



# SAN FRANCISCO PLANNING DEPARTMENT

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

HEARING DATE: APRIL 30, 2015

*Date:* April 13, 2015  
*Case No.:* **2012.1531CEX**  
*Project Address:* **361 TURK STREET**  
*Zoning:* RC-4 (Residential-Commercial, General Commercial) District  
80-T Height and Bulk District  
*Block/Lots:* 0345/017  
*Project Address:* **145 LEAVENWORTH STREET**  
*Zoning:* C-3-G (Downtown, General Commercial) District  
80-X Height and Bulk District  
*Block/Lots:* 0345/002  
*Project Sponsor:* Forge Land Company LLC  
260 Townsend Street  
San Francisco, CA 94107  
*Staff Contact:* Kate Conner – (415) 575-6914  
[kate.conner@sfgov.org](mailto:kate.conner@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The overall project includes the construction of two eight-story group housing buildings with a total of 238 group housing rooms on two properties (361 Turk Street and 145 Leavenworth Street) previously developed with surface parking lots. The Project Sponsor contends that the size and location of these rental units makes them “affordable” by design and that the target market for the units averages 150% of Average Median Income (AMI).

**361 Turk Street:** The Project Sponsor proposes to construct an eight-story building consisting of 3,854 square feet of ground floor commercial space and 140 group-housing rooms, with shared common spaces on alternating floors, a second floor common patio, and a common roof deck open space. There are six parking spaces proposed on-site; however five of these spaces are not affiliated with the Project and serve the adjacent building. The sixth space is a handicapped accessible parking space.

The Project consists of approximately 51,154 gsf of residential uses on a site containing 10,263 sf of lot area. The 140 group housing rooms will each be provided with a private bath and limited cooking facilities.

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

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

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

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

## **SITE DESCRIPTION AND PRESENT USE**

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

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

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

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

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

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

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

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

## **BACKGROUND**

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

## **ENVIRONMENTAL REVIEW**

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

## **HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	April 10, 2015	April 7, 2015	23 days
Posted Notice	20 days	April 10, 2015	April 10, 2015	20 days
Mailed Notice	10 days	April 20, 2015	April 20, 2015	10 days

## PUBLIC COMMENT

- The Project Sponsor has participated in various community group meetings with the Tenderloin Community Benefit District, Tenderloin Housing Clinic, Tenderloin Housing Action, Tenderloin Neighborhood Development Corporation, San Francisco Housing Coalition, Kelly Cullen Community Center, Tenderloin Community School, and Community Benefit District. To date, there has been concern raised over the lack of affordability, setbacks to adjacent properties, the amount of community outreach, the use of the ground floor retail uses, and concern over the original project submittal which included a SRO residential hotel conversion component. The Department has received 3 letters expressing concerns about the Project, one letter in support of the Project, and one letter requesting a continuance to allow for greater community outreach. It should be noted that the Project as proposed no longer includes the SRO residential hotel conversion.

## ISSUES AND OTHER CONSIDERATIONS

- The design of 361 Turk Street and 145 Leavenworth Street is a mix of contemporary and vernacular architecture. Although it is a modern design, it fulfills the requirements of the Secretary of Interior Standards for historic compatibility within the historic district. There is an exoskeletal steel system that serves as a frame on the building. Behind the frame is a building of floor-to-ceiling glass. To soften the effect, the Project is skinned in perforated patinaed copper panels allowing the glass and steel to be seen through the materials. The finish is expected to be similar to the De Young Museum and is made by the same team. The windows are patterned to emulate the pattern language of punched openings of the adjacent buildings.
- The Project is a group housing project and is therefore not subject to the Inclusionary Housing Program. Group housing projects are permitted to have higher density maximums, reduced open space requirements, and do not need to provide rear yards or comply with exposure requirements.
- **Planning Code Exceptions.** The Project does not strictly conform to an aspects of the Planning Code. As part of the Section 309 review process for 145 Leavenworth Street, the Commission may grant an exception from certain requirements of the Planning Code for projects that meet specified criteria. The Project requests an exception regarding "Reduction of Ground-Level Wind Currents in C-3 Districts" (Section 148). Compliance with the specific criteria for each exception is summarized below, and is described in the attached draft Section 309 motion.
  - **Ground Level Wind Currents.** The Code requires that new buildings in C-3 Districts must be designed so as to not cause ground-level wind currents to exceed specified comfort levels. When preexisting ambient wind speeds exceed the comfort levels, new buildings must be designed to attenuate ambient wind speeds to meet the specified comfort level. A wind study was prepared in May 2014 by Rowan Williams Davies & Irwin Inc. for the proposed Project that tested existing and existing plus project conditions. The wind study found that six of the 35 sidewalk test point locations exceed



the pedestrian comfort criterion of 11mph (more than 10 percent of the time) under existing conditions. The wind study concluded that the proposed Project would result in the exact same exceedances (these locations are on Turk Street, in front and cross the proposed building at 351 Turk Street, and on Leavenworth Street, across the proposed building at 145 Leavenworth Street as well as south of Golden Gate Avenue). The proposed Project would not result in any net new exceedances of the 11 mph pedestrian comfort criterion; nonetheless, because the Project would not eliminate existing wind speeds to meet the pedestrian comfort criteria at all test points, a Section 309 exception is required.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant a Conditional Use Authorization and a Downtown Project Authorization to construct two eight-story group housing buildings with a total of 238 group housing rooms on two properties (361 Turk Street and 145 Leavenworth Street) previously developed with surface parking lots.

## **BASIS FOR RECOMMENDATION**

- The Project would add approximately 2,725 sf of new commercial space at 145 Leavenworth Street and approximately 3,854 sf of new commercial space at 361 Turk Street that is intended to serve residents in the building and likely draw a wider range of new neighborhood-serving retail businesses than it does today.
- The Project provides 238 group housing rooms. These are smaller units built with a sustainable methodology which is projected to reduce the construction period.
- The Project is well designed and compatible with the scale and proportions of buildings in the area, and will be built with high quality materials.
- The Project would not displace an existing retail tenant providing convenience goods and services to the neighborhood. Instead it will develop two vacant lots currently used as surface parking lots.
- The Project is desirable for, and compatible with the surrounding neighborhood.

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

Draft Motion 361 Turk Street  
Draft Motion 145 Leavenworth Street  
Block Map  
Sanborn Map  
Zoning Map  
Aerial Photographs  
Site Photographs  
CEQA Exemption  
Public Correspondence

- Letter from Housing Action Coalition dated 7/21/14
- Letter from Tenderloin Neighborhood Development Corporation dated 3/13/15
- Letter from Scott Emblidge dated 3/17/15

- Letter from David Cincotta dated 3/27/15
- Letter from Scott Emblidge dated 3/31/15
- Letter from Tenderloin Neighborhood Development Corporation dated 4/10/15

Project Sponsor Submittal, including:

- Letter from Project Sponsor
- Community Outreach Summary
- Site Photographs
- Reduced Plans

Attachment Checklist

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

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

KMC  
Planner's Initials



# SAN FRANCISCO PLANNING DEPARTMENT

*Subject to: (Select only if applicable)*

☐ Inclusionary Housing (Sec. 415)

☒ First Source Hiring (Admin. Code)

☐ Jobs Housing Linkage Program (Sec. 413)

☐ Child Care Requirement (Sec. 414)

☐ Downtown Park Fee (Sec. 412)

☒ Other

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## Planning Commission Motion XXXXX

HEARING DATE: APRIL 30, 2015

*Date:* April 13, 2015  
*Case No.:* **2012.1531CEX**  
*Project Address:* **361 TURK STREET**  
*Zoning:* RC-4 (Residential-Commercial, General Commercial) District  
80-T Height and Bulk District  
*Block/Lots:* 0345/017  
*Project Sponsor:* Forge Land Company LLC  
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San Francisco, CA 94107  
*Staff Contact:* Kate Conner – (415) 575-6914  
kate.conner@sfgov.org

**ADOPTING FINDINGS AUTHORIZING A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 253 TO ALLOW CONSTRUCTION OF A BUILDING OVER 40 FEET IN HEIGHT ON A PROPERTY PREVIOUSLY USED AS A SURFACE PARKING LOT. THE PROPOSED PROJECT IS TO CONSTRUCT AN EIGHT-STORY GROUP HOUSING BUILDING, CONTAINING 140 GROUP HOUSING ROOMS, AND APPROXIMATELY 3,854 GROSS SQUARE FEET OF GROUND FLOOR RETAIL SPACE. THE PROJECT SITE IS LOCATED WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY) ZONING DISTRICT, THE NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT 1, FRINGE FINANCIAL SERVICES RESTRICTED USE DISTRICT AND 80-T HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On April 30, 2014, Richard Hannum (hereinafter "Project Sponsor") filed an application (Case No. 2012.1531CEX) with the Planning Department (hereinafter "Department") seeking authorization for new construction of a residential building, eight stories and approximately 80 feet in height, containing 140 group housing rooms and 3,854 gross square feet of ground floor retail space (hereafter "Project") at 361 Turk Street, south side between Leavenworth and Hyde Streets (hereafter "Project Site"), the RC-4 (Residential-Commercial, High Density) Zoning District, the North of Market Residential Special Use District 1, Fringe Financial Services Restricted Use District and 80-T Height and Bulk District.

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

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

On April 30, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2012.1531CEX.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

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

## **FINDINGS**

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

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

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

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

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

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

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

4. **Project Description.** The Project Sponsor proposes to construct an eight-story building consisting of 3,854 square feet of ground floor commercial space and 140 group-housing rooms, with shared common spaces on alternating floors, a second floor common patio, and a common roof deck open space. There are six parking spaces proposed on-site; however five of these spaces are not affiliated with the Project and serve the adjacent building. The sixth space is a handicapped accessible parking space.

The Project consists of approximately 51,154 gsf of residential uses on a site containing 10,263 sf of lot area. The 140 group housing rooms will each be provided with a private bath and limited cooking facilities. The Project Sponsor contends that the size and location of these rental units makes them "affordable" by design and that the target market for the units averages 150% of Average Median Income (AMI).

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

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

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

5. **Design.** The design of 351 Turk Street is a mix of contemporary and vernacular architecture. Although it is a modern design, it fulfills the requirements of the Secretary of Interior Standards for historic compatibility with the historic context. There is an exoskeletal steel system that serves as a frame on the building. Behind the frame is a building of floor-to-ceiling glass. To soften the effect, the Project is skinned in perforated patinaed copper panels allowing the glass and steel to be seen through the materials. The finish is expected to be similar to the De Young Museum and is made by the same team. The windows are patterned to emulate the pattern language of punched openings of the adjacent buildings. The copper finish was chosen because it will age to a similar patina as the brick which is common throughout the historic district.
6. **Public Comment.** The Project Sponsor has participated in various community group meetings with the Tenderloin Community Benefit District, Tenderloin Housing Clinic, Tenderloin Housing Action, Tenderloin Neighborhood Development Corporation, San Francisco Housing Coalition, Kelly Cullen Community Center, Tenderloin Community School, and Community Benefit District. To date, there has been concern raised over the lack of affordability, setbacks to adjacent properties, the amount of community outreach, the use of the ground floor retail uses, and concern over the original project submittal which included a SRO residential hotel conversion component. The Department has received 3 letters expressing concerns about the Project, one letter in support of the Project, and one letter requesting a continuance to allow for greater community outreach. It should be noted that the Project as proposed no longer includes the SRO residential hotel conversion.
7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - a. **Floor Area Ratio (Section 124).** The floor area ratio (FAR) limit as defined by Planning Code Section 124, shall not apply to dwellings or to other residential uses in R, RC, NC, and Mixed Use Districts. The FAR limit in the RC-4 district is 4.8:1.0.

*The proposed gsf subject to FAR is 3,854 sf on a 10,263 sf lot, thereby yielding a FAR of .38 to 1.0. The 3,854 gsf of retail on the ground floor is subject to FAR calculations in the RC-4 District pursuant to Planning Code Section 102.9. the Project meets this requirement.*
  - b. **Rear Yard (Section 134).** Planning Code Section 134 requires that a project provide a minimum rear yard depth be equal to 25 percent of the total depth of the lot on which the building is situated at the lowest story containing a dwelling unit, and at each succeeding story, except those buildings which contain only single room occupancy (SRO) units.

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

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

*The Project includes 140 group housing rooms; therefore, the Project must provide 2,240 sf of common open space. Included in the proposal are a 2,663 sf roof deck and a 1,078 sf second level courtyard. The second level courtyard does not meet the exposure requirements for open space; however, the roof deck alone satisfies the open space requirements.*

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

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

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

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



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

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

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

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

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

*The Project requires a minimum of 35 indoor secure Class 1 bicycle parking spaces. The Class 1 bicycle spaces would be provided at street level and accessed from the main residential entry. The Project is required to provide four Class 2 spaces on the sidewalk. For the retail component, an additional two Class 2 spaces are required bringing the bicycle requirement total to 25 Class 1 spaces and 4 Class 2 spaces. The Project is providing 35 Class 1 spaces and 4 Class 2 spaces, thereby meeting this requirement.*

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

*The proposed residential density of 140 group housing rooms on a parcel that is 10,263 sf in area is one group housing room per 73 sf of area which meets the Planning Code requirement.*

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

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

- k. **Review of Proposed Buildings and Structures Exceeding a Height of 50 Feet in RC Districts (Section 253).** In reviewing any such proposal for a building or structure exceeding 50 feet in height in a RC District the Planning Commission shall consider the expressed purposes of this Code, of the RC Districts, and of the height and bulk districts (80-T), as well as the criteria stated in Section 303(c) of this Code and the objectives,

policies and principles of the General Plan, and may permit a height of such building or structure up to but not exceeding the height limit prescribed by the height and bulk district in which the property is located. In reviewing a proposal for a building exceeding 50 feet in RM and RC districts, the Planning Commission may require that the permitted bulk and required setbacks of a building be arranged to maintain appropriate scale on and maximize sunlight to narrow streets (rights-of-way 40 feet in width or narrower) and alleys.

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

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

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

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

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

- n. **Inclusionary Affordable Housing Program (Section 415).** Inclusionary Affordable Housing Program. Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5 and 415.6, the Inclusionary Affordable Housing Program

requirement for the On-site Affordable Housing Alternative is to provide 12% of the proposed dwelling units as affordable.

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

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

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

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

## HOUSING ELEMENT

### Objectives and Policies

#### OBJECTIVE 1:

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

#### Policy 1.1:

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

*The proposed Project responds to the need for new housing by providing 140 group housing rooms on a previously vacant lot.*

**OBJECTIVE 3:**

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

**Policy 3.4:**

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

*The proposed Project provides 140 group housing rooms. These are smaller units built with a sustainable methodology which is projected to reduce the construction period.*

**OBJECTIVE 11:**

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

**Policy 11.1:**

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

**Policy 11.5:**

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

**Policy 11.6:**

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

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

**OBJECTIVE 12:**

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

**Policy 12.1:**

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

**Policy 12.3:**

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

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

**OBJECTIVE 13:**

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

**Policy 13.1:**

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

**Policy 13.3:**

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

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

## **COMMERCE AND INDUSTRY ELEMENT**

### **Objectives and Policies**

**OBJECTIVE 1:**

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

**Policy 1.1:**

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

**Policy 1.2:**

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

**Policy 1.3:**

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

*The Project would add approximately 3,854 sf of new commercial space that is intended to serve residents in the building and likely draw a wider range of new neighborhood-serving retail businesses than it does today. Retail is encouraged and principally permitted on the ground floor of buildings in the Downtown General District, and is thus consistent with activities in the commercial land use plan.*

## TRANSPORTATION ELEMENT

### OBJECTIVE 2:

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

#### Policy 2.1:

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

### OBJECTIVE 11:

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

#### Policy 11.3:

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

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

## URBAN DESIGN ELEMENT

### OBJECTIVE 1:

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

#### Policy 1.3:

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

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

**OBJECTIVE 3:**

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

**Policy 3.1:**

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

**Policy 3.2:**

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

**Policy 3.5:**

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

**Policy 3.6:**

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

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

**OBJECTIVE 4:**

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

**Policy 4.12:**

Install, promote and maintain landscaping in public and private areas.

*The Project includes a well landscaped second story courtyard and a roof deck.*

**DOWNTOWN AREA PLAN**

**Objectives and Policies**

**OBJECTIVE 1:**

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

**Policy 1.1:**

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

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

**OBJECTIVE 7:**

EXPAND THE SUPPLY OF HOUSING IN AND ADJACENT TO DOWNTOWN.

**Policy 7.1:**

Promote the inclusion of housing in downtown commercial developments.

**Policy 7.2:**

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

*The Project would construct an eight-story, 140 bedroom group housing residential building and 3,854 sf of ground floor commercial space, which will provide services to the immediate neighborhood.*

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

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

*The Project will not displace a neighborhood-serving retail space and will add 3,854 sf of retail.*

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

*The Project would not remove any existing housing, and would create 140 group housing rooms. The Project Site is located within a dense, urban-infill neighborhood on Turk Street at the intersection with Leavenworth Street and within a Residential Commercial District. The Project would enhance the character of the neighborhood by replacing a vacant lot currently used for parking. The Project adds to the continuous ground level streetscape on Turk Street by providing active uses which will animate the street level. The Project would add to the cultural and economic diversity of the area by providing 140 group housing rooms.*

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

*There is currently no housing on the site; therefore, no affordable housing will be lost as part of this Project. The Project would, however, enhance the City's supply of affordable housing serving moderate*



*income households. The Project would provide “naturally affordable” bedrooms at a lower cost than typical market rate dwelling units in the surrounding area.*

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

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

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

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

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

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

- G. That landmarks and historic buildings be preserved.

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

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

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

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

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

**Motion No. XXXXX**  
**April 30, 2015**

**CASE NO. 2012.1531CEX**  
**361 Turk Street**

## **DECISION**

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

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Section 309 Determination of Compliance and Request for Exceptions to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals in person at 1650 Mission Street, Room 304, San Francisco, CA 94103, or call (415) 575-6880.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion constitutes conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on April 30, 2015.

Jonas P. Ionin  
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 30, 2015

## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is to grant a Conditional Use Authorization to allow construction of a building over 40 feet in height on a property previously used as a surface parking lot. the proposed project is to construct an eight-story group housing building, containing 140 group housing rooms, and approximately 3,854 gross square feet of ground floor retail space. The Project Site is located within the RC-4 (Residential-Commercial, High Density) Zoning District, the North of Market Residential Special Use District 1, Fringe Financial Services Restricted Use District and 80-T Height and Bulk District, in general conformance with plans dated March 30, 2015, and stamped "EXHIBIT B" included in the docket for Case No. **2012.1531CEX** and subject to conditions of approval reviewed and approved by the Commission on April 30, 2015 under Motion No. **XXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### **RECORDATION OF CONDITIONS OF APPROVAL**

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 30, 2015 under Motion No. **XXXXX**.

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

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXX** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### **SEVERABILITY**

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

### **CHANGES AND MODIFICATIONS**

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

## Conditions of approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to construct the project and/or commence the approved use is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

### DESIGN – COMPLIANCE AT PLAN STAGE

3. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, ground floor, open spaces, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

5. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the architectural

addendum to the permit. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

7. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

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

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

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

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

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

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

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

10. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. A total of 3 trees are required on Turk Street. This total is the final required amount of street trees and does not take into account existing trees. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

## PARKING AND TRAFFIC

11. **Bicycle Parking.** The Project shall provide no fewer than 35 Class 1 bicycle parking spaces and four Class 2 bicycle parking spaces as required by Planning Code Sections 155.2.

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

12. **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](http://www.sf-planning.org)*

## PROVISIONS

13. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring

Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

*For information about compliance, contact the First Source Hiring Manager at 415-581-2335, [www.onestopSF.org](http://www.onestopSF.org).*

## MONITORING - AFTER ENTITLEMENT

14. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

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

15. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

## OPERATION

16. **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>*

17. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>*

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



address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

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

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*



# SAN FRANCISCO PLANNING DEPARTMENT

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*Subject to: (Select only if applicable)*

☐ Inclusionary Housing (Sec. 415)

☒ First Source Hiring (Admin. Code)

☐ Jobs Housing Linkage Program (Sec. 413)

☐ Child Care Requirement (Sec. 414)

☐ Downtown Park Fee (Sec. 412)

☒ Other

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## Planning Commission Motion XXXXX

HEARING DATE: APRIL 30, 2015

*Date:* April 13, 2015  
*Case No.:* **2012.1531CEX**  
*Project Address:* **145 LEAVENWORTH STREET**  
*Zoning:* C-3-G (Downtown, General Commercial) District  
80-X Height and Bulk District  
*Block/Lots:* 0345/002  
*Project Sponsor:* Forge Land Company LLC  
260 Townsend Street  
San Francisco, CA 94107  
*Staff Contact:* Kate Conner – (415) 575-6914  
kate.conner@sfgov.org

**ADOPTING FINDINGS AUTHORIZING A DETERMINATION OF COMPLIANCE PURSUANT TO PLANNING CODE SECTION 309, WITH EXCEPTIONS TO THE REQUIREMENTS FOR THE REDUCTION OF GROUND-LEVEL WIND CURRENTS IN C-3 DISTRICTS PURSUANT TO PLANNING CODE SECTION 148. THE PROPOSED PROJECT IS TO CONSTRUCT AN EIGHT-STORY 98-ROOM GROUP HOUSING BUILDING WITH APPROXIMATELY 2,725 GROSS SQUARE FEET (GSF) OF GROUND FLOOR RETAIL USES. THE PROJECT SITE IS LOCATED WITHIN THE C-3-G (DOWNTOWN GENERAL) ZONING DISTRICT AND 80-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On April 30, 2014, Richard Hannum (hereinafter "Project Sponsor") filed an application (Case No. 2012.1531CEX) with the Planning Department (hereinafter "Department") seeking authorization for new construction of a residential building, eight stories and approximately 80 feet in height, containing 98 group housing rooms and 2,725 gross square feet of ground floor retail space (hereinafter "Project") at 145 Leavenworth Street, northwest of the intersection with Golden Gate Avenue, within the C-3-G (Downtown General Commercial) District and a 80-X Height and Bulk District.

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

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

On April 30, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2012.1531CEX.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

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

## **FINDINGS**

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

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

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

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

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

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

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

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

The Project consists of approximately 38,460 gsf of residential uses on a site containing 6,873 sf of lot area. The 98 group housing rooms will each be provided with a private bath and limited cooking facilities. The Project Sponsor contends that the size and location of these rental units makes them “affordable” by design and that the target market for the units averages 150% of Average Median Income (AMI).

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

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

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

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

6. **Public Comment.** The Project Sponsor has participated in various community group meetings with the Tenderloin Community Benefit District, Tenderloin Housing Clinic, Tenderloin Housing Action, Tenderloin Neighborhood Development Corporation, San Francisco Housing Coalition, Kelly Cullen Community Center, Tenderloin Community School, and Community Benefit District. To date, there has been concern raised over the lack of affordability, setbacks to adjacent properties, the amount of community outreach, the use of the ground floor retail uses, and concern over the original project submittal which included a SRO residential hotel conversion component. The Department has received 3 letters expressing concerns about the Project, one letter in support of the Project, and one letter requesting a continuance to allow for greater community outreach. It should be noted that the Project as proposed no longer includes the SRO residential hotel conversion.
7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- a. **Floor Area Ratio (Section 124).** The floor area ratio (FAR) limit as defined by Planning Code Section 124 for the Downtown General Commercial District is 6.0 to 1.

*In the C-3-G District, the maximum floor area ratio (FAR) is 6.0:1. The proposed gsf subject to FAR is 38,460 sf on a 6,873 sf lot, thereby yielding a FAR of 5.6 to 1.0. The 2,725 gsf of retail on the ground floor is exempt from FAR calculations pursuant to Planning Code Section 102.9.*

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

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

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

*The Project includes 98 group housing rooms; therefore, the Project must provide 1,568 sf of common open space. Included in the proposal are a 2,712 sf roof deck and a 935 sf second level*

*courtyard. The second level courtyard does not meet the exposure requirements for open space; however, the roof deck alone satisfies the open space requirements.*

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

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

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

*The ground floor along Leavenworth Street contains “active uses” with direct access to the sidewalk within the first 25 feet of building depth and are thus compliant with this Code Section. Along Leavenworth Street, the Project includes a lobby, retail space, and pedestrian corridor. Lobbies are only considered active uses, if they do not exceed 40 feet or 25% of building frontage, whichever is larger. The frontage on Leavenworth is 50 feet and the lobby is approximately 16 feet, thereby meeting this requirement. The retail space occupies the majority of the frontage, aside from a narrow pedestrian corridor along the north property line. The Project meets this section of the Code in that the frontage is completely devoted to active uses, building systems, and residential entry.*

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

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

- g. **Shadows on Public Sidewalks (Section 146).** Planning Code Section 146(a) establishes design requirements for buildings on certain streets in order to maintain direct sunlight on public sidewalks in certain downtown areas during critical use periods. Section 146(c)

requires that other buildings, not located on the specific streets identified in Section 146(a), shall be shaped to reduce substantial shadow impacts on public sidewalks, if it can be done without unduly creating an unattractive design and without unduly restricting development potential.

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

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

- h. **Shadows on Public Open Spaces (Section 147).** Planning Code Section 147 seeks to reduce substantial shadow impacts on public plazas and other publicly accessible open spaces other than those protected under Section 295. Consistent with the dictates of good design and without unduly restricting development potential, buildings taller than 50 feet should be shaped to reduce substantial shadow impacts on open spaces subject to Section 147. In determining whether a shadow is substantial, the following factors shall be taken into account: the area shaded the shadow's duration, and the importance of sunlight to the area in question.

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

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

When preexisting ambient wind speeds exceed the comfort level, or when a proposed building or addition may cause ambient wind speeds to exceed the comfort level, the building shall be designed to reduce the ambient wind speeds to meet the requirements. An exception may be granted, in accordance with the provisions of Section 309, allowing the building or addition to add to the amount of time that the comfort level is exceeded by the least practical amount if (1) it can be shown that a building or addition cannot be shaped and other wind-baffling measures cannot be adopted to meet the foregoing

requirements without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site in question, and (2) it is concluded that, because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded, the addition is insubstantial.

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

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

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

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

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

*The Project is not providing any off-street loading spaces. With a floor area of approximately 38,460 gsf, the residential component of the Project is not required to provide off-street loading spaces. No off-street loading is required for the approximately 2,725 sf devoted to retail uses.*

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

*The Project requires a minimum of 25 indoor secure Class 1 bicycle parking spaces. The Class 1 bicycle spaces would be provided at street level and accessed from the main residential entry. The Project is required to provide four Class 2 spaces on the sidewalk. For the retail component, an*



*additional two Class 2 spaces are required bringing the bicycle requirement total to 25 Class 1 spaces and 4 Class 2 spaces. The Project is providing 25 Class 1 spaces and 4 Class 2 spaces, thereby meeting this requirement.*

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

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

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

*The proposed residential density of 98 group housing rooms on a parcel that is 6,873 sf in area is one group housing room per 70 sf of area which meets the Planning Code requirement. There is no maximum density requirement.*

- o. **Use (Sections 210.2, 208, 102).** The Project Site is located in a Downtown General (C-3-G) District wherein residential and commercial uses are permitted. Areas in the City identified as Downtown General include a variety of different uses, such as retail, offices, hotels, entertainment, clubs and institutions, and high-density residential. Many of these uses have a Citywide or regional function, although the intensity of development is lower here than in the downtown core area.

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

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

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

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

*The preliminary shadow fan prepared by the Planning Department found that both of the new buildings' shadow could reach the Turk and Hyde Mini-Park, a Recreation and Parks Department property. However, the preliminary shadow fan assumes no other buildings are present. Therefore,*

*a more detailed shadow study was conducted that includes intervening buildings by PreVision Design on March 7, 2013. The results of the shadow study indicate that the proposed Project would not result in any net new shadows on Turk and Hyde Mini-Park. Shadows cast by existing buildings in the vicinity subsume any potential shadow cast by the proposed development, at the times when the proposed Project could cast shadow on the Turk and Hyde Mini-Park. At the times when shadow would be cast by the proposed Project that is not subsumed by existing shadows, the Project-related net new shadow would not be long enough to reach Turk and Hyde Mini-Park. Therefore, the proposed Project would not add any net new shadow on public open spaces under Recreation and Parks jurisdiction.*

- r. **Inclusionary Affordable Housing Program (Section 415).** Inclusionary Affordable Housing Program. Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements would apply to projects that consist of 10 or more units, where the first application (EE or BPA) was applied for on or after July 18, 2006. Pursuant to Planning Code Section 415.5 and 415.6, the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 12% of the proposed dwelling units as affordable.

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

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

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

*Leavenworth Street. Two additional street trees will be planted as part of the Project if the existing tree is retained.*

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

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

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

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

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

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

**Comfort Criterion**

*A wind study was prepared in May 2014 by Rowan Williams Davies & Irwin Inc. for the proposed Project that tested existing and existing plus project conditions. The wind study found that six of the 35 sidewalk test point locations exceed the pedestrian comfort criterion of 11mph*

*(more than 10 percent of the time) under existing conditions. The wind study concluded that the proposed Project would result in the exact same exceedances (these locations are on Turk Street, in front and cross the proposed building at 351 Turk Street, and on Leavenworth Street, across the proposed building at 145 Leavenworth Street as well as south of Golden Gate Avenue). The proposed Project would not result in any net new exceedances of the 11 mph pedestrian comfort criterion; nonetheless, because the Project would not eliminate existing wind speeds to meet the pedestrian comfort criteria at all test points, a Section 309 exception is required.*

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

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

## **HOUSING ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

#### **Policy 1.1:**

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

*The proposed Project responds to the need for new housing by providing 98 group housing rooms on a previously vacant lot.*

#### **OBJECTIVE 3:**

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

#### **Policy 3.4:**

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

*The proposed Project provides 98 group housing rooms. These are smaller units built with a sustainable methodology which is projected to reduce the construction period.*

#### **OBJECTIVE 11:**

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

**Policy 11.1:**

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

**Policy 11.5:**

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

**Policy 11.6:**

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

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

**OBJECTIVE 12:**

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

**Policy 12.1:**

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

**Policy 12.3:**

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

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

**OBJECTIVE 13:**

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

**Policy 13.1:**

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

**Policy 13.3:**

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

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

## COMMERCE AND INDUSTRY ELEMENT

### Objectives and Policies

#### OBJECTIVE 1:

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

#### Policy 1.1:

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

#### Policy 1.2:

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

#### Policy 1.3:

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

*The Project would add approximately 2,725 sf of new commercial space that is intended to serve residents in the building and likely draw a wider range of new neighborhood-serving retail businesses than it does today. Retail is encouraged and principally permitted on the ground floor of buildings in the Downtown General District, and is thus consistent with activities in the commercial land use plan.*

## TRANSPORTATION ELEMENT

#### OBJECTIVE 2:

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

#### Policy 2.1:

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

#### OBJECTIVE 11:

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

**Policy 11.3:**

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

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

**URBAN DESIGN ELEMENT**

**OBJECTIVE 1:**

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

**Policy 1.3:**

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

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

**OBJECTIVE 3:**

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

**Policy 3.1:**

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

**Policy 3.2:**

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

**Policy 3.5:**

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

**Policy 3.6:**

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

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

**OBJECTIVE 4:**

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

**Policy 4.12:**

Install, promote and maintain landscaping in public and private areas.

