

File No. 150723

Committee Item No. _____

Board Item No. 67

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: July 28, 2015

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Appeal Letter – July 6, 2015</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Public Correspondence – July 23, 2015</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Project Sponsor Letter – July 20, 2015</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Memo – July 20, 2015</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Clerk of the Board Email – July 17, 2015</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>City Attorney Letter – July 17, 2015</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Project Representative Letter – July 12, 2015</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Tentative Map Application Documentation</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Hearing Notice – July 17, 2015</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Clerical Documents</u> |

Completed by: John Carroll

Date: July 24, 2015

Completed by: _____

Date: _____

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Muratore Associates

July 2, 2015

JUL - 6 PM 3:11

Clerk of Board of Supervisors
City Hall San Francisco
1 Dr Carlton B. Goodiett Place
Room 244
San Francisco, CA, 94102.

250 Alameda de las Pulgas
Redwood City, CA. 94062
Tel. (650) 365-7958
ma250@aol.com

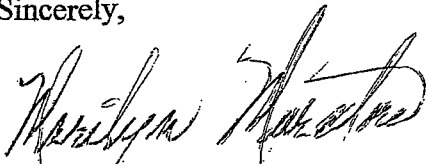
Re: Proposed Subdivision at 645 Texas St. San Francisco, Ca.

Clerk:

As the owner of the uphill property 635 Texas St., next to the proposed subdivision I am appealing this decision. All sunlight would be blocked from my property for 9 months of the year, when the sun is in the southerly position. The shadows cast by this subdivison and its structures would block most of the sunlight which is now enjoyed at 635 Texas St. This property also has 5 trees planted between the two properties for the last 10 years which would also be deprived of sunlight which is needed.

Please reconsider this over development of the proposed project and its effect on the adjacent properties.

Sincerely,



Marilyn/Muratore
Owner of 635 Texas St. San Francisco,

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SAN FRANCISCO

2015 JUL -6 PM 3:41

Monday, July 6, 2015

Clerk of the Board of Supervisors,

I am aware that I am one day outside of the 10 day window.. I receive this notice by snail mail and then due to the holidays I am retaining my appeal one day late in hopes that it will be considered .

Thank you

Marilyn Muratore
Owner of 635 Texas St,



City and County of San Francisco
San Francisco Public Works - Bureau of Street-Use and Mapping
1155 Market Street, 3rd Floor - San Francisco, CA 94103
sfpublicworks.org • tel 415-554-5810 • fax 415-554-6161

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2015 JUL -6 PM 3:54



Date: June 25, 2015

THIS IS NOT A BILL

The City and County Surveyor has approved a tentative map for a proposed subdivision located at:

Address	Block	Lot
645 TEXAS ST	4102	026

This subdivision will result in:

**91 Residential and 1 Commercial Mixed use New
Construction Condominium Project**

This notification letter is to inform you of your right to appeal this tentative approval.

IF YOU WOULD LIKE TO FILE AN APPEAL OF THE TENTATIVE APPROVAL:

You must do so in writing with the Clerk of the Board of Supervisors within ten (10) days of the date of this letter along with a check in the amount of \$298.00, payable to the Department of Public Works.

The Clerk of the Board is located at: City Hall of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184

If you have any questions on this matter, please contact us at (415) 554-5827, or our email address:
subdivision.mapping@sfdpw.org

Sincerely,

Bruce R. Storrs, P.L.S.
City and County Surveyor
City and County of San Francisco

MARILYN MURPHY
250 ALAMEDA DE LAS PUEBLOS
REDWOOD CITY, CA 94062

WELLS FARGO BANK N.A.
www.wellsfargo.com
632 LAUREL STREET
SAN CARLOS, CA 94070
11-4288/1210

4788

7/4/2015

PAY TO THE ORDER OF Clerk Board Of Supervisors

\$ **298.00


Two Hundred Ninety-Eight Only*****

DOLLARS

CLERK BOARD OF SUPERVISORS
CITY HALL SAN FRANCISCO
1 DR. CARLTON B. GOODIETT PLACE
SAN FRANCISCO, CA 94102

MEMO

APPEAL 645 TEXAS ST SUBDIVISION


AUTHORIZED SIGNATURE

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2015 JUL -6 PM 3:42

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2015 JUL 16 PM 2:49

HB

COB, Leg Dep,
BOS Leg.
Pelosi Law Group Dep City
File: atty.
150723
150724
150726
Alexis M. Pelosi
415-290-4774
alexis@pelosilawgroup.com

July 12, 2015

Clerk of the Board of Supervisors
City Hall San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Re: 645 Texas Street, San Francisco (Project ID: 8633) Appeal

Clerk:

Our firm represents Trumark Urban, the developer of the above referenced project at 645 Texas Street ("Project"). On **June 25, 2015**, the San Francisco Department of Public Works gave final approval to a Tentative Map for the Project ("Final Approval"). On **July 6, 2015**, the owner of 635 Texas Street submitted an appeal of that final approval ("Appeal").

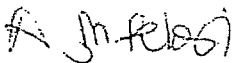
The purpose of this letter is to request that the Appeal not be heard as scheduled at the Board of Supervisors meeting on July 28, 2015 because the Appeal was not timely filed with the Clerk of the Board of Supervisors, as is required under the San Francisco Municipal Code.

Specifically, pursuant to San Francisco Subdivision Code Section 1314(a), "any such appeal must be filed in writing with the Clerk of the Board within 10 days of release of the decision appealed (emphasis added)." The Board of Supervisors received the Appeal on July 6, 2015 at 3:41pm, as is clearly stamped on the Appeal, which is **11 days** after the June 25, 2015 Final Approval. Furthermore, the Appeal letter itself concedes that it was filed "one day outside of the 10 day window." As the Appeal was filed on the **11th** day after the Final Approval, the Appeal is invalid and should not be heard on July 28, 2015.¹

¹ Irrespective of the timing of the Appeal, the basis of the Appeal is defective. A Community Plan Exemption (CPE) was issued for the Project on July 24, 2014 and a Large Project Authorization (LPA) approving the Project and relying on the CPE was granted by the Planning Commission on August 14, 2014. Any challenges to the CPE under the California Environmental Quality Act (CEQA) needed to be filed in an appeal to the Board of Supervisors within thirty (30) days of the CPE approval and any challenge to the LPA approval needed to be filed with the Board of Appeals with ten (10) days of the LPA approval. **No such appeal or challenge to those approvals**

Please confirm that the Appeal will not be heard on July 28, 2015 and that the appropriate steps will be taken to ensure that the Appeal Notice from the Board is withdrawn. Should you have any questions about this letter or require additional information, please feel free to contact me.

Very Truly Yours,



Alexis M. Pelosi
Pelosi Law Group

was filed and those actions or approvals are now final. The Appeal of the Tentative Map references concerns about “shadows” and “trees.” These are environmental and planning concerns that should have been raised during the appeal periods of the CPE and LPA. They are not appropriate in the context of the approval of a Tentative Map. The Appeal of the Tentative Map must focus on the Tentative Map itself and whether it conforms with the San Francisco Subdivision Code and the California Subdivision Map Act. The Appeal filed fails to meet that standard and is therefore substantively defective and without merit.

CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA
City Attorney

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

JUL 17 2:40

ll

OFFICE OF THE CITY ATTORNEY
JON GIVNER
Deputy City Attorney

File 150723

COB,

Leg D

BDS-LEG

Dep City Atty,

CPag.

Direct Dial: (415) 554-4694
Email: jon.givner@sfgov.org

July 17, 2015

Angela Calvillo
Clerk of the Board
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
By hand delivery

Re: Tentative Map Appeal regarding 645 Texas Street (Board File No. 150723)

Dear Ms. Calvillo:

You have asked for advice from my office regarding whether Marilyn Muratore timely filed her appeal of the Department of Public Works' tentative map approval for the above-referenced address. The Department approved the tentative map on June 25, 2015. Ms. Muratore filed an appeal with your office on Monday, July 6, 2015. Yesterday, you received a letter from the Pelosi Law Group, on behalf of the developer of the project, requesting that you reject the appeal as untimely.

San Francisco Subdivision Code section 1314 provides that certain parties may appeal tentative map approvals to the Board of Supervisors, and that "[a]ny such appeal must be filed in writing with the Clerk of the Board within 10 days of release of the decision appealed." Here, the tenth day following the Department's approval was Sunday, July 5. The Clerk's Office was closed that day, and Ms. Muratore filed her appeal in your office the next business day, Monday, July 6. In the letter you received yesterday, the Pelosi Law Group asserts that the appeal was untimely because Ms. Muratore filed it on the 11th day after the Department's approval.

The Subdivision Code does not explicitly state what deadline applies when the tenth day falls on a weekend or a holiday. In the absence of specific direction in the Code, we rely on general standards in State law regarding deadlines and computation of days. A number of State statutes instruct that if an act must be performed or a document filed within a particular number of days, and the last day is a Sunday or a holiday, then the deadline is the next business day. *See, e.g.,* Cal. Civil Code § 10 ("The time in which any act provided by law is to be done is computed by excluding the first day and including the last, unless the last day is a holiday, and then it is also excluded."); Cal. Gov't Code § 6800 (same); Cal. Gov't Code § 6706 (same rule for acts "appointed by contract or law"); Cal. Gov't Code § 6707 (same rule for filing an instrument or document with a state agency); Cal. Code of Civ. Proc. § 12. Consistent with these principles, the Office of the Clerk of the Board has a longstanding policy of accepting administrative appeals on the next business day whenever a filing deadline falls on a weekend or holiday. You followed that policy in accepting Ms. Muratore's appeal on Monday, July 6.

The Clerk's Office's policy of accepting appeals on the next business day, and your

CITY HALL • 1 DR. CARLTON B. GOODLETT PLACE, ROOM 234 □ SAN FRANCISCO, CALIFORNIA 94102
RECEPTION: (415) 554-4700 FACSIMILE: (415) 554-4745

n:\ethics\as2015\9890520\01031930.doc

Letter to Angela Calvillo
Page 2
July 17, 2015

acceptance of this appeal as timely, are consistent with the law. I recommend that you respond to the Pelosi law group accordingly. Feel free to contact me if you have any questions.

Very truly yours,

DENNIS J. HERRERA
City Attorney



Jon Givner
Deputy City Attorney

From: Caldeira, Rick (BOS)
To: alexis@pelosilawgroup.com
Cc: BOS Legislation, (BOS); Givner, Jon (CAT); Calvillo, Angela (BOS); Gosienefiao, Rachel (BOS); ma250@aol.com; pgryfakis@trumarkco.com; jnchu@bkf.com; Stacy, Kate (CAT); Byrne, Marlana (CAT); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); BOS-Supervisors; BOS-Legislative Aldes; Malamut, John (CAT); Nuru, Mohammed (DPW); Sanguinetti, Jerry (DPW); Storrs, Bruce (DPW); Speirs, Jeffrey (CPC); Carroll, John (BOS)
Subject: 645 Texas Street - Timely Filing
Date: Friday, July 17, 2015 3:12:18 PM
Attachments: image001.png
645 Texas - Project Sponsor Letter.pdf
645 Texas - City Attorney Advice Letter.pdf

Ms. Pelosi:

We are in receipt of your letter, attached and received July 16, 2015, requesting that the above referenced appeal not be scheduled due to timely filing. Please be advised that the Office of the Clerk of the Board has a longstanding policy of accepting administrative appeals on the next business day whenever a filing deadline falls on a weekend or a holiday. Additionally, we have received advice from our City Attorney, attached and received July 17, 2015, concurring with said policy.

Therefore, please be further advised that the above referenced appeal is scheduled at the Board of Supervisors meeting for Tuesday, July 28, 2015, at 3:00 p.m.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below.

[Board of Supervisors File No. 150723](#)

Regards,

Rick Caldeira, MMC

Legislative Deputy Director

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102

Phone: (415) 554-7711 | Fax: (415) 554-5163

rick.caldeira@sfgov.org | www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

FILE # 15-723

DOJ-11, 2/1/98

BOARD OF SUPERVISORS - CITY & CO OF S.F.

I HAVE LIVED HERE ON TEXAS ST. FOR 63 YEARS ABOUT 5 YEARS, A COMPLEX OF 62 UNITS WAS BUILT, FROM 2ND ST. - UP TEXAS TO SIERRA TO MISSOURI. ANY MORE IN THIS AREA, TEXAS ST WOULD BE A DISASTER IN REGARD TO TRAFFIC - 22nd TO TEXAS HAS A SHARP TURN.

MISSISSIPPI ST IS MORE ACCESSABLE AS IT IS FLAT AND A REGULAR TURN, VERY LITTLE TRAFFIC AND NO RESIDENTIAL HOMES NEAR THIS SITE.

HAS THIS SITE BEEN CHECKED FOR TOXICS AND CONTAMINATION, THERE WAS A PAINT FACTORY CALLED DeBOOM PAINTS ON THIS SITE, IN 1968 THERE WAS A TERRIBLE EXPLOSION THERE, ONE EMPLOYEE WAS KILLED, THEY REBUILT AND WERE THERE FOR MANY MORE YEARS, MY SON TRIMMED THEIR TREES FOR YEARS.

Laura Runne
616 TEXAS ST.
SF CA 94107
415-282-6025

I OBJECT TO THIS PROJECT BEING BUILT ON TEXAS ST.

Runne

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
JUL 20 PM 2:17
AK

Carroll, John (BOS)

From: BOS Legislation, (BOS)
Sent: Tuesday, July 21, 2015 8:40 AM
To: alexis@pelosilawgroup.com; ma250@aol.com; pgryfakis@trumarkco.com; jnchu@bkc.com; Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlana (CAT); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); BOS-Supervisors; BOS-Legislative Aides; Malamut, John (CAT); Nuru, Mohammed (DPW); Sanguinetti, Jerry (DPW); Storrs, Bruce (DPW); Speirs, Jeffrey (CPC)
Cc: Calvillo, Angela (BOS); Caldeira, Rick (BOS); BOS Legislation, (BOS); Carroll, John (BOS)
Subject: Tentative Map Appeal - 645 Texas Street - July 28, 2015 - Developer Response
Categories: 150723

Good afternoon,

Please find linked below a memo received by the Office of the Clerk of the Board from the Pelosi Law Group, representing the developer, regarding the appeal of the proposed project at 645 Texas Street.

[Project Sponsor Letter - July 20, 2015](#)

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on July 28, 2015.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below.

[Board of Supervisors File No. 150723](#)

Thank you,

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

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TRUMARKURBAN

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2015 JUL 20 PM 4:58

RS

Transmittal

To: Mr. John Carroll
Legislative Clerk
San Francisco City Hall, Room 244
San Francisco, CA 94102

From: Jessie Stuart
Trumark Urban
90 New Montgomery St., Suite 750
San Francisco, CA 94105

Date: July 20, 2015

Re: Appeal of Tentative Map - 645 Texas Street

Items Sent Via: U.S. Mail Overnight Service Messenger

DESCRIPTION

John,

Please find updated letter of Appeal of Tentative Map - 645 Texas Street, File No. 15073.

Cheers,

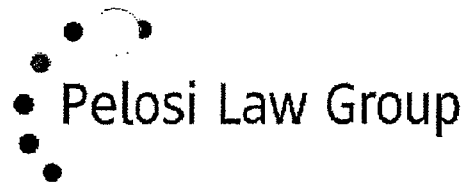
Jessie Stuart

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2015 JUL 20 PM 4:58

July 20, 2015

BT



President London Breed
San Francisco Board of Supervisors
City Hall San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Appeal of Tentative Map – 645 Texas Street
Board of Supervisors File No. 15073

Dear President Breed and Honorable Members:

Our firm represents Trumark Urban, the developer of the above referenced project at 645 Texas Street (“Project”). The Project consists of ninety-one (91) residential units and one (1) commercial space and was reviewed and approved by the Planning Commission on August 14, 2014, almost exactly a year ago. Since the approval, Trumark Urban has been working diligently on the Project with demolition on the site already completed and construction well underway.

The Tentative Map for the Project was approved by the Department of Public Works (“DPW”) on **June 25, 2014**, after review and approval by all relevant City departments (“Tentative Map Approval”). Eleven (11) days later, on **July 6, 2015**, the owner of 635 Texas Street submitted an appeal of the Tentative Map Approval (“Appeal”). The claims raised in the Appeal are not relevant to the requirements of the Subdivision Map Act or the Tentative Map Approval and instead raise issues concerning the overall Project. For these reasons, we respectfully request that you deny the appeal and uphold DPW’s Tentative Map Approval.

A. Project Background and Authorization

Entitlement of the Project began on September 24, 2012, with the filing of a Preliminary Project Assessment (“PPA”). Following receipt of the PPA Comment Letter on November 16, 2012, and after a pre-application notification meeting with the community in October 2013, on May 9, 2013, a Large Project Authorization (“LPA”) application was filed with the Planning Department.

On August 14, 2014, the Planning Commission, in a noticed public hearing, unanimously approved the LPA for the Project, relying on a July 23, 2014 Community Plan Exemption (“CPE”) for the Project’s California Environmental Quality Act (“CEQA”) compliance. The LPA and CPE were not appealed. The appeal period to challenge the LPA expired on August 25, 2014, and the appeal period for the CPA expired on September 15, 2014.

On January 27, 2015, the Department of Building Inspection (“DBI”) issued the site permit for construction of the Project. In reliance on the permit, on May 5, 2014,

Trumark Urban began construction or “broke ground.” Currently, the Project is being excavated and soil being off-hauled prior to vertical construction with project completion and occupancy estimated for December 2016.

Following the Planning Commission approval of the LPA and site permit issuance, Trumark Urban began the tentative map subdivision process to allow for the sale of the ninety-one (91) new residential units, including eleven (11) below-market rate units, and one commercial unit. As is commonplace, the tentative map process often trails the entitlement and building permit process. On March 24, 2015, a tentative map for the Project was filed. It has been reviewed by the Planning Department, the County Surveyor and DPW to confirm it meets all of the City requirements and standards under the Subdivision Map Act and on June 25, 2015, DPW issued a Tentative Map Approval for the Project. It is this Tentative Map Approval that has been appealed. All other approvals granted are final and not subject to appeal.

B. Appellant Has Not Raised Issues Related to the Tentative Map Approval

In appealing the Tentative Map Approval, the Appellant is limited to raising issues related to the tentative map issuance. Specifically, at issue is whether DPW’s review and approval of the tentative map, which subdivides the Project into ninety-one (91) residential units and one (1) commercial unit, is flawed. The issues raised by the Appellant, however, concern sunlight and trees, which are not material to the Tentative Map Approval.¹ They are “design” issues that were discussed and evaluated during the entitlement period by the Planning Department and the community, and ultimately decided upon by the Planning Commission. They are not relevant to the question of whether the tentative map conforms to the San Francisco Subdivision Code and the California Subdivision Map Act.

DPW’s Tentative Map Approval allows Trumark Urban to divide the ninety-one (91) residential units, including eleven (11) affordable housing units, and one commercial unit currently under construction, into individual units for future ownership and sale. It does not impact the underlying Project approvals, which are final and remain valid. Instead, if DPW’s Tentative Map Approval is not upheld, it would impact Trumark Urban’s ability to provide ownership opportunities for families seeking to live in the Dog Patch Neighborhood. It impacts families because the units being constructed are large, by City standards and include fifty-eight percent (58%) 2-bedroom units ranging in size from 800 square feet to 1,200 square feet and three percent (3%) 3-bedroom units ranging in size from 1,200 square feet to 1,500 square feet.

Conclusion

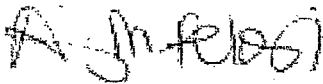
Trumark Urban spent over two years entitling the Project. During that time it worked extensively with the Planning Department and the community on the Project, **meeting with over 100 neighbors (including the Appellant), local businesses, community groups and interested parties and obtaining over 80 signatures of support and 14 letters of support.** Numerous changes were incorporated into the Project in direct response to community comments, including adding a retail space at the corner of Mississippi and 22nd Street, adding a sidewalk bulb

¹ The Planning Commission was provided with information regarding the Project’s shadows and impacts to existing street trees as part of the LPA and CPE process. Any concerns regarding these issues should have been raised by the Appellant during the Planning Commission hearing and/or in an appeal of the LPA or CPE.

out with butterfly habitat, seating and local art at Mississippi and 22nd and adding six (6) ground-floor walk-up units as well as other design changes. The result is a high quality residential development that fits into the existing neighborhood and was unanimously approved by the Planning Commission without a subsequent appeal of either the LPA or CPE.

The Tentative Map Approval granted by DPW allows Trumark Urban to subdivide the Project into individual units for sale and complies with the requirements of the Subdivision Map Act and the City's Subdivision Ordinance. The Appellant has not raised any issues that question the validity of the tentative map or identify a fundamental defect with it or DPW's Tentative Map Approval. As such, **we respectfully request that Board uphold DPW's Tentative Map Approval and deny the Appeal.**

Very Truly Yours,



Alexis M. Pelosi
Pelosi Law Group

cc: Supervisor John Avalos
Supervisor David Campos
Supervisor Julie Christensen
Supervisor Malia Cohen
Supervisor Mark Farrell
Supervisor Jane Kim
Supervisor Eric Mar
Supervisor Katy Tang
Supervisor Scott Weiner
Supervisor Norman Yee
Angela Calvillo, Clerk of the Board
Mohammad Nuru, Director, Public Works
Bruce Storrs, Public Works, City and County Surveyor
Jerry Sanguinetti, Public Works-Bureau of Street Use and Mapping
Diego Sanchez, Planning Department
Jessie Stuart, Trumark Urban

Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Monday, July 20, 2015 2:06 PM
To: alexis@pelosilawgroup.com; ma250@aol.com; pgryfakis@trumarkco.com; jnchu@bkf.com; Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlena (CAT); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); BOS-Supervisors; BOS-Legislative Aides; Malamut, John (CAT); Nuru, Mohammed (DPW); Sanguinetti, Jerry (DPW); Storrs, Bruce (DPW); Speirs, Jeffrey (CPC)
Cc: Calvillo, Angela (BOS); Caldeira, Rick (BOS); BOS Legislation, (BOS); Carroll, John (BOS)
Subject: Tentative Map Appeal - 645 Texas Street - July 28, 2015 - Planning Response
Categories: 150723

Good afternoon,

Please find linked below a memo received by the Office of the Clerk of the Board from the Planning Department, regarding the appeal of the proposed project at 645 Texas Street.

[Planning Memo - July 20, 2015](#)

The appeal hearing for this matter is scheduled for a 3:00 p.m. special order before the Board on July 28, 2015.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below.

[Board of Supervisors File No. 150723](#)

Thank you,

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

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SAN FRANCISCO PLANNING DEPARTMENT

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MEMO

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Appeal of Tentative Parcel Map 645 Texas Street

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DATE: July 17, 2015
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: AnMarie Rodgers, Senior Policy Advisor – Planning (415) 558-6395
Jeffrey Speirs, Case Planner – Planning Department (415) 575-9106
RE: Board File No. 150723, Planning Case No. 2015-006172CND –
Appeal of the Tentative Map for 645 Texas Street

HEARING DATE: July 28th, 2015

ATTACHMENTS:

- A. Planning Commission Motion No. 19218 (Large Project Authorization)
- B. Project Plans and Renderings

PROJECT SPONSOR: TUP Texas LLC
c/o Trumark Urban
90 New Montgomery Street, Suite 750
San Francisco, CA 94107

APPELLANT: Marilyn Muratore 635 Texas Street, San Francisco, CA 94107

INTRODUCTION:

This memorandum and the attached documents are in response to the letter of appeal (“Appeal Letter”) to the Board of Supervisors (the “Board”) regarding the Department of Public Works (“DPW”) June 25, 2015 approval of a Tentative Parcel Map for a new construction condominium related to a project at 645 Texas Street (Assessor’s Block 4102, Lot 26, “Project Site”). The related project consists of three components: (1) the demolition of the two existing one to two-story buildings, and (2) the construction of a new, four to five-story mixed-use building (Planning Case No. 2012.1218XEK, 2015-006172CND). The application was filed with the Department of Public Works (“DPW”) on March 24, 2015 and referred to the Planning Department (the “Department”) for review on May 15, 2015. The Department recommended approval of the Tentative Map on June 4, 2015, and DPW issued a tentative approval on June 25, 2015. The Appeal Letter to the Board was filed on July 6, 2015 by Marilyn Muratore.

The decision before the Board is whether to uphold or overturn the Tentative Map approval. This Project had the benefit of an extensive process of Planning Department review and a Planning Commission hearing and approval action. Opportunity for public review and comment occurred at every step of this process. There was community input regarding height, massing, and design, but no appeal of the Commission’s action was filed. The Planning Commission considered the scale, density, and rear-yard dimensions of the Project at its hearing. At that hearing, the Project received all necessary entitlements from the Planning Commission, including adoption of the CEQA determination and a Large Project

Memo

Authorization. The CEQA determination was not appealed to the Board of Supervisors and the Large Project Authorization was not appealed to the Board of Appeals. Please find the attached Planning Commission Motion of Approval as evidence of the thoroughness of the review that already has occurred. In addition, project plans and 3D renderings are attached for review and reference.

The Appellant now raises for the first time the issue of access to sunlight that could have – indeed should have – been addressed at the time the Planning Commission considered approval of this Project rather than as part of the subdivision, which merely creates legal parcels that can be separately sold, leased, or financed. We urge the Board of Supervisors to reject this appeal. To consider these issues at this late date could thwart San Francisco's well-established, thoughtful public review process that occurred at the time the Planning Department and Planning Commission considered the permits for this Project.

SURROUNDING PROPERTIES AND NEIGHBORHOOD:

The property is located on a sloping lot at the eastern end of the Potrero Hill neighborhood, in close proximity to the 22nd Street Caltrain Station. The site occupies a transition zone between PDR, four-story multiple-unit housing, and a two-story residential neighborhood of individual buildings on 25 to 50 foot wide lots. Properties in the area are of a mixed character, including light industrial, residential and retail buildings. Properties to the north of the subject property include two- and three-story residential buildings and a light industrial building. Properties to the south are one-story light industrial buildings. Properties to east, opposite Mississippi Street, include two-story residential buildings, a light industrial building and an artist live/work building. The property to the west is a mixed use, retail and multifamily building. The surrounding properties are located within the PDR-1-G (Production, Distribution and Repair: General), UMU (Urban mixed Use) and MUR (Mixed Use Residential) and RH-2 (Residential, House, Two Family) zoning districts. MUR Zoning Districts are intended to serve as a major housing opportunity area within the eastern portion of the South of Market area. The district controls are intended to facilitate the development of high-density, mid-rise housing, including family-sized housing units and residential hotels.

BACKGROUND:

2012: Applications for Development Filed

On May 9, 2013, Jessie Stewart (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Large Project Authorization under Planning Code Section 329, to allow a development lot size of approximately 32,000 square feet, in an MUR (Mixed Use - Residential) Zoning District, and a 40-X Height and Bulk District. The proposal was to demolish 22,700 square feet of industrial, office, and institutional uses within one- and two-story buildings and construct a new topographically-sensitive four to five-story mixed use building containing 600 square feet of retail space, up to 91 residential dwelling units, 65 off-street parking spaces and 91 Class 1 bicycle spaces. The development would total approximately 106,000 square feet. The Planning Department reviewed the Project's design and massing and requested that the Project Sponsor step down the building consistent with the topography and lower the scale at the project's northern end. The Planning Department made additional requests for the Sponsor to reduce the massing and footprint in order to maintain the mid-block open space. The Project Sponsor revised the building design to address the Department's

comments. The Department supported the revised design with proposed size and density appropriate for a project in an MUR Zoning District.

July 2014 – Planning Department Completes CEQA Review

On July 23, 2014, the Planning Department determined that the Project was exempt from the California Environmental Quality Act (“CEQA”) as described in the determination contained in the Planning Department files for this Project (Case 2012.1218E). No appeal of the categorical exemption was filed.

August 2014 – Planning Commission Approves Large Project

On August 14, 2014, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2012.1218X for this Project. The Commission heard numerous members of the public voice support for the Project, as well as one neighbor who opposed it based on issues of height and massing. The Commission did not take any action on height or massing, as design review was conducted with the Planning Department prior to the hearing and the Sponsor revised the Project based on the Department’s input. However, moments before the Planning Commission hearing, the Sponsor again revised the Project to remove the roof deck due to neighbor concerns. The Commission discussed the removal of the roof deck, proposed window materials, and described the Project as a good addition to the neighborhood. The Commission unanimously approved the Project with conditions to remove the referenced roof deck from the building’s design.

January 2015 – Building Permits Issued by Department of Building Inspection

On December 9, 2013, the Project Sponsor filed a Building Permit Application with the Department of Building Inspection. On September 15, 2014, following the approval of all required entitlements, the Planning Department approved Building Permit Application no. 201312093691 (New Construction), 201410068171 and 201410068172 (Demolition). The Department of Building Inspection completed review of detailed construction drawings and permits for demolition and new construction. The Central Permitting Bureau approved and issued final building permits on January 27, 2015.

March - June 2015 – Tentative Parcel Map Application Filed & Approved

The tentative map application was filed with DPW on March 24, 2015 and referred to the Planning Department for review on April 1st, 2015. The Department recommended approval of the subdivision on June 4, 2015, and DPW issued a tentative approval on June 25, 2015.

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES:

In the appellant’s materials describing the basis for the appeal, the Appellant raises issues that have been addressed by previous actions. Specifically, the scale, density, and rear-yard dimensions of the Project were all considered at the Planning Commission hearing. At that hearing, the Project received all necessary entitlements from the Planning Commission. The Large Project Authorization for this Project was not appealed to the Board of Appeals.

The Appellant raises issues with respect to the scale, density, and design of the Project that the Planning Department considered during design review and Planning Commission addressed at its August 14, 2014 hearing. The Planning Commission approval motion that address these issues are attached to the letter.

In regard to the sunlight access issue that the Appellant now raises for the first time the Planning Department responds as follows:

1. **Blocking of Sunlight by the Proposed Building.** The Commission found that the scale of the proposed Project was compatible with the existing scale of the district by stepping the building down with the topography while also reducing the size at the northern end. The Project Sponsor worked with the community in the design process and partially reduced the project's height during design review and eliminated a roof deck prior to the Commission hearing on the Project. The proposed inner court breaks up the massing and provides sunlight access along a portion of the Project's northern edge. At the north end of Texas Street, the fourth floor of the proposed building is stepped back away from the side property line, reducing the impact of its shadow on the Appellant's property at 635 Texas Street (hereinafter "635 Texas Street"). The Project also includes two lightwells along the northern property line. The Project allows varying amounts of sunlight to 635 Texas Street as the sun moves from east to west. The Project would not result in a total loss of sunlight to 635 Texas Street; however, some loss of light is to be expected and is not out of character for projects south of smaller adjacent neighbors. The Project is compatible with the surrounding two to three-story residential buildings in the district and on this block. The Project has buildings of comparable size to the east and west, across Texas Street and Mississippi Street.

