

File No. 121218

Committee Item No. _____

Board Item No. 38

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date January 15, 2013

Cmte Board

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
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| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
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| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
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OTHER (Use back side if additional space is needed)

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Completed by: Robert Moyer

Date January 2, 2013

Completed by: _____

Date _____

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

1 [Final Map 6405 - 1120 - 1130 Kearny Street]
2

3 **Motion approving Final Map 6405, a 6 Unit Residential Condominium Project, located at**
4 **1120 - 1130 Kearny Street being a subdivision of Lot No. 022 in Assessor's Block No.**
5 **0144 and adopting findings pursuant to the General Plan and City Planning Code**
6 **Section 101.1.**

7
8 MOVED, That the certain map entitled "FINAL MAP 6405", comprising 4 sheets,
9 approved November 28, 2012, by Department of Public Works Order No. 180,858 is hereby
10 approved and said map is adopted as an Official Final Map 6405; and be it

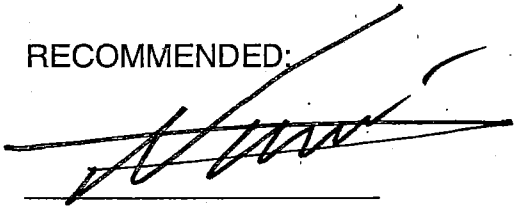
11 FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own
12 and incorporates by reference herein as though fully set forth the findings made by the City
13 Planning Department, by its letter dated February 6, 2012, that the proposed subdivision is
14 consistent with the objectives and policies of the General Plan and the Eight Priority Policies
15 of Section 101.1 of the Planning Code; and be it

16 FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes
17 the Director of the Department of Public Works to enter all necessary recording information on
18 the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's
19 Statement as set forth herein; and be it

20 FURTHER MOVED, That approval of this map is also conditioned upon compliance by
21 the subdivider with all applicable provisions of the San Francisco Subdivision Code and
22 amendments thereto.

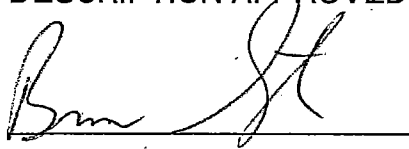
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RECOMMENDED:



Mohammed Nuru
Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS
City and County Surveyor



I, José Cisneros, Tax Collector of the City and County San Francisco, State of California, do hereby certify that according to the records of my office, there are no liens against the subdivision designated on the map entitled:

Block No. 0144 Lot No. 022 ✓
Address: 1120 KEARNY ST ✓

for unpaid City & County property taxes or special assessments collected as taxes.


José Cisneros

Tax Collector

Dated this 13th day of July 2012

City and County of San Francisco

San Francisco Department of Public Works



Office of the City and County Surveyor
875 Stevenson Street, Room 410
San Francisco, Ca 94103
(415) 554-5827 ■ www.sfdpw.org



Edwin M. Lee, Mayor
Mohammed Nuru, Director

Bruce R. Storrs, City and County Surveyor

DPW Order No: 180858

**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS**

APPROVING FINAL MAP 6405, 1120 – 1130 KEARNY STREET, A 6 UNIT RESIDENTIAL
CONDOMINIUM PROJECT, BEING A SUBDIVISION OF LOT 022 IN ASSESSORS BLOCK NO. 0144.

A 6 UNIT RESIDENTIAL CONDOMINIUM PROJECT

The City Planning Department in its letter dated February 6, 2012, stated that the subdivision is in conformity with the General Plan and the Priority Policies of City Planning Code Section 101.1.

The Director of Public Works, the Advisory Agency, acting in concurrence with other City agencies, has determined that said Final Map complies with all subdivision requirements related thereto. Pursuant to the California Subdivision Map Act and the San Francisco Subdivision Code, the Director recommends that the Board of Supervisors approve the aforementioned Final Map.

Transmitted herewith are the following:

1. Four (4) paper copies of the Motion approving said map – one (1) copy in electronic format.
2. One (1) mylar signature sheet and one (1) paper set of the "Final Map 6405", each comprising 4 sheets.
3. One (1) copy of the Tax Certificate from the Office of the Treasurer and Tax Collector certifying that there are no liens against the property for taxes or special assessments collected as taxes.
4. One (1) copy of the letter dated February 6, 2012, from the City Planning Department verifying conformity of the subdivision with the General Plan and the Priority Policies set forth in City Planning Code Section 101.1.