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

**DOWNTOWN AREA PLAN**

**Objectives and Policies**

**OBJECTIVE 1:**

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

**Policy 1.1:**

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

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

**OBJECTIVE 7:**

EXPAND THE SUPPLY OF HOUSING IN AND ADJACENT TO DOWNTOWN.

**Policy 7.1:**

Promote the inclusion of housing in downtown commercial developments.

**Policy 7.2:**

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

*The Project would construct an eight-story, 98 bedroom group housing residential building and 2,725 sf of ground floor commercial space, which will provide services to the immediate neighborhood.*



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

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

*The Project will not displace a neighborhood-serving retail space and will add 2,725 sf of retail.*

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

*The Project would not remove any existing housing, and would create 98 group housing rooms. The Project Site is located within a dense, urban-infill neighborhood on Leavenworth Street at the intersection with Turk Street and within a C-3-G Downtown General Commercial District. The Project would enhance the character of the neighborhood by replacing a vacant lot currently used for parking. The Project adds to the continuous ground level streetscape on Leavenworth Street by providing active uses which will animate the street level. The Project would add to the cultural and economic diversity of the area by providing 98 group housing rooms.*

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

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

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

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

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

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

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

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

- G. That landmarks and historic buildings be preserved.

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

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

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

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

## **DECISION**

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

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Section 309 Determination of Compliance and Request for Exceptions to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals in person at 1650 Mission Street, Room 304, San Francisco, CA 94103, or call (415) 575-6880.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion constitutes conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 30, 2015.

Jonas P. Ionin  
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 30, 2015

## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is to grant a Planning Code Section 309 Determination of Compliance and Request for Exceptions, in connection with a proposal seeking authorization for new construction of a residential building, eight stories and approximately 80 feet in height, containing 98 group housing rooms and 2,725 gross square feet of ground floor retail space at 145 Leavenworth Street, northwest of the intersection with Golden Gate Avenue, within the C-3-G (Downtown General Commercial) District and a 80-X Height and Bulk District, in general conformance with plans dated March 30, 2015, and stamped "EXHIBIT B" included in the docket for Case No. **2012.1531CEX** and subject to conditions of approval reviewed and approved by the Commission on April 30, 2015 under Motion No. **XXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### **RECORDATION OF CONDITIONS OF APPROVAL**

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 30, 2015 under Motion No. **XXXXX**.

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

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Determination of Compliance and any subsequent amendments or modifications.

### **SEVERABILITY**

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

### **CHANGES AND MODIFICATIONS**

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

## Conditions of approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Determination of Compliance is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to construct the project and/or commence the approved use is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

### DESIGN – COMPLIANCE AT PLAN STAGE

3. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, ground floor, open spaces, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

5. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the architectural

addendum to the permit. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

7. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

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

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

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

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

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

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

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

10. **Street Trees.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. A total of 3 trees are required on Leavenworth Street. This total is the final required amount of street trees and does not take into account existing trees. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.

*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

## PARKING AND TRAFFIC

11. **Bicycle Parking.** The Project shall provide no fewer than 25 Class 1 bicycle parking spaces and four Class 2 bicycle parking spaces as required by Planning Code Sections 155.2.

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

12. **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](http://www.sf-planning.org)*

## PROVISIONS

13. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring

Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

*For information about compliance, contact the First Source Hiring Manager at 415-581-2335, [www.onestopSF.org](http://www.onestopSF.org).*

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

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

15. **Art Plaques - C-3 District.** Pursuant to Planning Code Section 429(b) provided that the Project Sponsor provide the public art on-site, the Project Sponsor shall provide a plaque or cornerstone identifying the architect, the artwork creator and the Project completion date in a publicly conspicuous location on the Project Site. The design and content of the plaque shall be approved by Department staff prior to its installation.

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

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

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

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

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



## MONITORING - AFTER ENTITLEMENT

18. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
19. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

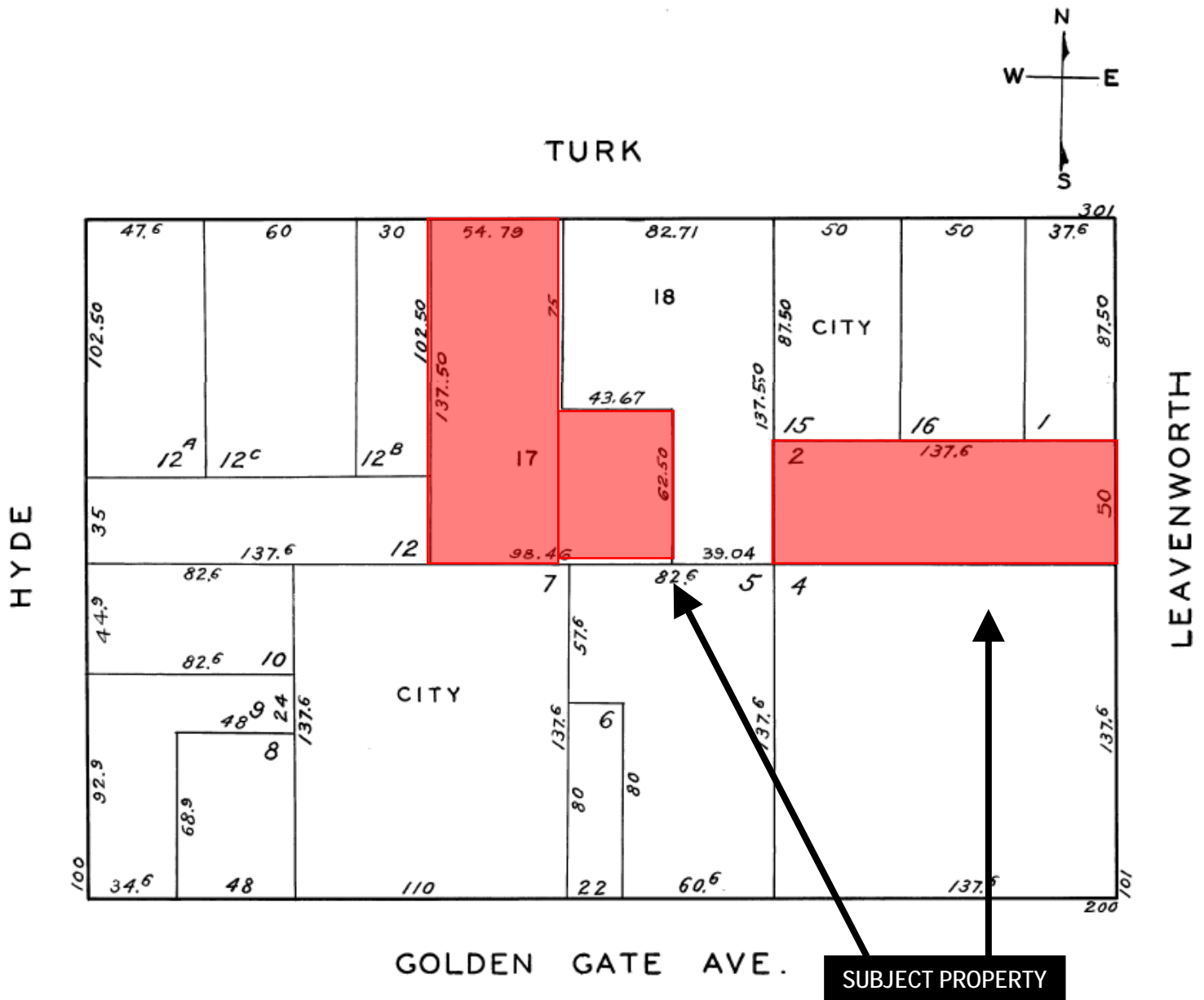
## OPERATION

20. **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>*
21. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.  
*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>*
22. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

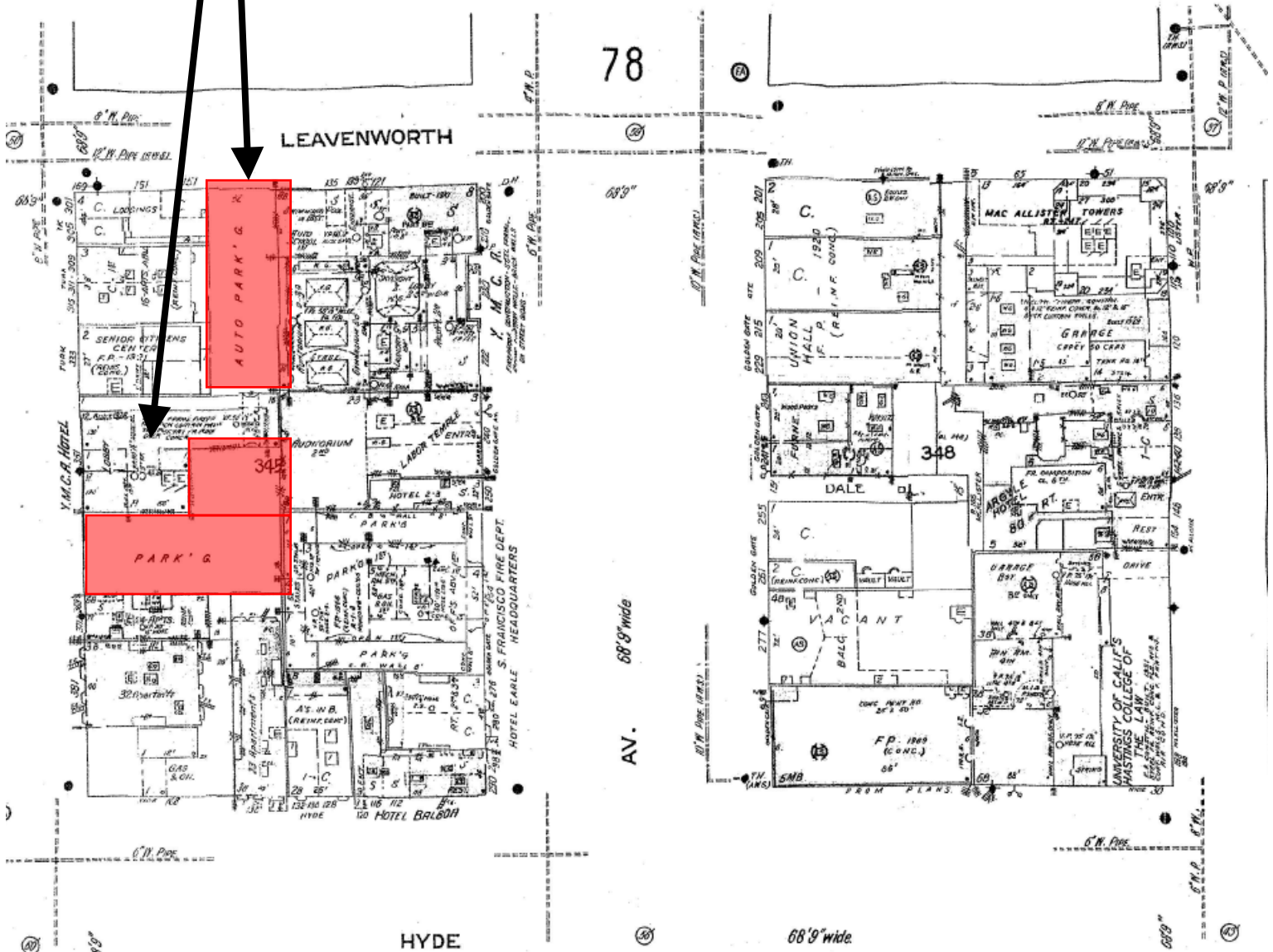
*For information about compliance, contact the Case Planner, Planning Department at 415-575-9078, [www.sf-planning.org](http://www.sf-planning.org)*

# Parcel Map



# Sanborn Map\*

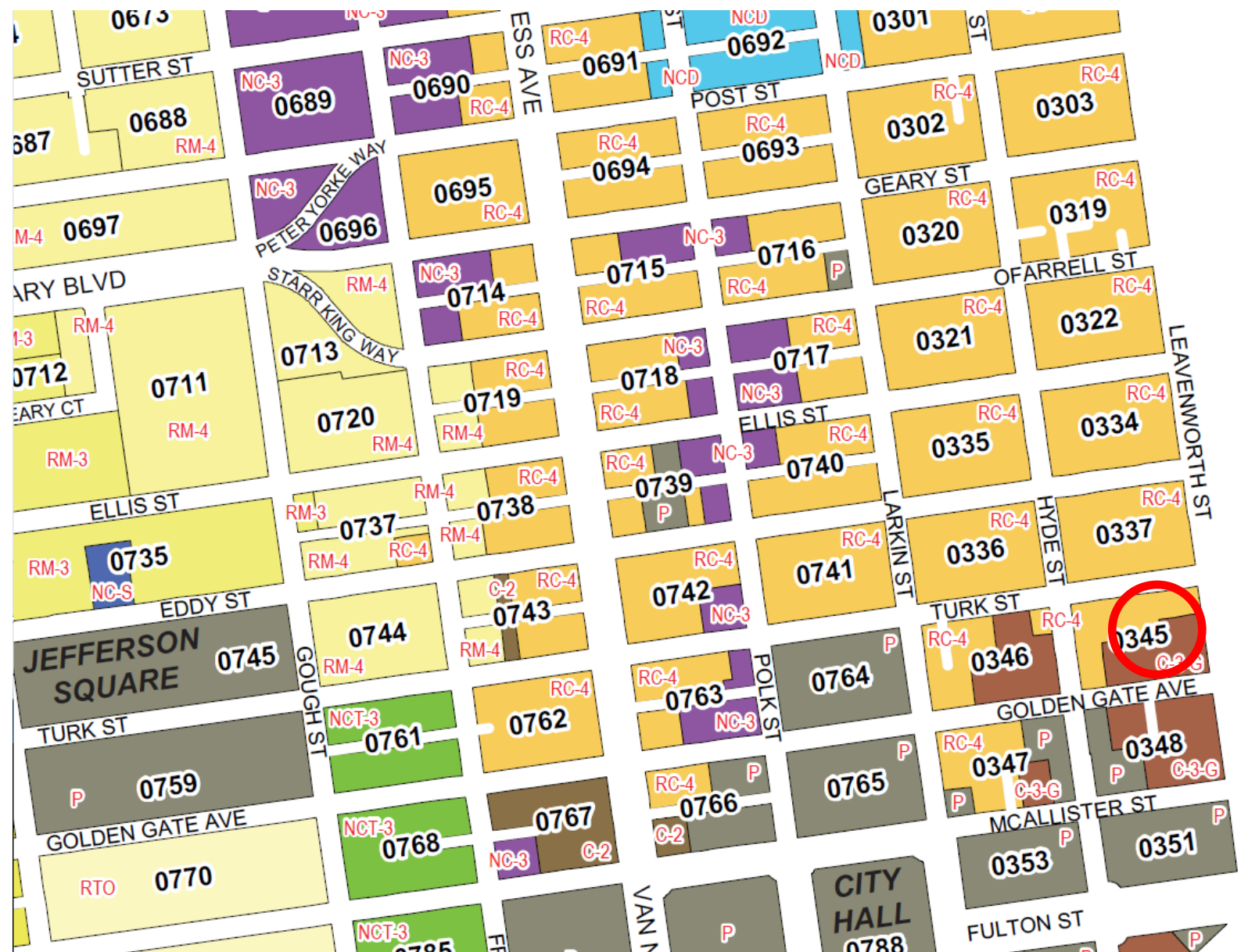
SUBJECT PROPERTY



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

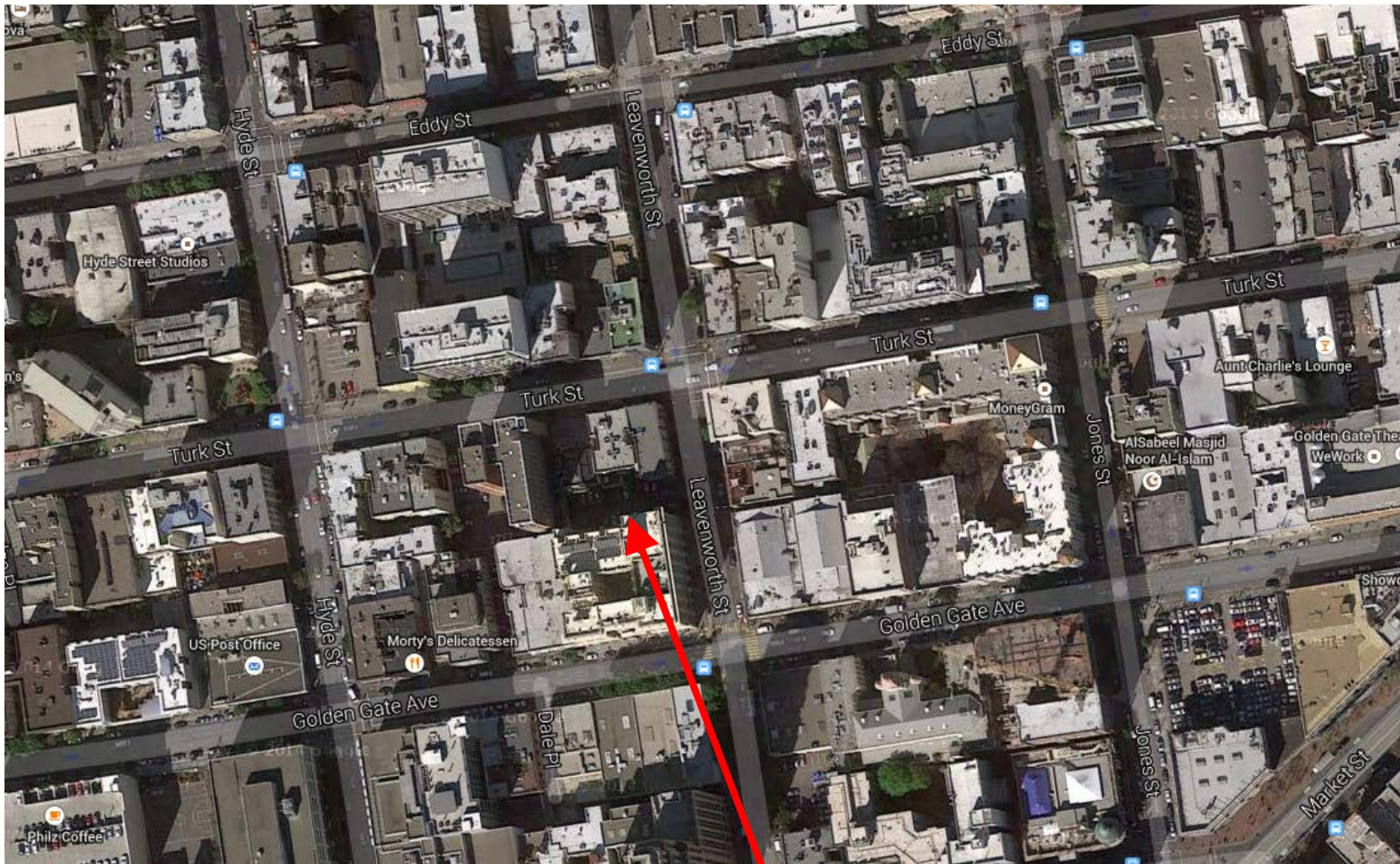


# Zoning Map





# Aerial Photo



SUBJECT PROPERTY



SAN FRANCISCO  
PLANNING DEPARTMENT

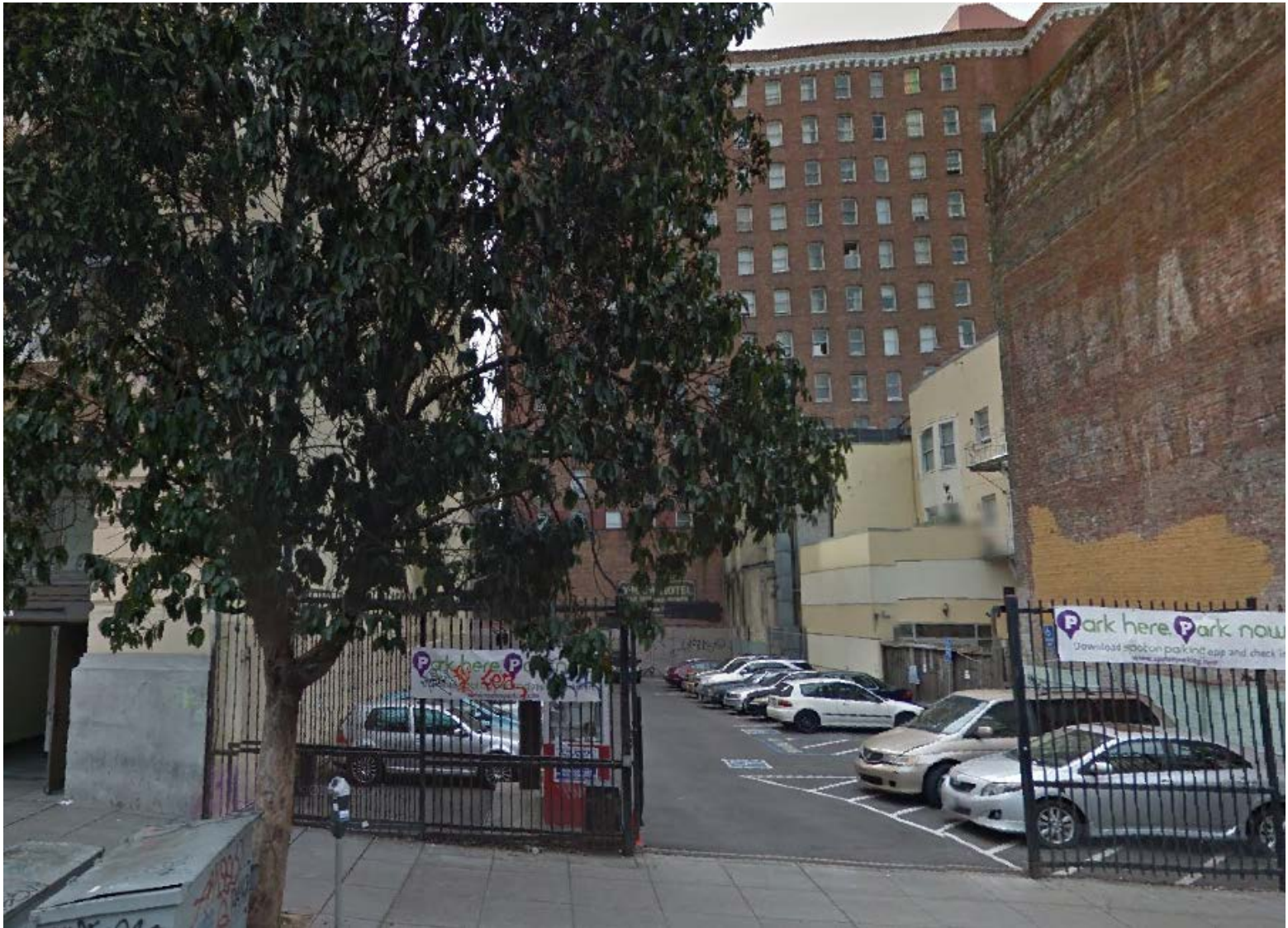
Conditional Use Authorization and  
Downtown Project Authorization Hearing  
Case Number 2012.1531CEX  
361 Turk Street and 145 Leavenworth Street

# Site Photo: 361 Turk Street





# Site Photo: 145 Leavenworth Street







# SAN FRANCISCO PLANNING DEPARTMENT

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## Certificate of Determination Exemption from Environmental Review

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

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION:

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

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

**EXEMPT STATUS:**

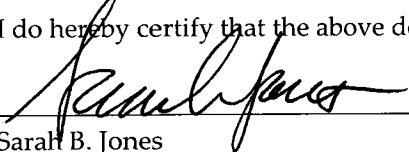
Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332)

**REMARKS:**

See next page.

**DETERMINATION:**

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

  
\_\_\_\_\_  
Sarah B. Jones  
Environmental Review Officer

September 15, 2014  
Date

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

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

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

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

*351V Turk Street*

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

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

*145 Leavenworth Street*

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

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

*Residential Hotel Conversion Lots*

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

**TABLE 1**  
**RESIDENTIAL HOTEL CONVERSION LOTS – EXISTING CONDITIONS**

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

### Project Characteristics

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

*351V Turk Street*

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

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

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

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

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

*145 Leavenworth Street*

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

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

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

*Residential Hotel Conversion Lots*

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

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

## Project Approvals

The proposed project would require the following approvals:

### *351V Turk Street*

#### *Planning Commission*

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

#### *Department of Building Inspection*

- Approval of a Building Permit.

### *145 Leavenworth Street*

#### *Planning Commission*

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

#### *Department of Building Inspection*

- Approval of a Building Permit.

### *Residential Hotel Conversion Lots*

#### *Planning Commission*

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

#### *Department of Building Inspection*

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

**REMARKS:**

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

**TABLE 2**  
**PROPOSED PROJECT TRIP GENERATION**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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<sup>5</sup> Code of Federal Regulations, Title 24, Part 51, Section 51.100 – 51.105.

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

<sup>7</sup> *San Francisco General Plan*, Environmental Protection Element, Policy 11.1.

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

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

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

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

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

**TABLE 3**  
**OPERATIONAL NOISE COMPONENTS**

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

STC = Sound Transmission Class

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

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

Air Quality. In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>) and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The Bay Area Air Quality Management District (BAAQMD) has established thresholds of significance to determine if projects would violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in

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

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

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

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

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

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

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

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

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

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

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

### Other Environmental Concerns

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Hazards and Hazardous Materials

The proposed project would include below-grade construction at 351V Turk Street for a mat foundation up to 3.5 feet bgs (or 14 feet below existing Turk Street sidewalk grade) and an elevator pit up to 5.5 bgs. The proposed development at 145 Leavenworth Street would include bgs construction for a mat foundation system up to five feet bgs and an elevator pit up to seven feet bgs. Both project lots may contain underground storage tanks. Therefore, the proposed project is subject to Article 22A of the Health Code, also known as the Maher Ordinance, which is administered and overseen by the Department of Public Health (DPH). The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) that meets the requirements of Health Code Section 22.A.6.<sup>21</sup> The Phase I ESA would determine the potential for site contamination and level of exposure risk associated with the project. Based on that information, the project sponsor may be required to conduct soil and/or groundwater sampling and analysis. Where such analysis reveals the presence of hazardous substances in excess of state or federal standards, the project sponsor is required to submit a site mitigation plan (SMP) to DPH or other appropriate state or federal agency(ies), and to remediate any site contamination in accordance with an approved SMP prior to issuance of any building permit. The project applicant has submitted a Maher Application to DPH and would be required to remediate potential soil and/or groundwater contamination in accordance with Article 22A of the Health Code.

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

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

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

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

**CONCLUSION:**

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



Mr. Richard Hannum, CEO  
Forge Land Company LLC

July 21, 2014

**Ref: 145 Leavenworth Street and 351 Turk Street – Mixed-use Group Housing Development**

Dear Mr. Hannum,

Thank you for bringing your proposal for 145 Leavenworth Street and 351 Turk Street to the San Francisco Housing Action Coalition's (SFHAC) Project Review Committee. Upon review, we believe your project has many merits and will contribute to SFHAC's mission of increasing the supply of well-designed, well-located housing in San Francisco. Please review this letter, which explains how your project meets our guidelines as well as areas in which improvements are suggested. Also see our report card, which grades the proposed project according to each guideline. We have attached a copy of our project review guidelines for your reference.

We will forward a copy of this letter to the Planning Commission prior to your approval hearing.

**Project Description**

Your project proposes the development of two seven story buildings, totaling 238 group-housing, rental units with ground-floor retail on two sites that are currently occupied by surface parking lots.

**Land Use**

The two sites are currently occupied by surface parking lots. The SFHAC believes the surrounding neighborhood would be much improved with more housing and your proposal includes one such type of housing not often seen in the City.

**Density**

Your project is far denser than most new developments we see and proposes a unique design that will accommodate 238 group -housing units. The SFHAC supports new housing that maximizes the building envelope while creating attractive living arrangements. We feel your project does both.

**Affordability**

Because your project qualifies as group housing, it is not subject to the Inclusionary Housing Ordinance and is not required to provide any subsidized housing. However, you said that because of the unique construction type and size of the units, these homes would be affordable to middle-income residents earning between the 100 and 130 percent of the area median income. The SFHAC is particularly supportive of projects that pursue creative ways to address housing affordability for this under-served population. While this product is untested in San Francisco, we are interested in this project's outcome and encourage you to move forward with your current plans.



### **Parking and Alternative Transportation**

Your project exemplifies smart urban infill, transit-oriented development. The site is located within walking distance to the Civic Center BART/Muni Metro stations, is accessible to several Muni bus lines and the busy Market Street bicycle corridor.

The project will provide two car share spaces and zero private automobile spaces. The SFHAC believes this is an excellent site for what is essentially a car-free project and supports development that does not encourage private car usage. You did not yet have an exact count for bike parking, but you assured our Project Review Committee that you would exceed the required number of spaces.

### **Preservation**

While the Tenderloin is a National Historic District, there are no structures of significant cultural or historic merit that would be affected by your project. We believe your project, while very contemporary in appearance, is designed to be in scale with and complementary to the adjacent early 20<sup>th</sup> Century apartment buildings that are contributory to the historic district.