The Appellant's issue regarding sunlight was addressed through review of massing and height at the time the Planning Commission considered permits authorizing the Project at a particular scale and design. The City's well-established permit process affords an opportunity for public review and comment, as well as careful consideration by City decision-makers in the appropriate context – review of the permits needed to construct the building, at a particular scale and design, in the context of the neighborhood.

CONCLUSION:

In its approval of the Large Project Authorization, the Commission cited numerous benefits of the Project, including the recognition of the Project Sponsor in working with the community on design, massing, and other project elements. The addition of new housing, with a small neighborhood commercial retail space, will contribute to the neighborhood in a positive way. The Commission also found that the Project's uses, size, density, height, and design are compatible with the surrounding context. Consequently, the Planning Commission process accounted for that issues that the Appellant now raises in the context of the subdivision map appeal. The Planning Department believes that the subdivision process is not the appropriate forum to address design issues that were properly and thoroughly considered during the previous Planning Department and Planning Commission review and approval stages. In San Francisco, the subdivision map process primarily pertains to the legal division of land for sale, lease, and financing purposes, not building design that is analyzed as part of Planning Code and Building Code compliance which typically occurs prior to the tentative parcel or subdivision map decision.

As described above, the project was found to be exempt from CEQA, and the Project has received all necessary entitlements from the Planning Commission. Department staff has concluded that the Tentative Map application would allow individual ownership of the dwelling units in a manner that is consistent with the configuration of the development project approved by the entitlements. Further, the Tentative

Appeal of Tentative Parcel Map
Hearing Date: July 28, 2015
645 Texas Street

File No. 150723
Planning Case No. 2015-006172CND

Map application is consistent the General Plan in that the Project will provide much need housing, including affordable units. The new building will provide 91 dwelling units (11 affordable units), mostly consisting of 2-bedroom units and 3-bedroom units. The Planning Department recommends that the Board uphold the Department of Public Work's decision in approving the Tentative Map for 645 Texas Street and deny the Appellant's request for disapproval.



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other: EN Impact Fees (Sec. 423)

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Planning Commission Motion No. 19218

HEARING DATE: AUGUST 14, 2014

Date: August 7, 2014
Case No.: 2012.1218 X
Project Address: 645 TEXAS STREET
Zoning: MUR (Mixed Use Residential)
40-X Height and Bulk District
Block/Lot: 4102/026
Project Sponsor: Jessie Stuart
90 New Montgomery, Suite 750
San Francisco, CA 94105
Staff Contact: Diego R Sánchez – (415) 575-9082
diego.sanchez@sfgov.org

ADOPTING FINDINGS RELATING TO LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329 TO ALLOW NEW CONSTRUCTION OF A FIVE-STORY MIXED USE BUILDING WITH UP TO 91 DWELLING UNITS AND 600 SQUARE FEET OF RETAIL SPACE AND TO ALLOW EXCEPTIONS FROM (1) FRONT SETBACK PURSUANT TO PLANNING CODE SECTION 132, (2) REAR YARD PURSUANT TO PLANNING CODE SECTION 134, (3) DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE SECTION 140, (4) STREET FRONTAGE PURSUANT TO PLANNING CODE SECTION 145.1, (5) OFF-STREET PARKING PURSUANT TO PLANNING CODE SECTION 151.1, AND (6) TO THE MEASUREMENT OF HEIGHT PURSUANT TO PLANNING CODE SECTIONS 102.12 AND 260, AND TO ADOPT FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AT 645 TEXAS STREET, LOT 026 IN ASSESSOR'S BLOCK 4102, WITHIN THE MUR (MIXED USE RESIDENTIAL) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On May 9, 2013 Jessie Stuart (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Large Project Authorization under Planning Code Section 329 to allow new construction of a five-story residential building with up to 91 dwelling units and 600 square feet of retail space and to allow exceptions from the following: (1) Front Setback pursuant to Planning Code Section 132, (2) Rear Yard pursuant to Planning Code Section 134, (3) Dwelling Unit

Exposure pursuant to Planning Code Section 140, (4) Street Frontage pursuant to Planning Code Section 145.1, (5) Off-Street Parking pursuant to Planning Code Section 151.1, and (6) to the measurement of height pursuant to Planning Code Sections 102.12 and 260 on the property at 645 Texas Street, east side between 22nd and Sierra Streets; Lot 026 in Assessor Block 4102 (hereinafter "Subject Property"). The project is located within a MUR (Mixed Use Residential) Zoning District a 40-X Height and Bulk District.

On August 14, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on a Large Project Authorization, application No. 2012.1218X.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On July 23, 2014, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major

revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2012.1218X at 1650 Mission Street, Fourth Floor, San Francisco, California.

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 Large Project Authorization requested in Application No. 2012.1218X, 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.** The project is located at the southern end of the block bounded by Texas Street on the west, 22nd Street on the south and Mississippi Street on the east, the property being Lot 026 in Assessor's Block 4102. The property is located within the MUR (Mixed Use Residential) District with a 40-X Height and Bulk district. The present uses on the property include industrial, office and institutional uses within one- and two-story buildings. The property is located at the end of the block, on an irregularly shaped lot with frontages along Texas Street, 22nd Street and Mississippi Street. The lot is approximately 32,000 square feet in area.
3. **Surrounding Properties and Neighborhood.** The property is located at the eastern end of the Potrero Hill neighborhood, in close proximity to the 22nd Street Caltrain Station. Properties in the area are of a mixed character, including light industrial, residential and retail buildings. Properties to the north of the subject property include two- and three-story residential buildings and a light industrial building. Properties to the south are one-story light industrial buildings. Properties to east, opposite Mississippi Street, include two-story residential buildings, a light

industrial building and an artist live/work building. The property to the west is a mixed use, retail and multifamily building. The surrounding properties are located within the PDR-1-G (Production, Distribution and Repair: General), UMU (Urban mixed Use) and MUR (Mixed Use Residential) and RH-2 (Residential, House, Two Family) zoning districts.

4. **Project Description.** The Project Sponsor proposes to demolish the existing 22,700 square foot light industrial and insitutional use buildings and construct a five-story mixed use building with up to 91 dwelling units and 600 square feet of ground floor retail. In total, the building will be approximately 106,000 gross square feet in size. The project will also provide 65 off-street parking spaces located in the lowest level of the structure as well as 8,230 square feet of useable open space in a central courtyard and at private decks.
5. **Public Comment.** The Department received input from concerned neighbors about the proposed height, building mass, and design. The Department also received one letters in support of the project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Permitted Uses in MUR Zoning Districts.** Planning Code Sections 841.20 and 841.45 states that residential and retail uses are principally permitted use within the MUR Zoning District.

The Project is proposing to construct new residential and retail uses within the MUR Zoning District and complies with Planning Code Sections 841.20 and 841.45.

- B. **Front Setback.** Planning Code Section 132 allows obstructions, including bay windows, to extend into the front setback provided they do not exceed dimensional limitations. For bay windows, the maximum projection into a front setback is three feet and the maximum width of a bay window is 15 feet.

The project is proposing bay windows that do not conform to the dimensional limits for allowable obstructions within the front setback as the bay windows are in excess of 15 feet in width on all street frontages. The project is seeking an exception from the Front Setback requirement under Planning Code Section 329.

- C. **Rear Yard.** Planning Code Section 134 requires a rear yard to be equal to 25 percent of the total depth of the lot on which the building is situated, but in no case less than 15 feet and that it be located at the lowest level containing a dwelling unit.

The project is providing a rear yard, in the form of a courtyard, in the center of the lot, beginning at the second level of the proposal. This does not comply with the requirement that the rear yard be equal to at least 25% of the lot depth and that it be located at the lowest level (in this case, the ground floor) containing a dwelling unit. The project is seeking an exception from this requirement pursuant to Planning Section 329.

- D. **Useable Open Space.** Planning Code Section 135 requires a minimum of 80 square feet of useable open space for each dwelling unit.

The project is proposing approximately 8,230 square feet of useable open space on private decks and in an interior courtyard, exceeding the required 7,280 square feet of useable open space.

- E. **Streetscape and Pedestrian Improvements.** Planning Code Section 138.1 requires one new street tree for every 20 feet of street frontage for projects proposing new construction and requires streetscape and pedestrian elements in conformance with the Better Streets Plan when a project is on a lot that is greater than ½-acre in total area and the project includes new construction

The project is proposing the new construction of a five-story mixed use building on an approximately ¼ acre lot with a combined 528 linear feet of frontage on Texas, 22nd and Mississippi Streets. The project will provide the required 26 street trees in compliance with Section 138.1. The project will also comply with the Better Street Plan by submitting a compliant streetscape plan prior to building permit issuance.

- F. **Dwelling Unit Exposure.** Planning Code Section 140 requires each dwelling unit to face directly on a public street, public alley at least 25 feet in width, side yard at least 25 feet in width, a rear yard meeting the requirements of this Code or an outer court whose width is 25 feet or an open area 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.

One unit does not face an area as required by Planning Code Section 140. An exception is being sought pursuant to Planning Code Section 140.

- G. **Street Frontage in Mixed Use Districts.** Section 145.1 of the Planning Code requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new or altered structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 17 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

The project is proposing the off-street parking to be located at the rear of the property. The off-street parking entrance is approximately 15 feet in width. The ground floor features a retail use, the residential lobby and dwelling units which provide direct, individual pedestrian access to a public

sidewalk. The retail street-fronting space is set back two feet from the sidewalk, providing a comfortable buffer from the public realm, but still meeting the intent of this Code Section. The ground floor is fenestrated in excess of 60 percent of the street frontage.

The Project is proposing to provide a 10 foot floor-to-floor height at the non-residential space. This does not comply with the minimum floor-to-floor height of 14 feet for ground floor non-residential uses in the MUR zoning district. The project is seeking an exception under Planning Code Section 329 from this requirement.

- H. **Off-Street Parking.** Planning Section 151.1 of the Planning Code allows as of right up to one off-street parking space for every four dwelling units within the MUR Zoning District. It also allows up to three off-street parking spaces for every four dwelling units with an exception and up to one off-street parking space for each dwelling unit if that dwelling unit has at least two bedrooms and 1,000 square feet of area, with an exception.

The project is proposing 91 dwelling units, of which 15 are at least two bedrooms and 1,000 square feet in size. Up to 23 off-street parking spaces are allowed, as of right and up to 72 off-street parking spaces are allowed with an exception from Planning Code Section 329. The project is proposing 65 off-street parking spaces, and is seeking an exception under Planning Code Section 329 from this requirement.

- I. **Bicycle Parking Requirement.** Planning Code Section 155.2 requires at least one Class 1 bicycle parking space for each dwelling unit as well as one Class 2 bicycle parking space for each 20 dwelling units. Section 155.2 also requires at least two Class 2 bicycle parking spaces for the retail component.

The project is proposing up to 91 dwelling units and approximately 600 square feet of occupied floor area of retail space and requires at least 91 Class 1 bicycle parking spaces and five Class 2 bicycle spaces for the residential component and two Class 2 bicycle parking spaces for the retail component. The project is proposing 96 Class 1 bicycle parking spaces and 16 Class 2 bicycle parking spaces, in compliance with Planning Code Section 155.2.

- J. **Car Sharing.** In newly constructed buildings containing residential uses, Planning Code Section 166 requires, if parking is provided, car-share parking spaces to be provided based on the number of dwelling units in the amount specified in Table 166.

The project is proposing up to 91 dwelling units and is required to provide at least one car sharing space. The project is proposing two car sharing spaces and is in compliance with Planning Code Section 166.

- K. **Minimum Dwelling Unit Mix.** Planning Section 207.6 requires new residential projects proposing at least five dwelling units to provide either 40 percent of the total number of proposed dwelling units as two bedroom units or 30 percent of the total number of proposed dwelling units as three bedrooms units.

The project is proposing up to 91 dwelling units of which 56 will be two bedroom units or larger. This is equivalent to 61.5 percent of all dwelling units being two bedroom units.

- L. **Neighborhood Notification.** Planning Section 312 requires neighborhood notification when proposing a change of use from one land use category to another within the Eastern Neighborhoods Mixed Use Districts.

The project is proposing a change of use from the Industrial, Home and Business Service land use category to the Residential Uses and the Retail Sales and Services land use categories and has conducted the required notification in conjunction with the notification for the Large Project Authorization.

- M. **Inclusionary Affordable Housing Program in MUR.** 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 Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted a 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project. The Project Sponsor submitted such Affidavit on July 15, 2014. The EE application was submitted on March 15, 2013. Pursuant to Planning Code Section 415.3 and 415.6, the on-site requirement is 12%. 11 units (five one-bedroom, and six two-bedroom) of the 91 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- N. **Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the MUR (Mixed Use Residential) Zoning District that results in at least one net new residential and/or any replacement of gross square feet or change of use.

The project is proposing up to 91 dwelling units within a five-story mixed use building of approximately 106,000 gross square feet in size. The project is also replacing the existing PDR uses.

The project is subject to Planning Code Section 423 and all associated impact fees must be paid prior to the issuance of the building permit application.

7. **General Compliance with the Large Project Authorization in Eastern Neighborhoods Mixed Use District Objectives.** Planning Code Section 329(c) lists nine aspects of design review in which a project must comply; the Planning Commission finds that the project is compliant with these nine aspects as follows:

- A. Overall building mass and scale;

The proposed building mass and scale is appropriate for the context given the predominance of two- and three-story structures in the surrounding area. The facades feature multiple building recesses that function to visually break the mass into distinct modules. The scale of the bay windows helps to emphasize the distinct modules, as well. The building height gradually follows the slope of lot, stepping down in height toward the southern end of the lot.

- B. Architectural treatments, facade design and building materials;

The use of recessed mass breaks helps reduce the apparent size of the building and forms the primary facade design. The bay windows help to accentuate these breaks. The use of a varied material palette helps distinguish the architectural elements; this palette includes fiber-cement panels, wood rain-screen siding and scored cement plaster.

- C. The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access;

The lower floors are designed to respond to and interact with the street. Where residential units are located on the ground floor, stoops and / or landscaped planters provide an adequate buffer between the private and public realms. The retail space is conveniently located adjacent to the building lobby, enlivening the entrance to the project. The central courtyard functions as the rear yard and provides an area for passive recreation. Parking and loading access are concentrated in one location, thereby limiting the disturbance of automobiles to the pedestrian experience.

- D. The provision of required open space, both on- and off-site. In the case of off-site publicly accessible open space, the design, location, access, size, and equivalence in quality with that otherwise required on-site;

The project provides useable open space, both common and private, in the central courtyard and at private decks. All proposed open spaces are easily accessed from dwelling units.

- E. The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2;

The provision of a mid-block alley is not applicable because there are no linear street frontages in excess of 200 feet in length.

- F. Streetscape and other public improvements, including tree planting, street furniture, and lighting.

Required street trees, in accordance with Planning Code Section 138.1, as well as required Class 2 bicycle parking will be provided within the public right of way immediately in front on the building. In addition the project sponsor will provided landscaped planters along the 22nd and Mississippi Street façades.

- G. Circulation, including streets, alleys and mid-block pedestrian pathways;

Automobile access is provided exclusively through the sole garage entrance at the eastern side of the subject property on Mississippi Street. Although not required by the Planning Code, the project is providing a pedestrian pathway through the project, with an entrance from the western side of the development on 22nd Street to the eastern side of the development on Mississippi Street.

- H. Bulk limits;

The proposed project is within an 'X' bulk district, which does not restrict bulk.

- I. Other changes necessary to bring a project into conformance with any relevant design guidelines, Area Plan or Element of the General Plan;

The proposed project, on balance, meets the Objectives and Policies of the General Plan.

8. **Large Project Authorization Exceptions.** As a component of the review process under Planning Code Section 329, projects may seek specific exceptions to the provisions of this Code as provided for below:

- A. Where not specified elsewhere in Planning Code Section 329, modification of other Code requirements which could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located.

The proposed project is seeking exceptions from the front setback requirement (Section 132), rear yard requirement (Section 134), the dwelling unit exposure requirement (Section 140), the street frontage requirement (Section 145.1), the off-street parking requirement (Section 151.1) and to measurement of height (Sections 102.12 and 260).

- 1) *Planning Code Section 132 establishes the front setback of each property and allows certain obstructions, including bay windows, to extend into the setback. Bay windows that do not extend further than three feet and that are not wider than 15 feet are permitted obstructions into the front setback. The Project is proposing multiple bay windows that either extend*

further than three feet into the front setback or that are wider than 15 feet. Those bay windows provide mass breaks and articulate and provide emphasis to the façade. Larger bay windows also accentuate the corners which is a typical urban design standard.

- 2) *Planning Code Section 134 requires the project to provide a rear yard equivalent to 25 percent of lot depth at the rear of the yard and at the lowest story containing a dwelling unit. Given the depth of the subject lot (200 feet), the project is required to provide a rear yard of 50 feet. This is equivalent to an area of 10,000 square feet. The project is proposing an interior courtyard of approximately 8,125 square feet, which provides privacy and security for residents. To ameliorate the lack of a code complying rear yard, the project is providing approximately 8,230 square feet of useable open space in the interior courtyard and at private decks at the upper floors of the project.*
- 3) *Planning Code Section 140 requires each dwelling unit to face directly on a public street, public alley at least 25 feet in width, side yard at least 25 feet in width, a rear yard meeting the requirements of this Code or an outer court whose width is 25 feet or an open area 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 is proposing one unit that does not meet this requirement. This unit is located in the southern end of the interior courtyard. All other units face onto a Code complying area.*
- 4) *Planning Code Section 145.1 requires the project provide areas with non-residential uses a minimum floor-to-floor height of 14 feet. The project is providing the ground floor retail space with a floor-to-floor height of 10 feet. Given the size and location of the proposed retail space, the exception is reasonable.*
- 5) *Planning Code Section 151.1 establishes maximum quantities of off-street parking that are allowed, both as of right and through exception under Planning Code Section 329, within the MUR Zoning District. Given the number of units and unit types, the project is allowed up to 23 off-street parking spaces as of right and up to 72 off-street parking spaces with an exception from Planning Code Section 329. The project is proposing 65 off-street parking spaces. Given that only one MUNI line, the 48 Quintara, has stops within 4 blocks of the site, it is reasonable to assume that into the near future private automobiles will be a needed means of transportation for residents of the site.*

In addition, the following findings are made pursuant to Planning Code Sections 329 and 151.1:

Vehicle movement on or around the project does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district;

By locating the sole vehicle entrance on Mississippi Street, which is the widest street of the three that encircle the subject property, any adverse impacts from vehicle movements upon pedestrian and bicycle network improvements are proposed for 22nd Street are avoided. Any transit stops and/or routes are also not adversely impacted given that the site is located multiple blocks from the nearest transit.

Accommodating excess accessory parking does not degrade the overall urban design quality of the project proposal;

The excess accessory parking will be located in the same basement level garage and will utilize the same garage entrance as the accessory parking provided as of right and therefore will not affect the overall urban design.

All above-grade parking is architecturally screened and lined with active uses according to the standards of Section 145.1, and the project sponsor is not requesting any exceptions or variances requiring such treatments elsewhere in this Code;

All accessory parking is located in the basement level of the subject property and is either lined with active uses or is not visible from the public right of way given the topography of the site.

Excess accessory parking does not diminish the quality and viability of existing or planned streetscape enhancements

The quality and visibility of planned streetscape enhancements will not be diminished from the excess accessory parking because it is located in the basement level of the subject property, will utilize the same garage door as the as of right accessory parking and the streetscape enhancements account for the sole entrance into the basement level garage.

For projects with 50 dwelling units or more, all residential accessory parking in excess of 0.5 spaces per unit shall be stored and accessed by mechanical stackers or lifts, valet, or other space-efficient means that reduces space used for parking and maneuvering, and maximizes other uses.

The project does provide a small fraction (approximately four percent) of the accessory parking in excess of 0.5 spaces per unit through space efficient means; however the bulk of the parking in excess of 0.5 spaces is not stored and accessed by mechanical stackers or lifts, valet, or other space-efficient means. The project is seeking an exception from this requirement.

The subject property is an excavated lot with a difference in grade of approximately 25 feet from the northern point to the southern point of the lot. The proposed excess accessory parking can be generally accommodated within this excavated space, located at the basement level and outside of view from the street level. Given the size of the lot in combination with the grade differential it is reasonable that accessory parking be located in the basement as proposed.

- 6) According to Planning Code Section 304(d)(6), minor deviations from the provisions for measurement of height, as defined in Planning Code Section 260 and 261, may be permitted. Under Planning Code Section 102.12(c), the height of a building is defined as the vertical distance by which a building or structure rises above a certain point of measurement. This point shall be taken at the centerline of the building or, where the building steps laterally in relation to a street that is the basis for height measurement. Under Planning Code Section 102.25, a street is defined as a right-of-way, 30-ft or more in width, permanently dedicated to common and general use by the public, including any avenue, drive, boulevard, or similar way, but not including any freeway or highway without a general right of access for abutting properties.

The project is proposing to break the building into eight different segments, none wider than 65 feet and none deeper than 100 feet. The height for each segment is measured at the northern most point of that segment, where the height is equal to 40 feet and the height of each segment will not exceed 44 feet 11 inches at the midpoint. Given the unique siting, topography and shape of the subject lot, a minor deviation to the measurement of height, as proposed, is reasonable.

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 4:

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1:

Develop new housing, and encourage the remodeling of existing housing, for families with children.

The proposed project exceeds the minimum dwelling unit mix requirement by providing more than the required 40 percent of its units as two-bedroom units or larger. The project is proposing 61.5 percent of its units as two-bedroom units or larger.

OBJECTIVE 5:

ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS.

Policy 5.4:

Provide a range of unit types for all segments of need, and work to move residents between unit types as their needs change.

The Project proposes a mix of unit types, including one-, two- and three-bedroom apartments, which may suit the needs of a variety of households including singles, families and the elderly.

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 is proposing a retail space at the corner of 22nd and Mississippi Streets. The proposed retail space will provide desirable goods and/or services to the residents of the project as well as to the immediate neighborhood which is consistent with the MUR zoning district.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 24:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.2:

Maintain and expand the planting of street trees and the infrastructure to support them.

The Project will install street trees at approximately 20 foot intervals along the all street frontages, in compliance with requirements.

OBJECTIVE 28:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1:

Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 28.3:

Provide parking facilities which are safe, secure, and convenient.

The Project includes 96 bicycle parking spaces in a secure and convenient location on the subject property.

SHOWPLACE SQUARE/POTRERO AREA PLAN

Objectives and Policies

OBJECTIVE 1.2:

IN AREAS OF SHOWPLACE/POTRERO WHERE HOUSING AND MIXED USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1:

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

The Project is of a height and scale that is compatible with the predominately two- and three-story surroundings and that responds to the topography of the site, as it gradually steps down following grade.

OBJECTIVE 2.1:

ENSURE THAT A SIGNIFICANT PERCENTAGE OF NEW HOUSING CREATED IN THE SHOWPLACE / POTRERO IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES.

Policy 2.1.1:

Require developers in some formally industrial areas to contribute towards the City's very low, low, moderate and middle income needs as identified in the Housing Element of the General Plan.

The current use of the site is for light industrial purposes and the Project is proposing to satisfy the affordable housing requirement by providing affordable units on-site. Of the required 11 affordable units, five will be one-bedroom units and six will be two-bedroom units.

OBJECTIVE 2.3:

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 BEDROOM UNITS.

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.

Of the 91 dwelling units proposed, 56 (61.5%) will be two- and three-bedroom units.

OBJECTIVE 5.2:

ENSURE THAT NEW DEVELOPMENT INCLUDES HIGH QUALITY PRIVATE OPEN SPACE

Policy 5.2.1:

Require new residential and mixed-use residential development to provide on-site private open space designed to meet the needs of residents.

Policy 5.2.3:

Encourage private open space to be provided as common spaces for residents and workers of the building wherever possible.

The project is proposing approximately 8,230 square feet of useable open space on private decks and in an interior courtyard.

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 proposal will enhance the existing neighborhood-serving retail uses by introducing a large number of potential patrons to the area.

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

The proposed building is designed in a manner that complements the current mixed character of the area, with an eye toward establishing a framework from which subsequent residential development may draw inspiration.

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

The proposed development will add 91 new dwelling units, of which 11 will be affordable, on-site dwelling units under Planning Code Section 415.

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

It is not anticipated that commuter traffic will impede MUNI transit or overburden streets or neighborhood parking as the sole automobile entrance is located toward the southeastern end of the subject property.

- 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.

The proposed project will not displace industrial and service sector establishments with commercial office development as the proposed project is primarily residential.

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

The proposed project is designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code.

- G. That landmarks and historic buildings be preserved.

No historic resource or landmark properties are on the project site.

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

No parks or open spaces will have their access to sunlight adversely affected as a result of the proposed project.

11. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

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.

Motion No. 19218
August 14, 2014

CASE NO. 2012.1218X
645 Texas Street

13. The Commission hereby finds that approval of the Large Project Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Large Project Authorization Application No. 2012.1218X** under Planning Code Section 329 to allow the new construction of a five-story mixed use building with up to 91 dwelling units, 600 square feet of retail space and exceptions from the rear yard, dwelling unit exposure, street frontages, off-street parking and the measurement of height requirements within the MUR (Mixed Use Residential) Zoning District and a 40-X Height and Bulk District. The Project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 5, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the Eastern Neighborhoods Plan EIR and contained in the MMRP are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 329 Large Project Authorization 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 adoption of this Motion if not appealed (after the 15-day period has expired) 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 at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

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, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or 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 August 14, 2014.

Jonas P. Ionin
Commission Secretary

Motion No. 19218
August 14, 2014

CASE NO. 2012.1218X
645 Texas Street

AYES: Commissioners Sugaya, Fong, Borden, Moore, Antonini, and Wu
NAYES: None
ABSENT: Commissioner Hillis
ADOPTED: August 14, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow to allow the new construction of a five-story mixed use building with up to 91 dwelling units, 600 square feet of retail space and exceptions from the rear yard, dwelling unit exposure, street frontages requirements, off-street parking and to the measurement of height located at 645 Texas Street, Lot 026 in Assessor's Block 4102 pursuant to Planning Code Section 329 within the MUR (Urban Mixed Use Residential) District and a 40-X Height and Bulk District; in general conformance with plans, dated August 5, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2012.1218X and subject to conditions of approval reviewed and approved by the Commission on August 14, 2014 under Motion No. 19218. 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 August 14, 2014 under Motion No. 19218.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19218 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Large Project Authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

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

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

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

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

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2004.0160E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

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

DESIGN – COMPLIANCE AT PLAN STAGE

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

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

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

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

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

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

- h. 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>.

10. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), 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. 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 415-558-6378, www.sf-planning.org

PARKING AND TRAFFIC

11. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

12. **Car Share.** Pursuant to Planning Code Section 166, no fewer 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 service subscribers.

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

13. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 98 bicycle parking spaces (91 Class 1 spaces and five Class 2 spaces for the

residential portion of the Project and two Class 1 or 2 spaces for the commercial portion of the Project).

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

14. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than sixty five (65) off-street parking spaces.

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

PROVISIONS

15. **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

16. **Affordable Units.**

- A. **Eastern Neighborhoods Affordable Housing Requirements for MUR.** Pursuant to Planning Code Section 415.6, the Project is required to provide 12% of the proposed dwelling units as affordable to qualifying households. The Project contains 91 units; therefore, 11 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 11 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing ("MOH").

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

- B. **Unit Mix.** The Project contains 35 one-bedroom, 53 two-bedroom and three three-bedroom units; therefore, the required affordable unit mix is five one-bedroom and six two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOH.

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

- C. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

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

- D. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twelve percent (12%) of the each phase's total number of dwelling units as on-site affordable units.

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

- E. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.

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

- F. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOH 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://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

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

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for sale, the affordable 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 ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size derived

from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

17. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

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

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

20. **Report to Planning Commission on Final 5th Floor and Roof Plans.** Prior to issuance of first Construction Document, Project Sponsor will provide Planning Department Staff with the final 5th Floor and Roof Plans for transmission to the Planning Commission. The final 5th Floor and Roof Plans will indicate the absence of a roof deck used for common open space. Project Sponsor will also provide a memorandum regarding alternate uses investigated for the 5th Floor including the inclusion of a 5th floor vegetated / green / living roof. Alternate uses implemented will be indicated on the final 5th Floor and Roof Plans.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

OPERATION

21. **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>

22. **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>

23. **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

**Attachment A:
 MITIGATION MONITORING AND REPORTING PROGRAM
 (Includes Text for Adopted Mitigation Measures)**

MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
MITIGATION MEASURES FROM THE EASTERN NEIGHBORHOODS AREA PLAN EIR				
<p>PMM-1 –Archeological Resources (PEIR Mitigation Measure J-2) The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.</p>	Project sponsor/ Planning Department	Prior to any soil-disturbing activities on the project site.	Distribute Planning Department Archeological Resource "Alert" sheet to prime contractor, sub-contractors and utilities firms; Project sponsor, archeologist and Environmental Review Officer (ERO). Submit signed affidavit of distribution to ERO.	Date Signed affidavit submitted to the ERO: _____
Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.	Head Foreman and/or project sponsor	Accidental discovery.	Suspend any soils disturbing activity; and Notify ERO of accidental discovery.	
If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of an archaeological consultant from the pool of qualified archaeological consultants maintained by the Planning Department archaeologist. The archaeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an	Project Sponsor/ Archeological consultant	In case of accidental discovery.	If ERO determines an archeological resource may be present, services of a qualified archeological consultant to be retained.	