It is recommended that the Board of Supervisors adopt this legislation.



San Francisco Department of Public Works
Making San Francisco a beautiful, livable, vibrant, and sustainable city.

RECOMMENDED:

Bruce R. Storrs, PLS
City and County Surveyor, DPW

cc: File (2)
Board of Supervisors (signed)
Tax Collector's Office

APPROVED:

Mohammed Nuru
Director of Public Works

APPROVED: November 28, 2012

MOHAMMED NURU, DIRECTOR

11/28/2012

11/28/2012

X Bruce R. Storrs

Storrs, Bruce
City and County Surveyor

X Mohammed Nuru

Nuru, Mohammed
Director



San Francisco Department of Public Works
Making San Francisco a beautiful, livable, vibrant, and sustainable city.



Phone: (415) 554-5827
Fax: (415) 554-5324
www.sfdpw.org
Subdivision.Mapping@sfdpw.org

RECEIVED

12 FEB -8 AM 10:38

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

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

Bruce R. Storrs, City and County Surveyor

Date: April 18, 2011

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

2011.06790

NE

Project ID: 6405			
Project Type: 6 Units Condo Conversion			
Address#	StreetName	Block	Lot
1120 - 1130	KEARNY ST	0144	022
Tentative Map Referral			

Attention: Mr. Scott F. Sanchez

Pursuant to Section 1325 of the City and County of San Francisco Subdivision Code and Section 4.105 of the 1996 City Charter, a print of the above referenced Map is submitted for your review, CEQA and General Plan conformity determination. Under the provisions of the Subdivision Map Act and the City and County of San Francisco Subdivision Code, your Department must respond to the Bureau of Street-Use and Mapping within 30 days of the receipt of the application or CEQA Determination per SMA 664521(c). Under these same state and local codes, DPW is required to approve, conditionally approve, or disapprove the above referenced map within 50 days of the receipt of the application or CEQA Determination per SMA 664521(c). Failure to do so constitutes automatic approval. Thank you for your timely review of this Map.

Enclosures:

- Print of Parcel Map
- List "B"
- Proposition "M" Findings
- Photos

Sincerely,

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

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

✓ Approved per Motion No. 18529 for Case No. 2011.06790 (attached).

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

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

PLANNING DEPARTMENT

DATE 2/16/2012

Aaron Hollister
for Mr. Scott F. Sanchez, Zoning Administrator

"IMPROVING THE QUALITY OF LIFE IN SAN FRANCISCO" We are dedicated individuals committed to teamwork, customer service and continuous improvement in partnership with the community.



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Inclusionary Housing (Sec. 315)
- Jobs Housing Linkage Program (Sec. 313)
- Downtown Park Fee (Sec. 139)
- First Source Hiring (Admin. Code 83)
- Child Care Requirement (Sec. 314)
- Other

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 18529

HEARING DATE: FEBRUARY 2, 2012

Date: January 26, 2011
Case No.: 2011.0679Q
Project Address: 1120-1130 Kearny Street
Zoning: RH-3 (Residential, House, Three-Family)
 40-X Height and Bulk District
Block/Lot: 0144/022
Project Sponsor: Cam Perridge of
 Sirkin and Associates
 388 Market Street, Suite 1300
 San Francisco, CA 94111
Staff Contact: Aaron Hollister – (415) 575-9078
 aaron.hollister@sfgov.org

ADOPTING FINDINGS RELATING TO THE REVIEW FOR CONSISTENCY WITH THE GENERAL PLAN OF A SIX-UNIT RESIDENTIAL CONDOMINIUM CONVERSION LOCATED AT 1120-1130 KEARNY STREET WITHIN THE RM-2 (RESIDENTIAL, MIXED, MODERATE DENSITY) ZONING DISTRICT AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 18, 2011, Cam Perridge of Sirkin and Associates (hereinafter "Project Sponsor") filed an application with the Department of Public Works, Bureau of Street Use and Mapping for Planning Department (hereinafter "Department") review to allow the Condominium Conversion Subdivision of a six-unit residential building (hereinafter "Project") within the RM-2 (Residential, Mixed, Moderate Density) Zoning District and 40-X Height and Bulk District.

On February 2, 2012, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Condominium Conversion Subdivision Application No. 2011.0679Q, at which time the Commission reviewed and discussed the findings prepared for their review by the staff of the Department.