### **Urban Design**

The SFHAC believes you have created a design that fits favorably with the surrounding neighborhood. You acknowledged to our Committee that you took inspiration from the surrounding buildings and community character. You have stepped back the building along the perimeter to create more space between your project and the surrounding buildings. Finally, your plans propose an engaging ground floor that will activate the public realm and provide neighborhood-serving retail.

There were comments made within the Committee that, as it oxidizes, the copper exterior may create a very dark façade facing the tight urban fabric of the Tenderloin. We encourage you to consider other finish options for the exterior. Additionally, we would like to see more landscaping on the building frontage along the sidewalks, which would create a more active public realm.

### **Environmental Features**

You indicated that your project is inherently energy efficient because of its construction type - prefabricated modular steel, which reduces structural weight and construction resources, and is far more environmentally friendly than a typical concrete frame. You expressed to our Committee that this project would consume significantly less water and less energy. In addition, it will only require a foundation excavation of three feet.

### **Community Input**

The SFHAC encourages you to continue your efforts to engage the surrounding community regarding your project and, where possible, incorporating their input.

Mr. Richard Hannum  
July 21, 2014  
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Thank you for bringing 145 Leavenworth Street and 351 Turk Street to the SFHAC for review. We are pleased to endorse the project without condition. Please keep us abreast of any changes and let us know how we may be of assistance.

Sincerely,

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

Tim Colen

CC: Planning Commission



## **SFHAC Project Review Criteria**

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

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

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

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

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

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

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

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

Mr. Richard Hannum  
July 21, 2014  
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**Environmental Features:** SFHAC is particularly supportive of projects that employ substantial and/or innovative measures that will enhance their sustainability and reduce their carbon footprint.

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



March 13, 2015

Kate Connor  
San Francisco Planning Department  
1650 Mission St. #400  
San Francisco, Ca 94103

**RE:** 2012.1531U

Dear Kate,

On behalf of Tenderloin Neighborhood Development Corporation, I am writing to express our position on the proposed development at 145 Leavenworth Street and 351 Turk Street.

For over 30 years TNDC has been preserving and rehabilitating existing buildings in the Tenderloin, SOMA, and surrounding neighborhoods, which have historically served low-income and working-class communities. TNDC operates affordable housing in these neighborhoods, and we work with community stakeholders to understand their concerns and raise public awareness on issues that impact their quality of life.

One of our buildings, Kelly Cullen Community, is immediately adjacent to the proposed development on Leavenworth. Kelly Cullen Community is home to 172 formerly homeless residents and houses a health and wellness center. We are committed to preserving the quality of life for our residents, and to preserving the Tenderloin neighborhood as a safe and welcoming place for low-income and working-class people. With this in mind, we ask that the developer address the following concerns:

- 1) **The proposed development should not include an SRO Conversion component.** We do not believe the proposed conversion, representing the loss of existing rent-controlled units in exchange for high-end group housing units, meets the intent of Chapter 41.
- 2) The current plans appear to indicate a distance of only a few feet between the windows at Kelly Cullen Community and the new development. Some of these windows are the only source of light and air for our residents, many of whom have mobility issues and spend a lot of time in their room. **We ask that the developer revise their plans and create a light well of at least 20 feet between the buildings.** Other developers in this circumstance have been responsive to their neighbors; developer Asian Pacific International Capital made similar design accommodations around their project at 25 Mason. Please see the Appendix for relevant language.
- 3) **The proposed development should be subject to the City's Inclusionary Housing ordinance.** The technicality of meeting a "group housing" definition should not exempt the developer from addressing the City's affordable housing crisis.
- 4) **Construction-related "disruptive activities" (such as use of heavy trucks, pile driving etc.) should be limited to the hours of 9am-4pm.** We would like the developer to adopt additional "Construction Noise Management Measures" reflected in the language found in the Appendix.
- 5) **The ground floor commercial space should serve and be owned and operated by members of the existing community.** TNDC would be happy to connect the developers with the Tenderloin Economic Development Project (TEDP), who can assist in finding an

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NEIGHBORHOOD  
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appropriate business for the space. TEDP provides support for many thriving, family-run, locally-owned small businesses throughout the neighborhood.

- 6) **The developer shall provide assistance to temporarily relocate Kelly Cullen Community residents who live adjacent to the construction site and who are unreasonably impacted by the disruptive activities of construction.** These residents will be required to present a letter from their doctor explaining their medical condition. The language in the agreement found in the Appendix is once again illustrative.
- 7) **The developer needs to meet with community members.** We strongly believe that community engagement is crucial for equitable development in the Tenderloin. It has come to our attention that the developers are claiming to have met with TNDC and residents of Kelly Cullen Community “numerous” times between May 2014 and February 2015; we are not aware of any of these meetings and encourage that you ask the developer to provide specific information regarding when and with whom they engaged in dialogue about this project.
- 8) **The accommodations we are requesting here should be applied to all surrounding residential buildings.**

Furthermore, we have concerns about the tremendous density generated by this project if some of the units are occupied by more than one resident. We would like to see an analysis of the environmental impacts of this building at maximum occupation.

Thank you for your consideration.

Sincerely,



Alexandra Goldman  
Community Planner

Cc: Don Falk, Executive Director

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March 17, 2014

SCOTT EMBLIDGE  
Partner  
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*Via Hand Delivery and Email*

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

Re: Turk and Leavenworth Projects

Dear Kate:

Thank you for meeting with my clients (the owners of the 351 Turk) and me last week about this troubling project. As we explained, the project sponsor has not only failed to address our oft-expressed concerns about the project, but has essentially punished us by *increasing* the impacts on our building and its low-income residents, rather than attempting to mitigate those impacts. As developers themselves, my clients are shocked this developer's disregard of the normal "rules" in our City of developing property with a respect for neighbors and the neighborhood, and with a genuine concern for including an affordability component in a major development.

As you know, 351 Turk is a rent-controlled building occupied by low-income, mostly senior tenants, along with some students and families. As we explained rents range from \$650 to \$850 per month for most of the units and even recently occupied units rent for not much over \$1,000 per month. We want to make sure this truly affordable housing is protected, and does not suffer the impacts that this high end market-rate group housing project would impose under the current design.

History – A Reminder of Deals Broken

In April and May 2013, my clients met with the developer, Chris Rosas. After discussions about the impact the proposed project would have on 351 Turk's residents, Mr. Rosas agreed to increase the side setback between the buildings to an average of 17 feet. We have provided you with documentation regarding the deal my clients reached with Mr. Rosas.

My clients did not hear from the developer for a year. Then, they received plans from Richard Hannum showing not only that the overall setback had decreased, but that a stair tower now intruded into the decreased setback, effectively putting a wall approximately three feet from the windows of 351 Turk's tenants. (It is

difficult to provide exact distances because Mr. Hannum refuses – to this day – to provide properly dimensioned or detailed drawings, despite our many requests that he do so.)

We met with Mr. Hannum in April 2014 to explain our consternation about the changes and their impact on our tenants. Mr. Hannum agreed to look into the issues we raised and get back to us promptly.

We did not hear from Mr. Hannum for over two months. When he did finally get back to us, nothing had changed with regards to the setback. The plans still showed our tenants losing almost all of their light and air from their west-facing windows.

Later, Mr. Hannum presented another plan, which removed the stair tower but added new space *smack up against our building*. This plan would necessitate removing the only window in the bathroom of many of our residents and, we believe, removing two other windows on each floor.

We told Mr. Hannum we could not support this design and asked that he revert to a plan that separated his building from ours, if not by the previously agreed-upon 17-feet, then by at least 12 feet so as not to unduly impact our residents. Rather than try to meet us half way, rather than negotiate in good faith, we learned that Mr. Hannum instead submitted new plans last week that include *both* the intrusive stair tower *and* the new space that would require boarding up of our residents' windows.

In other words, Mr. Hannum has effectively said if we don't support his project, he is going to design it in a manner that will harm our residents as much as possible. These residents cannot afford to move from their rent-controlled units to escape the impact Mr. Hannum now advocates. The Department and Commission should not permit these tactics or this cynical design.<sup>1</sup>

### Other Development Impacts

Our residents are not the only neighbors who will feel the unnecessarily harsh impacts of Mr. Hannum's proposed development. His plans show that he is constructing his Leavenworth building all the way to the property line, rather than set it back from the windows of the low-income residents at the Kelly Cullen Community Center. *He does not even show those windows and the residents' light well on his drawings.*

Moreover, Mr. Hannum has told the Department that he has engaged in extensive, unspecified community outreach to neighborhood stakeholders. Those stakeholders tell us the opposite. This is consistent with Mr. Hannum's pattern of telling us that his project has

---

<sup>1</sup> We also note that Mr. Hannum's submissions suggest that the development is providing parking. It is not. It is *maintaining* parking that it is legally required to maintain based on an easement benefitting my clients' property. The parking is specifically for the benefit of my clients' building, not the proposed development.

the enthusiastic support of the Department, while we subsequently learn that no such enthusiasm has been expressed – often the opposite.

We ask the Department to require Mr. Hannum to state with whom he has met, when, and what was discussed to see if he can back up his “outreach” claims. (We are also skeptical about Mr. Hannum’s “green” building claims and ask the Department to scrutinize whether there is actually anything environmentally novel or special about this development.)

#### Affordability Issues

Mr. Hannum has proposed two development schemes that disingenuously portray his development as consistent with the City’s desire to maintain housing for low-income residents. He has proposed “relocating” residential hotel rooms to his development, so that the hotels from which those rooms are relocated can generate more income from “tourist” rooms. He has extracted substantial monetary contributions from the hotel owners to back his development. Under Mr. Hannum’s scheme, a handful of current residents of those hotel rooms would move to his development, but when they move away or pass away, their rooms would be market-rate apartments. In short, he will deplete the City’s stock of residential hotel rooms and profit two-fold from the scam. We understand that the Department does not support Mr. Hannum’s scheme, but he intends to push forward to the Commission with it anyway.

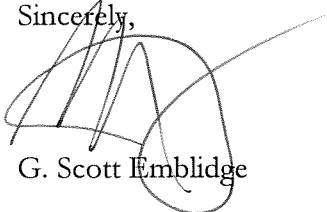
Mr. Hannum’s other scheme is to call his development “group housing” so as to take advantage of the Planning Code’s beneficial provisions for that type of housing, and to claim that his market-rate apartments will be “naturally affordable.” Thus, Mr. Hannum proclaims, he need not provide any BMR component in his development. This is, to put it mildly, inconsistent with the City’s policies and planning priorities.

Group housing has traditionally been one means for providing housing to those who cannot afford other housing options. It has not been a means of renting market-rate apartments to high income tech workers in order to avoid providing BMR units and to be exempted from typical set-back, rear-yard, and dwelling unit exposure requirements. There is nothing “naturally affordable” about Mr. Hannum’s proposed units, unless one considers charging whatever the market will bear to be “naturally affordable.”

In sum, we strongly oppose Mr. Hannum’s development as currently proposed. We would like to see these lots developed, but in a way that respects the neighboring residents and the neighborhood’s character and history. With a responsible developer this would not be a problem. The buildings would incorporate setbacks (like the setbacks the developer agreed to before Mr. Hannum took over) that would mitigate impacts on the low-income residents adjacent to the development. The project would include a robust BMR component consistent with City policy.

We ask the Department to require the developer to work with the neighbors, to do actual (rather than phantom) outreach, to include an affordability component, and to set back the development in a reasonable manner.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Scott Emblidge", written over a large, loopy circular flourish.

G. Scott Emblidge

cc: John Rahaim (via email)  
Daniel Sider (via email)  
Randy Shaw (via email)  
Donald Falk (via email)  
David Cincotta (via email)



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Ref: 74511-0001

March 27, 2015

Kate Conner  
Housing Implementation Specialist, LEED AP  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Re: Response to Letter by Scott Emblidge of March 17, 2015

Dear Ms. Conner:

I was not only surprised but extremely disappointed to receive a copy of the letter from Scott Emblidge to you, dated March 17, 2014 (sic), on behalf of the owners of 351 Turk Street regarding my client's proposed project at 361 Turk Street. I regret that I have been forced to write this letter, but it has become essential to clear up the facts regarding (1) the history of the efforts of both parties in trying to resolve concerns of both owners of the adjacent properties; and (2) the conditions surrounding the properties.

Effort to Address Concerns

Mr. Emblidge states that the project sponsor has "failed to address" his client's concerns. The existing building has property line windows along the entire property edge of the YMCA lot. Mr. Emblidge and his client, Mr. Gaehwiler, insist that their only concern that need be addressed was setting back the new development 17-feet from their building. Since I first became involved in this project about six months ago, the project sponsor and I have made it clear that a 17-foot setback was impossible and unreasonable at best and not required to provide adequate light and air to his property at least. The lot is 50 feet wide and their demand would give Mr. Gaehwiler approximately 35% of the adjacent lot for free. This makes no sense – more on this later.

Since last fall, we have proposed several versions of plans which attempted to address Mr. Gaehwiler's legitimate concerns. The proposed plans take into consideration solutions for all of the material concerns, as a measure of good neighborliness. In response to the illegal property line windows, we showed setbacks along the west façade of 11 feet and for a short distance for five feet. We also began to show solutions to concerns that Mr. Gaehwiler and Mr. Emblidge did not want to discuss or admit exist. These concerns are articulated in a letter from his own consultants from April 2013 and include numerous encroachment and code violations that have been known and unaddressed during the 20 year ownership period of Mr. Gaehwiler's ownership. Because the existing use of the proposed development site has had an

open parking lot as its only use, Mr. Gaehwiler has been able to utilize the undeveloped parking lot site, owned by the YMCA, for his own management operations. Not only has Mr. Gaehwiler used it for parking in excess of his allowed five parking spaces, he has used it to operate his waste management services for his building, as a second means of egress, in order to provide exhaust for his ventilation system over the parking lot site, etc. Mr. Gaehwiler's building is presently in violation of several Building Code provisions that would require special accommodations. All of these uses are in excess of his authorized use under the easement he enjoys. The present owner (the "YMCA") gave its limited approval to Mr. Gaehwiler because there was no proposed development for the site until now. The limited approval no longer applies. Our sketches and plans attempt to address all his issues as an effort of good faith. We realize that our new development requires Mr. Gaehwiler to make significant changes in his building to bring it into code compliance. The project sponsor was willing to make significant design and use compromises offering joint solutions so both buildings could operate efficiently. Mr. Emblidge's client refused to discuss anything unless we sent plans showing the unrealistic and unrequired setbacks they demand.

Nevertheless, during this time, the project sponsor and I continued to attempt to meet with Mr. Gaehwiler. Mr. Emblidge is correct again when he said we sent him sketches and drawings showing various options. The Sponsor and their architects made many proposed changes in the project design. With each transmittal of new sketches and plans, we asked for a meeting to go over them, to explain the choices that were made in the design, to listen to Mr. Gaehwiler and to address the multitude of issues that would need to be addressed for both buildings for any development that might occur on the YMCA property. Requests were made by email, by voicemail and phone calls to Mr. Emblidge. Mr. Gaehwiler has never agreed to meet to discuss the issues necessary to address the issues of compliance and encroachments in his building or the development adjacent to his building.

#### Initial Meeting With Chris Rosas

I feel I must address the facts of this meeting, because it keeps being raised as some evidence of an issue of bad faith. When I became involved in the project and heard about the meeting from Mr. Emblidge, I felt it was necessary to learn the facts.

Mr. Rosas, as the initial project Sponsor, and Mr. Gaehwiler did meet two years ago in the Spring, 2013. There were no architects for the project sponsor in attendance. There were no proposed plans presented at the meeting. Meetings on the project design had not begun with the Planning Department yet. Mr. Rosas explained the status of the proposed project and there were general discussions of what might be able to be done, what Mr. Gaehwiler would like to see happen and what the Planning Department and Commission might agree upon. From this discussion – without plans and without architects – Mr. Gaehwiler claims that he walked out of the meeting with the belief that he and Mr. Rosas had an agreement or some kind of understanding that the new building would be setback 17-feet from his building. This is incomprehensible! Mr. Gaehwiler is an experienced property owner of multiple properties in San Francisco; he certainly understands the legal status of lot line windows and what lot line



windows mean for an apartment building. It is simply unbelievable that he thought an adjacent owner would give him 35% of his property for free.

Several other meetings occurred in Spring, 2013 with representatives of Mr. Gaehwiler and while various options for setbacks of 10-12 feet were discussed no commitment was made of any size setback because the design process was just beginning.

This is even more curious now because Mr. Gaehwiler, an experienced owner and developer – after meeting with no plans or documents two years ago, with no written memo – believed he had a firm agreement for a 17-foot setback---but now has refused to meet during the last four months because the sketches and drawings were not detailed enough.

#### Existing and Proposed Conditions

I will not address all of Mr. Gaehwiler's hyperbole, but I wish to present some facts. The initial design shown last fall to Mr. Gaehwiler already contained setbacks of approximately 11 feet along most of the wall setback and 8 feet in most of the remaining areas. There is one area, affecting only one unit stack and then only one of two bedroom windows and a bathroom, with about five feet clearance across from the proposed stairway area for approximately 15 linear feet. If Mr. Gaehwiler proposed a 12 foot setback, as Mr. Emblidge states, I am unclear as to where he proposed it should take place.

The current proposal before the Commission takes care to maintain individual unit privacy. The design does not direct residential windows at each other, for the benefit of occupants in both. Lot line windows of Mr. Gaehwiler located in one bathroom and in a stairwell would be lost only where the design proposes user community space in the new project. In all other cases, the proposed setback is at least 8 feet and, along the West façade, it is 11 feet. The above mentioned stair maintains a setback of 5 feet affecting only one unit and then only partially. This exact design for the location of the stair and alternatives at wider dimension were presented to planning in 2013 with a request for design input from UDAT. Their design responses were incorporated and are reflected in the current plans.

As I mentioned previously, there are considerable Building Code issues regarding Mr. Gaehwiler's building. These issues involve ventilation, exterior exposure separations for fire codes and exhaust discharges. All of these issues were identified to Mr. Gaehwiler in April 2013 by Mr. Gaehwiler's own consultants. His consultant recommended that all of these issues must be brought into compliance or addressed and recommended a reciprocal easement agreement be obtained from the project sponsor of the new development or the existing owner to address the substantial non-compliant conditions. The project sponsor has requested to discuss the critical building code issues numerous times over the last several months and has proposed viable solutions as part of the design. Every effort to meet since last October, 2014 has been rejected. To paraphrase Mr. Gaehwiler, "in other words," Mr. Gaehwiler has determined that his best strategy is to oppose the project and hope nothing gets built so he will not have to address building code problems for his building.

Regardless of any approval for a new building, all of these code issues will need to be addressed by Mr. Gaehwiler with the Building Department.

#### Below Market Rate Housing

The Emblidge letter portrays Mr. Gaehwiler as the champion of below market rate housing in the Tenderloin. While this is admirable, it is a little surprising and probably exaggerates the reality. Mr. Gaehwiler's building currently rents its units for well in excess of \$1,000 – not "not much over \$1,000 per month", as stated in the letter. Market studies have shown this. While we do not doubt that Mr. Gaehwiler's building does house some lower income tenants who may be paying below \$1,000, we believe this is the exception – not the rule – and further, not the goal of the business plan for his building with rents proposed for over \$1,000 for units of approximately 100 square feet or \$10.00 per square foot per unit. In a recent visit to an available unit, the quoted rate was over \$1400 per month for a unit of approximately 100 square feet, a rate of approximately \$14 per Square foot.

This is also a bit surprising due to the only clear message received in writing from Mr. Gaehwiler since this project was proposed is that he insisted there be no below market rate units in the new building.

This position of Mr. Gaehwiler regarding BMR housing is not unique to him; we believe the predominant sentiment of neighborhood representatives in the Tenderloin is that there is already significant BMR housing and that there should be more market rate housing added in the neighborhood and a modest amount of below market rate housing. The Tenderloin hosts a predominance of below market housing.

I have personally been involved in the development of below market rate housing since I worked at HUD in 1970. While I worked in the Mayor's Office in San Francisco, in the 1970s, I personally witnessed neighborhood representatives in the Western Addition and Hunters Point state that they needed additional market rate housing to bring more disposable income to improve the shops and services in these communities for all residents and bring more stability to the neighborhoods. They did not desire substantial new developments of below-market-rate housing adding to the large quantity already in their communities. I believe that is where many of the Tenderloin neighborhood representatives are today.

#### Below Market Rate Housing for the Project

Even though Group Occupancy Housing does not require BMR units, the project sponsor was willing to incorporate BMR units in the project and explored it with the City, as you know. Mr. Emblidge is correct that there is no requirement for BMR units in a group housing development. For many reasons, the sponsor has chosen the Group Occupancy model. Not the least of these is the expressed goal of accomplishing "affordability by design."



Addressing some concerns raised during the outreach process, we explored the possibility of incorporating BMR units in the project. Due to the law, and interpretation by the City Attorney, we explored proposing the development as a Special Use District. After several months of study, environmental impacts (failed shadow study and other added CEQA issues), approval complexity of an untried approach to the Special Use District process and timing considerations forced us to abandon this effort.

#### Other Neighbors' Issues

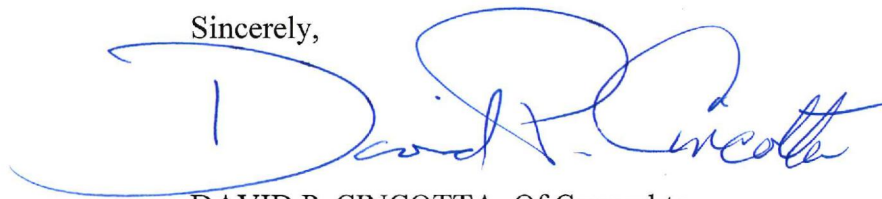
The letter of Mr. Emblidge also professes to understand and take on all of the issues of the Tenderloin and the neighbors of the projects as well as the role of the Planning Department. These are issues that are well beyond the knowledge of Mr. Gaehwiler. Although irrelevant to Mr. Gaehwiler's claims, it should be understood that the windows of the residential tenants of the TNDC's Kelly Cullen Community Center will **not be blocked** in any way by the building of the project. The residential rooms at 220 Golden Gate begin above the roof level of the proposed development and actually look over the top of the new building.

#### Conclusion

Mr. Gaehwiler has been aware of his multiple building code problems for his building for decades. This is made clear in communications between Mr. Gaehwiler and the YMCA and his own consultants. Rather than attempting to address his real code and operational issues for the last two years, he has taken the position to oppose the project in any manner and as far as he can. His claims that we have "failed to address" his concerns is disingenuous at best. He does not wish to address his real concerns but only drag the Planning Commission into solving matters that should be addressed privately between adjacent property owners.

Again, let me apologize for the length of this letter but I have lost my patience with Mr. Gaehwiler's self-serving, disingenuous opposition and I felt the other side of the story needed to be told.

Sincerely,



DAVID P. CINCOTTA, Of Counsel to  
Jeffer Mangels Butler & Mitchell LLP

DPC:lw

cc: John Rahaim, Director of Planning  
Dan Sider, DCP  
Randy Shaw  
Donald Falk  
Scott Emblidge, Esq.

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March 31, 2015

SCOTT EMBLIDGE  
Partner  
emblidge@mosconelaw.com

*Via Hand Delivery and Email*

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

Re: Turk and Leavenworth Projects

Dear Kate:

I want to respond as briefly as possible to some of the many misstatements in David Cincotta's letter to you dated March 30, 2015. I have worked well with David for many years and was very surprised to read his letter.

1. **"Mr. Emblidge and his client, Mr. Gaehwiler, insist that their only concern that need be addressed was setting back the new development 17-feet from their building."** Not true. As you know, we have many concerns that we have expressed to you and to the project sponsor. (I've sent you copies of letters we sent to the project sponsor's attorney from as long ago as 2013 expressing those concerns.) And while we have asked the project sponsor to honor the previous agreement of a 17-foot setback, we have expressed to the project sponsor and to you a willingness to compromise down to an 11' to 12' foot setback. But the project sponsor's response has been (a) to insert a stair tower into the setback creating a wall adjacent to some windows just five feet away, and now (b) to add a new "common area" next to other windows with no setback whatsoever, completely closing off those windows. (He has repeatedly said that "Planning" demanded he put the common area where it would most impact our building. We find that hard to believe.)

2. **Claims about code violations at 351 Turk.** Mr. Cincotta has brought up what he calls "code violations" as a threat should my clients not support his client's project. I fail to see how these issues impact the desirability of the project sponsor's plans which I believe is the issue before the Planning Department and Commission. Moreover, the so-called "code violations" have existed for approximately 20 years with no complaints by the surrounding property owners or the City.

3. **"Mr. Emblidge's client refused to discuss anything unless we sent plans showing the unrealistic and unrequired setbacks they demand."** "Mr. Gaehwiler has never agreed to meet to discuss the issues necessary to

**address the issues of compliance and encroachments in his building or the development adjacent to his building.” Mr. Gaehwiler “has refused to meet during the last four months because the sketches and drawings were not detailed enough.” “Every effort to meet since last October, 2014 has been rejected.”** In fact, Mr. Gaehwiler has been quite willing to meet. Here is the email I sent to Mr. Cincotta on February 11, 2015:

Dave:

Please let me know if your clients have modified the project to address the City’s affordable housing concerns. Also, I understand your clients have a different plan regarding conversion of residential hotel rooms. Is that correct?

Also, even though my clients have been clear that they can’t support the project as most recently depicted in plans you sent to me, they are willing to meet and explain their concerns. Let me know if your clients are interested in such a meeting.

Scott

We actually all met yesterday, and I will extend another invitation to Mr. Cincotta and his client for further meetings.

4. **“Mr. Rosas, as the initial project Sponsor, and Mr. Gaehwiler did meet two years ago in the Spring, 2013. . . . There were no proposed plans presented at the meeting. . . . From this discussion — without plans and without architects — Mr. Gaehwiler claims that he walked out of the meeting with the belief that he and Mr. Rosas had an agreement or some kind of understanding that the new building would be setback 17-feet from his building. This is incomprehensible!”** As you know, Mr. Rosas did provide plans and negotiated with Mr. Gaehwiler the 17-foot setback. We have provided you with the plans and the correspondence regarding that agreement.

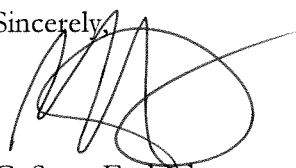
5. **Affordability.** Mr. Cincotta’s attempts to impugn Mr. Gaehwiler’s commitment to low- and moderate-income housing are unnecessary, unprofessional, irrelevant to the issue before the Department and Commission and false. Mr. Gaehwiler has been serving City residents who have fewer and fewer housing options. His units had affordability restrictions for over 20 years, until the City unilaterally lifted those restrictions. Now, the units are rent-controlled and serve mostly seniors on fixed incomes, and other low-income residents. Over 20 percent of the units in 351 Turk rent for below \$700, half rent for below \$800, and over 80 percent rent for below \$900.

6. **“The residential tenants of the TNDC's Kelly Cullen Community Center will not be blocked in any way by the building of the project.”** Not true, unless by “blocked” Mr. Cincotta means closed off. I just came from a meeting at Kelly Cullen

Community Center where Mr. Hannum acknowledged that several windows in residential units would be “darkened,” as he put it, by the development; and that many major windows affording light to common areas from a light well will – if his plans are approved – be just seven feet from his property-line development.

We will continue to try to work the project sponsor, but it is very hard to deal with someone who plays so fast and loose with the facts.

Sincerely,

A handwritten signature in black ink, appearing to be 'G. Scott Emblidge', written over the word 'Sincerely,'.

G. Scott Emblidge

cc: John Rahaim (via email)  
Daniel Sider (via email)  
Randy Shaw (via email)  
Donald Falk (via email)  
David Cincotta (via email)



April 10, 2015



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

Dear Planning Commissioners,

On behalf of Tenderloin Neighborhood Development Corporation (TNDC), I am writing to request a continuance on item 2012.1531CX- 145 Leavenworth and 361 Turk until May 28, 2015 at the earliest. We are requesting this continuance on the grounds that the project sponsor has not yet engaged in significant community outreach with residents of the Tenderloin. We believe a minimum of four additional weeks will provide the time for meaningful community engagement.

Recognizing that its site borders TNDC's Kelly Cullen Community, at 220 Golden Gate Avenue, the prior project sponsor reached out to TNDC some 18-24 months ago, when the project was not far beyond a conceptual stage. It is in reference to those initial conversations that the sponsor asserted to the Planning Department that they met, separately, with TNDC and Kelly Cullen Community "numerous times." The current project sponsor did not contact TNDC directly until March 23, 2015, in response to a letter we wrote to the Planning Department ten days earlier.

We met with the project sponsor team on March 30, 2015, where they agreed to meet with Kelly Cullen Community residents well in advance of the currently-scheduled April 30 hearing. We subsequently reached out and proposed a meeting date of April 8, 2015, to which we did not receive a response. We continue to be willing to host a meeting at Kelly Cullen Community; we are concerned, however, that at this point a meeting there with its residents and the broader Tenderloin community will not leave adequate time for incorporating the community's concerns into the project.

We request the hearing be delayed sufficiently to allow the project sponsor time to meet with residents of Kelly Cullen Community, other adjacent buildings such as 351 Turk and the Curry Senior Center, and the broader Tenderloin community, allowing sufficient time to incorporate the residents' concerns into the project proposal.

Please feel free to reach out to me at (415) 358-3923 or [dfalk@tndc.org](mailto:dfalk@tndc.org) with any questions or concerns.

TENDERLOIN  
NEIGHBORHOOD  
DEVELOPMENT  
CORPORATION

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CA 94102

PH: 415.776.2151  
FAX: 415.776.3952  
INFO@TND.C.ORG  
WWW.TND.C.ORG



Sincerely,

A handwritten signature in blue ink that reads "Donald S. Falk".

Donald S. Falk  
Chief Executive Officer

Cc: John Rahaim, Director, San Francisco Planning Department  
Kate Conner, Housing Implementation Specialist, San Francisco Planning Department  
Richard Hannum, Forge Land Company  
David Cincotta, Jeffer Mangels Butler & Mitchell LLP  
Janan New, Public Advocacy Partners  
Alexandra Goldman, Community Planner, TNDC

Appendix- Community Benefits Agreement  
between TNDC and Asian Pacific International Capital Inc.  
July 2014

**Note:**

The Dalt Hotel and the Ambassador Hotels are TNDC properties on either side of Asian Pacific International Capital's (APIC) proposed residential project at 25 Mason Street.

