

## LEGISLATIVE DIGEST

[Development Agreement - 98 Franklin Street, LLC - 98 Franklin Street; Certain Administrative Code Waivers]

**Ordinance approving a Development Agreement between the City and County of San Francisco and 98 Franklin Street, LLC, for certain real property at 98 Franklin Street (Assessor's Parcel Block No. 0836, Lot Nos. 008, 009, and 013), consisting of three parcels located in the Van Ness & Market Residential Special Use District on the east side of Franklin Street, between Oak and Market Streets; waiving certain provisions of Administrative Code, Chapter 56; adopting findings under the California Environmental Quality Act; and making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b), and findings of public necessity, convenience, and general welfare under Planning Code, Section 302.**

### Existing Law

In 2020, the City entitled a project at 98 Franklin Street, for a new 36-story mixed-use building reaching a height of approximately 365 feet, with 345 dwelling units, and restricting 20% of the project's dwelling units as affordable. The project sponsor has applied to the Planning Department for a development agreement that would (1) increase the project's height to 400 feet (excluding rooftop screen/mechanical equipment), (2) increase the number of dwelling units to 385, (3) permit a land dedication to the City of real property at 600 Van Ness Avenue, or other real property acceptable to the Mayor's Office of Housing and Community Development ("MOHCD"), (4) waive all but one million dollars (\$1,000,000) of the applicable affordable housing fees, with the intent that these funds be dedicated to Parcel K in the Market & Octavia Neighborhood Plan, and (5) vest the project approvals for five years following the effective date of the development agreement.

### Amendments to Current Law

This is a contract approval item. There are no amendments to law.

### Background Information

The affordable housing fee waivers in the development agreement will not occur unless or until MOHCD accepts the land dedication at 600 Van Ness Avenue, or an alternative site approved by MOHCD that can support the required number of affordable housing units. The legislation expresses a non-binding intent that the one million dollars paid by the Project Sponsor for affordable housing fees will be dedicated to Parcel K. This ordinance is the companion to another piece of legislation introduced on the same date, regarding changes to the Planning Code consistent with the proposed development agreement.

n:\legana\as2022\2300146\01639698.docx