Section 1396, Article 9 of the Subdivision Code of the City and County of San Francisco sets forth the following rules and regulations for condominium conversions:

- A. A maximum of two-hundred (200) units may be converted to condominium units annually. An exception is provided for two-unit buildings where both units are owner-occupied for one year or one unit is owner occupied for three years.
- B. The following categories of buildings may be converted to condominiums:
- i. Buildings consisting of four units or less in which at least one of the units has been occupied continuously by one of the owners of record for three years prior to the date of registration for the lottery as selected by the Director of Public Works.
 - ii. Buildings consisting of six units or less in which at least 50 percent of the units have been occupied continuously by one of the owners of record for three years prior to the date of registration for the lottery as selected by the Director of Public Works.

The Subdivision Code requires that the Planning Commission hold a public hearing to review condominium conversion subdivisions containing five to six residential units for consistency with the General Plan. The Code calls for a sales program which promotes affirmative action in housing, a non-transferable tenant right of first-refusal to purchase the unit occupied by the tenant and various relocation requirements, including the right to a relocation payment.

The Code further provides for a lifetime lease for all tenants aged 62 years or older and/or are permanently disabled, and requires that no less than 40 percent of the tenants either have signed Intent to Purchase forms or be in a position of accepting such a lifetime lease. The Code prohibits any increase in rents while the conversion application is pending before the City.

The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA), Section 15301 (Class 1, Existing Structures).

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

MOVED, that the Commission hereby approves the Condominium Conversion Subdivision as requested in Application No. 2011.0679Q.

FINDINGS

Having reviewed the materials identified in the recitals above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and also constitute findings of this Commission.
2. The applicant requests Planning Department review of a Condominium Conversion Subdivision Application to allow for the conversion of a six-unit residential building.
3. As required by Section 1396 of the San Francisco Subdivision Code, 50 percent or more of the units have been owner occupied continuously by one or more of the owners of record for three years prior to the date of registration for the lottery as selected by the Director of Public Works.

4. Tenants in the subject building were notified of their right-of-first refusal to purchase the unit they occupy, as required by the Subdivision Code, and of other rights to which they are entitled under provisions of the same Code.
5. A search of the Rent Board database did not show any tenant petitions or eviction notices filed with the Rent Board in the last 5 years.
6. On balance, the Project is consistent with the Objectives and Policies of the General Plan, as follows:

2009 HOUSING ELEMENT

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 3.3:

Maintain balance in affordability of existing housing stock by supporting affordable moderate ownership opportunities.

The condominium conversion subdivision lottery sets an annual limit on condominium conversions for conversion-eligible buildings as set forth in Article 9 of the Subdivision Code. Rent-controlled units are not eligible for the condominium lottery. Conversions of condominium conversion-eligible buildings allow for home ownership opportunities for San Francisco residents.

7. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires a review for consistency with said policies prior to taking any action that requires a finding of consistency with the General Plan. Review of the relevant priority planning policies yielded the following determinations:
 - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project would have no adverse effect on existing neighborhood-serving retail uses as it is a change in form of residential tenure.
 - B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The Project is a change in form of residential tenure and would not alter the existing housing and neighborhood character of the vicinity.
 - C. That the City's supply of affordable housing be preserved and enhanced.

No such housing would be affected by the Project.

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

The Project simply represents a change in form of residential tenure and does not affect public transit or neighborhood parking.

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

The Project represents a change in the form of residential tenure and do not affect the industrial or service sectors of the City.

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

The Project is subject to inspection by the Department of Building Inspection. Prior to recordation of the final condominium subdivision map, any Building Code-required repairs, inclusive of those related to life safety issues, must be completed.

- G. That landmarks and historic buildings be preserved.

The Project represents a change in the form of residential tenure and does not propose any alterations that would affect the potential historic building.

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

The Project represents a change in the form of residential tenure and do not affect public parks or open space.

Motion No. 18529
February 2, 2012

CASE NO. 2011.0679Q
1120-1130 Kearny Street

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** Condominium Conversion Subdivision Application No. 2011.0679Q.

EFFECTIVE DATE OF MOTION: The effective date of Motion No. 18529 shall be the date of this Motion.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on February 2, 2012.

Linda Avery
Commission Secretary

AYES: Miguel, Antonini, Borden, Fong, Moore, Sugaya

NAYS:

ABSENT:

ADOPTED: February 2, 2012