**Lightwell:**

1. Project Setback from the Dalt Hotel. APIC shall endeavor to increase the proposed setback between the Project and the property line adjacent to the Dalt Hotel. TNDC desires a setback of 20 feet between the Project and the property line adjacent to the Dalt Hotel. By August 15, 2014, APIC shall present TNDC with revised plans demonstrating an increased setback between the Project and the property line adjacent to the Dalt Hotel for TNDC's review and approval.

2. Project Setback from the Ambassador Hotel. APIC shall increase its proposed setback between the Project and the property line adjacent to the six units in the Ambassador Hotel that face the Project Site to at least three feet. By August 15, 2014, APIC shall present TNDC with revised plans demonstrating the increased setback between the Project and the property line adjacent to the Ambassador Hotel for TNDC's review and approval.

**Construction Noise:**

1. Construction Management.

(a) Construction activities that require the use of heavy trucks, excavating and grading equipment, material loaders, concrete breakers, pile drivers, and other similar mobile and stationary construction equipment shall be considered "Disruptive Activities" for the purposes of this Agreement. No Disruptive Activities shall be permitted on the Project Site between the hours of 4:00 p.m. and 9:00 a.m., however, other construction activities, such as worker transport, acceptance of deliveries not requiring heavy trucks, framing, or other staging work shall be permitted consistent with the requirements of Section 2908 of the City's Noise Ordinance. APIC shall also implement additional "Construction Noise Management Measures," which shall include, without limitation:

- a. Use of temporary sound barriers between the Project Site and the Dalt Hotel and the Ambassador Hotel that are designed to provide 5 to 10 dBA of noise reduction.
- b. Ensure construction equipment is properly muffled according to industry standards.
- c. Implement additional noise attenuation measures including temporary noise barriers or noise blankets around stationary construction noise sources that result in temporary or periodic increases in ambient noise levels above 75 dBA.

- d. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes.
- e. Vehicles in loading and unloading queues shall have their engines turned off after 5 minutes when not in use.
- f. Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for TNDC and residents and staff of the Dalt Hotel and the Ambassador Hotel to contact the job superintendent. If the job superintendent receives a complaint, the job superintendent shall notify APIC and TNDC, investigate, take appropriate corrective action, and report the corrective action taken to the reporting party and to APIC and the TNDC within 24 hours of receiving a complaint. If the issue is such that it cannot be corrected within 24 hours, the job superintendent will explain what steps are being taken and establish a timeline for resolution, subject to TNDC's reasonable approval, within 24 hours of receiving a complaint.

**Temporary Relocation:**

1. Temporary Relocation. Any resident of the Dalt Hotel, and any resident of the six units in the Ambassador Hotel adjacent to the Project Site, that presents a letter to TNDC from a licensed health care professional stating that the resident suffers from a medical condition that requires special accommodation from impacts associated with Disruptive Activities shall be eligible for temporary relocation to alternative housing during the portion of the Construction Period in which Disruptive Activities occur on the Project Site ("Temporary Relocation").

At the Construction Period Meetings that occur while the Construction Period involves Disruptive Activities, TNDC shall bring all Temporary Relocation requests received over the preceding two weeks and review the requests with APIC. APIC shall contract with an outside relocation consultant to make necessary accommodations for all residents presenting the documentation required by Section 7 of this Agreement for a Temporary Relocation. APIC shall be wholly and solely responsible for all costs associated with a Temporary Relocation, including, but not limited to, the cost of moving to a temporary location, rent at the temporary location, and the cost of moving back to the original residence. The Parties anticipate that residents who receive a Temporary Relocation will return to their original residence following the conclusion of the Disruptive Activities, at which time APIC's financial responsibility associated with the Temporary Relocation will cease.

## SECTION 303 APPLICATION – CONDITIONAL USE

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A. INTRODUCTION AND BACKGROUND

Forge Land Company, LLC ("Project Sponsor") is the project sponsor of two properties located at 361 Turk Street<sup>1</sup>, Assessor's Block 0345 Lot 017; and 145 Leavenworth Street, Assessor's Block 0345, Lot 002 in San Francisco ("Project Sites"). The project at 145 Leavenworth is the subject of a separate 309 application based on its specific zoning. For the sake of simplicity and at the request of the Planning Department, both buildings are addressed in this Introduction and independently identified in the Information provided below. Lot 017 lies in a RC-4 (Residential-Commercial, High Density) Use District and Lot 002 is in a C-3-G (Downtown General Commercial) Use District. The Project Sites consist of two vacant lots both of which are fenced in for off-street surface parking and Lot 017 features ramp access to one level below grade. The Project Sites are connected by an easement over Lot 018, which separates the two lots. The properties are bounded by Turk Street to the north, Leavenworth Street to the east, Golden Gate Avenue to the south, and Hyde Street to the west. Project Sponsor proposes removal of the two existing parking lots and construction of two, eight story buildings containing 238 group-housing units over ground floor retail space ("Projects").

By this application, the Project Sponsor seeks a conditional use authorization to permit the construction of a building exceeding 50 feet in height in an RC Use District, in accordance with Sections 253 and 303 of the Code on Lot 017 at 361 Turk Street.

B. OWNER/PROJECT SPONSOR INFORMATION

Project Sponsor: ForgeLand Company, LLC  
260 Townsend Street  
San Francisco, CA 94107  
Tel: (415) 646-0100  
Email: richard.hannum@gmail.com  
Attn: Mr. Richard Hannum

Project Contact:- David P. Cincotta  
Jeffer Mangels Butler & Mitchell LLP  
Two Embarcadero Center, 5<sup>th</sup> Floor  
San Francisco, CA 94111  
Tel: (415) 984-9687  
E-mail: DCincotta@JMBM.com

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<sup>1</sup> Note that this Project Site has been referred to as 351 Turk on Environmental Evaluation No. 2012.1531E, which is also the address of adjacent lot number 018. We shall refer to this Project Site as "361 Turk" to avoid confusion.

Architects: CollinsWoerman  
 710 Second Avenue  
 Seattle, WA 98104  
 Tel: (206) 245-2100  
 E-mail: ncopley@collinswoerman.com  
 Attn: Nathan Copley

C. SITE INFORMATION

<b>Cross Streets</b>	Hyde St Leavenworth St	Turk St Golden Gate Av
<b>Assessor's Block/Lot</b>	0345/017	0345/002
<b>Zoning District</b>	RC-4	C-3-G
<b>Lot Area</b>	10,263 s.f.	6,875 s.f.
<b>Height/Bulk District</b>	80-T	80-X
<b>Other Planning Areas</b>	North of Market Residential SUD; Fringe Financial Service RUD	None
<b>Preservation Status</b>	Not Applicable	Not Applicable
<b>Historic District</b>	None	None

D. EXISTING SITE AND SURROUNDING AREA CONDITIONS

The Project Sites consist of two vacant lots located within the block surrounded by Turk Street on the north, Golden Gate Avenue to the south, Leavenworth Street to the east and Hyde Street to the west. 361 Turk Street is a vacant lot with ramped access to one level below grade and used as a surface parking lot. 145 Leavenworth Street, also used as a surface parking lot, sits 40 feet east of 361 Turk Street and is separated from it by an existing building. The lots are connected by an underground ramp with an existing easement over Lot 018.

The Project Sites are in the Downtown/Civic Center neighborhood, which features a mixture of high-density dwellings with supporting commercial uses. Separating the two properties is a fourteen-story residential building on Lot 018. The remainder of the block is developed with residential and commercial buildings ranging from two to fourteen stories. Photographs of the existing site conditions are attached as **Exhibit A**.

## E. PROJECT SUMMARY

Present use: Vacant lots with surface parking.

Proposed use: ,One eight-story & one nine story group housing buildings

Floor area added: 94,226 s.f. residential, 6,579 s.f. commercial

Parking area retained: 3,620 g.s.f.

Number of Stories: 8 stories over basement level.

Project Summary Table:

	Existing Uses	Existing Uses To Be Retained	Net New Construction	Projects Totals
PROJECTS	FEATURES			
Dwelling Units	0	0	140 Turk 98 L'worth	140 Turk 98 L'worth
Hotel Rooms	0	0	0	0
Parking Spaces	38 Turk 26 L'worth	6 Turk (No new parking for the project)	-32 Turk -26 L'worth	6 Turk 0 L'worth
Loading Spaces	0	0	0	0
Number of Buildings	0	0	1 Turk 1 L'worth	1 Turk 1 L'worth
Height of Buildings	0	0	80 feet Turk 80 feet L'worth	80 feet Turk 80 feet L'worth
Number of Stories	0	0	8 Turk 8 L'worth	8 Turk 8 L'worth
Bicycle Spaces	0	0	41 Turk 29 L'worth	41 Turk 29 L'worth
GROSS	SQUARE	FOOTAGE	(GSF)	
Residential	0	0	32,385 Turk 23,520 L'worth	32,385 Turk 23,520 L'worth
Commercial	0	0	3,854 Turk 2,725 L'worth	3,854 Turk 2,725 L'worth
Office	0	0	0	0
Industrial/PDR	0	0	0	0
Parking	10,263 Turk 6,875 L'worth	3620 gsf Turk L'worth	-6,643 Turk -6,875 L'worth	3620 Turk 0 L'worth
Residential Common	0	0	16,681 Turk 14,940 L'worth	16,681 Turk 14,940 L'worth
Mechanical	0	0	4,700 Turk 0 L'worth	4,700 Turk 0 L'worth
TOTAL GSF				102,425 gsf



F. DESCRIPTION OF THE PROPOSED PROJECT

The Project Sponsor proposes to construct one nine-story building consisting of total of 3,854 (Turk) and an eight-story building (Leavenworth) with 2,725 (Leavenworth) square feet of ground floor commercial space; 150 (Turk) and 98 (Leavenworth) new dwelling units; and 6 parking spaces (Turk) which serve the adjacent building (no new parking is being provided for the project), on two unimproved vacant lots. Reduced plans and elevations for the Project are attached as **Exhibit B**.

G. ENVIRONMENTAL REVIEW

On June 13, 2013, Project Sponsor submitted an Environmental Evaluation Application, Case No. 2012.1531E. The Projects were noticed on March 7, 2014 and were found to be Categorically Exempt on September 15, 2014.

H. COMPLIANCE WITH CONDITIONAL USE CRITERIA (SECTION 303 FINDINGS)

Under Planning Code section 303(c), the City Planning Commission shall approve the application and authorize a conditional use if the facts presented are such to establish the following:

1. Desirability and Compatibility of Project

**That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.**

The Projects are necessary and desirable because they will provide 238 new group residential units to the City's housing supply. The City is suffering from a shortage of housing. The addition of residential units is necessary and desirable due to the large number of persons seeking housing in the City. The Projects are also desirable because they convert two underutilized surface parking lots to more productive residential and commercial uses. The Project Sites' immediate vicinity contains several high-density residential developments. Given the neighboring residential uses, and the careful design of the Projects, the underutilized vacant lot is an ideal opportunity for construction of new high-density housing.

2. Effect of Project on Health, Safety, Convenience or General Welfare



Planning Code section 303(c)(2) requires that facts be established which demonstrate the following:

**That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injuries to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:**

- (a) **The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of the structure.**
- (b) **The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.**
- (c) **The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor.**
- (d) **Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.**

- (a) The nature of the Project Sites is appropriate for the Projects.

The addition of residential uses at the Project Sites is appropriate and desirable. The proposed buildings are consistent with the neighborhood uses and density, and the proposed designs are compatible with the immediate vicinity.

- (b) Traffic patterns and parking will not be affected by the Project.

The removal of approximately 58 surface parking spaces is consistent with the General Plan and the City's "Transit First" transportation policy. The Projects will encourage the use of ample public transit options available to the Project Sites. Situated close to the Financial District and Union Square, the Projects will also encourage residents to walk or bicycle to work and commercial areas.

- (c) The Project will not produce noxious emissions.

The Projects consist of 238 residential units and a combined 6,579 square feet of ground floor commercial space. The Projects will not produce, or include, any uses that would emit noxious or offensive emissions such as noise, glare, dust and odor. Such uses are inconsistent with the Project Sponsor's objectives.

- (d) Appropriate treatment has been given to landscaping, open space, parking, loading, service areas and lighting.

The Project Site contains six parking spaces on the basement level. This parking serves the adjacent building; no new parking is being provided for the new housing. No loading spaces are required. Roof decks at Turk (2,663 s.f.) and Leavenworth (2,712 s.f.) and a second level courtyard of 935 s.f. at Leavenworth and 1,191 square feet at the 3<sup>rd</sup> level of Turk Street are proposed as part of the new construction. New trees will be planted along both Turk and Leavenworth Streets.

3. Compliance with the General Plan.

Planning Code Section 303(c)(3) requires that facts be established that demonstrate the following:

**That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the master plan.**

The Projects will affirmatively promote, are consistent with, and will not adversely affect the General Plan as follows:

**Commerce and Industry Element**

OBJECTIVE 1: MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1 Policy 1.1 encourages development that provides substantial net benefits and minimizes undesirable consequences.

*The Projects will provide substantial net benefits by replacing two vacant and underutilized lots with two attractive new mixed-use buildings containing approximately 6,579 square feet of combined ground-floor commercial uses that will provide desirable goods and services to neighborhood residents. The new commercial uses will also enhance employment opportunities for residents of the Downtown/Civic Center neighborhood and surrounding communities. In addition, the Projects will create 238 units of desirable new housing. The Projects will be located in residential commercial districts that expressly encourage development of the residential and commercial uses proposed. The Projects will also be located in an area that is well served by public transit, minimizing any potential impacts to traffic or parking in the area.*

Policy 1.3 Policy 1.3 encourages the location of commercial and industrial activities according to a generalized commercial and industrial land use plan.



*The Projects will be located within the Downtown/Civic Center neighborhood, a multi-purpose residential-commercial district that is intended to provide limited convenience goods to adjacent neighborhoods. The Projects will create a combined 6,579 square feet of new neighborhood-serving ground floor commercial uses, consistent with the generalized commercial land use plan for the area.*

OBJECTIVE 2            MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

POLICY 2.1            Policy 2.1 seeks to retain existing commercial and industrial activity and to attract new such activity to the city.

*Approval of the Projects will result in the creation of 6,579 square feet of new commercial space in direct support of this important Policy.*

**Housing Element**

OBJECTIVE 1:            IDENTIFY AND MAKE AVIALABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING

Policy 1.1:            Policy 1.1 promotes the satisfaction of a full range of housing needs in the City.

*The Projects specifically and significantly further Policy 1.1, in that they will create 238 new group housing units by utilizing two unimproved vacant lots.*

OBJECTIVE 3:            Protect the affordability of the existing housing stock, especially rental units

Policy 3.4:            Policy 3.4 promotes the development of "naturally affordable" housing, such as smaller units built with a sustainable methodology which is projected to reduce the construction period..

OBJECTIVE 11:            SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS

Policy 11.1:            Policy 11.1 encourages the development of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects neighborhood character.

*The Projects are consistent with Policy 11.1 in that they create*

*in-fill housing within an existing residential neighborhood. The Projects will have virtually no effect on the prevailing character in this neighborhood. The primary changes that will result from the Projects will be the addition of new commercial space and 238 new dwelling units at this location. The Projects will have a positive effect on this area by increasing the number of residents in an area with desirable urban characteristics and services, and access to local and regional transit.*

*In addition, the design of the new construction was prepared with materials and features to make it consistent with the historic character of the neighborhood.*

Policy 11.5: Policy 11.5 promotes compatibility of density with prevailing neighborhood character

*The project will further Policy 11.5 by providing 238 new dwelling units that are designed to complement the existing dense neighborhood character of the Downtown/Civic Center Area.*

OBJECTIVE 12 BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION

Policy 12.1 Policy 12.1 encourages new housing that relies on transit use and environmentally sustainable patterns of movement

Policy 12.3 Policy 12.3 promotes new housing that is sustainably supported by the City's public infrastructure systems.

*The Project Sites are well served by public transit. Within 0.25 miles of the proposed Project are the F, 5, 9, 9L, 16X, 19, 27, 31, 38 and 38L Muni lines; the Civic Center Station with the J, K, L, M, N, S, and T Metro lines; connections to Golden Gate Transit, BART, and AC Transit. Located in the Downtown core, Projects residents who do not utilize public transit are well situated to commute by foot or by bicycle. The Projects propose 70 bicycle spaces to promote sustainable movement.*

OBJECTIVE 13 PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING

Policy 13.1 Policy 13.1 supports "smart" regional growth that locates new housing close to jobs and transit

Policy 13.3 Policy 13.3 promotes sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian



and bicycle mode share

*Located in the Downtown core, the Projects will provide 238 new dwelling units close to concentrated employment. As noted above, the Project Sites are within easy walking distance of not only the Downtown core, but also dozens of mass transit nodes. The Projects will affirmatively increase sustainable mode share.*

**Transportation Element**

OBJECTIVE 1 MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA

Policy 1.3 Policy 1.3 prioritizes public transit and other alternatives to the private automobile as the means of meeting transportation needs, particularly those of commuters

OBJECTIVE 11 ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY

Policy 11.3 Policy 11.3 encourages development that efficiently coordinates land use with transit service, requiring developers to address transit concerns and mitigate traffic problems

*The Project affirmatively promotes these objectives and policies as they will create 238 new residential units and not provide any new residential parking stalls for the project. Thus, the Projects will encourage the use of public, pedestrian, and bicycle transit instead of private automobiles. The Projects will have no adverse impact on traffic patterns.*

OBJECTIVE 24 IMPROVE THE AMBIANCE OF THE PEDESTRIAN ENVIRONMENT

Policy 24.2 Policy 24.2 seeks to expand the planting of street trees

*The Projects will incorporate street trees along the Turk and Leavenworth Street frontages in support of this policy.*

OBJECTIVE 27 ENSURE THAT BICYCLES CAN BE USED SAFELY AND CONVENIENTLY AS A PRIMARY MEANS OF TRANSPORTATION, AS WELL AS FOR RECREATIONAL

## PURPOSES

### OBJECTIVE 28 PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES

Policy 28.1 Policy 28.1 encourages the provision of secure bicycle parking in new residential developments

Policy 28.3 Policy 28.3 specifies the provision of parking facilities that are safe, secure, and convenient

*The Projects support these objectives and policies with the provision of 70 on-site, secure bicycle stalls.*

## I. PRIORITY MASTER PLAN POLICIES FINDINGS

Planning Code Section 101.1 establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The Project and this Section 303 Application are consistent with each of these policies as follows:

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

The proposed Projects are located in the RC-4 (Residential-Commercial, High Density) and C-3-G (Downtown General Commercial) Zoning Districts. The Projects will not remove any existing retail use. Conversely, the Projects will provide a combined 6,579 square feet of new commercial space, with 238 dwelling units on two unimproved vacant lots. New residents in the proposed Projects are expected to support retail use in the vicinity and intensification of retail use in the area could provide opportunities for resident employment in and ownership of such businesses.

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

No housing exists in the current vacant space and the Projects would have no adverse impact on existing housing. The Project will enhance this neighborhood. The Projects will have a positive effect on this area by increasing the number of residents in an area with many desirable urban characteristics and services.

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



As the Project proposes 238 new group-housing units, they are not subject to the citywide inclusionary housing ordinance, but will provide “naturally affordable” units at a lower cost than larger new units. The project will increase the supply of new housing opportunities to assist in meeting the demand for new housing in the neighborhood and San Francisco.

**4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.**

The Projects will encourage residents to use public transit, walk, and bicycle, as no new parking for the residential uses will be provided. The Projects are situated in one of the most transit rich areas in the City and residents will have excellent access to several modes of transportation.

**5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.**

No industrial uses or service sectors will be displaced as a result of the Projects. The Projects will contribute to a diverse economic base by providing a significant number of new residential units in San Francisco. The shortage of housing in San Francisco has driven up housing costs, making it more and more difficult for people with jobs in San Francisco to live in the City. By contributing to the City’s housing supply, the Projects will further help San Francisco increase housing opportunities for resident workers, and thereby maintain a diverse economic base.

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

The Projects will conform to the structural and seismic requirements of the San Francisco Building Code.

**7. That landmarks and historic buildings be preserved.**

The proposed Projects are not located in or near any Conservation District or Historic District. There are no landmark buildings, contributory buildings, or architecturally significant buildings on the Project site or in the vicinity. The proposed Projects will have no effect on any historic resource but the design of the buildings and the selection of materials were determined to be consistent with the historical character of the neighborhood..

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

The Projects are not adjacent to any parks, or public or private open space, and will therefore have no affect on access to sunlight or vistas.

K. CONCLUSION

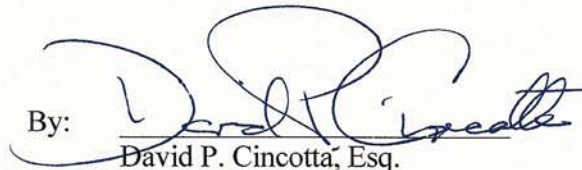
We respectfully request that the Commission approve the project of 238 group housing units as proposed.

L. APPLICANT'S AFFIDAVIT

I declare, under penalty of perjury, that the undersigned is the owner or authorized agent of the owner of the property that is the subject of this Conditional Use (Section 303) Application and that the statements set forth herein, as well as those in the attached exhibits are true and correct to the best of my knowledge.

Respectfully submitted,

By:

A handwritten signature in blue ink, appearing to read "David P. Cincotta", written over a horizontal line.

David P. Cincotta, Esq.

Attorney for Projects Sponsor



### **LIST OF EXHIBITS**

- Exhibit A - Photographs
- Exhibit B - Reduced Plans
- Exhibit C - Letter of Authorization
- Exhibit D - List of Notification Labels

**APPLICATION FOR A  
CONDITIONAL USE AUTHORIZATION**

**(PLANNING CODE SECTION 303)**

**FOR**

**Properties Located at 361 Turk & 145 Leavenworth Streets  
Block 0345, Lots 017 & 002**

**Project Sponsor: Forge Land Company, LLC**

**Planning Department Case No. 2012.1531C**

**Application Filed: April 30, 2014**

Revised

March 30, 2015

**SECTION 309 APPLICATION**  
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A. INTRODUCTION AND BACKGROUND

Forge Land Company, LLC ("Project Sponsor") is the project sponsor of a property located at 145 Leavenworth Street, Assessor's Block 0345 Lot 002 in San Francisco ("Project Site"). The Project Site is in a C-3-G (Downtown General Commercial) Use District. The Project Site consists of a vacant lot that is fenced in for off-street surface parking. The Project Site is a midblock parcel bounded by Turk Street to the north and Golden Gate Avenue to the south. Project Sponsor proposes removal of the existing parking lot and construction of an eight story buildings containing 98 group-housing units over ground floor retail space ("Project").

B. OWNER/PROJECT SPONSOR INFORMATION

Project Sponsor: Forge Land Company, LLC  
260 Townsend Street  
San Francisco, CA 94107  
Tel: (415) 646-0100  
Email: Richard@forgelandcompny.com  
Attn: Mr. Richard Hannum

Project Contact: David P. Cincotta  
Jeffer Mangels Butler & Mitchell LLP  
Two Embarcadero Center, 5<sup>th</sup> Floor  
San Francisco, CA 94111  
Tel: (415) 984-9687  
E-mail: DCincotta@JMBM.com

Architects: CollinsWoerman  
710 Second Avenue  
Seattle, WA 98104  
Tel: (206) 245-2100  
E-mail: ncopley@collinswoerman.com  
Attn: Nathan Copley

C. SITE INFORMATION

Street address: 145 Leavenworth Street  
Zip Code: 94102  
Cross streets: Turk Street and Golden Gate Avenue  
Assessor's block/lot: Block 0345 Lot 002  
Zoning district: C-3-G



Other Planning Areas: Fringe Financial Service RUD

Lot area: 6875 s.f.

Height/Bulk district: 80-X

Preservation Status: Not applicable

Historic District: None

D. EXISTING SITE AND SURROUNDING AREA CONDITIONS

The Project Site consists of a vacant lot located on the west side of Leavenworth Street between Turk Street on the north and Golden Gate Avenue to the south. The Project Site is in the Downtown/Civic Center neighborhood, which features a mixture of high-density dwellings with supporting commercial uses. Adjacent to the Project Site to the north is a fourteen-story residential building, and to the west is a surface parking lot. The remainder of the block is developed with residential and commercial buildings ranging from two to fourteen stories. Photographs of the existing site conditions are attached as **Exhibit A**.

By this application, the Project Sponsor seeks authorization for the construction of the proposed Project.

E. PROJECT SUMMARY

Present use: Vacant lot with surface parking.

Proposed use: Eight-story group housing building

Floor area added: 38,460 s.f. residential, 2,725 s.f. commercial

Parking area retained: None

Number of Stories: 8 stories over basement level.

Project Summary Table:

	Existing Uses	Existing Uses To Be Retained	Net New Construction	Project Totals
<b>PROJECT</b>	<b>FEATURES</b>			
Dwelling Units	0	0	98	98
Hotel Rooms	0	0	0	0
Parking Spaces	26	0	-26	0

Loading Spaces	0	0	0	0
Number of Buildings	0	0	1	1
Height of Buildings	0	0	80 feet	80 feet
Number of Stories	0	0	8	8
Bicycle Spaces	0	0	29	29
<b>GROSS</b>	<b>SQUARE</b>	<b>FOOTAGE</b>	<b>(GSF)</b>	
Residential	0	0	23,520	23,520
Commercial	0	0	2,725	2,725
Office	0	0	0	0
Industrial/PDR	0	0	0	0
Parking	6,875	0	-6,875	0
Residential Common	0	0	14,940	14,940
Mechanical	0	0	0	0
<b>TOTAL GSF</b>			<b>45,425</b>	<b>45,425</b>

F. DESCRIPTION OF THE PROPOSED PROJECT

The Project Sponsor proposes an eight-story building consisting of 2,725 square feet of ground floor commercial space and 98 group-housing units, with a second floor common patio and a common roof deck. Reduced plans and elevations for the Project are attached as **Exhibit B**.

G. ENVIRONMENTAL REVIEW

On June 13, 2013, Project Sponsor submitted Environmental Evaluation Application No. 2012.1531E. The Project is currently under review by planning staff.

H. PROPOSED ACTION

By this Application, the Project Sponsor seeks review and approval of the Project pursuant to Code Section 309.

I. SECTION 309 REQUIREMENTS

The Project satisfies the following requirements (or the requirement is not applicable):



1. Rear Yards – Section 134

Section 134 does not apply.

Section 134 requires that any building containing a dwelling in a C district have a rear yard with a depth equal to 25 percent of the total depth of the lot on which the building sits, but in no case less than 15 feet; with the exception of buildings which contain only SRO units. The Project proposes only group housing units that would also qualify as SRO units, and thus Section 134 does not apply to the Project.

2. Residential Open Space – Table 135

The Project complies with Section 135.

Table 135 requires that, in C-3 Districts, usable open space shall be provided at a ratio of 36 square feet per dwelling unit if such space is privately accessible. Common open space may be substituted for private open space at a ratio of 1 to 1.33. This requirement is reduced to 12 square feet (private) and 16 square feet (common) per unit for group housing structures. The Leavenworth building proposes 98 group housing units and thus would be required to provide 1,176 square feet of private open space; 1,568 square feet of common open space, or some combination thereof. The project proposes roof decks and second floor patios and a ground floor lobby at the Leavenworth building with a combined total of 3,647 square feet of common open space area. Thus, the Project complies with Section 135.

3. Public Open Space – Section 138

The Project complies with Section 138

Section 138 requires that new buildings in a C-3-G District shall provide public open space at a ratio of 1 square foot of open space for every 50 square feet of non-residential use. The Leavenworth building will add approximately 2,725 gsf of new commercial space. At a ratio of 1:50, the new commercial area requires 55 square feet of public open space. The Project proposes 145 square feet of public open space in a street frontage. Thus, the Project complies with the open space requirement.

4. Dwelling Unit Exposure - Section 140

The Project complies with Section 140.

Section 140 requires at least one room within a dwelling unit to face directly on an open area that is either (1) a public street or alley that is at least 25 feet in width, or a side yard or rear yard that meets the requirements of the Planning Code, or (2) an open area that is unobstructed and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every

horizontal dimension at each subsequent floor. The Project features rooms that all fulfill this requirement and thus complies with Section 140.

5. Shadows on Streets – Section 146

Section 146 does not apply.

Section 146 provides that in order to maintain direct sunlight on public sidewalks in certain downtown areas during critical use periods, new structures must avoid the penetration of a sun access plane as defined in Table 146. The Project site is not listed in Table 146, and thus this section does not apply.

6. Shadows on Publicly Accessible Open Spaces – Section 147

The Project complies with Section 147.

Section 147 sets forth certain requirements and determinations regarding shadows being cast on public or publicly accessible open space. Section 147 seeks to reduce substantial shadow impacts by new buildings and additions to existing buildings of at least 50 feet in height on public plazas and other publicly accessible spaces other than those protected under Section 295. The Project will be approximately 80 feet high and therefore must comply with Section 147. The Project does not result in new shadows on public or publicly accessible open space.

7. Ground-Level Wind Currents – Section 148

Section 148 does not apply.

Generally, Section 148 requires project sponsors to employ appropriate measures in order to ensure that additions to buildings will not cause ground-level wind currents to exceed pedestrian comfort levels. The proposed buildings will not result in increased ground-level wind currents, and thus this section does not apply.

8. Off-Street Parking – Table 151

Section 151 does not apply.

Pursuant to Table 151, group housing in non RH-2 Districts require no off-street parking. Therefore, this section does not apply.

9. Freight Loading -- Table 152.1

Section 152.1 does not apply.

Table 152.1 requires group housing use exceeding 100,000 gross square feet and retail use exceeding 10,000 gross square feet of floor area in C-3 Districts to provide freight loading space. The



project proposes 42,335 gross square feet of group housing space and 2,725 gross square feet of retail space. Thus, Section 152.1 does not apply.

10. Bicycle Parking – Section 155.2

The Project complies with Section 155.2

New buildings are required to provide a minimum of bicycle parking spaces as specified by Table 155.2. Specifically, group-housing uses are required to provide one Class 1 spaces plus one Class 1 Space for every four beds under 100; and two Class 2 spaces for every 100 beds. In addition, Section 155.2 requires one Class 2 space for every 2,500 square feet of retail occupied floor area.

