

File No. 130761

Committee Item No. _____
Board Item No. 13

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____ Date _____

Board of Supervisors Meeting Date 7/30/2013

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Legislative Analyst Report
- Youth Commission Report
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- POSTING SHEET
- DPW ORDER NO. 181467
- PLANNING COMMISSION MOTION NO. 17944
- TAX CERTIFICATE
- MILLAGE MAP
- _____
- _____
- _____
- _____

Completed by: Erica Dayrit Date 7/25
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Final Map 6333 - 178 Townsend Street]

2
3 **Motion approving Final Map 6333, a 94 Residential Unit and Two Commercial Unit,**
4 **Mixed-Use Condominium Project, located at 178 Townsend Street being a subdivision**
5 **of Assessor's Block No. 3788, Lot No. 012, and adopting findings pursuant to the**
6 **General Plan and City Planning Code, Section 101.1.**

7
8 MOVED, That the certain map entitled "FINAL MAP 6333", comprising 4 sheets,
9 approved July 12, 2013, by Department of Public Works Order No. 181467 is hereby
10 approved and said map is adopted as an Official Final Map 6333; and, be it

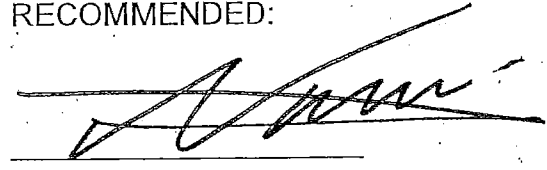
11 FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own
12 and incorporates by reference herein as though fully set forth the findings made by the City
13 Planning Department, as stated in the Planning Commission Final Motion No. 17944, adopted
14 September 3, 2009, that the proposed subdivision is consistent with the objectives and
15 policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning
16 Code; and, be it

17 FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes
18 the Director of the Department of Public Works to enter all necessary recording information on
19 the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's
20 Statement as set forth herein; and, be it

21 FURTHER MOVED, That approval of this map is also conditioned upon compliance by
22 the subdivider with all applicable provisions of the San Francisco Subdivision Code and
23 amendments thereto.

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RECOMMENDED:



Mohammed Nuru
Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS
City and County Surveyor



Edwin M. Lee, Mayor
 Mohammed Nuru, Director
 Fuad S. Sweiss, PE, PLS,
 City Engineer & Deputy Director of Engineering



Phone: (415) 554-5827
 Fax: (415) 554-5324
www.sfdpw.org
Subdivision.Mapping@sfdpw.org

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2013 JUL 22 PM 4:30
 AK

Department of Public Works
 Bureau of Street-Use & Mapping
 1155 Market Street, 3rd Floor
 San Francisco, CA 94103

Bruce R. Storrs, City and County Surveyor

FINAL MAP ROUTING SHEET

Everyone involved in the processing of this Final Map is requested to complete this form so that the department has a written record of the steps taken. Please notify BSM Surveys at 554-5827 or the sender (see below) of any delays or questions.

MAP

Final Map No. 6333	Date Sent: July 18, 2013	Date Due at BOS July 22, 2013
Block/Lot 3788 / 012	Map Address 178 Townsend Street	

SENDER

Name: Cheryl Chan	Telephone: 415-554-4885
Address: 1155 Market Street, 3 rd Floor	Email: Cheryl.Chan@sfdpw.org

ROUTE

Date Received	To	Date Forwarded or Signed
7/18	Frank W. Lee Executive Assist. To Director City Hall, Room 348	
7/18	John Malamut / Susan Cleveland-Knowles City Attorney Office Email: John.Malamut@sfdpw.org Tel: (415) 554-4622	
7/22	Mohammed Nuru Director of Public Works City Hall, Room 348	
	Clerk of Board of Supervisors (BOS) City Hall, Room 244 (Submit a copy of this sheet with map.)	
	When map is submitted to BOS, please return this original routing sheet to sender.	



130761



Office of the City and County Surveyor
1155 Market Street, 3rd Floor
San Francisco, CA 94103
(415) 554-5827 ■ www.sfdpw.org



Edwin M. Lee, Mayor
Mohammed Nuru, Director

Bruce R. Storrs, City and County Surveyor

DPW Order No: 181467

**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS**

APPROVING FINAL MAP 6333, 178 TOWNSEND STREET, A 94 RESIDENTIAL UNIT AND TWO COMMERCIAL UNIT MIXED-USE CONDOMINIUM PROJECT, BEING A SUBDIVISION OF ASSESSORS BLOCK NO. 3788, LOT NO. 012.

A 94 RESIDENTIAL UNIT AND TWO COMMERCIAL UNIT MIXED-USE CONDOMINIUM PROJECT

The City Planning Department, as stated in the Planning Commission Final Motion No. 17944, adopted September 3, 2009, stated that the subdivision is in conformity with the General Plan and the Priority Policies of City Planning Code Section 101.1.

The Director of Public Works, the Advisory Agency, acting in concurrence with other City agencies, has determined that said Final Map complies with all subdivision requirements related thereto. Pursuant to the California Subdivision Map Act and the San Francisco Subdivision Code, the Director recommends that the Board of Supervisors approve the aforementioned Final Map.