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**Attachment A:
 MITIGATION MONITORING AND REPORTING PROGRAM
 (Includes Text for Adopted Mitigation Measures)**

MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.</p>			<p>Identify and evaluate archeological resources; make recommendation to the ERO.</p>	
<p>Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Environmental Planning (EP) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.</p>	<p>Project Sponsor</p>	<p>After determination by the ERO of appropriate action to be implemented following evaluation of accidental discovery.</p>	<p>ERO</p>	
<p>The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.</p>	<p>Project Sponsor</p>	<p>Following completion of any* archeological field program. (*Required.)</p>	<p>Submittal of Draft/ Final FARR to ERO.</p>	
<p>Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning</p>	<p>Project Sponsor</p>		<p>Distribution of Final FARR.</p>	

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**Attachment A:
 MITIGATION MONITORING AND REPORTING PROGRAM
 (Includes Text for Adopted Mitigation Measures)**

MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p>Department shall receive one bound copy, one unbound copy and one unlocked, searchable PDF copy on CD three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.</p>				
<p>PMM-2 – Construction Noise from pile driving (Mitigation Measure F-1 of the Eastern Neighborhoods FEIR). The project sponsor shall ensure that piles be pre-drilled wherever feasible to reduce construction-related noise and vibration. No impact pile drivers shall be used unless absolutely necessary. Contractors shall use pile-driving equipment with state-of-the-art noise shielding and muffling devices. To reduce noise and vibration impacts, sonic or vibratory sheetpile drivers, rather than impact drivers, shall be used wherever sheetpiles are needed. The project sponsor shall also require that contractors schedule pile-driving activity for times of the day that would minimize disturbance to neighbors.</p>	Project sponsor/ project contractor	During construction.	Project sponsor/ contractor shall provide monthly reports to the Planning Department throughout all construction pile driving activities.	Considered complete upon receipt of final monitoring report at completion of construction.
<p>PMM-3 – Construction Noise (Mitigation Measure F-2 of the Eastern Neighborhoods FEIR). The project sponsor shall develop a set of site-specific noise attenuation measures under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted to the Department of Building Inspection (DBI) to ensure that maximum feasible noise attenuation will be achieved. These attenuation measures shall include as many of the following control strategies as feasible:</p>	Project sponsor	Prior to and during construction.	Project sponsor, contractor(s), shall provide Department of Building Inspection and the Planning Department with monthly reports during construction period.	Considered complete upon receipt of final monitoring report at completion of construction.

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**Attachment A:
 MITIGATION MONITORING AND REPORTING PROGRAM
 (Includes Text for Adopted Mitigation Measures)**

MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
<ul style="list-style-type: none"> • Erect temporary plywood noise barriers around a construction site, particularly where a site adjoins noise-sensitive uses; • Utilize noise control blankets on a building structure as the building is erected to reduce noise emission from the site; • Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings housing sensitive uses; • Monitor the effectiveness of noise attenuation measures by taking noise measurements; and • Post signs on-site pertaining to permitted construction days and hours and complaint procedures and who to notify in the event of a problem, with telephone numbers listed. 				
<p>PMM-4 - Hazardous Building Materials. The project sponsor shall ensure that any equipment containing PCBs or DEPH, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.</p>	Project sponsor/ contractor	Prior to demolition of structures	Project Sponsor/contractor shall submit a monitoring report to the Department of Public Health and Planning.	Considered complete upon receipt of final monitoring report.

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CASE NO. 2012.0793

BDE
ARCHITECTURE

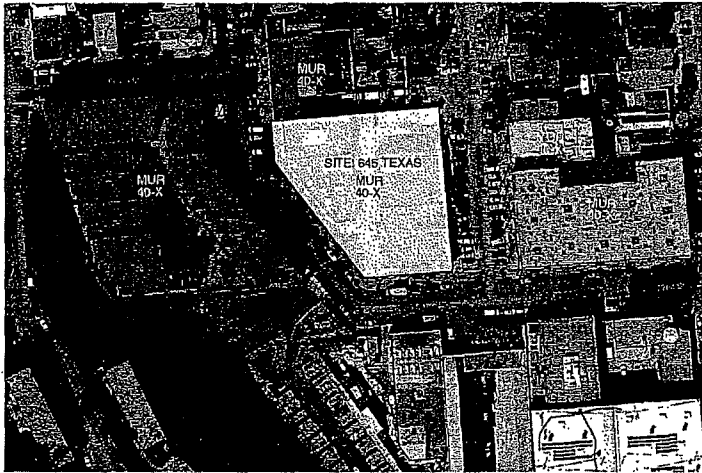
TRUMARKURBAN
645 TEXAS STREET

PLANNING COMMISSION SUBMITTAL

645 TEXAS ST. | SAN FRANCISCO, CA

AUGUST 5, 2014

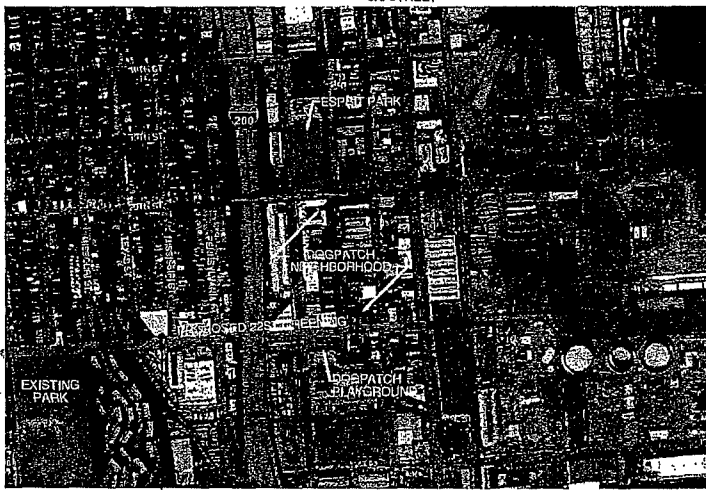
All drawings are subject to change without notice. The information herein is for informational purposes only and does not constitute an offer of any financial product or service. The information herein is not intended to be used as a basis for any investment decision.



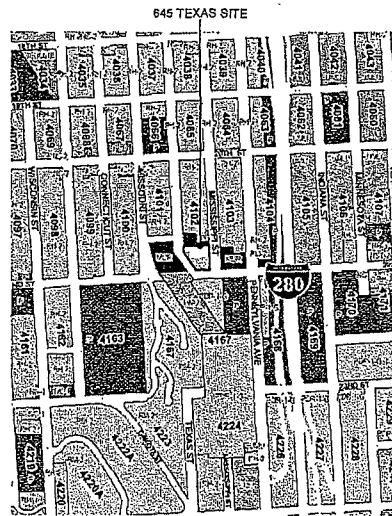
VICINITY MAP 7



HEIGHT MAP 5



645 TEXAS SITE REGIONAL MAP 6



ZONING MAP 4

PROJECT DIRECTORY

OWNER:
TRUMARK URBAN
90 NEW MONTGOMERY, SUITE 700
SAN FRANCISCO, CA 94105
TEL: (415) 370-1767
CONTACTS: ARDEN HSARING
KIM DIAMOND
JESSIE STUART

GENERAL CONTRACTOR:
ROBERTS-OSAYASHI CORP.
20 GAK COURT
DANVILLE, CA 94526
TEL: (425) 820-9600
CONTACT: SCOTT SMITH

ACoustical ENGINEER:
CHARLES N. SALTER ASSOCIATES, INC.
130 BUTTER STREET, FLOOR 9
SAN FRANCISCO, CA 94104
TEL: (415) 478-5433
CONTACT: CRISTINA BEYAR

DESIGN AND EXECUTIVE ARCHITECT:
BDE ARCHITECTURE
415 CALIFORNIA STREET, SUITE 1200
SAN FRANCISCO, CA 94104
TEL: (415) 671-0968
CONTACTS: JOH EWINIS
GRANT WEAVER

LANDSCAPE ARCHITECT:
KILLER COMPANY LANDSCAPE ARCHITECTS
1385 FOLSOM STREET
SAN FRANCISCO, CA 94103
TEL: (415) 252-7386
CONTACT: SEAN HEIDERSOHN

MECHANICAL, ELECTRICAL & PLUMBING ENGINEER:
MHO ENGINEERS
150 8TH STREET
SAN FRANCISCO, CA 94103
TEL: (415) 512-7141
CONTACTS: YEE RUIO CHEUNG LASSO
MENG-HSU CHEH

STRUCTURAL ENGINEER:
DCI + SOE ENGINEERS
ONE POST STREET, SUITE 1020
SAN FRANCISCO, CA 94104
TEL: (415) 784-1620
CONTACTS: RAJ SAHAI
TING CABADING
DOCK D. ENG

MECHANICAL, ELECTRICAL & PLUMBING ENGINEER:
MHO ENGINEERS
150 8TH STREET
SAN FRANCISCO, CA 94103
TEL: (415) 512-7141
CONTACTS: YEE RUIO CHEUNG LASSO
MENG-HSU CHEH

SOILS ENGINEER:
ROLLO & RIPLEY, INC.
648 BUTTER STREET, UNIT 4
SAN FRANCISCO, CA 94109
TEL: (415) 254-1825
CONTACT: CHRISTOPHER RIDLEY

JOINT TRENCH:
OFCALONE DESIGN SERVICES
6620 STONERIDGE MALL, NO. SUITE 345
PLEASANTON, CA 94588
TEL: (925) 487-1740
CONTACT: DAVID CROFFOOT

SHORING ENGINEER:
SPT CONSULTING
871 DEWING AVE, SUITE 201
LAFAYETTE, CA 94549
TEL: (925) 295-1341
CONTACT: SALTALIANO

BUILDING ENVELOPE:
CROSS 2 DESIGN GROUP
2475 WEST LAKE AVE., N. SUITE 102
SEATTLE, WA 98109
TEL: (206) 283-0055
CONTACT: BRAD HENKOWE

PROJECT DIRECTORY 3

PLANNING & ZONING SUMMARY

PROJECT DESCRIPTION: PRIVATELY FUNDED NEW CONSTRUCTION, 4.2 STORIES OF RESIDENTIAL UNITS OVER BASEMENT PARKING GARAGE WITH CORNER COMMERCIAL SPACE.

BLOCK / LOT NO.: BLOCK 4102/ LOT 208

LOT AREA: 32,600 S.F.

ZONING DISTRICT: MUR - MIXED USE RESIDENTIAL

HEIGHT LIMIT: 40-X

BUILDING CODE SUMMARY

HEIGHT LIMIT: 40-X, PER ZONING

CONSTRUCTION TYPE: TYPE VA OVER TYPE I-B CONCRETE PODIUM

OCCUPANCY TYPES: R-2, R-2

SPRINKLER PROTECTION: YES, FULLY AUTOMATIC SPRINKLER SYSTEM

MAXIMUM HEIGHT & STOREYS (PER CBC TABLE 903):
TYPE I-B: 5-2: 160 FEET / 111 STOREYS
TYPE VA: 5-2: 160 FEET / 111 STOREYS
TYPE VA: R-2: 80 FEET / 4 STOREYS
R-2: 80 FEET / 4 STOREYS w/ AUTOMATIC SPRINKLER SYSTEM

VEHICULAR PARKING SUMMARY

MAXIMUM ALLOWABLE: 76 UNITS (less than 1000 S.F.) X 75 = 87 SPACES
15 UNITS (greater than 1000 S.F.) X 10 = 15 SPACES
TOTAL PARKING ALLOWED = 102 SPACES

PROPOSED: 65 VEHICULAR SPACES
+ 2 OFF-STREET LOADING (SERVICE VEHICLES) + 2 CAR SHARE

BICYCLE PARKING SUMMARY

CLASS I (REQUIRED): 1 PER UNIT = 51 SPACES
CLASS II (PROPOSED): 86 SPACES
CLASS III (PROPOSED): 8 SPACES

ACCESSIBILITY

PER 2010 CBC CHAPTER 11A, ONE COMPLIANT BATHROOM PER UNIT WILL BE IN ACCORDANCE WITH 11A.2.2 OPTION 2.

PROJECT INFORMATION 2

SHEET INDEX

A0.0 COVER	A2.4 LEVEL 4 PLAN
A0.1 PROJECT INFORMATION INDEX	A2.5 LEVEL 5 PLAN
A0.2 UNIT AREA SUMMARY	A2.6 ROOF PLAN
A0.3 OPEN SPACE DIAGRAMS	A2.7 BICYCLE PARKING
A0.4 REAR YARD DIAGRAM	A3.0 BUILDING ELEVATION - EAST
A0.5 EXPOSURE DIAGRAMS	A3.1 BUILDING ELEVATION - SOUTH
A0.6 CONTEXT PHOTOS	A3.2 BUILDING ELEVATION - WEST
A0.7 TOPOGRAPHIC SURVEY	A3.3 BUILDING ELEVATION - NORTH
C1.01 EXISTING CONDITIONS PLAN	A3.4 MATERIALS BOARD
C2.01 SITE PLAN	A3.5 BUILDING SECTIONS
L1.0 LANDSCAPE DESIGN	A3.6 BUILDING SECTIONS
L2.0 LANDSCAPE DESIGN	A3.7 BUILDING SECTIONS
A0.4 REAR YARD DIAGRAM	A4.0 MISSISSIPPI & 22ND ST.
A0.5 EXPOSURE DIAGRAMS	A4.1 22ND ST. LOOKING WEST
A0.6 CONTEXT PHOTOS	A4.2 MISSISSIPPI & 22ND ST. ENTRY
A0.7 TOPOGRAPHIC SURVEY	A4.3 22ND ST. LOOKING NORTH
C1.01 EXISTING CONDITIONS PLAN	A4.4 MISSISSIPPI ST. RESIDENTIAL ENTRIES
C2.01 SITE PLAN	A4.5 MISSISSIPPI ST. LOOKING SOUTH
L1.0 LANDSCAPE DESIGN	A4.6 TEXAS ST. LOOKING SOUTH
L2.0 LANDSCAPE DESIGN	A4.7 MISSISSIPPI ST. AND 22ND ST. BEFORE AND AFTER

SHEET INDEX 1

PROJECT INFORMATION, INDEX AD.1

645 TEXAS ST. | SAN FRANCISCO, CA AUGUST 5, 2014

4446

645 TEXAS
 UNIT AND AREA SUMMARY
 Date 8/05/2014

CONSTRUCTION TYPE:		TYPE V OVER TYPE I											
FLOORS:		S WOOD OVER 1 CONCRETE											
UNIT TYPE	Unit Area	NSF	Floor Levels					Unit Total		Avg Area by Type			
			BSMNT	1ST	2ND	3RD	4TH				5TH		
1 BEDROOM	A1	1BED/1BATH	769								1		769
	A1.1	1BED/1BATH	770		1						1		770
	A1.2	1BED/1BATH	777			1					1		777
	A1.3	1BED/1BATH	897				1	2			3		2,691
	A1.4	1BED/1BATH	898				1	1			2		1,796
	A1.5	1BED/1BATH	776			2					2		1,552
	A1.6	1BED/1BATH	802		1						1		802
	A1.7	1BED/1BATH	819				1				1		819
	A2	1BED/1BATH	583		1						1		583
	A2.1	1BED/1BATH	594			1					1		594
	A2.2	1BED/1BATH	659				1	1			2		1,318
	A3	1BED/1BATH	649		1						1		649
	A3.1	1BED/1BATH	682			1	1	1	1		3		2,046
	A4	1BED/1BATH	619		1						1		619
A4.1	1BED/1BATH	673			1	1	1	1		3		2,019	
A5	1BED/1BATH	745		1						1		745	
A5.1	1BED/1BATH	784			1					1		784	
A6	1BED/1BATH	638		1						1		638	
A6.1	1BED/1BATH	621		1						1		621	
A7	1BED/1BATH	672		1						1		672	
A8	1BED/1BATH	848		1						1		848	
A9	STUDIO/1BATH	489			1					1		489	
A9.1	1BED/1BATH	741				1	1			2		1,482	
A10	1BED/1BATH	557		1						1		557	
A12	1BED/1BATH	698		1						1		698	
										35	38%		
2 BEDROOM	B1	2BED/2BATH	812		1					1		812	
	B1.1	2BED/2BATH	855			1				1		855	
	B1.2	2BED/2BATH	934				1	1		2		1,868	
	B2	2BED/2BATH	923		3					3		2,769	
	B2.1	2BED/2BATH	950			3	3	3		10		9,500	
	B3	2BED/2BATH	815		1					1		815	
	B3.1	2BED/2BATH	842			1	1	1		3		2,526	
	B4	2BED/2BATH	915			1	1	1		2		1,830	
	B4.1	2BED/2BATH	1,071						1	1		1,071	
	B5	2BED/2BATH	918		1					1		918	
	B5.1	2BED/2BATH	999			1	1	1		3		2,907	
	B6	2BED/1BATH	793				1			1		793	
	B6.1	2BED/1BATH	897							1		897	
	B6.2	2BED/1BATH	772			1				1		772	
	B7	2BED/2BATH	944							1		944	
	B7.1	2BED/2BATH	944				1			1		944	
	B8	2BED/2BATH	1,034		1					1		1,034	
	B9	2BED/2BATH	1,301			1	1	1		3		3,003	
	B10	2BED/2BATH	878			1	1			2		1,752	
	B10.1	2BED/2BATH	1,030						1	1		1,030	
B11	2BED/2BATH	1,244			1				1		1,244		
B11.1	2BED/2BATH	1,244				1			1		1,244		
B12	2BED/2BATH	837			1				1		837		
B12.1	2BED/2BATH	910				1	1	1	2		1,820		
B13	2BED/2BATH	809							1		809		
B13.1	2BED/2BATH	859				1			1		859		
B13.2	2BED/2BATH	938						1	1		1,876		
B14	2BED/2BATH	1,075			1	1	1		3		3,225		
B14.1	2BED/2BATH	1,013						1	1		1,013		
										53	58%		
3 BEDROOM	C1	3BED/2BATH	1,482							1		1,482	
	C2	3BED/2BATH	1,243							1		1,243	
	C3	3BED/2BATH	1,258							1		1,258	
										3	3%		
UNIT TOTALS				2	19	22	22	20	6				
										91	100%	79,298	

Gross Residential (lobby, corridors, stairs, etc.) (not incl. decks)	4,000	22,284	23,849	24,541	22,906	8,391	105,971
Gross Commercial	545	-	-	-	-	-	545
Gross Garage (incl. storage, utilities, ...)	26,782	-	-	-	-	-	26,782
Total Gross	31,327	22,284	23,849	24,541	22,906	8,391	133,298

OPEN SPACE	769
Required Open Space	770
91 Units x 80 s.f. per unit =	7,280
Private Open Space Provided =	990
Common Open Space Provided =	8,540
Total Open Space Provided =	9,530 SF

REAR YARD	
Total Site Area =	32,500
Rear Yard =	8,125
Percentage of Site Area =	25%

VEHICLE PARKING	
78 units < 1000 S.F. = 7.5	57
15 units > 1000 S.F. = 1.0	15
Total Parking Allowed =	72
Vehicle Parking Proposed =	66 + 2 Off Street Loading (Service Vehicles) + 2 Car Share

BICYCLE PARKING	
Class I - Bicycle Parking Req =	91
(1 Class I space per unit)	
Class II - Bicycle Parking Req =	5
(1 Class II space per 20 units)	
Class I Bicycle Parking Provided =	96
Class II Bicycle Parking Provided =	6
Total Bicycle Parking Proposed =	104

BMR UNITS	
12% On-Site =	11

4447



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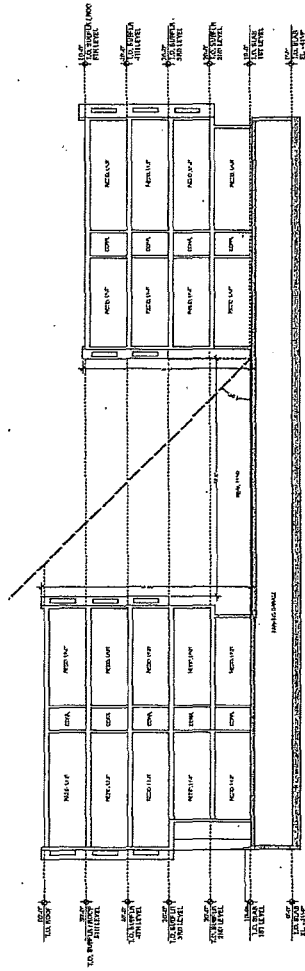
UNIT / AREA SUMMARY

A0.2

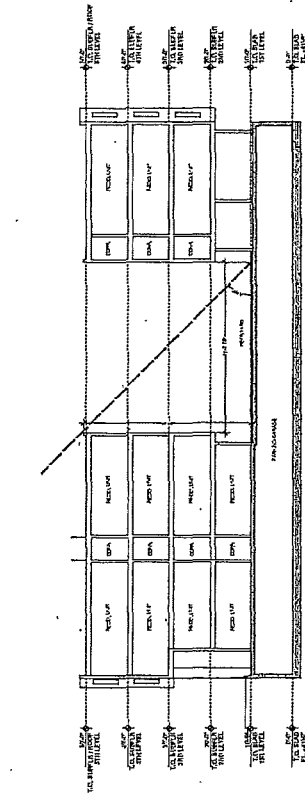
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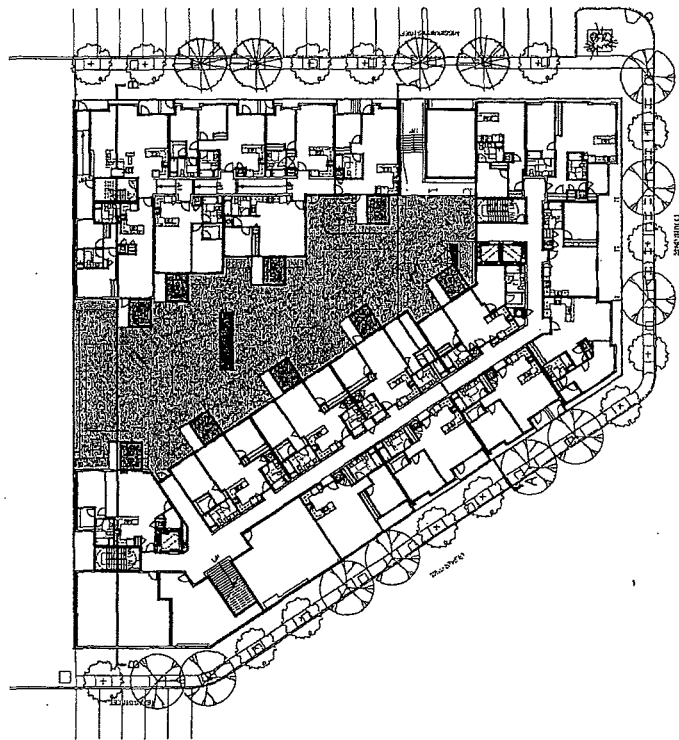
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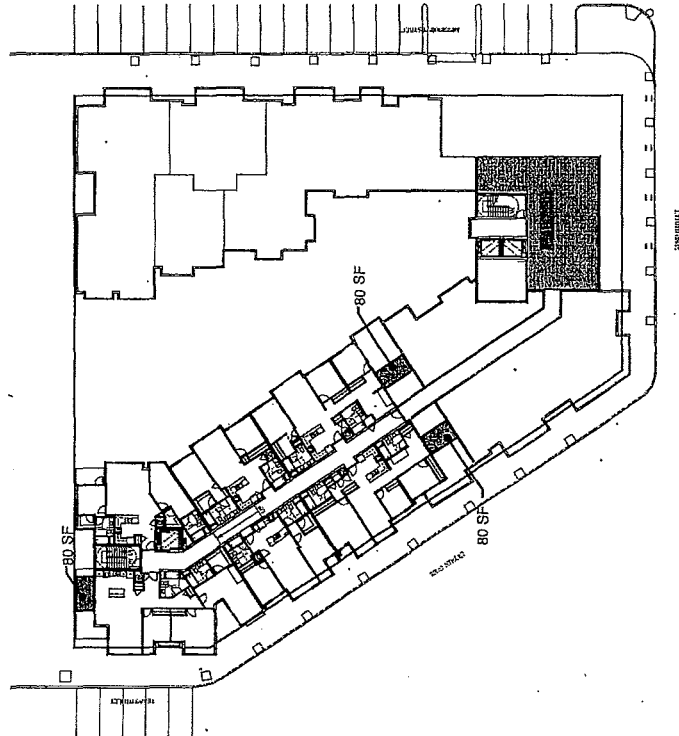
SECTION A-A
3/8" = 1'-0"



SECTION B-B
3/8" = 1'-0"



LEVEL 1 - OPEN SPACE
1/16" = 1'-0"



LEVEL 5 - OPEN SPACE
1/16" = 1'-0"

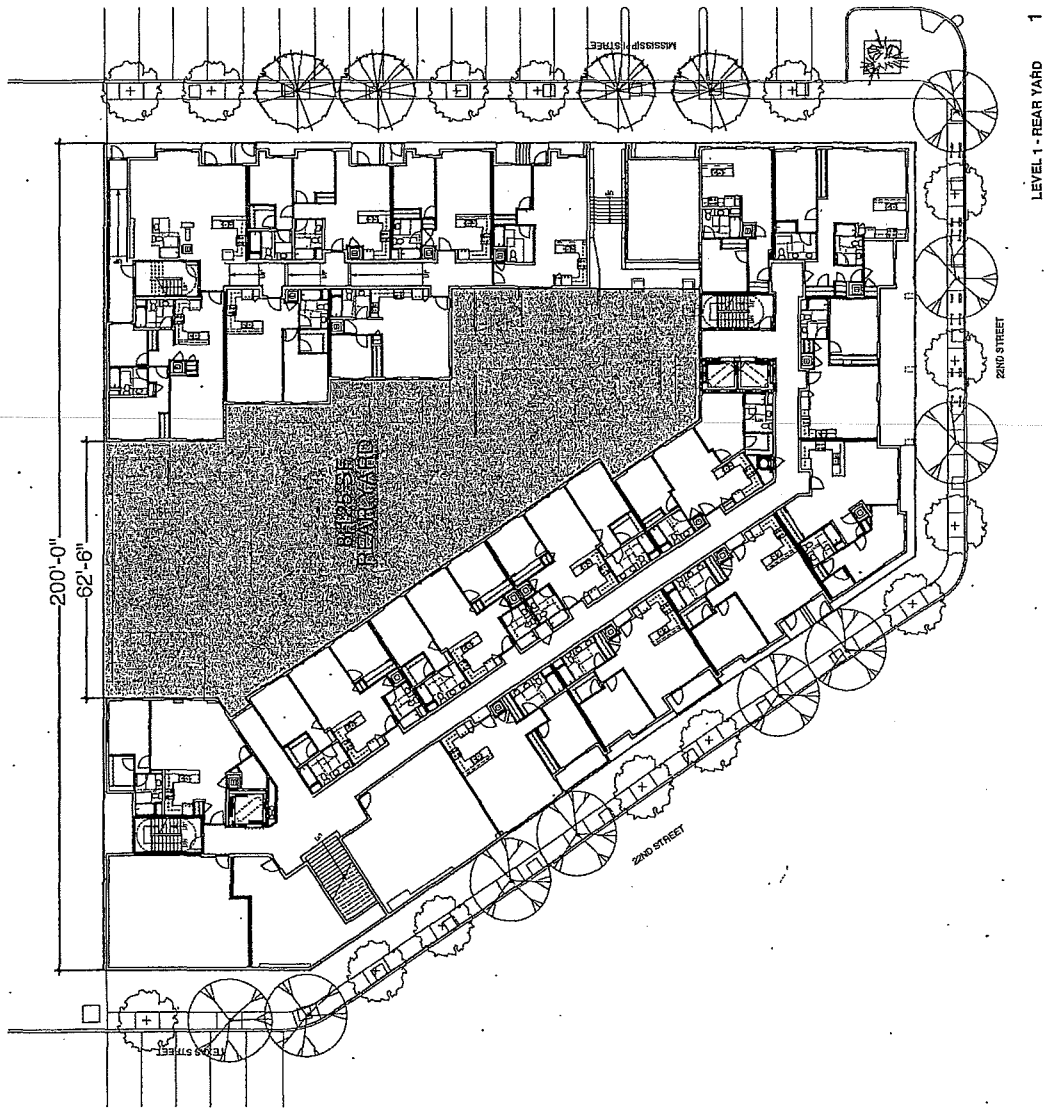
OPEN SPACE DIAGRAMS AD.3

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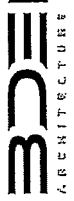
LEVEL 1 - REAR YARD
3/02' = 1" = 30'

REAR YARD DIAGRAM AD.4

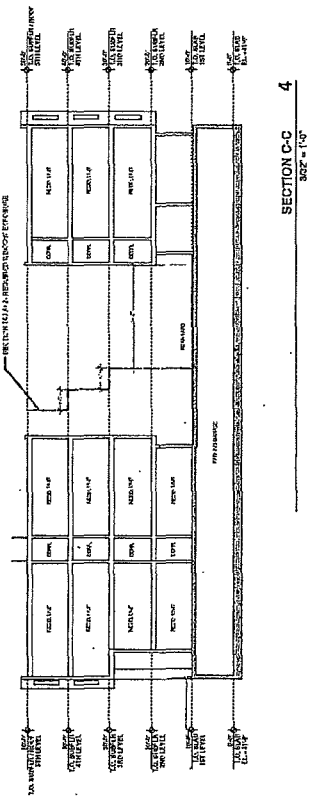
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645 TEXAS STREET

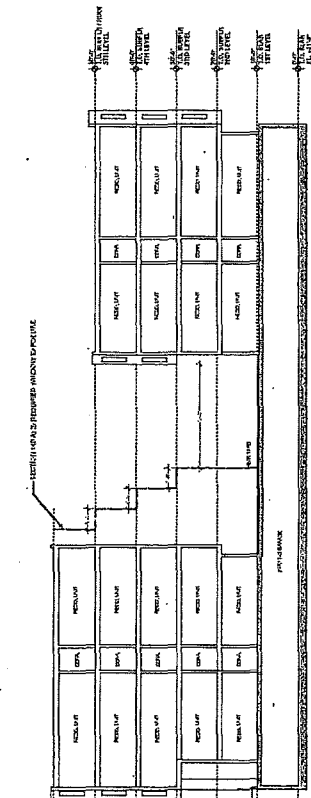
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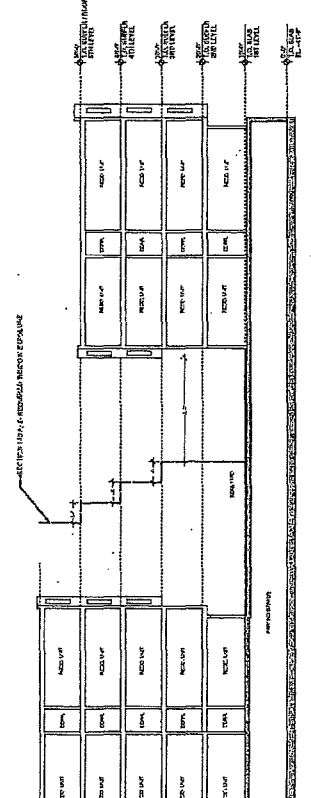
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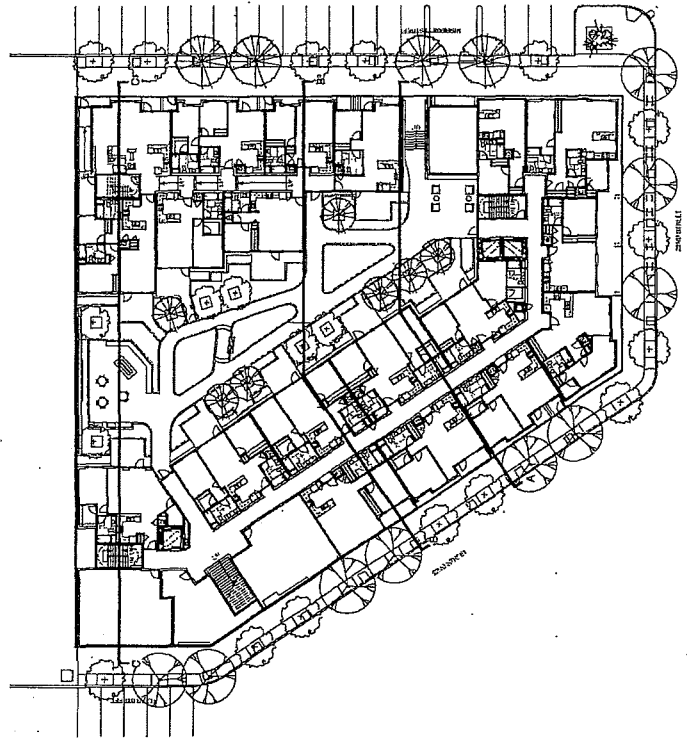
SECTION C-C
SCALE = 1/8"