The Leavenworth building proposes 98 group housing beds and 2,725 square feet of commercial space and thus must provide 25 Class 1 and four Class 2 spaces. The Project proposes 25 Class 1 and four Class 2 spaces, and thus complies with Section 155.2.

11. Downtown Park Fee – Section 412

Section 412 does not apply.

Section 412 imposes a \$2 per square foot fee on proposed office development projects in C-3 Districts. The Project proposes no office use and therefore Section 412 does not apply.

12. Jobs-Housing Linkage – Section 413

Section 413 does not apply.

Section 413 imposes certain fees for projects containing several non-residential uses exceeding 25,000 gross square feet. The Project proposes no such uses and therefore Section 413 does not apply.

13. Child-Care Requirements – Section 414

Section 414 does not apply.

Section 414 requires office and hotel development projects exceeding 50,000 gross square feet to provide child care or pay an in-lieu fee. The Project proposes no office or hotel uses and therefore Section 414 does not apply.

14. Artworks – Section 429

The Project will comply with Section 429.

Section 429 requires all new buildings in C-3 Districts to pay a Public Art Fee equal to one percent of the construction cost of the buildings to the Public Artwork Trust Fund, provide on-site

artwork of equivalent value, or a combination of both. This fee/expenditure must be satisfied prior to the issuance of the first Certificate of Occupancy. The Project Sponsor will comply with this requirement.

J. PRIORITY MASTER PLAN POLICIES FINDINGS

Planning Code Section 101.1 establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The Project and this Section 303 Application are consistent with each of these policies as follows:

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

The proposed Project is located in the RC-4 (Residential-Commercial, High Density) and C-3-G (Downtown General Commercial) Zoning Districts. The Project will provide 2,725 square feet of commercial space, with 98 dwelling units on an unimproved vacant lot. New residents in the proposed Project are expected to support retail use in the vicinity and intensification of retail use in the area could provide opportunities for resident employment in and ownership of such businesses.

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

No housing exists in the current vacant space and the Project would have no adverse impact on existing housing. The Project will enhance this neighborhood. The Project will have a positive effect on this area by increasing the number of residents in an area with many desirable urban characteristics and services.

3. **That the City's supply of affordable housing be preserved and enhanced.**

As the Project proposes 98 new group dwelling units, it is not subject to the citywide inclusionary housing ordinance. The production of this new group housing will increase the supply of new housing opportunities and should help address the demand for housing in this neighborhood and San Francisco.

4. **That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.**

The Project will encourage residents to use public transit, walk, and bicycle, as no new parking will be provided for the new residential uses. The Project is situated in one of the most transit rich areas in the City and residents will have excellent access to several modes of transportation.



5. **That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.**

No industrial uses or service sectors will be displaced as a result of the Project. The Project will contribute to a diverse economic base by providing a significant number of new residential units in San Francisco. The shortage of housing in San Francisco has driven up housing costs, making it more and more difficult for people with jobs in San Francisco to live in the City. By contributing to the City's housing supply, the Project will further help San Francisco increase housing opportunities for resident workers, and thereby maintain a diverse economic base.

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

The Project will conform to the structural and seismic requirements of the San Francisco Building Code.

7. **That landmarks and historic buildings be preserved.**

The proposed Project is not located in or near any Conservation District or Historic District. There are no landmark buildings, contributory buildings, or architecturally significant buildings on the Project site or in the vicinity. The proposed Project will have no effect on any historic resource but the design of the buildings and the selection of materials were determined to be consistent with the historical character of the neighborhood.

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

The Project is not adjacent to any parks, or public or private open space, and will therefore have no affect on access to sunlight or vistas.

K. APPLICANT'S AFFIDAVIT

I declare, under penalty of perjury, that the undersigned is the owner or authorized agent of the owner of the property that is the subject of this Section 309 Application and that the statements set forth herein, as well as those in the attached exhibits are true and correct to the best of my knowledge.

Respectfully submitted,

By:   
David P. Cincotta, Esq.  
Attorney for Projects Sponsor

## **LIST OF EXHIBITS**

- Exhibit A - Photographs of the Project Site and Adjacent Properties
- Exhibit B - Reduced Site Plans, Floor Plans, and Elevations
- Exhibit C - Letter of Authorization
- Exhibit D - List of Addresses for Project-Related Notices

**APPLICATION FOR PERMIT REVIEW  
IN THE C-3 (DOWNTOWN) DISTRICT**

**(PLANNING CODE SECTION 309)**

**FOR**

**Property Located at 145 Leavenworth Street  
Block 0345, Lot 002**

**Project Sponsor: Forge Land Company LLC**

**Planning Department Case No. 2012.1531X**

**Application Filed: April 30, 2014**

Revised March 30, 2015

Forge Land Company LLC  
260 TOWNSEND STREET SAN FRANCISCO

March 6, 2015

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

Re: Project at 361 Turk Street and 145 Leavenworth

Ms. Conner,

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

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

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

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

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

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

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

**Design:**

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

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

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

**Benefits:**

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

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



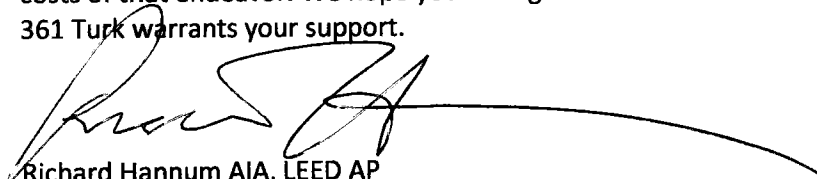
distribution provides all low voltage, data, telecom, and power to every unit. Energy use in the project is reduced by over 50% on normal.

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

**Construction:**

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

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



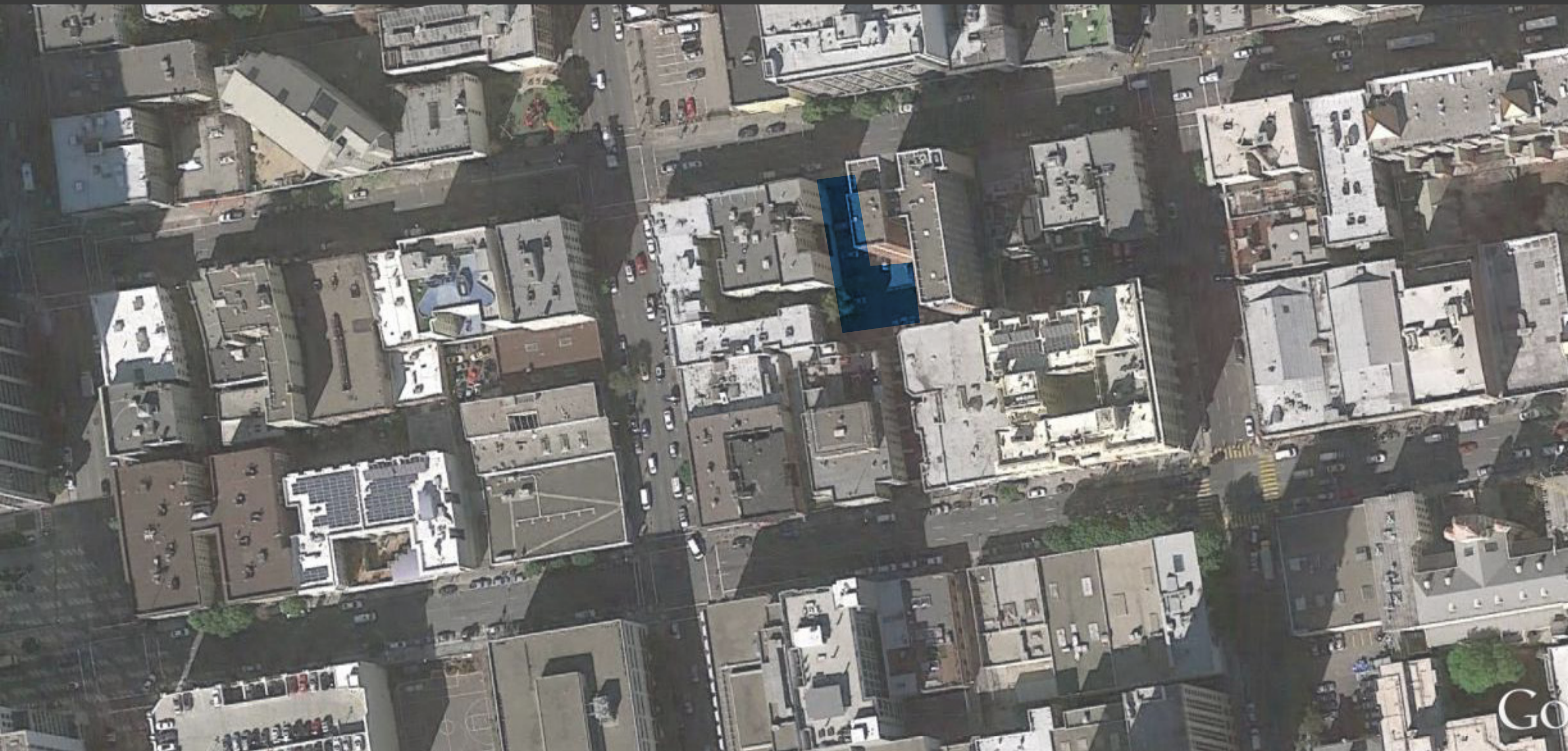
Richard Hannum AIA, LEED AP  
Forge Land Company, LLC.

# Community Outreach

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



# 361 TURK STREET







## STREET VIEW LOOKING SOUTHEAST

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

361 Turk Street

San Francisco, CA

Sustainable Living Innovations

23-Feb-15

AREA SUMMARY

Area Summary						
Level	Resid. Unit GSF	Resid. Common GSF	Commercial GSF	Parking GSF	Mech. GSF	Total GSF
R		2,021				2,021
8	4,396	1,511				5,907
7	4,396	1,166				5,562
6	4,396	1,511				5,907
5	4,396	1,166				5,562
4	4,396	1,511				5,907
3	4,396	1,166				5,562
2	3,709	2,186				5,895
1	2,300	1,878	2,160			6,338
P1		2,762	1,721		1,143	5,626

Total	32,385	18,769	3,881	3,620	4,700	62,008
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Parking			
Resid. Parking Stalls	Carshare Stalls	Bicycle Stalls - Class 1	Bicycle Stalls - Class 2
6		35	6

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

3,741	-	-
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Unit Types		
Unit Ratios		
Typical Unit Size		

Unit Mix				
GOU-A	GOU-B	GOU-C	# Units	Level
			R	R
13	3	3	19	8
13	3	3	19	7
13	3	3	19	6
13	3	3	19	5
13	3	3	19	4
13	3	3	19	3
13	0	3	16	2
	9	1	10	1
			P1	P1

91	27	22	140
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GOU-A	GOU-B	GPU-C	Total
60%	24%	16%	100%
262	259	267	

Site Area: 10,263 sf

Zoning: RC-4

Height District: 80-T

APN: 0345-017

Open Space Calculations:

Residential - Private:

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

150 units - 0 units = 150 units

150 units x 16 sf per unit = 2,400 sf common open space required

Residential - Common:

Common Open Space Required = 2,400 sf

Common Open Space Provided = 3,741 sf

Commercial:

Open Space Required = 0 sf

Open Space Provided = 0 sf

Bicycle Parking Calculations:

Residential - Class 1:

Bicycle Space Required = 35

Bicycle Space Provided = 35

Residential - Class 2:

Bicycle Space Required = 4

Bicycle Space Provided = 4

Commercial - Class 1:

Bicycle Space Required = 0

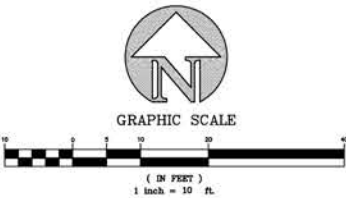
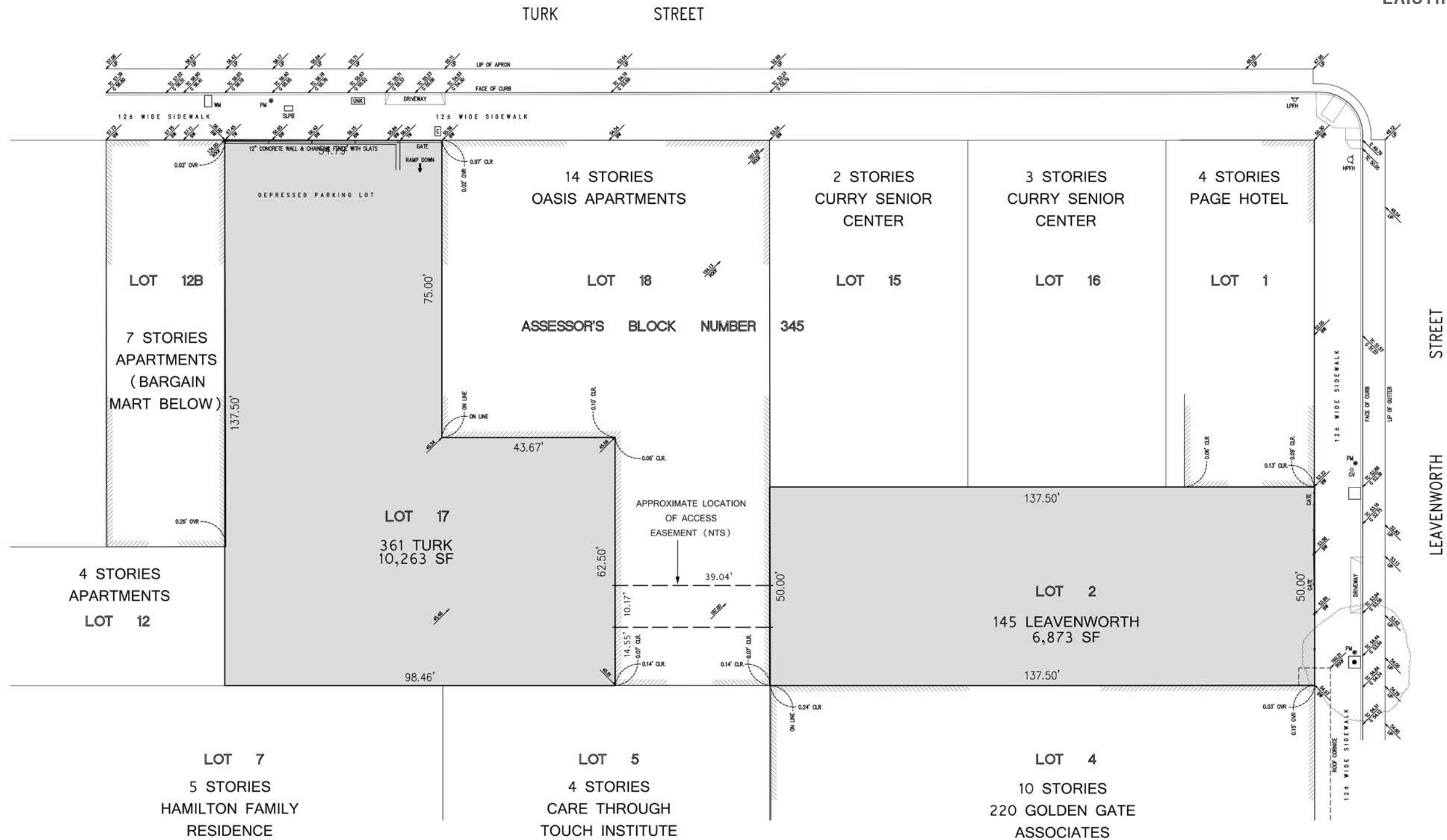
Bicycle Space Provided = 0

Commercial - Class 2:

Bicycle Space Required = 2

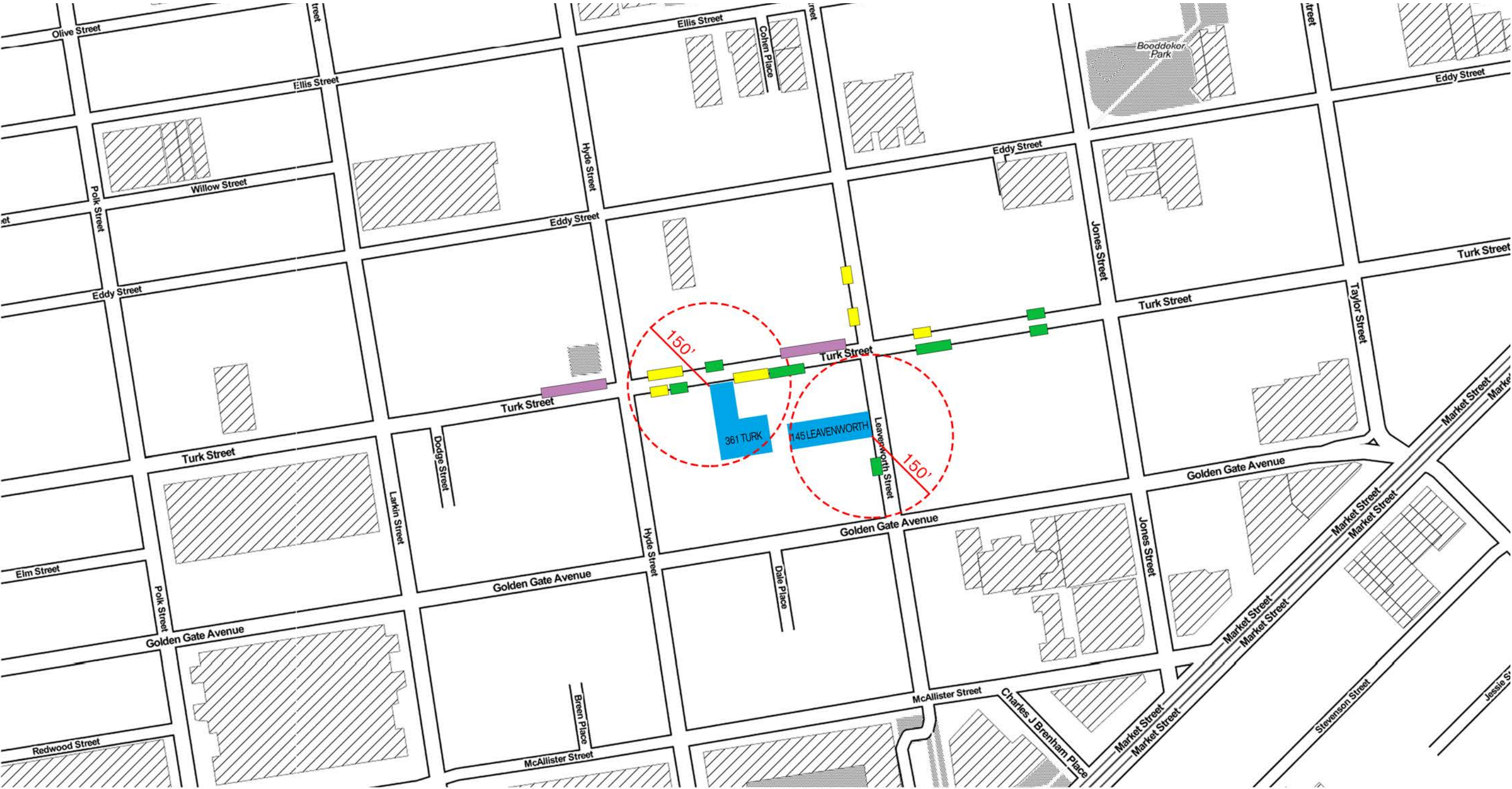
Bicycle Space Provided = 2







SURROUNDING LOADING ZONES AND BUS STOPS

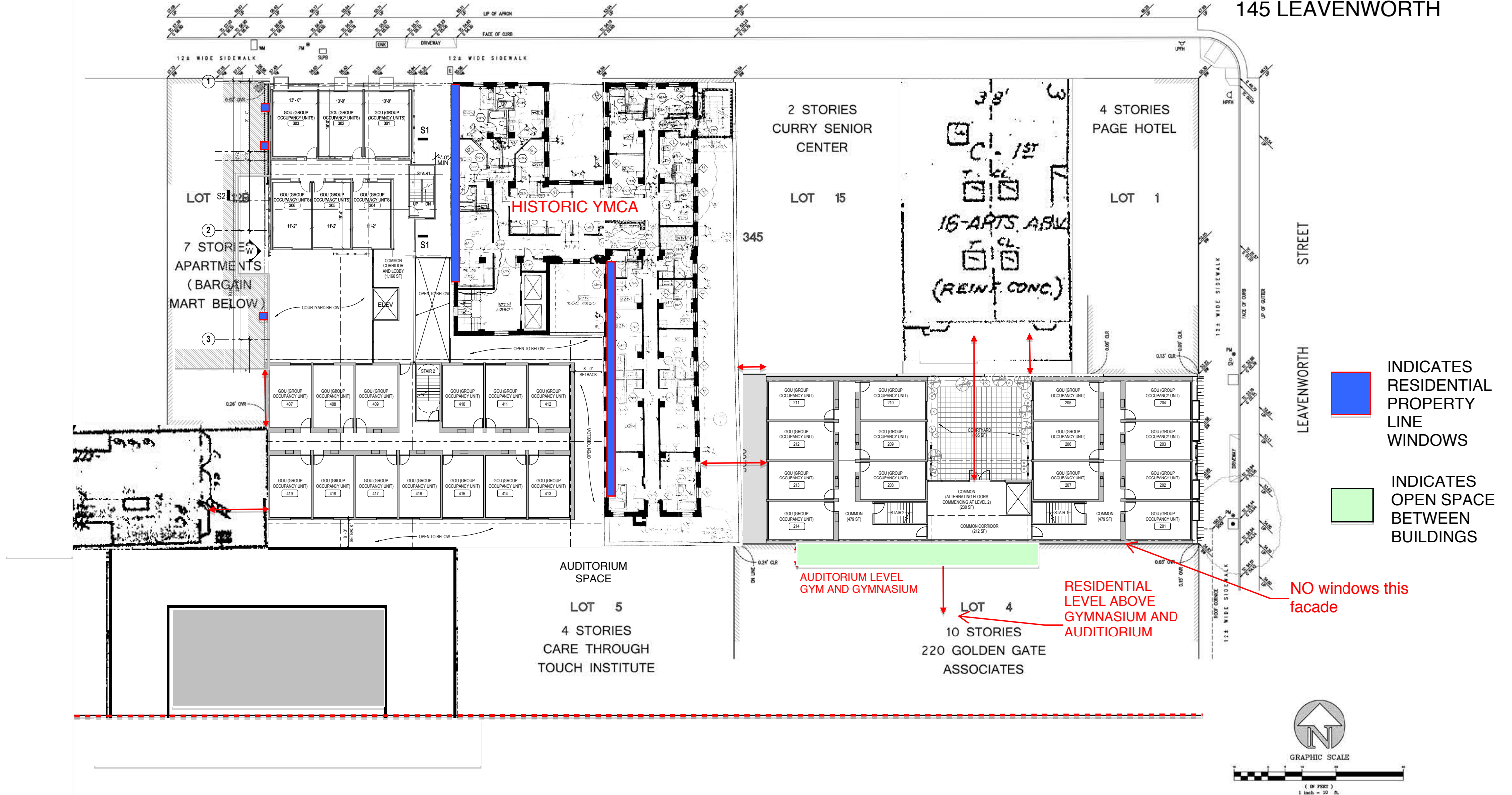


- |  |               |  |                   |  |                  |
|--|---------------|--|-------------------|--|------------------|
|  | 25' BUS STOP  |  | 25' LOADING ZONE  |  | 25' YELLOW ZONE  |
|  | 50' BUS STOP  |  | 50' LOADING ZONE  |  | 50' YELLOW ZONE  |
|  | 100' BUS STOP |  | 100' LOADING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

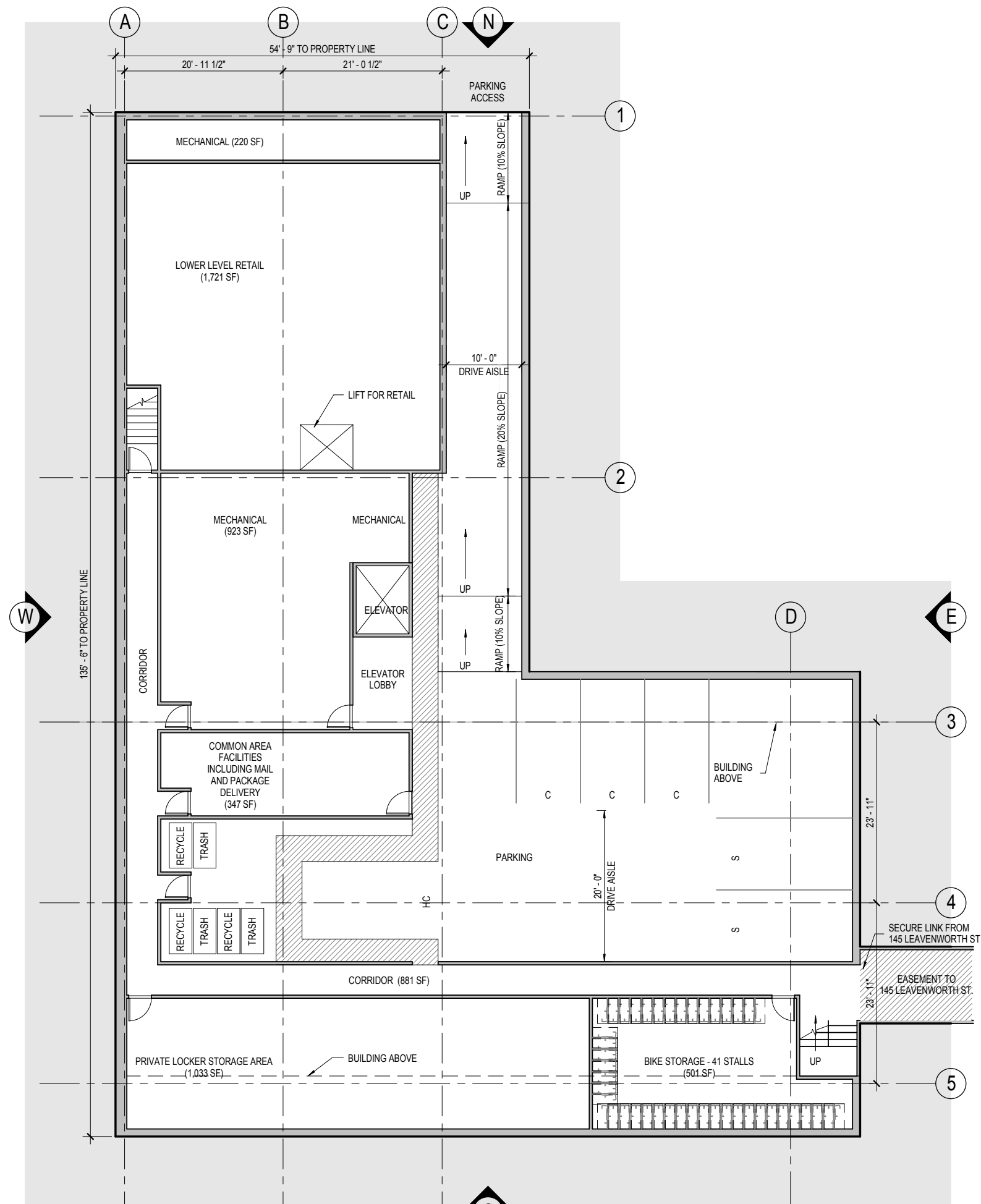




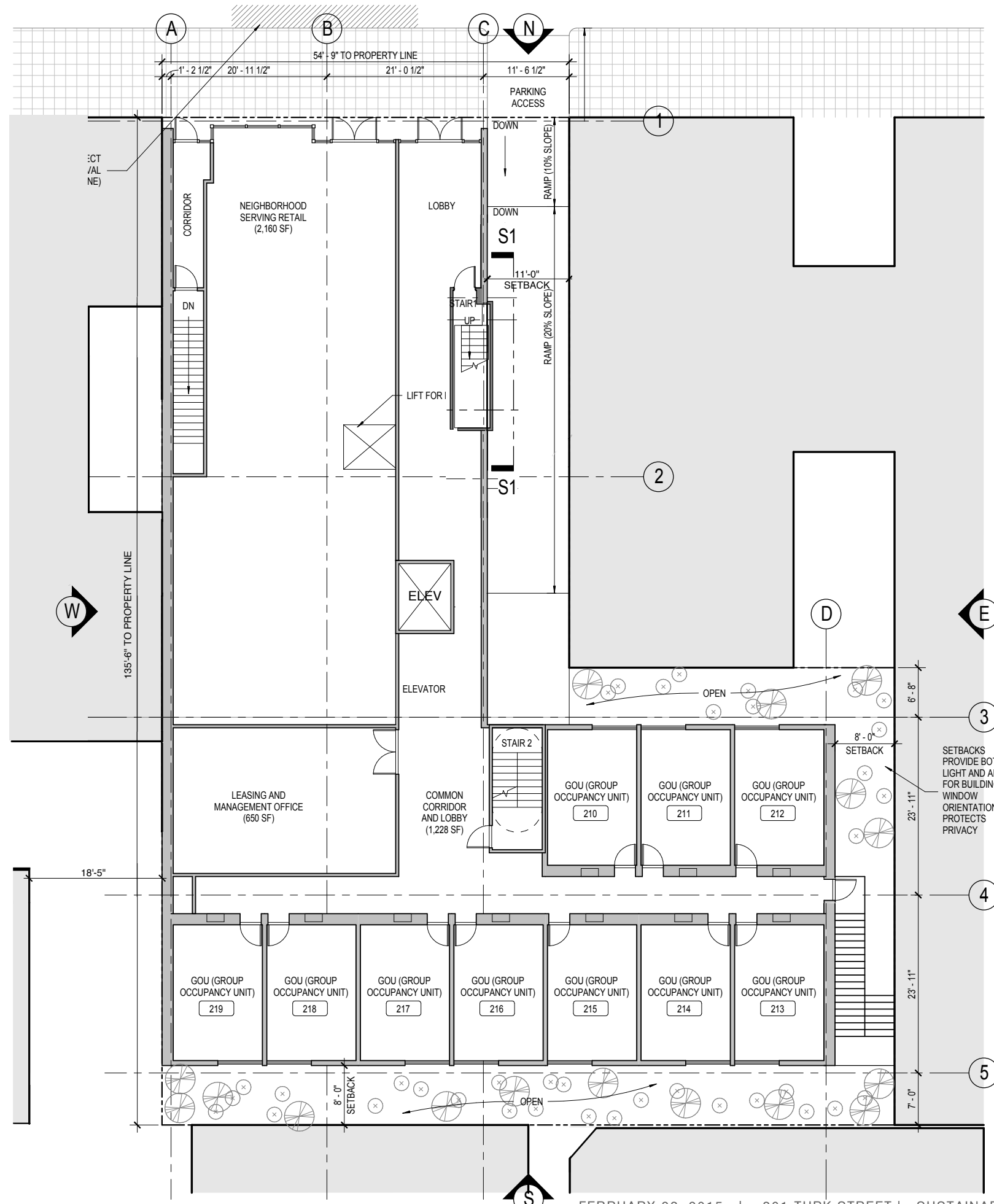
STUDY OF SETBACKS  
AND PROPERTY LINE  
WINDOWS AT:  
361 TURK AND  
145 LEAVENWORTH