Transmitted herewith are the following:

1. Four (4) paper copies of the Motion approving said map – one (1) copy in electronic format.
2. One (1) mylar signature sheet and one (1) paper set of the "Final Map 6333", each comprising 2 sheets.
3. One (1) copy of the Tax Certificate from the Office of the Treasurer and Tax Collector certifying that there are no liens against the property for taxes or special assessments collected as taxes.
4. One (1) copy of the Planning Commission Final Motion No. 17944, adopted September 3, 2009, from the City Planning Department verifying conformity of the subdivision with the General Plan and the Priority Policies set forth in City Planning Code Section 101.1.

It is recommended that the Board of Supervisors adopt this legislation.





SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

Inclusionary Housing (Sec. 315)

Jobs Housing Linkage Program (Sec. 313)

Downtown Park Fee (Sec. 139)

First Source Hiring (Admin. Code)

Child Care Requirement (Sec. 314)

Other

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Planning Commission Final Motion No. 17944

HEARING DATE: SEPTEMBER 3, 2009

Hearing Date: September 3, 2009
Filing Date: July 2, 2009
Case No.: 2009.0476C
Project Address: 178 TOWNSEND STREET
Zoning: SLI (Service, Light Industrial)
65-X Height and Bulk District
South End Historic District

Block/Lot: 3788/012
Applicant: Katie O'Brien
178 Townsend Properties, LLC
54 Mint Street, 5th Floor
San Francisco, CA 94103

Staff Contact: Pilar LaValley - (415) 575-9084
pilar.lavalley@sfgov.org

ADOPTING FINDINGS RELATING TO THE CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 803.9(a) TO ALLOW CONSTRUCTION OF UP TO 94 DWELLING UNITS, UP TO 45 OFF-STREET PARKING SPACES (INCLUDING 2 ADA-ACCESSIBLE SPACES AND 1 CITY CARSHARE SPACE), 36 BICYCLE PARKING SPACES, APPROXIMATELY 1,600 SQUARE FEET OF DAYCARE SPACE, AND APPROXIMATELY 1,500 SQUARE FEET OF RETAIL SPACE IN AN APPROXIMATELY 72,700 SQUARE FOOT BUILDING IN A SIX-STORY ADDITION INSERTED WITHIN THE FOOTPRINT OF THE EXISTING BUILDING TO A HEIGHT OF 62 FEET, AND TO ADOPT FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FOR THE SITE LOCATED WITHIN THE SLI (SERVICE, LIGHT INDUSTRIAL) ZONING DISTRICT WITH A 65-X HEIGHT AND BULK DESIGNATION, AND THE SOUTH END HISTORIC DISTRICT, AND SUBJECT TO A CERTIFICATE OF APPROPRIATENESS APPROVED WITH CONDITIONS BY THE HISTORIC PRESERVATION COMMISSION.

PREAMBLE

On May 13, 2005, Katie O'Brien on behalf of 178 Townsend Properties, LLC ("Project Sponsor") filed with the City and County of San Francisco Planning Department ("Department") Environmental Evaluation Application No. 2005.0470E for a project to rehabilitate and convert the building at 166-178 Townsend

The Addendum was made available to the public and the San Francisco Planning Commission ("Commission") for this Commission's review, consideration and action.

On July 2, 2009, the Project Sponsor filed Application No. 2009.0476ACV with the Department for review pursuant to Planning Code ("Code") Sections 1006, 303, and 803.9(a).

On September 2, 2009, the San Francisco Historic Preservation Commission (hereinafter "Preservation Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Certificate of Appropriateness Application No. 2009.0476A. With a vote of 6-0, the Preservation Commission adopted Motion No. 0026 to adopt CEQA findings and to approve with conditions the Certificate of Appropriateness for the proposed project.

On September 3, 2009, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2009.0476C.

The Commission has reviewed and considered reports, studies, plans and other documents pertaining to the Project including the 2005 FEIR and Addendum.

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 authorizes the Conditional Use requested in Application No. 2009.0476C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble 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.** Located at the corner of Clarence Place and Townsend Street, 178 Townsend, historically known as the California Electric Light Building Station B building, is a contributory building within the South End Historic District. The subject building was originally constructed in 1888 as a three-story rectilinear front volume (approximately 51'-0" tall) that was articulated by brick pilasters, arched window openings, a simple brick cornice, and a flat roof. In 1906, the building was severely damaged by the earthquake, which caused the partial collapse of the engine room (front volume). Although visible architectural elements from the original 1899 structure remain, the building was substantially rebuilt in 1908 using a different structural system and in an altered design. As a result of the earthquake damage, the building was reduced in height and a stepped gable parapet was constructed to cap the front volume (the former engine room). Physical evidence for this change includes the cornice along the Clarence

6. **Service/Light Industrial (SLI) Zoning District.** Running roughly along Harrison, Brannan, Bryant, Townsend, and King Streets between 3rd and 4th Streets in the SoMa, the SLI zoning district is to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, arts uses, light industrial activities and small design professional office firms. Existing group housing and dwelling units are protected from demolition or conversion and new group housing and low-income affordable dwelling units are permitted as a conditional use. Within the SLI, general office, hotels, movie theaters, nighttime entertainment, and adult entertainment uses are not permitted. Per Planning Code Section 803.9(a) (previously Section 803.5(c)), development of market rate housing in the SLI is permitted as a conditional use meeting certain criteria in Landmark, Significant, or Contributory Buildings.

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. **Residential Density Limit.** Within the SLI, residential density limits are one dwelling unit per 200 square feet of lot area.

The Project proposes up to 94 dwelling units, which is less than the maximum density limit of 110 units per the lot size.