SECTION B-B
SCALE = 1/8"



SECTION A-A
SCALE = 1/8"



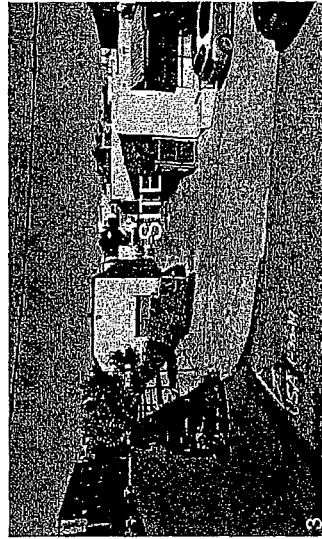
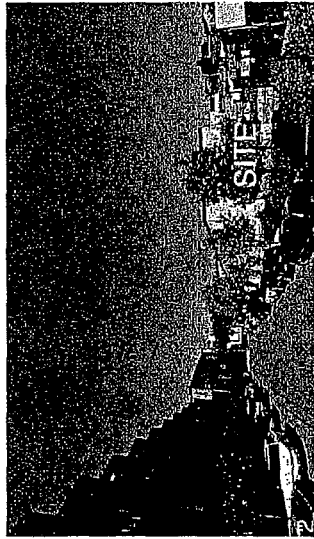
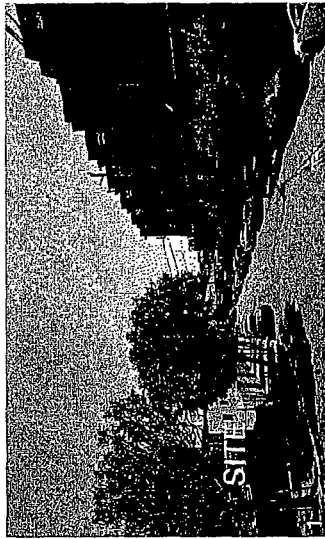
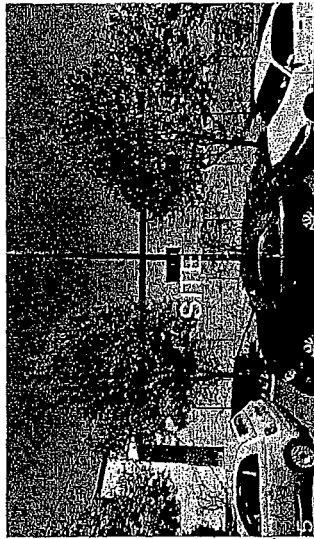
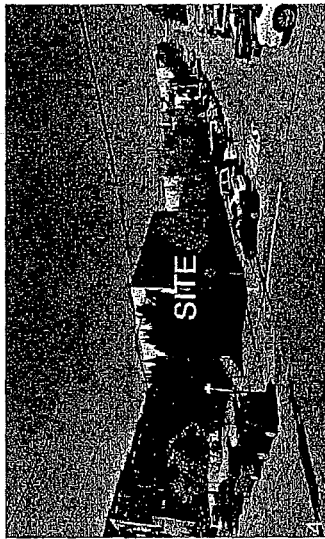
LEVEL 1 PLAN
SCALE = 1/8"

EXPOSURE DIAGRAMS AD.5

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CONTEXT PHOTOS AD.6

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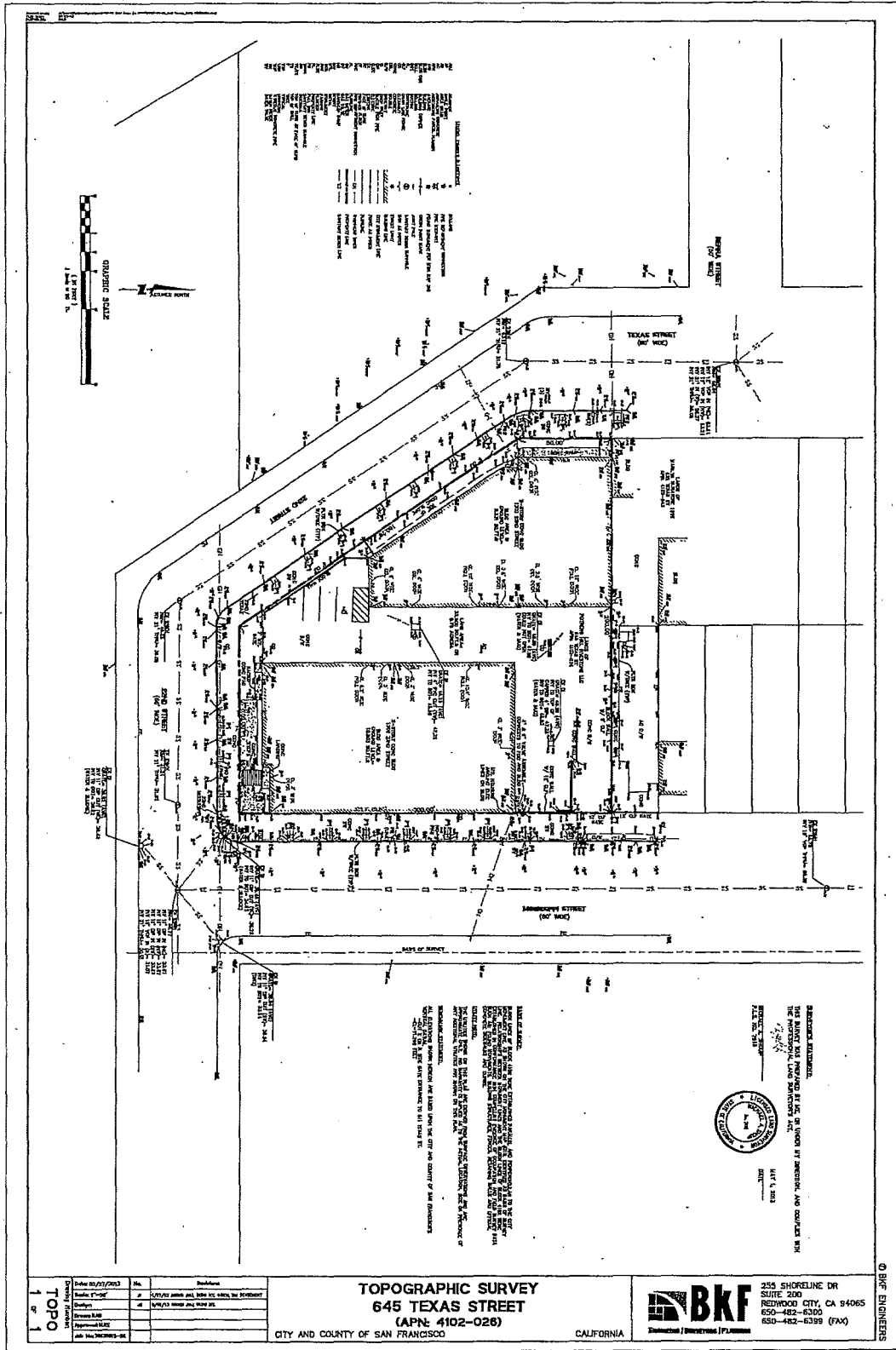
AUGUST 5, 2014

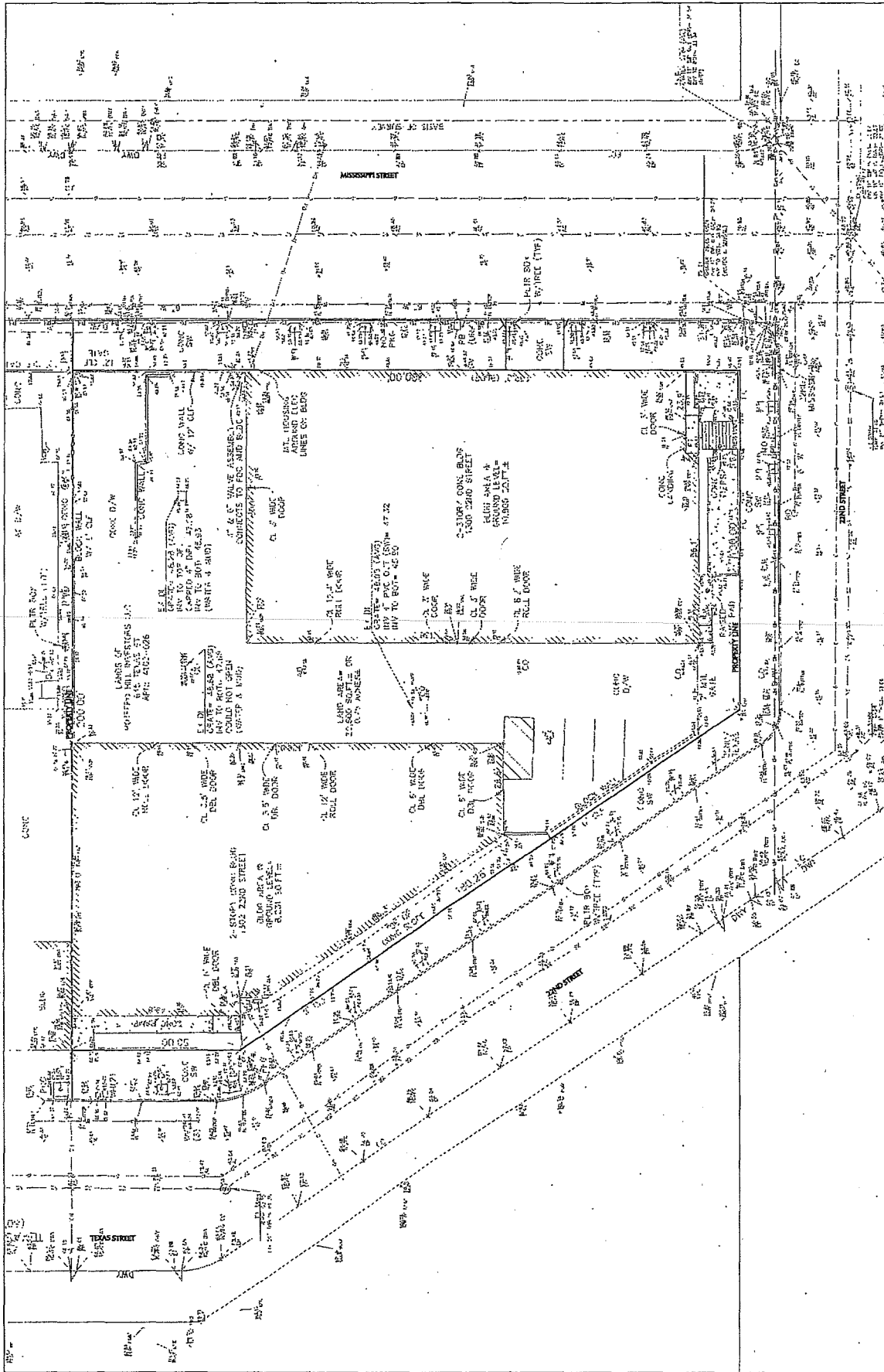
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TRUMARKURBAN 645 TEXAS STREET

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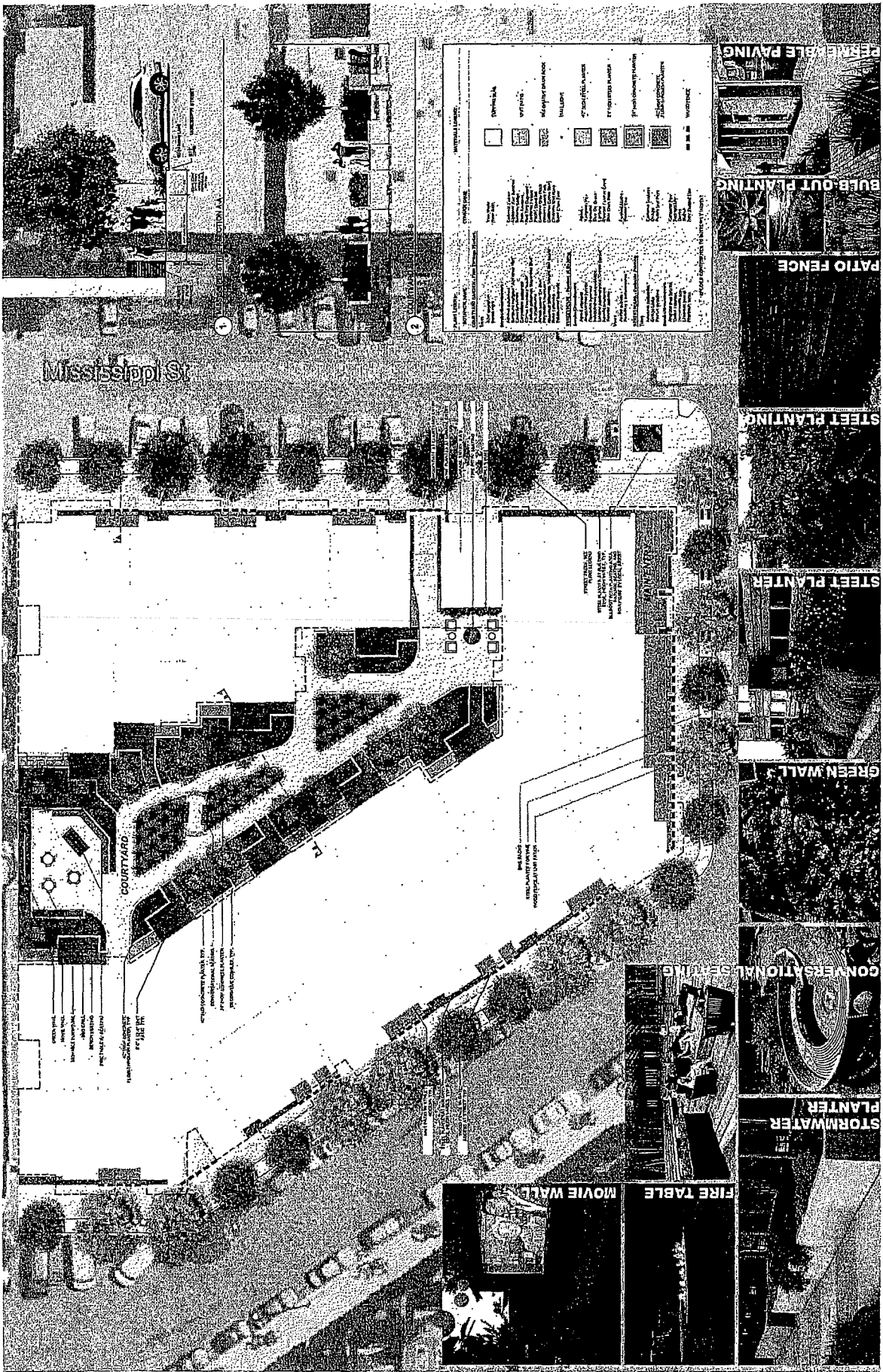
EXISTING CONDITIONS 1" = 10'-0" C 1.01

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Mississippi St

Material / Finish	Notes
PERMEABLE PAVING	Use in all pedestrian areas.
BUB-OUT PLANTING	Use in all street frontages.
PATIO FENCE	Use in all courtyard patios.
STREET PLANTING	Use in all street frontages.
STREET PLANTER	Use in all street frontages.
GREEN WALL	Use in all courtyard walls.
CONVERSATIONAL SEATING	Use in all courtyard areas.
STORMWATER PLANTER	Use in all courtyard areas.
FIRE TABLE	Use in all courtyard areas.
MOVIE WALL	Use in all courtyard areas.

LANDSCAPE DESIGN - STREETScape, PODIUM COURTYARD L1.0

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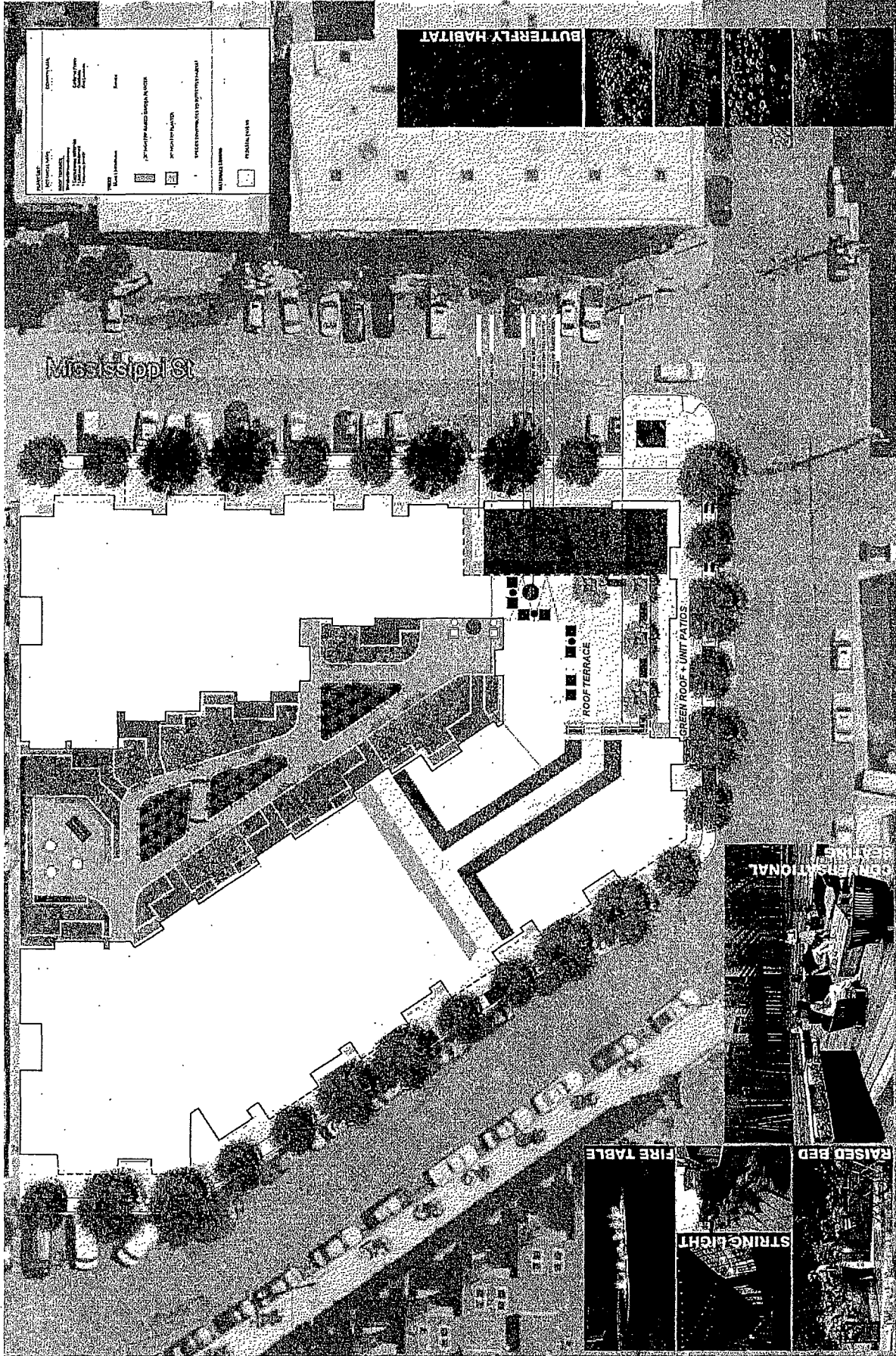
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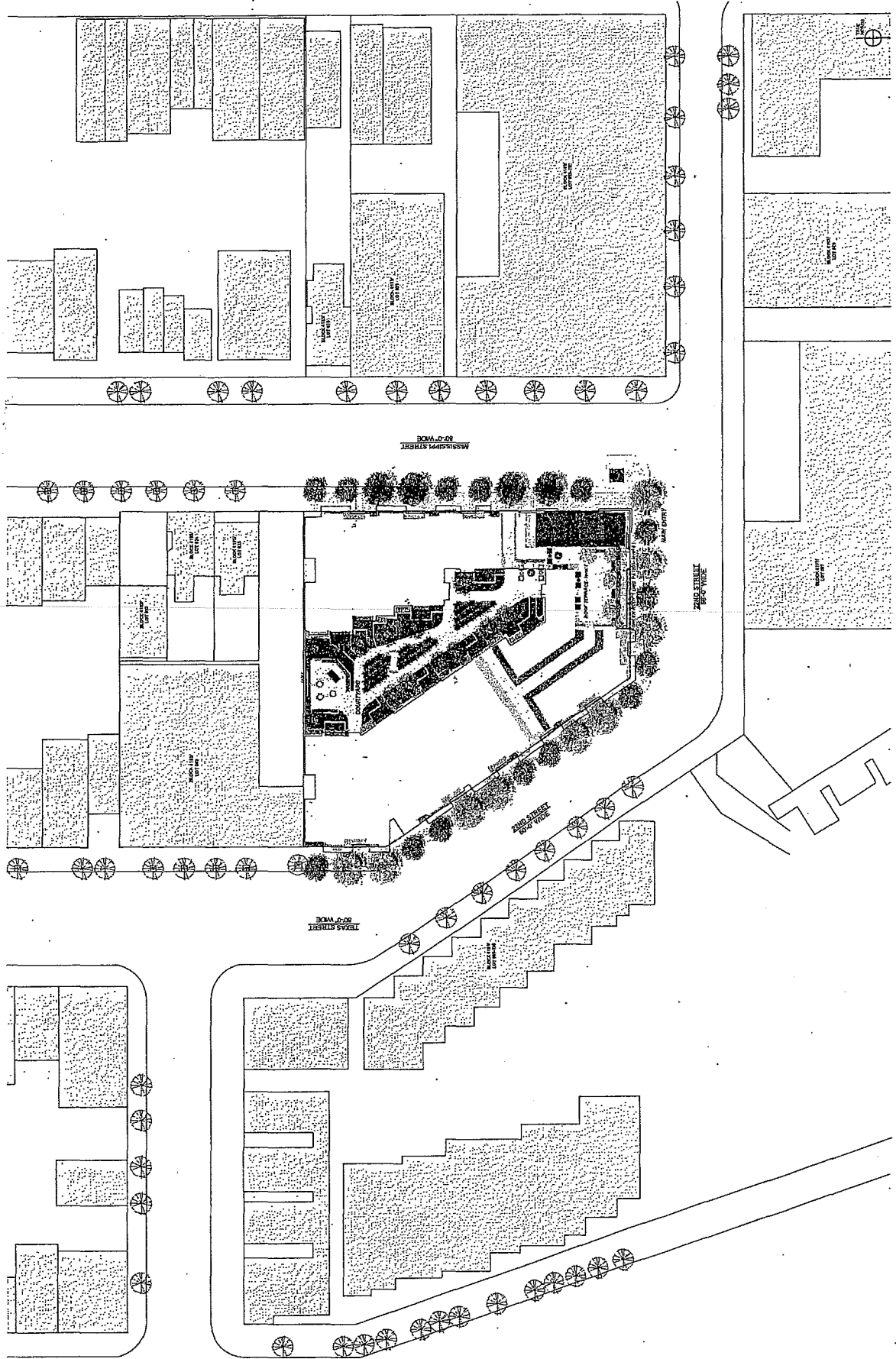


LANDSCAPE DESIGN - ROOF TERRACE, GREEN ROOF L2.0

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SITE PLAN 1" = 20'-0" A1.0

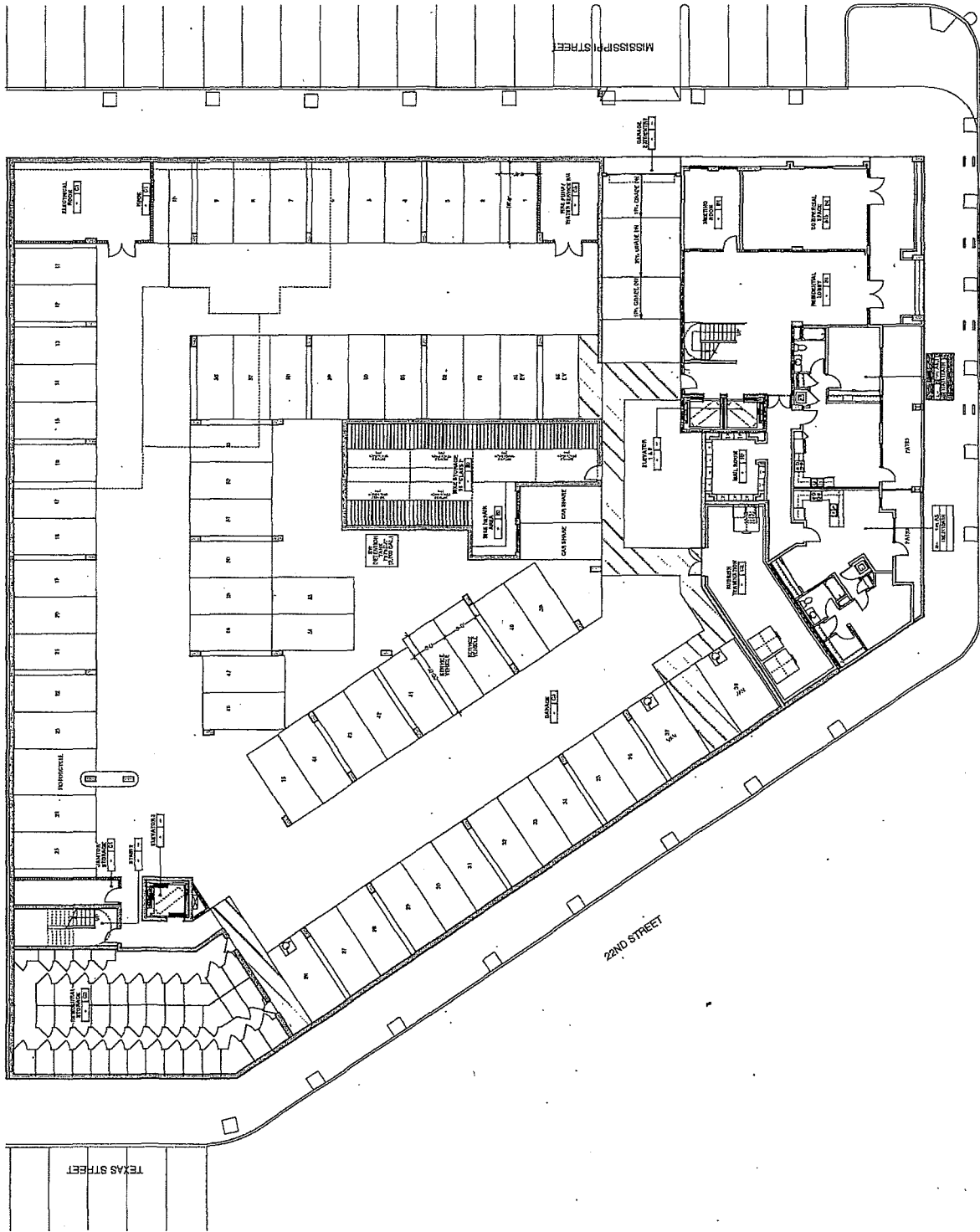
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BASEMENT LEVEL PLAN 1/8"=1'-0" A2.0

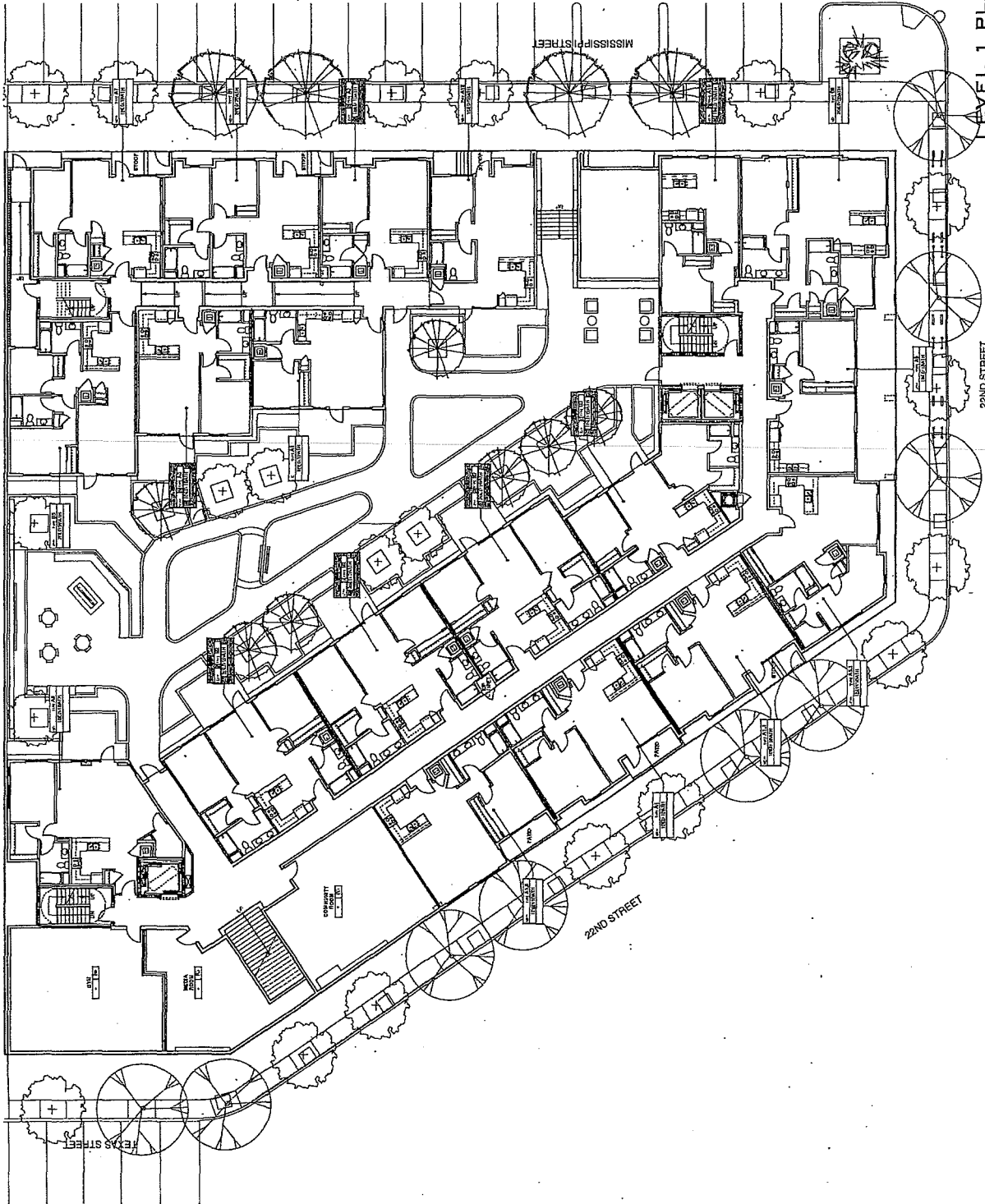
22ND STREET

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LEVEL 1 PLAN 1/8" = 1'-0" A2.1

