162/4164 26th; 1214 Diamond 469 Valley; 1612 Church: 661 27th; 709 27th; 739 27th; 50/52 Oakwood; 4326 Cesar Chavez; 4173 Cesar Chavez; 1375 Noe; 891 Noe; 4318 26th: 4365 26th; 41 Clipper; 553 Elizabeth; 1014/16 Diamond; 1433 Diamond; 2220 Castro; 1151/53 Castro; 2025 Castro; 577 Alvarado

Most of these are completed projects, some are still underway. Prior to the work, most sold below the MOH number. Most have resold at extraordinary prices, contributing to the amazing uptick in home prices in part due to the flipping of so many properties. Besides the permit fees that the City has not received, the main concerns should be the loss of affordable or relatively affordable housing as well as the change in the architectural character of the housing stock without input from you or from the public.

On another note, here is a Christmas wish list for next year:

Story poles with orange netting for all RH1 & RH2, to understand the mass of a project, particularly on the rear of a lot; Updating Residential Design Guidelines to better preserve the Rear Yard Mid Block Open Space including assessing the design of and loss of the rear yards that are now marketed as part of the interior; Residential Design Guidelines for nano walls on the rear; Plan Revisions prior to 311 Notification, first going to DBI, then to Staff: Conditions of Approval that do not allow for substantial differences in Addenda plans and/or in later permit applications; No more stair penthouses and/or no more roof decks in RH1 & RH2; Less Excavation work for garages that cars can't enter due to steep driveways and low clearance; No more evictions.

Mank you for your attention this past year and Merry Christmas.