B. **Height.** Planning Code Section 260 requires that all structures be no taller than the height prescribed in the subject height and bulk district. The proposed Project is located in a 65-X height and bulk district, with a 65-foot height limit.

The addition would be approximately 62 feet in height at the rear of the structure, and thus complies with the height limit.

C. **Bulk.** Planning Code Section 270 limits the bulk of buildings and structures, and assigns maximum plan dimensions. The proposed Project is located in a 65-X height and bulk district, with an "X" bulk control.

Planning Code Section 270 does not regulate bulk dimensions for sites with "X" controls.

C. **Floor Area Ratio (FAR).** Planning Code Section 124(b) states that in R, NC, and Mixed Use Districts, the above floor area ratio limits shall not apply to dwellings or to other residential uses.

The FAR limits do not apply to residential uses in SLI Districts.

D. **Open Space.** Section 135 of the Planning Code requires a minimum of 36 square feet of private open space for each residential unit or approximately 48 square feet of common open space per unit within the SLI.

The project will create a total of 2,357 square feet of private open space for 9 units and a total of 4,070 square feet of common open space for 85 units which meet the minimum required common open space.

New street trees will be planted, in compliance with this Code requirement. Because of the high volume of foot and automobile traffic from the Ball Park, the Department will set forth as a condition of approval that a certified arborist develop a tree planting and protection plan in order to give the new trees the best opportunity for survival.

- J. **Shadow.** Planning Code Section 295 generally does not permit new buildings over 40-feet in height to cast new shadows on a property owned and operated by the Recreation and Park Commission.

A shadow fan analysis concluded that the Project would not create any new shade on any Recreation and Park Commission properties protected under Section 295.

- K. **Residential Inclusionary Affordable Housing Program.** Planning Code Section 315 sets forth the requirements and procedures for the Residential Inclusionary Affordable Housing Program. Under Planning Code Section 315.3, these requirements would apply to projects that consist of five or more units, where the first application was applied for on or after July 18, 2006. Pursuant to Planning Code Section 315.4, the Project is required to provide 15% of the proposed dwelling units as affordable.

The Project Sponsor has submitted a Declaration of Intent to satisfy the requirements of the Residential Inclusionary Housing Ordinance by providing the affordable housing on-site. The EE application was submitted on June 5, 2009. 14 units (2 studios, 7 one-bedroom, 5 two-bedroom, and 0 three-bedroom) of the 94 units provided will be affordable units.

- L. **Dwelling Unit Mix.** Under the Eastern Neighborhoods Mixed Use Districts definitions, the term "Eastern Neighborhoods Mixed Use Districts" shall refer to all SPD, MUG, MUO, MUR, and UMU named in Section 802.1. However, Sec. 207.6 requires that for all other RTO and NCT districts, as well as DTR and Eastern Neighborhoods Mixed Use Districts, no less than 40 percent of the total number of proposed dwelling units shall contain at least two bedrooms. Any fraction resulting from this calculation shall be rounded to the nearest whole number of dwelling units.

Under the Mixed Use Districts within the Eastern Neighborhoods rezoning effort, the SLI district is not subject to the Eastern Neighborhood Rezoning Controls.

In terms of unit mix the Project Sponsor is proposing 12 studios, 44 one-bedrooms, 37 two-bedrooms, and 1 three-bedrooms. The unit mix breakdown is 13%, 47%, 39%, and 1% respectively.

- M. **Eastern Neighborhoods Public Benefit Fund.** The Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions of proposed Planning Code Section 327 through payment of an Impact Fee to the Treasurer, the execution of a Waiver Agreement or In-Kind agreement approved as described per Planning Code Section 327 prior to the issuance by Department of Building Inspection of the first site or building permit for the development project.

The project provides up to 45 off-street parking spaces (including 2 ADA-accessible spaces and 1 City Car Share space) and 36 bicycle spaces. The project site is well served by a broad range of publicly accessible transit services, being located just one block from the 4th & King Caltrain/MUNI multi-modal station and several MUNI bus lines. In addition the project is located within close proximity to Downtown San Francisco and the UCSF Mission Bay Campus, major commercial mixed-use job centers. As a result of the readily accessible public transit and close proximity to commercial areas and job centers, future residents are not expected to make frequent daily use of private automobiles.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The structure will be occupied by up to 94 dwelling units and a limited amount of ground floor retail and day-care. These uses, due to their residential nature, do not create unusual noise, glare, dust or odor. The project will comply with all regulations regarding noise, glare, dust and odor. The structure will utilize non-reflective glass. Additionally, the project will comply with conventional environmental mitigation measures during construction to prevent noxious and offensive emissions during construction, such as noise and dust during construction.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The existing building covers the entire project site and due to its historic designation, the project sponsor is constrained by the amount of landscaping and parking area it can provide. However the proposed project does provide a landscaped rooftop garden and courtyards that will provide common usable open space. In addition the project would provide code compliant private usable open space in the form of outdoor balconies for 9 of the dwelling units. The applicant plans to make street improvements and "greening" on Townsend Street and Clarence Place, such as planting trees and creating a sidewalk, contingent on further consultation and approval from the Planning Department and DPW. An existing vehicular door opening on Clarence Place would be rehabilitated and would provide access to the parking with space for approximately 45 vehicles and 36 bicycle spaces. Due to the mostly residential use of the building and small amount of retail space, approximately 3,000 sq. ft., there are no loading spaces required or provided.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

With the exception of the rear yard, dwelling unit exposure and off-street parking requirements, the project will comply with all existing Planning Code provisions. The sole reason the project does not comply with the rear yard, dwelling unit exposure, and parking requirements is the project sponsor's desire to preserve the existing historic building, which the General Plan supports.

