

File No. 110935

Committee Item No. \_\_\_\_\_

Board Item N. 39

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date 10/4/11

#### Cmte Board

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

#### OTHER (Use back side if additional space is needed)



- Conditional Use Appeal - 3151-3155 Scott Street
- Planning Department's Response (Attachments A, B, and C)
- \_\_\_\_\_

Completed by: Joy Lamug

Date September 8, 2011

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.



File 110935



# Hammond LAW

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September 26, 2011

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File No. 110935

## Via Hand Delivery

Angela Calvillo  
Clerk of the Board of Supervisors  
#1 Dr. Carlton B. Goodlet Place, #244  
San Francisco, California 94102

Re: 3151-3155 Scott Street – Case No. 2010.0420CETZ

Dear Ms. Calvillo:

Please find enclosed written documentation Cow Hollow Association is making available to Board of Supervisors members prior to the October 4, 2011 hearings on the appeal of the mitigated negative declaration, the appeal of the conditional use authorization, and the special use district ordinance for 3151-3155 Scott Street.

Cow Hollow Association makes these documents available on its own behalf as well as on behalf of Marina Community Association, Marina Merchants Association, Marina Cow Hollow Neighbors and Merchants, and Union Street Merchants Association.

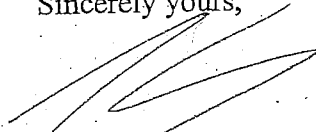
Because these three hearings are related, and may be consolidated by the Board, Cow Hollow Association is providing all its written correspondence for the three hearings in this single packet. The following documents are included:

1. Letter dated September 26, 2011 re The City Violated CEQA by Failing to Perform the Required CEQA Analysis Before Approving the Project
2. CHA Appeal to Board of Supervisors dated September 8, 2011 of Final Mitigated Negative Declaration and Planning Commission Motion No. 18403 Affirming the Mitigated Negative Declaration on Appeal
3. CHA Appeal to Planning Commission dated June 14, 2011 of Mitigated Negative Declaration dated June 14, 2011
4. Letter dated September 21, 2011 re The City's Special Use District Ordinance (Planning Code Section 235) is an Improper Method to Effectuate California Government Code Section 65915's Density Bonus Requirements

Angela Calvillo  
Re: 3151 – 3155 Scott Street  
September 23, 2011  
Page 2

5. Letter dated September 23, 2011 re Cow Hollow Association's Request to Add Restrictions to Conditional Use Authorization
6. CHA Appeal to Board of Supervisors dated August 15, 2011 of Planning Commission Motion No. 18405 Authorizing the Conditional Use Requested in Application No. 2010.0420C
7. Cow Hollow Association's Public Comments dated July 7, 2011 on Proposed Planning Code Text Amendment and Zoning Map Amendment to Establish the Lombard and Scott Street Affordable Group Housing Special Use District

Sincerely yours,



Adam Polakoff  
Attorney for Cow Hollow Association

encl.



# 110935

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# California State Senate

SENATOR  
**MARK LENO**  
THIRD SENATORIAL DISTRICT



COMMITTEES:  
BUDGET AND FISCAL REVIEW CHAIR  
JOINT LEGISLATIVE BUDGET CHAIR  
JOINT RULES  
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LABOR AND INDUSTRIAL RELATIONS

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August 18, 2011

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

Dear Members of the Board of Supervisors:

According to the Transition Age Youth housing report, approximately 150 San Francisco youth emancipate from foster care every year. However, youth who emancipate from the child welfare system are unlikely to find safe, affordable housing. The John Burton Foundation reports that nearly 40 percent of transitioning youth will be homeless within 18 months of discharge. The outlook for former foster youth is not great when they leave the system; however, the supportive housing that is planned for the Edward II building will directly address the needs of former foster youth and former homeless youth.

The Edward II program for Transitional Age Youth will foster the development of individual life skills, give the youth a stable home, and ultimately prepare these individuals for independent living. This program will prepare foster youth exiting the system and former homeless youth with the skills, resources, connections, permanency, and safety nets to be successful and thrive.

Knowing the great effort it takes to address the causes leading to homelessness, it is critically important to support youth as they become young adults in the community. By providing 24 young adults with affordable housing, as well as educational and vocational resources, the city will be providing the necessary resources for these youth to create successful future for themselves. Without this housing community, San Francisco faces the risk of a vulnerable population spiraling into homelessness and struggle.

The young adults need our help. I urge you to support Community Housing Partnership and Larkin Street Youth Services in their endeavor to provide supportive housing and services to vulnerable youth at the Edward II Hotel. These youth deserve the opportunity to obtain permanent housing, earn a living wage, and maintain their independence and stability. Thank you for your consideration.

Sincerely,

MARK LENO  
3<sup>rd</sup> Senate District



# Hammond LAW

1829 Market Street, San Francisco, CA 94103  
phone: 415-955-1915 fax: 415-955-1976

August 15, 2011

**VIA HAND DELIVERY**

San Francisco Board of Supervisors  
Attn: Clerk of the Board of Supervisors  
#1 Dr. Carlton B. Goodlet Place, #244  
San Francisco, California 94102

RECEIVED  
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Re: ~~3151-3155~~ **3151-3155 Scott Street – Case No. 2010.00420CETZ (the “Project”)**  
CHA Appeal of Planning Commission Motion No. 18405 Authorizing the  
Conditional Use Requested in Application No. 2010.0420C

Dear Supervisors and Clerk of the Board:

This office represents the Cow Hollow Association (“CHA”), a long standing non-profit neighborhood organization that represents the interests of approximately 1,800 residents in forty-eight blocks demarcated by Lyon, Pierce, Greenwich, and Pacific Streets. This letter, along with the attached Appeal Form, serves as CHA’s Notice of Appeal of the San Francisco Planning Commission’s Motion No. 18405 Authorizing the Conditional Use Requested in Application No. 2010.0420C (the “Motion”). Enclosed with this Notice of Appeal, please find CHA’s Appeal Form, a check in the amount of \$500.00 payable to the San Francisco Planning Department, and CHA’s Neighborhood Organization Fee Waiver Request Form. The following neighborhood associations join this appeal.

- Marina Community Association (MCA)
- Marina Merchants Association (MMA)
- Marina Cow Hollow Neighbors and Merchants (MCHNM)
- Union Street Merchants Association (USMA)

Based on the following reasons in support of its appeal, CHA respectfully requests the Board of Supervisors disapprove the Motion. In the event the Board of Supervisors approves the Planning Commission’s (the “Commission”) action, CHA requests that it prescribe in its resolution the restrictions CHA has suggested to secure the objectives of the Planning Code.

**1. The Commission Improperly Authorized the Conditional Use Before Adopting the Final Mitigated Negative Declaration.**

Before authorizing a Conditional Use, the Commission is required under CEQA to consider a *final* Mitigated Negative Declaration (or other CEQA document). See Cal. Code

Regs. tit. 14, §15004 (2010); San Francisco Admin. Code §31.11(h). Here, the Commission authorized the Conditional Use for the Project on July 14, 2011, but did not adopt the Project's final Mitigated Negative Declaration until the next day, July 15, 2011. Motion at 2. Therefore, no final Mitigated Negative Declaration for the Project existed for the Planning Commission to consider at the time it authorized the Conditional Use. By authorizing the Conditional Use before it could consider the environmental findings contained in a final Mitigated Negative Declaration, the Planning Commission violated CEQA.

2. **The Commission Improperly Authorized the Conditional Use Before the Board of Supervisors Has Made a Decision on the Proposed Special Use District Ordinance.**

"A conditional use permit, unlike a nonconforming use, allows a use permitted rather than proscribed by the zoning regulations, but because of the possibility that the permitted use could be incompatible in some respects with the applicable zoning, a special permit is required." *Sports Arenas Properties, Inc. v. City of San Diego* (1985) 40 Cal.3d 808, 815 (citation omitted). Thus, the Commission may only authorize a Conditional Use where that use is *permitted* under current zoning regulations. The Project, however, is *not* permitted under current zoning regulations.

The Project is located within an NC-3 Zoning District and a 40-X Height and Bulk District. Planning Code Sections 208 and 712.92 allow for one unit for every 210 square feet of lot area for a total of 16 group housing units and one manager's unit. In addition, Planning Code Section 134 requires a minimum rear yard of approximately 15 feet, Planning Code Section 135 requires a minimum of approximately 675 square feet of private open space and approximately 875 square feet of common open space, and Planning Code Section 140 requires each unit to have a window that faces directly on to an open area.

In violation of the above requirements, the Project features one unit for 143 square feet of lot are for a total of 24 group housing units and one manger's unit; no rear yard, private open space, or common open space; and 12 units that do not meet the Planning Code's exposure requirements.

Despite the Project violating current zoning regulations, the Commission found "the Project is consistent with the relevant provisions of the Planning Code." Motion at 4. The Commission based this finding on the Project's consistency with Planning Code Section 249.55. Motion at 4. *The Planning Code, however, contains no Section 249.55.* Rather than applying *existing* law, the Commission applied the *proposed* Lombard and Scott Street Affordable Group Housing Special Use District ("SUD") ordinance. Motion at 4. That proposed SUD ordinance, however, is only a proposal, not law: it has not been passed, or even heard, by the Board of Supervisors. While the Commission adopted Resolution No. 18404, Case No. 2010.0420TZ, on July 14, 2011, *recommending* the Board of Supervisors adopt the proposed SUD ordinance (Motion at 2), such recommendation does not give the proposed SUD ordinance legal effect. By ignoring current law in favor of proposed legislation, the Commission acted illegally by authorizing a Conditional Use prohibited under current zoning regulations.

3. **The Public Had Insufficient Time to Study the Project's Plans Before the Planning Commission Authorized the Conditional Use.**

The Project Sponsor filed its application for Conditional Use Authorization (the "Application") with the Planning Department on March 11, 2011. Motion at 1. At that time, the Application and associated file were incomplete and missing information necessary to make a Conditional Use determination. For example, the building plans available for review were incomplete and contained material gaps, such as information relating to Americans with Disabilities Act ("ADA") access.

On July 7, 2011, seven days before the hearing, the Project Sponsor submitted updated plans to the Commission. Motion at 20. Apparently, the Project Sponsor submitted further updated plans *on the day of the hearing*, July 14, 2011. Motion at 19. Because the Project Sponsor changed its application at least twice after the Commission noticed the hearing, the public had insufficient notice to comment on the updated Application the Commission considered on July 14, 2011.

4. **The Commission Improperly Failed to Consider Correspondence and Public Comment from Neighborhood Residents and Community Organizations in Opposition to Authorizing the Conditional Use.**

The Commission "received correspondence in opposition from neighborhood residents and community organizations on a broad range of topics including but not limited to: a decline in the quality of life for existing neighborhood residents and businesses, reduction of property values, increased density, lack of off-street parking and open space, and the inadequacy [of the] subject building for the proposed use and proposed occupant services." Motion at 4. The Commission, however, never addresses the opposition arguments in its Motion. Indeed, several times it makes assumptions without positing any support despite having received contradictory evidence from those opposed to the project. While the Commission may disagree with public comments, it must provide evidence to support its conclusions, rather than assert its own contradictory conclusions with no explanation as it did here.

For example, the Commission, without further comment, analysis, or evidentiary support, concluded "the Project would contribute to the character and stability of the neighborhood" and "would promote the health, safety and welfare of the City." Motion at 18. However, CHA's Public Comments (attached as Exhibit A to this letter) on the proposed SUD ordinance (which the Commission heard in conjunction with the Conditional Use application) contained comments that contradict the Commission's conclusion. For example, CHA noted that 1) the size and density of the Project will harm its TAY residents and the neighboring community; 2) the Project lacks adequate supervision and security; 3) the Project is located in an unsafe location for TAY residents; 4) the Project will have insufficient common areas for its TAY residents, which could result in increased loitering; 5) the Project will negatively impact traffic, parking, and public transit in the area; 6) the loss of tourist dollars from converting the Project site (the "Building") from a tourist hotel use will harm local businesses; and 7) the Project will harm a historically significant building.

5. **The Commission Improperly Failed to Consider CHA's Proposed Conditional Use Restrictions.**

CHA submitted examples of Conditional Use restrictions (attached as Exhibit B to this letter) to the Commission to include in the Conditional Use Authorization in the event the Commission authorized the Conditional Use. These proposed restrictions would strengthen the Project and ensure that it operate to the greatest benefit of its residents, the neighboring community, and the City. The proposed restrictions *might* also bring the Project in line with Planning Code Sections 101.1(b) and 303(d) and the City's Housing Element, which it currently fails to do as proposed and approved by the Commission. However, there is no evidence the Commission considered, let alone read, CHA's proposed Conditional Use restrictions.

6. **The Commission Improperly Made Its Determination Without Knowing How Many Residents the Project Will House.**

The Commission based its determination on the suitability of the Project's proposed use on the Project Sponsor's representation that the Project will house 24 permanent TAY residents in 24 studio units. However, the Project Sponsor has never definitively stated that those 24 units will only house 24 permanent residents. In fact, the Commission found that the "use will *generally* accommodate one person for each bedroom" (Motion at 3 (emphasis added)) and that the Project will house "twenty-four residents (*generally*)" (Motion at 10 (emphasis added)). Thus, the Commission made a Conditional Use decision based on the physical structure of the Building without knowing how many permanent residents will actually *use* the Project. The number of permanent residents, and thus the actual density and operating requirements of the Project, is a necessary fact to accurately perform the required Planning Code Sections 101.1(b) and 303(d) and Housing Element analyses. For example, the Commission could not accurately analyze whether the Project's density is compatible with the neighborhood (Planning Code Sections 303(c)(1), 303(c)(1)(A)(ii), 303(c)(2)(A)), the Project's effect on traffic (Planning Code Sections 101.1(b)(4), 303(c)(2)(B)), and whether the Building is the appropriate site for the Project at its proposed size (Housing Element Policy 4.4) without knowing the actual number of permanent residents the Project will house. This conflict between the actual number of units versus the unknown potential number of residents is why CHA proposed a Conditional Use restriction expressly limiting the Project to single-occupancy units. The Planning Commission, however, failed to adopt this reasonable restriction that *might* have justified the Commission's Conditional Use analysis.

7. **Authorization of the Conditional Use Does Not Comport With Planning Code Sections 101.1(b) and 303(d) and the City's Housing Element.**

Before authorizing a Conditional Use, the Commission must determine that such use is consistent with the Priority Policies of Planning Code Section 101.1(b), the Conditional Use requirements of Planning Code Section 303(d), and the objectives and policies of the Housing Element. Here, the Commission determined the Project is consistent with these requirements. The Commission, however, failed to discuss issues CHA raised in its Public Comments that are necessary to determine Section 101.1(b), Section 303(d), and Housing Element compliance. Instead, the Motion identifies facets of the Project the Commission found support its approval

and ignores those that do not support approval. Rather than balancing the Project's effect on all City planning policies, the Commission cherry-picked those City policies that support approval of the Project. As a result, the Commission abused its discretion by failing to properly analyze and balance the Project in light of *all* the City's planning policies set forth in Planning Code Sections 101.1(b) and 303(d) and the Housing Element.

The following are aspects of the Project that are inconsistent with the Priority Policies of Planning Code Section 101.1(b), the Conditional Use requirements of Planning Code Section 303(d), and the objectives and policies of the Housing Element.

**A. The Size and Density of the Project Will Harm its TAY Residents and the Neighboring Community and Make it an Unsuitable Site to Meet the City's Affordable Housing Needs.**

1. The Project Will Pack Too Many Residents Into Inappropriately Small Units.

In violation of Planning Code Sections 303(c)(1) and 303(c)(2)(A), the Project is undesirable for its proposed TAY residents and incompatible with the neighborhood at its proposed size and intensity in its proposed location. If the Building were used for dwelling units, as opposed to group housing, current zoning would allow no more than 6 units. But the Project proposes to house at least 24 residents, their guests, and supervisors. Each resident unit will be only 143 square feet in size. Rather than create units of appropriate and reasonable size, the Project packs as many residents as possible into the Building in order to meet the Project's funding needs. This increased density will not benefit the Project's residents and will be a drastic change from the typical density in the neighborhood.

2. The Project Has Insufficient Kitchen Facilities.

The Project is also undesirable for its proposed TAY residents because the individual units lack kitchens. Instead, the Project will include one 73 square foot communal kitchen that is grossly inadequate in size for at least 24 residents' use. Residents will have no choice but to dine out in one of the City's more expensive neighborhoods or rely on the inexpensive, poor nutrition offered in convenience stores. As such, the lack of adequate kitchen facilities hinders the Project's goal of helping its young residents learn the necessary skills to transition into independent living. The Commission failed to address the sufficiency of the Project's kitchen facilities. Instead, the Motion, without analysis or evidence, merely concludes that "the existence of kitchen . . . will help to reduce the demand on street infrastructure." Motion at 12. Furthermore, the insufficient kitchen facilities raise the question whether the Project qualifies as group housing under Planning Code Section 890.88(b) because it does not provide either meals or individual cooking facilities.

3. The Project Has Insufficient Common Space to Accommodate Supportive Services Programming.

The Project is designed to help TAY residents successfully transition to independent living. TAY-specific affordable housing should provide services and programming on-site to

help residents become independent. On-site services are essential with this Project because few, in any, such services are available in the Building's vicinity. Unfortunately, because the Building is too small to accommodate the proposed number of units and residents, the Project includes insufficient non-dwelling common spaces to host the supportive services programming necessary to help its residents achieve their goals. The only space set aside at the Project to provide programming at is a 427 square foot "program room." The lack of space for supportive services programming makes the Building an inadequate and unsuitable site to meet the City's affordable housing needs, in violation of Housing Element Objective 1 and Policy 4.4.

**B. Even Though it is an Inappropriate Site For the Project at its Proposed Size and Density, the Project Sponsor Purchased the Building Without Investigating More Appropriate Alternative Sites in the Neighborhood.**

The Project Sponsor could have created a 24-unit TAY project that meets the Priority Policies of Planning Code Section 101.1(b), the Conditional Use requirements of Planning Code Section 303(d), and the objectives and policies of the Housing Element had it chosen an appropriate, alternative site. Appropriately zoned and sized buildings were, and are, available in District 2 for this Project. The Project Sponsor, however, has consistently refused to consider searching for a different site in the neighborhood more appropriate for the Project that would not require zoning changes. Instead, the Project Sponsor purchased the Building even though the Project conflicts with its zoning and is too small for its proposed use. Thus, while affordable TAY housing is a public necessity, locating this Project in this Building when more suitable sites were available is not.

**C. The Project and Its Conditional Use Authorization Lack Sufficient Guarantees That Appropriate Supportive Services Programming Will Be Provided to its TAY Residents.**

Other than providing affordable housing, the most important aspect of a TAY project is on-site social services programming, counseling, and support to help residents transition to independent living. Here, however, the Program Sponsor's operations plans are too vague and insufficiently developed to determine whether the residents will receive sufficient on-site support. The Program Sponsor's Application contains no details regarding the services it will provide and the Commission's Motion does not require on-site services. The Motion merely notes that the residents will "receive supportive services." Motion at 8. The Project Sponsor "has partnered with . . . Larkin Street Youth Services ["LSYS"] for client programming and service," which the Commission found will "provid[e] necessary client services and programming." Motion at 13.

Furthermore, in authorizing the Conditional Use, the Commission failed to ensure sufficient supportive services will be provided by the Projects Sponsor, LSYS, and/or its successors throughout the life of the Project. There is no requirement that the Project provide on-site support services. Also, as noted above, there is insufficient space on-site for such services. In addition, it is unclear whether residents who refuse to participate in required programming shall be allowed to continue to reside at the Project. Ultimately, if on-site services are not provided, or if residents fail to engage in them without consequence, the Project will fail

to satisfy Housing Element Policies 4.2 and 4.4: to provide suitable housing options for residents with special needs.

To ensure that such programming is actually provided through the life of the Project, CHA proposed a Conditional Use restriction to require the Project Sponsor list a minimum number of hours of on-site supportive services programming (broken out into TAY-relevant programming categories, e.g. employment skills, navigating higher education, nutrition/cooking, health, etc.) by a certain date and require it and/or its successors comply with those minimum hour requirements. CHA also proposed a restriction to create a community oversight and enforcement mechanism to ensure residents comply with any life plans LSYS counselors develop for residents. The Planning Commission, however, failed to adopt these restrictions that would ensure the Project's residents receive the on-site support they need to successfully transition to independent living.

**D. The Project Lacks Adequate Supervision and Security and Its Conditional Use Authorization Fails to Remedy This Problem.**

Planning Code Section 303(c)(2) requires the "use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity." The Project as planned, however, lacks an adequate level of adult supervision and security necessary to protect the safety and general welfare of the Project's residents and the surrounding community. The Project will house at least 24 full-time residents plus their regular guests (an unlimited number is allowed until 11:00 p.m.) and overnight guests (it is estimated that at least one-third of the 24 residents, who are allowed an overnight guest up to 14 nights per month, will have overnight guests). Thus, the number of occupants at night could be almost double the at least 24 residents and the number could be even higher during the day. However, the Project Sponsor proposes only one on-site supervisor between 9:00 p.m. and 9:00 a.m., insufficient supervision for at least 24 residents and their guests. The Project may require additional security because the Project includes no drug or alcohol testing and the Project Sponsor has no access to applicants' juvenile records and therefore cannot restrict residency to youth with no history of violence.

In its Public Comments, CHA informed the Commission that its security concerns are legitimate based on the experience at 864 Ellis Street, a similar 24-resident TAY project managed by LSYS. During the first 21 days of June 2010 alone, the police received 284 calls regarding the one-block area surrounding the project. The 864 Ellis Street project has significantly increased instances of crime, noise, and police calls in the surrounding neighborhood. Despite neighbors' legitimate security concerns, the Project Sponsor here has refused to consider increasing supervision and security staffing or reveal how it will address an increase in crime, should an increase occur. While the Project Sponsor and LSYS have stated the Project will have house rules, they have not indicated how those rules will be enforced or whether rule violations could be grounds for eviction.

Ignoring concerns that this high-density, low-supervision Project may harm the general welfare of the Project's residents and the Cow Hollow and Marina neighborhoods, the Commission found the "proposed project will not be detrimental to the health, safety,



convenience or general welfare of persons residing or working in the vicinity.” The Commission, however, based its conclusion on a cursory analysis of the factors set forth in Planning Code Sections 303(c)(2)(A)-(D), even though Section 303(c)(2) explicitly states that the health/safety/convenience/general welfare analysis “not [be] limited” to the four factors the Commission relied on.

To ensure that adequate supervision and security would protect the Project’s residents and the surrounding community, CHA proposed Conditional Use restrictions to require an adult manager employed by LSYS reside on-site in the manager’s unit and two adult supervisors be present on-site at all times. The Planning Commission, however, failed to adopt these restrictions. Instead, it ignored neighborhood concerns and, without analysis, assumed the Project’s proposed supervision and security proposals will be adequate.

**E. The Lack of Transparency Surrounding the Project’s Planning and Approval Process Violates the Housing Element’s Community Based Vision.**

Housing Element Objective 10 is to “ensure a streamlined, yet thorough, and transparent decision-making process.” Policies 10.1 and 10.2 enshrine this community based vision by requiring, in part, the “consistent application of” “clear community parameters for development” and the provision of “clear information to support community review.” While the planning and approval of the Project has certainly been streamlined, it has been far from transparent.

The Project’s planning began at the Mayor’s Office of Housing (“MOH.”) CHA is informed and believes MOH pre-selected the Building as the site for the Project when it learned of the Building’s availability and only afterward created the site selection process. Little information about the process was made public until after the Project’s location, Sponsor, and funding sources had been identified. CHA believes MOH and the Project Sponsor intentionally concealed the Project from the public in order to delay community input and/or opposition until many major planning hurdles had been cleared and the Project had gained significant momentum. For example, when MOH initially put out the Request For Quotation for the Project, it failed to provide adequate notice to the community: it only posted notice at City Hall and did not provide notice in a newspaper of general circulation. Because of the lack of transparency in the planning of the Project, the public, and the neighboring community in particular, was unable to review the project proposal in its early stages and therefore has understandably become mistrustful of the Project Sponsor and the Project. This scenario is precisely what Housing Element Objective 10 is designed to avoid.

**F. The Commission Could Not Have Made a Rational Decision on the Application Because the Project Sponsor Has Consistently Misrepresented the Type of Population the Project Will Serve.**

From the time the Project was first made public, the Project Sponsor has represented that the Project is affordable housing for 18 to 24 year-olds transitioning out of foster care. The Application, however, describes the planned residents differently: “The proposed project . . . will provide much needed housing and services for youths aged 18-24 that are at risk of homelessness.” The Project has also been characterized as a “TAY” project: the City defines

TAY broadly as any youth between 16 and 24. *Disconnected Youth in San Francisco* at 1. The Motion frequently describes the proposed residents as "transitional-age youth between the ages of 18 and 24 earning a maximum of 50% Area Median Income." Motion at 3. The Motion only mentions foster youth twice. See Motion at 8, 9.

Ultimately, it is unclear whether the Project will house youth transitioning out of foster care, formerly homeless youth, youth leaving the criminal justice system, or other low-income youth. Each of these populations has distinct housing and supportive services needs. Because the Project Sponsor has not been forthright regarding who will reside at the Project, it is impossible to determine whether the Project, and its supportive services, are appropriate for its eventual residents. It is also impossible to determine whether the Project will house incompatible youth populations together. Without knowing who the Project will house, the Commission could not accurately determine whether the proposed use meets Planning Code and Housing Element objectives. For example, the Commission could not determine whether the Project provides the appropriate unit type for the Project's particular target segment of need. See Housing Element Policy 5.4. This lack of transparency regarding the Project's target population is another example of how the Project's planning and approval process has alienated the neighboring community and failed the community based vision set forth in Housing Element Objective 10 and Policies 10.1 and 10.2.

CHA proposed Conditional Use restrictions to create certainty regarding the Project's future resident population and to ensure the Project houses youth transition out of foster care as the Project Sponsor has consistently represented to the public. Specifically, CHA proposed restrictions to either require the Project to only house youth transitioning out of foster care or to bar felons and probationers. But the Commission failed to adopt either of these restrictions despite the uncertainty regarding who will reside at the Project.

**G. The Commission Improperly Concluded the Project Will Not Impact Traffic Without Evidentiary Support.**

Planning Code Sections 101.1(b)(4) and 303(c)(2)(B) require an analysis of a proposed use's effect on traffic patterns. Here, the Commission found no impact on traffic based solely on the conclusion that "[d]ue to the required income level of residents, they are unlikely to own cars." Motion at 11. The Commission provided no evidence to support its conclusion. Instead it apparently assumed a direct correlation between income level and car ownership. By focusing solely on the Project's residents, the Commission also failed to consider the effect of employees and social service providers driving to the Project.

In contrast to the Commission's assumption, CHA, in its Public Comments, raised the concern that increased density at the Project will lead to increased traffic. It also noted that the current Doyle Drive replacement project and the America's Cup will already greatly impact neighborhood traffic. The Project's added density, along with commuting by its residents, employees, and support providers, will only exacerbate these traffic problems. Rather than address CHA and other neighborhood concerns, the Commission simply came to its own conclusion on traffic impacts with no evidentiary support. By doing so, the Commission failed

to properly address whether the Project complies with Planning Code Sections 101.1(b)(4) and 303(c)(2)(B).