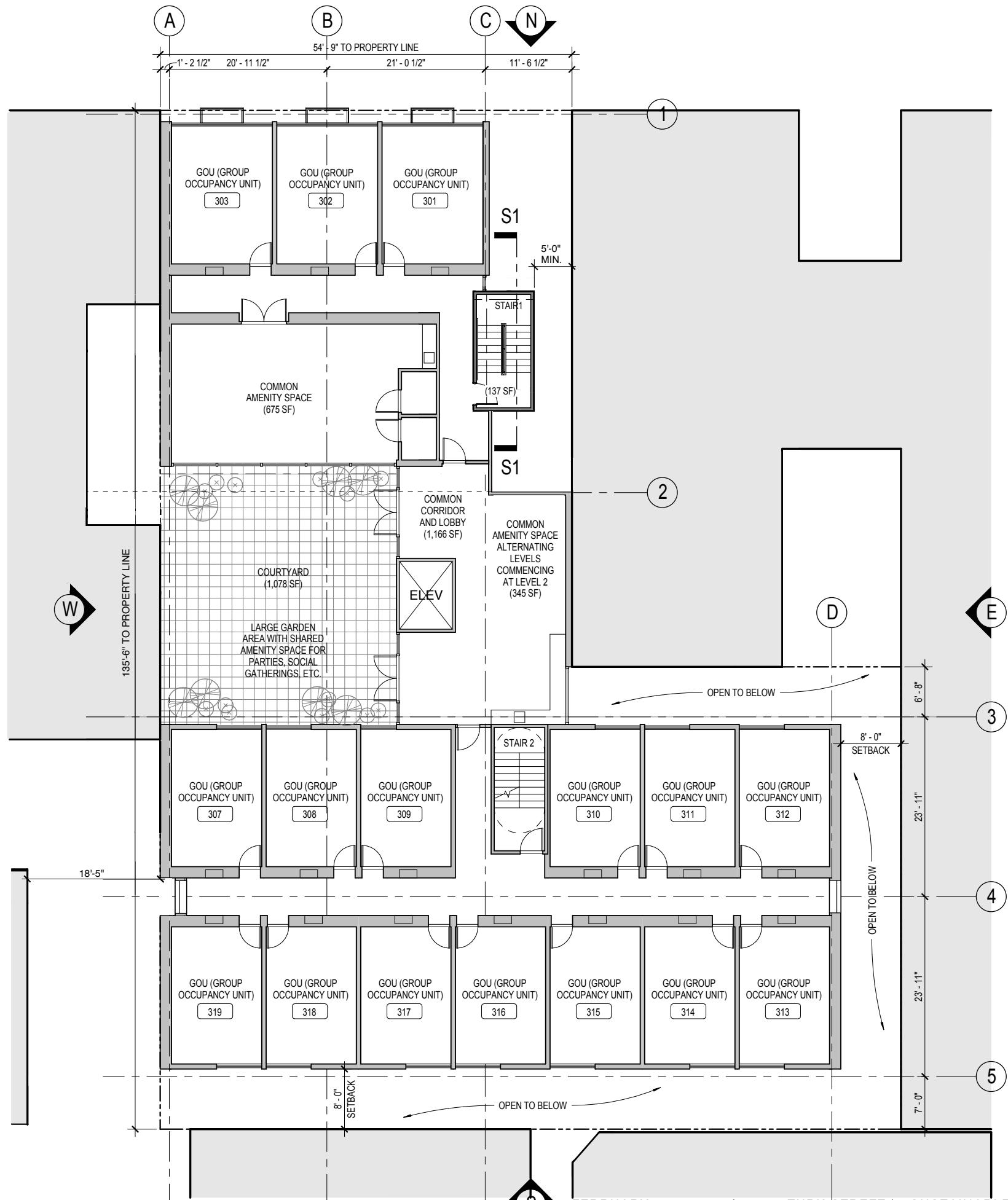
## BASEMENT - P1



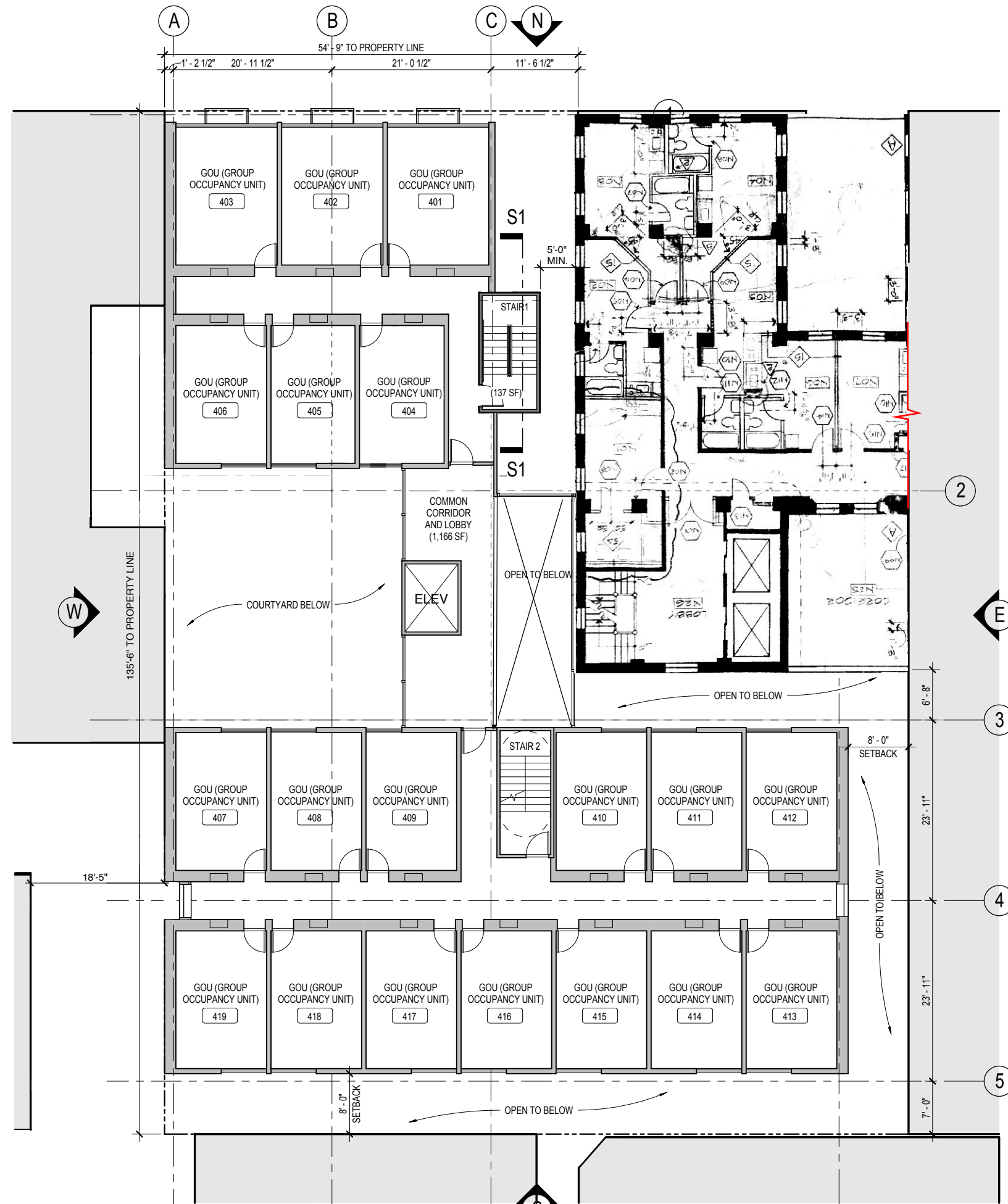
# LEVEL 1 - GROUND FLOOR



LEVELS 2

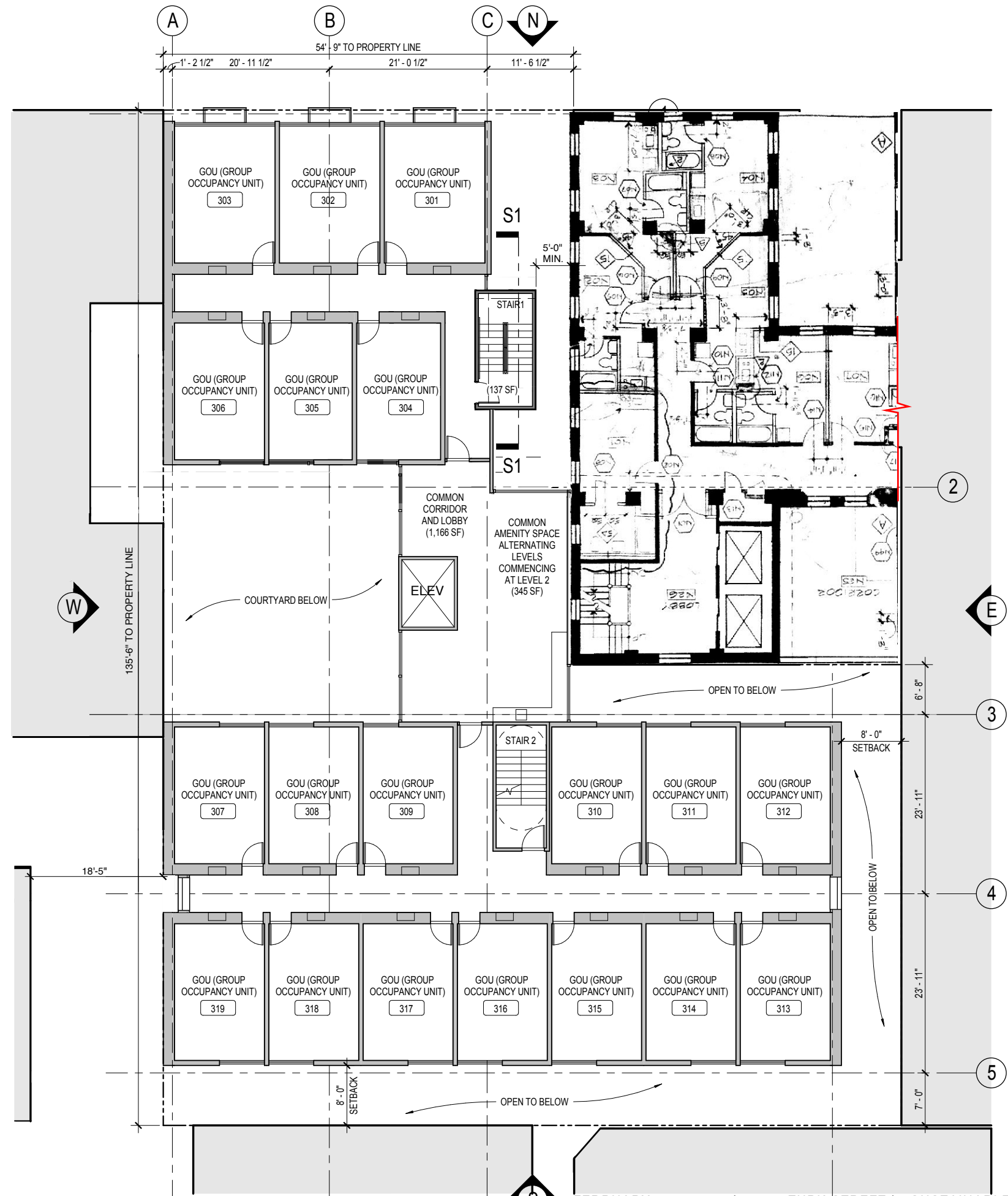


# LEVELS 3, 5, 7

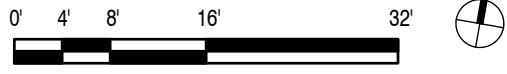
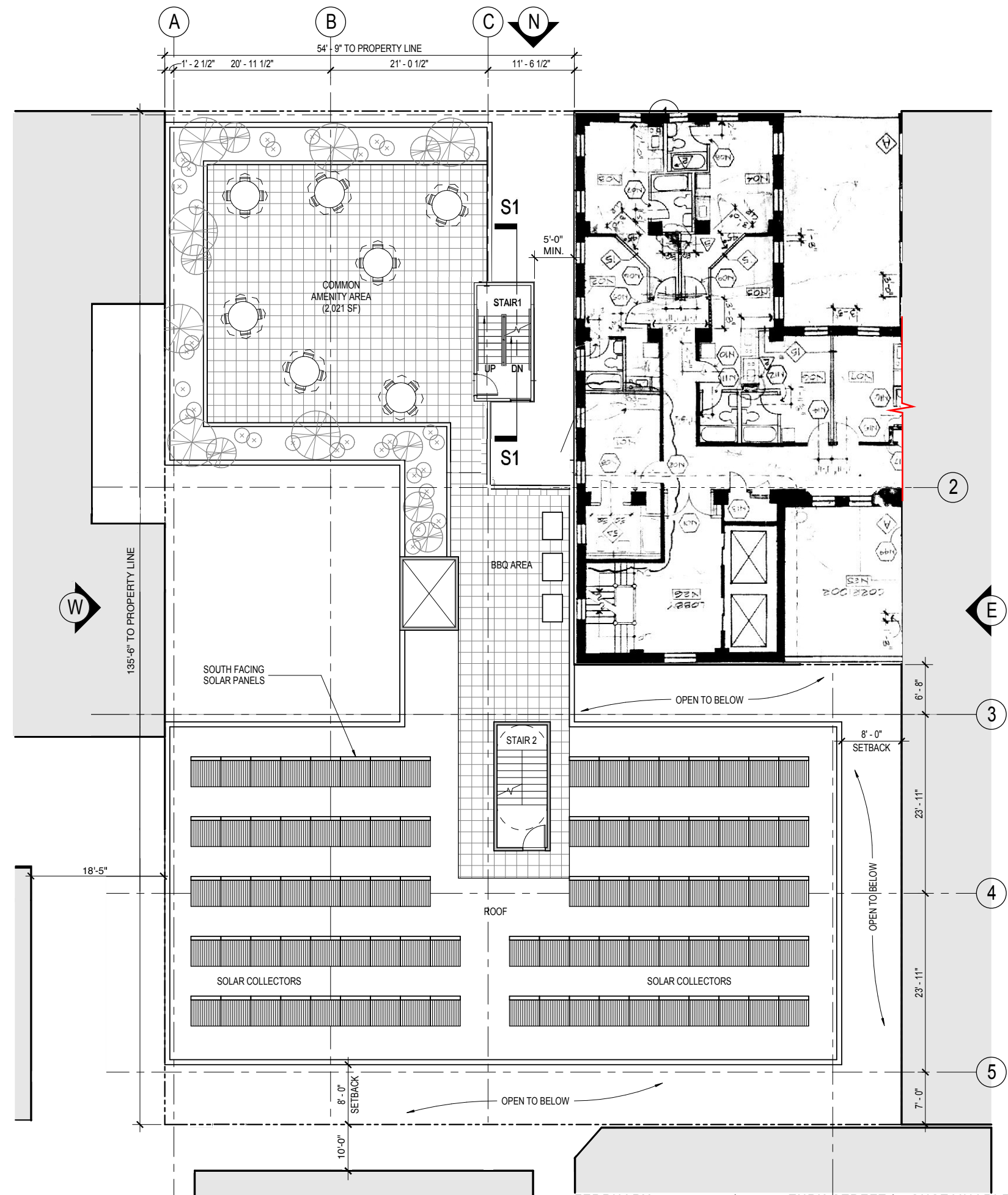




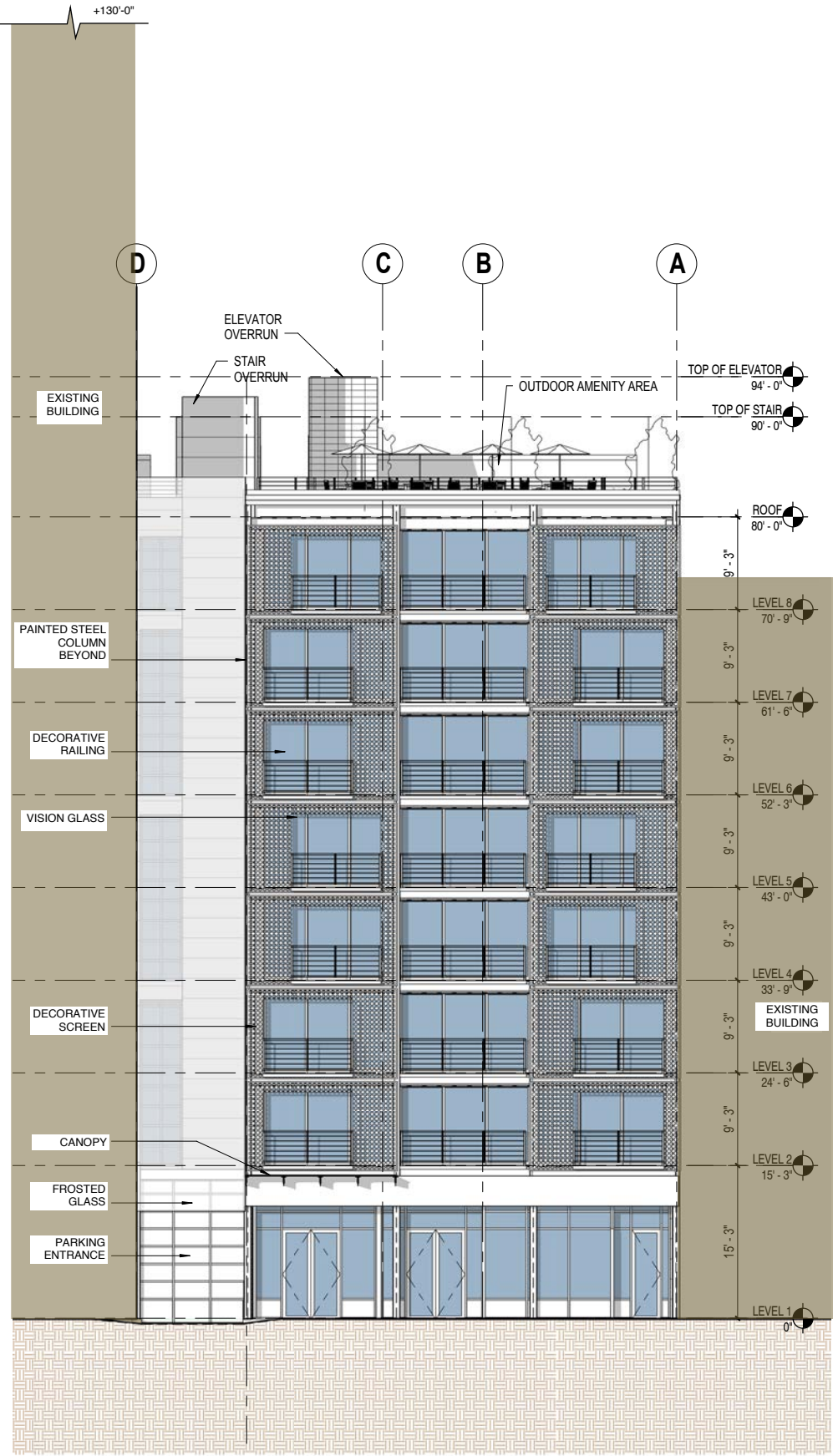
# LEVELS 4, 6, 8



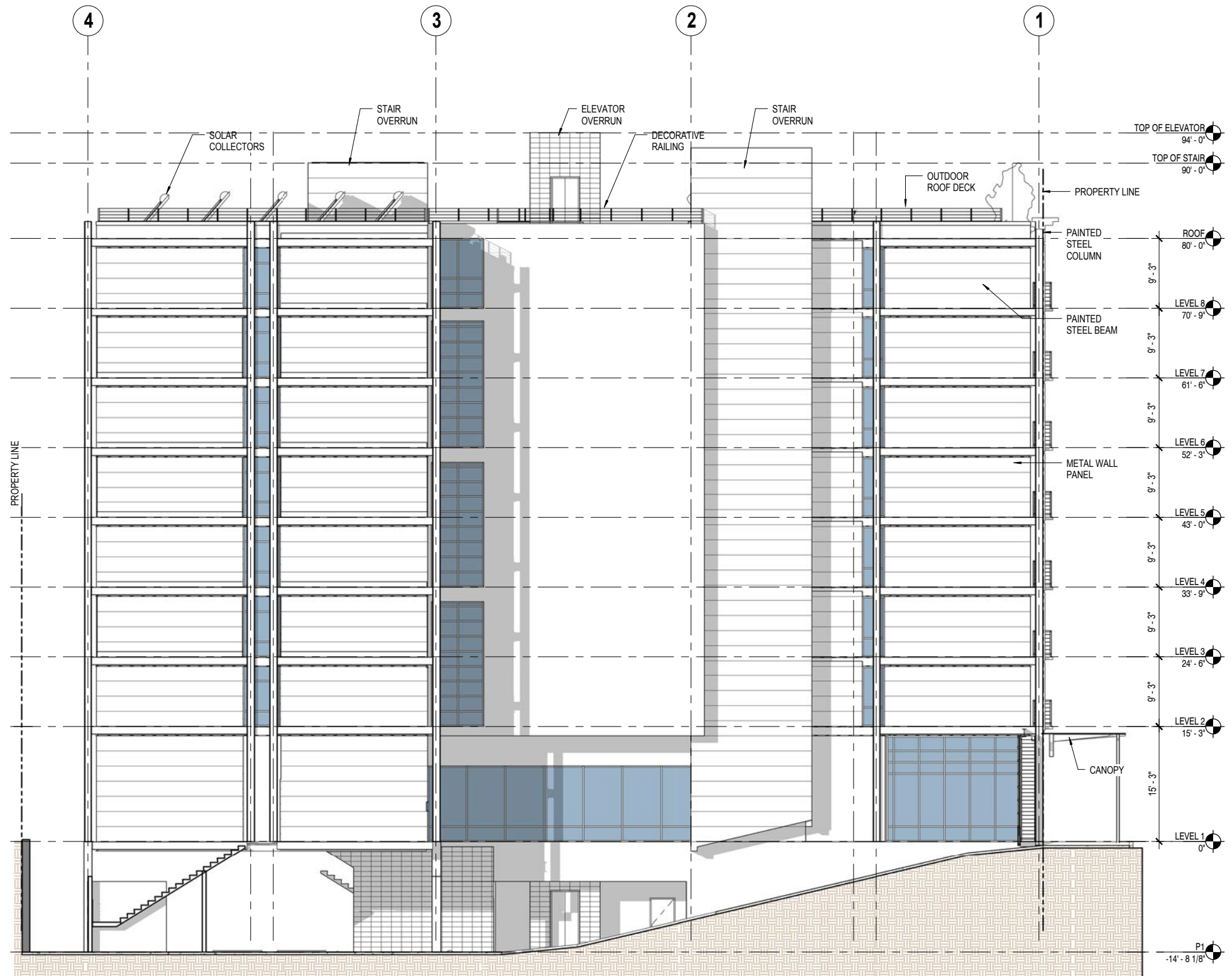
ROOF LEVEL



# ELEVATIONS



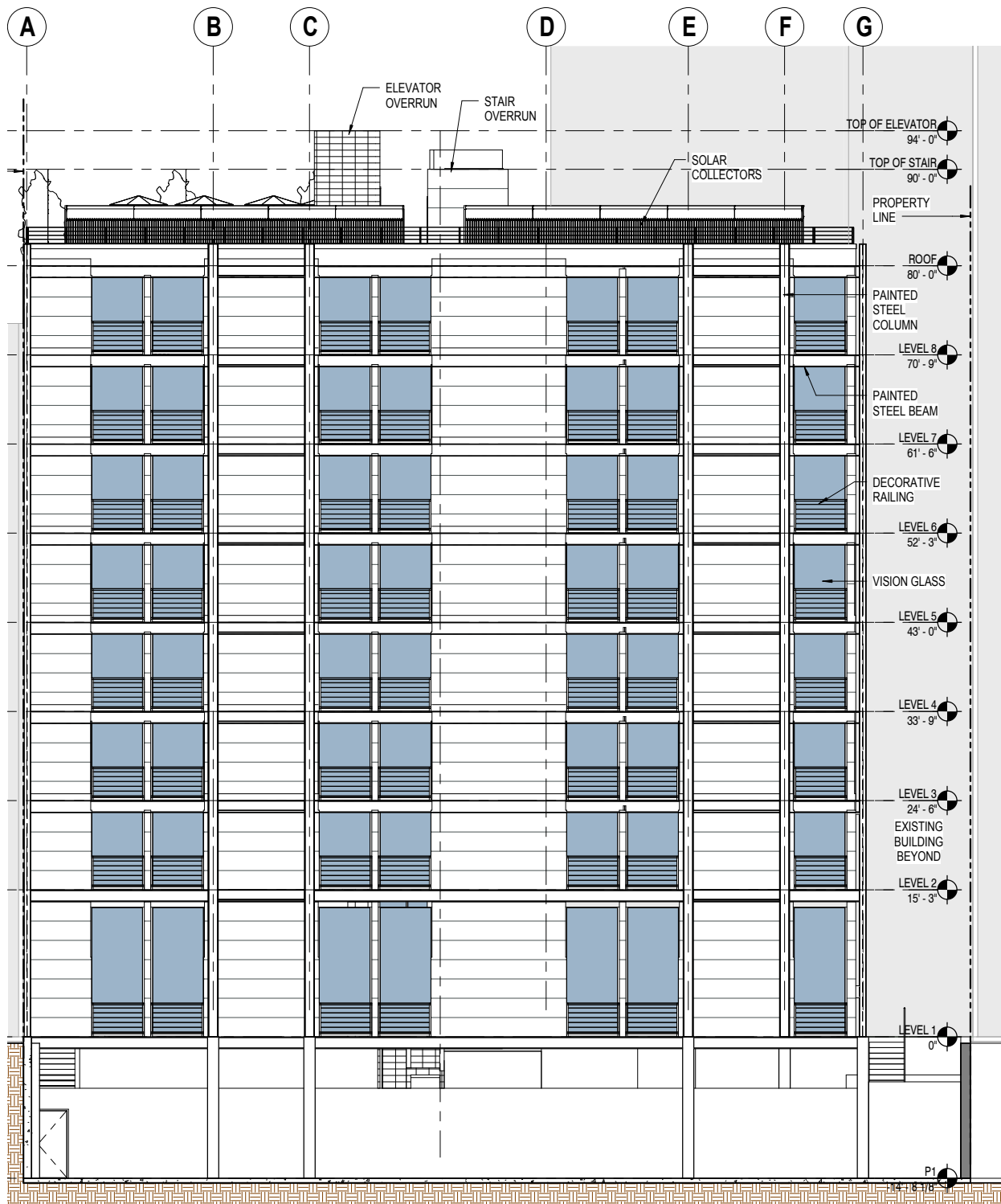
**NORTH ELEVATION**  
0' 4' 8' 16' 32'



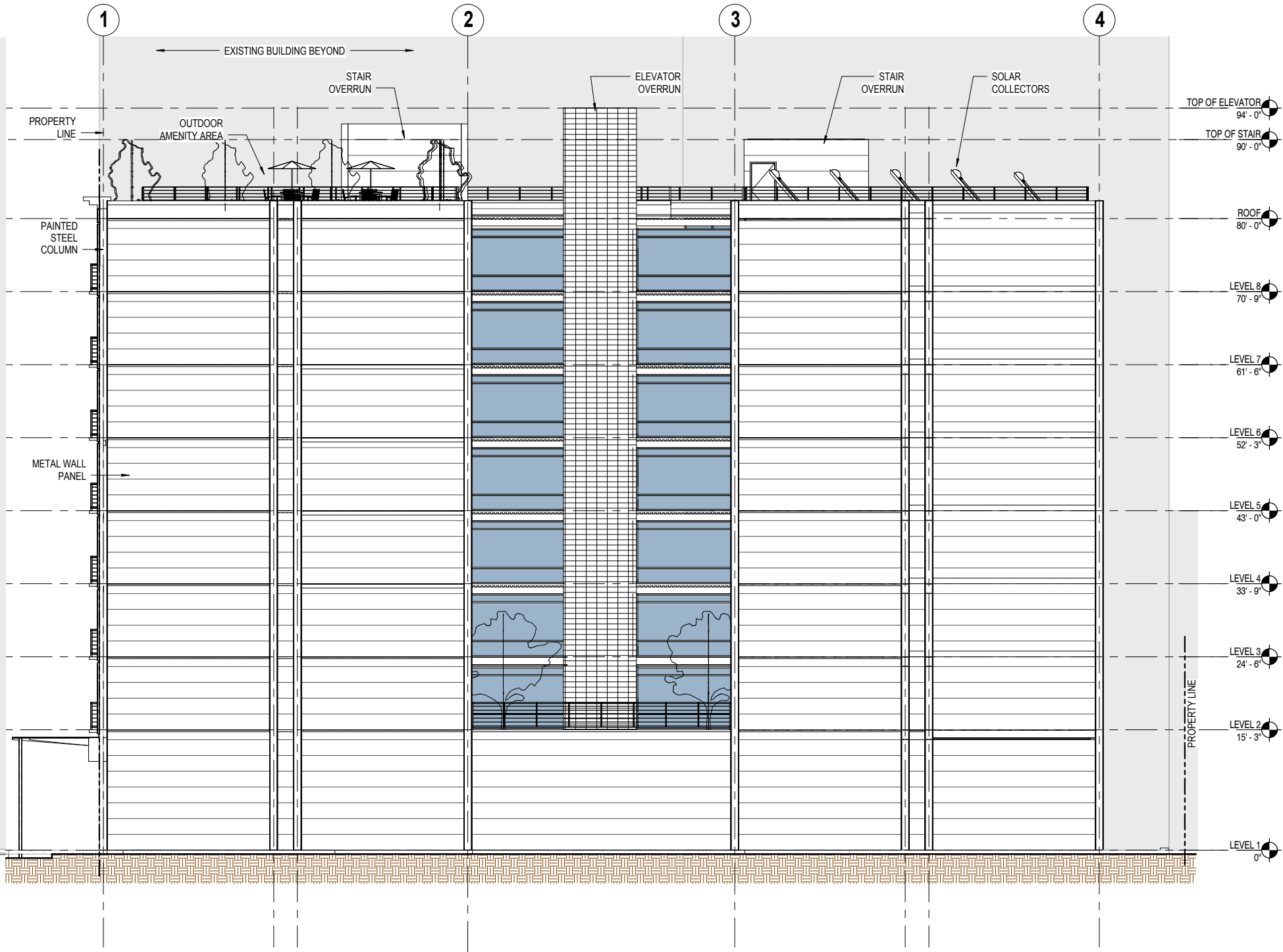
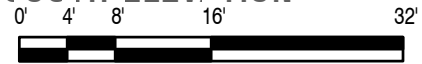
**EAST ELEVATION**  
0' 4' 8' 16' 32'



