RECORDING REQUESTED BY: And When Recorded Mail To:		O7/12/2018, 2018K638316	
		onwith document no This document has not been compared with the original	
Name:	915 Minna, LLC	SAN FRANCISCO ASSESSOR-RECORDER	
Address:	1452 Broadway	)	
City:	San Francisco	) )	
State: Calif	fornia Zip: 94109	) Space Above this Line For Recorder's Use	

I, (We) \_\_\_915 Minna, LLC\_\_\_, 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: (or see attached sheet marked "Exhibit A" on which property is more fully described):

# BEING ASSESSOR'S BLOCK: <u>3510</u>, LOT: <u>058</u>; COMMONLY KNOWN AS: <u>915 Minna Street</u>;

hereby give notice that there are special restrictions on the use of said property under the Planning Code.

Said restrictions consist of conditions attached to the Large Project Application No. **2015-002600ENX** approved by the Planning Commission of the City and County of San Francisco on May 12, 2016, as set forth in Planning Commission **Motion No. 19646**.

The following units in the Project have been designated as affordable to satisfy the Inclusionary Affordable Housing Requirements. The Unit Numbers listed below are reflected in the reduced set of plans, dated April 11, 2018, which are attached to this document.

UNIT NUMBER	UNIT TYPE	UNIT SIZE (NSF)
107 – Minna	Three-Bedroom	969 square feet
201 - Minna	Two-Bedroom	594 square feet
204 - Minna	Studio	425 square feet
207 – Minna	One-Bedroom	445 square feet
303 – Minna	One-Bedroom	443 square feet
308 – Minna	Studio	421 square feet
Unit 1 – Natoma	Two-Bedroom	721 square feet

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

#### **INCLUSIONARY HOUSING**

36. Number of Required Units. Pursuant to Planning Code Section 415.6, the Project is required to provide 14.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 49 units; therefore, seven (7) affordable units are required. The Project Sponsor will fulfill this requirement by providing the seven 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, <a href="www.sf-planning.org">www.sf-planning.org</a> or the Mayor's Office of Housing and Community Development at 415-701-5500, <a href="www.sf-moh.org">www.sf-moh.org</a>.

37. **Unit Mix.** The Project contains 11 studios, 17 one-bedroom, 12 two-bedroom, and 9 three-bedroom units; therefore, the required affordable unit mix is two (2) studios, two (2) one-bedroom, two (2) two-bedroom, and one (1) three-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

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

38. **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, <a href="https://www.sf-planning.org">www.sf-planning.org</a> or the Mayor's Office of Housing and Community Development at 415-701-5500, <a href="https://www.sf-moh.org">www.sf-moh.org</a>.

39. Phasing. If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than fourteen and one-half percent (14.5%) 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, <a href="www.sf-planning.org">www.sf-planning.org</a> or the Mayor's Office of Housing and Community Development at 415-701-5500, <a href="www.sf-moh.org">www.sf-moh.org</a>.

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

For information about compliance, contact the Case Planner, Planning Department at 415-

558-6378, <u>www.sf-planning.org</u> or the Mayor's Office of Housing and Community Development at 415-701-5500, <u>www.sf-moh.org</u>.

41. 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 MOHCD at 1 South Van Ness Avenue or on the Planning Department or Mayor's Office of Housing's websites, including on the internet at: <a href="http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451">http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451</a>.

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

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

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) 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 rent, the affordable unit(s) shall be rented to qualifying households, as defined in the Procedures Manual, whose gross annual income, adjusted for household size, does not exceed an average fifty-five (55) 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 and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- 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 and corresponding table 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 415to 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.
- 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 Section415 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.

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)		THOMAS HUNT (Print Name)		
Dated: 07-11-18 (Month, Day)	. 20	_at <u>SANFRANCIS ed</u> (City)	California	
_(Signature)		(Print Name)	· · · · · · · · · · · · · · · · · · ·	
Dated:(Month, Day)	, 20	at (City)	,California.	
(Signature)		(Print Name)	:	
Dated:(Month, Day)	, 20	at (City)	,California.	

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

# CALIFORNIA ALL PURPOSE ACKNOWLEDGEMENT

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

State of California } County of San Francisco } SS.	
On before me,	K. Kramer, Notary Public
personally appeared	Thomas Hunt NAME(S) OF SIGNER(S)
K. KRAMER COMM. #2243084 NOTARY PUBLIC-CALIFORNIA SAN FRANCISCO COUNTY My Comm. Expires June 5, 2022	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 on the instrument the person(s), or the entity upon behalf of which the person 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
Place Notary Seal Above	WITNESS my hand and official seal.  Signature of Notary Public
Though the information below is not required by law	OPTIONAL  w, it may prove valuable to persons relying on the document and
could prevent fraudulent removal ar	nd reattachment of this form to another document
Description of Attached Document	
Document Date:	Number of Pages:
Signers Other Than Named Above:	
Capacity(ies) Claimed by Signer(s)  Individual(s)  Corporate Officer - Title(s)  Partner Limited General  Attorney in Fact  Trustee  Guardian or Conservator  Other:	
	915 Minna, LLC



Order Number: 3802-5282358

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#### **LEGAL DESCRIPTION**

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

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF MINNA STREET, DISTANT THEREON 146 FEET AND 6 INCHES SOUTHWESTERLY FROM THE SOUTHWESTERLY LINE OF 10TH STREET; RUNNING THENCE SOUTHWESTERLY ALONG SAID LINE OF MINNA STREET 121 FEET AND 10 INCHES TO A POINT DISTANT THEREON 141 FEET AND 8 INCHES NORTHEASTERLY FROM THE NORTHEASTERLY LINE OF 11TH STREET; THENCE AT A RIGHT ANGLE SOUTHEASTERLY 80 FEET; THENCE AT A RIGHT ANGLE NORTHEASTERLY 58 FEET AND 4 INCHES; THENCE AT A RIGHT ANGLE SOUTHEASTERLY 75 FEET TO THE NORTHWESTERLY LINE OF NATOMA STREET; THENCE AT A RIGHT ANGLE NORTHWESTERLY ALONG SAID LINE OF NATOMA STREET; THENCE AT A RIGHT ANGLE NORTHWESTERLY 75 FEET; THENCE AT A RIGHT ANGLE NORTHWESTERLY 80 FEET TO THE POINT OF BEGINNING. BEING PART OF MISSION BLOCK NO. 6

APN: LOT 058 & BLOCK 3510

