**H. The Commission Improperly Failed to Analyze the Project's Effect on Local Retail Businesses.**

Planning Code Section 101.1(b)(1) requires an analysis of whether existing neighborhood-serving retail uses will be preserved and enhanced. Here, the Commission found that the increase in number of residents at the Building<sup>1</sup> would increase business vitality on evenings and weekends. Motion at 14; *See also* Motion at 16. The Commission provided no evidence to support its conclusion. Instead it apparently assumed a direct correlation between the number of neighborhood residents and increased neighborhood retail sales, without considering whether the Project's residents are the target consumer group of neighborhood businesses. In contrast to the Commission's assumption, CHA, in its Public Comments, raised the concern that the loss of the Building as a tourist hotel (its most recent use) will harm neighborhood businesses by eliminating a steady stream of tourist consumers. By failing to address neighborhood business concerns and instead reaching its own conclusion with no evidentiary support, the Commission failed to properly address whether the Project complies with Planning Code Sections 101.1(b)(1).

**I. The Commission's Analysis of the Building's Historical Character is Flawed.**

Planning Code Section 101.1(b)(7) and Housing Element Policy 11.7 require that landmarks and historical buildings be preserved. The Building here was designed by noted San Francisco architect Charles J. Rousseau in conjunction with the 1915 Panama Pacific International Exposition, which led to the development of the Marina district. It is one of the last remaining buildings from the Panama Pacific International Exposition. The Building retains the character and appearance of its original design and, contrary to the Project Sponsor's claims, it was never altered to the extent represented.<sup>2</sup> Unfortunately, the Project calls for significant alteration of the Building's façade.

Rather than independently determining whether the Building is historic under Planning Code Section 101.1(b)(7), the Commission relied solely on a summary determination of the Project Sponsor's Historic Resources Evaluation Report that the building is neither a historic resource nor listed on standard lists of historic structures. Motion at 10. CHA, however, believes the building is a historical resource to the City and the Marina and Cow Hollow neighborhoods and should be protected from the Project's planned alterations.

**J. The Commission's Seismic Analysis is Flawed and Insufficient.**

Planning Code Section 101.1(b)(6) requires "the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake." Rather than

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<sup>1</sup> The Commission's assertion here that the number of residents at the Building will increase under the Project contradicts its assertion elsewhere in the Motion that "the overall number of people occupying the group housing use is expected to be less in comparison to the previous tourist hotel use." Motion at 6.

<sup>2</sup> CHA has been unable to locate permits for any cutback to the Building.

independently analyze whether the Project and/or Building is seismically safe, the Commission simply noted: "Development pursuant to the project must meet current Building Code requirements." Motion at 17. Because no final Mitigated Negative Declaration under CEQA had been adopted when it considered the Application, the Commission could not thoroughly consider the Project's seismic and other environmental issues. And by failing to engage in a seismic analysis, the Commission ignored the location's particular seismic issues.

A geotechnical report on file with the City for a project at 2395 Lombard Street, directly across the street from the Building, illustrates the potential seismic problems at the Building. That report found significant portions of the soil under that site are anticipated to liquefy below the groundwater table. The report's analysis suggests that differential settlements as large as 5 inches could occur at the site during an earthquake. No analysis has been presented that shows whether the Building would withstand such liquefaction. By authorizing the Conditional Use without a final CEQA document and with no independent seismic analysis, the Commission failed to properly address whether the Project complies with Planning Code Section 101.1(b)(6).

**K. The Commission Improperly Authorized the Conditional Use Even Though Much of the Project is Inaccessible to People With Disabilities.**

Currently, the Building has a wheelchair accessible entrance, but no elevator. The Project proposes to install a Limited Use Limited Access elevator that would travel from the basement to the second floor, where the Project Sponsor plans to locate four ADA-compliant units. The third floor, however, will be inaccessible to wheelchair users. The lack of access to the third floor is particularly troubling because residents will need access to all parts of the Building due to the Project's lack of common space.

**8. The Commission Improperly Failed to Address the Inherent Conflict Between Permanent Housing and Housing for Transitional Aged Youth.**

The Project is designed to be permanent affordable housing for youth between 18 and 24 years-old. There is, however, a fundamental conflict between housing designed for youth *up to a particular age* and permanent housing with eviction control. Permanent affordable housing is undoubtedly a major goal of the City's Housing Element. But, permanent housing for individuals up to age 24 is inherently incongruous. If the housing is permanent, residents cannot be asked to leave upon their 25th birthday. The result is housing that is not solely for youths under 25. There is a serious risk that once the Project is fully occupied, current residents will not cycle out to make room for additional TAY residents. After several years, the Project could be at full capacity with only residents over the age of 24. While this result would be consistent with the City's general affordable housing goals, it would contradict the Project's stated proposed use as affordable TAY housing.

In its Motion, the Commission appears to attempt to address this inherent contradiction in a single sentence: "Most youth in permanent supportive housing are eager to transition to fully-independent living situations." Motion at 9. The Commission, however, provides no evidence for this conclusion. To the contrary, it is difficult to imagine that anyone earning a maximum of

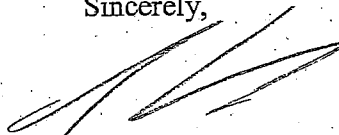
50% Area Median Income would be eager, or able, to give up an affordable housing unit in increasingly expensive San Francisco.

Despite this concern, the Commission authorized the Conditional Use for permanent group housing for 18 to 24 year-olds, with no guarantee in the Project's plans that older residents will transition out to make room for additional TAY residents. The Project Sponsor claims it will try to transition residents out, but neither its Application nor the Commission's Motion contains a specific plan to do so. Because this contradiction lies at the Project's core, the Commission should have analyzed it before authorizing a use that may be infeasible. To remedy this problem, CHA proposed a Conditional Use restriction to require the Project Sponsor to create a detailed plan to encourage residents to actually transition out before their 25th birthdays and to require the Project Sponsor comply with that plan. CHA also recommended that such a restriction address rent and eviction control barriers to such a plan. The Commission, however, authorized the Conditional Use with no restrictions that would ensure the use remain feasible in the long term.

### Conclusion

Based upon the foregoing reasons in support of its appeal, CHA respectfully requests the Board of Supervisors disapprove the Planning Commission's Motion No. 18405 Authorizing the Conditional Use Requested in Application No. 2010.0420C. In the event the Board of Supervisors approves the Planning Commission's action, CHA requests that it prescribe in its resolution the restrictions CHA has suggested to secure the objectives of the Planning Code.

Sincerely,



Adam Polakoff  
Attorney for Cow Hollow Association

encl.: Cow Hollow Association's Public Comments on Proposed Planning Code Text  
Amendment and Zoning Map Amendment to Establish the Lombard and Scott Street Affordable  
Group Housing Special Use District  
Cow Hollow Association's Proposed Conditional Use Restrictions

cc: Lori Brooke, President Cow Hollow Association  
John Millar, President Marina Community Association  
Alex Feldman, President Marina Merchants Association  
Patricia Vaughney, President Marina Cow Hollow Neighbors and Merchants  
Lesley Leonhart, President Union Street Merchants Association

# EXHIBIT A



## Hammond LAW

1829 Market Street, San Francisco, CA 94103  
phone: 415-955-1915 fax: 415-955-1976

July 7, 2011

**Via Email & Facsimile Delivery**

Planning Commission  
San Francisco Planning Department  
Attention: Sara Velve  
1650 Mission Street, Suite 400  
San Francisco, California 94103

Re: 3151 - 3155 Scott Street – Case No. 2010.0420E  
Cow Hollow Association's Public Comments on Proposed Planning Code Text  
Amendment and Zoning Map Amendment to Establish the Lombard and Scott  
Street Affordable Group Housing Special Use District

Dear Ms. Velve:

We write regarding the Planning Commission's July 14, 2011 public hearing on a proposed Planning Code Text Amendment and Zoning Map Amendment (the "Proposed Ordinance") to establish the Lombard and Scott Street Affordable Group Housing Special Use District (the "SUD") at 3151 – 3155 Scott Street (formerly the Edward II Inn). This office represents the Cow Hollow Association (CHA), a long-standing organization that represents the interests of approximately 1,800 residents, homeowners, tenants, business owners, and concerned citizens in forty-eight blocks demarcated by Lyon, Pierce, Greenwich, and Pacific Streets. CHA is dedicated to the enhancement and preservation of the residential character and quality of life of the Cow Hollow neighborhood and therefore has an interest in whether the SUD is appropriate for its proposed location. We hereby submit CHA's public comments regarding the Proposed Ordinance.

The following neighborhood associations join in submitting these written comments:

- Marina Community Association
- Marina Merchants Association
- Marina Cow Hollow Neighbors and Merchants
- Union Street Merchants Association

Included with these written comments is a petition opposing the Proposed Ordinance with the signatures of over 425 residents and merchants who live and work in the area and who are directly impacted by the SUD and the proposed project.

1. Introduction.

As an association and a community, we recognize that transitionally-aged youth ("TAY") need and deserve special living accommodations and understand that a small, economically-practical, well-managed, and appropriately-located housing facility is a necessary component for youth transitioning out of foster care and other difficult circumstances. In fact, District 2 is proud to soon have a TAY housing project at the Booker T. Washington, located at 800 Presidio Avenue. However, we believe that any TAY housing project must meet the highest standards from initial funding and planning through execution in order to ensure that the target population is appropriately served and the surrounding community is not unduly impacted. We would support such a facility, but cannot and will not accept a project that fundamentally fails to address basic questions related to density, crime, supervision and security, nearby crime-afflicted areas, lack of common space, loitering, traffic, parking, public transit, local economic impact, historical preservation, and the precedent for poor planning.

The Proposed Ordinance is particularly unwarranted because Community Housing Partnership ("CHP"), sponsor of the project at issue, has failed to present sufficient evidence for the Planning Commission to find that the public necessity, convenience, and general welfare require it to create the SUD. Furthermore, CHP has provided no justification for why creating an overcrowded housing project that has no common areas for delivery of social services and that will negatively impact the neighborhood would benefit the TAY residents, the neighborhood, or the City.

2. CHP Has Failed to Show Why Public Necessity, Convenience, and General Welfare Require the Planning Commission to Affirm the Proposed Ordinance.

Under Section 302(c) of the Planning Code, the Planning Commission may only approve the Proposed Ordinance if it "finds from the facts presented that the public necessity, convenience and general welfare require" it do so. This same standard applies to any decision the Board of Supervisors make regarding the Proposed Ordinance. Furthermore, the Planning Code allows for the creation of SUDs "in order to carry out further the purposes of [the Planning Code]."<sup>1</sup> CHP has not presented sufficient evidence for the Planning Commission to find that

<sup>1</sup> According to its Section 101, the "City Planning Code is adopted to promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare, and for the following more particularly specified purposes:

- (a) To guide, control and regulate future growth and development in accordance with the Master Plan of the City and County of San Francisco;
- (b) To protect the character and stability of residential, commercial and industrial areas within the City, and to promote the orderly and beneficial development of such areas;



“the public necessity, convenience and general welfare require” it to create this SUD. CHP cannot explain why it chose a building that has no rear yard or sufficient useable open space to meet current zoning requirements. In its application for the amendments covered by the Proposed Ordinance, CHP does not provide sufficient evidence why 25 units, rather than 16 units, are necessary for its project, let alone for the public necessity, convenience and general welfare. CHP states in its application that developing fewer bedrooms “would make the project financially infeasible due to resulting decreases in available funding.” This single, conclusory statement is insufficient evidence for this Commission to find that this SUD is necessary.

This SUD is unnecessary because we believe properly-zoned buildings are available for this Project in District 2. However, CHP has consistently refused to consider searching for a site within the neighborhood that is more appropriate for the Project and would not require zoning changes. Instead, CHP purchased the Edward II Inn despite the fact that the Project conflicts with its zoning and other buildings in District 2 would have been more appropriate. Thus, while TAY housing may be a public necessity, locating this particular Project at this particular location in spite of its inconsistency with local zoning is not.

While we understand the need for TAY housing and welcome an appropriate facility in our neighborhood, the Edward II Inn was an unjustifiable choice and requires an unusual amount of legislative action to make the Project feasible. It is not the City's obligation and the neighborhood's burden to change existing zoning laws to accommodate a project that was economically unfeasible from the start. Rather than to further the purposes of the Planning Code, this SUD has been proposed to ensure that an individual organization can make its project economically feasible without regard to existing zoning and the planning that went into creating that zoning. Good governance requires that elected and appointed officials adhere to the land use standards all San Franciscan's must follow.

3. The True Purpose of the Proposed Ordinance is to Allow CHP to Profit From a Poorly-Planned Project.

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(c) To provide adequate light, air, privacy and convenience of access to property, and to secure safety from fire and other dangers;

(d) To prevent overcrowding the land and undue congestion of population; [and]

(e) To regulate the location of buildings and the use of buildings and land adjacent to streets and thoroughfares, in such manner as to obviate the danger to public safety caused by undue interference with existing or prospective traffic movements on such streets and thoroughfares.

In truth, this SUD has not been proposed to further the purposes of the Planning Code. Rather, the sole purpose of the Proposed Ordinance is to ensure that CHP obtains the Conditional Use Authorization it needs to convert the Edward II Inn into a TAY group housing and services project containing up to 24 group housing units and one manager's unit (the "Project.") The Proposed Ordinance's text makes this explicit: it describes itself as an ordinance to create the SUD "in order to facilitate the development of an affordable group housing project."

The Edward II Inn is currently zoned NC-3, Moderate-Scale Neighborhood Commercial District, which would limit the Project to 16 group housing units. However, CHP did not plan a 16 unit TAY project for the Edward II Inn or search for a nearby site currently zoned for a 25 unit project. Instead, CHP purchased the Edward II Inn with full knowledge that it would require the creation of this SUD to allow it to avoid compliance with density restrictions as well as to eliminate the current zoning requirements of a rear yard that is at least 25% of the depth of the property (but no less than 15 feet) and a usable open space of approximately 35.5 square feet per bedroom.

CHP claims it chose the Edward II Inn because it was vacant, yet other more finished buildings were available in the neighborhood at a much lower total price and that would require no zoning changes. While the total Project cost is \$9.1 million, CHP purchased the Edward II Inn for only \$3.45 million. We believe that CHP has an interest in making the project more expensive because its private, for-profit investors, who provide additional funding for the Project, will receive a 9% after-tax credit on their investment for 10 years. This tax credit, however, requires that CHP pursue this SUD in order to lower the price per unit. Still, the cost per unit is astronomical compared to that of comparable projects.

It may be worthwhile to create an SUD to help a non-profit organization create an appropriate low-income housing project. While CHP is a non-profit, its ultimate motivation is profit for its for-profit investors. The Project's proposed TAY residents will be overcrowded in a building with no common areas for social service programming and the neighborhood will pay the price for such overcrowding. The only winner here will be CHP's investors. As such, we do not believe CHP should be given any special consideration in this matter, especially because it will also profit in the long term when it owns the building outright.

Furthermore, we are concerned that CHP, which owns, operates, or serves 738 units of permanent supportive housing with an additional 287 units due to open in the next few years, has not submitted to the guidelines and requirements set forth in Planning Code Section 304.5 for the development and implementation of an Institutional Master Plan ("IMP"). The purpose of an IMP is to "provide notice and information to the Planning Commission, community and neighborhood organizations, other public and private agencies and the general public as to the plans of each affected institution at an early stage, and to give an opportunity for early and meaningful involvement of these groups in such plans prior to substantial investment in property acquisition or building design by the institution." An IMP would allow the Planning Commission, Planning Department, Board of Supervisors, and neighborhood to better understand the full impact that the SUD and Project will have on the surrounding neighborhoods.

4. In Addition to Not Benefiting TAY Residents, the Proposed Ordinance Would Harm the General Welfare of the City and This Neighborhood.

A. The Size and Density of the Project Will Harm the TAY Residents and Community.

We believe that the Project as planned is simply too big for the proposed TAY residents and the neighborhood. If the Edward II Inn was used for permanent residences, current zoning would allow no more than 6 residential units. But if the SUD and the Project are approved, the Edward II Inn will house 24 residents, their guests, and supervisors. The "bonus density" laws at the State level allow for a 35% density increase over existing zoning. Even under that added density standard, only 21 units of group or 8 units of residential housing would be allowed. Furthermore, we question whether the Project would actually be "group housing," because the Project contains no meal plan and a kitchen too small for institutional cooking. Larkin Street Youth Services ("LSYS") admits that residents will be forced to cook meals in their rooms using microwaves and hot plates. The Project will be no more than a warehouse for as many TAY residents CHP can fit in, with no room for supportive services on site or recreation areas. The increased density allowed under the SUD will not benefit the Project's residents and will be a drastic change from the typical density in the neighborhood, which, along with the change in use from a tourist hotel to a group home facility, constitutes a significant alteration to the character of the neighborhood.

B. The Project Lacks Adequate Supervision and Security.

Furthermore, the Project as planned lacks adequate security and the necessary level of around-the-clock adult supervision and guidance that at-risk youth require. The Project will house 24 full-time residents plus their regular guests (an unlimited number is allowed until 11:00 p.m.) and overnight guests (it is estimated that at least one-third of the 24 residents, who are allowed an overnight guest up to 14 nights per month, will have overnight guests). Thus, the number of TAY occupying the facility at night could be almost double the 24 full-time residents and the number could be much higher during the day. CHP admits no drug or alcohol testing will be required as a condition of occupancy. Furthermore, CHP and LSYS have no access to the juvenile records of the Project's applicants and thus cannot ensure that the Project only houses residents without a history of violence. This is a genuine concern because the purpose of the Project is to house "at risk" young adults.

CHP's proposal is for one on-site supervisor between 9:00 p.m. and 9:00 a.m. This is insufficient for 24 full-time, at-risk residents plus their guests. The effect of such lack of supervision is evident at 864 Ellis Street, a similar facility for 24 young adults, managed by LSYS. During the first 21 days of June 2010 alone, 284 police calls were made to a one-block area around this address. That facility has exponentially raised the level of crime, noise, and police calls for the neighborhood. CHP, however, refuses to commit to changes in staffing or supervision or address how it will deal with any increases in crime here. A smaller facility with adequate around-the-clock staffing would be acceptable, but we believe the high-density, low-

supervision model CHP and LSYs propose will cause serious problems to the general welfare of the Cow Hollow and Marina neighborhoods and their residents.

C. The Project is Located in an Unsafe Location for TAY Residents.

The Edward II Inn site is particularly inappropriate for this Project, and therefore the SUD, because there is a similar group housing center located a block away (the Bridge Motel) that has become a source of serious concern to the City and the neighborhood. The City Attorney has declared it a public nuisance and it requires significant police and social services involvement on a daily basis. While the Project proposal admits that the Bridge Motel represents a significant source of concern for the neighborhood, CHP is unwilling to initiate preventative measures in place to prevent the Project from experiencing similar crime problems. While we hope this project would be better run and supervised than the Bridge Motel, the community deserves assurances that the Project will not be a repeat of the problems at the Bridge Motel. Furthermore, it is unnecessary and inappropriate to house the proposed TAY residents of the Project on the Lombard Street corridor, which is plagued with crime issues. Putting at-risk young adults in close proximity to the Bridge Motel and SRO/motels regularly investigated by police vice officers will expose them to drugs, alcohol, prostitution, and other criminal elements.

D. The SUD Allows the Project to Have Insufficient Common Areas For the TAY Residents and Will Result in Increased Loitering.

The SUD would also be detrimental to the Project's TAY residents because it allows greater density in the building while eliminating common area and yard requirements. Added density should require an *increase* in common area and yard requirements. Instead, the Project will lack adequate common and outdoor areas and include a kitchen too small for the number of residents to store food or eat. There will be insufficient space for social service programs. Because the SUD eliminates the current zoning requirement of a rear yard, the residents and their guests will have no outdoor recreation space on-site other than the front sidewalk. The lack of outdoor space and common rooms for programming leave the young residents either trapped in their rooms, which will have sealed windows to meet the City's noise standards, or out on the street. The likely outcome is an increase in loitering near the Project, to the detriment of pedestrians and the neighborhood in general.

E. The SUD Allows the Project to Negatively Impact Traffic, Parking, and Public Transit in the Area.

We believe the SUD will negatively impact traffic, parking, and public transit in this corner of the City. The SUD and Project do not call for additional loading zones, drop-off zones, curb cuts, or parking despite the allowed increase in density and usage. Moreover, the current Doyle Drive replacement project will divert thousands of additional cars onto Lombard Street over the next 3 to 4 years. Coinciding with construction, the America's Cup will significantly impact traffic congestion in the Cow Hollow and Marina neighborhoods. This corner of the City

is facing a dramatic increase in traffic and its related environmental and health problems in the coming years. Adding density under the SUD, without added parking for the additional residents and their counselors and teachers, would only exacerbate these problems.

If, as CHP claims, the Project's residents do not own or drive cars, the increased density allowed under the SUD could create a burden on already over-crowded MUNI lines. If the tenants will be working, going to school, and participating in community activities, they will likely be heavy transit users. This is particularly true because there are few similar facilities close by and the SUD allows the Project to contain insufficient space for supportive programming so residents will have to commute across town to utilize resources designed to support them. By increasing density without mitigating parking, traffic, and public transit issues, the SUD will hurt the general welfare of this corner of the City.

F. Local Businesses Will Be Harmed By the Loss of Tourist Dollars.

As described above, the SUD and the Project in general would adversely affect the welfare of the Cow Hollow and Marina neighborhoods because the Project is too big and dense, provides inadequate supervision of residents, risks increased crime and loitering, is poorly located, lacks common areas, and will increase traffic, parking, and transit problems. In addition to the problems associated with what the SUD and the Project will create, the community will be negatively affected by losing the current use of the Edward II Inn. The Cow Hollow and Marina districts require a mix of commercial businesses, hotels, and residential units to bring vitality and commerce to the neighborhood's commercial areas that are already greatly impacted by the current poor economic climate. The Project, however, would remove a tourist hotel that provided needed consumers to neighborhood businesses. The area needs more, not less support for its local businesses.

E. The SUD Allows the Project to Harm a Historically Significant Building.

Additionally, the building currently housing the Edward II Inn holds great cultural and historical significance to the neighborhood and the City. It was constructed in conjunction with the 1912 Panama Pacific International Exposition and the opening of the Golden Gate Bridge, which led to the development of the Marina district. It is one of the last remaining buildings from that era. Unfortunately, the Project calls for the destruction or significant alteration of the building and/or its façade. The City should not allow this important vestige of its history to be altered in order to give special consideration to a poorly-planned and located project that poses legitimate risks to the community's welfare.

5. The Proposed Ordinance, if Passed, Sets a Dangerous Precedent for Neighborhood and City-wide Planning.

If approved, this SUD would create a precedent for developers to plan and invest in projects that do not meet zoning requirements and, with the help of political clout, employ SUDs to circumvent the applicable zoning laws to make their projects economically feasible. This

Commission should avoid implementing increased high-density housing through what amounts to spot zoning. In particular, allowing exemptions for density, parking, and open space for the Edward II Inn could set a precedent for similar one-building SUDs in this neighborhood and the Lombard Street corridor in particular. The purpose of the Planning Code and this Commission is to prevent piecemeal planning that would detrimentally alter the characteristics of the City's neighborhoods. The proper way to create TAY or other low-income or supportive housing in this neighborhood is to choose an appropriate site that meets density and other zoning requirements that have long been deemed proper for the area.

6. Conclusion.

The Cow Hollow Association, the Marina Community Association, the Marina Merchants Association, the Marina Cow Hollow Neighbors and Merchants, and the Union Street Merchants Association, along with hundreds of individuals, oppose the Proposed Ordinance because CHP has failed to show how it furthers the purposes of the Planning Code or satisfy the Code's requirement that the public necessity, convenience, and general welfare require it. Rather, the Proposed Ordinance would harm the welfare of the neighboring community and is unnecessary because CHP did not need to choose this size and location for the Project. Instead, the sole purpose of the Proposed Ordinance is to ensure that CHP obtains the Conditional Use Authorization it needs for the Project, which would be economically unfeasible under the site's current zoning. Furthermore, we oppose the Proposed Ordinance and the Project in general because they fail to address basic questions related to density, crime, supervision and security, nearby crime-afflicted areas, lack of common space, loitering, traffic, parking, public transit, local economic impact, and historical preservation. Finally, approval of this SUD would create a bad precedent for poor piecemeal planning in this neighborhood and across the City. We would welcome a small, economically-practical, well-managed, and appropriately-located TAY housing facility in our community. This Project, however, does not meet that reasonable standard.

Very truly yours,

-s/-

Steven L. Hammond  
Attorney for Cow Hollow Association

encl. Petition opposing Proposed Ordinance with signatures of residents and merchants who live and work in area and are directly impacted by the SUD and Project.

cc: Cow Hollow Association  
Golden Gate Valley Association  
Marina Merchants Association  
Marina Cow Hollow Neighbor and Merchants Group

Marina Community Association  
Union Street Merchant Association  
Linda Avery  
John Millar, MCA  
Patricia Vaughey, MCHNM  
Lesley Leonhardt, USMA  
Alex Feldman, MMA  
Mayor Edwin M. Lee  
Supervisor Mark Farrell  
Supervisor David Chiu

## NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.04507Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

The Mayor's Office of Housing and other third parties, who have no established connection or relationship to the neighborhood and who stand to receive substantial private financial benefits, have requested a single parcel Special Use District. The creation of a Special Use District circumvents city zoning and planning guidelines, contradicts the city's master plan, and does material damage to the surrounding neighborhoods and businesses. The use of spot-zoning on behalf of a specific project sets a dangerous precedent for the neighborhood and the city of San Francisco. Good governance requires that elected and appointed officials of the City and County of San Francisco adhere to the land use standards that ALL San Franciscans must observe.

The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
<i>[Signature]</i>	155 Alhambra St	415 921 5712	downd@att.com
<i>[Signature]</i>	126 Alhambra St	(415) 929-098	
<i>[Signature]</i>	186 Alhambra St	(415) 929-1098	
<i>[Signature]</i>	1731 Chestnut St	415 921 5778	
<i>[Signature]</i>	139 Alhambra Street	415 921-2045	
<i>[Signature]</i>	188 Alhambra Street	415 474-1483	ONEK9Lima@aol
<i>[Signature]</i>	180 Alhambra St	(415) 474-1483	
<i>[Signature]</i>	130 Alhambra St	(415) 921-1980	
<i>[Signature]</i>	151 Alhambra St	(415) 587-2860	



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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
1. William J. Reynolds	142 Alhambra Street	415 614 2612	willj@earthnet
2. Peter Q. Fogarty	142 Alhambra St.	415 614 2612	
3. Jeff M. ...	149 HARBOR ST.	415 771 1111	SBSVSWINT@YAHOO.COM
4. Stephen J. Brandt	116 Alhambra St	415 922-5513	
5. Stephen J. Brandt	116 Alhambra St	415-922-5513	
6. Frank ...	167 Alhambra St	415-771-0216	
7. ...	157 Alhambra St	415 746-5325	
8.			
9.			

## NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.0450TZ)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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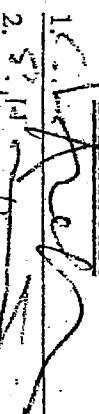
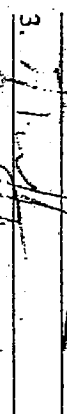
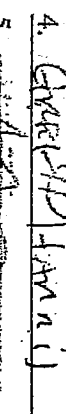


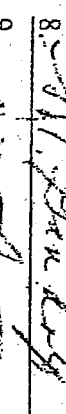

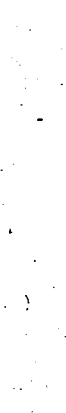

SIGNATURE	ADDRESS	PHONE	EMAIL
<i>[Signature]</i>	9942 15th St	562-7152	off. NA
<i>[Signature]</i>	1912 4th St	410-6826	Kilborn@Edmire.com
<i>[Signature]</i>	5536 Scott St	832-6605	get2em@gmail.com
<i>[Signature]</i>	2405 Beach St	953-0004	ford@500@hotmail.com
<i>[Signature]</i>	3835 Scott		
<i>[Signature]</i>	8415 Marin Blvd	776-7150	news@ST8.org
<i>[Signature]</i>	21 Madonna way	923-1392	
<i>[Signature]</i>	315 Avila Street	987-9835	andrew@andregmail.com
<i>[Signature]</i>	1630 Beach St. #202		McDune@ATL.com

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.0450TZ)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

The Mayor's Office of Housing and other third parties, who have no established connection or relationship to the neighborhood and who stand to receive substantial private financial benefits, have requested a single parcel Special Use District. The creation of a Special Use District circumvents city zoning and planning guidelines, contradicts the city's master plan, and does material damage to the surrounding neighborhoods and businesses. The use of spot-zoning on behalf of a specific project sets a dangerous precedent for the neighborhood and the city of San Francisco. Good governance requires that elected and appointed officials of the City and County of San Francisco adhere to the land use standards that ALL San Franciscan's must observe.

The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
	3340s PEREZ	9226221	
	2524 Lombard St	624-4905	
	3524 Paris	413.5227	
	3553 Scott	971-2487	
	2240 NORTH BOLT ST	640.2968	friscaplan@gmail.com
	1870 S 10th Street	408-344-7284	
	20934 Broadway	567-4481	
	3427 Alameda	511-7709	
	2262 BAY ST		

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.04507Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

*Print Name PLEASE*

SIGNATURE	ADDRESS	PHONE	EMAIL
<i>[Signature]</i>	3203 Scott St	911 374-9912	<i>Halverson@oppl.com</i>
<i>[Signature]</i>	2044 19th Ave	415 451-1245	<i>chris@oppl.com</i>
<i>[Signature]</i>	3257 Noriega St	415 326-1239	
<i>[Signature]</i>	7700 15th St	415 914-5857	
<i>[Signature]</i>	8400 Lombard St	545 4477	
<i>[Signature]</i>	2500 29th Ave	312-41909	
<i>[Signature]</i>	2190 Bolinas St	415 836-2400	
<i>[Signature]</i>	2411 Chestnut St	415-447-7657	<i>esher@oppl.com</i>
<i>[Signature]</i>	2411 Chestnut St	415-302-1042	

*Print Name PLEASE*

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.0450TZ)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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P R I N T N A M E S T A N L E W

The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. J. Weber	3171 BAY ST, NB 3	5F 94123	445-9222 484-981-8989
2. M. Garcia	3501 AUBURN ST, S.F. CA 94118	415-499-22	415-499-66
3. Larry Keys	685 SHOOTER STREET #305	415-986-0225	
4. [Signature]	143 AVILA ST S.F. CA 94103	710-8601	
5. [Signature]	1318 BROADWAY S.F. CA 94109	A-KALAMALO	
6. [Signature]	1518 BROADWAY S.F. CA 94109	415-354-4341	
7. [Signature]	30 CALHAST, S.F. CA 94133	415-346-5704	— 0 —
8.			
9.			

P R I N T N A M E S

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.04507Z)

*MW*

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
<i>[Signature]</i>	1916 JACKSON ST, SF, CA 94109	415-3571322	
<i>[Signature]</i>	2917 JACKSON ST 94115		
<i>[Signature]</i>	2045 VAN NESS AVE, Apt 10 SF, CA 94123 (917) 609-0004		
<i>[Signature]</i>	835 FILBERT ST #201 SF CA 94109		
<i>[Signature]</i>	48 Colma Sp Ca. 94123		
<i>[Signature]</i>	619 Marina Blvd 94123 415-205-0742		
<i>[Signature]</i>	1822 FILBERT ST SF 94123 415-6737341		
<i>[Signature]</i>	2016 Greenwich St SF 94123 415-928-2120		
<i>[Signature]</i>	2139 Green St SF CA 94123 415-3590293		

## NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.04507Z)

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

	SIGNATURE	ADDRESS	PHONE	EMAIL
1.	<i>Sharon Kelly</i>	2240 Lombard St Apt 202	921-5638	
2.	<i>Glenn Bell</i>	329A Infantry Terrace	447-0527	
3.	<i>Johnathan Arnautov</i>	2424 Lombard St.	771-5786	
4.	<i>Johnathan Arnautov</i>	45 W. Clay St. SF	386-3865	
5.	<i>Johnathan Arnautov</i>	2323 Divisadero St SF	503-1824	
6.	<i>Maly Singh</i>	152 Lombard St SF	415-794-1792	
7.	<i>Maly Singh</i>	152 Lombard St SF	415-844-0900	
8.				
9.				

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.04507Z)

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**ANNE PEREIRA**

The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
<i>[Signature]</i>	154 Malabar Way #5 SE CA 94123	415-690-9722	lizmenderson@gm.com
<i>[Signature]</i>	154 Malabar Way #5 SE CA 94123	415-744-1003	lizmenderson@gm.com
<i>[Signature]</i>	3238 Scott St	415-567-0760	
<i>[Signature]</i>	1334 Bush St	415-971-0908	celia@concourseinc.com
<i>[Signature]</i>	1410 Steiner St	415-971-0908	
<i>[Signature]</i>	2248 Francisco St	415-971-0908	
<i>[Signature]</i>	3060 Pierce St	415-971-0908	
<i>[Signature]</i>	3345 Fillmore St #102	415-713-9861	jgiamini@yale.edu



TOODYS CASE

# NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.04507Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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WENDY NUAVE

The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <del>Wendy Nuave</del>	2229 Chestnut		810 PIER ST G. MAIL. COM
2. <del>Wendy Nuave</del>	3151 SCOTT Street #202	415-312-8794	
3. <del>Wendy Nuave</del>	3125 SCOTT	921-0576	copy nuave@sfplanning.net
4. <del>Wendy Nuave</del>	3349 Pierce	415-922-6221	
5. <del>Wendy Nuave</del>	3316 Lombard	415-272-5541	
6. <del>Wendy Nuave</del>	44 Convent St #102	415-931-9035	
7. <del>Wendy Nuave</del>	44 Convent St #102	415-931-4135	
8. JONATHAN CHENOMY	1335 UNION ST #9		
9. <del>Wendy Nuave</del>	1402 Harrison	290 5690	

# NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.0450T2)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
1. <i>[Signature]</i>	2889 24th St #5 SF CA 94110	(415) 602-2004	SMONAGHAN@GCI
2. <i>[Signature]</i>	3615 Divisadero St SF CA 94133	415-205-5442	MRS@LEWISFRANCISCANLIBRARY
3. <i>[Signature]</i>	345 Pleasant St Unit 2 CA 94118	415-246-4034	MURKIN@SFPD.PA
4. <i>[Signature]</i>	3501 Divisadero Ct #20 CA 94123	415-924-5691	
5. MARK BURNHAM	3208 Fillmore St CA 94123	(415) 300-6258	
6. <i>[Signature]</i>	2464 Chestnut St SF CA 94133	415-233-5511	mag-nt@pacbell.com
7. <i>[Signature]</i>	371 Miller St #3 SF CA 94117	415-845-5436	
8. <i>[Signature]</i>	2443 Fillmore CA 94115		webberent@20yahr.com
9. <i>[Signature]</i>	400 Avila St CA 94123	(650) 650-1300	asc@mclemore.com

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.0450TZ)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and **NOT** establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
1. <i>[Signature]</i>	1560 FRANCIS ST. #29	415-722-1709	Molly-Hayden@yahoo.com
2. <i>[Signature]</i>	3454 Intensity St	415-613-8573	liz_brahmandykhov@gmail.com
3. <i>[Signature]</i>	440 42nd Ave SF	075-890-2788	SMOCHALEK324@yahoo.com
4. <i>[Signature]</i>	104 Acton Way SF	415-409-1802	elliequinn@gmail.com
5. <i>[Signature]</i>	1708 BUCHS APT 7	415-829-7314	rn.sarah@gmail.com
6. <i>[Signature]</i>	268 Sacramento St.	415-345-8843	jenifer.d.peters@gmail.com
7. <i>[Signature]</i>	2327 BAY ST	415-706-4127	derek@thornhill.com
8. <i>[Signature]</i>	Blind Chestnut St	415-233-5570	mag-mit@gmail.com
9. <i>[Signature]</i>	2512 OCTAVIA STREET	415-533-5852	teddy@gal.com
10. <i>[Signature]</i>	3119 Broadway St	415-928-4949	none

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.04507Z)

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <i>[Signature]</i>	3445 Scott St 94123	831.675.3144 x101	LMHY22@gmail.com
2. Heidi von Almon	9740 Filbert St 94123		
3. <i>[Signature]</i>	1291A SHERMAN AVE, SE 94124 S		ALLENMARTINE.HORN@ucsf.edu
4. MICHAEL WADSWORTH	3740 FILLMORE ST 94122		
5. ALLY EVNER	9430 SWIFT ST 94123		
6. <i>[Signature]</i>	3226 PEARSON ST 94122		
7. <i>[Signature]</i>	3010 FERRIS LINDEN ST #6 SE 94123		CPREAN-09@Sundberg.com
8. <i>[Signature]</i>	3429 DISABLERD, SE 94123		
9. <i>[Signature]</i>	327 HARPST ST SE 94112		
<i>[Signature]</i>	2337 Chestnut #6, SE 94123		l6loesp@jwo.com

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.04507Z)

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
1. <i>[Signature]</i>	1155 HYDE ST, SF CA	415 505 7793	
2. <i>[Signature]</i>	3190 Scott St #307 San Francisco, CA	415-400-5190	mathew.kirtz@yosemite.com
3. <i>[Signature]</i>	2695 Greenwood St #205	(415) 353-1883	
4. <i>[Signature]</i>	130 Funder	(415) 509-1574	
5. <i>[Signature]</i>	165E North Point St #9423	(415) 775-7773	
6. <i>[Signature]</i>	8070 BRENDA ST & NE 941133	415-722-5153	
7. <i>[Signature]</i>	104 Kirtz Way	415-404-1802	TELL.MATH@yosemite.com
8. <i>[Signature]</i>	530 Corona Way Apt 9		
9. <i>[Signature]</i>	2053 Fillmore Ave, #142	415 828 1314	siennasf@gmail.com

SF CA, 94123

## NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.0450T7)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
1. <i>Alan Lewis</i>	1200 Lombard St SF 94123	415 888 3333	<i>lewis@alshorn.com</i>
2. <i>Willis Jordan</i>	2870 E. Bay St		
3. <i>[Signature]</i>	7408 ELLING	415-673-3777	
4. <i>Provincemally</i>	1000 FERN CROFT ST. SF 94109	415-350-1209	
5. <i>[Signature]</i>	3910 Fulton St SF 94118	415-310-6339	
6. <i>Mike Miller</i>	2136 Vallejo St SF 94123	(415) 317-9181	
7. <i>[Signature]</i>	3044 Rufus St SF 94123	415 400 9960	
8. <i>Christ Berve</i>	4211 Big St SF 94133		
9. <i>Margaret Diamond</i>	999 Green St SF 94105		

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.04507Z)

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <i>[Signature]</i>	1751 Chestnut	50-382-7585	4Sona@ymail.com
2. <i>[Signature]</i>	2512 Spear St.		
3. <i>[Signature]</i>	22069 Chestnut	415-929-6965	insep@earthlink.net
4. <i>[Signature]</i>	1980 Fellberg St		
5. <i>[Signature]</i>	1960 Kellin St	415-923-9243	rolandc@comcast.net
6. <i>[Signature]</i>	3572 Folsom St	415-776-3607	brun@earthlink.net
7. <i>[Signature]</i>	3044 Lyman St	415-306-1032	sheryl@landline.com
8. <i>[Signature]</i>	1552 Bay St. #401	(415) 563-5555	com
9.			

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.0450TZ)

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <del>Stanley</del>	<del>PO Box 471753</del>	<del>9944</del>	<del>BBS-SSG</del>
2. <del>John</del>	<del>2675 Geneva</del>	<del>94123</del>	<del>SIO 234/615 STANER WILSON</del>
3. <del>Ralph Sheridan</del>	<del>400 Avila #202</del>	<del>94123</del>	<del>415-519-7705 Kaleigh Sheridan</del>
4. <del>Richard Paul</del>	<del>1090 Beach #302</del>	<del>94103</del>	<del>415-519-9944 Jester@gsd.com</del>
5. <del>John</del>	<del>2269 CHESTNUT ST #470</del>	<del>94123</del>	<del>415-575-9367 JOURNALS.COM</del>
6. <del>Tom</del>	<del>144 2300 Ave SF, CA 94121</del>	<del>415-388-8554</del>	<del>anna.hershey@sfpl.com</del>
7. <del>Pauline</del>	<del>3333 Steiner St</del>	<del>94173</del>	<del>415-385-1744 thedutchbox@gmail.com</del>
8. <del>David</del>	<del>3347 Redwood St</del>	<del>94123</del>	<del>415-578-5192 jendavis@gmail.com</del>
9. <del>David</del>	<del>3347 Redwood St</del>	<del>94123</del>	<del>415-577-4904 @gual.com</del>



**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.045017Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the **King Edward II Inn**, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

The Mayor's Office of Housing and other third parties, who have no established connection or relationship to the neighborhood and who stand to receive substantial private financial benefits, have requested a single parcel Special Use District. The creation of a Special Use District circumvents city zoning and planning guidelines, contradicts the city's master plan, and does material damage to the surrounding neighborhoods and businesses. The use of spot-zoning on behalf of a specific project sets a dangerous precedent for the neighborhood and the city of San Francisco. Good governance requires that elected and appointed officials of the City and County of San Francisco adhere to the land use standards that ALL San Franciscan's must observe.

The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <i>Mary Engster</i>	1852 Jefferson St SE CA 94123		MaryEngster@aol.com
2. <i>[Signature]</i>	3524 Scott St SE CA 94123		gallagher@cityattor.com
3. <i>Alan Murray</i>	59 Scott St " " 94117		alanmurray916@gmail.com
4. <i>[Signature]</i>	3331A Divadero St 94123		
5. <i>[Signature]</i>	2150 Francisco St 94123		
6. <i>[Signature]</i>	2443 Chestnut St SF CA 94123		chughest1@gmail.com
7. <i>[Signature]</i>	2155 Bay St. San Francisco, CA 94123		
8. <i>[Signature]</i>	391 Avick St " " "		
9. <i>[Signature]</i>	139 Avick St. SE, CA, 94123		kechridayou@yahoo.com

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.04507Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and **NOT** establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <i>[Signature]</i>	3731 Webster St SE	415-929-6996	
2. <i>[Signature]</i>	2355 North Point St	80-488-5615	
3. <i>[Signature]</i>	3725 Webster St St	415-345-1378	
4. <i>[Signature]</i>	3035 Baker St #203	916-801-0517	
5. TAM MCATEER	2937 Broderick St.	415-928-9045	
6. <i>[Signature]</i>	2552 Greenwich St	415-928-8869	
7. <i>[Signature]</i>	1901 Beards #9	212-989-4345	
8. NIKOLE KANZANAKI	3021A KILMAN STREET	707-287-3004	
9. Jane McLoughlin	2648 Pierce St	415 921 9573	

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.0450TZ)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. Nina Comardi	1354 Bay St.	415-885-6409	
2. Ronald Lee	3655 Fillmore St. Apt 5F	773-263-6437	
3. [Signature]	120 Oak Grove Ln	415-569-8838	
4. [Signature]	410 Taylor St	415-933-3347	SFD@AOL.COM
5. [Signature]	2310 District St #17	415-523-8717	
6. [Signature]	3338 Scott St	# 973-615-2009	gracey.thomas@gmail.com
7. [Signature]	2010 Chestnut St #308	415-346-6444	
8. [Signature]	5387 Bay St.	415-931-7853	
9. [Signature]	2901 Buchanan St Apt 4		COMPLENKS@NOTMAIL.COM

# NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.04501Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

The Mayor's Office of Housing and other third parties, who have no established connection or relationship to the neighborhood and who stand to receive substantial private financial benefits, have requested a single parcel Special Use District. The creation of a Special Use District circumvents city zoning and planning guidelines, contradicts the city's master plan, and does material damage to the surrounding neighborhoods and businesses. The use of spot-zoning on behalf of a specific project sets a dangerous precedent for the neighborhood and the city of San Francisco. Good governance requires that elected and appointed officials of the City and County of San Francisco adhere to the land use standards that ALL San Franciscans must observe.

The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

	SIGNATURE	ADDRESS	PHONE	EMAIL
1.	<i>[Signature]</i>	10101 Rm 4072 SF CA 94118		
2.	<i>[Signature]</i>	2554 Sacramento St 94123 56193515		
3.	<i>[Signature]</i>	12281 Chestnut St 94123		
4.	<i>[Signature]</i>			
5.	<i>[Signature]</i>	2281 Chestnut St. 94123		
6.	<i>[Signature]</i>	2281 Chestnut St CA 94123	562-1070	
7.	<i>[Signature]</i>	205 2nd Ave #9 94118		
8.				
9.				

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.0450TZ)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
	3440 SE 1st St	(415) 336 4470	patricia@honor.net
	1390 Market St	(415) 621-7260	
	2438 FIDBENT ST	415-203-1330	
	220 Coleraine St	415-795-2600	
	2757 Clay St. #13	415-307-3019	
	1961 Decker St #2	415-846-1311	
	2360 Golden Rove	830306 3786	
	5425 Presidio Blvd	(415) 858-0283	
	3410 Buchnick St	(415) 248-0921	

# NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.04507Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:


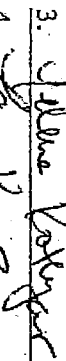

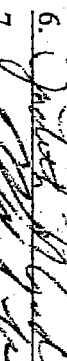
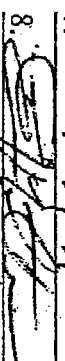



SIGNATURE	ADDRESS	PHONE	EMAIL
<i>[Signature]</i>	32 Macdonald St 94123	415 233 8877	
<i>[Signature]</i>	130 ANJUN ST SECT A 94123	415 430 9977	mcbride4e@mac.com
<i>[Signature]</i>	3510 FILLMORE ST. 94113	915 5514	
<i>[Signature]</i>	1873 Jefferson St. 94123		Larry Cassel@earthlink.net
<i>[Signature]</i>	3350 Scott St 94123		Ms. Methy@gmail.com
<i>[Signature]</i>	1200 Francisco #29 94123		
<i>[Signature]</i>	1331 CLIFTON ST #1		
<i>[Signature]</i>	2037 SCOTT ST #4 94123		

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.04507Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
	08576 Scott St		cepfor@yahoo.com
	2770 Franklin St		lombard00@yahoo.com
	163 AUBURN ST	910-8160	
	2045 SCOTT ST		
	2243 Market St		
	2027 GREENWOOD SMITH	771-9451	NIDARVA73@GMAIL.COM
	2940 LARKIN STREET	573-8688	price.whitaker@gmail.com
	2940 LARKIN ST.	593-8607	BLAHTRAKER@AOL.COM


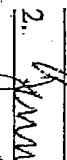



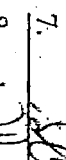



# NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.0450TTZ)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
	1645 N. Point St	415 268 5577	jece@comcast.net
	286 North Mill Road	415 381 1698	
	2321 Francisco St	415 955 1454	
	2709 Lombard Street	415 413 3900	
	2444 Quince St	415 377 0941	
	731 8th Ave	415 379 7535	
	3101 Scott St # 304	415 613 5291	
	2457 Scott St # 9423		
	2426 Divisadero St # 444		nikki444@earthlink.net



# NO SPECIAL USE DISTRICT ON LOMBARD STREET

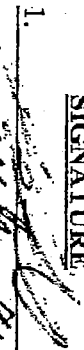



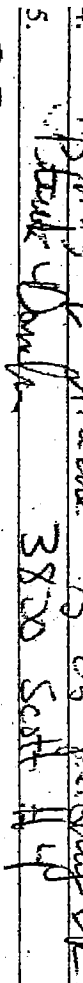
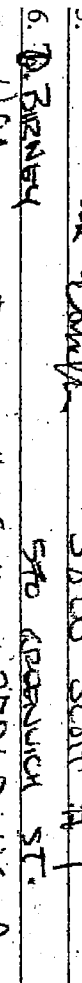
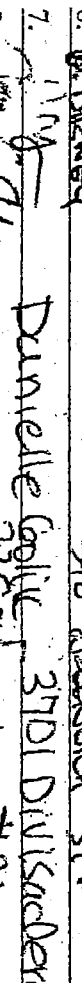

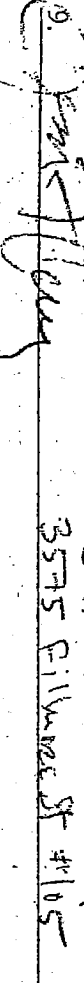
(Planning Department Case: 2010.04507Z)

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

**APPOINT NAME PLEASE**

SIGNATURE	ADDRESS	PHONE	EMAIL
	2333 Chestnut St	415-346-9840	Joe.Prigoda@sfplanning.org
	1007 32 Ave	415-652-4239	Bill.Walker@sfplanning.org
	2333 Chestnut	415-555-1233	Bill.Walker@sfplanning.org
	1505 Parkway Dr	613-598-9018	
	3800 Scott Hill	415-515-5312	
	570 Brennan St	650-575-1623	
	3701 Divisadero	(415) 320-5893	drgolic@gmail.com
	2395 Francisco #201	(415) 710-7196	Francisco@sfplanning.org
	3575 Fillmore St #105	415-441-4754	Williams@sfplanning.org

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.0450TZ)

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
1. <i>Annella Heibel</i>	2220 ALSTON ST SE 94123	415-359-9100	
2. <i>Avery Clapp</i>	2269 Clowder St 94123	415-407-2477	
3. <i>Paige Brown</i>	36 Conzantes Blvd 94123	701-864-1506	
4. <i>Hugh [unclear]</i>	175 Avila St 94123	415-596-5491	
5. <i>Maria [unclear]</i>	21 Mallorca Way St 94143	415-385-9079	
6. <i>Hilmer Jordan</i>	76 Mallorca way	94123 415-655-3838	
7. <i>Keckley Rankin</i>	725 Mallorca way	94123 602-448-6026	
8. <i>Melanie Dearman</i>	699 36th Ave	94121 951-965-0537	
9. <i>Dusan Tamagn</i>	3500 Pierce St	94123 415-274-7094	

## NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.04507Z)

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
1. <u>Dannell Kinosh</u>	2390 Washnut St SF 694123	919-817-7233	<u>kinosh1993@yahoo.com</u>
2. <u>Brett Oshel</u>	3230 Baker St SF 94123		
3. <u>Jon Ratz</u>	3242 Scott St SF 94123		
4. <u>Jon Ratz</u>	2533 Filbert St SF 94123		<u>cc2533@pacbell.net</u>
5. <u>Paula Bergmann</u>	2490 Greenview St #303 SF 94123		
6. <u>Paula Bergmann</u>	2490 Greenview St #303 SF 94123		
7. <u>Bill Brill</u>	3037 Divisadero St SF 94123		
8. <u>Janet Guzman</u>	501 Divisadero St #22 SF 94123		
9. <u>Henry Adams</u>	3442 Scott St #305 SF 94123		

## NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.0450TZ)

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <u>Felicia Dunbar</u>	2942 Baker St SF 94125	562-7152	patricia.dunbar@gmail.com
2. <u>Ronald Gagliardi</u>	(925) 765-3326 1750 Greenview St.	415-775-4577	
3. <u>Tom McNeill</u>	23484 Bay St SF 94123	415-775-4577	
4. <u>Gretle Harvill</u>	3553 SCOTT ST SF CA	415-971-2487	
5. <u>Julio Arevalo</u>	2913 Williams St.		julio.arevalo@gmail.com
6. <u>Lindsay Taylor</u>	3190 Scott St 94123	261-456-7858	Llaviere@yahoo.com
7. <u>Morisseu Verron</u>	49 Capistrano Way 94123	415-577-8301	
8. <u>Andrew Grosvenor</u>	2111 Bay St #1	(415) 637-7077	Andrew.grosvenor@caltrans.com
9. <u>Andy Podd</u>	2977 Oakland St SF CA	415-946-9501	

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.04507Z)

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The undersigned **OPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
<i>[Signature]</i>	131 WADSWORTH	415-346-7800	
<i>[Signature]</i>	48 Retiro way 94123	(415) 254-6722	
<i>[Signature]</i>	7254 24TH ST. SF, CA. 94107	415. 845. 2949	
<i>[Signature]</i>	68 MARLBOROUGH WAY SF CA 94123	415-871-5432	
<i>[Signature]</i>	100 CAPITOL WAY, SF 94113	415-272-7952	
<i>[Signature]</i>	4299 Chestnut	415 346-7800	
<i>[Signature]</i>	1344 OCEAUX AVE SF 94112	497-3380	
<i>[Signature]</i>	2240 LOMBARD ST SF 94123	269-1700	
<i>[Signature]</i>	3737 Fillmore St Apt 201 SF 94123		

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.045017Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

The Mayor's Office of Housing and other third parties, who have no established connection or relationship to the neighborhood and who stand to receive substantial private financial benefits, have requested a single parcel Special Use District. The creation of a Special Use District circumvents city zoning and planning guidelines, contradicts the city's master plan, and does material damage to the surrounding neighborhoods and businesses. The use of spot-zoning on behalf of a specific project sets a dangerous precedent for the neighborhood and the city of San Francisco. Good governance requires that elected and appointed officials of the City and County of San Francisco adhere to the land use standards that ALL San Franciscans must observe.