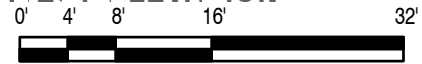
# ELEVATIONS



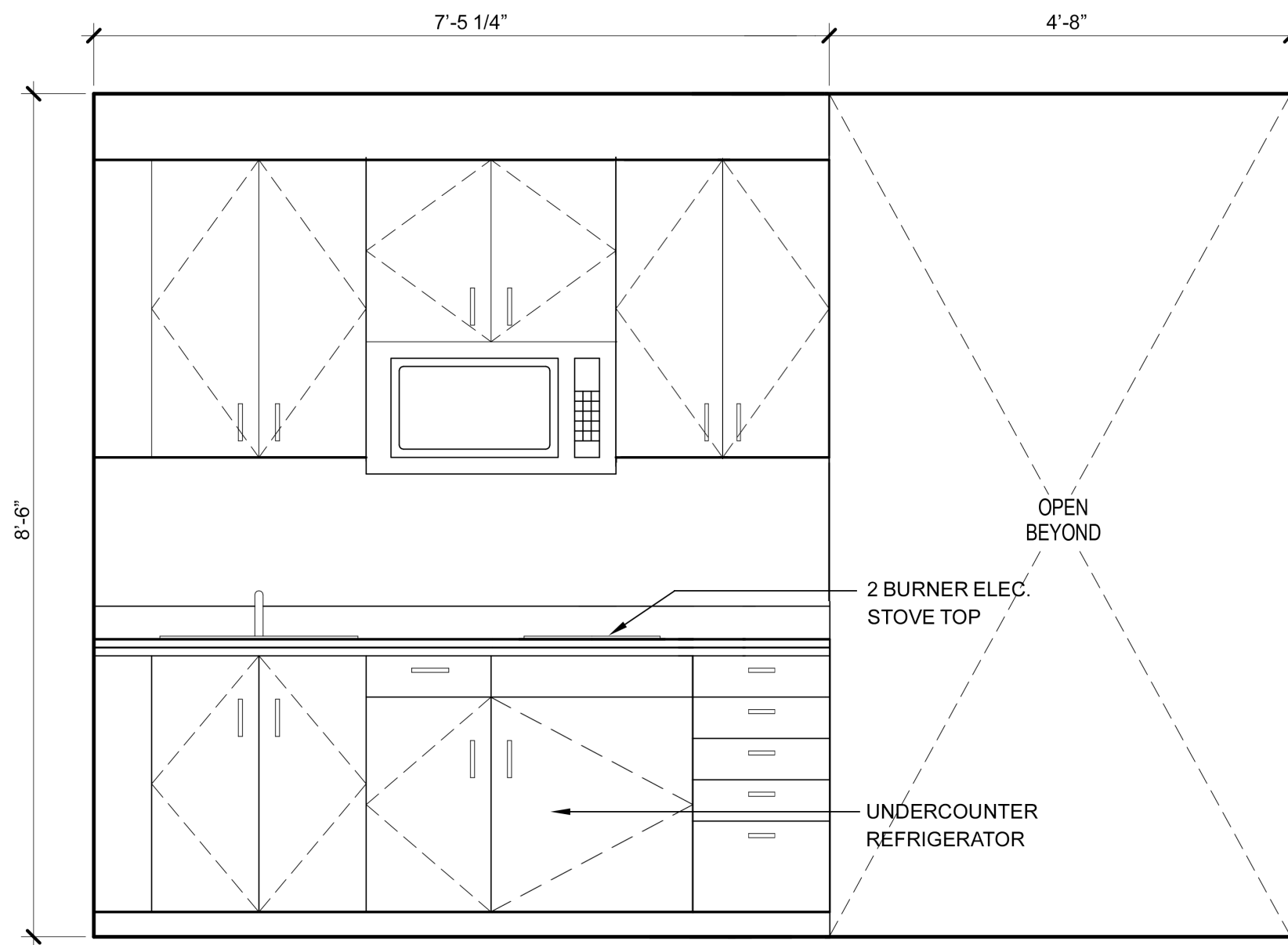
**SOUTH ELEVATION**



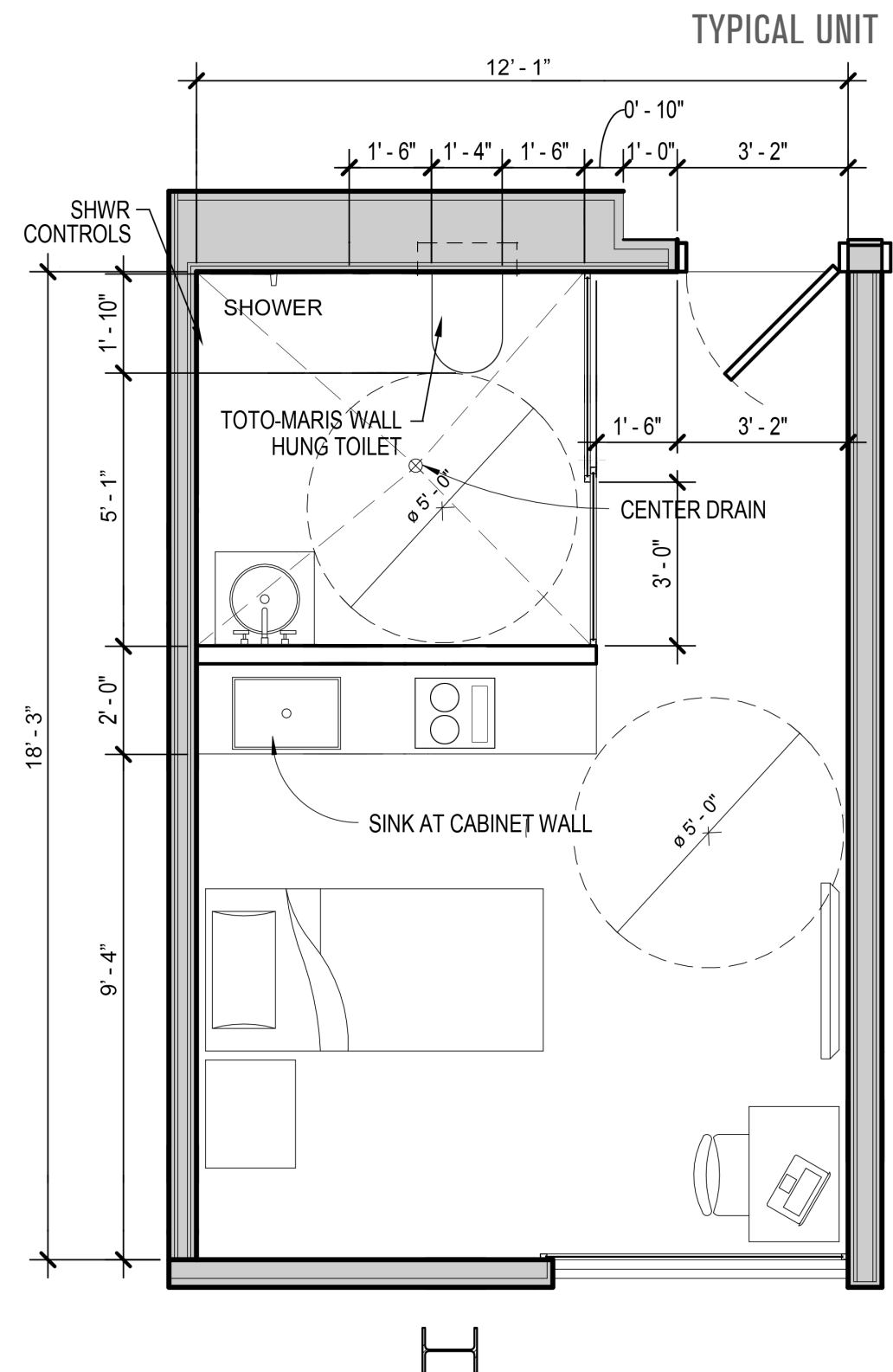
**WEST ELEVATION**







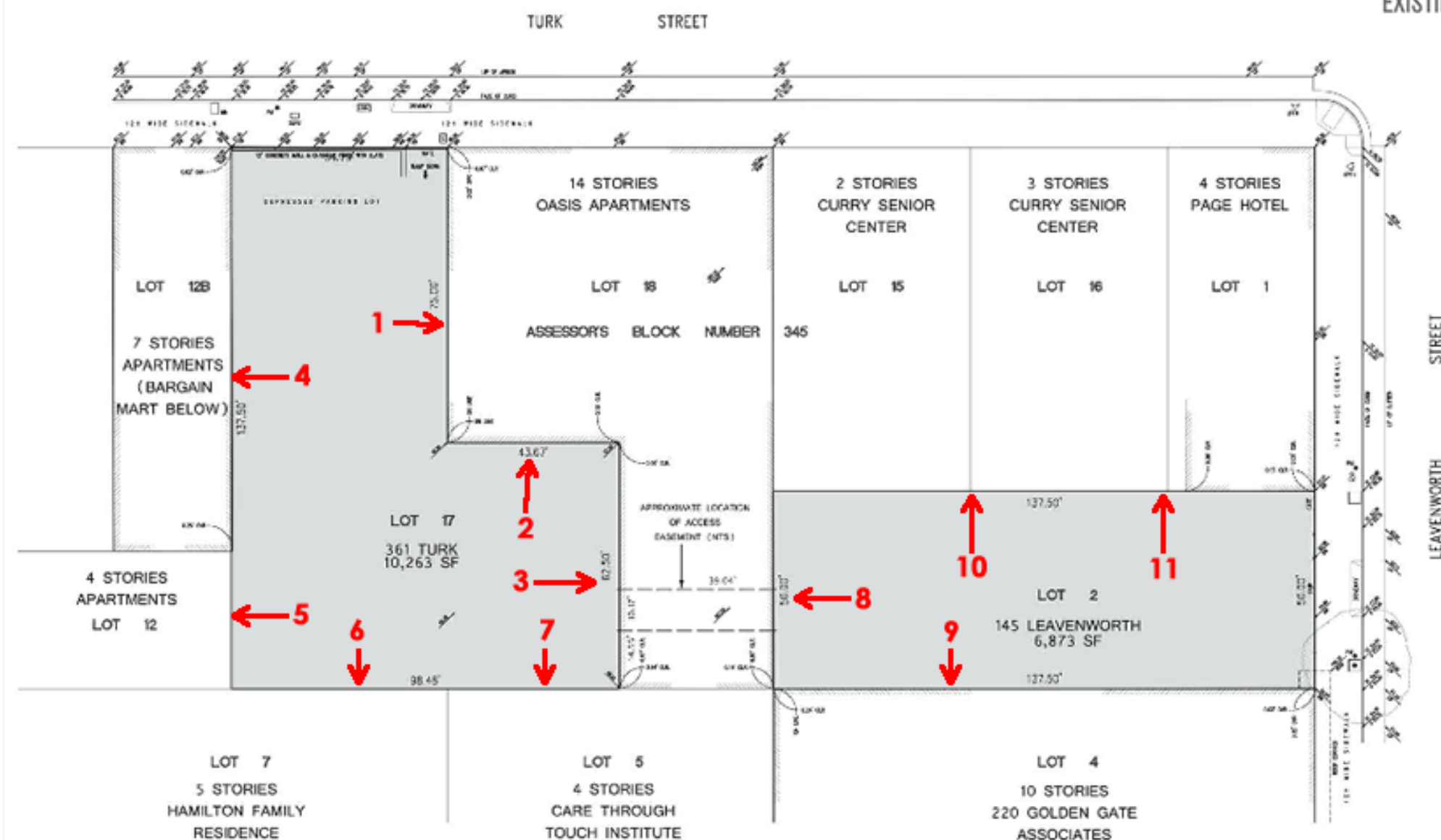
POSSIBLE COOKING FACILITIES AT CABINET WALL | 3/4"=1'



MOBILITY UNIT | 3/8"=1'



EXISTING VICINITY PLAN





## CONTEXT PHOTOGRAPHS

371 Turk - Lot 12B  
East Façade (4)



138 Hyde - Lot 12  
East Façade (5)



260 Golden Gate - Lot 7  
North Façade (6)



240 Golden Gate - Lot 5  
North Façade (7)



351 Turk - Lot 18  
West Façade (1)



South Façade (2)



West Façade (3)





## CONTEXT PHOTOGRAPHS



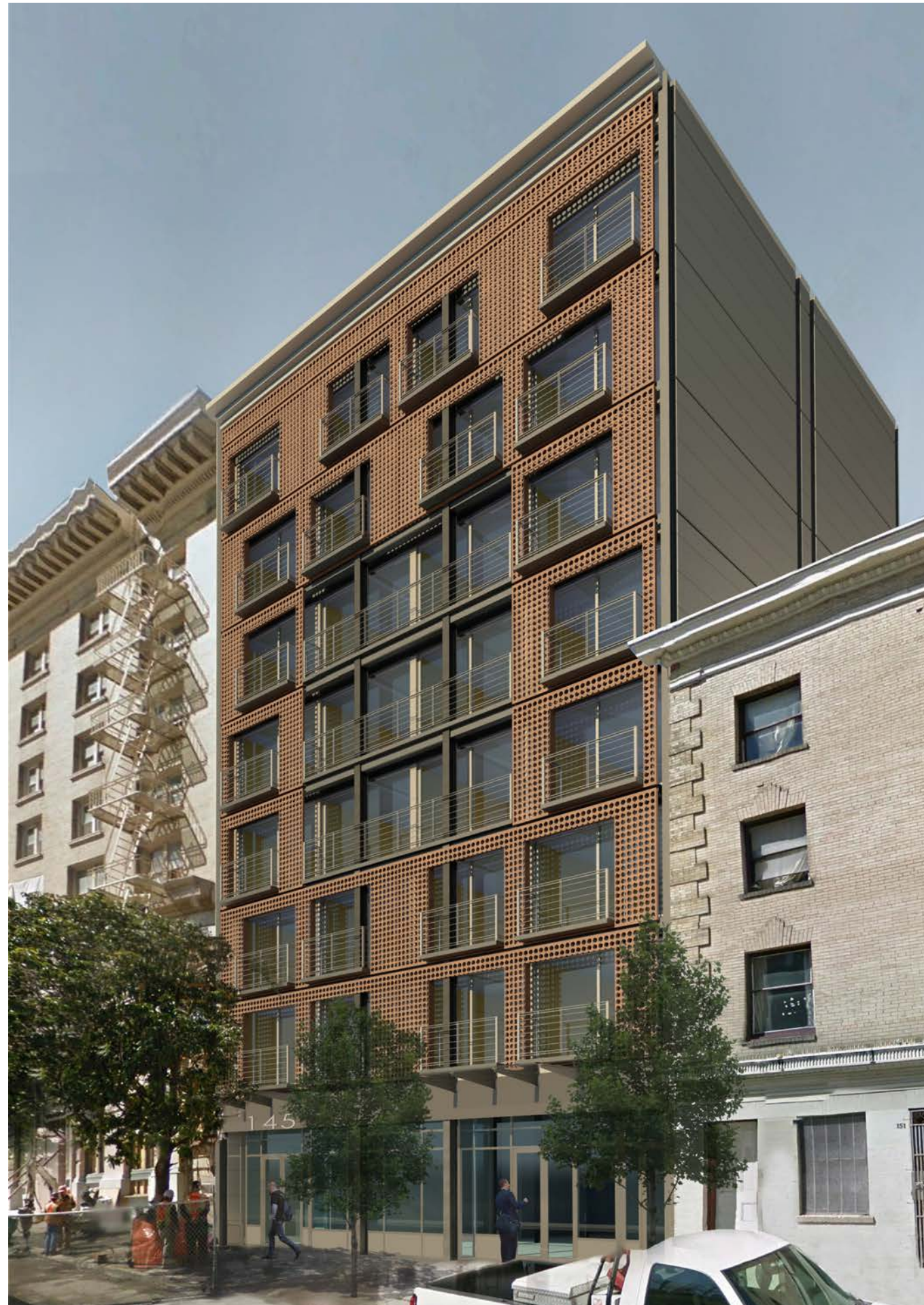


# 145 LEAVENWORTH STREET





STREET VIEW LOOKING SOUTHWEST





145 Leavenworth Street

San Francisco, CA

Sustainable Living Innovations

6-Jan-15

AREA SUMMARY

Area Summary						
Level	Resid. Unit GSF	Resid. Common GSF	Commercial GSF	Parking GSF	Mech. GSF	Total GSF
R		2,712				2,712
8	3,360	1,400				4,760
7	3,360	1,170				4,530
6	3,360	1,400				4,760
5	3,360	1,170				4,530
4	3,360	1,400				4,760
3	3,360	1,170				4,530
2	3,360	1,400				4,760
1		3,118	2,725			5,843

Total	23,520	14,940	2,725	-	-	41,185
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Parking			
Resid. Parking Stalls	Carshare Stalls	Bicycle Stalls - Class 1	Bicycle Stalls - Class 2
		25	4

-	-	25	4
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Open Space		
Residential Common	Residential Private	Commercial
2,712		
935		
		145

3,647	-	145
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Unit Types	
Unit Ratios	
Typical Unit Size	

Unit Mix			
GOU-A	GOU-B	# Units	Level
			R
14		14	8
14		14	7
14		14	6
14		14	5
14		14	4
14		14	3
14		14	2
			1

98	-	98
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GOU-A	GOU-B	Total
100%	0%	100%
240	-	

Site Area: 6,873 sf

Zoning: C-3-G

Height District: 80-X

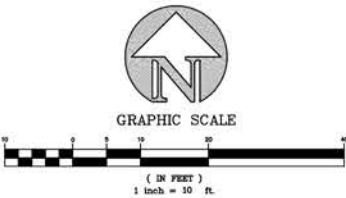
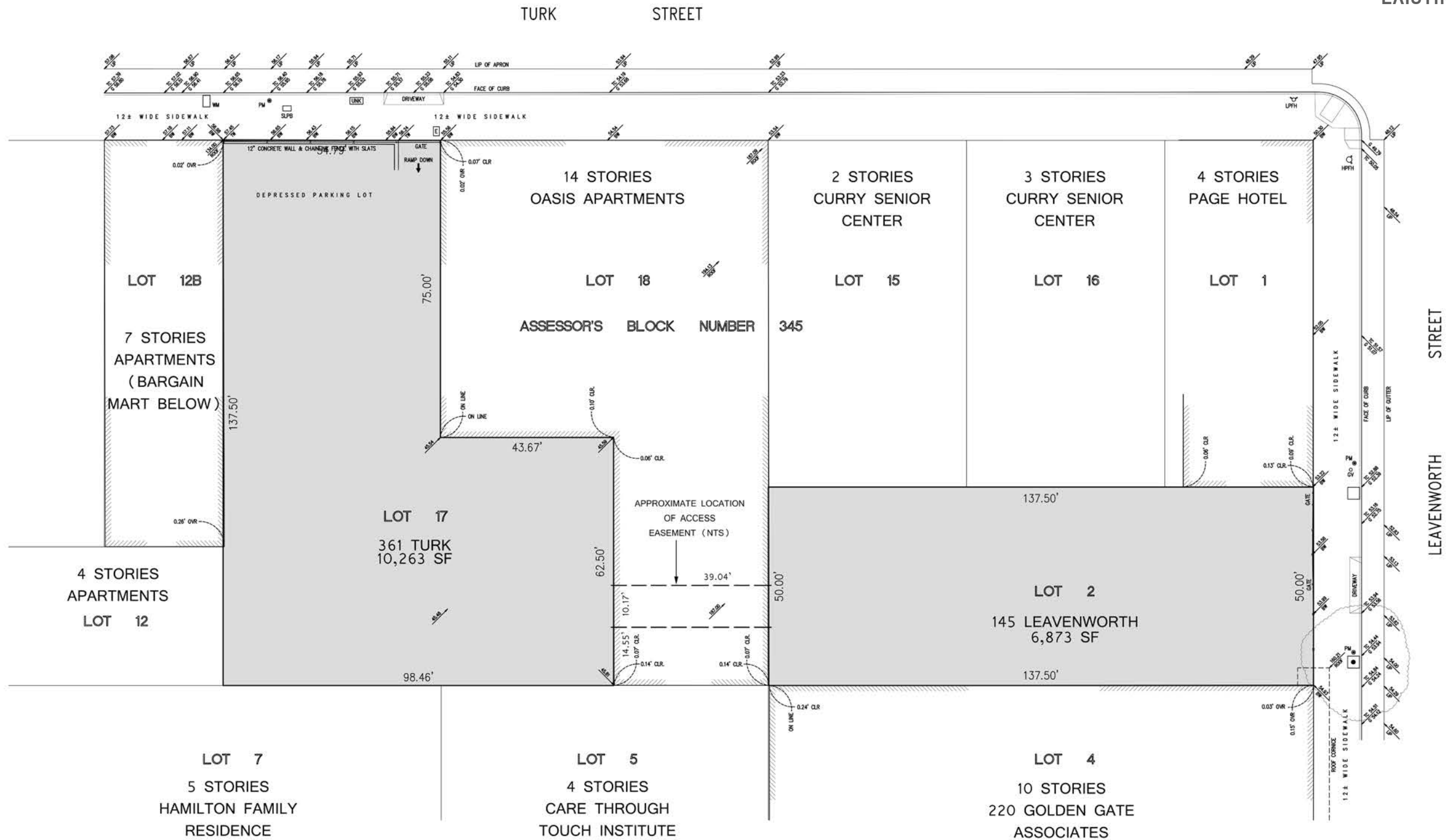
APN: 0345-002

Open Space Calculations:

Residential - Private:	
0 sf / 36 sf per unit = 0 units have private open space	
98 units - 0 units = 98 units	
98 units x (1/3) 48 sf per unit = 1,568 sf common open space required	
Residential - Common:	
Common Open Space Required =	1,568 sf
Common Open Space Provided =	3,647 sf
Commercial:	
Public Open Space Required =	(1 sf per 50 non-residential gsf) = 2,725 sf / 50 = 55 sf Required
Public Open Space Provided =	145 sf

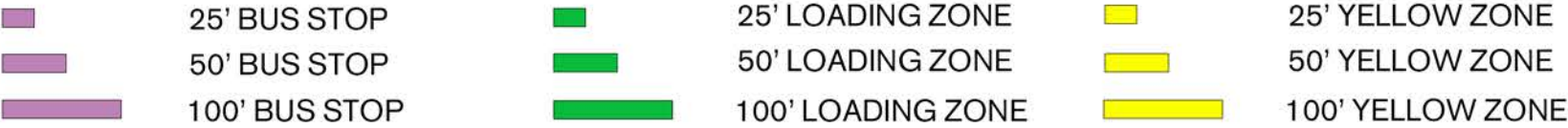
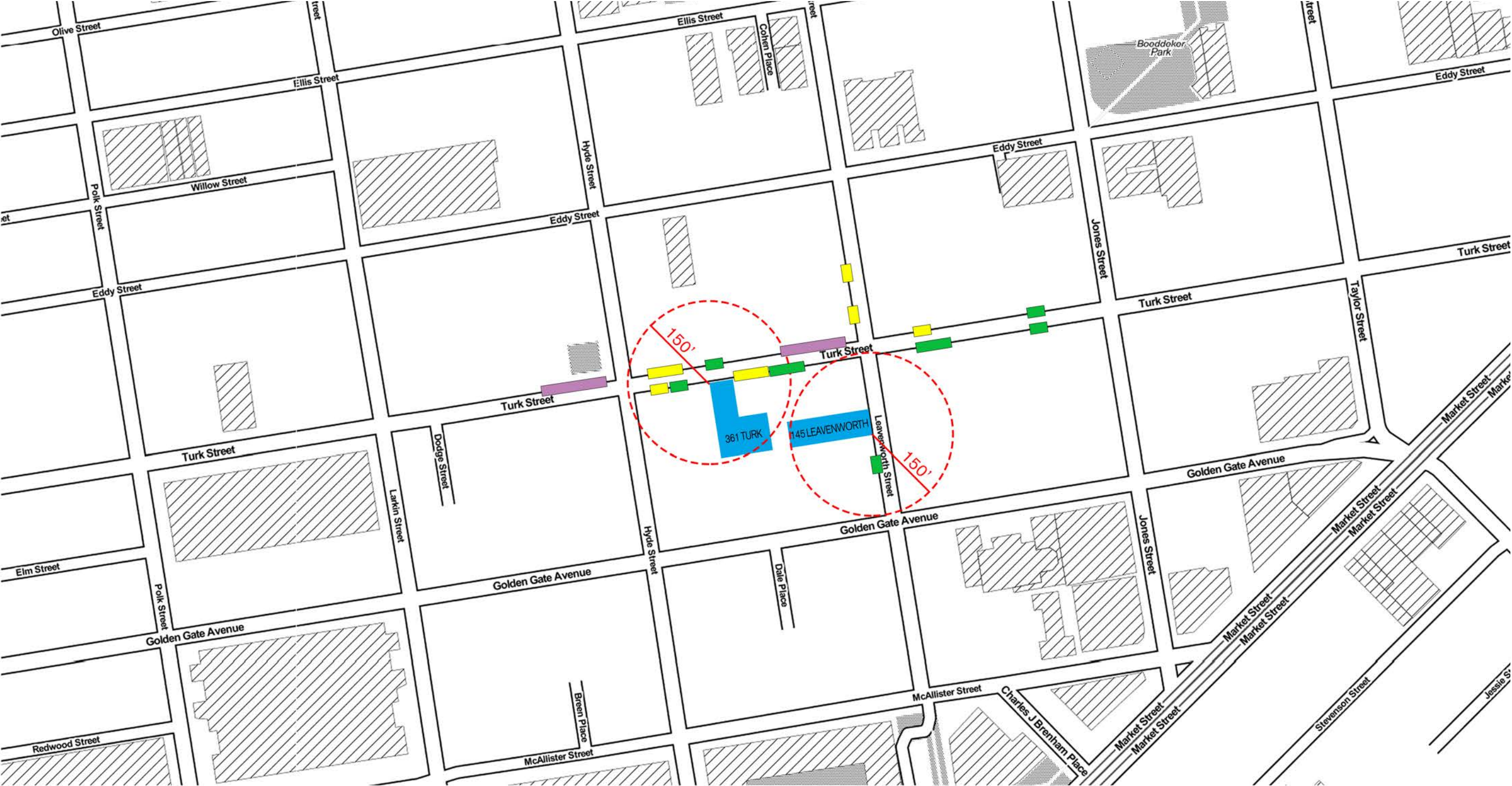
Bicycle Parking Calculations:

Residential - Class 1:		Residential - Class 2:	
Bicycle Space Required =	25	Bicycle Space Required =	2
Bicycle Space Provided =	25	Bicycle Space Provided =	2
Commercial - Class 1:		Commercial - Class 2:	
Bicycle Space Required =	0	Bicycle Space Required =	2
Bicycle Space Provided =	0	Bicycle Space Provided =	2