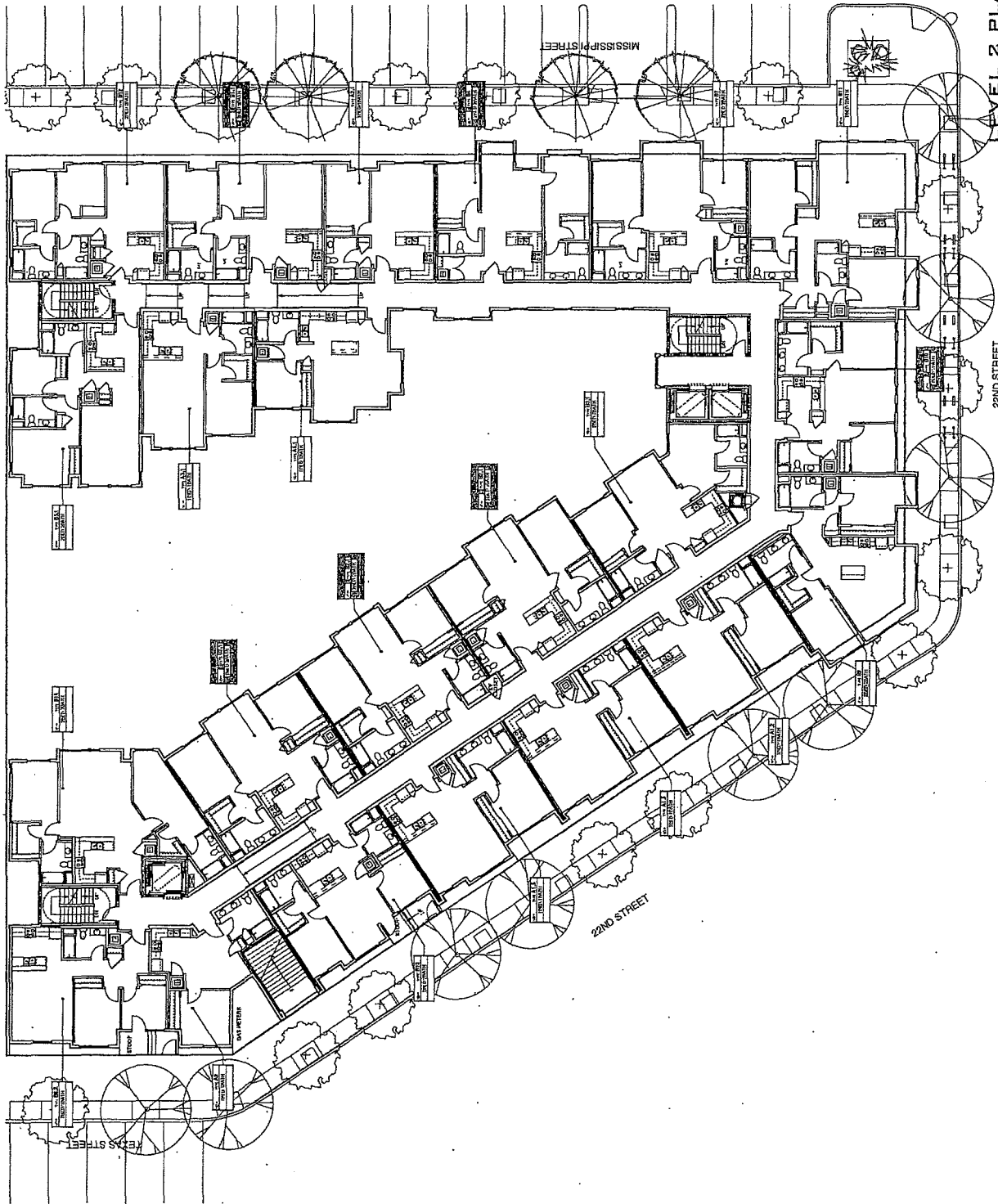
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LEVEL 2 PLAN 1/8" = 1'-0" A2.2

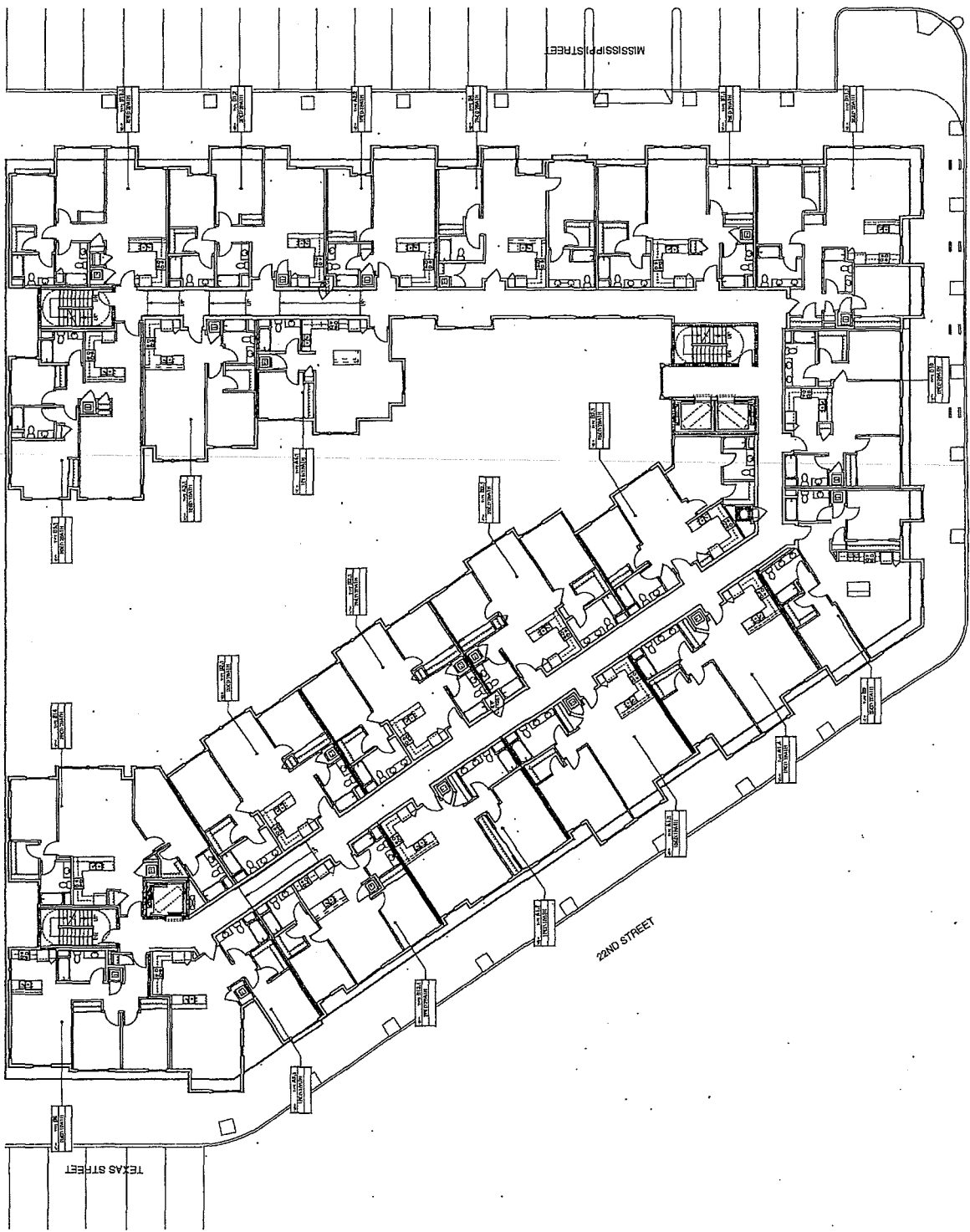
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LEVEL 3 PLAN 1/8" = 1'-0" A2.3

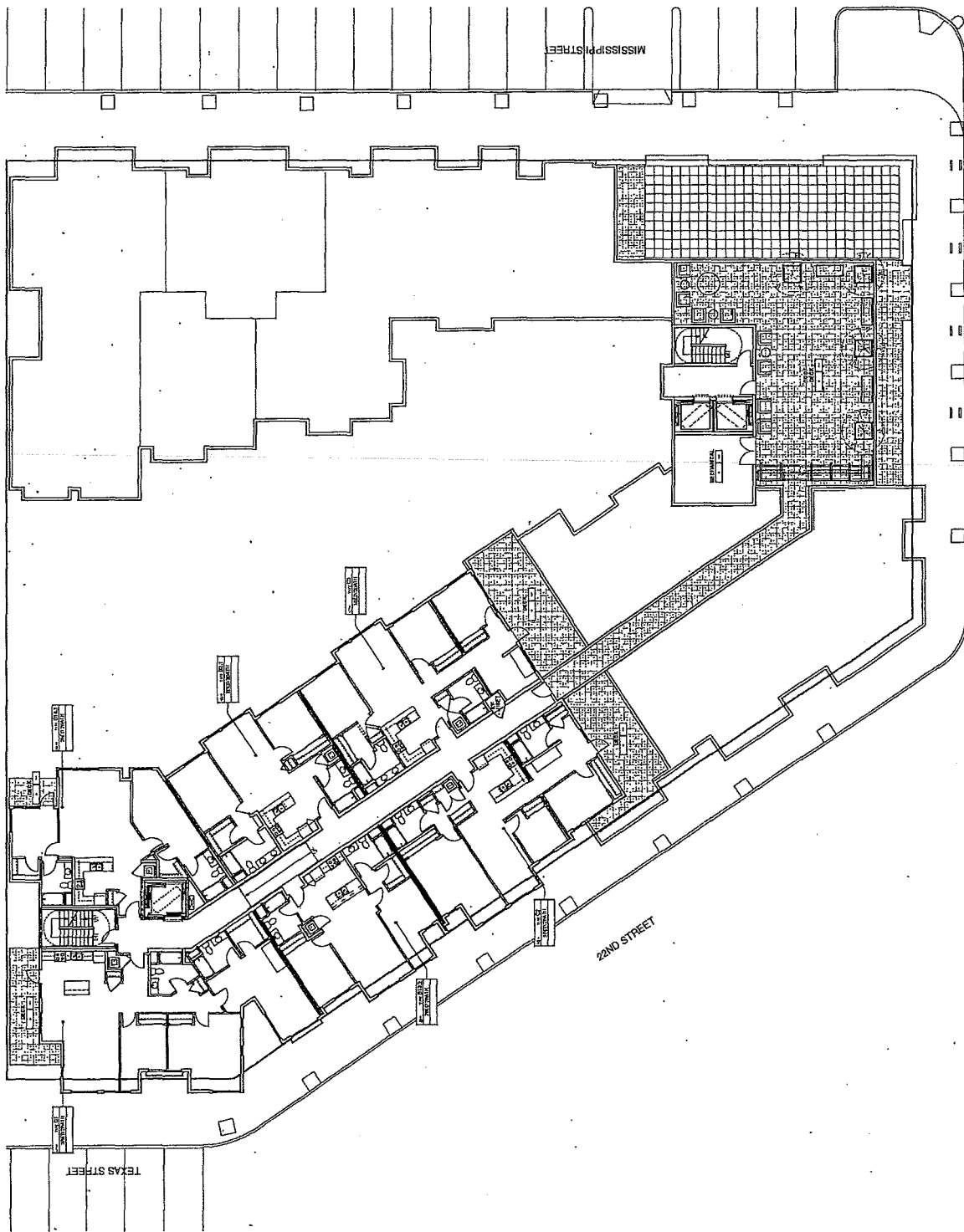
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22ND STREET

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LEVEL 5 PLAN 1/8" = 1'-0" A2.5

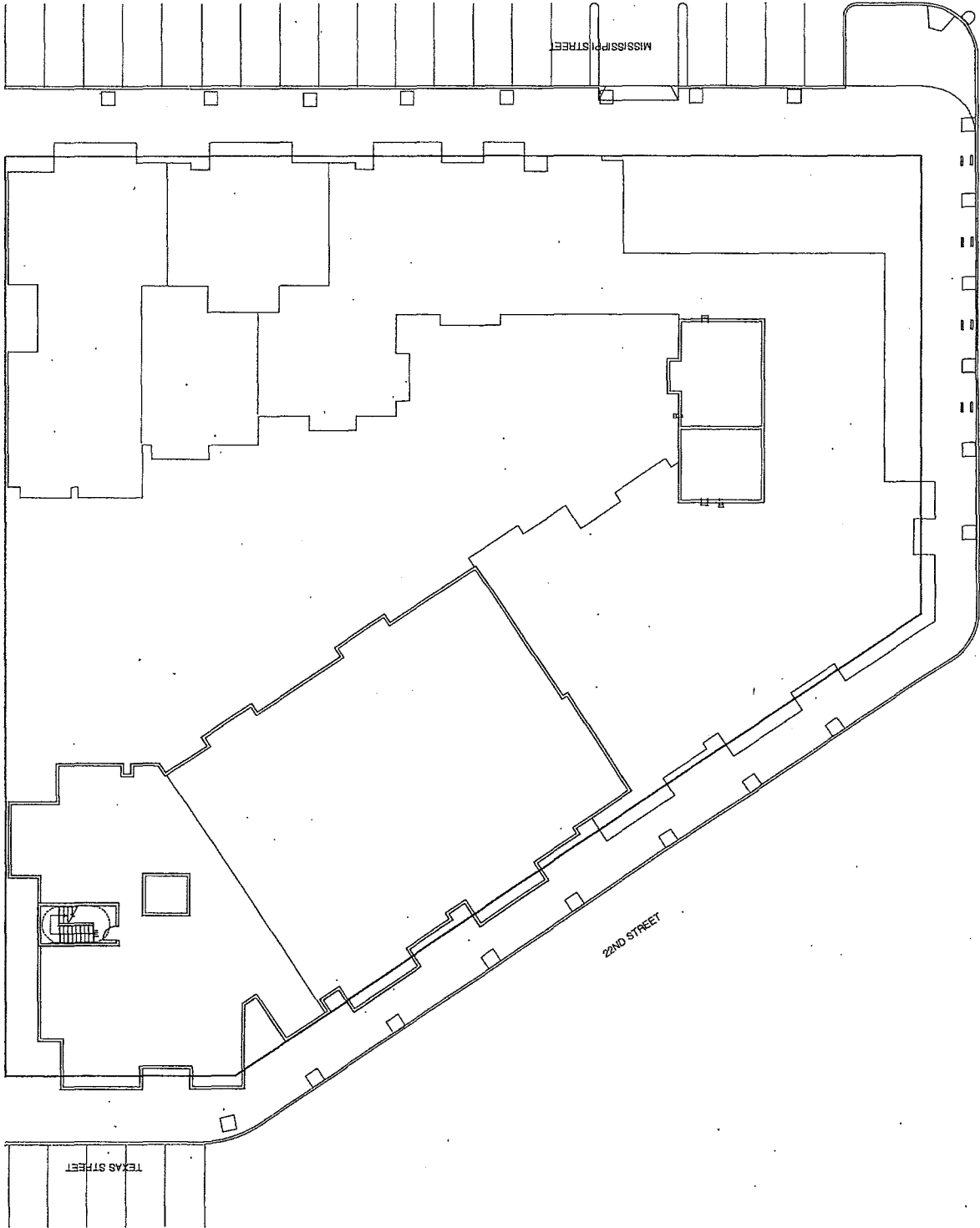
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ROOF PLAN 1/8" = 1'-0" A2.6

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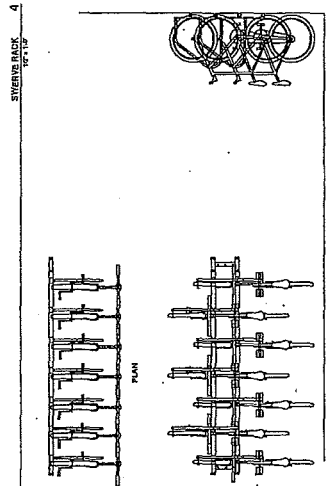
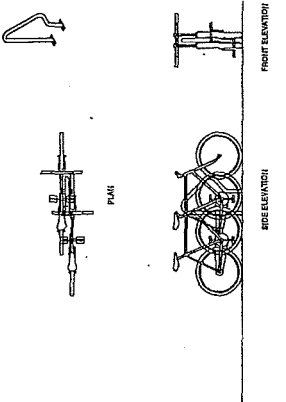
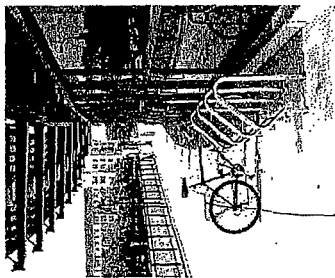
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22ND STREET

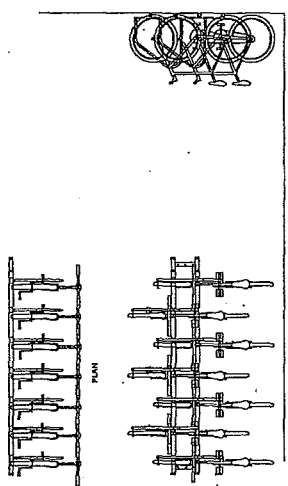
645 TEXAS STREET

TRUMARKURBAN

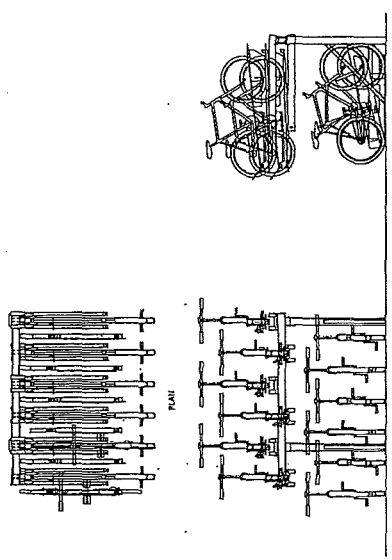
BDE
ARCHITECTURE



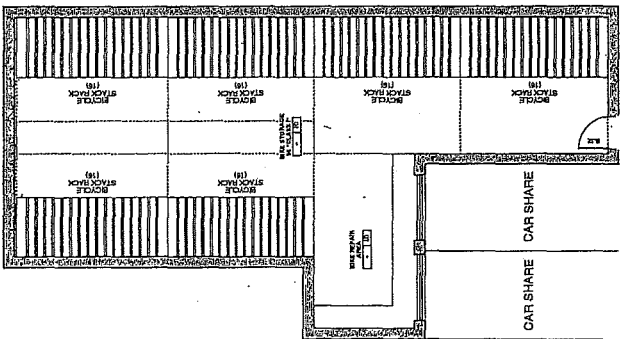
4 STREET RACK 18' x 7' 0"



3 ULTRA RACK 18' x 7' 0"



2 DECK DECKER 18' x 7' 0"



1 BASEMENT BIKE STORAGE AREA 14' x 52'

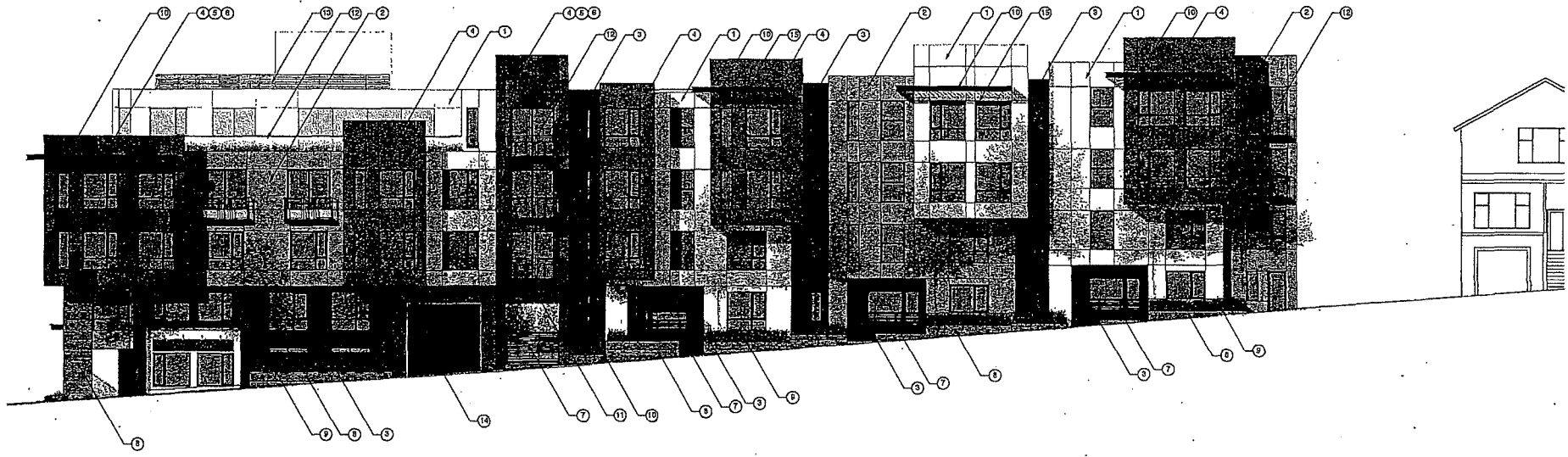
SHEET NOTES

NOTE: ADJACENT BUILDINGS ARE APPROXIMATE

NOTE: NOT ALL NOTES ARE USED ON EVERY SHEET

- ① CEMENT COMPOSITE PANEL
COLOR: COLOR LIFE CL3181W / CHAIN LINK
- ② CEMENT COMPOSITE PANEL
COLOR: COLOR LIFE CL3180 / BLACK PEPPER
- ③ CEMENT COMPOSITE HORIZONTAL LAP SIDING
COLOR: COLOR LIFE CL3186A / SCOT
- ④ WOOD VENEER RESIN PANEL
COLOR: PRODEMA PRODEX RUSTIK
- ⑤ WOOD VENEER RESIN PANEL
COLOR: PRODEMA PRODEX PALE
- ⑥ WOOD VENEER RESIN PANEL
COLOR: PRODEMA PRODEX LIGHT BROWN
- ⑦ IPE WOOD FENCE AND GATE WHERE SHOWN
- ⑧ CAST IN PLACE BOARD FORMED CONCRETE
- ⑨ RAISED METAL PLANTER
- ⑩ STEEL CANOPY, H.D.G. PAINTED
COLOR: BLACK
- ⑪ PROJECT ENTRY SIGNAGE
- ⑫ 43" STEEL BALCONY GUARDRAIL, H.D.G. PAINTED
W/ GLASS INFILL PANEL
- ⑬ 43" STEEL GUARDRAIL, H.D.G. PAINTED
- ⑭ GARAGE DOOR
- ⑮ ALUMINUM OR VINYL WINDOWS
- ⑯ ALUMINUM STOREFRONT

4466



EAST ELEVATION 1"=6'-0" **A3.0**

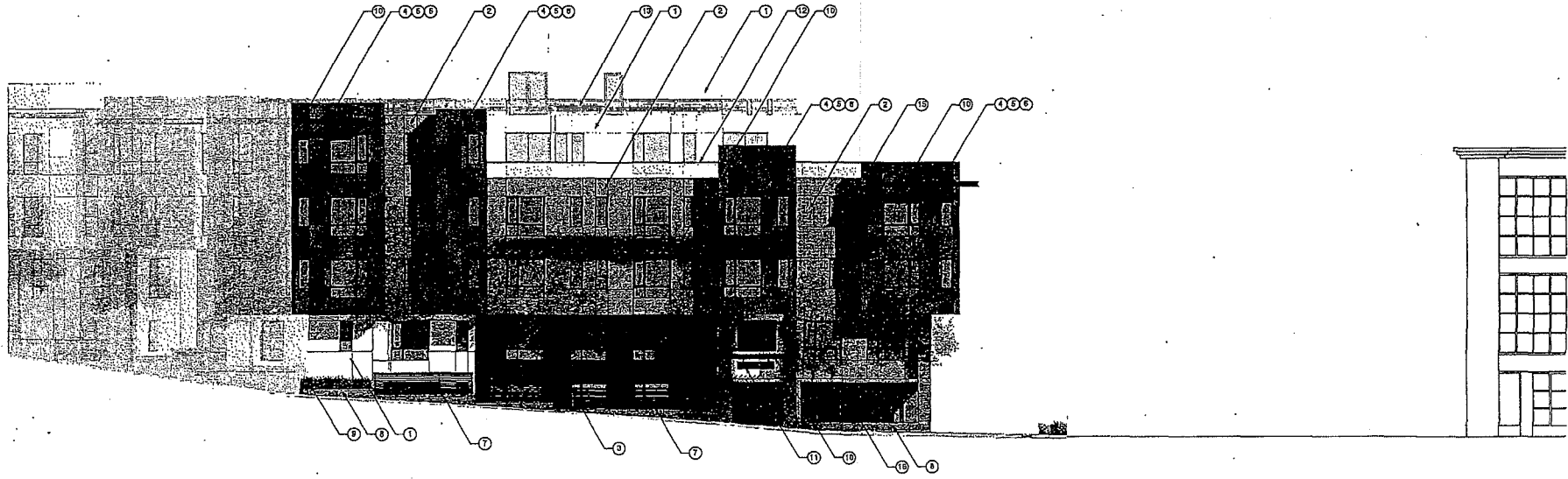
SHEET NOTES

NOTE: ADJACENT BUILDINGS ARE APPROXIMATE

NOTE: NOT ALL NOTES ARE USED ON EVERY SHEET

- ① CEMENT COMPOSITE PANEL
COLOR: COLOR LIFE CL3181W / CHAIN LINK
- ② CEMENT COMPOSITE PANEL
COLOR: COLOR LIFE CL3180G / BLACK PEPPER
- ③ CEMENT COMPOSITE HORIZONTAL LAP SIDING
COLOR: COLOR LIFE CL3188A / SOOT
- ④ WOOD VENEER RESIN PANEL
COLOR: PROCEMA PRODEX RUSTIK
- ⑤ WOOD VENEER RESIN PANEL
COLOR: PROCEMA PRODEX PALE
- ⑥ WOOD VENEER RESIN PANEL
COLOR: PROCEMA PRODEX LIGHT BROWN
- ⑦ IPE WOOD FENCE AND GATE WHERE SHOWN
- ⑧ CAST IN PLACE BOARD FORMED CONCRETE
- ⑨ RAISED METAL PLANTER
- ⑩ STEEL CANOPY, H.D.G. PAINTED
COLOR: BLACK
- ⑪ PROJECT ENTRY SIGNAGE
- ⑫ 4" STEEL BALCONY GUARDRAIL, H.D.G. PAINTED
W/ GLASS INFILL PANEL
- ⑬ 4" STEEL GUARDRAIL, H.D.G. PAINTED
- ⑭ GARAGE DOOR
- ⑮ ALUMINUM OR VINYL WINDOWS
- ⑯ ALUMINUM STOREFRONT

4467



SOUTH ELEVATION 1"=6'-0" A3.1

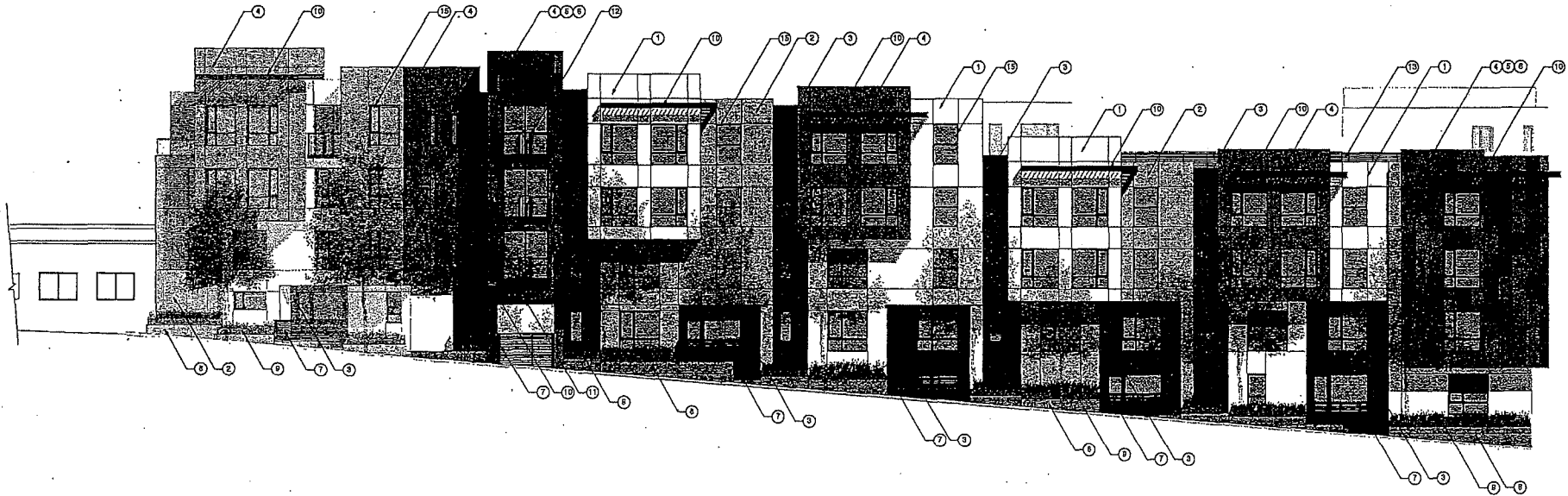
SHEET NOTES

NOTE: ADJACENT BUILDINGS ARE APPROXIMATE

NOTE: NOT ALL NOTES ARE USED ON EVERY SHEET

- ① CEMENT COMPOSITE PANEL
COLOR: COLOR LIFE GL3171W / CHAIN LINK
- ② CEMENT COMPOSITE PANEL
COLOR: COLOR LIFE GL3185D / BLACK PEPPER
- ③ CEMENT COMPOSITE HORIZONTAL LAP SICKING
COLOR: COLOR LIFE GL3185A / BOOM
- ④ WOOD VENEER PEBBLED PANEL
COLOR: PRODEMA PRODEX RUSTIK
- ⑤ WOOD VENEER PEBBLED PANEL
COLOR: PRODEMA PRODEX PALE
- ⑥ WOOD VENEER PEBBLED PANEL
COLOR: PRODEMA PRODEX LIGHT BROWN
- ⑦ IPE WOOD FENCE AND GATE WHERE SHOWN
- ⑧ CAST IN PLACE BOARD FORMED CONCRETE
- ⑨ RAISED METAL PLANTER
- ⑩ STEEL CANDLEY, H.D.G. PAINTED
COLOR: BLACK
- ⑪ PROJECT ENTRY SIGNAGE
- ⑫ 43" STEEL BALCONY GUARDRAIL, H.D.G. PAINTED
1/4" GLASS INFILL PANEL
- ⑬ 43" STEEL GUARDRAIL, H.D.G. PAINTED
- ⑭ GARAGE DOOR
- ⑮ ALUMINUM OR VINYL WINDOWS
- ⑯ ALUMINUM STOREFRONT