Policy 1.1: Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are affordable to lower income households.

Policy 1.3: Identify opportunities for housing and mixed use districts near downtown and former industrial portions of the City.

Policy 1.4: Locate in-fill housing on appropriate sites in established residential neighborhoods.

The Project would develop 94 dwelling units on a parcel containing an existing building currently used as a valet parking garage within the South of Market Area neighborhood. There are a number of residential and commercial/light industrial uses surrounding the project site; however in general the area is transitioning toward having more residential uses.

Housing Choice

OBJECTIVE 8:

ENSURE EQUAL ACCESS TO HOUSING OPPORTUNITIES.

Policy 8.9: Encourage the provision of new home ownership opportunities through new construction so that increased owner occupancy does not diminish the supply of rental housing.

The Project would develop 94 dwelling units, with 15% BMR units, in place of a former commercial/industrial building currently used as a valet parking garage.

Housing Density, Design and Quality of Life

Policy 11.2: Ensure housing is provided with adequate public improvements, services and amenities.

Policy 11.3: Encourage appropriate neighborhood-serving commercial activities in residential areas, without causing affordable housing displacement.

The Proposed Project will site 94 dwelling units within an established mixed-use neighborhood that is well served by mass transit, thereby meeting the goals of providing housing near employment, transportation, and commercial/retail locations. No affordable housing would be displaced by the project.

Regional and State Housing Needs

OBJECTIVE 12:

STRENGTHEN CITYWIDE AFFORDABLE HOUSING PROGRAMS THROUGH COORDINATED REGIONAL AND STATE EFFORTS.

Policy 12.2: Support the production of well-planned housing region-wide that addresses regional housing needs and improve the overall quality of life in the Bay Area.

The proposal includes adequate open space. The design of the project maintains the integrity of the existing neighborhood context. The character of the block is mixed; however, the in-fill is an appropriately-designed residential structure and is consistent with the neighborhood character and the South End Historic District.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 4:

PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.

Policy 4.5: Require private usable outdoor open space in new residential development.

The Project will create private and common outdoor open space in new residential development. With two courtyards and roof deck, the Project will create usable outdoor space directly accessible to dwelling units. The Project will not cast shadows over any open spaces under the jurisdiction of the Recreation and Park Department.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.4 – Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

Policy 2.5: Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

Policy 2.6: Respect the character of older development nearby in the design of new buildings.

Policy 2.7: Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

The Historic Preservation Commission approved a Certificate of Appropriateness, with conditions, at its duly noticed September 2, 2009 hearing.

existing structure's existing 23- to 42-foot tall roofline to a maximum height of 62 feet. This height is in character with the predominate surrounding building heights within the district.

**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 proposed project will provide 4,070 sq. ft. of landscaped common useable open space in the form of two roof decks. Balconies would provide additional private open space for 9 of the up to 94 proposed units. In addition, two inner courtyards provide approximately 1,430 sq. ft. of open space. In the public realm, the project sponsor has proposed street improvements to Clarence Place that would potentially include a new sidewalk and street trees, conditioned on approval by the Planning Department and DPW.

**OBJECTIVE 4:
PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.**

Policy 4.5 - Require private usable outdoor open space in new residential development.

The proposed project will satisfy this Policy by providing approximately 2,357 sq. ft. of private balcony open space for 9 units and 4,070 sq. ft. of common roof deck space. Although not compliant with the dimensional requirements of Section 135, the project provides an additional 1,437 sq. ft. of courtyard open space. The project will also provide 993 sq. ft. of open space on the roof deck for the private use of the proposed daycare.

TRANSPORTATION ELEMENT

Objectives and Policies

**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.**

This project is an excellent example of an urban infill residential project adjacent to a transit node. Because the project site is situated in close proximity to the 4th and King CalTrain and MUNI station stop, the 41 Union and 34 Stockton bus lines, we expect many project residents to use public transit as their primary mode of transportation. For these reasons the proposed project meets this Objective and serves the City's "Transit First" policy.

**OBJECTIVE 24:
IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.**

The proposed project will serve this Objective and Policy because the project site is extremely well-served by public transit, including MUNI buses and the 4th and King rail station and includes new retail and daycare spaces. In addition, the project is located one block from the mixed-use residential neighborhood of Mission Bay and within 1 mile of Downtown San Francisco.

EAST SOMA (SOUTH OF MARKET) AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.2:

MAXIMIZE HOUSING DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.1.1: In the formerly industrial "SLI" area of East SoMa, generally along 3rd and 4th Streets, emphasize a mix of uses, allowing mixed-income housing, small retail, small office, and small to medium sized research and development uses, while protecting against wholesale displacement of PDR uses.

Policy 1.2.1: Encourage development of new housing throughout East SoMa.

Policy 1.2.2: Ensure that in-fill housing development is compatible with its surroundings.

Policy 1.2.3: For new construction, and as part of major expansion of existing buildings, encourage housing development over commercial.

The Project proposes a high-density residential building with ground floor retail use. The proposed project would provide up to 94 dwelling units, with 15% BMR, and approximately 1,500 square feet of new retail space to the surrounding community as well as up to 1,600 square feet of daycare use. In addition, project sponsor proposes to make street improvements and "greening" on Clarence Place, such as creating a sidewalk and planting trees, contingent on further consultation and approval from Planning Department and DPW.

