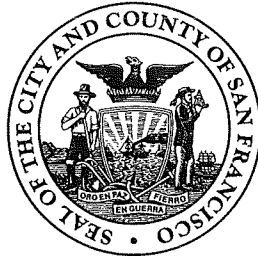


BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

May 3, 2019

Ms. Carmen Chu  
Assessor-Recorder, City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 190  
San Francisco, CA 94102

**Re: Board of Supervisors Motion No. M19-086**

Dear Assessor-Recorder Chu:

On April 9, 2019, the Board of Supervisors held a public hearing of persons interested in or objecting to the certification of a Conditional Use Authorization for a proposed project located at 1052-1060 Folsom Street and 190-194 Russ Street, issued by the Planning Department by its Motion No. 20361, dated December 20, 2018, and adopted Motion No. M19-067 (Conditionally Disapproving Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street) and Motion No. M19-068 (Preparation of Findings Related to Conditional Use Authorization Appeal - 1052-1060 Folsom Street and 190-194 Russ Street).


On April 30, 2019, the Board of Supervisors adopted Motion No. M19-086 (Adoption of Findings Related to Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street).

Pursuant to Administrative Code, Section 34.3, the Clerk of the Board is forwarding the following documents to your attention:

- One certified copy of Motion No. M19-086 (File No. 190449)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org).

Sincerely,

  
Angela Calvillo  
Clerk of the Board

- c. Holly Lung, Office of the Assessor-Recorder
- John Rahaim, Planning Director
- Dan Sider, Director of Executive Programs, Planning Department
- Aaron Starr, Manager of Legislative Affairs, Planning Department
- AnMarie Rodgers, Director of Citywide Planning, Planning Department
- Scott Sanchez, Acting Deputy Zoning Administrator, Planning Department
- Corey Teague, Zoning Administrator, Planning Department
- Lisa Gibson, Environmental Review Officer, Planning Department
- Devyani Jain, Deputy Environmental Review Officer, Planning Department
- Joy Navarette, Environmental Planning, Planning Department
- Laura Lynch, Environmental Planning, Planning Department
- Christopher Espiritu, Staff Contact, Planning Department
- Jonas Ionin, Director of Commission Affairs, Planning Department
- Sue Hestor, Attorney for SOMCAN



City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

Certified Copy

Motion

190449 [ Adoption of Findings Related to Conditional Use Authorization - 1052-1060 Folsom Street and 190-194 Russ Street ]

Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 20361, regarding the Conditional Use Authorization identified as Planning Case No. 2016.004905CUA, for a proposed project at 1052-1060 Folsom Street and 190-194 Russ Street. (Clerk of the Board)

4/30/2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Walton and Yee

Excused: 1 - Safai

4/30/2019 Board of Supervisors - APPROVED AS AMENDED

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Walton and Yee

Excused: 1 - Safai

STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

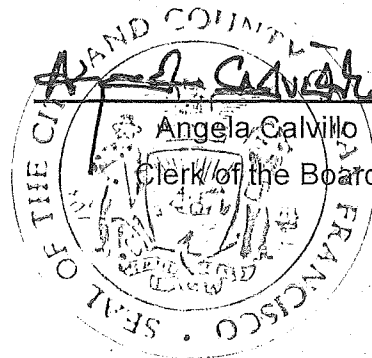
CLERK'S CERTIFICATE

I do hereby certify that the foregoing Motion is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

May 03, 2019

Date



1 [Adoption of Findings Related to Conditional Use Authorization - 1052-1060 Folsom Street  
2 and 190-194 Russ Street]

3 **Motion adopting findings in support of the Board of Supervisors' disapproval of the**  
4 **decision of the Planning Commission by its Motion No. 20361, regarding the**  
5 **Conditional Use Authorization identified as Planning Case No. 2016.004905CUA, for a**  
6 **proposed project at 1052-1060 Folsom Street and 190-194 Russ Street.**

7  
8 WHEREAS, On December 20, 2018, the Planning Commission adopted Motion No.  
9 20361, approving a Conditional Use Authorization identified as Planning Case No.  
10 2016.004905CUA for a proposed project located at 1052-1060 Folsom Street and 190-194  
11 Russ Street, Assessor's Parcel Block No. 3731, Lot Nos. 021, 023, and 087, including the  
12 development of a lot greater than 10,000 square feet, merger of lots that result in a street  
13 frontage greater than 50 feet, and the demolition of four existing dwelling units for the project  
14 involving the demolition of five exiting buildings, merger of three lots, and the construction of a  
15 seven-story mixed-use building containing 2,832 square feet of ground floor commercial retail  
16 use and 55,887 square feet of residential use for 63 dwelling units, and a ground floor garage  
17 with access from a new driveway on Russ Street, within the SoMa NCT (Neighborhood  
18 Commercial Transit) and RED (Residential, Enclave) Zoning Districts, and SoMa Youth and  
19 Family Special Use District, a 65-X height and bulk district; and

20 WHEREAS, On January 22, 2019, Sue Hestor, on behalf of the South of Market  
21 Community Action Network, filed a timely appeal protesting the approval by the Planning  
22 Commission; and

23 WHEREAS, On February 12, 2019, at the request of the appellant and project sponsor  
24 and with their joint consent, the Board of Supervisors, after hearing public comment,  
25 continued the hearing on the appeal until April 9, 2019; and

1           WHEREAS, On April 9, 2019, the Board of Supervisors held a duly noticed public  
2 hearing on the appeal from the approval of the Conditional Use Authorization; and

3           WHEREAS, Following the conclusion of the public hearing that day, the Board voted by  
4 a vote of 10-0 to conditionally disapprove the decision of the Planning Commission and deny  
5 the issuance of the requested Conditional Use Authorization; and

6           WHEREAS, In deciding the appeal, the Board reviewed and considered the entire  
7 written record before the Board and all the public comments made in support of and in  
8 opposition to the appeal; and

9           WHEREAS, The Planning Commission did not have the benefit of a complete shadow  
10 study in the record before it at the time that it issued its findings in support of the Conditional  
11 Use Authorization, a fact confirmed by Planning Department staff at the Planning Commission  
12 hearing on December 20, 2018; now, therefore, be it

13           MOVED, That the Board finds that the proposed project will not be necessary or  
14 desirable for, and compatible with, the neighborhood or the community; and, be it

15           FURTHER MOVED, That the Board finds that the proposed project will cast a new  
16 shadow on Victoria Manolo Draves Park (the "Park"), affecting the neighboring community's  
17 regular use of the Park; and, be it

18           FURTHER MOVED, That the Board finds that although the Planning Commission has  
19 determined the shadow impact does not require disapproval of the issuance of a building  
20 permit under Planning Code Section 295, the record presented at the April 9 hearing  
21 demonstrates that the shadow will have an effect on the neighborhood making the project  
22 neither necessary or desirable for, nor compatible with, the neighborhood or the community;  
23 and, be it

24           FURTHER MOVED, That because of the project's impacts on the neighborhood and  
25 the community's use of the Park, the size and shape of the proposed building is inconsistent

1 with and detrimental to the health, safety, convenience or general welfare of people working  
2 and living in the area; and, be it

3 FURTHER MOVED, That the mass of the building is not compatible with the scale of  
4 the surrounding district, and especially the other buildings in the vicinity of the Park; and, be it

5 FURTHER MOVED, That based on the foregoing findings and the entire record in  
6 Board File No. 190097 and the accompanying Board File No. 190093, the Board of  
7 Supervisors disapproved the decision of the Planning Commission by its Motion No. 20361  
8 and denied the issuance of Conditional Use Authorization.

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City and County of San Francisco

Tails

Motion: M19-086

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 190449

**Date Passed:** April 30, 2019

Motion adopting findings in support of the Board of Supervisors' disapproval of the decision of the Planning Commission by its Motion No. 20361, regarding the Conditional Use Authorization identified as Planning Case No. 2016.004905CUA, for a proposed project at 1052-1060 Folsom Street and 190-194 Russ Street.

April 30, 2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE


Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Walton and Yee  
Excused: 1 - Safai

April 30, 2019 Board of Supervisors - APPROVED AS AMENDED

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Stefani, Walton and Yee  
Excused: 1 - Safai

File No. 190449

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 4/30/2019 by the Board of Supervisors of the City and County of San Francisco.

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board