**PRINT YOUR NAME PLEASE**

The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <i>[Signature]</i>	3490 Scott St #302	<input checked="" type="checkbox"/> MKK	mkk@yqhaoo.com
2. <i>[Signature]</i>	2271 CHESTNUT ST.		
3. <i>[Signature]</i>	3241 Scott St		Put jmulhgan@gmail.com
4. <i>[Signature]</i>	3300 Scott St #11	(415) 302-7703	
5. <i>[Signature]</i>	3342 Broadway Street SF 94123		
6. <i>[Signature]</i>	2271 Chestnut St	415 810-4137	
7. <i>[Signature]</i>			
8. <i>[Signature]</i>	2450 Chestnut St #14 SF 94123	415 317-9969	W.D. [Signature]@comcast.net
9. <i>[Signature]</i>	2372 Lombard St		

## NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.04507Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and **NOT** establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

The Mayor's Office of Housing and other third parties, who have no established connection or relationship to the neighborhood and who stand to receive substantial private financial benefits, have requested a single parcel Special Use District. The creation of a Special Use District circumvents city zoning and planning guidelines, contradicts the city's master plan, and does material damage to the surrounding neighborhoods and businesses. The use of spot-zoning on behalf of a specific project sets a dangerous precedent for the neighborhood and the city of San Francisco. Good governance requires that elected and appointed officials of the City and County of San Francisco adhere to the land use standards that ALL San Franciscan's must observe.

The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
<i>Joseph V. Noh</i> (Morse)	2643 BAKER ST SF CA	415-922-8432	WESTON@MOBILE.ORG
<i>[Signature]</i>	2190 BAY ST, SF, CA	415-516-3905	ikrtollica@jgahome.com
<i>[Signature]</i>	1895 J. P. [unclear] SF CA	415-244-6512	pyroming@jgahome.com
<i>[Signature]</i>	3536 Divisadero SF CA	415-922-5244	N/A
<i>[Signature]</i>	250 Alhambra St. SF CA	415-312-5172	N/A
<i>[Signature]</i>	5th Ave SF	5A Ave	N/A
<i>[Signature]</i>	153 AVILA ST SF	415-771-4596	N/A
<i>[Signature]</i>	3834 Scott St SF CA	415- <del>346-1121</del> 346-9554	N/A
<i>[Signature]</i>	3481 Pierce St #4 SF, CA	415-666-04	N/A

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.0450TZ)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

The Mayor's Office of Housing and other third parties, who have no established connection or relationship to the neighborhood and who stand to receive substantial private financial benefits, have requested a single parcel Special Use District. The creation of a Special Use District circumvents city zoning and planning guidelines, contradicts the city's master plan, and does material damage to the surrounding neighborhoods and businesses. The use of spot-zoning on behalf of a specific project sets a dangerous precedent for the neighborhood and the city of San Francisco. Good governance requires that elected and appointed officials of the City and County of San Francisco adhere to the land use standards that ALL San Franciscan's must observe.

The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <i>[Signature]</i>	3309 Chestnut ST. #12 SF, CA 94123	917 273-5518	
2. <i>[Signature]</i>	3353 Pacific Ave	(415) 994-3951	
3. <i>[Signature]</i>	3750 Fillmore St, SF, CA 94123		
4. <i>[Signature]</i>	6 WATER ST, SF, CA 94133	(415) 450-0900	chloes@northm.com
5. <i>[Signature]</i>	2659 Lombard St. 94123		hclawrence@gmail.com
6. <i>[Signature]</i>	1231 WILSON ST. SF CA 94123		
7. <i>[Signature]</i>	3045 BERTHOLD ST. 94123		
8. <i>[Signature]</i>	2008 TERRASON ST. 94123	415-385-1576	ALTMANKE@MSN.COM
9. <i>[Signature]</i>	2473 CHESTNUT ST. 94123		CATEANDJORDAN@GMAIL.COM
<i>[Signature]</i>	3350 BROADWAY BL. 94123	921-3767	
<i>[Signature]</i>	3045 Scott St	921-3013	







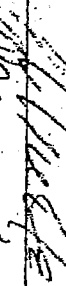
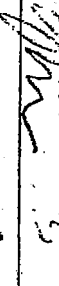



## NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.04507Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPOSE** the creation of a Special Use District at 3151-3155 Scott Street;

SIGNATURE	ADDRESS	PHONE	EMAIL
	2331 <del>Albion St.</del> SF. CA. 94123	415-931-588	ofscastd@yahoo
	2324 Divisadero St, SF 94122	415-670-4883	cooper@gmail.com
	2301 Francisco Street SF, CA 94133	617-872-9132	mathew.goulet@blumre
	2909 Greenwashed St 94123	415-380-3160	NathanielLong@pac
	226 <del>Albion St.</del> SF 9412	507-9885	good@pac
	276 Malverca Way, SF 94125	415-689-7777	kennguy@pac
	276 Malverca Way, SF 94125	415-260-0968	kennguy@pac
	2239 Scott St. SF CA. 94123	415-871-9952	redwood@pac
	3600 Scott #11 SF 94133		

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.04507Z)

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <del>Special Use</del>	2255 Lombard Street	415 867-8168	
2. <del>Special Use</del>	2259 Lehigh St	415 531-3241	
3. Kay Dye	3257 Filbert St	415 407-2923	
4. Tony Thoms	2490 Greenwood St	415 990 8050	
5. Bob Tramm	2684 Green St	415 922 8256	
6. R. Sarantekin	2341- Chestnut	415 777-7291	
7. <del>Special Use</del>	2524 Union St	415-694-5905	
8. <del>Special Use</del>	2412 Lombard St	415.902.1994	
9. <del>Special Use</del>	2412 Lombard St	415-734-6729	

# NO SPECIAL USE DISTRICT ON LOMBARD STREET

(Planning Department Case: 2010.04507Z)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

SIGNATURE	ADDRESS	PHONE	EMAIL
	8471 FERRIS RD ST SC CA 94123	415 409 3000	john.j...@...com
	3046 France St S.F.	415 400 4920	---
	2633 Divisadero	---	---
4. Louise Re	2727 Pierce St SF	415-563-1685	LouiseRe@...com
5. Carlos Bac	1 1 1 1	1 1 1 1	1 1 1 1
	2340 Cleveland	415 212 1535	...@...com
	3265 Sikes St	800-718-8328	---
	3343 Pine St	415-839-6079	---
	2027 SERRANO SQ SAN FRANCISCO CA 94123	415.203.1286	---

WENDEL DAVIS  
MELANIE WILSON

**NO SPECIAL USE DISTRICT ON LOMBARD STREET**  
 (Planning Department Case: 2010.0450TZ)

We hereby request that the Planning Department, Planning Commission, Board of Supervisors, and Mayor of San Francisco adhere to existing zoning and planning requirements and NOT establish a Special Use District on the parcel commonly known as 3151-3155 Scott Street, the current site of the King Edward II Inn, on the Southwest corner of the intersection of Scott and Lombard Streets, for the use of a high density Public Housing project.

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The undersigned **OPPOSE** the creation of a Special Use District at 3151-3155 Scott Street:

<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
1. <i>Debra Landrey</i>	980 <i>Spaulding Blvd</i>	94127	415-567-5335 <i>Amundson@aol.com</i>
2. <i>Miss Fontana</i>	3579 <i>June</i>	94123	415-346-5678
3. <i>-Miss (only)</i>	3509 <i>Pierce Street</i>	57 94123	415-341-3865
4. <i>David Leontad</i>	2047 <i>Lombard</i>	94123	415-921-4449
5. <i>(Signature)</i>	3335 <i>Baker St.</i>	501 509157	415-254-484
6. <i>(Signature)</i>			
7. <i>Doug K... (Signature)</i>	3530 <i>Divisadero St</i>	57 57 94123	(415) 922-5759
8. <i>Madonna Jones</i>	3530 <i>Divisadero St</i>	94123	" <i>bjones@juno.com</i>
9. <i>William H. ... (Signature)</i>	3830 <i>Fillmore St</i>	94123	415-931-4491

Name	Email	Street Address	City	Zip Code	Phone Number
Jennifer Trapp	jntrpp@yahoo.com	3636 Broderick St.	San Francisco	94123	415-393-7148
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Melissa Gregory	melissaj@gmail.com		San Francisco	94123	
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Christine Bartlett Hinckley	tina@BartlettRE.com	2775 Filbert Street	San Francisco, CA	94123	415-440-8880
scott r. heldford	scottth@tmo.blackberry.net			94123	
Richard W. Bergson	dbergson@pacbell.net			94123	
Ingrid Collins	lcollins@aol.com		San Francisco	94109	
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Michelle Mammihl	mmammihl@pacbell.net	2520 Graanwch St.	San Francisco	94123	
Vincent Mammihl	vmammihl@pacbell.net	2522 Greenwch St	San Francisco	94123	
Michael Hindus	michael.hindus@pillsburylaw.com			94123	
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Name	Email	Street Address	City	Zip Code	Phone Number
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David Laaker	dave@altsdesign.com	2541 Filbert St.	San Francisco	94123	4156140120
Irene Solomon	ililbert@gmail.com	2836 Filbet Street	San Francisco	94123	415-567-2854
Angus Parker	angusparker@earthlink.net	2518 Union Street	San Francisco	94123	
Patricia Houden	phouden@mac.com			94123	
Matthew Katz	mathewrkatz@yahoo.com		San Francisco	94123	
John H. Dowell	jhdowell@comcast.net			94123	
Shella S. Dowell	shelladowell@comcast.net			94123	
George Vidalakis	george@vidalakis.net			94123	
Janet Pellegrini	pell2@sbcglobal.net			94123	
John Osterwels	john.osterwels@osterwels.com	2663 Union Street	San Francisco	94123	415-434-4441
Angus Barnett	angus_barnett@ycos.com	3060 Pierce St	San Francisco	94123	
Jack Johnstone	tomstonejohnstone@gmail.com			94123	
Pamela Squires	requities@earthlink.net			94123	
Eve Solomon	eve2838@yahoo.com	2528 Greenwich Street	San Francisco	94123	415-699-3865
Ryan	smith_ryan_p23@yahoo.com	Scott St	San Francisco	94123	
Britt	bwenzier19@yahoo.com			94123	
Derek Brown	dib3532@gmail.com			94123	
Riyad Salma	Riyads@gmail.com			94123	
Malcolm Kaufman	mkaufman@mcguffe.com	union	San Francisco	94123	

Name	Email	Street Address	City	Zip Code	Phone Number
Brooks Walker	Bwalker@walker-warner.com	2711 Scott st	San Francisco	94123	415-318-8907
Barbara Stuart	bts3@mac.com	2736 Filbert Street	San Francisco CA	94123	
Marilyn Caston	mscaston@comcast.net	2710 Broderick Street	San Francisco	94123	415 931-0560
Monica M Dahlem	dahlems@pacbell.net			94123	
Mr. and Mrs. D Gianni	giannis@pacbell.net	Avila Street	San Francisco	94123	
Susanna Daniels	suswhite@yahoo.com			94123	
Jennifer Tedesco	jtedesco@apcap.com	3208 Pierce Street	San Francisco	94123	
Laura Ferguson	laura_p_ferguson@yahoo.com			94123	
Elizabeth Jill Kramer	jill@kramersf.com	2740 Lyon St	San Francisco	94123	415 666-2318
Shella Nichols	sshellan@aol.com	2540 Vallejo Street	San Francisco	94123	
Theresa Canizzaro	theresac@stcglobal.net	2720 Broderick Street		94123	
Ali Mossadeghi	all.mossadeghi@sig.com			94133	
Jeffrey Sparks	jilem@yahoo.com	3190 Scott st.	San francisco	94123	
Elizabeth H. Shwiff	ElizShwiff@yahoo.com	3427 Pierce Street	San Francisco	94123	415-922-8236
Veronica Fields	veracurris@earthlink.net	2841 Baker Street	San Francisco	94123	
Ranfte Ancelovic	ranfte@yahoo.com			94109	
Anne Steele Hinshaw	asfortune@yahoo.com			94123	
Kristin maclaggan	kristin.maclaggan@gmail.com	1241 francisco st		94123	
Andrea Sterling	andi.sterling@greenmba.com			94123	
William Brick	wbrick@stcglobal.net	3037 Pierce Street #1	San Francisco	94123	
Michael Ramseyer	ramsresidlo@yahoo.com	2450 Union Street #104	San Francisco	94123	415-513-3231
Kathy Socal	sunnasocal@aol.com	3146 Divisadero St	San Francisco	94123	415-350-6530
Steven Brown	stavenfbrown@yahoo.com		San Francisco	94123	
Lynn Brown	BattalBrown@yahoo.com			94123	
Tim Mathison	tomathison@gmail.com	154 Pixley Street	San Francisco, CA	94123	



Name	Email	Street Address	City	Zip Code	Phone Number
John Millar	jgmillar@jgmillar.com			94123	
Bryan Zahn	bryanzahn@comcast.net			94123	
Eve Niquette	eniquette@mlndspring.com	2496 Filbert st	San Francisco	94123	4157768772
Charles Pohl	cpofca@mlndspring.com	2496 Filbert st	sf	94123	4157768772

# EXHIBIT B



## Hammond LAW

1829 Market Street, San Francisco, CA 94103  
phone: 415.955.1915 fax: 415.955.1975

July 14, 2011

**Via Email**

Planning Commission  
San Francisco Planning Department  
Attention: Sara Velve  
1650 Mission Street, Suite 400  
San Francisco, California 94103

Re: 3151 - 3155 Scott Street - Case No. 2010.0420CETZ  
Cow Hollow Association's Proposed Conditional Use Restrictions.

Dear Planning Commissioners:

This letter contains examples of Conditional Use Restrictions that Cow Hollow Association ("CHA") proposes be included in the following:

1) The Conditional Use Authorization, should the Planning Commission approve such authorization; and

2) Recommended modifications to the proposed Planning Code and Zoning Map Amendment (including the proposed Ordinance to establish the Lombard and Scott Street Affordable Group Housing Special Use District) should the Planning Commission recommend its adoption to the Board of Supervisors.

CHA believes these restrictions shall strengthen Community Housing Partnership's ("CHP") project and ensure that it operates to the greatest benefit of its residents, the City, and the neighboring community. These and other restrictions as appropriate would help ensure the project actually, rather than just on paper, achieve the goals and mandates of the City's Housing Element and Proposition M, which the project as proposed fails to accomplish. CHA makes these recommendations without waiver of comments and positions previously submitted, or those which it may submit going forward, orally or otherwise. This list is intended as a general reference point, and not intended to be exhaustive.

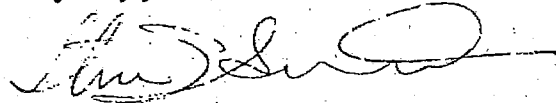
CHA proposes the following Conditional Use Restrictions:

1. Restrict housing units to single-occupancy. Restrict total building load to a reasonable number.

2. Bar felons and those on probation from participation in the program and/or restrict permanent residents (other than manager) to be youth transitioning out of foster care.
3. Require that an on-site, adult manager employed by Larkin Street reside on-site in the "manager's unit."
4. Require 2 adult, non-TAY supervisors be present at all times.
5. Require CHP & LSYS to list a minimum number of hours of on-site supportive services programming (broken out into TAY-relevant programming categories, e.g. employment skills, navigating higher education, nutrition/cooking, health, etc.) by a certain date and require that CHP comply with those minimum hours requirements.
6. Require CHP & LSYS to create a detailed plan to encourage residents to actually transition out before their 25th birthdays and require CHP & LSYS to comply with that plan. Address "rent and eviction control" barriers to same.
7. Create a community oversight and enforcement mechanism to ensure that residents comply with the "plans" LSYS counselors develop for residents to help them transition into independent living.
8. Create a communal kitchen, which because of limited space (less than 75 square feet), includes a communal meal plan.

Thank you for your consideration of the foregoing.

Very truly yours,



Steven L. Hammond  
Attorney for Cow Hollow Association

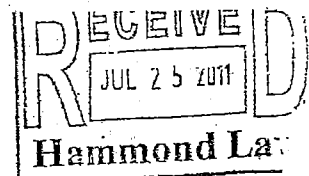
cc: Sara Vellve  
Commission Secretary Linda Avery  
Cow Hollow Association  
Golden Gate Valley Association  
Marina Merchants Association  
Marina Cow Hollow Neighbor and Merchants Group  
Marina Community Association  
Union Street Merchant Association  
John Millar, MCA

Planning Commission  
3151 - 3155 Scott Street  
July 14, 2011  
Page 3

Patricia Vaughey, MCHNM  
Lesley Leonhardt, USMA  
Alex Feldman, MMA  
Mayor Edwin M. Lee  
Supervisor Mark Farrell  
Supervisor David Chiu



# 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

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

Reception:  
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## Planning Commission Motion No. 18405 HEARING DATE: JULY 14, 2011

**Date:** July 14, 2011  
**Case No.:** 2010.00420CETZ  
**Project Address:** 3151 - 3155 SCOTT STREET  
**Current Zoning:** NC-3 (Neighborhood Commercial, Moderate Scale)  
 40-X Height and Bulk District  
**Proposed Zoning:** Scott Street Affordable Group Housing Special Use District  
**Block/Lot:** 0937/001  
**Project Sponsor:** Community Housing Partnership  
 280 Turk Street  
 San Francisco, CA. 94102  
**Sponsor Contact:** Gail Gilman, Executive Director  
**Staff Contact:** Sara Vellve - (415) 558-6263  
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**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 249.55 TO CONVERT A VACANT TOURIST HOTEL (D.B.A. EDWARD II INN) TO A GROUP HOUSING USE CONTAINING UP TO 25 UNITS (24 UNITS FOR TRANSITIONAL AGE YOUTH BETWEEN 18 AND 24, AND ONE MANAGER'S UNIT) WITHIN THE NC-3 (MODERATE SCALE, NEIGHBORHOOD COMMERCIAL) DISTRICT, THE LOMBARD AND SCOTT STREET AFFORDABLE GROUP HOUSING SPECIAL USE DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On March 11, 2011 Gail Gilman (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section 303 of the Planning Code to allow establishment of up to 24 group housing units to be occupied by transitional age youth and a manager's unit (25 units total), within the NC-3 (Moderate Scale, Neighborhood Commercial) District, the Lombard and Scott Street Affordable Group Housing Special Use District (SUD) and a 40-X Height and Bulk District.

On July 14, 2011, the San Francisco Planning Commission (hereinafter "Commission"), by Motion No. 18403, upheld the Mitigated Negative Declaration, Case No. 2010.0420E, for the project at 3151 - 3155 Scott Street.

On July 15, 2011, the Department adopted the Final Mitigated Negative Declaration, Case No. 2010.0420E, for the project at 3151 - 3155 Scott Street.

On July 14, 2011 the Commission adopted Resolution No. 18404, Case No. 2010.0420TZ recommending to the Board of Supervisors to adopt the text change and map amendment creating the Lombard and Scott Street Affordable Group Housing Special Use District; and,

On July 14, 2011 the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0420C.

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

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2010.0420C, 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 subject property is Lot 001 in Assessor's Block 0937, located on the southwest corner of Lombard and Scott Streets. The Scott Street frontage is approximately 69 feet, with 50 feet of frontage on Lombard Street. The lot area is approximately 3,450 square feet.

The project site is located in the Marina District and is developed with an approximately 8,100 square foot three-story building with a basement formerly used as a tourist hotel (d.b.a. Edward II Inn) with a pub at the ground floor fronting Lombard Street. The building occupies most of the lot except for an approximately 7-foot setback from the south property line. The property does not currently provide any off-street parking or open space for users/occupants. The building was constructed in 1914 and has been altered.

3. **Surrounding Properties and Neighborhood.** The site is located in an NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. Lots fronting Lombard Street to the east and west are zoned NC-3, while lots fronting Scott Street to the south

of the site are zoned RH-2 and RM-2. The site is located one block south of the Chestnut Street shopping district and three blocks northwest of the Union Street shopping district. Properties in the vicinity fronting Lombard Street contain a mix of uses including restaurants, hotels, personal services, retail stores, and automotive repair shops. Buildings heights range from one to four stories with residential uses generally above the ground-floor commercial uses. Properties fronting Scott Street south of Lombard Street generally contain residential uses with building heights ranging from two to four stories. The height designation for the entire neighborhood is 40-X.

4. **Project Description.** Community Housing Partnership proposes to convert the vacant tourist hotel (formerly d.b.a. Edward II Inn) to 24 affordable group housing units for transitional-age youth between the ages of 18 and 24 earning a maximum of 50% Area Median Income, and one unit for a resident manager, for an overall unit count of 25. The use will generally accommodate one person for each bedroom. Interior building modifications would reduce the number of on-site bedrooms from 29 to 25 (including the manager's unit) on the second and third floors, create bathrooms for each unit, construct a kitchen, offices and rooms for programmatic needs on the ground floor, and create a laundry room, entertainment room and parking for a minimum of nine bicycles in the basement. Exterior modifications would include window replacement, painting, new signage and façade enhancements. The proposal does not involve alterations to the building's size or height; although mechanical equipment will be located on the building's roof in the future.

The project as proposed requires Planning Code and Zoning Map Amendments to create the Lombard and Scott Street Affordable Group Housing Special Use District (SUD) as an overlay in this NC-3 District. The SUD would:

1. Permit one unit for every 143 square feet of lot area for a total of 24 group housing units and one manager's unit (Planning Code Section 204.4 exempts managers unit's from the density calculation for group housing) where one unit for every 210 square feet of lot area for a total of 16 group housing units and one manager's unit is permitted as-of-right by Planning code Sections 208 and 712.92;
2. Eliminate the rear yard requirement where a minimum rear yard of approximately 15 feet is required by Planning Code Section 134;
3. Eliminate the open space requirement where a minimum of approximately 675 square feet of private open space and approximately 875 square feet of common open space would be required by Planning Code Section 135;
4. Modify the exposure requirement for approximately 13 group housing units that do not face a street, alley or Code-compliant rear yard or courtyard as required by Planning Code Section 140.

On June 14, 2011, Supervisors Chiu, Avalos, Kim, Mar and Mirkarimi introduced an Ordinance proposing to create the SUD at 3151 – 3155 Scott Street. The Planning Commission will consider a Planning Code Text Amendment to create the SUD by adding Planning Code Section 249.55 pursuant to Planning Code Sections 302 and 306. The Planning Commission will also consider a



Zoning Map Amendment pursuant to Planning Code Sections 302 and 306 that would establish the SUD at Lot 001 in Assessor's Block 0937 on Zoning Map Sheet SU02.

5. **Public Comment.** The Department has received correspondence in opposition from neighborhood residents and community organizations on a broad range of topics including but not limited to: a decline in the quality of life for existing neighborhood residents and businesses, reduction of property values, increased density, lack of off-street parking and open space, and the inadequacy subject building for the proposed use and proposed occupant services.
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. **Lombard and Scott Street Affordable Group Housing Special Use District (SUD).** Planning Code Section 249.55 establishes the Lombard and Scott Street Affordable Group Housing SUD which allows a project containing an affordable group housing and manager's unit, with Planning Commission approval, an increase in the group housing density, and exemptions from the open space, rear yard and exposure requirements. Up to 24 of the units would be for transitional age youth between the ages of 18 and 24 who earn a maximum of 50% Area Median Income. The 25<sup>th</sup> unit would be used by a resident manager.

*The project is proposed to contain up to 24 permanently affordable group housing units for transitional age youth between the ages of 18 and 24 earning a maximum of 50% Area Median Income, and one manager's unit; thus the Commission may approve the increased density, open space, rear yard and exposure exemptions for the project.*

- B. **Open Space.** Planning Section 135 of the Planning Code requires approximately 27 square feet of private or approximately 35 square feet of common open space per group housing unit.

*The subject building was constructed as a tourist hotel in approximately 1914 and does not provide any outside area that qualifies as private or common open space. The only undeveloped area on the lot is an approximately 7-foot wide corridor along the lot's south property line. The project is proposed to contain up to 24 permanently affordable group housing units for youth earning a maximum of 50% AMI and one manager's unit; thus the Commission may approve the open space exemption for the project pursuant to the Lombard and Scott Street Affordable Group Housing SUD.*

- C. **Rear Yard.** Planning Code Section 134(a)(1)(C) requires a rear yard equaling 25% or 15 feet, whichever ever is greater, of the total lot depth at each level containing a dwelling unit.

*The subject building was constructed as a tourist hotel in 1914 prior to creation of the rear yard requirement. As such, the existing building extends to within seven feet of the south property line and is a noncomplying structure. Conversion of a tourist hotel to a residential use requires implementation of the rear yard requirement, which equals approximately 15 feet measured from the south property line. As the project is proposed to contain up to 24 permanently affordable group housing units for*

*youth earning a maximum of 50% AMI and one manager's unit; the Commission may approve the rear yard exemption for the project pursuant to the Lombard and Scott Street Affordable Group Housing SUD.*

- D. **Parking.** Planning Code Section 151 does not require off-street parking for group housing uses of any kind unless such a use is located within an RH-2 (Residential, House, Two-Family) District.

*The subject lot is located within an NC-3 (Moderate Scale, Neighborhood Commercial) District and the group housing use is not required to provide off-street parking for residents or managers.*

- E. **Exposure.** Planning Code Section 140 requires that each dwelling unit shall face directly on to a public street or alley, a side yard of at least 25 feet in width, a Code compliant rear yard, or a courtyard that is no less than 25 feet in every horizontal direction.

*The subject building was constructed as a tourist hotel in approximately 1914 with frontages on Lombard and Scott Streets. As originally constructed, the building does not provide a Code compliant side or rear yard, or contain a courtyard that is 25 feet in every horizontal direction. As originally constructed, the building contains approximately 12 occupiable guest rooms with windows that front on Lombard and Scott Streets. After modifications to the building to accommodate the proposed group housing use, approximately 12 of 25 occupiable rooms will meet the exposure requirement as they front on Lombard and Scott Streets. The remaining 13 rooms will face a lightwell area in the middle of the building and/or the 7-foot-wide rear building setback. As the project is proposed to contain up to 24 permanently affordable group housing units at 50% AMI; and one manager's unit, the Commission may approve the exposure modification for the project pursuant to the Lombard and Scott Street Affordable Group Housing SUD.*

- F. **Bicycle Parking.** Planning Code Section 155.5 requires one Class 1 bicycle parking space for every three group housing units regardless of zoning district.

*A minimum of nine restricted access Class 1 bicycle parking/storage spaces will be located in the basement of the subject building.*

- G. **Signage.** Currently, there is not a proposed sign program on file with the Planning Department. The proposed business does not have a name as of this writing. Any proposed signage will be subject to the review and approval of the Planning Department.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The proposed new residential group housing use is permitted as-of-right in the NC-3 (Neighborhood Commercial, Moderate Scale) District pursuant to Planning Code Section 712.92. The site is located in a block that contains lots zoned RH-2 (Residential, House, Two-Family) and RM-2 (Mixed, Moderate Density) and the residential nature of the proposal is consistent with the zoning of the block. Although the density of group housing units exceeds the maximum permitted by the Planning Code, the overall number of people occupying the group housing use is expected to be less in comparison to the previous tourist hotel use. The proposed density is consistent with the Lombard and Scott Street Affordable Group Housing SUD. The proposed use will not affect traffic as residents are not expected to own private vehicles. A minimum of nine bicycle storage spaces will be available for residents. The project will occur within an existing building and expansion of the building is not proposed.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*Modifications to the existing building that would change its height and bulk are not proposed. The existing building was constructed on the site in approximately 1914 and will remain an integral part of the neighborhood character.*

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The Planning Code does not require parking or loading for group housing. It is not expected that residents of the site will own private automobiles due to their level of income. A minimum of nine on-site bicycle storage spaces will be made available to residents. The subject neighborhood is well served by public transportation and it is expected that residents will use this service for much of their transportation needs.*

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

*Noxious or offensive emissions are not associated with residential uses. All interior and exterior lighting will direct illumination downward.*

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

*The proposed residential use does not propose any such features referenced above that would require additional review and/or conditions to ensure that they are appropriate for the site and neighborhood.*

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

*The project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.*

- D. That the use as proposed would provide development that is in conformity with the purpose of the Lombard and Scott Street Affordable Group Housing Special Use District.