Housing

OBJECTIVE 2.3:

ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES.

Policy 2.3.3: Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments unless all Below Market Rate Units are two or more bedrooms.

OBJECTIVE 2.4:

LOWER THE COST OF THE PRODUCTION OF HOUSING.

The proposed Project includes outdoor leisure areas and private open spaces to meet the needs of building residents.

Historic Preservation

OBJECTIVE 8.2:

PROTECT, PRESERVE, AND REUSE HISTORIC RESOURCES WITHIN THE EAST SOMA AREA PLAN.

Policy 8.2.1: Protect individually significant historic and cultural resources and historic districts in the East SoMa area plan from demolition or adverse alteration.

Policy 8.2.2: Apply the Secretary of the Interior's Standards for the Treatment of Historic Properties in conjunction with the East SoMa area plan and objectives for all projects involving historic or cultural resources.

The proposed project will be compatible with the character of the surrounding South of Market buildings and will preserve those architectural features of the existing building that contribute to the South End Historic District. The existing structure will remain intact and character-defining features of the building will be rehabilitated. The new addition will be built within the existing building footprint and the materials used are compatible with the surrounding buildings in the South of Market area and comply with Article 10 Appendix I of the Planning Code. The Project has been determined to be in conformance with the Secretary of Interior's Standards for the Treatment of Historic Properties and the requirements of Article 10.

11. **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.

There are no neighborhood-serving retail uses in the existing building. The proposed project would create an opportunity for approximately 1,500 sq. ft. in retail uses for resident employment and ownership. In addition it would convert a building currently used for parking into up to 94 dwelling units providing housing and employment opportunities to the neighborhood.

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

There is no existing housing on the project site. The project would provide up to 94 dwelling units that would otherwise not exist. The project is a Contributory Building to the South End Historic District. According to the Historical Resource Evaluation Response, the proposed project meets the Secretary of Interior's Standards and would rehabilitate and restore the character-defining features that make this project a historic resource. For these reasons, the proposed project would protect and

Department's Preservation Unit and a qualified preservation architect to ensure that the proposed alterations preserve those character-defining features. The proposed uses would be housed in a 62-foot building that would be constructed within the footprint of the existing building that will be set-back from the building's Townsend Street façade 37-feet. The new addition will be differentiated from the historic masonry building by both design and materials, and would be only partially visible from primary public vantage points.

The Historic Preservation Commission approved a Certificate of Appropriateness, with conditions, at its duly noticed September 2, 2009 hearing.

For these reasons, the proposed conversion to residential use would preserve the building's historic character.

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

The Project does not have an impact on existing open spaces.

12. 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.
13. The Project has completed the requirements of the First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator as they apply to permits for residential development (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.
14. Findings under the California Environmental Quality Act (CEQA).

- A. After considering the 2005 FEIR and the Addendum, the Commission hereby makes the following findings:

- a) The Commission has independently reviewed and analyzed the 2005 FEIR and Addendum and the other information in the record and has considered the information contained therein and finds that the Addendum is the appropriate document under CEQA to consider the revisions made to the 178 Townsend Street Project and hereby finds that no supplemental or subsequent EIR is required for the Modified Project for the following reasons:

- (1) The changes to the 178 Townsend Street Project reflected in the Modified Project do not constitute substantial changes which require major revisions in the 2000 FEIR due to the involvement of new significant environmental effects or a substantial increase of the severity of previously identified effects;

DECISION

The Commission, after carefully balancing the competing public and private interests, and based upon the Recitals and Findings set forth above, in accordance with the standards specified in the Code, hereby approves the Project authorizing a Conditional Use under Planning Code Sections 303 and 803.9(a) to allow the construction of six-story addition containing up to 94 dwelling units, approximately 1,500 square feet of ground floor retail space, approximately 1,600 square feet of daycare space, and up to 45 off-street parking spaces in the South End Historic District and SLI zoning district with a 65-X Height and Bulk Designation subject to the conditions of approval attached hereto as **Exhibit A**.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 17944. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the foregoing Motion was adopted by the Planning Commission on September 3, 2009.

Linda Avery
Commission Secretary

AYES: Commissioners Lee, Miguel, Moore, Olague

NAYS: None

ABSENT: Commissioners Antonini (recused), Borden, and Sugaya (recused)

ADOPTED: September 3, 2009

8. The Project Sponsor shall ensure that initial sales of more than two dwelling units to any one entity if not for owner occupancy, will be for residential rental purposes for rental periods of not less than one month.

Below Market Rate Units (BMR Units)