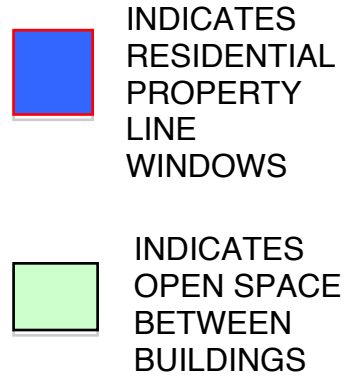


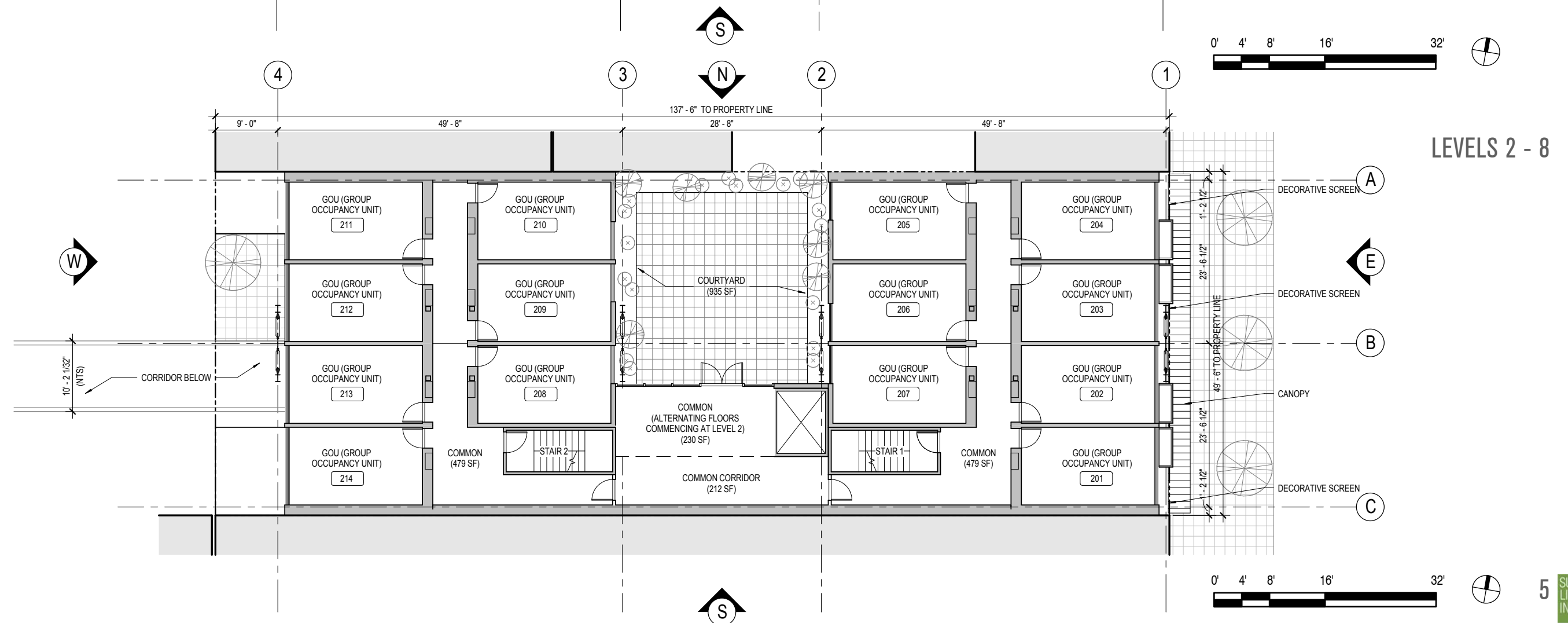
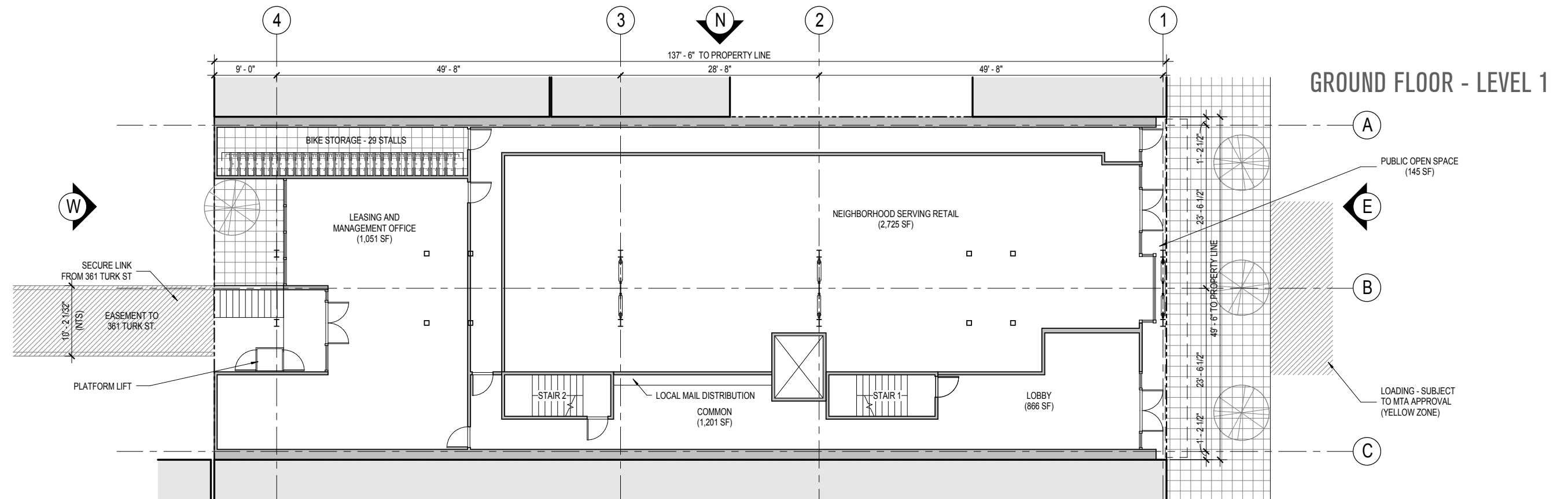
SURROUNDING LOADING ZONES AND BUS STOPS



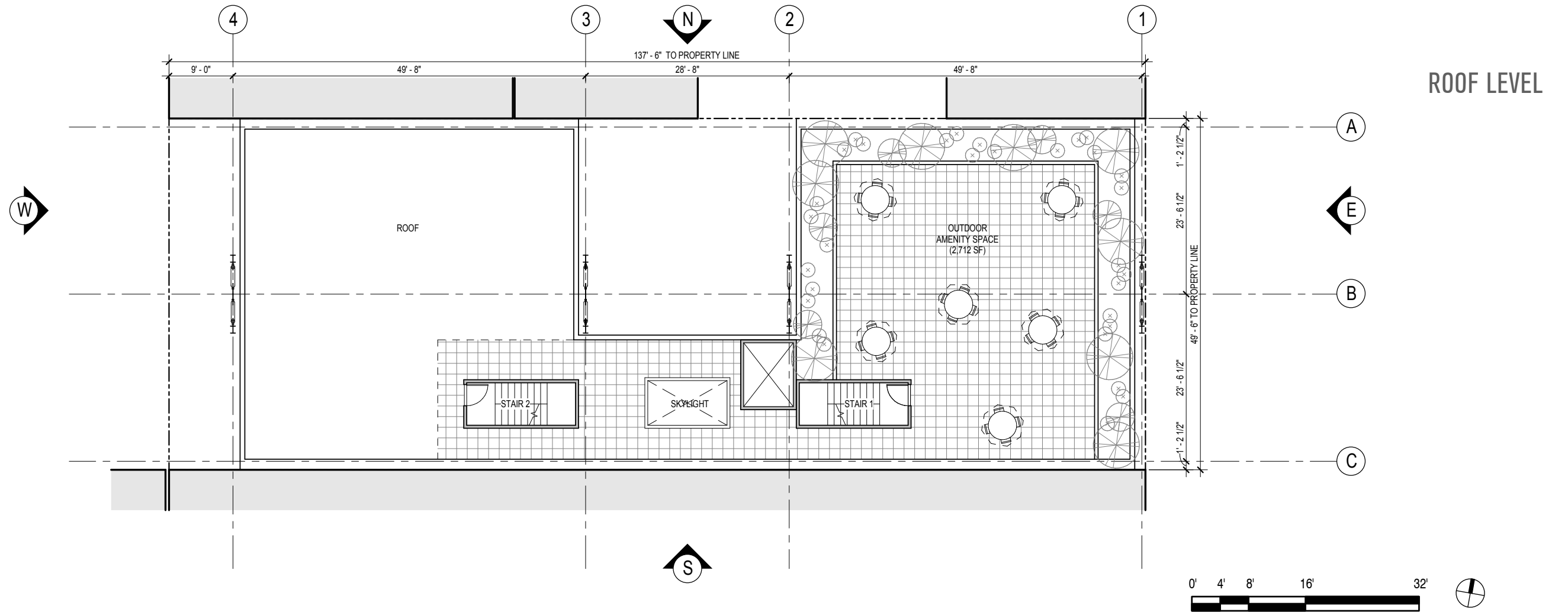


## LEAVENWORTH STREET

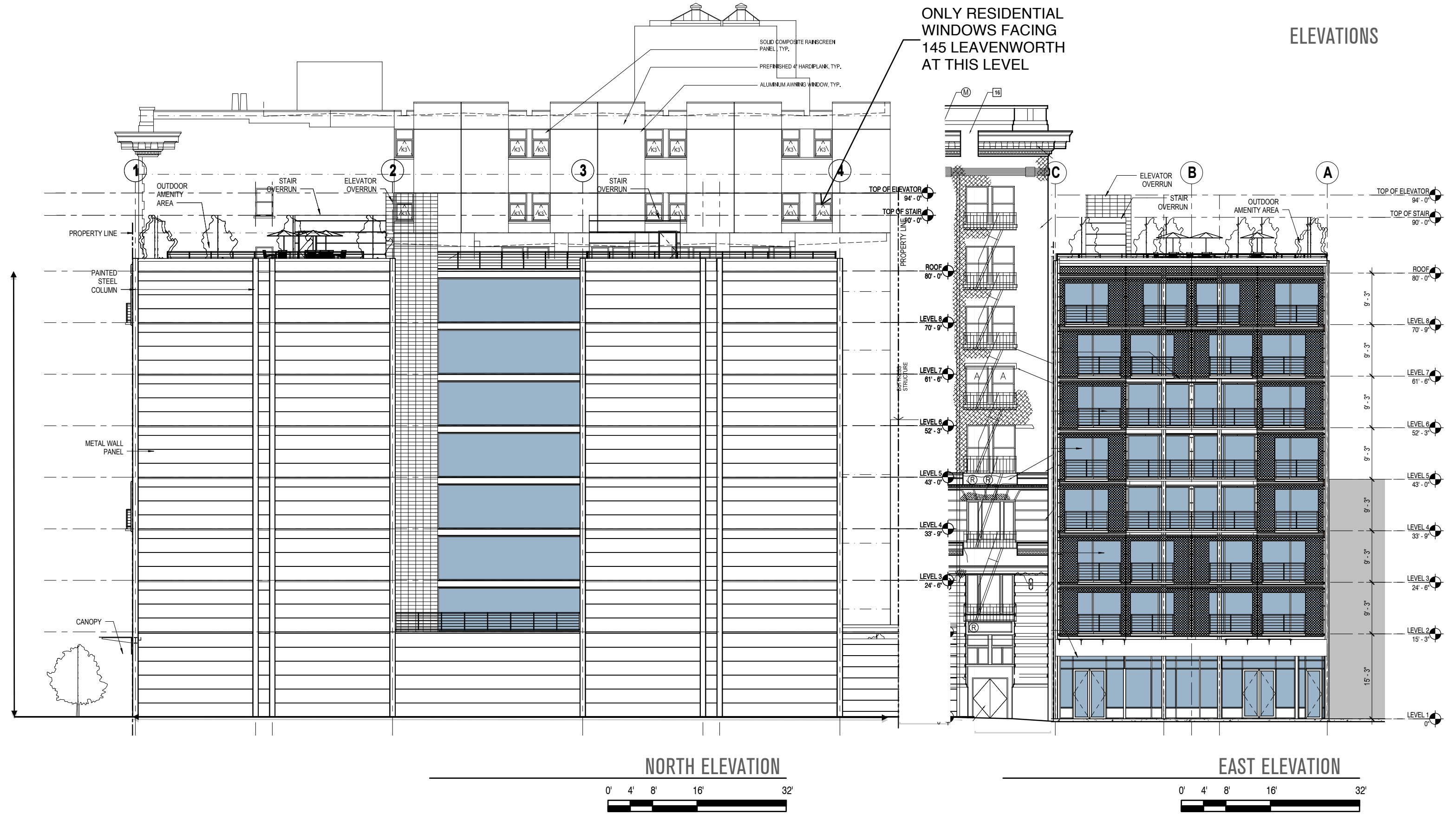




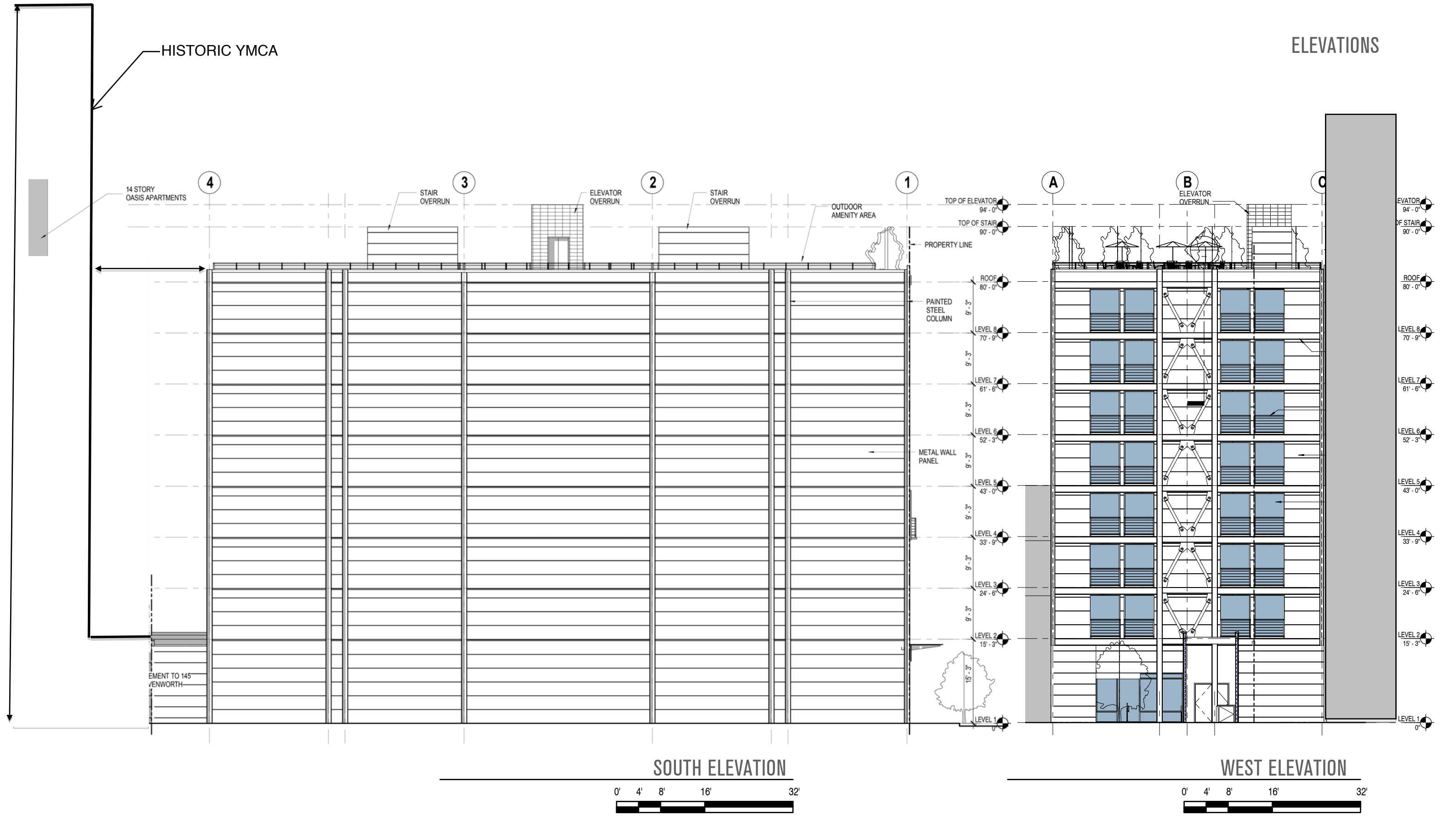


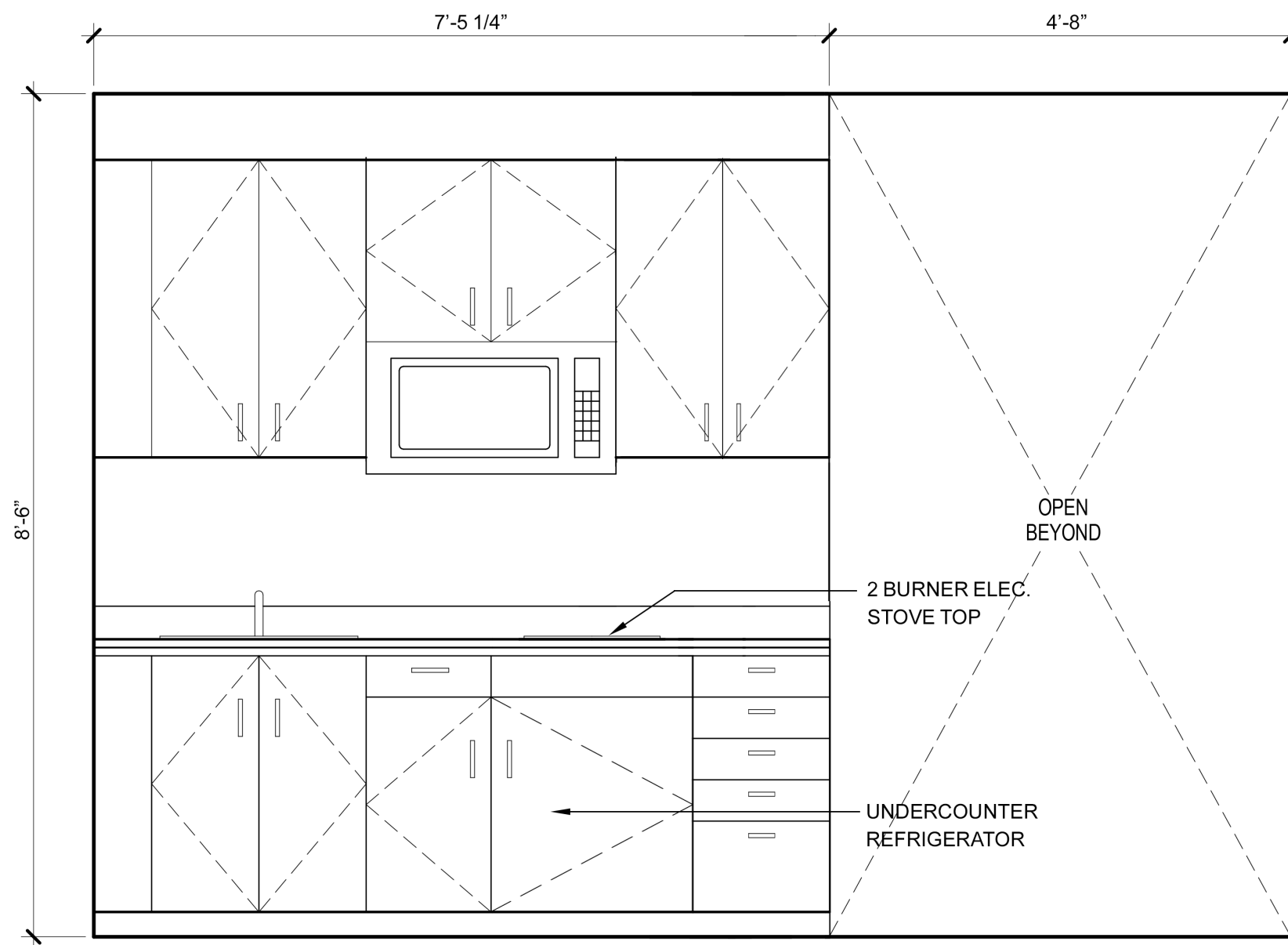


ELEVATIONS

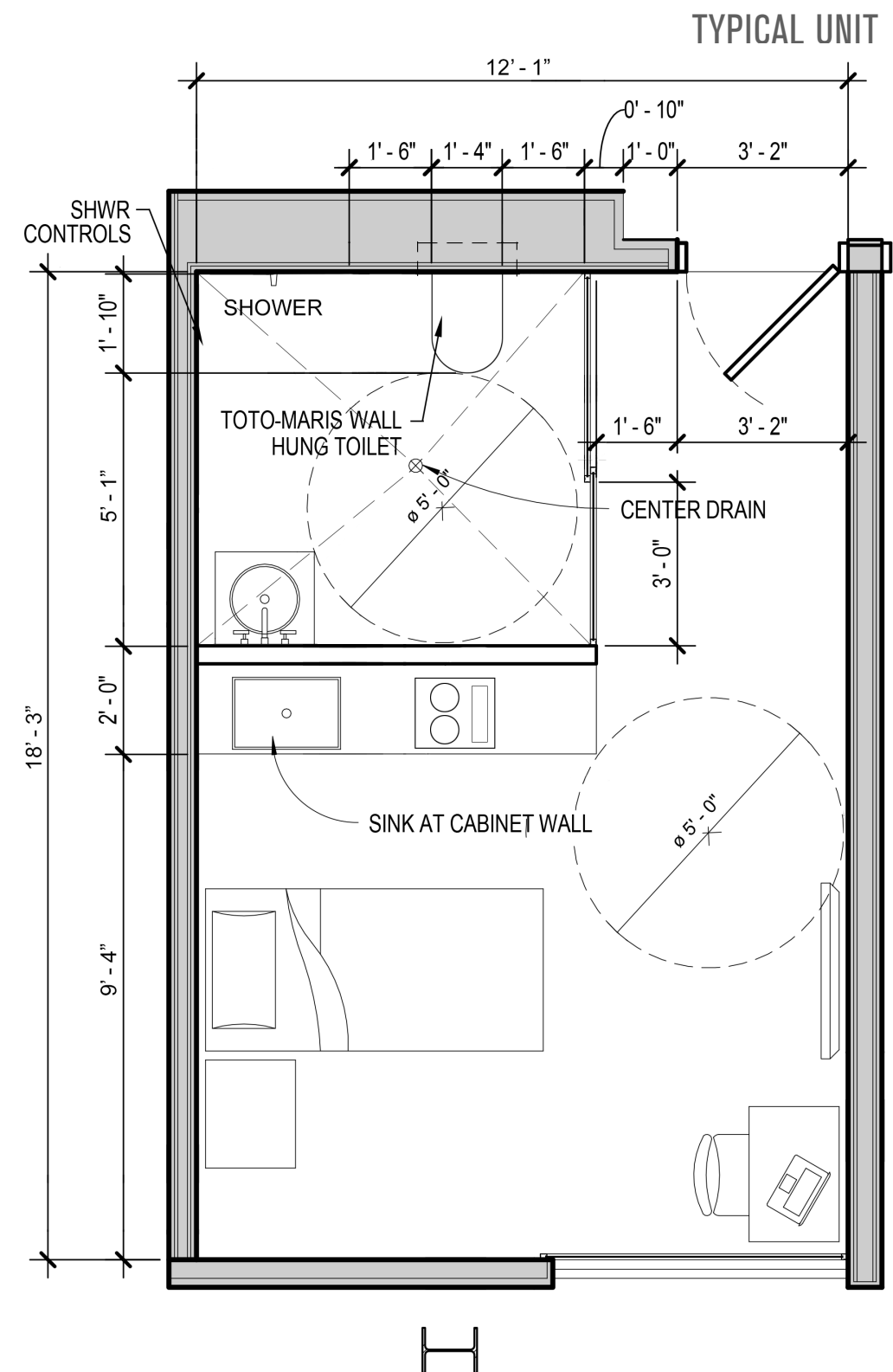


ELEVATIONS

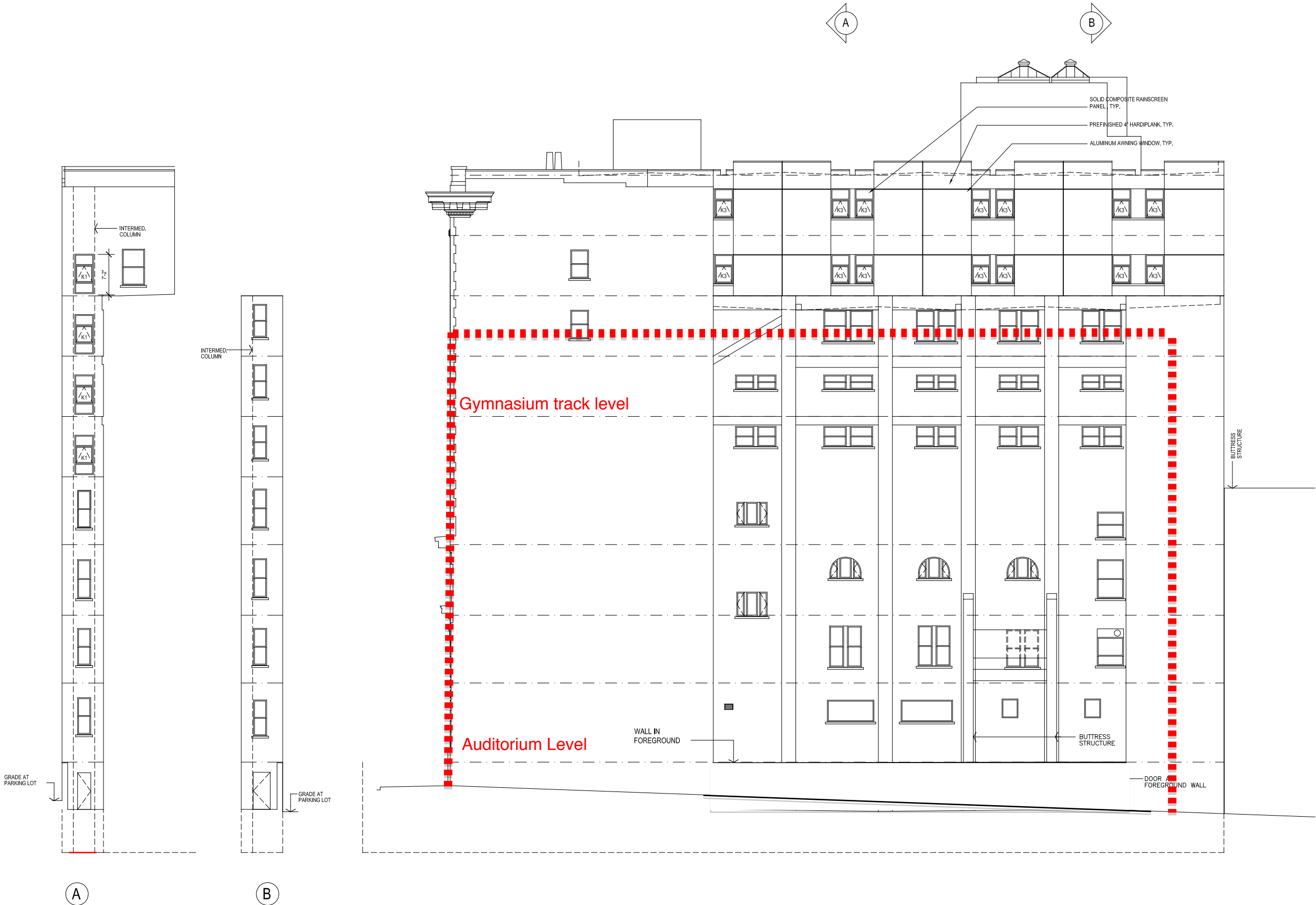




POSSIBLE COOKING FACILITIES AT CABINET WALL | 3/4"=1'



MOBILITY UNIT | 3/8"=1'



1 New North Elevation

SCALE: 1/8" = 1'-0"

Key Plan

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

Project

**YMCA REUSE**

220 Golden Gate Avenue

San Francisco, CA

[GPA PROJECT #05.08]

Sheet

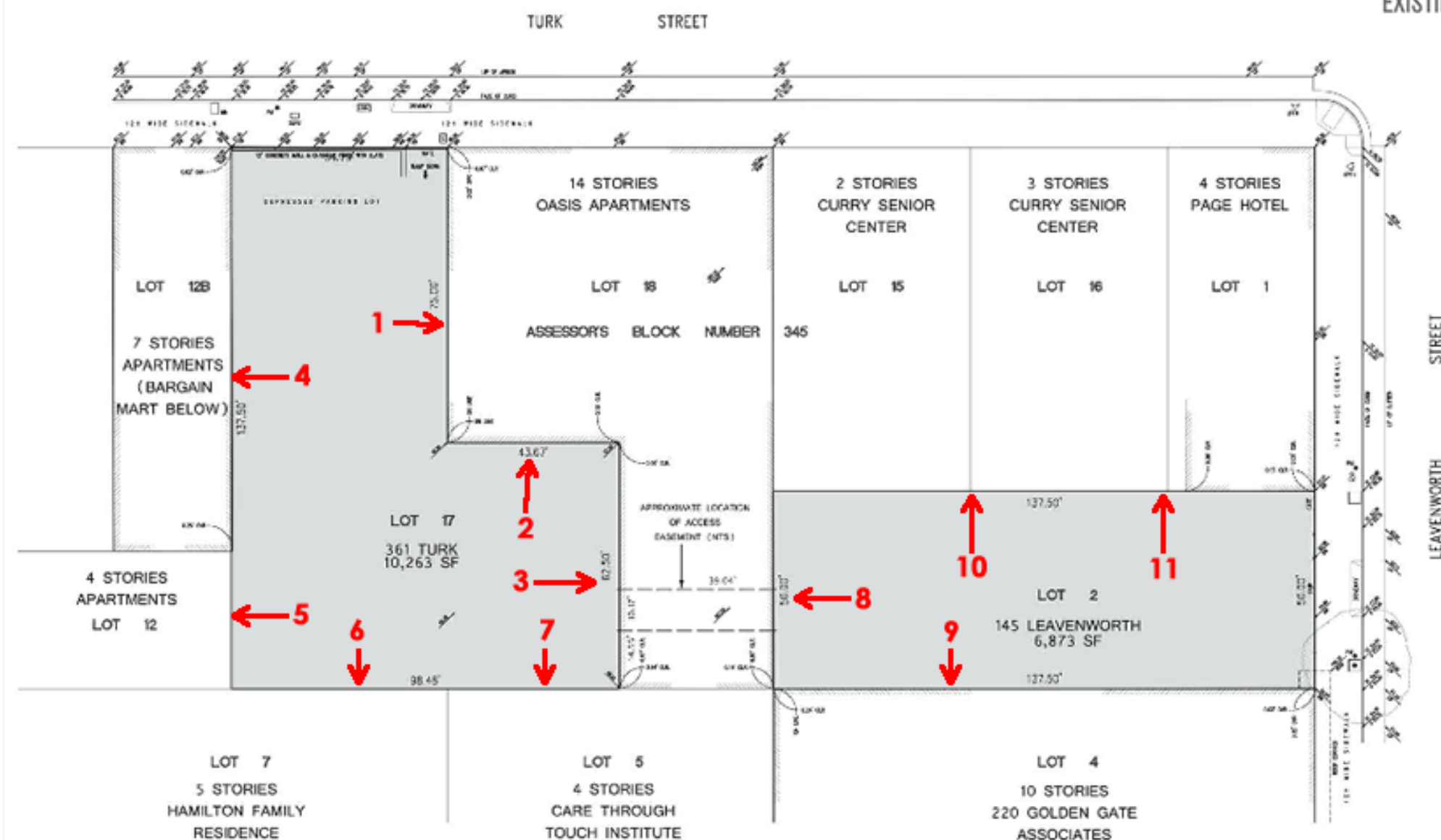
New North Elevation

**A3.09**

of



EXISTING VICINITY PLAN



## CONTEXT PHOTOGRAPHS

351 Turk - Lot 18  
East Façade (8)



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



220 Golden Gate - Lot 4  
North Façade (9)



145 Leavenworth - Lot 2



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