*The proposed project is consistent with the stated purpose of the Lombard and Scott Street Affordable Group Housing Special Use District. The project will create up to 24 permanently affordable group housing units for transitional age youth between the ages of 18 -24 with an income level not to exceed 50% of the Area Median Income. One unit will be used for the manager for a total unit count of 25.*

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

On June 21, 2011 the Board of Supervisors adopted the 2009 Housing Element, which was signed by the Mayor on June 29, 2011 to become effective on July 29, 2011, and the Project complies with the update based on the following Policies and Objectives.

## **2009 HOUSING ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

**Policy 1.10.** Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

*The project will be located in the Marina/Cow Hollow/Union Street neighborhoods that provide a mix of housing densities, necessary amenities and access to public transportation. There are ample public transportation opportunities nearby, including: Muni lines #22, 30, 30X, 41, and 45, all of which stop within three blocks of the project site; and Golden Gate bus service to the North Bay, which stops near the project site. In addition, the project site is located near the Chestnut and Union Street Neighborhood Commercial corridors making it convenient for residents without private transportation to access a wide variety of commercial goods and services. The project site is located close to four banks and ATMs, several smaller neighborhood markets and coffee shops, many restaurants of varying affordability, and two movie theaters. The project site is also located near many cultural and educational opportunities including a branch of the SF Public Library, City College's Fort Mason Campus, the Exploratorium, the Palace of Fine Arts, and GGNRA interpretive programs in the Presidio. In addition, the project site is within five blocks*

*of the Presidio YMCA, the Moscone Recreation Center and the Lyon Street entrance of the Presidio, and is also near Crissy Field and the Marina Green.*

**OBJECTIVE 2:**

**RETAIN EXISTING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.**

**Policy 2.5:** Encourage and support the seismic retrofitting of the existing housing stock.

*Although the project site is not currently used as housing, the proposed rehabilitation will include seismic and structural upgrades as deemed necessary by a qualified structural engineer and consistent with the Department of Building Inspection's requirements.*

**OBJECTIVE 3:**

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

**Policy 3.1:** Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

**Policy 3.5:** Retain permanently affordable residential hotels and single room occupancy (SRO) units.

*The Special Use District will facilitate up to 24 new affordable group housing units, and will help to decrease the high demand for affordable group housing units. The creation of new group housing units will help to prevent displacement of tenants currently residing in affordable group housing units elsewhere in the City.*

**OBJECTIVE 4:**

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

**Policy 4.2:** Provide a range of housing options for residents with special needs for housing support and services.

**Policy 4.4:** Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

**Policy 4.5:** Ensure that the new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

**Policy 4.7:** Consider environmental justice issues when planning for new housing, especially affordable housing.

*The proposed project will enable transitional age youth who are aging out of foster care and trying to prevent, or exit, homelessness, to permanently reside and receive supportive services in a financially and socially stable neighborhood. The Mayor's Office of Housing has played an active role in site acquisition and project facilitation to create a permanent housing situation in an existing structure. The project*

*represents a collaboration between governmental (Mayor's Office of Housing) and non-profit organizations (Community Housing Partnership) to create this opportunity for permanent affordable housing. While some properties within close proximity to the site may have undesirable uses on them, in general, the neighborhood is considered a very desirable area that provides its residents with amenities and services that promote a high quality of life. The project will provide housing for economically disadvantaged youth in the generally affluent neighborhood of Cow Hollow/Marina, promoting economic integration of permanently affordable housing and market rate housing.*

**Objective 5:**

**ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS.**

**Policy 5.2:** Increase access to housing, particularly for households who might not be aware of their housing choices.

**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 will facilitate a project that will, when combined with the project sponsor's placement efforts, provide increased housing access to individuals who otherwise, due to their young age and low income, would be unlikely to be informed about available housing choices. The Project will be a permanent source of supportive housing for low-income at-risk youth, as opposed to temporary housing provided only on a weekly or monthly basis. Most youth in permanent supportive housing are eager to transition to fully-independent living situations, and the project will be able to provide developmentally-appropriate services targeted to residents to assist them in this time of growth and transition.*

**Objective 6:**

**REDUCE HOMELESSNESS AND THE RISK OF HOMELESSNESS.**

**Policy 6.1:** Prioritize permanent housing solutions while pursuing both short- and long-term strategies to eliminate homelessness.

**Policy 6.2:** Prioritize the highest incidences of homelessness, as well as those most in need, including families and immigrants.

*The project will facilitate permanent housing and social support services for transition-age youth and reduce the need for temporary homeless shelters when youth leave the foster care system. This housing opportunity will enable youth to develop the necessary skills to transition to fully independent living situations.*

*At this time, demand for affordable units to serve the target population far exceeds the City's supply. The Project will greatly increase the stock of housing for low-income youth who are too old for foster care or who have left the foster care system and, as a result, have a high incidence of homelessness. Such youth are particularly underserved in the City.*

**OBJECTIVE 7:**

**SECURE FUNDING AND RESOURCES FOR PERMANENTLY AFFORDABLE HOUSING, INCLUDING INNOVATIVE PROGRAMS THAT ARE NOT SOLELY RELIANT ON TRADITIONAL MECHANISMS OR CAPITAL.**

Policy 7.5: Encourage the production of affordable housing through process and zoning accommodations, and prioritize affordable housing in the review and approval processes.

*The proposed Special Use District which modifies group housing density, open space, rear yard and exposure requirements of the Planning Code will allow the project to provide a greater number of group housing units than is otherwise permitted within the existing building envelope. As such, the Special Use District will facilitate permanent affordable housing without adversely affecting the scale or character of the surrounding neighborhood. Overall, the number of occupied rooms in the building will be reduced from 29 to 24 with one manager's unit, for 25 units total.*

**OBJECTIVE 11:**

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

Policy 11.1: Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.3: Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.7: Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

*The proposed project will enable a residential use to be established in a building that was constructed on the subject property in approximately 1914 without modifying the building's envelope or height. As the building will not be newly constructed, or substantially altered, it will continue to compliment, and be compatible with, the Marina/Cow Hollow/Union Street commercial and residential neighborhoods as they have developed over time.*

*The proposed project will allow the replacement of the prior tourist hotel use with a residential use that will have less effect on the surrounding neighborhood by reducing the total potential occupancy from as many as sixty hotel guests (at maximum occupancy) plus hotel employees to twenty-four residents (generally), one live-in manager, and seven employees. By converting the existing building from a tourist hotel to a residential building without substantial structural modification, the project will create new housing while maintaining the same neighborhood scale and character as currently exists.*

*The proposed project will not affect a historic resource. Pursuant to an Historic Resources Evaluation Report, dated May 19, 2010, prepared by Architectural Resources Group, a copy of which is on file with the Planning Department, it was determined that the property is not an historical resource. In addition, the building on the project site is not listed in any standard lists of significant or historic structures. Furthermore, the appearance of the building will remain substantially unmodified.*

**OBJECTIVE 12:**

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

**Policy 12.1:** Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

**Policy 12.2:** Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

*The proposed project will allow group housing units to be located on a site that is well-served by existing public transit lines, including: Muni lines #22, 30, 30X, 41, and 45, all of which stop within three blocks of the project site; and Golden Gate bus service to the North Bay, which stops near the project site. Due to the required income level of residents, they are unlikely to own cars. The project will provide a minimum of nine (9) Class 1 bicycle storage spaces for use by residents. As a result, the project will provide housing that relies on public transit use and environmentally sustainable patterns of movement such as walking and bike riding.*

*An abundance of neighborhood services, cultural amenities and significant open spaces are located within close proximity to the project. For example, the project site is located within approximately 1/2 mile of four banks and ATMs, one major grocery store, several smaller neighborhood markets and retail outlets for shopping and possible resident employment. The project site is also located near the Exploratorium, the Palace of Fine Arts, Fort Mason and the Presidio. Within five blocks of the site are the Moscone Recreation Center, Crissy Field, and the Marina Green.*

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

**Policy 13.1:** Support "smart" regional growth that locates new housing close to jobs and transit.

**Policy 13.3:** Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

**Policy 13.4:** Promote the highest feasible level of "green" development in both private and municipally-supported housing.

*The proposed project would allow the location of group housing in an area with an abundance of public transportation and employment opportunities. It is unlikely that residents will own private cars due to affordability restrictions. A minimum of nine (9) Class 1 bicycle storage spaces will be available to the residents to promote an alternative mode of transportation.*

*As currently proposed, the Project would meet Leadership in Energy and Environmental Design (LEED) Silver certification criteria and would include recycled materials where feasible, low-water use showerheads and faucets and EnergyStar rated appliances. If feasible, the project may also include solar panels and other green energy devices.*

**2004 HOUSING ELEMENT  
Objectives and Policies**



**OBJECTIVE 1:**

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.

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

*The project would facilitate a residential project in an area surrounded by buildings of similar scale and character, including residential and mixed-use retail-residential buildings. By converting the existing building from a tourist hotel to a residential building without substantial structural modifications, the project will create new housing and increased residential density while maintaining the same neighborhood scale and character. In addition, the project will have a minimal effect on parking and traffic because: (1) the project is well-served by existing public transit lines; (2) most residents of the project are unlikely to have their own cars, and bicycle storage will be provided; (3) the project converts an existing tourist hotel use which generated parking demand and traffic; and (4) the existence of kitchen and other common area facilities and on-site support programs will help to reduce the demand on street infrastructure.*

*The project site is a former tourist hotel in an established residential/commercial neighborhood. The proposed permanently affordable group housing use is appropriate to the location and promotes this policy. The need for affordable housing for transitional age youth has been established through a 2007 study and report conducted by the Mayor's Transitional Youth Task Force titled Disconnected Youth in San Francisco: A Roadmap to Improve the Life Chances of San Francisco's Most Vulnerable Young Adults.*

**OBJECTIVE 4:**

SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.

**Policy 4.1:** Actively identify and pursue opportunity sites for permanently affordable housing;

*The tourist hotel building, located in a residential/commercial area, is currently unoccupied and can accommodate a residential component with permanently affordable housing units, which is consistent with this policy.*

**Policy 4.3:** Encourage the construction of affordable units for single households in residential hotels and "efficiency" units.

*Except for one manager unit, the Project proposes 24 units of group housing units for transitional-age occupants. Overall, the project proposes 25 units.*

**Policy 4.4:** Consider granting density bonuses and parking requirement exemptions for the construction of affordable housing or senior housing.

*The project will create the Lombard and Scott Street Affordable Group Housing SUD, which allows a density bonus for the creation of affordable housing for transition-age youth earning a maximum of 50% Area Median Income. In addition, the legislation would exempt the proposal from the Planning Code's rear yard and open space requirements, as well as modify the exposure requirement.*

**OBJECTIVE 5:**

**INCREASE THE EFFECTIVENESS AND EFFICIENCY OF THE CITY'S AFFORDABLE HOUSING PRODUCTION SYSTEM.**

**Policy 5.2:** Support efforts of for-profit and non-profit organizations and other community based groups and expand their capacity to produce and manage permanently affordable housing.

*The project is sponsored by Community Housing Partnership (CHP), a non-profit organization that has served San Francisco's formerly homeless individuals and families since 1990. CHP has partnered with the Mayor's Office of Housing to secure funding for the proposal and with Larkin Street Youth Services for client programming and services. These partnerships will enable CHP to expand their capacity to produce and manage the proposal as well as providing necessary client services and programming.*

**OBJECTIVE 8:**

**ENSURE EQUAL ACCESS TO HOUSING OPPORTUNITIES.**

**Policy 8.1:** Encourage sufficient and suitable rental housing opportunities and emphasize permanently affordable rental units wherever possible.

*The group housing units in the proposal will be rental units that are permanently affordable to transition age youth and will promote this objective and policy.*

**Policy 8.6:** Increase the availability of units suitable for users with supportive housing needs.

*The 24 group housing units will be permanent housing designated for emancipated foster youth and homeless youth, who will be able to access on-site supportive services to transition to independent living and to successfully integrate into society. One unit will be used by a resident manager.*

**OBJECTIVE 10:**

**REDUCE HOMELESSNESS AND THE RISK OF HOMELESSNESS IN COORDINATION WITH RELEVANT AGENCIES AND SERVICE PROVIDERS.**

**Policy 10.1:** Focus efforts on the provisions of permanent affordable and service-enriched housing to reduce the need for temporary homeless shelters.

**Policy 10.2:** Aggressively pursue other strategies to prevent homelessness and the risk of homelessness by addressing its contributory factors.

**Policy 10.4:** Facilitate childcare and educational opportunities for homeless families and children.

*The housing and services provided by CHP and its partners will be designed to provide the tenants a stable residential environment with supportive services to help them become contributing members of society.*

## NEIGHBORHOOD COMMERCE

### Objectives and Policies

#### OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

#### Policy 6.3

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

*The proposed project will create new affordable housing in an established NC-3 (Moderate Scale, Neighborhood Commercial) district. The proposed density will permit a higher number of people to reside at the project site than would be otherwise permitted, which will permanently increase the number of people on the street at different times of the day, increasing safety and business vitality on evenings and weekends. The proposed project will not jeopardize existing affordable housing as the subject building was previously used as a tourist hotel.*

## TRANSPORTATION

### Objectives and Policies

#### OBJECTIVE 1:

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

#### Policy 1.3

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

#### Policy 1.7

Assure expanded mobility for the disadvantaged.

*As a result of the proposed project, the Project would locate permanent residents within very close proximity to significant public transportation opportunities in the neighborhood. As off-street parking would not be provided, the Project would promote walking and bicycling amongst the residents. Due to income limitations of residents, it is not expected that many will own private automobiles. Promoting the use of public transportation, bicycling and walking is consistent with the city's Transit First policy.*

*The proposed project will facilitate the location of permanent housing for economically disadvantaged and underemployed workers close Muni lines #22, 30, 30X, 41, and 45. This affordable transportation choice can be used as a tool for improving the economic and social situation of Project residents to provide access to employment, educational institutions, medical services and recreation facilities.*

**OBJECTIVE 16:**

DEVELOP AND IMPLEMENT PROGRAMS THAT WILL EFFICIENTLY MANAGE THE SUPPLY OF PARKING AT EMPLOYMENT CENTERS THROUGHOUT THE CITY SO AS TO DISCOURAGE SINGLE-OCCUPANT RIDERSHIP AND ENCOURAGE RIDESHARING, TRANSIT AND OTHER ALTERNATIVES TO THE SINGLE-OCCUPANT AUTOMOBILE.

**Policy 16.6:** Encourage alternatives to the private automobile by locating public transit access and ride-sharing vehicle and bicycle parking at more close-in and convenient locations on site, and by location parking facilities for single-occupancy vehicles more remotely.

*The project will include a minimum of eight (9) Class 1 bicycle parking spaces for resident and employee use.*

**OBJECTIVE 28:**

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

**Policy 28.1:** Provide Secure and bicycle parking in new governmental, commercial, and residential developments.

*A minimum of nine (9) Class 1 bicycle parking spaces are proposed in the basement level.*

## AIR QUALITY

### Objectives and Policies

**OBJECTIVE 3**

DECREASE THE AIR QUALITY IMPACTS OF DEVELOPMENT BY COORDINATION OF LAND USE AND TRANSPORTATION DECISIONS.

**Policy 3.1:**

Take advantage of the high density development in San Francisco to improve the transit infrastructure and also encourage high density and compact development where an extensive transportation infrastructure exists.

*The proposed project would increase the group housing density from a ratio of 1 unit for every 210 square feet of lot area to a ratio of 1 unit for every 143 square feet of lot area resulting in more group housing units on the property than allowed by the Planning Code for the NC-3 (Moderate Scale, Neighborhood Commercial) district. As the site is within close proximity to Muni lines #22, 30, 30X, 41, and 45, the Project would result in a high density development where an extensive transportation infrastructure exists.*

## URBAN DESIGN

### Objectives and Policies

#### OBJECTIVE 4

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

#### Policy 9

Maximize the use of recreation areas for recreational purposes.

*The site is located within close proximity to the Moscone Recreation Center, Crissy Field, and the Marina Green, and use of these recreational spaces by occupants is consistent with this policy.*

#### Policy 15

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

*The proposed project does not facilitate the construction of a new building that would be incompatible with the existing livability and character of residential buildings. The proposed group housing units would be accommodated within a building that was constructed on the site in 1914.*

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

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

*The previous tourist hotel use was discontinued in September 2010, and the use accommodated tourists rather than residents. The project will enhance the neighborhood-serving retail uses in that the project will increase the neighborhood's permanent resident population resulting in a broader consumer base for neighborhood retail businesses in the Marina, Union Street and Cow Hollow neighborhoods. It is possible that residents of the proposed project could be employed by such businesses as well.*

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

*The project will not alter the housing, neighborhood character, cultural or economic diversity of the neighborhood. The existing building does not currently contain any residential housing and the project does not include a building expansion or exterior alterations that would alter its character. The Lombard and Scott Street Affordable Group Housing SUD allows for a higher density with no rear yard or open space requirements, and certain exposure exceptions. Overall, the Project is consistent with the neighborhood's existing mix of uses. Increased density will add to the neighborhood character in that it will bring residents and consumers to this transit-oriented, mixed-use neighborhood. The*

*Project could promote economic diversity by housing low-income at-risk youth in the generally affluent area of Cow Hollow.*

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

*The project will facilitate the creation of up to 24 group housing units for at-risk low-income youth, plus one manager's unit for an overall unit count of 25. The project will not result in the removal any existing legal residential units as the building has been used as a tourist hotel since its construction in approximately 1914.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*Although the Project would result in additional density, the site is located on Lombard Street, which is a major transit corridor. Due to the required income levels of residents, it is unlikely that they will own private vehicles for commuting. Storage for a minimum of nine bicycles will be provided on the site. The Planning Code does not require off-street parking for group housing.*

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

*The project involves the creation of group housing units.*

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

*Development pursuant to the project must meet current Building Code requirements. The proposed amendments will not alter any such requirements.*

7. That the landmarks and historic buildings be preserved;

*The project would not affect any historic buildings. Through CEQA review of the proposal, it was determined that the building does not qualify as a historic resource.*

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

*The project would not alter the existing building height, or height district of the property. The subject building does not currently exceed a height of 40 and the proposal does not include the expansion of the building that would exceed a height of 40 feet. The Project will have no negative effect on existing parks and open spaces*

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Conditional Use 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 Conditional Use Application No. 2010.0420C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 14, 2011, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 18405. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on July 14, 2011.

Linda D. Avery  
Commission Secretary

**AYES:** Commissioners Olague, Miguel, Moore, Sugaya and Fong

**NAYS:** Commissioner Antonini

**ABSENT:** Commissioner Borden

**ADOPTED:** July 14, 2011



## EXHIBIT A

### AUTHORIZATION

1. This authorization is for a conditional use to allow a group housing use containing up to 24 group housing units and one manager's unit (25 units total), with exemptions from the open space, rear yard and exposure requirements located at 3151 - 3155 Scott Street, Lot 001 in Assessor's Block 0937 pursuant to Planning Code Section(s) 303 within the NC-3 (Moderate-Scale Neighborhood Commercial) District, Lombard and Scott Street Affordable Group Housing SUD and a 40-X Height and Bulk District, in general conformance with plans, dated July 7, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2010.0420ETZC and subject to conditions of approval reviewed and approved by the Commission on July 14, 2011 under Motion No. 18405. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.
2. The "Mitigation Monitoring and Reporting Program" attached herein as Exhibit C and which identifies Mitigation Measures and Improvement Measures to be included as part of the project as outlined in the Final Mitigated Negative Declaration, Case No. 2010.0420E, shall be Conditions of Approval and are accepted by the project applicant and any successor-in-interest. If any measures of the Mitigation Monitoring and Reporting Program are less restrictive than the following conditions of approval, the more restrictive and more protective condition of approval shall apply.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

### RECORDATION OF CONDITIONS OF APPROVAL

3. 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 July 14, 2011 under Motion No. 18405,

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

4. The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18405 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### SEVERABILITY

5. 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

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

## PERFORMANCE

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

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

## DESIGN

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

## PARKING AND TRAFFIC

9. **Bicycle Parking.** The project shall provide no fewer than 9 Class 1 bicycle parking spaces required by Planning Code Section 155.5.

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

## MONITORING

10. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or

Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

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

11. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

12. **Community Liaison.** Prior to issuance of a building permit application 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 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 what issues have not been resolved by the Project Sponsor.

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

13. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designated and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

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

## OPERATION

14. **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/>*

MITIGATION MONITORING AND REPORTING PROGRAM  
EXHIBIT "C"  
Page 1 of 1

MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
<p><b>Air Quality Mitigation Measure</b></p> <p><b>AQ-1: Mitigation Measure: Building Air Filtration and Ventilation Requirements</b>  To reduce the potential for exposure of building occupants to PM2.5 and other toxic air contaminants, the project shall be designed to incorporate a mechanical ventilation system with air filtration that is capable of removing 80 percent of ambient PM2.5. This level of filtration requires filters with at least a MERV (minimum efficiency reporting value) rating of 12 per American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 52.2 (equivalent to approximately ASHRAE Standard 52.1 Dust Spot 85%). In addition, the project's air intakes shall be located on the eastern, western, or southern half of the building as specified in the Air Quality Technical Report to increase the separation from traffic emissions on Lombard Street. The ventilation system shall be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system offers the best available technology to minimize outdoor to indoor transmission of air pollution. In addition to installation of air filtration, the project sponsor shall present a plan that ensures ongoing maintenance plan for the ventilation and filtration systems.</p>	<p>Project sponsor as part of structural design and construction of the project.</p>	<p>During construction.</p>	<p>Planning Department, Department of Public Health (DPH), and the Department of Building Inspection (DBI)</p>	<p>Considered complete upon approval of final construction documents showing the mechanical ventilation system, as appropriate.</p>

**NOTICE TO BOARD OF SUPERVISORS OF APPEAL  
FROM ACTION OF THE CITY PLANNING COMMISSION**

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.

The property is located at 3151-3155 Scott Street

July 14, 2011

Date of City Planning Commission Action  
(Attach a Copy of Planning Commission's Decision) - *See Attached*

August 15, 2011  
Appeal Filing Date

The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No. \_\_\_\_\_

The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No. \_\_\_\_\_

The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2010-00420-CETZ

The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No. \_\_\_\_\_

Statement of Appeal:

a) Set forth the part(s) of the decision the appeal is taken from:

The entire decision.

b) Set forth the reasons in support of your appeal:

See attached letter setting forth the reasons in support of appeal

Person to Whom  
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Hammond Law  
Name

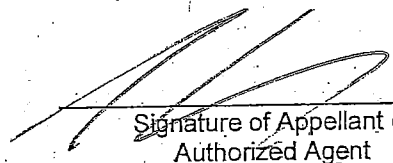
Lori Brooke, President of Cow Hollow Association  
Name

1829 Market Street  
Address  
San Francisco, CA 94103

2628 Greenwich St.  
San Francisco, CA 94123-3206  
Address

(415) 955-1915  
Telephone Number

(415) 749-1841  
Telephone Number

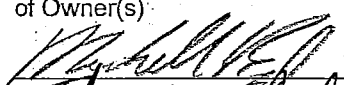
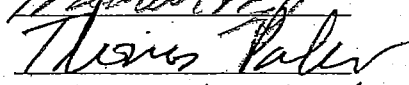
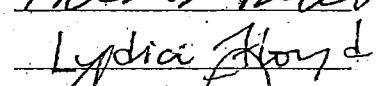
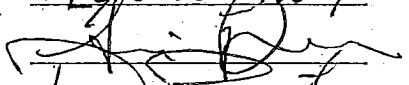
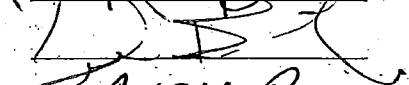
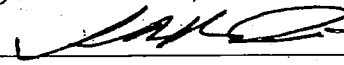
  
Signature of Appellant or  
Authorized Agent

Adam Polakoff  
Hammond Law  
Attorneys for Cow Hollow Association

City Planning Commission  
Case No. 2010-06426C ETZ

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	3118 Scott	0512 039	Marshall Boyd	
2.	2566 Greenwich	0937 039	Thomas Panko	
3.	2555 Greenwich	0944 020	LYDIA FLOYD	
4.	2537 Greenwich	0944-022	AVI DOWNES	
5.	2537 Greenwich	0944-022	David Bilsker	
6.	2358 Lombard	0484-037		ANDY PATEL
7.				
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<i>Green</i> 2536 Greenwich	0937-035	PAUL BLUMBERG	
2.	2546 Greenwich	0937 036	Natalia Taurouskie	
3.	2580 Greenwich	0937-032	Sawyer Tree	
4.	2552 Greenwich	0937-084	EMMONS TRST	
5.	2554 Greenwich	0937-010	MELBA Strezulio	
6.	2566 Greenwich	0937-039	Thomas Picketts	
7.	2568 Greenwich	0937-040	Sageel F. Clancy	
8.		0937-038	ANDREW SEW KUT	
9.	2552 Greenwich	0937 0094	EMMONS TRUST	
10.	2554 Greenwich	0937 010	Melba Strezulio	
11.	3118 Divisadero	0937 015A	Suzanne Marie Dito	
12.	3124 Divisadero	0937 016	Alto Ghio liero	
13.	3130 Divisadero	0937 017	Dawson Sizetis	
14.	2531 Greenwich	0937 027	YUWRA S SENG	
15.	2520 Greenwich	0937 008	Michelle Mammimi	
16.	2520 Greenwich	0937 006	ALFRED MAMMINI	
17.	2522 Greenwich	0937 066	VINCENT MAMMINI	
18.	3120 Scott	0512 040	Donald Maynor	
19.	3118 Scott	0512 039	Amanda Boyd	
20.				
21.				
22.				



City Planning Commission  
Case No. 2010-00420-CEZ

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property).