9. **Number of Required Units.** Pursuant to Planning Code Section 315.4, the Project is required to provide 15% of the proposed dwelling units as affordable to qualifying households ("BMR Units"). The Project contains 94 units; therefore, 14 BMR units are required. The Project Sponsor will fulfill this requirement by providing the 14 BMR units on-site.
10. **Unit Mix.** The Project contains 12 studios, 44 one-bedroom, 37 two-bedroom, and 1 three-bedroom units; therefore, the required BMR unit mix is 2 studios, 7 one-bedroom, 5 two-bedroom, and 0 three-bedroom units. If the market-rate unit mix changes, the BMR unit mix will be modified accordingly.
11. **Duration.** Under Planning Code Section 315.7, all units constructed pursuant to Sections 315.4 must remain affordable to qualifying households for the life of the project.
12. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 315 et seq. of the Planning Code and the terms of the Residential Inclusionary Affordable Housing Monitoring and Procedures Manual (hereinafter "Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 315 (collectively the "Inclusionary Housing Ordinance"). Terms used in these Conditions of Approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the Mayor's Office of Housing at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing's websites, including on the internet at:
http://www.sfgov.org/site/uploadedfiles/planning/inclusionaryhousingproceduresmanual6_28_07.pdf.
As provided in the Inclusionary Housing Ordinance, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale or rent.
 - a. The BMR unit(s) shall be designated on the building plans prior to the issuance of the first site or building permit by the Department of Building Inspection (DBI). The BMR unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) shall be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) shall be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project.
 - b. If the units in the building are offered for sale, the BMR unit(s) shall be sold to first time home buyer households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average of one hundred (100) percent of the median income for the City and County of San Francisco as defined in the Inclusionary Housing Ordinance, Section 315.1. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) marketing; (ii) renting; (iii) recouping

15. Renters or buyers of on-site inclusionary affordable units provided pursuant to Section 315 shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwelling units, subject to procedures adopted by the Planning Commission notwithstanding any other provision of Section 315 et seq.
16. No less than one (1) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its car share service subscribers pursuant to Planning Code Section 166.
17. The project will provide not less than 36 bicycle parking spaces, pursuant to Planning Code Section 155.5.

Eastern Neighborhoods Public Benefit Fund

18. The Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions of proposed Planning Code Section 327 through payment of an Impact Fee to the Treasurer, or the execution of a Waiver Agreement or an In-Kind agreement approved as described per proposed Planning Code Section 327 prior to the issuance by Department of Building Inspection of the first site or building permit for the development project.

Performance

19. The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to the owners and occupants of nearby properties at all times during Project construction. Prior to the commencement of Project construction, the Project Sponsor shall give the Zoning Administrator and the owners of properties within 300 feet of the Project site boundaries written notice of the name, business address and telephone number of the community liaison.
20. Prior to the issuance of any new building or site permit for the construction of 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, which notice shall state that construction of the Project has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor or the successor thereto, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied.
21. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor. This authorization may be extended for up to two years at the discretion of the Zoning Administrator only if the failure to issue a permit by the Department of Building Inspection is delayed by a city, state, or federal agency or by appeal of the issuance of such permit.

Monitoring and Violation

22. Violation of the conditions noted above or any other provisions of the Planning Code may be subject to abatement procedures and fines up to \$500 a day in accordance with Code Section 176.
23. Should monitoring of the Conditions of Approval of this Motion be required, the Project Sponsor shall pay fees as established in Planning Code Section 351(e)(1).
24. Failure to comply with these Conditions of Approval shall be grounds for revocation of the authorization. Should the Project result in complaints from neighbors that are not resolved by



I, José Cisneros, Tax Collector of the City and County San Francisco, State of California, do hereby certify that according to the records of my office, there are no liens against the subdivision designated on the map entitled:

Block No. 3788 Lot No. 012

Address: 166-178 Townsend St.

for unpaid City & County property taxes or special assessments collected as taxes.



José Cisneros

Tax Collector

Dated this 21st day of June 2013

OWNERS STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS AND THE HOLDERS OF SECURITY INTEREST OR HAVE SOME RIGHT, TITLE, OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP, THAT WE ARE THE ONLY PERSONS HAVING RECORD TITLE INTEREST IN THE SUBDIVIDED PROPERTY WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO THE PROPERTY, AND THAT WE HEREBY DO PREPARE AND RECONCILIATION OF THIS FINAL MAP AS SHOWN WITHIN THE BOUNDING BORDER LINE.

OWNER: ARC LIGHT CO AFFORABLE LP,
A CALIFORNIA LIMITED PARTNERSHIP

BY: [Signature]
178 TOWNSEND PROPERTIES, LLC,
ITS GENERAL MANAGER

BY: [Signature]
PATRICK N. WARDENY,
MANAGER

BY: [Signature]
URBAN PRESERVATION FOUNDATION,
ITS MANAGING GENERAL PARTNER

BY: [Signature]
PATRICK N. WARDENY,
SECRETARY

TRUSTEE: OLD REPUBLIC TITLE COMPANY
DOCUMENT 2010-0029455-00
RECORDED AUGUST 17, 2010
IN REEL K2009 IMAGE 0008

PRINT NAME: Harold Koh TITLE: Vice President

PRINT NAME: _____ TITLE: _____

NOTE:
SEE SHEET 2 OF THIS MAP FOR ACKNOWLEDGMENTS.

ENGINEER'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES AT THE REQUEST OF KATE O'BRIEN IN JULY 2009. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATE AND THAT ALL MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP.



DATE: 06/13/13
BY: [Signature]
KCA ENGINEERS, INC.
FOLIO NO. 14756
LICENSE EXPIRES: MARCH 31, 2015

APPROVALS:

THIS MAP IS APPROVED THIS _____ DAY OF _____, 20____,
BY ORDER NO. _____

[Signature]
NICHOLAS W. WU
INTERIM DIRECTOR OF PUBLIC WORKS
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

APPROVED AS TO FORM:

DENNIS J. HERRERA, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY, CITY AND COUNTY OF SAN FRANCISCO

TAX STATEMENT

L. ANGELA CALVILLO, CLERK OF THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE SUBMITTER HAS FILED A STATEMENT FROM THE CONTROLLER OF THE CITY AND COUNTY OF SAN FRANCISCO, SHOWING THAT THE SUBMITTER HAS PAID ALL SPECIAL ASSESSMENTS, TAXES, AND FEES DUE TO THE CITY AND COUNTY OF SAN FRANCISCO OR ANY PART THEREOF FOR UNPAID STATE COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES OR SPECIAL ASSESSMENTS AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOT YET PAYABLE, WHICH ARE ESTIMATED TO BE \$_____. I ALSO STATE THAT THE SUBMITTER HAS PAID TO THE CITY AND COUNTY OF SAN FRANCISCO ALL TAXES DUE TO THE CITY AND COUNTY OF SAN FRANCISCO, INCLUDING TAXES ON SPECIAL ASSESSMENTS NOT YET PAYABLE, HAS BEEN FILED WITH AND APPROVED BY SAID BOARD.

DATED ON THIS _____ DAY OF _____, 20____.

CLERK OF THE BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

CLERK'S STATEMENT:

L. ANGELA CALVILLO, CLERK OF THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, HEREBY STATE THAT SAID BOARD OF SUPERVISORS BY ITS MOTION NO. _____ ADOPTED _____, 20____, APPROVED THIS MAP COMPRISING 4 SHEETS ENTITLED "FINAL MAP 6333", IN TESTIMONY WHEREOF I HAVE HEREBY SUBSCRIBED MY HAND AND CAUSED THE SEAL OF THIS OFFICE TO BE AFFIXED.

CLERK OF THE BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

CITY AND COUNTY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT THE SUBMISSION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND THAT I HAVE APPROVED ALTERNATIONS THEREOF, THAT ALL PROVISIONS OF THE CALIFORNIA SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.



BRUCE R. STORRS, CITY AND COUNTY SURVEYOR,
CITY AND COUNTY OF SAN FRANCISCO
DATE: JULY 12, 2013
BY: [Signature]
BRUCE R. STORRS, L.S. 6814
MY LICENSE EXPIRES: SEPTEMBER 30, 2013

BOARD OF SUPERVISORS' APPROVAL

ON _____, 20____, THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA APPROVED AND PASSED MOTION NO. _____, A COPY OF WHICH IS ON FILE IN THE OFFICE OF THE BOARD OF SUPERVISORS IN FILE NO. _____.

RECORDER'S STATEMENT:

FILED FOR RECORD THIS _____ DAY OF _____, 20____, AT _____, IN _____, OFFICIAL RECORDS DIVISION, CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AT THE REQUEST OF KCA ENGINEERS, INC.

BY: _____
COUNTY RECORDER
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

FINAL MAP NO. 6333

A NINETY FOUR UNIT RESIDENTIAL AND TWO UNIT COMMERCIAL MIXED USE CONDOMINIUM PROJECT A SUBDIVISION OF THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON AUGUST 17, 2010, ON REEL K2009 IMAGE 0001

CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA
JUNE 2013

KCA ENGINEERS, INC.
CONSULTING CIVIL ENGINEERS

SHEET 1 OF 4 SHEETS

A.B.3786, LOT 012

178 TOWNSEND STREET

OWNERS ACKNOWLEDGMENT

STATE OF CALIFORNIA) S.S.
COUNTY OF SAN FRANCISCO

ON June 19 2013 BEFORE ME June Y Williams
A NOTARY PUBLIC, PERSONALLY APPEARED, PATRICK M. McHERNEY, MANAGER

WHO PROVIDED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE June Y Williams
MY COMMISSION EXPIRES ON 11/11/14
COUNTY OF PRINCIPAL PLACE OF BUSINESS SAN FRANCISCO



OWNERS ACKNOWLEDGMENT

STATE OF CALIFORNIA) S.S.
COUNTY OF SAN FRANCISCO

ON June 19 2013 BEFORE ME June Y Williams
A NOTARY PUBLIC, PERSONALLY APPEARED, PATRICK M. McHERNEY, SECRETARY

WHO PROVIDED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE June Y Williams
MY COMMISSION EXPIRES ON 11/11/14
COUNTY OF PRINCIPAL PLACE OF BUSINESS SAN FRANCISCO



TRUSTEES ACKNOWLEDGMENT

STATE OF CA) S.S.
COUNTY OF SAN FRANCISCO

ON 6-24-13 BEFORE ME Susan Hanna
A NOTARY PUBLIC, PERSONALLY APPEARED, Patricia K. Kala

WHO PROVIDED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE Susan Hanna
MY COMMISSION EXPIRES ON 12/12/2015
COUNTY OF PRINCIPAL PLACE OF BUSINESS CONTRA COSTA



TRUSTEES ACKNOWLEDGMENT

STATE OF CA) S.S.
COUNTY OF SAN FRANCISCO

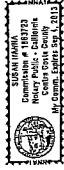
ON 6-24-13 BEFORE ME Susan Hanna
A NOTARY PUBLIC, PERSONALLY APPEARED, Patricia K. Kala

WHO PROVIDED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE Susan Hanna
MY COMMISSION EXPIRES ON 12/12/2015
COUNTY OF PRINCIPAL PLACE OF BUSINESS CONTRA COSTA



FINAL MAP NO. 6333

A NINETY FOUR UNIT RESIDENTIAL AND TWO UNIT COMMERCIAL MIXED USE CONDOMINIUM PROJECT A SUBDIVISION OF THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON AUGUST 17, 2010, ON REEL K209 IMAGE 0001

CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA
JUNE 2013

KCA ENGINEERS INC.
CONSULTING CIVIL ENGINEERS

SHEET 2 OF 4 SHEETS

A.B.3788, LOT 012 178 TOWNSEND STREET

NOTES:

LOT NO.	UNIT NO.
131	101
132	102
133	201
134	202
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189	416

LOT NO.	UNIT NO.
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GENERAL NOTES:

- THIS MAP IS THE SURVEY MAP PORTION OF A CONDOMINIUM PLAN AS DESCRIBED IN CALIFORNIA CIVIL CODE SECTION 1351(4). THIS CONDOMINIUM PROJECT IS LIMITED TO NINETY FOUR (94) MAXIMUM NUMBER OF DWELLING UNITS AND TWO (2) MAXIMUM NUMBER OF COMMERCIAL UNITS.
- ALL ACCESSIBLE, EGRESS, PATH(S) OF TRAVEL, FIRE/EMERGENCY EXITS AND EXITING COMPONENTS, EXIT PATHWAYS AND PASSAGEWAYS(S), STAIRWAYS(S), CORRIDOR(S), ELEVATORS(S) AND COMMON USE ACCESSIBLE FEATURES AND AREAS SHALL BE FIELD IN ACCORDANCE WITH THE BUILDING CODE REQUIRES FOR COMMON USE SHALL BE FIELD IN COMMON UNIMPROVED INTEREST.
- UNLESS SPECIFIED OTHERWISE IN THE COVERING DOCUMENTS OF A CONDOMINIUM PROJECT, THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE, IN PERPETUITY, FOR THE MAINTENANCE, REPAIR, AND REPLACEMENT OF:
 - ALL GENERAL USE COMMON AREA IMPROVEMENTS; AND
 - ENCROACHMENTS AND PRIVATELY MAINTAINED STREET TRESS FRONTS THE PROPERTY ASSOCIATED WITH ENCROACHMENTS AND IMPROVEMENTS INCLUDING A PUBLIC AREAS WHICH MAY PERTAIN TO THE PUBLIC WORKS CODE OR OTHER APPLICABLE MUNICIPAL CODES.
- IN THE EVENT THE AREAS IDENTIFIED IN (C)(i) ARE NOT PROPERLY MAINTAINED, THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE TO THE EXTENT OF REASONABLE OBLIGATION TO THE HOMEOWNERS ASSOCIATION FOR THE MAINTENANCE, REPAIR, AND REPLACEMENT OF THOSE AREAS. FAILURE TO MAINTAIN, REPAIR, AND REPLACEMENT OF THOSE AREAS SHALL BE CONSIDERED A BREACH OF THE COVENANTS, CONDITIONS AND RESTRICTIONS, WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, IMPROVEMENT OF A LIEN AGAINST THE HOMEOWNERS PROPERTY.
- APPROVAL OF THIS MAP SHALL NOT BE DEEMED APPROVAL OF THE DESIGN, LOCATION, SIZE, DENSITY OR USE OF ANY STRUCTURE(S) OR ANGLARY AREAS OF THE PROPERTY ASSOCIATED WITH ENCROACHMENTS AND IMPROVEMENTS WHICH SHALL BE THE PROPERTY ASSOCIATION'S RESPONSIBILITY. SUCH APPROVAL SHALL CONSTITUTE A WAIVER OF THE SUBDIVIDER'S OBLIGATION TO ABATE ANY OUTSTANDING MUNICIPAL CODE VIOLATIONS. ANY STRUCTURES, IMPROVEMENTS OR AREAS IDENTIFIED IN THIS MAP SHALL BE CONSIDERED TO BE IN FULL COMPLIANCE WITH ALL APPLICABLE MUNICIPAL CODES INCLUDING BUT NOT LIMITED TO THE PLANNING, ZONING AND BUILDING CODES, IN EFFECT AT THE TIME OF ANY APPLICATION FOR REQUIRED PERMITS.
- ANY WINDOWS, FIRE ESCAPES AND OTHER ENCROACHMENTS (IF ANY SHOWN HEREON) THAT EXIST, OR THAT MAY BE CONSTRUCTED ONTO OR OVER CLARICE PLACES AND TOWNSEND STREET ARE PERMITTED THROUGH AND ARE SUBJECT TO THE CITY AND COUNTY OF SAN FRANCISCO. THIS MAP DOES NOT CONVEY ANY OWNERSHIP INTEREST IN SUCH ENCROACHMENT AREAS TO THE CONDOMINIUM UNIT OWNERS.
- ENCROACHMENT FROM/ONTO ADJACENT PROPERTIES THAT MAY EXIST OR MAY BE CONSTRUCTED IS HEREBY ACKNOWLEDGED AND IT SHALL BE THE RESPONSIBILITY SOLELY OF THE PROPERTY OWNERS INVOLVED TO RESOLVE ANY ISSUES THAT MAY ARISE FROM SUCH ENCROACHMENT AREAS TO THE PROPERTY OWNERS.

FINAL MAP NO. 6333

A NINETY FOUR UNIT RESIDENTIAL AND TWO UNIT COMMERCIAL MIXED USE CONDOMINIUM PROJECT A SUBDIVISION OF THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED ON AUGUST 17, 2010, ON REEL K209 IMAGE 0001

CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA
JUNE 2013

KCA ENGINEERS, INC.
CONSULTING CIVIL ENGINEERS

SHEET 4 OF 4 SHEETS
178 TOWNSEND STREET