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WEST ELEVATION 1"=6'-0" A3.2

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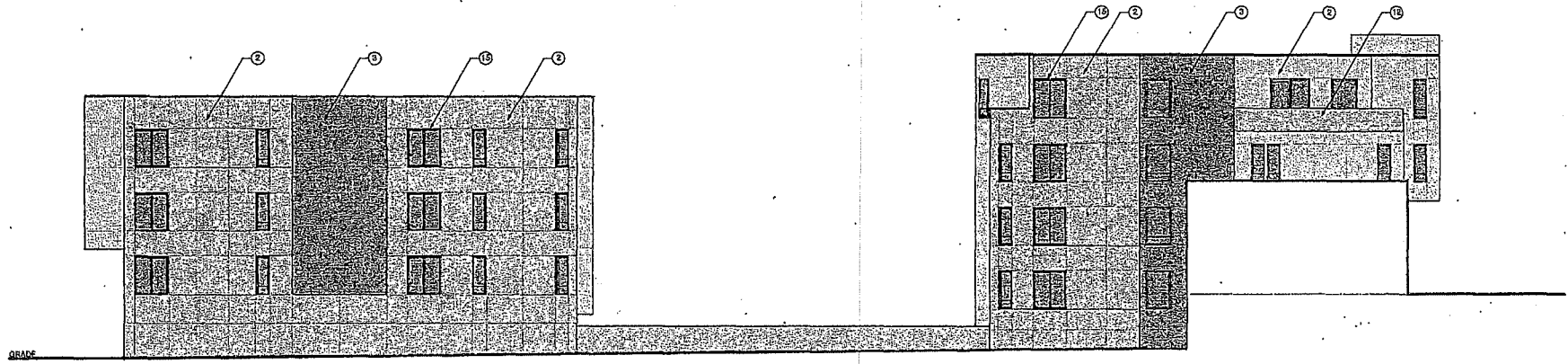
SHEET NOTES

NOTE: ADJACENT BUILDINGS ARE APPROXIMATE

NOTE: NOT ALL NOTES ARE USED ON EVERY SHEET

- ① CEMENT COMPOSITE PANEL
COLOR: COLOR LIFE CL3191 / 7 CHAIN LINK
- ② CEMENT COMPOSITE PANEL
COLOR: COLOR LIFE CL3193 / BLACK PEPPER
- ③ CEMENT COMPOSITE HORIZONTAL LAP SIDING
COLOR: COLOR LIFE CL3186A / BOOT
- ④ WOOD VENEER RESIN PANEL
COLOR: PRODEMIA PRODEX FUSTIK
- ⑤ WOOD VENEER RESIN PANEL
COLOR: PRODEMIA PRODEX PALE
- ⑥ WOOD VENEER RESIN PANEL
COLOR: PRODEMIA PRODEX LIGHT BROWN
- ⑦ IPE WOOD FENCE AND GATE WHERE SHOWN
- ⑧ CAST IN PLACE BOARD FORMED CONCRETE
- ⑨ RAISED METAL PLANTER
- ⑩ STEEL CANOPY, H.D.G. PAINTED
COLOR: BLACK
- ⑪ PROJECT ENTRY SIGNAGE
- ⑫ 43" STEEL BALCONY GUARDRAIL, H.D.G. PAINTED
W/ GLASS INFILL PANEL
- ⑬ 43" STEEL GUARDRAIL, H.D.G. PAINTED
- ⑭ GARAGE DOOR
- ⑮ ALUMINUM OR VINYL WINDOWS
- ⑯ ALUMINUM STOREFRONT

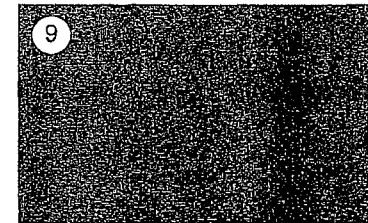
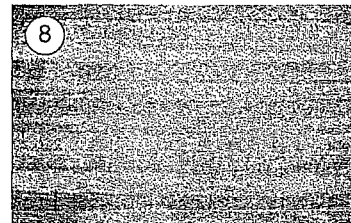
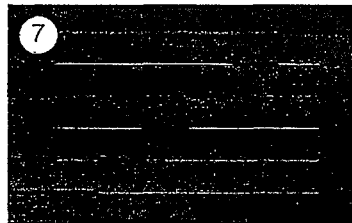
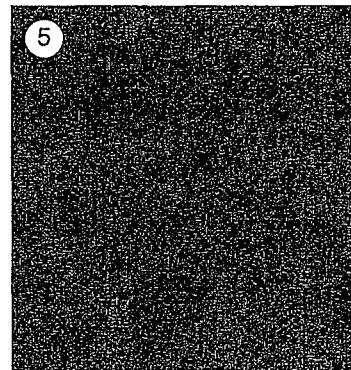
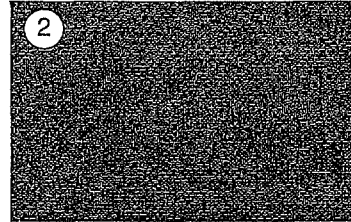
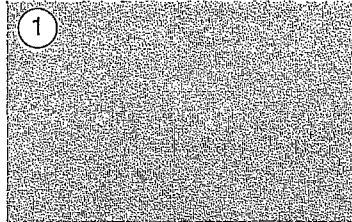
4469



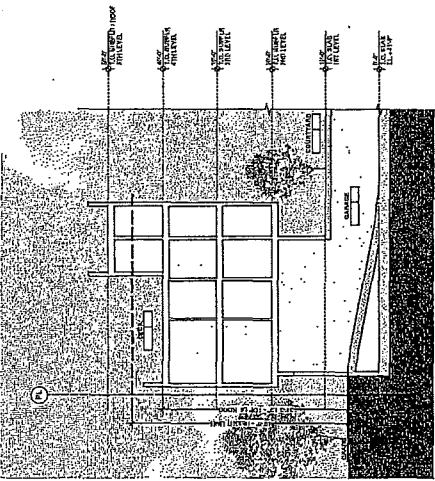
NORTH ELEVATION (PROPERTY LINE) 1"=6'-0" A3.3

ELEVATION FINISHES LEGEND

- ① CEMENT COMPOSITE PANEL
COLOR: COLOR LIFE CLS191W / CHAIN LINK
- ② CEMENT COMPOSITE PANEL
COLOR: COLOR LIFE CLS16SD / BLACK PEPPER
- ③ CEMENT COMPOSITE HORIZONTAL LAP SIDING
COLOR: COLOR LIFE CLS166A / SOOT
- ④ WOOD VENEER RESIN PANEL
COLOR: PRODEMA PRODEX RUSTK
- ⑤ WOOD VENEER RESIN PANEL
COLOR: PRODEMA PRODEX PALE
- ⑥ WOOD VENEER RESIN PANEL
COLOR: PRODEMA PRODEX LIGHT BROWN
- ⑦ IPE WOOD FENCE AND GATE WHERE SHOWN
- ⑧ CAST IN PLACE BOARD FORMED CONCRETE
- ⑨ RAISED METAL PLANTER
- ⑩ STEEL CANOPY, H.D.G. PAINTED
COLOR: BLACK
- ⑪ PROJECT ENTRY SIGNAGE
- ⑫ 48" STEEL BALCONY GUARDRAIL, H.D.G. PAINTED
W/ GLASS INFILL PANEL
- ⑬ 48" STEEL GUARDRAIL, H.D.G. PAINTED
- ⑭ GARAGE DOOR
- ⑮ ALUMINUM OR VINYL WINDOWS
- ⑯ ALUMINUM STOREFRONT

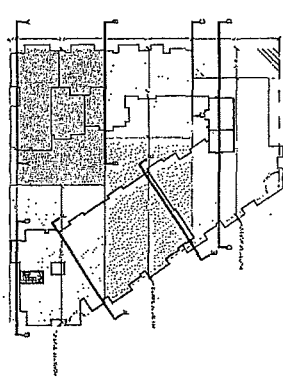
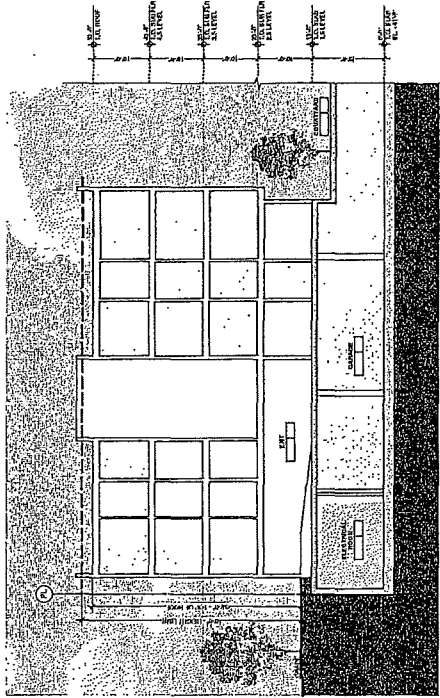


4470



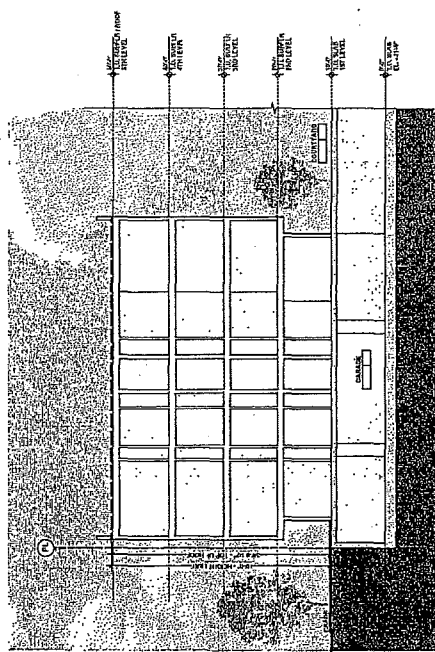
BUILDING SECTION C-C
1/8" = 1'-0"

BUILDING SECTION A-A
1/8" = 1'-0"



KEY PLAN

BUILDING SECTION B-B
1/8" = 1'-0"



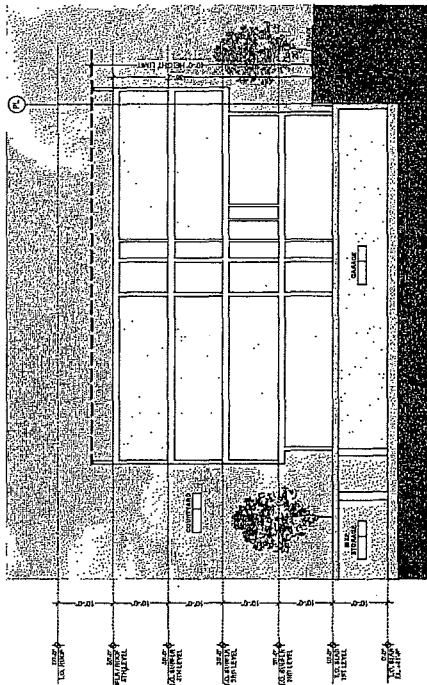
BUILDING SECTIONS A3.5

TRUMARKURBAN 645 TEXAS STREET

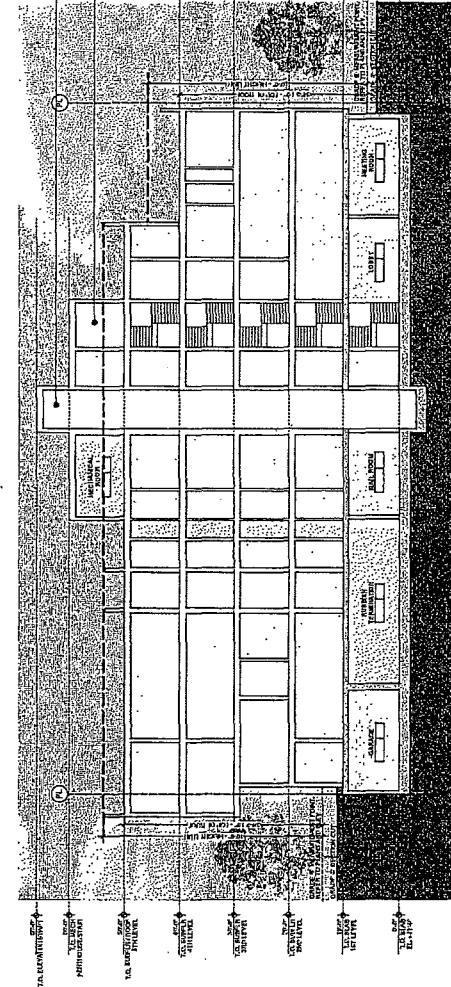
645 TEXAS ST. | SAN FRANCISCO, CA AUGUST 5, 2014

BDE ARCHITECTURE

All drawings shall remain the property of BDE Architecture and shall not be used for any other project without the written consent of BDE Architecture.



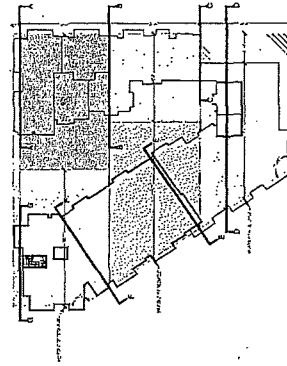
BUILDING SECTION E-E
1/8" = 1'-0"



BUILDING SECTION D-D
1/8" = 1'-0"

IF PLANNING CODE SECTION 201.03 shows, the exemption shall be limited to the top 16 feet and limited to the footprint of the elevator shaft, regardless of the height limit of the building.

IF PLANNING CODE SECTION 201.03 shows, the exemption shall be limited to the top 16 feet and limited to the footprint of the elevator shaft, regardless of the height limit of the building.



KEY PLAN
1

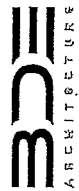
BUILDING SECTIONS A3.6

645 TEXAS ST. | SAN FRANCISCO, CA

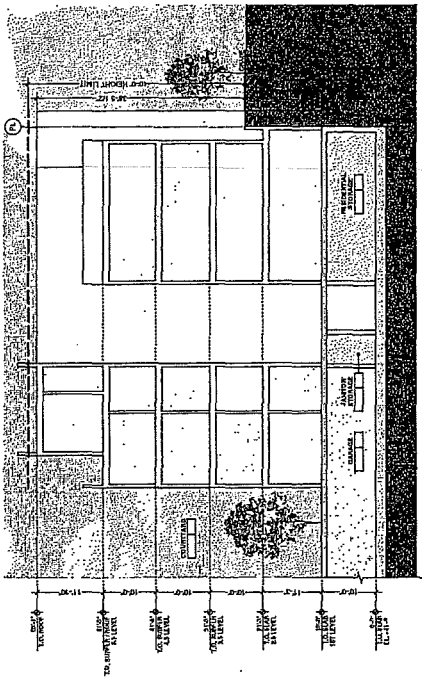
AUGUST 5, 2014

645 TEXAS STREET

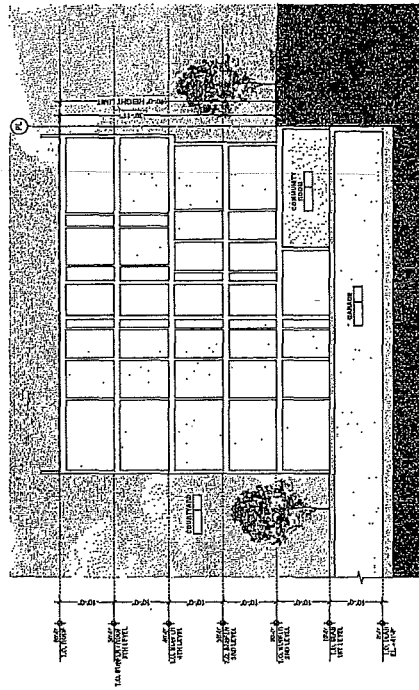
TRUMARKURBAN



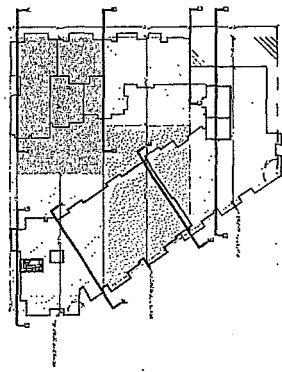
ALL DRAWINGS AND NOTICES MUST BE APPROVED BY THE ARCHITECT BEFORE ANY CONSTRUCTION BEGINS. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE CONSTRUCTION OF THE PROJECT.



BUILDING SECTION G-G
1/8" = 1'-0"



BUILDING SECTION F-F
1/8" = 1'-0"



KEY PLAN
1

BUILDING SECTIONS A3.7

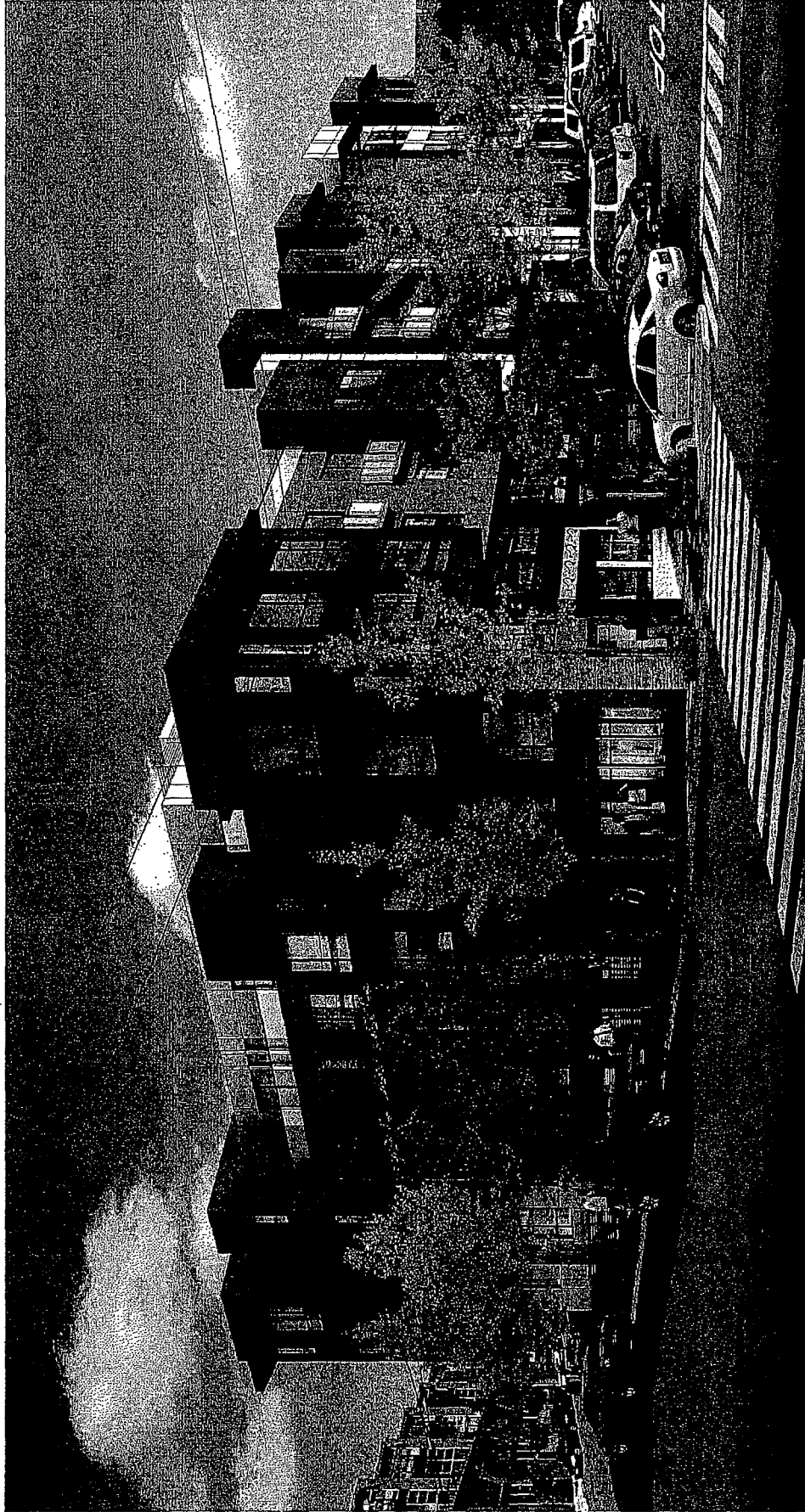
645 TEXAS STREET

SAN FRANCISCO, CA
AUGUST 5, 2014

TRUMARKURBAN



ALL PROVIDED AND NOTED UNLESS OTHERWISE SPECIFIED. THE CONSULTANT'S WORK SHALL BE LIMITED TO THE SPECIFICATIONS AND CONDITIONS SET FORTH IN THE CONTRACT DOCUMENTS. THE CONSULTANT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR OTHER SOURCES.



MISSISSIPPI & 22ND ST. A4.0

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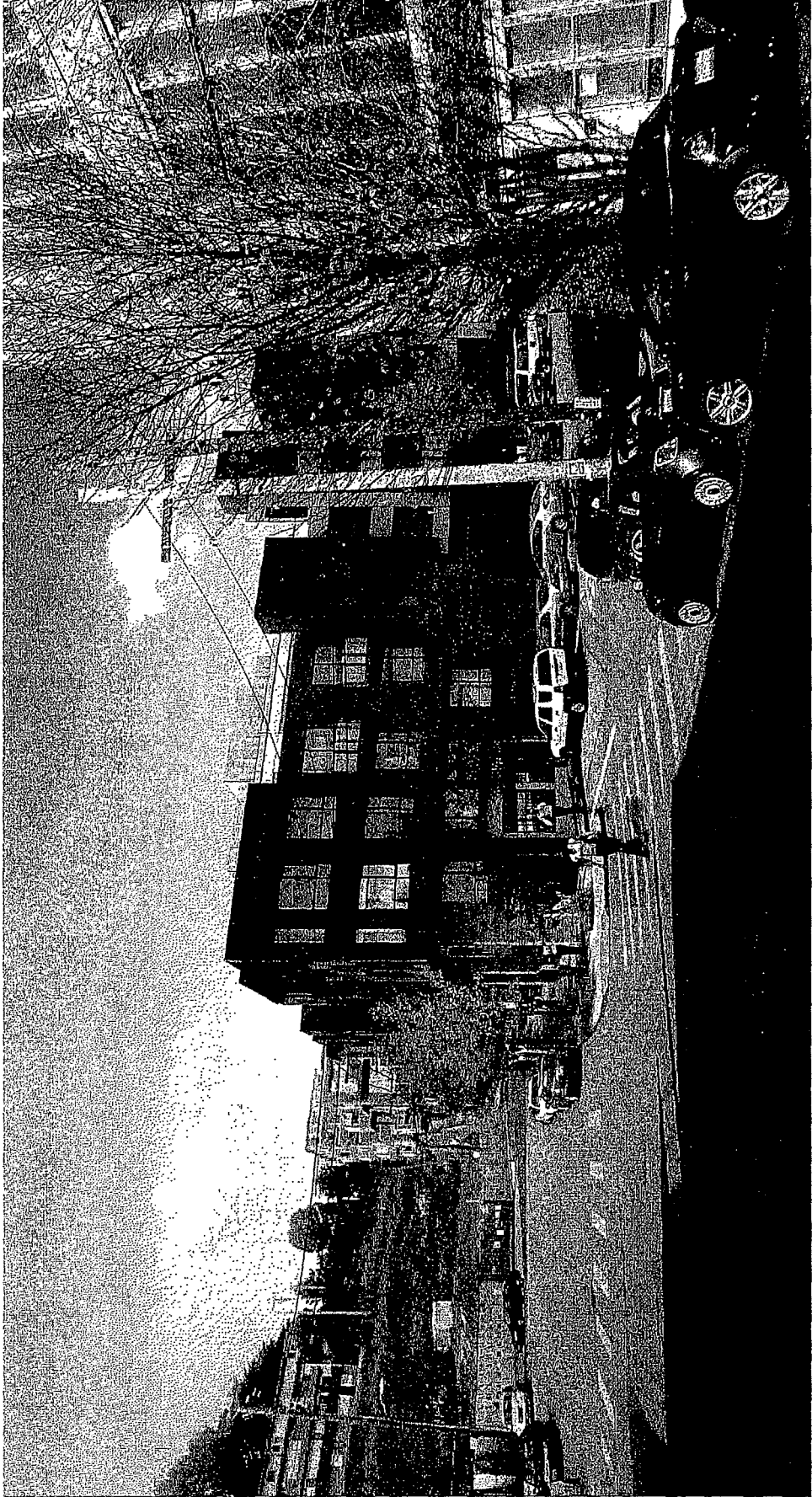
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645 TEXAS STREET

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10/10/14



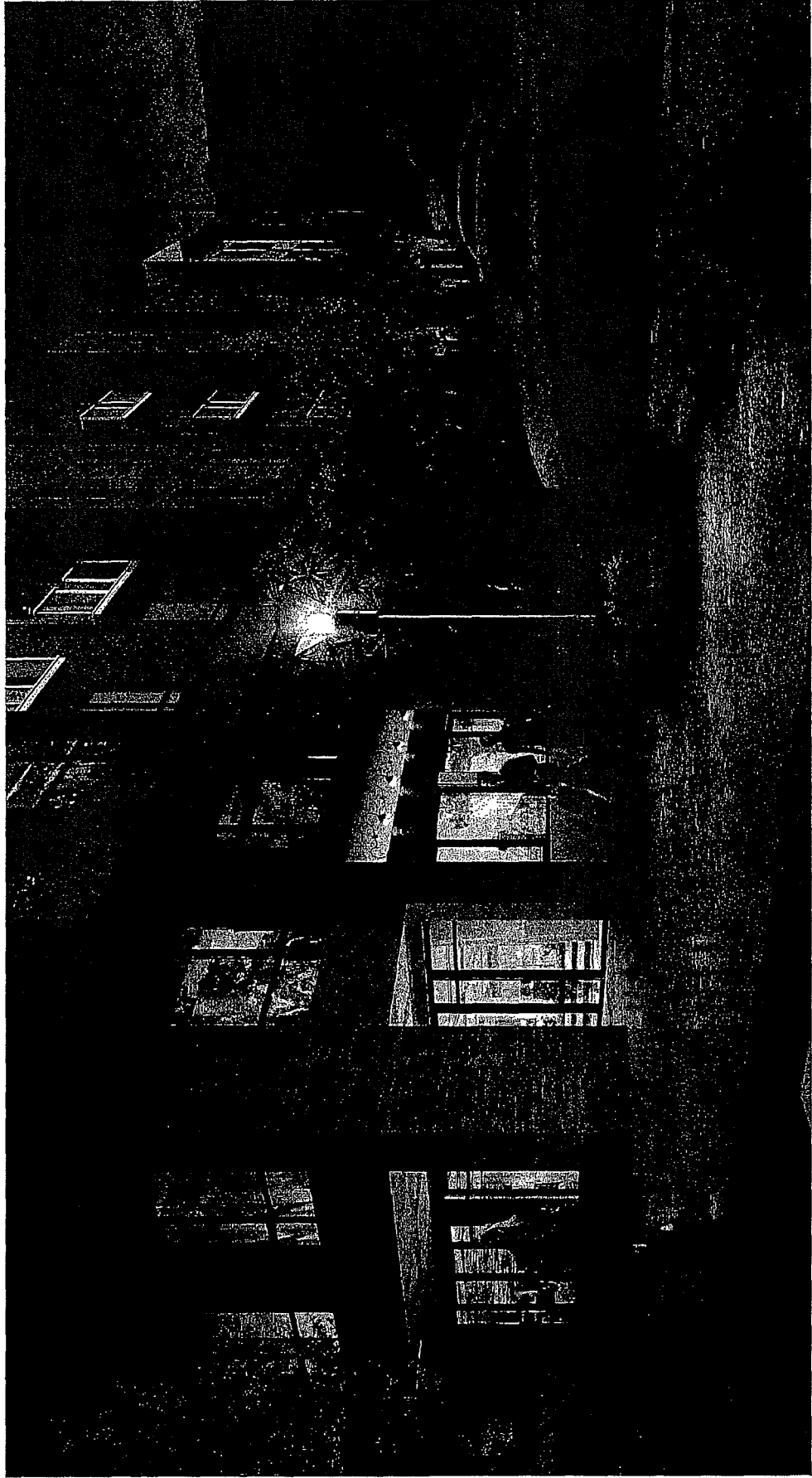
22ND ST. LOOKING WEST A4.1

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MISSISSIPPI & 22ND ST. ENTRY A4.2