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>2440 Lombard</u>	<u>0936 012</u>	<u>PUSHPA PATEL</u>	<u>[Signature]</u>
2.	<u>2440 Lombard</u>	<u>0936 012</u>	<u>NARESH PATEL</u>	<u>[Signature]</u>
3.	<u>3132 Scott</u>	<u>0512 018</u>	<u>[Signature]</u> Reham Haddad	<u>Joel Haddad</u>
4.				
5.	<u>3134 Scott</u>	<u>0512 018</u>	<u>[Signature]</u> Reham Haddad	<u>Joel Haddad</u>
6.				
7.	<u>3136 Scott</u>	<u>0512 018</u>	<u>[Signature]</u> Reham Haddad	<u>Joel Haddad</u>
8.				
9.	<u>3138 Scott</u>	<u>0512 018</u>	<u>[Signature]</u> Reham Haddad	<u>Joel Haddad</u>
10.				
11.	<u>3140 Scott</u>	<u>0512 018</u>	<u>[Signature]</u> Reham Haddad	<u>Joel Haddad</u>
12.	<u>2533 Greenwich St</u>	<u>0944 028</u>	<u>Robert Solodow</u>	<u>[Signature]</u>
13.	<u>2533 Greenwich St</u>	<u>0944 028</u>	<u>Misuzu Masui</u>	<u>[Signature]</u>
14.	<u>3224-3226 Scott</u>	<u>0489 023</u>	<u>HURIA YAU</u>	<u>[Signature]</u>
15.	<u>3190 Scott #307</u>	<u>0489 050</u>	<u>Matthew Katz</u>	<u>[Signature]</u>
16.	<u>3190 Scott #307</u>	<u>0489 050</u>	<u>Lindsay Lovier</u>	<u>[Signature]</u>
17.	<u>3190 Scott #306</u>	<u>0489 056</u>	<u>Monica Tang</u>	<u>[Signature]</u>
18.	<u>3236/3240 Scott</u>	<u>0489 024</u>	<u>George Kan</u>	<u>[Signature]</u>
19.	<u>3190 Scott #305</u>	<u>0489 050</u>	<u>Mark Lee</u>	<u>[Signature]</u>
20.	<u>3190 Scott #305</u>	<u>0489 050</u>	<u>Jennifer Lee</u>	<u>[Signature]</u>
21.	<u>2546 Greenwich</u>	<u>0937 036</u>	<u>Maria TAVIRDES</u>	<u>[Signature]</u>
22.	<u>2550 Greenwld</u>	<u>0937-032</u>	<u>Ken Swynn</u>	<u>[Signature]</u>

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>2490 GREENWICH ST</u>	<u>0512/016</u>	<u>GEORGE A. PEZET</u>	<u>George A Pezet</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____
11.	_____	_____	_____	_____
12.	_____	_____	_____	_____
13.	_____	_____	_____	_____
14.	_____	_____	_____	_____
15.	_____	_____	_____	_____
16.	_____	_____	_____	_____
17.	_____	_____	_____	_____
18.	_____	_____	_____	_____
19.	_____	_____	_____	_____
20.	_____	_____	_____	_____
21.	_____	_____	_____	_____
22.	_____	_____	_____	_____

City Planning Commission  
 Case No. 2010-048 QTZ

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>13440 GREENWICH ST</u>	<u>0512/016</u>	<u>MICHAEL F PEZET</u>	<u>Michael F. Pezet</u>
2. <u>2490 Greenwich St</u>	<u>0512/016</u>	<u>Patrick M Pezet</u>	<u>PA Pezet</u>
3. <u>2490 Greenwich St</u>	<u>0512/016</u>	<u>Cameron J Pezet</u>	<u>C Pezet</u>
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
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22. _____	_____	_____	_____

2572 Lombard  
3274 Cassin (Acho)

City Planning Commission  
Case No. 2010-0042PC ETZ

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>3118 Scott</u>	<u>0512 039/040</u>	<u>Marshall Boyd</u>	<u>[Signature]</u>
2.	<u>2566 Greenwich</u>	<u>0937 031/040</u>	<u>Thomas Paeko</u>	<u>[Signature]</u>
3.	<u>2555 Greenwich</u>		<u>LYDIA Lloyd</u>	<u>[Signature]</u>
4.	<u>2537 Greenwich</u>	<u>0944-022</u>	<u>AVI DOWNES</u>	<u>[Signature]</u>
5.	<u>2537 Greenwich</u>	<u>0944-022</u>	<u>David Bilsker</u>	<u>[Signature]</u>
6.	<u>2400-10 Lombard St.</u>	<u>0936/020</u>	<u>MICHAEL KLESTOFF</u>	<u>[Signature]</u>
7.	<u>3131-33-33A</u>	<u>0927/02B</u>	<u>Liane Figone</u>	<u>[Signature]</u>
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____
11.	_____	_____	_____	_____
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20.	_____	_____	_____	_____
21.	_____	_____	_____	_____
22.	_____	_____	_____	_____

City Planning Commission  
Case No. 2010.00420CEZ

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. _____	0512 013	REALITY Equities	_____
2. _____	0512 014	" "	_____
3. _____	0512 015	" "	_____
4. _____	0512 025	" "	_____
5. _____	0512 026	" "	_____
6. <u>2438 Greenwich</u>	0512 010	HARRISON TRUST	<u>Thomas Harrison</u>
7. <u>9444 Greenwich</u>	0512 011	ERIC TATSAS TRS	<u>Eric Tatsas / Constantine J. Tatsas</u>
8. <u>2450 Greenwich</u>	0512 012	ANN DYKSTRA	<u>Ann Dykstra</u>
9. _____	0512 018	JOEL & ANN HADDAD	_____
10. _____	0512 030	HANAT PROPERTIES	_____
11. _____	0512 016	Michael PEZET	_____
12. <u>3126 Scott #1</u>	0512 032	CORY PALMER	_____
13. _____ #3	0512 034	Michael DENNIS	_____
14. <u>3126 Scott</u>	0512 035	ERIK NEPLOKH	_____
15. <u>2126 Scott</u>	0512 036	ERIK NEPLOKH #	_____
16. <u>3118 Scott</u>	0512 039	MARSHALL BOYD	_____
17. <u>3120 Scott</u>	0512 040	DONALD HAYNOR	_____
18. <u>3170 Scott #306</u>	0512 041	MONIKA TANG	_____
19. _____	0512 014A	3060 Scott LP	_____
20. <u>165 Mallory #202</u>	_____	Robert Imbriaco	<u>Robert Imbriaco</u>
21. <u>2536 Greenwich</u>	0937 035	Peter Blumberg	<u>Peter Blumberg</u>
22. <u>2536 Greenwich</u>	0937 035	ISABEL BAUMBERG	<u>Isabel Baumberg</u>

City Planning Commission  
Case No. 2010-00420-SETZ

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.		0936-014	Lombard SE	
2.	2375 Lombard	512-44	Howard Squires 2395 LOMBARD LLC	
3.	2385 Lombard	512-45	Howard "Squires"	
4.	2395 Lombard	512-46		
5.	3190 Scott 201	512-47		
6.	202	512-48		
7.	<del>203</del>	<del>512-49</del>		
8.	301	512-53		
9.	302	512-54		
10.	303	512-49		
11.	304	512-55		
12.	308	512-57		
13.	309	512-52		
14.	<del>2347 Lombard</del>			
15.	2347 LOMBARD	512- <del>26</del>	REALTY EQUITIES INC	President
16.	2353 LOMBARD	512-25	REALTY EQUITIES INC	President
17.	2361 LOMBARD	512-30	REALTY EQUITIES INC LANAI PROPERTIES	President
18.	2468 Greenwich	512-14	REALTY EQUITIES INC	President
19.	2464 Greenwich	512-13	REALTY EQUITIES INC	President
20.	3126 Scott St #1	512-032	Chris LaChance & Associates	(2)
21.	3126 Scott St #4	512-035	ERIC NEPLOKH	
22.	3126 Scott St 5	512-036	ERIC NEPLOKH	

Returned back to Patricia Vaughn  
 2742 Baker St  
 S.F., Cal 94123

Fax back ~~201-1038~~ return fax # 230 4670  
 City Planning Commission  
 Case No. ~~2010-0042PC~~ ETZ

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 3151 Scott	0944 001	MAURICE Maurice ADRECH TRS	
2. _____	_____	Patrick Harrington	
3. 3137 Scott	0937-002	Jennifer H. Wann	
4. _____	_____	Caroline Harrington	
5. 3125 Scott	0937-002A	Paul DeMartini	Paul DeMartini
6. 3125 Scott	0937-002A	Pete DeMartini	Pete DeMartini
7. _____	0937-002B	Liana Figue	
8. _____	0937-031		
9. _____	0937-030		
10. _____	0937-029		
11. 2533 Greenwich	0937-028	Masui Solodovits	
12. _____	0937-02B		
13. 2220 Beach	0937-025		
14. 2467 Greenwich	0937-024		
15. 2462 "	0937-023		
16. 2473 Greenwich	0937-022		
17. 2551 Greenwich	0937-021	H & C Bushman Trs	
18. _____	0937-003	31 Scott LLC	
19. _____	0937-005		
20. 2645 McAllister	0937-006	H & M Digwood TRS	
21. 2528 Greenwich	0937-041	Eve Solomon	
22. 2528 Greenwich	0937-042	Eve Solomon	
2524 (2528) Greenwich	0937-043	Eve Solomon	

City Planning Commission  
Case No. 2010-00420C ETZ

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 3060 Scott St	0573 014A	3060 Scott LP Pellegini Properties LP	[Signature]
2. 3665 Scott St	0920 001	Pellegini Properties LP	[Signature]
3. 2270 North Point	0919 004	Pellegini Properties LP	[Signature]
4. 2290 North Point	0919 005	Pellegini Properties LP	[Signature]
5. 222 CERKANKES BLVD	0417A 2E	PELLEGRINI, RICARDO + JAMES Pellegini, Ricardo + James	[Signature]
6. 225 MARINA BLVD	0436C 024	Jedann Pellegini Trustee James Pellegini	[Signature]
7. 2301 Lanekin St	0525 008	Pellegini Properties LP	[Signature]
8. 3433 Divisadero St	0927 005	Pellegini Properties LP	[Signature]
9. _____	_____	_____	_____
10. _____	_____	_____	_____
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# APPLICATION FOR Board of Supervisors Appeal Fee Waiver

## 1. Applicant and Project Information

APPLICANT NAME: Lori Brooke	
APPLICANT ADDRESS: 2628 Greenwich St. SF, CA 94123	TELEPHONE: (415) 749-1841
	EMAIL: Lbrooke@lmi.net

NEIGHBORHOOD ORGANIZATION NAME: Cow Hollow Association	
NEIGHBORHOOD ORGANIZATION ADDRESS: P.O. Box 471136 SF, CA 94147	TELEPHONE: (415) 749-1841
	EMAIL: info@cowhollowassociation.org

PROJECT ADDRESS: 3151-3155 Scott St., SF 94123		
PLANNING CASE NO.: 2010.0420 CETZ	BUILDING PERMIT APPLICATION NO.:	DATE OF DECISION (IF ANY):

## 2. Required Criteria for Granting Waiver

(All must be satisfied; please attach supporting materials)

- The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.
- The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.
- The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.
- The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

# Neighborhood Newsletter

The Cow Hollow Association (CHA) was established in 1946 to protect and preserve the residential character of one of San Francisco's distinctive neighborhoods. With association boundaries representing over 1,800 residences, we are one of the most active associations with a commitment to community involvement and improved quality of life in our residential neighborhood.

## Modern Museum in Historic Presidio

In mid 2007, the Presidio Trust (PT) issued a nationwide Request for Proposals (RFP) for cultural institution facilities to be built on the Parade Ground of the Presidio. Two responses were received: a proposal by Don Fisher, wealthy local businessman, former PT Board member and founder of the GAP; and one by the Presidio Historical Society (PHA) to build a history museum.

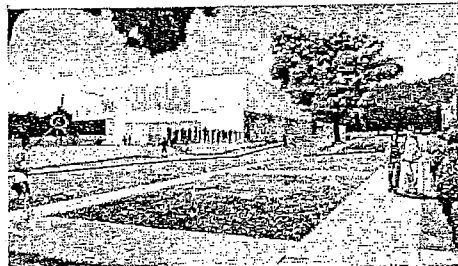
In October, 2007, some members of the CHA Board and Advisory Board met with Fisher's lawyer (and former PT and CHA Board member) Mary Murphy for an informal discussion about Fisher's plans and our concerns about greatly increased traffic and parking.

Later that fall, the CHA Board wrote the PT staff requesting that it address the traffic and parking consequences to the surrounding neighborhoods, specifically in the Lombard St. Gate and adjacent Cow Hollow neighborhood.

In December, members of the CHA Board voiced these same objections at a public meeting with the PT staff. Later in

December, Fisher and the PHA publicly presented their competing proposals.

Fisher unveiled a proposal to put a modern architecture whitish building, directly catty corner to the 1812 wing of the Officers Club, at the very top of the Parade Ground immediately across from the 1880 Barracks. The building would be 100,000 sq.ft. of new construction, with walls largely of glass so that the modern,



often bold painting, prints and mobiles, could be displayed to the outside, and with balconies and roof space for the display of a number of Fisher's large abstract sculptures. The PHA proposed a considerably smaller historical museum designed to be compatible with the surrounding buildings.

In mid January, CHA and Advisory Board representatives met with Sup. Alioto-Pier to voice our objections to and concerns

regarding the location, size, architecture and traffic and parking adverse consequences implicated by the Fisher proposal.

The CHA board has passed a resolution (unanimous) opposing the Fisher. It reads:

*The Cow Hollow Association (CHA) is opposed to the Fisher Contemporary Art museum being located on the Presidio Main Post. The proposed enormous size, incongruous style and outside art displays are profoundly inconsistent with the historical character of that Park site. The increased traffic both inside and outside the Park, insufficient parking and consequent noise and pollution would be detrimental to the natural environment of this National Park.*

*The CHA recognizes the civic-mindedness of the Fisher family, and hopes that this art collection will be placed in the City of San Francisco. The CHA represents over 1,800 households in the area adjacent to the Presidio and is directly affected by this proposed very significant expansion of Presidio activities. We submit this both as neighbors to the Presidio and as citizens of the City of San Francisco.*

(continued on page 3)

## Van Ness Bus Rapid Transit Update

At meetings January 29 and March 4, the Van Ness Bus Rapid Transit (BRT) Project moved another step toward realization. The purpose of the Van Ness BRT is to increase transit's share of transportation on Van Ness by speeding up the pace at which buses move from Mission to Lombard and vice-versa. The project will use regular Muni buses that will complete their full existing routes (eg the 49 will go from Fisherman's Wharf to City College), but will be able to move faster through the Van Ness corridor by means of dedicated lanes and the ability to control traffic signals to avoid stopping at lights.

At its January meeting, the Van Ness Citizens Advisory Committee (CAC) adopted the Alternatives Screening Report and the Description of Alternatives Report. The latter removes from consideration several alternatives that were deemed "fatally flawed" – such as a subway. The EIR/EIS process will

now move forward with two no-project alternatives and three "build" alternatives:

1. Curb Lane BRT with parallel parking
2. Center Lane BRT with dual medians
3. Center Lane BRT with center median.

More information about and artists' renderings of these alternatives is available on the project's website at [www.vannessbri.org](http://www.vannessbri.org).

Of greatest concern to the Cow Hollow Association is the potential for the reduction in traffic lanes on Van Ness to intensify congestion and back-up along Lombard during the morning commute, resulting in spillover traffic onto the north-south streets that pass through our neighborhood. We urge interested Cow Hollow residents to attend the next meeting and ask the responsible agencies to include complete and adequate studies of these potential impacts in the EIR/EIS. The project leaders have already acknowledged that increased traffic on streets other than Van Ness will be the primary impact to be studied, but we need to make sure that issue is translated into adequate studies, reliable data

and a proper analysis of those data in projecting negative impacts from the project.

At its March meeting the CAC received a briefing about the proposed changes to Muni transit service that were reported recently in the San Francisco Chronicle. These proposals are the result of MUNI's two-year Transit Effectiveness Project (for more information, visit [www.sftap.com](http://www.sftap.com)). The CAC also considered issues crucial to the adequacy of the EIR/EIS process: assumptions about future land use along the Van Ness corridor; assumptions about existing traffic conditions; estimates of future travel demand; and how to model future conditions.

Now is the perfect time to get involved! You can apply for a seat on the CAC (see the project website at [www.vannessbri.org](http://www.vannessbri.org) or simply attend the meetings and offer comments during the public comment period at each meeting. All such comments are recorded and made part of the project's official record. No prior participation is necessary.

## Undergrounding Utility Lines Update

We have studied the Underground Utilities Task Force (UUTF) Report of December 2006, met with Catherine Stefani of Sup. Alioto-Pier's office, Dan McKenna of DPW, Dan Weaver, head of the UUTF Task Force, and representatives of PG&E.

On November 19, 2007, the Board of Supervisors met to receive the UUTF Report and receive comments. The CHA spoke ( Board member Dave Bancroft), as did John Brooke (UUTF and CHA member.)

There are two tracks for getting our utility wires undergrounded: (1) A City wide undertaking, paid for from utility surcharges remitted to the City by the CPUC. This track is deemed unfeasible as those funds have been borrowed for over years into the future, no other funds are

available, and if when they ever are, neighborhood competition for them and City politics make the chances for us very remote; (2) Forming a Community Benefit or Facilities District (CBD; CFD) under the Mello Roos Act of 1982, where the costs are born by the neighborhood residents, typically paid by the floating of City bonds, backed by property tax assessments on the benefited neighborhood residences.

On November 19, 2007, at our mid year meeting with Cow Hollow residents, we made an interim report on the status of our undergrounding efforts.

On December 6, 2007, The Board of Supervisors, following the recommendations of CHA, passed resolutions urging City agencies, headed by DPW, to develop information material identifying the steps for the formation of CBD/CFDs for undergrounding utility wires, including the proper order for

contacting who, at what agencies, for what guidance and determinations.

We will be proceeding to (1) see that it is implemented and (2) independently seek to determine the same and any additional information necessary.

Before completing that, in order to determine by neighborhood canvassing whether the costs of undergrounding are realistic, we will be seeking to get updated, and as accurate as possible, block by block estimates of what the assessment and monthly payments would be per residence to underground the wires on the various blocks needing it. Imperfect estimates have been \$13,500, for a 25 foot front residence, meaning an assessment of somewhere around (but probably somewhat upwards of) \$100 a month deductible and offset by increased property values.

## Modern Museum in Historic Presidio

(continued from page 1)

We note here that the Fisher is expected to draw, even at only 70% capacity, over 500,000 visitors a year, and the adjacent Disney Museum and 90 room hotel, between 300,000 and 400,000, for a total of upwards of 1,000,000 additional visitors. The Fisher will have underground parking for only 100 cars, and the parade ground is being re-landscaped to remove most of the existing parking. Similar objections have been made by

famed landscape designer Lawrence Halperin (who designed the Lucas facility), CHA, PHA and the majority of citizen comments received by the PT and on file in its library.

The next step is for the PT to do a draft EIS, comply with the National Historic Preservation Act, amend the Presidio Trust Master Plan to now allow for this major new construction, in the course of all of which it will be provisionally selecting a site for the Fisher. It is believed that the PT presently strongly favors the top of the Parade ground, as that is what the RFP called for, and Fisher has publicly

stated that is the only place he will accept. Both in the course of these processes and after publication of the draft EIS, public comment will be critical.

The CHA will be consulting and coordinating with other neighborhood and civic groups, including NAPP, Marina Community Association, Presidio Height Residents Association, Coalition for San Francisco Neighborhoods and the Presidio Historical Association to formulate and present opposition to the Fisher Museum on the Main Post.

## Doyle Drive Update

Representatives of the Doyle Drive Project made a presentation to the Board of Directors at the February meeting. The purpose of this presentation was to update the Board on changes that were under review regarding traffic exits near Lombard Street (Richardson Drive) and Marina Boulevard. The CHA has been concerned that the new Marina exit for southbound drivers during the morning commute would back up traffic on Doyle Drive encouraging many more drivers to take the Lombard Street exit.

Consequently we feared Lombard would become increasingly backed-up

and commuters would seek cross-over streets through our neighborhood to avoid the traffic on Lombard.

The Doyle Drive Project engineers and traffic experts have taken the CHA concerns to heart and have designed the new Marina exit off of Doyle with synchronized stop lights (rather than the previous stop signs). The lights will have a "green-light" for extended periods during the morning commute which will allow drivers to exit towards Marina Boulevard in a manner (and speed!) similar to what exists currently. We were encouraged by the presentation that this new solution will in fact keep traffic flowing in a manner similar to current patterns.

A new entrance to the Presidio is also planned. That entrance will be along a widened Girard Road. Girard ends at Lincoln Blvd, just east of the YMCA parking lot.

The CHA expressed concerns that this may contribute to congestion in this area as the Bay School, YMCA, and Parade Ground traffic all pass through this intersection. According to the Doyle Drive engineers the Presidio Trust would not allow any other routes than the one described above. Construction of the new Doyle Drive is scheduled to begin in 2010.

## Bridge Motel

Although the Bridge Motel on Lombard, adjacent to the Walgreens at Divisadero, is outside the boundaries of the CHA, many members have expressed concern about the run-down condition of this building.

Several years ago, this was less of a concern as a large bike store and a bar were tenants in this building. Both of those stores have subsequently closed and are now vacant and boarded up. The Bridge Motel rents rooms on a daily or weekly basis and many of the tenants are referrals from diversion

programs and the San Francisco Court system.

The CHA spoke to both Captain Casciato of the SFPD Northern Station and Mr. Curtis Christy-Cirillo of the City Attorney's office. Both were very knowledgeable about the situation at the Bridge and assured us that this building is "on their radar screen".

Undercover officers from the SFPD are regular visitors to the motel (approximately twice a week), looking for drugs or other illegal activities. The SF Building Department is examining the building for code violations, and the Department of Public Health has been

making inspections. Supervisor Alioto-Pier, the Marina Homeowners Association, the Marina Merchants Association and others have been actively involved in voicing concerns.

The building is privately owned and the current owner has been cooperative and quick to respond to building violation notices or complaints from the SFPD.

In the short term we can only hope that the vacant ground floor retail spaces are rented which would certainly enhance that area along Lombard Street.

*Mark Your Calendars***CHA Annual Meeting***Thursday, May 8, 2008*

5:30 - 7:30 pm  
 St. Francis Yacht Club  
 Refreshments served

*Bring a new neighbor to the annual meeting, and if they join the CHA, you receive free renewal for 2008-2009*

**CHA Board Members**

Lori Brooke (President)  
 Meg Ruxton (Secretary)  
 Martina Ehlers (Treasurer)  
 David Bancroft  
 Lynn Fuller  
 Bill Gorman

Tony Imhof  
 Malcolm Kaufman  
 Elaine Larkin  
 Tom McAteer  
 Mark Sherman

P.O. Box 471136  
 San Francisco, CA 94147

E-mail:  
[info@cowhollowassociation.org](mailto:info@cowhollowassociation.org)  
 Web:  
[www.cowhollowassociation.org](http://www.cowhollowassociation.org)

**Block Captains**

**Question** - What's the best way to experience greater enjoyment from living in Cow Hollow and gain increased safety?

**Answer** - Meet and get to know your neighbors.

**Details** - Your CHA has started building a team of Block Captains for each Cow Hollow block. We have about 50% coverage so far with more on the way.

If you wish to get involved by becoming a Block Captain, contact Malcolm Kaufman at [kaufman@pulsefactors.com](mailto:kaufman@pulsefactors.com) or contact him to find out if you already have a Block Captain and how to reach them.

**Public CHA Meeting**

Other than the Annual Meeting, the CHA board meetings are held at people's homes making it difficult to open the meetings to a large crowd. The CHA board wanted our members to have a chance mid-year to hear what CHA is working on, ask questions and get involved.

CHA held its first ever public board meeting on November 15, 2007 in the community room of St. Mary the Virgin Episcopal Church. We discussed Presidio development, traffic calming, crime, block captains and undergrounding utility wires. The meeting was a success and CHA will likely continue this new tradition in 2008.

**Muni Overhaul Planned**

In March, the CHA board received a briefing from Peter Strauss with the SF Municipal Railway (MUNI) about a multi-year initiative to improve the efficiency of MUNI.

The project has two parts: first, a study of usage patterns and second, implementation of service changes to conform more closely with those usage patterns. The first part of the project is complete and the second is in the public workshop stage. Proposed service changes that would affect Cow Hollow include the elimination of the 3 Jackson line and the extension of the 24 Divisadero line down to the Marina. For more information, visit <http://www.sftep.com/>.

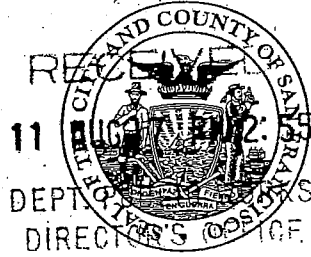
**Support for the Presidio Historical Association**

As many in Cow Hollow know, the Presidio Historical Association is leading an effort to keep the Presidio's status as a National Historic Landmark. Currently, the proposed mega-museum that is proposed near the former Spanish and Mexican Presidio and Parade Grounds would violate many standards for historical preservation. This would destroy the historic integrity of the Presidio and place its National Landmark status in question. The Presidio Historical Association began in 1959 as a small group of distinguished San Franciscans who were successful in rehabilitating Fort Point, opening it to the public and obtaining its status as a National Historic Site from Congress. Its mission is to be an advocate for historic preservation and education at the Presidio.

They ask that you help their efforts by becoming a member and sending your check of \$30 or more to: Presidio Historical Association, P.O. Box 29163, San Francisco, CA 94129. Please include your name, address, phone number and e-mail address.

Further information is available at : [www.presidioassociation.org](http://www.presidioassociation.org)

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

August 17, 2011

Mohammed Nuru  
Director of Public Works  
City Hall, Room 348  
San Francisco, CA 94102

Planning Case No. 2010.0420CETZ  
3151-3155 Scott Street Conditional Use Appeal

Dear Director Nuru:

This office is in receipt of an appeal filed by Adam Polakoff, on behalf of the Cow Hollow Association from the decision of the Planning Commission by its Motion No. 18405 dated July 14, 2011, relating to the approval, subject to certain conditions, of a Conditional Use Authorization (Case No. 2010.0420CETZ), pursuant to Sections 303 and 249.55 of the Planning Code to convert a vacant tourist hotel (dba Edward II Inn) to a group housing use containing up to 25 units (24 units for transitional age youth between 18 and 24, and one manager's unit) within the NC-3 (Moderate Scale, Neighborhood Commercial) District, the Lombard and Scott Street Affordable Group Housing Special Use District (SUD) and a 40-X Height and Bulk District, on property located at:

3151-3155 Scott Street, Assessor's Block No. 0937, Lot No. 001.

By copy of this letter, the City Engineer's Office is requested to determine the sufficiency of the signatures in regard to the percentage of the area represented by the appellant. Please submit a report not later than 5:00 p.m., August 22, 2011, to give us time to prepare and mail-out the hearing notices as the Board of Supervisors has tentatively scheduled the appeal to be heard on September 13, 2011, at 4:00 p.m.

