

File No. 210746

Committee Item No. _____

Board Item No. 21

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: June 29, 2021

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- Motion
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- Grant Information Form
- Grant Budget
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- Contract/Agreement
- Award Letter
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OTHER

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Prepared by: Jocelyn Wong

Date: June 25, 2021

Prepared by: _____

Date: _____

1 [Findings - Disapproval of Tentative Map for 424, 426, 428, 430, 432, 434 Francisco Street]

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3 **Motion adopting findings concerning the disapproval of a Tentative Map for a six-unit**
4 **condominium conversion located at 424, 426, 428, 430, 432, and 434 Francisco Street,**
5 **Assessor’s Parcel Block No. 0041, Lot 010.**

6

7 WHEREAS, At a duly noticed public hearing held on September 3, 2020, the Planning
8 Commission considered the proposed conversion of the six-unit building located at 424, 426,
9 428, 430, 432, and 434 Francisco Street, Assessor’s Parcel Block No. 0041, Lot No. 010 into
10 residential condominiums (“Proposed Conversion”) and continued the hearing to October 1,
11 2020; and

12 WHEREAS, At a duly noticed public hearing held on October 1, 2020, the Planning
13 Commission considered and failed to approve the Proposed Conversion, due to the absence
14 of four affirmative votes in favor of approval, and did not find the Proposed Conversion
15 consistent with the General Plan, and the eight priority policy findings of Planning Code,
16 Section 101.1; and

17 WHEREAS, In a letter dated October 28, 2020 (“Planning Letter”), the Planning
18 Department found the tentative map for a six-unit condominium conversion at 424, 426, 428,
19 430, 432, and 434 Francisco Street, Assessor's Parcel Block No. 0041, Lot No. 010
20 (“Tentative Map”) did not comply with the Planning Code for the reasons set forth in an
21 accompanying memorandum (“Planning Memorandum”), which summarized Commissioners’
22 statements and findings and memorialized the Planning Commission’s action on the Proposed
23 Conversion; and

24

25

1 WHEREAS, Both the Planning Letter and Planning Memorandum are on file with the
2 Clerk of the Board of Supervisors in File No. 201379 and incorporated herein by reference;
3 and

4 WHEREAS, In a decision dated December 7, 2020, which is on file with the Clerk of
5 the Board of Supervisors in File No. 201379 and is incorporated by reference herein, the
6 Department of Public Works disapproved the Tentative Map pursuant to Subdivision Code
7 Section 1332; and

8 WHEREAS, At a duly noticed public hearing held on March 2, 2021, the Board of
9 Supervisors conducted the appeal of the Tentative Map denial; and

10 WHEREAS, This Board reviewed and considered the entire written record before it,
11 which is on file with the Clerk of the Board of Supervisors in File No. 201379 and is
12 incorporated herein by reference, as well as all public comment both in support of and
13 opposition to the appeal; and

14 WHEREAS, At the abovementioned public hearing held on March 2, 2021, based on
15 the decisions of the Planning Commission, the Planning Department, and the Public Works
16 Department, and the materials and testimony provided to the Clerk of the Board in File No.
17 201379, the Board conditionally approved the Department of Public Works' disapproval of the
18 Tentative Map subject to the Board of Supervisors' adoption of written findings in support of
19 this determination at a subsequent meeting; now, therefore, be it

20 MOVED, That the Board finds that:

21 (1) As set forth in the Planning Memorandum section two, titled General Plan
22 Compliance ("Planning Memorandum Section Two"), the tenancy in common (TIC) dwelling
23 unit is a more affordable housing type than a condominium in the City. It is typically valued
24 10-20% lower than the equivalent condominium dwelling unit. As such, it is an identifiable
25

1 step on the housing ladder, and provides somewhat increased housing accessibility to middle
2 income residents.

3 (2) Removal of these TIC units reduces the diversity of unit types, and therefore is
4 not consistent with Policy 3.3 of the General Plan Housing Element. In particular, the North
5 Beach area needs diverse housing and affordable home ownership for first time buyers.
6 Housing is in high demand in North Beach, given its location near downtown and its access to
7 urban amenities and services. It is thus important to preserve TICs in this neighborhood as a
8 lower cost housing opportunity.

9 (3) Removal of these TIC units reduces the diversity of unit types, and therefore is
10 not consistent with Policy 5.4 of the General Plan Housing Element.

11 (4) The proposed change from TIC units to condominium units increases the value
12 of six (6) dwellings units by 10-20% thereby exacerbating the inaccessibility of
13 homeownership in the North Beach neighborhood, a neighborhood with many urban
14 amenities and where cultural and economic diversity and an affordable housing balance are
15 currently challenged.

16 (5) Therefore, for the reasons set forth in this motion and the Planning
17 Memorandum Section Two, the Tentative Map is not consistent with the General Plan.

18 (6) For the reasons set forth in this motion and the Planning Memorandum,
19 approval of the Proposed Conversion would not promote the health, safety and welfare of the
20 City.

21 (7) Based on the decisions of the Planning Department and the Public Works
22 Department and the materials and testimony provided to the Clerk of the Board in File No.
23 201379, the Tentative Map application contained factual discrepancies, inconsistencies,
24 and/or incorrect information regarding the building's short-term rental and eviction history,
25

1 intended to mislead or misdirect efforts by agencies of the City and County of San Francisco
2 in the administration of the Subdivision Code; and, be it.

3 FURTHER MOVED, That based on the entire record in Board File No. 201379, the
4 Board of Supervisors conditionally approved the decision of Public Works disapproving the
5 Tentative Map for the Proposed Conversion, subject to adoption of the foregoing written
6 findings.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

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

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

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

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

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

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only