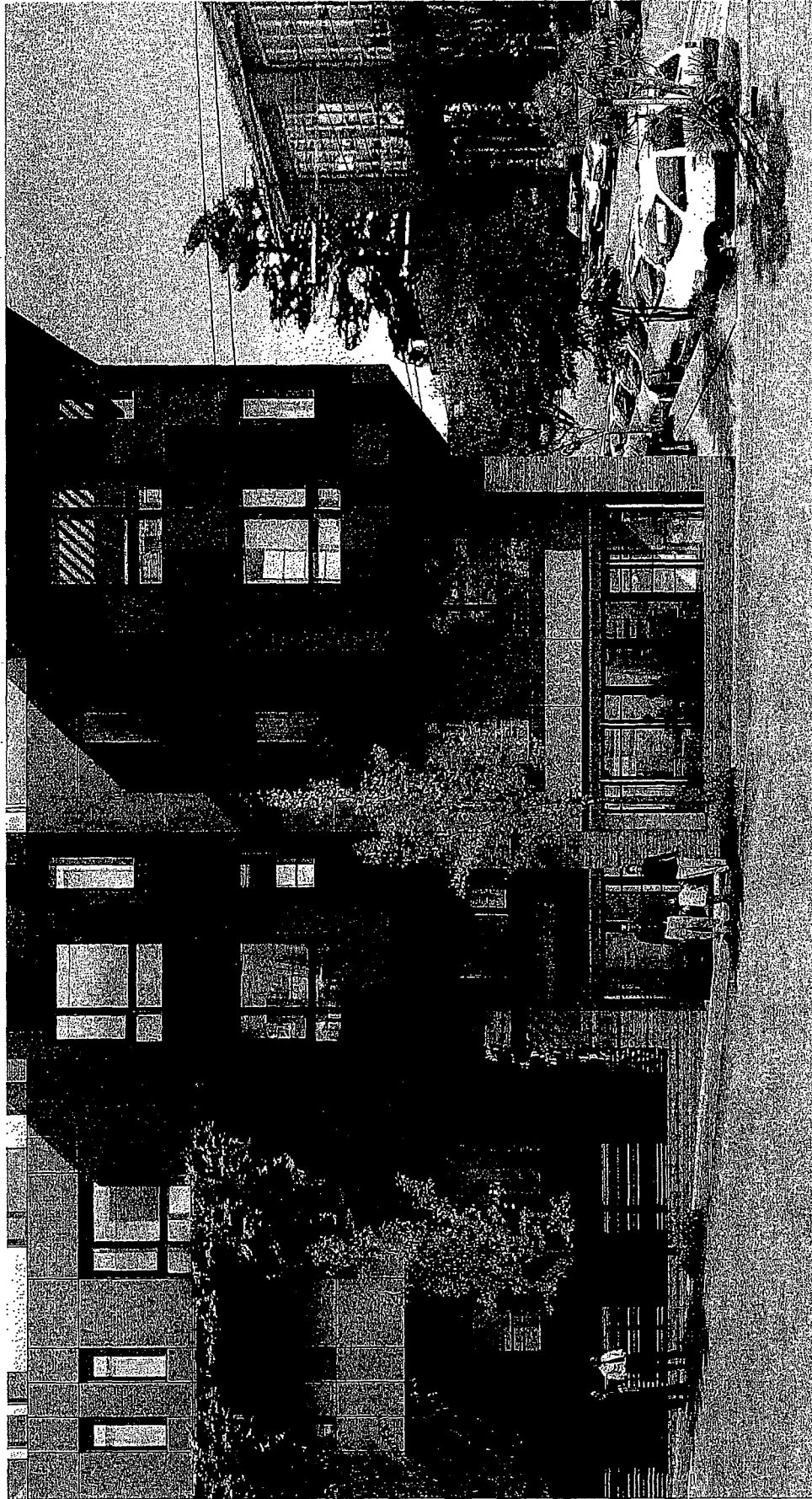
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645 TEXAS STREET

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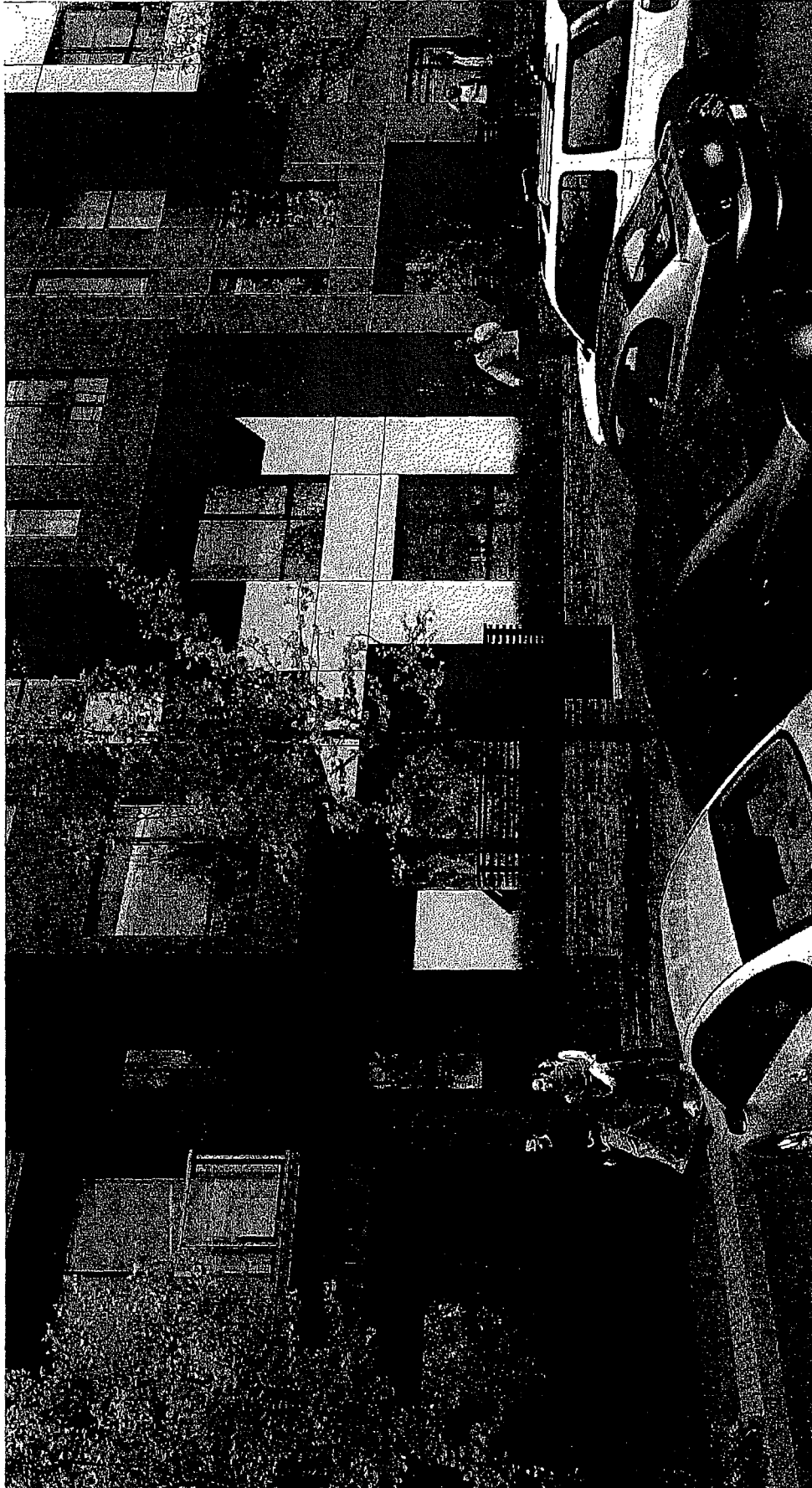
22ND ST. LOOKING NORTH A4.3

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645 TEXAS STREET

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MISSISSIPPI ST. RESIDENTIAL ENTRY A4.4

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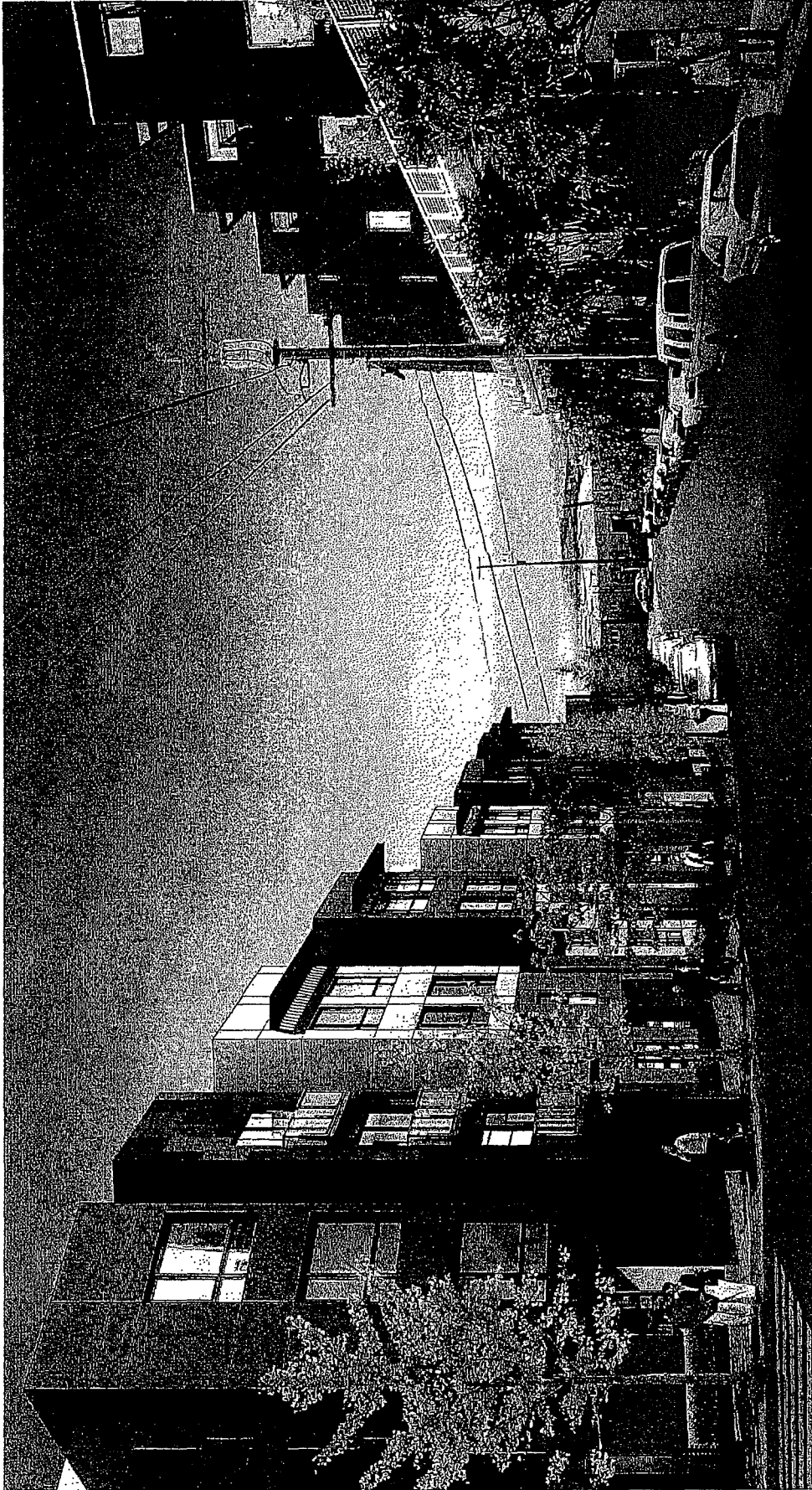


MISSISSIPPI ST. LOOKING SOUTH A4.5

645 TEXAS ST. | SAN FRANCISCO, CA AUGUST 5, 2014

TRUMARKURBAN 645 TEXAS STREET

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A4.1.6

TEXAS ST. LOOKING SOUTH

645 TEXAS ST. | SAN FRANCISCO, CA

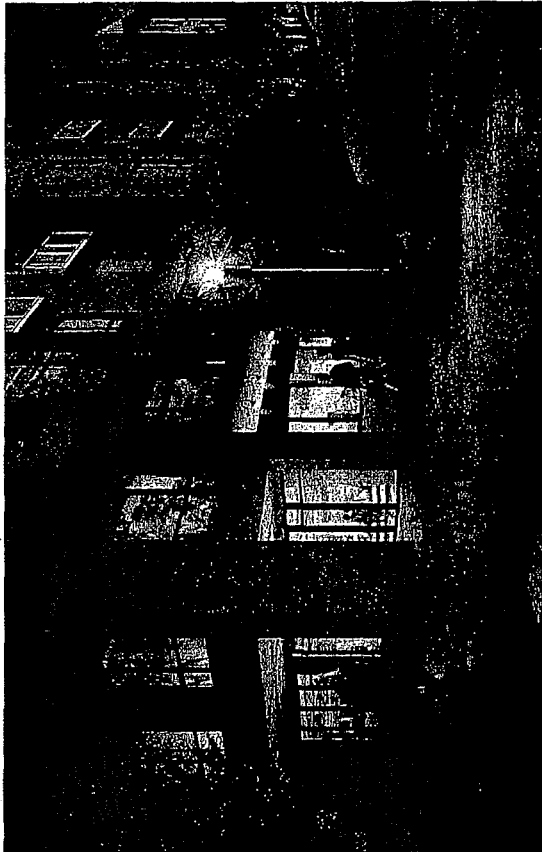
AUGUST 5, 2014

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ARCHITECTURE



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645 TEXAS STREET

MISSISSIPPI AND 22ND BEFORE AND AFTER

A4.7

645 TEXAS ST. | SAN FRANCISCO, CA

AUGUST 5, 2014

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City and County of San Francisco
 San Francisco Public Works · Bureau of Street-Use and Mapping
 1155 Market Street, 3rd Floor · San Francisco, CA 94103
 sfpublicworks.org · tel 415-554-5810 · fax 415-554-6161



2015.0061723ND

TENTATIVE MAP DECISION

52

Date: April 1st, 2015

Department of City Planning
 1650 Mission Street, Suite 400
 San Francisco, CA 94103

Project ID: 8633			
Project Type: 91 Residential and 1 Commercial Units New Construction Condominium Project			
Address#	StreetName	Block	Lot
645	TEXAS ST	4102	026
Tentative Map Referral			

Attention: Mr. Scott F. Sanchez

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from environmental review per Class 1 California Environmental Quality Act Guidelines.

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the following conditions (Any requested documents should be sent in with a copy of this letter to Scott F. Sanchez at the above address):

The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code. Due to the following reasons (Any requested documents should be sent in with a copy of this letter to Scott F. Sanchez at the above address):

Enclosures:

- Application
- Print of Tentative Map

Sincerely,

Bruce R. Storrs, P.L.S.
 City and County Surveyor

RECEIVED
 JUN -9 PM 1:50

PLANNING DEPARTMENT

Signed _____

Date 6/4/15

Planner's Name JEFF STEINS

For Scott F. Sanchez, Zoning Administrator

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

AUTHORIZATION

This authorization is for a Large Project Authorization to allow to allow the new construction of a five-story mixed use building with up to 91 dwelling units, 600 square feet of retail space and exceptions from the rear yard, dwelling unit exposure, street frontages requirements, off-street parking and to the measurement of height located at 645 Texas Street, Lot 026 in Assessor's Block 4102 pursuant to Planning Code Section 329 within the MUR (Urban Mixed Use Residential) District and a 40-X Height and Bulk District; in general conformance with plans, dated August 5, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2012.1218X and subject to conditions of approval reviewed and approved by the Commission on August 14, 2014 under Motion No. 19218. 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 August 14, 2014 under Motion No. 19218.

Printing of conditions of approval on plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19218 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Large Project Authorization and any subsequent amendments or modifications.

Severability

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

Changes and Modifications

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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

Conditions of Approval, Compliance, Monitoring, and Reporting

Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2004.0160E) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

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

DESIGN – compliance at plan stage

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

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

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

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

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

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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).
- h. Unless otherwise specified by the Planning Department, Department of Public Works 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>

10. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), 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. 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 415-558-6378, www.sf-planning.org

Parking and Traffic

11. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

12. **Car Share.** Pursuant to Planning Code Section 166, no fewer 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 service subscribers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
13. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1, 155.4, and 155.5, the Project shall provide no fewer than 98 bicycle parking spaces (91 Class 1 spaces and five Class 2 spaces for the residential portion of the Project and two Class 1 or 2 spaces for the commercial portion of the Project).
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
14. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than sixty five (65) off-street parking spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

provisions

15. **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
16. **Affordable Units.**
 - A. **Eastern Neighborhoods Affordable Housing Requirements for MUR.** Pursuant to Planning Code Section 415.6, the Project is required to provide 12% of the proposed dwelling units as affordable to qualifying households. The Project contains 91 units; therefore, 11 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 11 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing ("MOH").
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- B. Unit Mix.** The Project contains 35 one-bedroom, 53 two-bedroom and three three-bedroom units; therefore, the required affordable unit mix is five one-bedroom and six two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOH.

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

- C. Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

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

- D. Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twelve percent (12%) of the each phase's total number of dwelling units as on-site affordable units.

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

- E. Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.

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

- F. Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOH 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://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

In the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

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

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for sale, the affordable 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 ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.

- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
 - g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
 - h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.
17. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*

Monitoring

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.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, 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
- 20. Report to Planning Commission on Final 5th Floor and Roof Plans.** Prior to issuance of first Construction Document, Project Sponsor will provide Planning Department Staff with the final 5th Floor and Roof Plans for transmission to the Planning Commission. The final 5th Floor and Roof Plans will indicate the absence of a roof deck used for common open space. Project Sponsor will also provide a memorandum regarding alternate uses investigated for the 5th Floor including the inclusion of a 5th floor vegetated / green / living roof. Alternate uses implemented will be indicated on the final 5th Floor and Roof Plans.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Operation

- 21. 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>
- 22. 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>

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

23. **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*

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code. This document would no longer be in effect and would be null and void.



(Signature)

Trumark Urban Partners I, LP, a Delaware limited partnership

Arden hearing

(Print Name)

Dated: August 20, 2014 at San Francisco, California.
(Month, Day) (City)

(Signature)

(Print Name)

Dated: _____, 20____ at _____, California.
(Month, Day) (City)

(Signature)

(Print Name)

Dated: _____, 20____ at _____, California.
(Month, Day) (City)

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

Each signature must be acknowledged by a notary public before recordation; add Notary Public Certification(s) and Official Notarial Seal(s) below.

U:\DSANCHEZ\DOCUMENTS\SE-TEAM\NSR\Large Project\Authorization\045 Texas Street\2012-1218X.doc

State of California)
County of San Francisco)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On August 20, 2014 before me, Gary Hirsch, Notary Public
(here insert name and title of the officer)

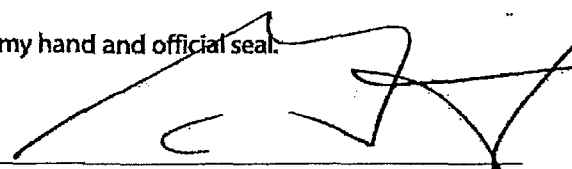
personally appeared Arden Healy

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

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

WITNESS my hand and official seal.

Signature



(Seal)

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of _____

containing _____ pages, and dated _____

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-Fact
- Corporate Officer(s)

Title(s) _____

- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: _____

representing: _____

Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
 form(s) of identification credible witnesses

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

Additional Signer(s) Signer(s) Thumbprint(s)



LEGAL DESCRIPTION


Real property in the City of San Francisco , County of San Francisco, State of California, described as follows:

BEGINNING AT A POINT OF INTERSECTION OF THE NORTHERLY LINE OF 22ND STREET WITH THE WESTERLY LINE OF MISSISSIPPI STREET; RUNNING THENCE NORTHERLY AND ALONG SAID LINE OF MISSISSIPPI STREET 200 FEET; THENCE AT A RIGHT ANGLE WESTERLY 200 FEET TO THE EASTERLY LINE OF TEXAS STREET; THENCE SOUTHERLY AND ALONG SAID LINE OF TEXAS STREET 50 FEET TO THE NORTHEASTERLY LINE OF 22ND STREET; THENCE SOUTHEASTERLY AND ALONG THE NORTHEASTERLY LINE OF 22ND STREET 180.28 FEET TO THE NORTHERLY LINE OF 22ND STREET; THENCE EASTERLY AND ALONG THE NORTHERLY LINE OF 22ND STREET 100 FEET TO THE POINT OF BEGINNING.

APN: LOT: 026, BLK:4102

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY:)
)
 And When Recorded Mail To:)
)
 Name: Trumark Urban)
)
 Address: 90 New Montgomery, Ste 750)
)
 City: San Francisco)
)
 State: California 94105)


 San Francisco Assessor-Recorder
 Carraen Chu, Assessor-Recorder
DOC- 2014-J950088-00
 Tuesday, SEP 16, 2014 15:05:22
 Ttl Pd \$54.00 Rcpt # 0005018011
 000/MA/1-14

ma

 Space Above this Line For Recorder's Use

I (We) Trumark Urban Partners I, LP the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows:

(PLEASE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION)

BEING ASSESSOR'S BLOCK: 4102 ; LOT: 026 ,

COMMONLY KNOWN AS: 645 Texas Street

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (Planning Code).

Said Restrictions consist of conditions attached to approval of **Building Permit Application No. 201312093691** pursuant to **Motion No. 19218** **Case No. 2012.1218X** by the Planning Department and are conditions that had to be so attached in order that said application should be approved under the Planning Code. (Building Form 2).

The restrictions and conditions of which notice is hereby given are:

1. **Eastern Neighborhoods Affordable Housing Requirements for MUR.** Pursuant to Planning Code Section 415.6, the Project is required to provide 12% of the proposed dwelling units as affordable to qualifying households. The Project contains 91 units; therefore, 11 affordable units are required. The Project Sponsor will fulfill this requirement by providing the 11 affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing ("MOH").

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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

2. **Unit Mix.** The Project contains 35 one-bedroom, 53 two-bedroom and three three-bedroom units; therefore, the required affordable unit mix is five one-bedroom and six two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOH.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
3. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit. Please see attached Exhibit B for reduced set of plans with indicated units.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
4. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than twelve percent (12%) of the each phase's total number of dwelling units as on-site affordable units.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
5. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
6. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOH 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://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing at 415-701-5500, www.sf-moh.org.
- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2)

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.

- b. If the units in the building are offered for sale, the affordable 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 ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOH shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOH at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOH or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions (as defined in California Government Code Section 65915 et seq.) provided herein. The Project Sponsor has executed the Costa Hawkins agreement and will record a Memorandum of Agreement prior to issuance of the first construction document or must revert payment of the Affordable Housing Fee.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit or may seek a fee deferral as permitted under Ordinances 0107-10 and 0108-10. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOH and pay interest on the Affordable Housing Fee at a rate equal to the Development Fee Deferral Surcharge Rate in Section 107A.13.3.2 of the San Francisco Building Code and penalties, if applicable.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco.

Dated: 9/16/14 at San Francisco, California.


By: Arden Hearing (Owner's Signature) Trumark Urban Partners I, LP

(Agent's Signature)

This signature(s) must be acknowledged by a notary public before recordation; add Notary Public Certification and Official Notarial Seal below.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

EXHIBIT A

The property referred to in this Notice of Special Restrictions is situated in the State of California, City and County of San Francisco, and is described more particularly as follows:

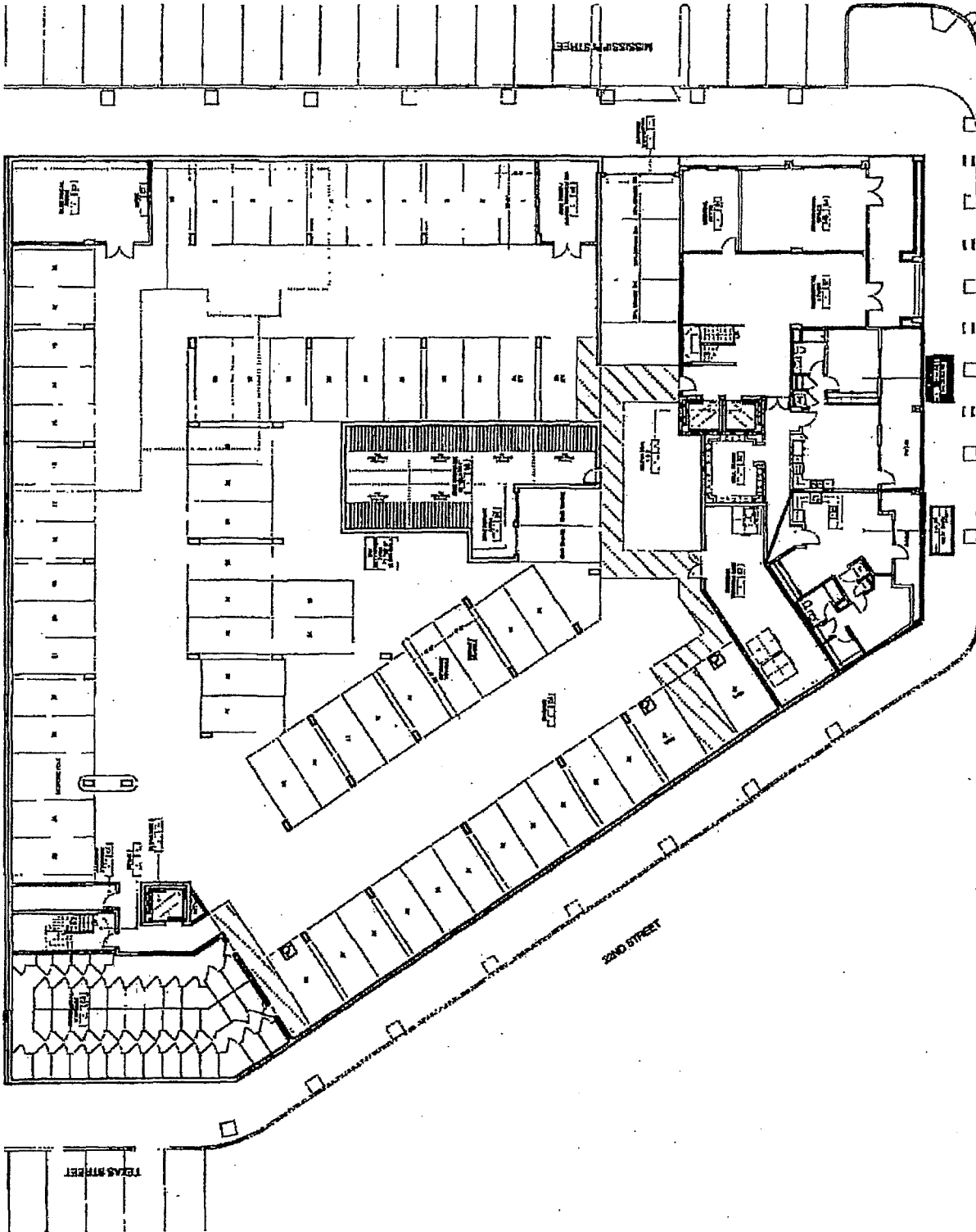
BEGINNING AT A POINT OF INTERSECTION OF THE NORTHERLY LINE OF 22ND STREET WITH THE WESTERLY LINE OF MISSISSIPPI STREET; RUNNING THENCE NORTHERLY AND ALONG SAID LINE OF MISSISSIPPI STREET 200 FEET; THENCE AT A RIGHT ANGLE WESTERLY 200 FEET TO THE EASTERLY LINE OF TEXAS STREET; THENCE SOUTHERLY AND ALONG SAID LINE OF TEXAS STREET 50 FEET TO THE NORTHEASTERLY LINE OF 22ND STREET; THENCE SOUTHEASTERLY AND ALONG THE NORTHEASTERLY LINE OF 22ND STREET 180.28 FEET TO THE NORTHERLY LINE OF 22ND STREET; THENCE EASTERLY AND ALONG THE NORTHERLY LINE OF 22ND STREET 100 FEET TO THE POINT OF BEGINNING.