Sincerely,

Angela Calvillo  
Clerk of the Board

- c: Jerry Sanguinetti, Manager, Department of Public Works-Bureau of Street Use and Mapping, w/copy of appeal
- Fuad Sweiss, City Engineer, Department of Public Works, w/copy of appeal
- Appellant, Adam Polakoff, Attorney for Cow Hollow Association, Hammond Law, 1829 Market Street, San Francisco, CA 94103
- Property Owner, CHP Scott Street LLC, 280 Turk Street, San Francisco, CA 94102, w/copy of appeal
- Project Contact, Gail Gilman, Executive Dir., Community Housing Partnership, 280 Turk Street, San Francisco, CA 94102, w/copy of appeal
- Scott Sanchez, Zoning Administrator, Planning Department, w/copy of appeal
- AnMarie Rodgers, Planning Department, w/copy of appeal
- Tina Tam, Planning Department, w/copy of appeal
- Nannie Turrell, Planning Department, w/copy of appeal
- Sara Velve, Planning Department, w/copy of appeal
- Linda Avery, Planning Department, w/copy of appeal
- Cheryl Adams, Deputy City Attorney, w/copy of appeal
- Kate Stacy, Deputy City Attorney, w/copy of appeal

RECEIVED  
11 AUG 17 PM 2:55  
DEPT. PUBLIC WORKS  
DIRECTOR'S OFFICE

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

August 19, 2011

Adam Polakoff, Esq.  
Hammond Law  
1829 Market Street  
San Francisco, CA 94103

**File No. 110935, Planning Case No. 2010.0420CETZ  
3151-3155 Scott Street Conditional Use Appeal**

Dear Mr. Polakoff:

This is in reference to the appeal you submitted on behalf of the Cow Hollow Association, joined by various associations from the decision of the Planning Commission by Motion No. 18405, on property located at:

3151-3155 Scott Street, Assessor's Block No. 0937, Lot No. 001.

The Director of Public Works has informed the Board of Supervisors in a letter dated August 18, 2011, (copy attached); that the signatures represented with your appeal of August 15, 2011, have been checked pursuant to the Planning Code and represent owners of more than 20 percent of the property involved and would be sufficient for appeal.

A hearing date has been scheduled on **Tuesday, September 13, 2011, at 4:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, tentatively in Room 416, 4<sup>th</sup> Floor, at 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

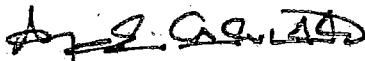
Please provide 18 copies to the Clerk's Office by:

**8 days prior to the hearing:** any documentation which you may want available to the Board members prior to the hearing;  
**11 days prior to the hearing:** names of interested parties to be notified of the hearing in label format.

3151-3155 Scott Street Conditional Use Appeal  
August 19, 2011  
Page 2

If you have any questions, please feel free to contact Legislative Deputy Director, Rick Caldeira, at (415) 554-7711 or Legislative Clerk, Joy Lamug, at (415) 554-7712.

Sincerely,



Angela Calvillo  
Clerk of the Board

c:

Mohammed Nuru, Director, Department of Public Works  
Jerry Sanguinetti, Manager, Department of Public Works-Bureau of Street Use and Mapping  
Fuad Sweiss, City Engineer, Department of Public Works  
Scott Sanchez, Zoning Administrator, Planning Department  
AnMarie Rodgers, Planning Department  
Tina Tam, Planning Department  
Nannie Turrell, Planning Department  
Sara Velve, Planning Department  
Linda Avery, Planning Department  
Cheryl Adams, Deputy City Attorney  
Kate Stacy, Deputy City Attorney  
Property Owner, CHP Scott Street LLC, 280 Turk Street, San Francisco, CA 94102  
Project Contact, Gail Gilman, Executive Director, Community Housing Partnership, 280 Turk Street, San Francisco, CA 94102





Edwin M. Lee, Mayor  
Edward D. Reiskin, Director  
Fuad S. Sweiss, PE, PLS,  
City Engineer & Deputy Director of Engineering



Phone: (415) 554-5827  
Fax: (415) 554-5324  
[www.sfdpw.org](http://www.sfdpw.org)  
[Subdivision.Mapping@sfdpw.org](mailto:Subdivision.Mapping@sfdpw.org)

Department of Public Works  
Office of the City and County Surveyor  
875 Stevenson Street, Room 410  
San Francisco, CA 94103

Bruce R. Storrs, City and County Surveyor

August 18, 2011

Ms. Angela Calvillo  
Clerk of the Board  
1 Dr. Carlton B. Goodlet Place  
City Hall - Room 244  
San Francisco, CA 94102

RE: 3151-3155 Scott St  
Lots 001 of Assessor's Block 0937  
Appealing Planning Commissions Approval of  
Conditional Use Application No. 2010.0420CETZ

Dear Ms. Calvillo:

This letter is in response to your August 17, 2011 request for our Department to check the sufficiency of the signatures with respect to the above referenced appeal.

Please be advised that per our calculations the appellants' signatures represent 24.10% of the area within the 300 foot radius of the property of interest, which is greater than 20% of the area involved, and is therefore sufficient for appeal.

If you have any questions concerning this matter, please contact Mr. Javier Rivera of my staff at 554-5864.

Sincerely

*Javier Rivera*  
for Bruce R. Storrs  
City & County Surveyor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2011 AUG 19 AM 11:25  
BY \_\_\_\_\_  
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**SAN FRANCISCO  
PLANNING DEPARTMENT**

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
**MEMO**

**Conditional Use Authorization Appeal**  
**3151 – 3155 Scott Street**

2011 SEP 2 PM 4:47  
BY AK  
1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

**DATE:** September 2, 2011  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** John Rahaim, Planning Director – Planning Department (415) 558-6411  
Sara Vellve, Case Planner – Planning Department (415) 558-6263  
**RE:** File No. 110935 Planning Case No. 2010.0420C –  
Appeal of approval of Conditional Use authorization for 3151 – 3155 Scott Street  
**HEARING DATE:** September 13, 2011  
**ATTACHMENTS:**  
A. Commission Packet for Conditional Use Authorization (including plans)  
B. Adopted Commission Motion No. 18405  
C. Final Mitigated Negative Declaration

Reception:  
**415.558.6378**  
Fax:  
**415.558.6409**  
Planning  
Information:  
**415.558.6377**

**PROJECT SPONSOR:** Community Housing Partnership, 280 Turk Street, San Francisco, CA 94102.

**APPELLANT:** Adam Polakoff, Hammond Law, 1829 Market Street, San Francisco, CA 94103

**INTRODUCTION:**

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the Planning Commission's ("Commission") July 14, 2011 approval of the application for Conditional Use Authorization under Planning Code Section 303 (Conditional Use Authorization) to convert a vacant tourist hotel (d.b.a. Edward II Inn) to a group housing use containing up to 25 units (24 units for transitional age youth between 18 and 24 years of age, and one manager's unit) within the NC-3 (Moderate Scale, Neighborhood Commercial) district, the Lombard and Scott Street Affordable Group Housing Special Use District and a 40-X Height and Bulk District.

This response addresses the appeal ("Appeal Letter") to the Board filed on August 15, 2011 by Adam Polakoff, Hammond Law, 1829 Market Street. The Appeal Letter referenced the proposed project in Case No. 2010.0420C.

The decision before the Board is whether to uphold or overturn the Commission's approval of Conditional Use Authorization to allow conversion of a vacant tourist hotel to 24 units of affordable group housing for transitional age youth between the ages of 18 and 24 and one manager's unit.

### SITE DESCRIPTION & PRESENT USE:

The subject property is Lot 001 in Assessor's Block 0937, located on the southwest corner of Lombard and Scott Streets. The Scott Street frontage is approximately 69 feet, with 50 feet of frontage on Lombard Street. The lot area is approximately 3,450 square feet.

The project site is located in the Marina District and is developed with an approximately 8,100 square foot three-story building with a basement formerly used as a tourist hotel (d.b.a. Edward II Inn) with a pub at the ground floor fronting Lombard Street. The building occupies most of the lot except for an approximately 7-foot setback from the south property line. The property does not currently provide any off-street parking or open space for users/occupants. The building was constructed in 1914 and has been altered.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD:

The site is located in an NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. Lots fronting Lombard Street to the east and west are zoned NC-3, while lots fronting Scott Street to the south of the site are zoned RH-2 and RM-2. The site is located one block south of the Chestnut Street shopping district and three blocks northwest of the Union Street shopping district. Properties in the vicinity fronting Lombard Street contain a mix of uses including restaurants, hotels, personal services, retail stores, and automotive repair shops. Building heights range from one to four stories with residential uses generally above the ground-floor commercial uses. Properties fronting Scott Street south of Lombard Street generally contain residential uses with building heights ranging from two to four stories. The height designation for the entire neighborhood is 40-X.

### PROJECT DESCRIPTION:

Community Housing Partnership, the project sponsor, proposes to convert the vacant tourist hotel (formerly d.b.a. Edward II Inn) to 24 affordable group housing units for transitional-age youth between the ages of 18 and 24 earning a maximum of 50% Area Median Income, and one unit for a resident manager, for an overall unit count of 25. The units will generally accommodate one person for each bedroom. Interior building modifications would reduce the number of on-site bedrooms from 29 to 25 (including the manager's unit) on the second and third floors, create bathrooms for each unit, construct a kitchen, offices and rooms for programmatic needs on the ground floor, and create a laundry room, entertainment room and parking for a minimum of nine bicycles in the basement. Exterior modifications would include window replacement, painting, new signage and façade enhancements. The proposal does not involve alterations to the building's size or height; although mechanical equipment will be located on the building's roof in the future.

The project as proposed requires Planning Code and Zoning Map Amendments to create the Lombard and Scott Street Affordable Group Housing Special Use District (SUD) as an overlay in this NC-3 District. The SUD would:

1. Permit one unit for every 143 square feet of lot area for a total of 24 group housing units and one manager's unit<sup>1</sup>, where one unit for every 210 square feet of lot area for a total of 16 group housing units and one manager's unit is permitted as-of-right by Planning Code Sections 208 and 712.92;

<sup>1</sup> Planning Code Section 204.4 exempts managers units from the density calculation for group housing.

2. Eliminate the rear yard requirement where a minimum rear yard of approximately 15 feet is required by Planning Code Section 134;
3. Eliminate the open space requirement where a minimum of approximately 675 square feet of private open space and approximately 875 square feet of common open space would be required by Planning Code Section 135;
4. Modify the exposure requirement for approximately 13 group housing units that do not face a street, alley or Code-compliant rear yard or courtyard as required by Planning Code Section 140.

On June 14, 2011, Supervisors Chiu, Avalos, Kim, Mar and Mirkarimi introduced an Ordinance proposing to create the SUD at 3151 – 3155 Scott Street. On July 14, 2011 the Commission adopted Resolution 18404 recommending that the Board of Supervisors approve a Planning Code Text Amendment to create the SUD by adding Planning Code Section 249.55 pursuant to Planning Code Sections 302 and 306 and approve a Zoning Map Amendment pursuant to Planning Code Sections 302 and 306 that would establish the SUD at Lot 001 in Assessor's Block 0937 on Zoning Map Sheet SU02.

#### BACKGROUND:

##### *2011 – Conditional Use Authorization Application filed*

On March 11, 2011, Hershey Hirschkop for Community Housing Partnership (hereinafter "CHP") filed a Conditional Use application with the Planning Department.

On June 14, 2011, the Appellant filed an appeal the Preliminary Mitigated Negative Declaration to the Planning Commission. Note: the CEQA document was not appealed to the Board of Supervisors.

On July 14, 2011, the Commission upheld the Preliminary Mitigated Negative Declaration and approved the issuance of the Final Mitigated Negative Declaration as prepared by the Planning Department in compliance with CEQA, the State CEQA Guidelines and Chapter 31.

On July 14, 2011, the Commission adopted Resolution No. 18404, Case No. 2010.0420TZ, recommending that the Board of Supervisors adopt the text change and map amendments to create the Lombard and Scott Street Affordable Group Housing Special Use District.

##### *2011 – Conditional Use Authorization hearing*

On July 14, 2011, the Commission adopted Motion No. 18405, approving Conditional Use Authorization to convert a vacant tourist hotel to 24 units of affordable group housing for transitional age youth between the ages of 18 and 24 and one manager's unit pursuant to Planning Code Section 303 at a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0420C.

#### CONDITIONAL USE AUTHORIZATION REQUIREMENTS:

The Commission must refer to the criteria outlined in Section 303 (Conditional Use) of the Planning Code. Section 303 states that the following must be met in order for the Commission to grant approval of an application:

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary *or* desirable for, *and* compatible with, the neighborhood *or* the community [*emphasis added*]; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
  - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
  - b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code.
  - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
  - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
  - e. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

#### APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES:

The concerns raised in the Appeal Letter are cited in a summary below and are followed by the Department's response:

**ISSUE #1: Proper action on the Conditional Use and Final Negative Declaration.** The Appellant contends that the Commission made a decision on the Conditional Use Authorization on July 14, 2011, and a decision on the Mitigated Negative Declaration on July 15, 2011, a sequence that is not consistent with the requirements of the California Environmental Quality Act (CEQA).

**RESPONSE #1: The Commission properly acted upon the Conditional Use and Final Negative Declaration.** CEQA Guidelines Section 15074, Consideration and Adoption of a Negative Declaration or Mitigated Negative Declaration, states that the decision making body of a lead agency (i.e., Commission) shall consider the proposed mitigated negative declaration (MND) together with any comments received during the public review process. As shown in Commission Motion 18403, which was adopted July 14, 2011, the Commission had available for its review and consideration, all information related to the project in the Planning Department's case file (2010.0420E). At the July 14, 2011 hearing, the Commission considered the findings of the MND and found that the project could not have any significant effect on the environment and affirmed the Department's decision to issue a MND. The MND then became final.

In approving the Conditional Use authorization in Motion 18405, the Commission adopted the MND and the project's Mitigation Monitoring and Reporting Program. Thus the actual date of adoption of the MND was July 14, 2011, and occurred when the Commission voted to uphold the MND and approve the Conditional Use in Motion No. 18405.

Motion 18405, which was voted on by the Commission on July 14, 2011 but clerically finalized by the Department on July 15, 2011, refers to July 15, 2011 as the Department's adoption date of the Final MND (FMND). This is based on the Environmental Review Officer's signature on the FMND cover page,

which occurred after the Planning Commission adopted the MND. This is not the relevant document or approving body. The relevant approving body is the Commission who adopted the MND after finding on the basis of the whole record before it that there was no substantial evidence that the project would have a significant effect on the environment and that the MND reflected the lead agency's independent judgment and analysis. Therefore, the Commission considered the findings of the MND as required in Section 15074 and did not violate CEQA.

**ISSUE #2: Proper action on the Conditional Use before the Board of Supervisors (BOS) action upon the Proposed Special Use District.** The Appellant contends that the Commission could not approve the Conditional Use Authorization because the Lombard and Scott Street Affordable Housing Special Use District (SUD) had not taken legal effect as the Board of Supervisors had not voted to approve the SUD to implement the zoning controls related to the proposal.

**RESPONSE #2: The Commission properly acted upon the Conditional Use before the Board of Supervisors (BOS) acted upon the Proposed Special Use District.** The Conditional Use Authorization is dependent upon BOS approval of the Lombard and Scott Street Affordable Housing Special Use District (SUD). Without approval of the SUD, the Conditional Use Authorization is not valid. In order to vet the environmental considerations and project details, it is standard procedure for the Commission to act upon Conditional Use authorization prior to BOS review and approval of associated legislation. The BOS could add additional language to the proposed SUD at the appeal hearing should they wish which would be binding on the project.

**ISSUE #3: Sufficient time for public review of plans and documents prior to the Commission's action was provided.** The Appellant contends that plans submitted for review by the project sponsor on March 11, 2011 were incomplete and missing information necessary to make a determination on the project and contained material gaps such as information relating to Americans with Disabilities Act ("ADA") access. Furthermore, the Appellant contends that the public did not have sufficient time to comment on the revised plans that were submitted for review on July 7 and July 14.

**RESPONSE #3: The public was provided with sufficient time for public review of plans and documents prior to the Planning Commission's action.** The public may request to review documents submitted to the Planning Department at any time during the review period. All hearing notices (newspaper ad, on-site posters, mailed notice) complied with the 20-day noticing period on, or before, June 24, 2011. Planning Code Section 306.3 does not require that mailed hearing notices include plan drawings. It is not uncommon for applicants to update their application materials, particularly plans, throughout the review process as a project becomes more defined, even up to, and at, a hearing. Compliance with ADA is outside of both the Planning Department's, and Commission's, purview. This concern is also addressed in Issue 7K.

**ISSUE #4:- Consideration of public correspondence and public comment from those in opposition to granting Conditional Use Authorization by the Commission.** The Appellant contends that the Commission's Motion does not address arguments of those opposed to the proposal. The Appellant also contends that while the Commission may disagree with public comments, it must provide evidence to support its

conclusions, rather than assert its own contradictory conclusions with no explanation as it did in its decision. Finally, the Appellant contends that the Commission, “without further comment, analysis or evidentiary support”, concluded that the project met the requirements of Planning Code Section 101.1 without considering the comments in opposition to the project.

**RESPONSE #4: The Commission considered public correspondence and public comment from those in opposition to granting the Conditional Use authorization.** The Commission held a duly noticed public hearing on July 14, 2011. The public hearing took a number of hours and included public comment in support of and in opposition to the proposal. The public was not denied the opportunity to comment on the proposal, or to provide the Commission with additional information to review and consider. In fact, the Commission received over 40 letters and emails, and one petition, about this project. The Commission reached an independent judgment, based on evidence in the record that differed from those in opposition to the project. Finding No. 5 of Motion 18405 presents a summary of concerns raised by the opposition.

At the hearing the Commission found that the project meets the intent of Planning Code Sections 101.1, 303, and the General Plan; as is evident through Findings 7 and 9 of Motion 18405. The Motion records compliance with the policies of the General Plan and sites five specific Elements (2009 & 2004 Housing Elements, Neighborhood Commerce, Transportation, Air Quality, and Urban Design), 21 objectives and 38 policies that apply to the project.

**ISSUE #5: Receipt of conditions proposed by the Cow Hollow Association (CHA) by the Commission:** The Appellant contends that the Commission did not consider restrictions (attached to the Appeal as Exhibit B) proposed by the Appellant “that would strengthen the project and ensure that it operates to the greatest benefit of future residents, the neighboring community and City”. The Appellant contends that their proposed restrictions *might* make the project consistent with Planning Code Sections 101.1(b) and 303(d).

**RESPONSE #5: The Commission received conditions proposed by the Cow Hollow Association (CHA).** The Commission receives information submitted to it for review prior to and during the hearing. Should any Commissioner wish to initiate a motion to implement conditions as a result of public comment, they may do so at the hearing. At the subject hearing, such a motion was not made and therefore the conditions proposed by CHA were not acted upon. Motion 18405 includes the Commission’s findings related to Planning Code Sections 101.1(b) and 303(d) and compliance with the City’s Housing Element.

**ISSUE #6 - Commission awareness of the number of proposed transitional age youth residents.** The Appellant contends that the Commission did not accurately analyze the project’s consistency with Planning Code Sections 101.1(b), 303(d), 303(C)(1), 303(C)(1)(A)(ii) (applicable only to non-residential uses), 303(c)(2)(A), 101.1(b)(4), 303(c)(2)(B) and Housing Element Policy 4.4 because Motion 18405 claims that there will *generally* be 24 residents occupying the site. The Appellant contends that in order to meet the above Planning Code and General Plan requirements, the exact number of occupants needs to be defined in the Motion and considered by the Commission.

**RESPONSE #6: The Commission was informed of the number of proposed transitional age youth residents.** The word “generally” was included in the overall number of occupants to allow guests to be permitted to

stay with occupants. The Planning Department did not want to create a situation where guests would not be permitted because they exceeded the stated number of occupants. The Department and Commission understand that there will be 24 single-occupancy rooms, and that occupants will be permitted to have guests stay with them, under certain limitations.

The Commission accurately analyzed the project's consistency with the Planning Code Sections. Below is a summary of their review with regard to some specific Sections raised by the appellant:

101.1(b)(4) Muni Transit Service: After review of the project documents, including the PMND document, the Commission found that the project would not impede Muni transit service or overburden our streets or neighborhood parking as outlined in Finding 9(4) as project occupants are not expected to own private vehicles due to their income levels. In addition, it is unknown whether or not the occupants will be commuters.

303(d) Application of Specific Conditions: Under this Section, the Planning Commission may impose additional conditions in order to secure the objectives of the Planning Code. The Commission prescribed those conditions that it found to be necessary to secure the objectives of the Planning Code in the Conditions of Approval contained in Motion 18405, and did not choose to impose additional conditions as suggested by the Appellant.

303(c)(1) Necessary or Desirable and Compatible with the Neighborhood or Community: Upon review of the case documents and lengthy public testimony both in support of and opposition to the project, the Commission found that the proposed development was necessary or desirable, and compatible with, the neighborhood or community as articulated in Findings 8, 9 and 10 of Motion 18405.

303(c)(1)(A)(ii) The non-residential use will serve the neighborhood and requires a larger size to function: This Planning Code Section is applicable only to non-residential uses. Per Planning Code Section 712.92 group housing is considered a residential use within the NC-3 (Neighborhood Commercial, Moderate Scale) District, thus this section does not apply to the project.

303(c)(2)(A) The proposed use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to its size and shape, and the proposed size, shape and arrangement of structures: The number of building residents will not change the physical nature of the existing building, and the project does not propose an enlargement, or rearrangement, of the building that would conflict with this Planning Code Section.

303(c)(2)(B) and 101.1(b)(4) The proposed use's effect on parking and traffic: Planning Code Section 151 *does not* require off-street parking for group housing use. In fact, if the proposal were to provide parking it would be considered an accessory use and the Planning Code would *establish a maximum* limit of no more than 9 parking spaces and *no parking would be required*. Earning no more than 50% of the Area Median Income, project occupants are not expected to be of an income level to enable ownership and operation of private vehicles. The sponsor has included an alternative to off-street parking by providing secure bicycle storage. Under CEQA review, the number of trips associated with the subject project (17) did not warrant further study or specific mitigations.

2009 Housing Element Policy 4.4: This policy promotes "sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible." The Commission's



decision regarding the proposal supports this policy in Finding 8 of Motion 18405 without regard to the number of project residents.

2004 Housing Element Policy 4.4: This policy promotes "granting density bonuses and parking requirement exemptions for the construction of affordable or senior housing." The Commission's decision regarding the proposal supports this policy in Finding 8 of Motion 18405 without regard to the number of project residents.

**ISSUE #7: Consistency with Planning Code Sections 101.1(b) and 303 and the City's Housing Element.** The Appellant contends that approval of the Conditional Use Authorization is not consistent with Planning Code Sections 101.1(b), 303 and the General Plan because the Commission did not consider CHA's concerns regarding the project as presented during public comment at the hearing. The Appellant contends that the Commission abused its discretion by using only those City policies that support the project.

**RESPONSE #7: The Commission's Conditional Use Authorization is consistent with Planning Code Sections 101.1(b) and 303 and the City's Housing Element.** Motion 18405, Findings 7, 8, and 9 describe that the project is, *on balance*, consistent with the Conditional Use Findings, Section 101.1 Findings and the Objectives and Policies of the General Plan. The Planning Commission adopted findings that the project is, on balance, consistent with the applicable Objectives and Policies of the General Plan. Findings of consistency with the General Plan requires a balancing of General Plan policies and a determination of overall consistency, not a microscopic look at each individual phrase of the General Plan. In preparing proposed findings for the Planning Commission's consideration, the Planning Department identified those Objectives and Policies of the General Plan that were most applicable to the Project, as is its practice, rather than proposing findings on all General Plan Objectives and Policies that have any conceivable relevancy to the Project.

The first item listed under Finding No. 8 demonstrates the project's compliance with the 2009 Housing Element. In authorizing Conditional Use, the Commission is required to make findings which are *applicable* to the project. The language contained in Findings Nos. 6, 7, and 9 of Motion 18405 substantiate compliance with all Planning Code Sections, including Sections 101.1 and 303. Although not all of the concerns called out by Appellant were among those judged most pertinent by Planning Department staff, in this response, the Department addresses the concerns called out by Appellant, and explains how the Project is consistent with these Objectives and Policies of the General Plan identified by the appellant. Should the Board uphold the approval of the Planning Commission, the Board may choose to incorporate this additional information into Board findings in support of the consistency of the Project.

**ISSUE #7A: Appropriateness of the size and density of the project, suitability of the site for transitional age youth residents, and the neighboring community and satisfaction of the City's affordable housing needs.**

**ISSUE #7A1: Appropriateness of unit size for transitional age youth residents:** The Appellant contends that the project violates Planning Code Sections 303(c)(1) and 303(c)(2)(A) as the project is undesirable for residents and neighbors because of the proposed size and intensity in the proposed location, the size (143 square feet) of each proposed group housing unit. They contend that current zoning would allow only 6 dwelling units where the current proposal is to house at least 24 residents, guests and supervisors.

Finally, the Appellant contends that the project packs too many residents into the building only to meet the project's funding needs.

**RESPONSE #7A1: The unit size is appropriate for transitional age youth residents** The property is located in an NC-3 District, which permits up to six dwelling units or 16 group housing units with one manager's unit. Density limitations for group housing units are set forth under Planning Code Section 208, which allows one bedroom ("unit") for each 210 square feet of lot area and assumes two beds per group housing unit. The subject property is 3,436 square feet and may contain up to 16 group housing units, each with two beds, and one on-site manager unit; therefore, up to 32 full-time occupants are permitted as-of-right under the Code. While the subject project proposes 24 group housing units (8 more than currently allowed under the Code) and one on-site manager unit, each unit would only contain one bed, not two beds as assumed under the Planning Code. As a result, up to 24 full-time occupants (8 less occupants than currently allowed under the Code) and one on-site resident manager would be permitted to occupy the property under the current proposal. Therefore, the findings of Motion 18405 are appropriate as is the project's density.

Furthermore, under the State Density Bonus Law the sponsor could have applied for a density increase of up to 35% over the permitted number of group housing units for affordable housing projects through a Special Use District. Under this density bonus, the Commission could have considered approving up to 44 full-time occupants living in up to 22 bedrooms each of which could contain two occupants. However, the project sponsor chose to pursue and the Commission chose to approve a project of 24 occupants—nearly ½ of the size that could have been permitted under law.

**ISSUE #7A2 -Adequacy of the Kitchen Facilities:** The Appellant contends that the project is undesirable because the units lack individual kitchens and the project only provides one 73 square foot communal kitchen, and that this situation will lead to poor nutritional habits because residents will not have an appropriate facility in which to prepare meals contrary to program objectives. The Appellant contends that the Commission failed to sufficiently address the kitchen facilities through analysis or evidence. Finally, the Appellant questions compliance with Planning Code Section 890.88(b) because the program will provide neither meals nor individual cooking facilities.

**RESPONSE #7A2: The project provides sufficient kitchen facilities.** Exhibit B of Motion 18405 indicates that the kitchen will be approximately 300 square feet and will provide two four-burner stoves, two refrigerators, two side-by-side double sinks, approximately 11 linear feet of counter space and food lockers. A dining area of approximately 150 square feet is located immediately adjacent to the kitchen and will augment the kitchen area. The Code is silent on the size of kitchens required for group housing uses.

The project is located in an NC-3 district and therefore the use is controlled by Article 7: Neighborhood Commercial Districts rather than Article 8: Mixed Use Districts. As such, Section 790.88(b) applies to the project. Planning Code Section 790.88(b) characterizes group housing as "A residential use which provides [either] lodging or both meals and lodging without individual cooking facilities . . . in a space not defined as a dwelling unit." Since the project provides lodging without meals and individual cooking facilities (such as a kitchen in each unit) it is consistent with Article 7's definition of group housing.

**ISSUE #7A3: Space for supportive services programming.** The Appellant contends that the project does not meet Housing Element Objective 1 and Policy 4.4 because the building contains only one room of approximately 427 square feet to provide supportive programming, which is insufficient to accommodate the various services that will be offered to help the transitional age youth residents become independent.

**RESPONSE #7A3: The project provides sufficient space for supportive services programming.** Exhibit B of Motion 18405 indicates that approximately 700 square feet of the ground floor will be used for supportive programming for program participants. This area will be divided into a program room including computer stations and TV screen, office, counseling office and tenant services area. These rooms are located immediately adjacent to the entry area and building lobby and will be visible and accessible to program participants. Such spaces will serve the various programs to be provided at the site. Both the Planning Code and General Plan do not prescribe the area required for programmatic needs of group housing uses.

**ISSUE #7B: Appropriateness of the site for the project and investigation of more appropriate sites in the neighborhood.** The Appellant contends that the sponsor could have purchased a building within District 2 that did not require a rezoning. The Appellant contends that the sponsor has refused to consider a different site that would be more appropriate for the use.

**RESPONSE #7B: The Commission is not responsible for properties purchased by individuals for a specific use.** The project sponsor is free to pursue entitlements through legislated avenues. The project sponsor filed an appropriate application and followed the legislated steps for such entitlements. The Commission duly noticed the required public hearing and acted upon the application for Conditional Use Authorization. Neither the Commission nor the Department are involved in the site acquisition process of outside parties. Community Housing Partnership, its partners and funders are qualified to understand the physical, programmatic and financial needs of the proposed use and related programs necessary for transitional age youth occupants. On July 14, 2011 the Commission approved with conditions the application associated with Case No. 2010.0420C with Motion Number 18405.

**ISSUE #7C: Questions about the supportive services programming that will be provided to transitional age youth residents.** The appellant contends that the Conditional Use authorization does not ensure nor require the provision of supportive services, and specific conditions should have been imposed to address the Appellant's concerns.

**RESPONSE #7C: The Commission is confident that supportive services programming that will be provided to transitional age youth residents.** The Commission approved a Conditional Use Authorization to convert a vacant tourist hotel to 24 units of affordable group housing and one manager's unit pursuant to Planning Code Section 303 at a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0420C. The Conditional Use Authorization does not regulate the provision of supportive services. If the Commission had concerns, the Commission had the option of expanding their conditions for the project; however, the Commission chose not to and acted upon the Conditional Use request per Motion 18405.

That said, the authorization for the Edward II included a 305 sq. ft. tenant services suite consisting of an outer room with a counselor workstation, a supervisor's office, and a private counseling room. The project sponsor has advised that the adjacent program room of 350 sq. ft. will be used by the Tenant Services for group meetings, classes and related activities. Together, these spaces consist of approximately 650 sq. ft. dedicated to supporting the residents. In addition, there are two separate lounge areas, a dining room, community kitchen, and laundry room for the residents.

Further, the project sponsor has indicated that funding sources require that there be on-site tenant services. The California Department of Housing and Community Development's Multifamily Housing Program for Homeless Youth requires a detailed plan, budget, and staffing ratios in order to be awarded funding. In addition, the SF Mayor's Office of Housing not only requires onsite support, but is also instrumental in leveraging funds from other City sources to ensure services are provided.

As reported by the sponsor, Community Housing Partnership, they have been developing, managing, and providing tenant services at supportive housing sites for over 20 years, and under their own mission statement they not only to house the homeless, but also ensure their lives improve once they are housed. Like all of the sponsor's properties, the Edward II will have onsite tenant services, and the sponsor has teamed with Larkin Street Youth Services, who will provide an array of on- and off-site services including two full time services staff at the subject property.

Per the sponsor, every youth at the Edward II site will work with the on-site case manager to develop a case plan/life plan. These plans will include between 20 and 40 hours a week of the youth participating in any/all of the following: college classes, GED preparation, including subject-specific tutoring, participation in job readiness classes such as computer literacy, internships with local business and full- or part- time employment. Youth will also work with the on-site peer counselor, who will arrange resident outings and assist tenants with life skills and study skills. As an apartment building rather than a treatment program, residents cannot be required by their lease to participate in services, but the sponsor's and service provider's experience is that tenants are eager to engage in services in order to obtain the resources that permit them to maintain their housing and progress in their life goals.

The Commission was presented information about the Appellant's concern and moved to approve the Draft Motion as presented by staff without changes proposed by the appellant.

**ISSUE #7D: Questions about adequate supervision and security.** The Appellant contends that the level of supervision for 24 full-time residents and their guests is inadequate and that the project does not comply with Planning Code Section 303(c)(2) requiring the "use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity." As an example, the Appellant uses an existing transitional age youth project managed by Larkin Street Youth Services (LSYS) at 864 Ellis Street where instances of crime, noise and police calls have increased in the neighborhood. The Appellant contends that the Commission is not limited to the four factors identified in Planning Code Section 303(c)(A)-(D) as Planning Code Section 303(c)(2) states that the health/safety/convenience/general welfare analysis "not be limited" to the four factors the Commission relied on. Finally, the Appellant contends that restrictions proposed by CHA were presented to the Commission and were not acted upon.

**RESPONSE #7D: The project provides adequate supervision and security.**

Under Planning Code Section 303(c)(2), the Commission considered if the proposed use would be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property; improvements or potential development in the vicinity. The Commission found that the project would not be determination with respect to several factors. Further, if the Commission had concerns, the Commission had the option of expanding their conditions for the project; however, the Commission chose not to and acted upon the Conditional Use request per Motion 18405.

In response to the Appeal, the project sponsor has committed in writing to maintaining a safe building and positive community relationships. They have committed to a building design that includes an extensive security system with camera coverage of all sidewalks around the building and all community spaces within the building, which can be monitored both by site staff and remotely via the internet. The sponsor's management plan for the building includes both a resident manager and twenty-four hour front desk staffing. This staffing pattern was established at the request of neighbors and is richer than the coverage the sponsor employs at any of its other buildings, all of which are larger and in more troubled neighborhoods than the subject site. Per the sponsor, the appellants' proposal of two round-the-clock staff in addition to the resident manager, corresponds to approximately 12 full-time equivalent staff persons, or one staff person for every two tenants. This staffing level far exceeds that at any comparable building, and would raise operating costs for the building to unsustainable levels.

The sponsor has reported to the Department that residents and their guests will be required to comply with lease and house rules and actively work together to create a positive community inside and outside the building. These house rules include limitations on the number of guests and the duration of their stay, consistent with City ordinances around renters' rights. Tenants will be responsible for their guests' behavior, and property management staff can prohibit guests from returning to the building.

Based on the sponsor's appeal response to the Department, the subject property differs from the Ellis Street Apartments not only in its more robust staffing but also in having a greater number and variety of community spaces that provide recreational area for tenants within the building envelope. Most importantly, the subject site is in a location that, though on a busy thoroughfare, has far lower crime rates than the Tenderloin neighborhood surrounding the Ellis Street Apartments. The sponsor notes that according to the San Francisco Police Department crime maps, crime rates in the radius immediately around the Ellis Street building are lower, not higher, than on the blocks immediately to its north or south, suggesting a neighborhood with an already high incidence of crime. Police logs have shown that calls originating from the Ellis Street Apartments are reporting on crimes outside of the building, not within.

**ISSUE #7E: The relationship of the public entitlement process and the Housing Element's Objectives and Policies:**

The Appellant contends that the entitlement process for the subject project did not comply with Housing Element Objective 10, Policies 10.1 and 10.2 relating to the public process and the flow of information between neighborhoods and project sponsors. As an example, the Appellant cites a number of issues relating to site planning processes managed by the Mayor's Office of Housing (MOH).

**RESPONSE #7E: The public entitlement process is consistent with the Housing Element's Objectives and Policies.**

Motion 18405, Finding No. 8 describes that the project is, on balance, consistent with the applicable Objectives and Policies of the General Plan. The first item under Finding No. 8 demonstrates the project's compliance with the Housing Element. In authorizing the Conditional Use, the Commission

is required to make findings regarding the Objectives and Policies which are *applicable* to the project. Specifically, nine Objectives and 21 corresponding Policies of the 2009 Housing Element are contained in the Motion, and they discuss how the project complies with each of the applicable Policies (Motion No. 18405, pages 7-11). In preparing proposed findings for the Planning Commission's consideration, the Planning Department identified those Objectives and Policies of the General Plan that were most applicable to the Project, as is its practice, rather than proposing findings on all General Plan Objectives and Policies that have any conceivable relevancy to the Project. Although the Objectives and Policies called out by Appellant were not among those judged most pertinent by Planning Department staff, the Planning Department addresses each of the Objectives and Policies called out by Appellant, and explains how the Project is consistent with these Objectives and Policies. Should the Board uphold the approval of the Planning Commission, the Board may choose to incorporate this additional information into Board findings in support of the consistency of the Project with the General Plan.

With regard to Housing Element objective and policies called out by the appellant,

- *Objective 10: ENSURE A STREAMLINED, YET THOROUGH, AND TRANSPARENT DECISION-MAKING PROCESS.*

In general, this Objective is focused on eliminating constraints to development.

- *Policy 10.1: Create certainty in the development entitlement process, by providing clear community parameters for development and consistent application of these regulations.*

The processes implemented by the Planning Department and Mayor's Office of Housing complied with noticing requirements and documents are available for public review upon request. The process implemented by the Mayor's Office of Housing is detailed below. Planning Department staff responded to inquiries by the community on a timely basis and it was understood by staff that the sponsor was engaging in public discourse to address the neighborhood's concerns, more fully explain the project and provide information. The sponsor has provided a detailed list of community outreach efforts. The project does not include an area plan that would have entailed a larger community-based planning process.

- *Policy 10.2: Implement planning process improvements to both reduce undue project delays and provide clear information to support community review.*

In February of 2011, the Planning Department initiated the Preliminary Project Assessment process for projects creating 6 or more dwelling units and/or constructing a new non-residential building or addition of 10,000 square feet or more. Projects that had not submitted an entitlement request prior to February 1, 2011 are subject to the policy. Since the sponsor submitted an environmental application on June 3, 2010, the project was not subject to this review. The Planning Department issues a Preliminary Project Assessment letter to the sponsor and posts them on-line at [www.sf-planning.org](http://www.sf-planning.org).

The Pre-Application Process is primarily to reduce the number of requests for Discretionary Review and is tied to the Planning Code Section 311 and 312 processes. Those projects subject to this process include new construction, vertical additions that add 7' or more to the existing building depth at any level, horizontal additions that add 10' or more to the existing building depth at any level, decks that require Section 311 or 312 Notification and all Formula Retail uses subject to Conditional Use authorization. The subject project does not involve any of the scopes of work that would trigger the Pre-Application Process.

With regard to the process led by the Mayor's Office of Housing, in 2006, the Mayor convened the Transitional Youth Task Force to address the needs of Transition Age Youth in San Francisco. The Task Force published findings in July 2006 and charged City departments with developing detailed work plans for several relevant areas, including housing. The Mayor's Office of Housing (MOH) facilitated a six-month process focused on transitional age youth housing, which included representatives of City agencies and nonprofit organizations, and culminated in a 2007-2012 Work Plan. The plan calls for MOH and SFRA to fund 400 units of housing – using a number of housing models – for various subpopulations of transitional age youth.

On August 24, 2009, MOH issued a Notice of Funding Availability (NOFA) for \$2 million – its only NOFA in 2009 – to support transitional age youth projects. As is customary with MOH policy and practice, the NOFA was published on MOH's website, and emails were sent to all of San Francisco's nonprofit affordable housing developers alerting them of the NOFA's issuance.

Only one application was submitted by the deadline of October 30, 2009. After the deadline was extended to December 30, 2009, six proposals were submitted. Scoring criteria included experience in development, property management and services for transitional age youth or similar populations (30 points out of 100 points), neighborhood safety (15 points), proximity to transitional age youth - appropriate amenities (10 points), leveraging (10 points, with an additional 15 bonus points possible for capital grants), and cost effectiveness based on MOH's share of capital sources (20 points).

Of the five proposals that met the NOFA's threshold requirements, MOH selected the top three scorers for funding. In the aggregate the top three applicants requested more than \$3.1M. These three applicants represent a variety of San Francisco neighborhoods and transitional age youth models:

Project	Type	TAY units	TAY sub-Population	Neighborhood	Sponsor
Edward II	TAY only	25	mixed	Marina	CHP
Aarti Hotel	TAY only	40	TAY w/ ment. illness	Tenderloin	TNDC
Booker T. Washington	mixed populations	15	Former foster youth	Western Addition	Booker T. Washington

Community Housing Partnership's application received the highest score, with 100 points.

In addition to the three projects above, MOH is funding transitional age youth housing units at the Phelan Loop mixed-use project in the Oceanview neighborhood.

**ISSUE #7F: Questions about the population to be served when considering the application.** The Appellant contends that the sponsor was inconsistent in describing the population to be served by the project and that the inconsistency could not create a project that is appropriate for eventual residents as the needs of various populations can differ. The Appellant contends that without knowing the exact population of transitional age youth between the ages of 18 – 24 earning a maximum of 50% Area Median Income, the Commission could not determine if the project is appropriate for the population to be served, which is inconsistent with Housing Element Policy 5.4. Finally, the sponsor voluntarily suggested restricting

occupants to youth transitioning out of foster care or to bar felons and probationers but the Commission did not act upon this suggestion.

**RESPONSE #7F: The Commission was aware of the population to be served when considering the application.** Policy 5.4 of the 2009 Housing Element discusses a number of housing types that are beneficial and should be provided to residents as their housing needs change either up the "housing ladder" or down the "housing ladder". The policy is designed to allow flexibility in the populations that could be in need of housing, and support the development of a broad range of housing types to fit their needs. The sponsor submitted an application to establish a group housing use as defined in Planning Code Section 790.88, which does not specify a particular population to be served. The Planning Commission and Department understand that the group housing project will serve transitional age youth between the ages of 18 – 24 earning a maximum of 50% Area Median Income.

**ISSUE #7G: Analysis of traffic considerations.** The Appellant contends that the Commission improperly analyzed the proposal under Planning Code Sections 101.1(b)(4) and 303(c)(2)(B) because the Commission believed that the population residing in the project would likely not own cars due to their level of income. The Appellant contends that the Commission did not consider the traffic generated and parking required from employees and service providers travelling to and from the site. Finally, the Appellant contends that the traffic problems caused by the project will exacerbate traffic issues associated with the Drive replacement project and the America's Cup.

**RESPONSE #7G: The Commission adequately analyzed traffic considerations.** Planning Code Section 151 does not require parking for group housing and as such the project does not provide any off-street parking for residents, employees or service providers. The site does not currently provide any off-street parking spaces and creation of such an amenity would result in either a reduction in the overall space available in the building envelope for housing and programmatic needs, the necessity to raise the building to accommodate a new garage, and installation of a garage door and curb cut on either Lombard Street or Scott Street, or both.

With regard to Planning Code Sections 101.1(b)(4), the finding stipulates that commuter traffic is not to impede MUNI transit service or overburden our streets or neighborhood parking. In addition to the response that project residents are not expected to privately own cars, it is questionable whether or not the project residents can be defined as commuters as it is unknown where they will need to travel in their day-to-day routines. The project will support a decrease the dependency on private autos by providing bicycle storage spaces and the more-than-adequate access to existing public transportation in the neighborhood.

The Appellant appealed the Preliminary Mitigated Negative Declaration to the Planning Commission and Concern #3 of that appeal was traffic associated with the proposal. In Exhibit A of Motion 18404 of the Planning Department's Response to Appeal of the Preliminary Mitigated Negative Declaration (page 7) it is stated that:

"The CEQA document for the 34th America's Cup has not been finalized; however, it is possible that the project could have adverse transportation effects. The project at 3155 Scott Street would generate approximately 17 net new trips, which would not be considered a substantial contribution to



cumulative impacts. While the 34<sup>th</sup> America's Cup may have adverse transportation effects, those effects would occur regardless of whether the project at 3155 Scott Street is implemented."

Under CEQA review, the number of trips associated with the subject project (17) did not warrant further study or specific mitigations.

Traffic concerns were adequately addressed by the Commission through the CEQA review and Planning Code Section 101.1 and 303 Findings. This transportation analysis cited in the CEQA document accounts for service-providing staff and visitors as well as cumulative impacts accounting for the Doyle Drive replacement project.

**ISSUE #7H: The proposed use and local retail business.** The Appellant contends that the project does not comply with Planning Code Section 101.1(b) because the project's occupants are not part of the target consumer group of neighborhood business. The Appellant contends that conversion of the building from a tourist hotel to a group housing use will eliminate a steady stream of tourist consumers.

**RESPONSE #7H: The Commission found that the proposed use will not negatively impact local retail business.** The project will not result in the loss of an existing neighborhood-serving retail use on the site as the former use of the building was a tourist hotel and not a neighborhood-serving retail use. The project *itself* will not eliminate a steady stream of tourist consumers as the tourist hotel was sold by the former property owner and is currently vacant. The site was purchased in order to create affordable housing for a population with a specific housing need. The current owner is not obligated to continue the tourist hotel use. The project before the Commission for consideration by the current property owner is a group housing use and not a tourist hotel use. The Commission is not involved in the site's transfer of ownership.

The commercial areas around the project site (Union Street Neighborhood Commercial District, the Lombard Street corridor and the Chestnut Street commercial area) represent a diverse range in neighborhood-serving retail opportunities. While Union Street shopping is geared toward higher-income consumers, it is punctuated with corner stores and some retail outlets that would be economically appropriate for project residents. The Lombard Street corridor provides a greater number of retail outlets that are economically appropriate for project residents. Retail opportunities on Chestnut Street are a mix of those types found on Lombard Street and Union Street. The proposed group housing use will locate new residents to the neighborhood who will likely patronize existing neighborhood-serving retail uses.

**ISSUE #7I: The building's historical character.** The Appellant contends that the project does not meet the requirements of Planning Code Section 101.1(b)(7) and Housing Element Policy 11.7 and that the subject building is a historic resource.

**RESPONSE #7I: The Commission appropriately analyzed the building's historical character** Note that appeal of the CEQA document is not before the Board of Supervisors. Pursuant to the California Environmental Quality Act (CEQA), alterations to the building were considered in a Historic Resources Evaluation Report (HRER) dated May 19, 2010 and prepared by a third party as is standard procedure. The historic

resource status was assessed objectively during the CEQA process and the building was not found to be a historic resource.

The analysis of the building at 3155 Scott Street in the FMND considered all applicable criteria as required to determine the eligibility for listing in the California Register and determined the building to be ineligible under all four criteria.

Page 38 of the FMND describes the process of determining whether a building may be a historical resource by evaluating the property per the California Register of Historic Places (CRHP) criteria, which include events (Criterion 1), persons (Criterion 2), architecture (Criterion 3), and information potential (Criterion 4). The property is evaluated for individual historical significance and to determine if it contributes to a historic district or context. To be a historical resource under CEQA, a property must be shown to be not only significant under CRHP criteria, but it also must retain sufficient integrity from the period of significance that qualifies the property for listing on the CRHP. A resource that is designated or recognized as significant on a local register of historical resources or one that is significant under the Public Resources Code, Section 5024.1(g), is also presumed to be significant under CEQA "unless the preponderance of evidence demonstrates that the resource is not historically or culturally significant." Per these criteria, the FMND concluded the building was not eligible for listing in the CRHP.

The Appellant states that it is beyond dispute that Charles J. Rousseau was a historic architect and that the building retains the character and appearance of his original design. In fact, the FMND does not dispute the architect's historical significance, but finds that the building is not a strong representation of his work due to the extensive alterations that have taken place over the years. The Department concurred with the Historic Resource Evaluation Report prepared by the Architectural Resources Group (ARC) that the subject building retains integrity of location, association, workmanship and feeling. However the Department did not find the building to retain sufficient integrity of design, setting or materials to convey historical significance under Criterion 3 primarily due to the demolition of approximately one-fifth of the building's original volume, the alteration of the building's storefronts, and the widening of Lombard Street. The Appellant states that the building is one of the few remaining buildings from the Pan American Expo, presumably referring to the Panama-Pacific International Exposition of 1915 held nearby the project site. In fact, the building was not part of the exposition. The FMND explains that the building was constructed for lodging purposes around the time of the exposition; this provides an indirect connection with the exposition, but the building was not constructed to be part of the exposition, and never had a relationship linkage with this event. The Appellant has provided no information to support the contention that the property is an historic resource.

**ISSUE #7J: Seismic analysis.** The Appellant contends that the Commission did not adequately assess the project pursuant to Planning Code Section 101.1(b)(6) for seismic considerations. The Appellant provides an example through a project at 2395 Lombard Street located directly north of the project site.

**RESPONSE #7J: The Commission's seismic analysis is sufficient.** Note that appeal of the CEQA document is not before the Board of Supervisors. Through adoption of the Final Mitigated Negative Declaration, Case No. 2010.0420E as noted in Motion 18405, page 2, the Commission inherently adequately assessed the seismic considerations of Planning Code Section 101.1(b). Issue Number 1 of this Appeal Response addresses the timing of Commission actions as they relate to CEQA.

The geology analysis in the FMND is appropriate for the renovation of a building that does not include and would not require extensive sub-surface grading or excavation. In addition, the renovation would include extensive upgrades to the building, in accordance with all applicable state and City seismic codes and regulations.

The Appellant states that a geotechnical report, similar to that conducted for a project at 2395 Lombard Street, should have been conducted. The City required an extensive geotechnical investigation for the project at 2395 Lombard Street because it involved the construction of a 12 unit condominium building involving new foundation, drilled piers, subsurface footings, and other structural details. The proposed project consists of renovation of an existing building at 3155 Scott Street.

The FMND included an analysis of existing geologic conditions and referenced property structural reports. According to the United States Geological Survey, the site is not within a liquefaction zone. The geotechnical report referenced by the Appellants notes the potential for site liquefaction. That information is noted, but is more relevant for construction and structural foundation recommendations for a new building. The building at the project site is a three story plus basement structure. The foundation is reinforced concrete, with continuous perimeter footings and interior footings. The proposed project includes minor structural stabilization in the basement. A recent survey of the building revealed that the subject property suffered no significant structural damage from the Loma Prieta earthquake on October 17, 1989. In addition, the proposed project would be required to incorporate all seismic improvements identified by the Department of Building Inspection during plan review as referenced in Finding 9(6) of Motion 18405.

The Appellant further states that "available evidence prepared by geotechnical engineers indicates the potential for a significant seismic hazard to project occupants", referencing the project at 2395 Lombard Street. While there can be no doubt that the residents of the proposed project at 3155 Scott Street would also be subject to potentially significant seismic hazards, so would all the occupants of the Marina neighborhood and other areas subject to seismic hazards. Given the current positive physical condition of the building at 3155 Scott Street, the required structural reinforcements with the renovation of the building, and the adherence to all required state and City seismic codes during project construction, potential geology impacts have been adequately addressed.

**ISSUE #7K: Compliance with the American's with Disabilities Act (ADA)** The Appellant contends that the Commission improperly authorized Conditional Use as wheelchair residents will not have access to the third floor, and access to the third floor is necessary due to the lack of open space provided on the site.

**RESPONSE 7K: The Commission compliance with ADA is not under the Commission's jurisdiction.** Compliance with ADA is under the jurisdiction of the Department of Building Inspection and the Mayor's Office of Housing, and should the project move through the permit process, those departments will conduct the plan check. ADA compliance is not within the Planning Department's or Commission's purview. As noted by the Appellant, the plans submitted for review by the Commission (Exhibit B of Motion 18405) do not indicate that the Limited Use Limited Access elevator will access the building's third floor. The Appellant contends that access to the building's third floor is necessary to gain access to common space for those who require the lift. The plans indicate that common space for the project is located on the first and basement levels, and that bedrooms, bathrooms and hallways constitute the third floor.

ISSUE #8: Housing for the transitional age youth population. The Appellant contends that the Commission improperly addressed a conflict they perceive between permanent housing that is targeted to youth ages 18 – 24 and permanent housing with eviction control as occupants turn 25 years of age. The Appellant argues that “there is a serious risk that once the Project is fully occupied, current residents will not cycle out to make room for additional transitional age youth residents. After several years, the project could be at full capacity with only residents over the age of 24.” Finally, the Appellant is concerned that their proposed restrictions on the term of tenancy and evictions were not implemented.

RESPONSE #8: The Commission appropriately approved group housing and is confident that the project sponsor will properly house transitional age youth. The Commission approved a Conditional Use Authorization to convert a vacant tourist hotel to 24 units of affordable group housing and one manager’s unit pursuant to Planning Code Section 303 at a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0420C. The Conditional Use Authorization does not regulate tenancy nor does the Commission have the authority to review or alter rent control laws. If the Commission had concerns, the Commission had the option of expanding their conditions for the project; however, the Commission chose not to and acted upon the Conditional Use request per Motion 18405.

The project sponsor has indicated that as lease-holding tenants, building residents may not be evicted simply for reaching their 25th birthdays. However, all of the programming from the moment each youth moves into the program will be focused on achieving independence and moving out of the Edward II housing before age 25. Each youth’s service plan, developed at initial move-in, focuses on identifying the life skills and resources the individual requires to achieve housing self-sufficiency. In addition, group housing of the type provided at the Edward II is developmentally appropriate for young adults, who then naturally progress to desiring greater independence.

The physical design of the subject property is intended to be comfortable but not luxurious. Much of the resources of this project have been put into community services spaces and not into in-unit amenities, in order to foster community and support tenants in their goals of independence. For example, units will not have kitchenettes, and tenants will instead cook in a shared kitchen. Occupancy restrictions will limit units to one tenant each, prohibiting residents from cohabiting with a partner or spouse. Restrictions regarding overnight guests, visitors, a set of house rules and the level of supervision at the building create an incentive for residents to attain during their tenancy the resources necessary for independent living and to move to a more conventional housing setting as they mature into adulthood.

## CONCLUSION:

In the Commission’s authorization of the Conditional Use, the project was found to be necessary, desirable and compatible with the community or neighborhood. The project is necessary to address a specific housing need for the City and transitional age youth between the ages of 18 and 24 earning no more than 50% of the Area Median Income. Under the State Density Bonus Law the sponsor *could* have applied for a density increase of up to 35% over the permitted number of group housing units for affordable housing projects through a Special Use District. Under this density bonus, the Commission

could have considered approving up to 44 full-time occupants living in up to 22 bedrooms each of which could contain two occupants. However, the project sponsor chose to pursue and the Commission chose to approve a project of 24 occupants—nearly ½ of the size what could have been permitted under law. The 2007-2012 Work Plan calls for MOH and SFRA to fund 400 units of housing for various subpopulations of transitional age youth. The proposed project works to secure a small amount of this desperately needed housing. In granting the Conditional Use and authorization, the Commission made Findings that the project promotes the applicable Objectives and Policies of General Plan. The Department points to four General Plan policies from the Commission's motion for your concluding considerations:

OBJECTIVE 1:

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

OBJECTIVE 4:

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

Policy 4.2: Provide a range of housing options for residents with special needs for housing support and services.

Policy 4.7: Consider environmental justice issues when planning for new housing, especially affordable housing.

For the reasons stated above, the Planning Department recommends that the Board uphold the Commission's decision in approving the Conditional Use authorization for 3151 – 3155 Scott Street and deny the Appellant's request for appeal.