APN: LOT: 026, BLK:4102

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

EXHIBIT B

PLANS OF PROJECT INDICATING LOCATION OF AFFORDABLE UNIT(S)



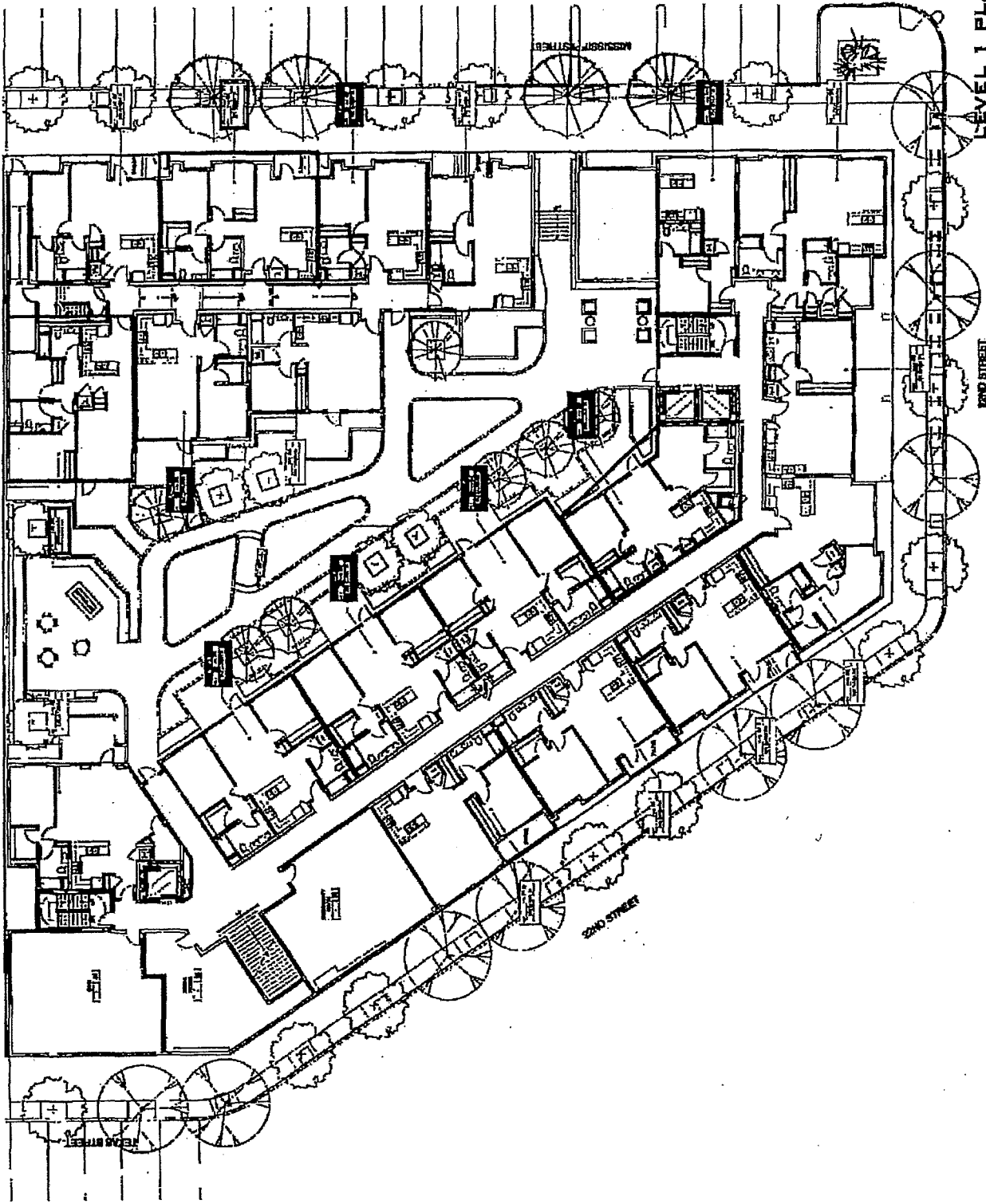
BASEMENT LEVEL PLAN 11/17/14 A2.0

200 STREET

645 TEXAS STREET

TRUJAPKURBAN

ARCHITECTURE



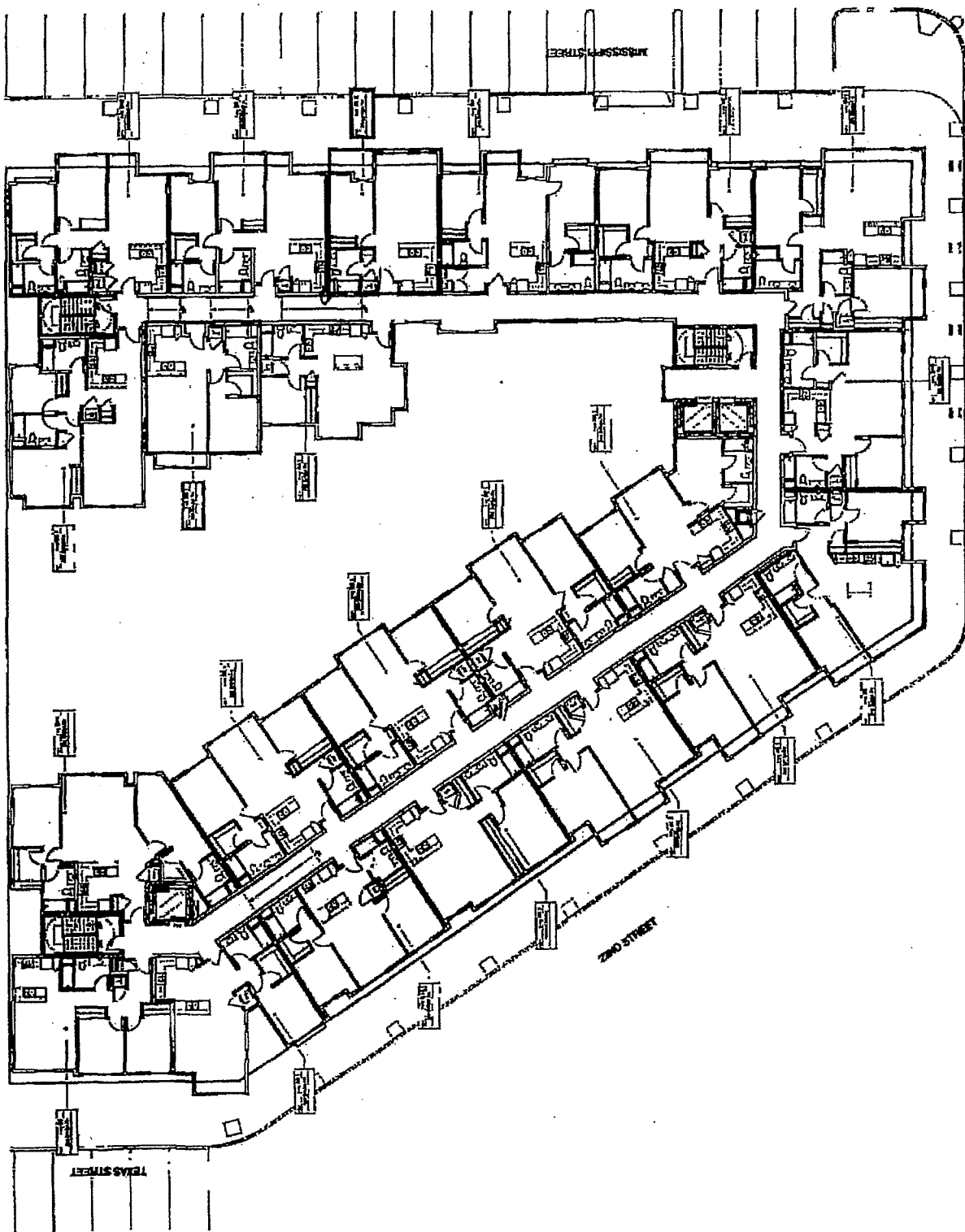
LEVEL 1 PLAN 1/8" = 1'-0" A2.1

645 TEXAS STREET | PROJECT ARCHITECTURE CO. | 2011

645 TEXAS STREET

TRUMARKURBAN





LEVEL 3 PLAN (REVISED) A2.3

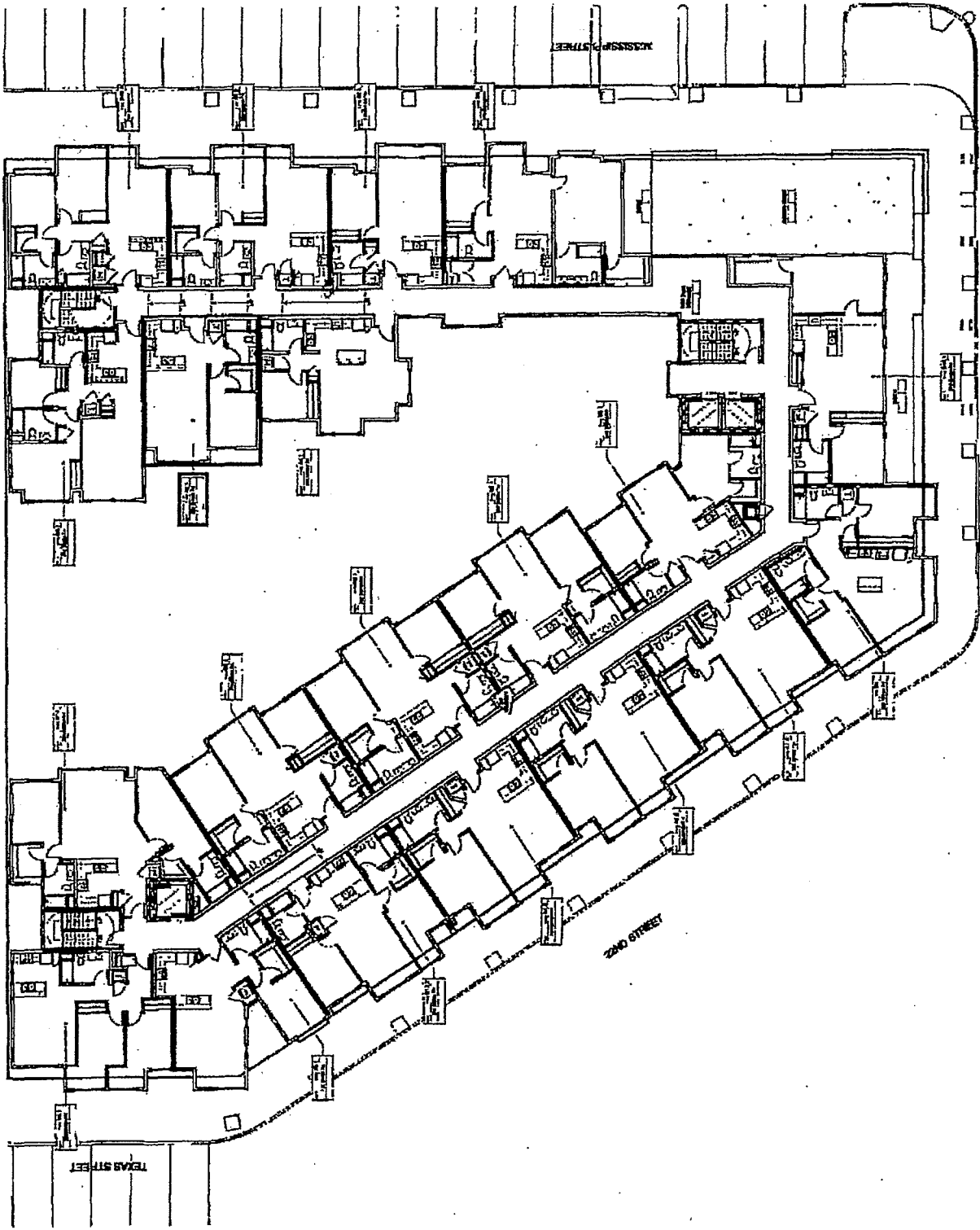
645 TEXAS STREET | 9 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100

2ND STREET

645 TEXAS STREET

TRUARK URBAN



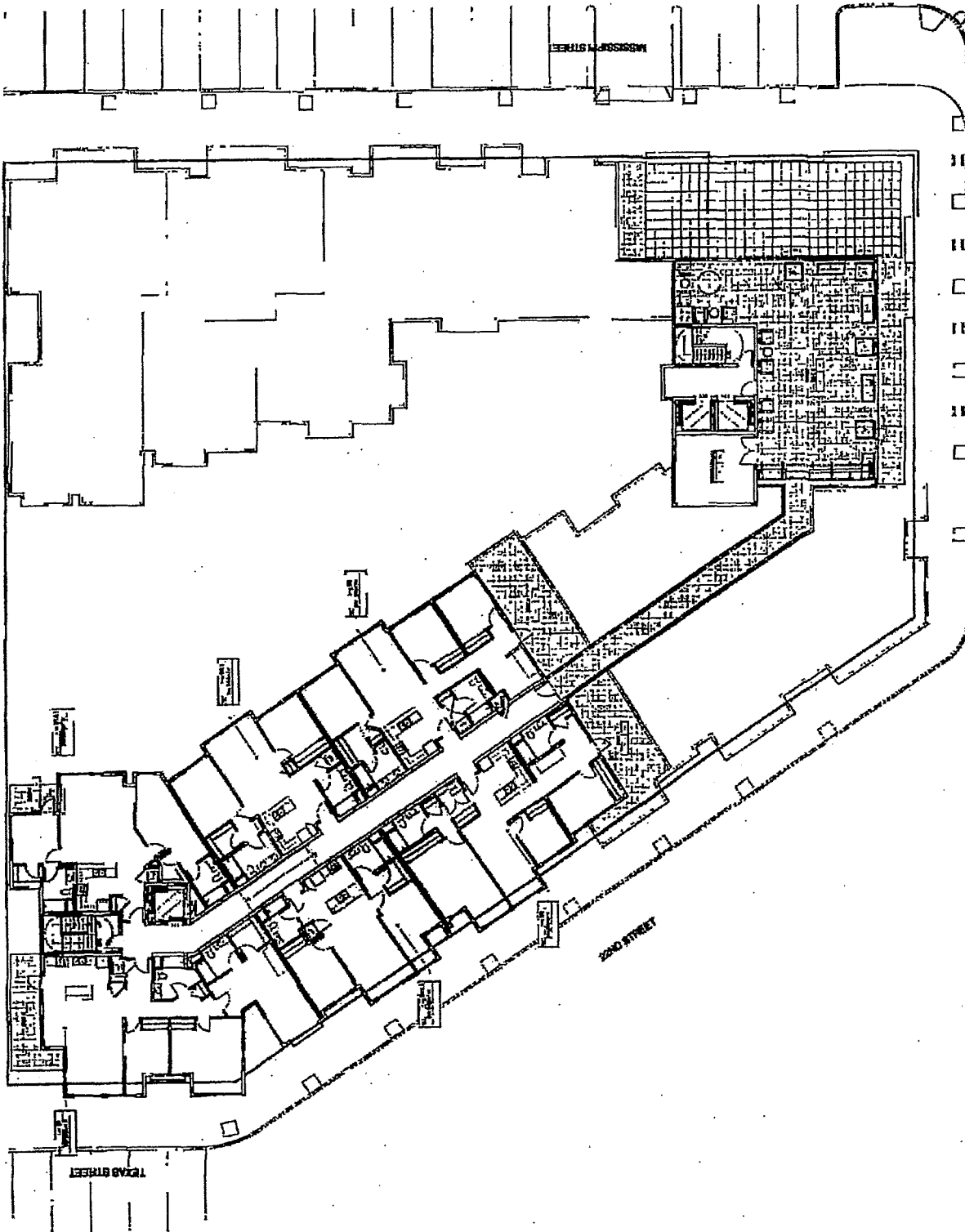


LEVEL 4 PLAN 1/4"=1'-0" A2.4

2ND STREET

645 TEXAS STREET

BDE TRI-MARK URSBEN
ARCHITECTURE



LEVEL 5 PLAN 1/8" = 1'-0" A2.5

PHO STREET

645 TEXAS STREET

TRUMARK JAPAN



State of California)
County of San Francisco)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

On September 16, 2014 before me, Hector Martinez, Notary Public
(here insert name and title of the officer)

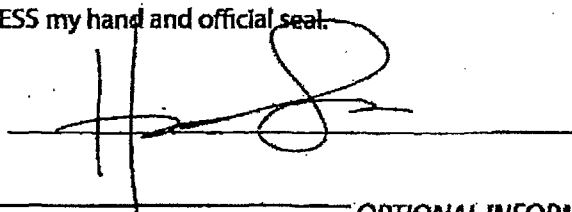
personally appeared Arden Hearing

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

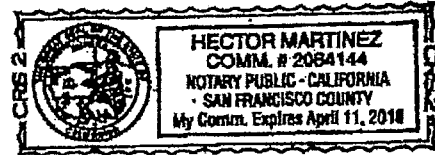
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Notice of special restrictions under the Planning Code containing 7 pages, and dated 9/16/14

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-Fact
- Corporate Officer(s) _____ Title(s)
- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Additional Information	
Method of Signer Identification	
Proved to me on the basis of satisfactory evidence: <input type="checkbox"/> form(s) of Identification <input type="checkbox"/> credible witness(es)	
Notarial event is detailed in notary journal on: Page # _____ Entry # _____	
Notary contact: _____	
Other	
<input type="checkbox"/> Additional Signer(s)	<input type="checkbox"/> Signer(s) Thumbprint(s)
<input type="checkbox"/>	



Date: June 25, 2015

BKF Engineers/Surveyors/Planners
255 Shoreline Drive, Suite 200
Redwood City, CA 94065

TENTATIVE MAP APPROVAL

Edwin M. Lee
Mayor

Mohammed Nuru
Director

Jerry Sanguinetti
Bureau of Street Use & Mapping
Manager

Bruce R. Storrs P.L.S.
City and County Surveyor

Bureau of Street Use & Mapping
1155 Market St., 3rd floor
San Francisco, CA 94103
tel (415) 554-5827
Subdivision.Mapping@sfdpw.org

sfpublicworks.org
facebook.com/sfpublicworks
twitter.com/sfpublicworks

Project ID:	8633		
Project Type:	91 Residential and 1 Commercial Mixed Use New Construction Condominium Project		
Address #	Street Name	Block	Lot
645	Texas Street	4102	026

Dear Sir:

The Tentative Map which you submitted to this Agency for review is approved, subject to compliance with the following:

The C.C.S.F. Planning Code and all Planning Department conditions outlined in the attached Planning Department memo dated June 4, 2015

Copy of Planning Department approval/conditions

The C.C.S.F. Building Code and all Department of Building Inspection conditions outlined in the attached D.B.I. memo dated _____.

Copy of D.B.I. approval/conditions (check if attached)

Bureau of Street Use and Mapping memo dated April 23, 2015

Copy of St-use approval/conditions (check if attached)

The C.C.S.F. Subdivision Code and the California State Map Act:
Please submit:

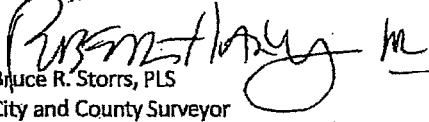
One (1) Check Print in PDF format of the final version of this map

One (1) copy of C.F.C. (Certificate of Final Completion)

One (1) copy of the Map Checklist

Do not submit check prints without complying with ALL of the above.
Incomplete submittals will be returned and subject to additional handling charges.

Sincerely,


Bruce R. Storrs, PLS
City and County Surveyor

Tentative approval valid for 36 months:

This Tentative Map Approval is valid for 36 months, unless a written request for an extension is received prior to the expiration date. When the approved time frame expires, the project is terminated. A completely new application packet together with new fees must then be submitted to Public Works/BSM to reopen or reactivate the project.

Contesting this decision:

If you wish to contest this decision, you may do so by filing an appeal (together with an appeal fee check for \$298) with the Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, within ten (10) days of the date of this letter per Section 1314 of the San Francisco Subdivision Code.



City and County of San Francisco
 San Francisco Public Works · Bureau of Street-Use and Mapping
 1155 Market Street, 3rd Floor · San Francisco, CA 94103
 sfpublishworks.org · tel 415-554-5810 · fax 415-554-6161



Date: June 25, 2015

THIS IS NOT A BILL

The City and County Surveyor has approved a tentative map for a proposed subdivision located at:

Address	Block	Lot
645 TEXAS ST	4102	026

This subdivision will result in:

**91 Residential and 1 Commercial Mixed use New
 Construction Condominium Project**

This notification letter is to inform you of your right to appeal this tentative approval.

IF YOU WOULD LIKE TO FILE AN APPEAL OF THE TENTATIVE APPROVAL:

You must do so in writing with the Clerk of the Board of Supervisors within ten (10) days of the date of this letter along with a check in the amount of \$298.00, payable to the Department of Public Works.

The Clerk of the Board is located at: City Hall of San Francisco
 1 Dr. Carlton B. Goodlett Place, Room 244
 San Francisco, CA 94102
 (415) 554-5184

If you have any questions on this matter, please contact us at (415) 554-5827, or our email address: subdivision.mapping@sfdpw.org

Sincerely,

Bruce R. Storrs, P.L.S.
 City and County Surveyor
 City and County of San Francisco

Carroll, John (BOS)

From: BOS Legislation, (BOS)
Sent: Friday, July 17, 2015 3:40 PM
To: alexis@pelosilawgroup.com; ma250@aol.com; pgryfakis@trumarkco.com; jnchu@bkf.com; Givner, Jon (CAT); Stacy, Kate (CAT); Byrne, Marlana (CAT); Sanchez, Scott (CPC); Jones, Sarah (CPC); Rodgers, AnMarie (CPC); Starr, Aaron (CPC); BOS-Supervisors; BOS-Legislative Aides; Malamut, John (CAT); Nuru, Mohammed (DPW); Sanguinetti, Jerry (DPW); Storrs, Bruce (DPW); Speirs, Jeffrey (CPC)
Cc: Calvillo, Angela (BOS); Caldeira, Rick (BOS); BOS Legislation, (BOS); Carroll, John (BOS)
Subject: Hearing Notice - July 28, 2015 - 645 Texas Street - Tentative Map Appeal
Categories: 150723

Good afternoon,

The Office of the Clerk of the Board has scheduled an appeal hearing for a Special Order before the Board on **July 28, 2015, at 3:00 p.m.**

Please find linked below the Hearing Notice for the Tentative Map Appeal for the proposed project at 645 Texas Street.

[Hearing Notice – 645 Texas Street Appeal](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below.

[Board of Supervisors File No. 150723](#)

Thank you,

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

 [Click here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

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
TTD/TTY No. 5545227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

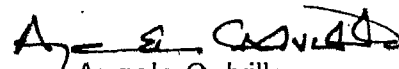
Date: Tuesday, July 28, 2015

Time: 3:00 p.m.

Location: City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102

Subject: File No. 150723. Hearing of persons interested in or objecting to the decision of Public Works dated June 25, 2015, approving a Tentative Map for a 91 residential unit and 1 commercial unit mixed-use new construction condominium project at 645 Texas Street, Assessor's Block No. 4102, Lot No. 026. (District 10) (Appellant, Marilyn Muratore) (Filed July 6, 2015).

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Board. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, July 24, 2015.


Angela Calvillo
Clerk of the Board

MAILED/POSTED: July 17, 2015
PUBLISHED: July 18, 2015

Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Friday, July 17, 2015 3:43 PM
To: SF Docs (LIB)
Cc: BOS Legislation, (BOS)
Subject: Please Post the Enclosed Linked Hearing Notices
Attachments: Hearing Notice - July 28, 2015 - 645 Texas Street - Tentative Map Appeal; Hearing Notice - July 28, 2015 - 158-162 Linda Street - Tentative Map Application Incompleteness Appeal
Categories: 150723, 150638

Good afternoon,

Please kindly post the hearing notices linked from the accompanying two email messages.

Best to you,

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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Carroll, John (BOS)

From: SF Docs (LIB)
Sent: Friday, July 17, 2015 3:53 PM
To: Carroll, John (BOS)
Subject: Re: Please Post the Enclosed Linked Hearing Notices

Posted/SF Docs/7/17/2015/Laurel Yerkey


From: Carroll, John (BOS)
Sent: Friday, July 17, 2015 3:42 PM
To: SF Docs (LIB)
Cc: BOS Legislation, (BOS)
Subject: Please Post the Enclosed Linked Hearing Notices

Good afternoon,

Please kindly post the hearing notices linked from the accompanying two email messages.

Best to you,

John Carroll
Legislative Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445 - Direct | (415)554-5163 - Fax
john.carroll@sfgov.org | bos.legislation@sfgov.org

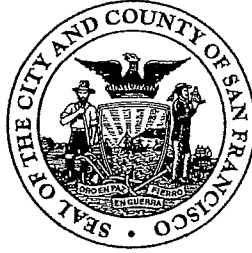
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The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

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RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2015 JUL 17 PM 2:12



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. 544-5227

PROOF OF MAILING

Legislative File No. 150723

Description of Items: [Public Hearing - Appeal of Tentative Map - 645 Texas Street]
Hearing of persons interested in or objecting to the decision of Public Works dated June 25, 2015, approving a Tentative Map for a 91 residential unit and 1 commercial unit mixed-use new construction condominium project at 645 Texas Street, Assessor's Block No. 4102, Lot No. 026. (District 10) (Appellant, Marilyn Muratore) (Filed July 6, 2015).

{Insert Hearing Title Information}

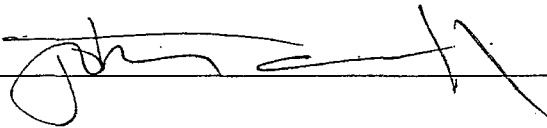
I, John Carroll, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: July 17, 2015

Time: 2:10 p.m.

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

New Order



Your Order is sent.

Customer Information

Customer Name S.F. BD OF SUPERVISORS (NON-CONSECUTIVE) **Master Id** 52704
Address 1 DR CARLTON B GOODLETT PL #244 **Phone** 4155547704
City SAN FRANCISCO **Fax** 4155547714
State - Zip CA - 94102

Product Information

Legal GOVERNMENT - GOVT PUBLIC NOTICE

Order Information

Attention Name John Carroll **Billing Reference No.** 95441
Ad Description JEC - 150723 - Tentative Map Appeal - 645 Texas Street - Hearing Notice **Sale/Hrg/Bid Date**

Special Instructions

Orders Created

Order No.	Newspaper Name	Publishing Dates	Ad	Price Description	Price	Ad Status
2774565	SAN FRANCISCO EXAMINER 10%, CA Billed To: CCSF BD OF SUPERVISORS (OFFICIAL NOTICES) Created For: CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)	07/17/2015	Depth : 5.26" Lines : 64	\$3.75 64 lines * 1 Inserts[\$240.00] \$ 10% set aside [\$-24.00]	\$216.00	Sent

Order No.	Newspaper	View
2774565	SAN FRANCISCO EXAMINER 10%	View Ad In PDF

**NOTICE OF PUBLIC HEARING
 BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO**

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:
Date: Tuesday, July 28, 2015 Time: 3:00 p.m. Location: City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102
Subject: File No. 150723. Hearing of persons interested in or objecting to the decision of Public Works dated June 25, 2015, approving a Tentative Map for a 91 residential unit and 1 commercial unit mixed-use new construction condominium project at 645 Texas Street, Assessor's Block No. 4102, Lot No. 026. (District 10) (Appellant, Marilyn Muratore) (Filed July 6, 2015).
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made part of the official public record in this matter, and shall be brought to the attention of the members of the Board. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, July 24, 2015.

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John Carroll
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description JEC - 150723 - Tentative Map Appeal - 645 Texas

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

07/17/2015

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication \$243.75
NetTotal \$219.37

Daily Journal Corporation

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DAILY COMMERCE, LOS ANGELES (213) 229-5300
LOS ANGELES DAILY JOURNAL, LOS ANGELES (213) 229-5300
ORANGE COUNTY REPORTER, SANTA ANA (714) 543-2027
SAN DIEGO COMMERCE, SAN DIEGO (619) 232-3486
SAN FRANCISCO DAILY JOURNAL, SAN FRANCISCO (800) 640-4829
SAN JOSE POST-RECORD, SAN JOSE (408) 287-4866
THE DAILY RECORDER, SACRAMENTO (916) 444-2355
THE INTER-CITY EXPRESS, OAKLAND (510) 272-4747

EXM 2774565

NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, July 28, 2015 Time: 3:00 p.m.
Location: City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102

Subject: File No. 150723. Hearing of persons interested in or objecting to the decision of Public Works dated June 25, 2015, approving a Tentative Map for a 91 residential unit and 1 commercial unit mixed-use new construction condominium project at 645 Texas Street, Assessor's Block No. 4102, Lot No. 026. (District 10) (Appellant, Marilyn Muratore) (Filed July 6, 2015).

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* A 0 0 0 0 0 3 8 2 0 6 9 2 *

Carroll, John (BOS)

From: glenda_sobrique@dailyjournal.com
Sent: Wednesday, July 15, 2015 11:26 AM
To: Carroll, John (BOS)
Subject: Confirmation of Order 2774565 for JEC - 150723 - Tentative Map Appeal - 645 Texas Street - Hearing Notice

Categories: 150723

Dear Customer:

The order listed below has been received and processed. If you have any questions regarding this order, please contact your ad coordinator or the phone number listed below.

Customer Account Number: 120503

Type of Notice : GPN - GOVT PUBLIC NOTICE
Ad Description : JEC - 150723 - Tentative Map Appeal - 645 Texas Street - Hearing Notice
Our Order Number : 2774565
Newspaper : SAN FRANCISCO EXAMINER 10%
Publication Date(s) : 07/17/2015

Thank you.

LENDASOBRIQUE
DAILY JOURNAL CORPORATION
CALIFORNIA NEWSPAPER SERVICE BUREAU
Phone: (800) 788 7840 / (213)229-5300
Fax: (800) 540 4089 / (213)229-5481

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. 544-5227

July 7, 2015

Marilyn Muratore
250 Alameda de las Pulgas
Redwood City, CA 94062

Subject: Tentative Map Appeal - 645 Texas Street

Dear Ms. Muratore:

This is in reference to the appeal you submitted concerning approval of the subject Tentative Map for property located at:

645 Texas Street, Assessor's Block No. 4102, Lot No. 026.

Pursuant to Subdivision Code, Section 1314, an appeal hearing has been scheduled on **Tuesday, July 28, 2015, at 3:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, CA 94102.

Please provide to the Clerk's Office by 12:00 noon:

11 days prior to the hearing: names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

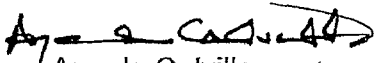
8 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests one electronic file (sent to bos.legislation@sfgov.org) and one hard copy of the documentation for distribution.

NOTE: If electronic versions of the documentation are not available, please submit 18 hard copies of the materials to the Clerk's Office for distribution. If you are unable to make the deadlines prescribed above, it is your responsibility to ensure that all parties receive copies of the materials.

If you have any questions, please feel free to contact John Carroll, Legislative Clerk, at (415) 554-4445.

Sincerely,


Angela Calvillo
Clerk of the Board

c:
Project Applicant, TUP Texas, LLC
Project Contact, Trumark Urban
Jon Givner, Deputy City Attorney
Kate Stacy, Deputy City Attorney
Marlena Byrne, Deputy City Attorney
John Malamut, Deputy City Attorney
Mohammed Nuru, Director, Public Works
Jerry Sanguinetti, Public Works-Bureau of Street Use and Mapping
Fuad Sweiss, City Engineer, Public Works
Bruce Storrs, Public Works
Scott Sanchez, Zoning Administrator, Planning Department
Sarah Jones, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Jeffrey Speirs, Planning Department

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2015 JUL -6 PM 3:54



City and County of San Francisco
San Francisco Public Works - Bureau of Street-Use and Mapping
1155 Market Street, 3rd Floor - San Francisco, CA 94103
sfpublicworks.org - tel 415-554-5810 - fax 415-554-6161

Date: June 25, 2015

THIS IS NOT A BILL

The City and County Surveyor has approved a tentative map for a proposed subdivision located at:

Address	Block	Lot
645 TEXAS ST	4102	026

This subdivision will result in:

**91 Residential and 1 Commercial Mixed use New
Construction Condominium Project**

This notification letter is to inform you of your right to appeal this tentative approval.

IF YOU WOULD LIKE TO FILE AN APPEAL OF THE TENTATIVE APPROVAL:

You must do so in writing with the Clerk of the Board of Supervisors within ten (10) days of the date of this letter along with a check in the amount of \$298.00, payable to the Department of Public Works.

The Clerk of the Board is located at: City Hall of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184.

If you have any questions on this matter, please contact us at (415) 554-5827, or our email address: subdivision.mapping@sfdpw.org

Sincerely,

Bruce R. Storrs, P.L.S.
City and County Surveyor
City and County of San Francisco

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

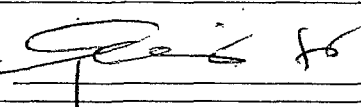
Clerk of the Board

Subject:

Public Hearing - Appeal of Tentative Map - 645 Texas Street

The text is listed below or attached:

Hearing of persons interested in or objecting to the decision of Public Works dated June 25, 2015, approving a Tentative Map for a 91 residential unit and 1 commercial unit mixed-use new construction condominium project at 545 Texas Street, Assessor's Block No. 4102, Lot No. 026. (District 10) (Appellant, Marilyn Muratore) (Filed July 6, 2015).

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: