

# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

## RECORDING REQUESTED BY

### And When Recorded Mail To:

Name: 719 LARKIN STREET, LLC

Address: 2044 FILLMORE ST, 3RD FL

City: SAN FRANCISCO

State: CA ZIP: 94115

CONFORMED COPY of document recorded  
12/26/2017, 2017K560855  
on \_\_\_\_\_ with document no \_\_\_\_\_  
This document has not been compared with the original  
SAN FRANCISCO ASSESSOR-RECORDER

(Space Above This Line For Recorder's Use)

I (We) HYUN SEAN SULLIVAN, the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows: (or see attached sheet marked "Exhibit A" on which property is more fully described):

**BEING ASSESSOR'S BLOCK 0717, LOT: 003,**

**COMMONLY KNOWN AS: 719 LARKIN STREET,**

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (Planning Code).

Said Restrictions consist of conditions attached to **Conditional Use Application No. 2015-005329CUAENVTDMMVAR** authorized by the Planning Commission of the City and County of San Francisco on **May 18, 2017**, as set forth in Planning Commission Motion No. 19924, to allow the construction of a building exceeding 40 feet in height with over 50 feet of frontage located at 719 Larkin Street, Block 0717 and Lot 003 pursuant to Planning Code Section(s) 235 and 303 within the RC-4 (Residential-Commercial, High-Density) District.

The following units in the Project have been designated as affordable to satisfy the Inclusionary Affordable Housing Requirements. The Unit Numbers listed below are reflected in the reduced set of plans, dated November 11, 2017, which are attached to this document.

UNIT NUMBER	UNIT TYPE	UNIT SIZE
204	One-Bedroom	645 square feet
206	One-Bedroom	656 square feet
303	One-Bedroom	636 square feet
401	One-Bedroom	588 square feet
405	One-Bedroom	593 square feet
502	One-Bedroom	572 square feet

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

# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

**Affordable Units.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.

1. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 14.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 42 units; therefore, six affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the six affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

2. **Unit Mix.** The Project contains 42 one-bedroom units; therefore, the required affordable unit mix is six one-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

3. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

4. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than fourteen and one half percent (14.5%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

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

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6. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual

## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households. The affordable unit shall be affordable to low-income households, as defined in the Planning Code and Procedures Manual, including but not limited to a First-time Homebuyer requirement. The units shall be priced to be affordable to households whose gross annual income, adjusted for household size, does not exceed ninety (90) percent of Area Median Income under the income table called "Maximum Income by Household Size derived from the Unadjusted Area Median Income for HUD Metro Fair Market Rent Area that contains San Francisco." The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.

## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans with a corresponding table that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

  
(Signature)

HYUN SEAN SULLIVAN  
(Printed Name)

Dated: \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_, California.  
(Month, Day) (City)

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



## ACKNOWLEDGMENT

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

State of California

County of San Francisco

On 12-21-2017 before me, Tamara Gaffney  
(insert name and title of the officer)

personally appeared Hyan Sean Sullivan,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



## Exhibit 'A'

### LEGAL DESCRIPTION

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

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF THE SOUTHERLY LINE OF OLIVE STREET WITH THE WESTERLY LINE OF LARKIN STREET AND RUNNING THENCE SOUTHERLY ALONG THE SAID WESTERLY LINE OF LARKIN STREET 60 FEET, THENCE AT RIGHT ANGLE WESTERLY 100 FEET, THENCE AT A RIGHT ANGLE NORTHERLY 60 FEET TO THE SOUTHERLY LINE OF OLIVE STREET AND THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE OF OLIVE STREET 100 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF LARKIN STREET AND THE POINT OF COMMENCEMENT. BEING A PORTION OF WESTERN ADDITIONAL BLOCK NUMBER 9.

APN: LOT: 003, BLOCK: 0717



SHEET NOTES

REVISIONS	NO.	DATE	DESCRIPTION
	000006	07/20/17	DATE RESPONSE
	000007	07/20/17	NOVA CD
	000008	07/20/17	NOVA CD
	000009	07/20/17	NOVA CD
	000010	07/20/17	NOVA CD
	000011	07/20/17	NOVA CD
	000012	07/20/17	NOVA CD
	000013	07/20/17	NOVA CD
	000014	07/20/17	NOVA CD
	000015	07/20/17	NOVA CD
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	000018	07/20/17	NOVA CD
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	000098	07/20/17	NOVA CD
	000099	07/20/17	NOVA CD
	000100	07/20/17	NOVA CD

SCALE  
1/16" = 1'-0"

OWNER  
719 Larkin Street  
San Francisco, CA 94109

PROJECT NAME  
719 Larkin Street  
San Francisco, CA 94109

PROJECT NO.  
100000

DATE  
07/20/17

SCALE  
1/16" = 1'-0"

OWNER  
719 Larkin Street  
San Francisco, CA 94109

PROJECT NAME  
719 Larkin Street  
San Francisco, CA 94109

PROJECT NO.  
100000

DATE  
07/20/17

SCALE  
1/16" = 1'-0"

OWNER  
719 Larkin Street  
San Francisco, CA 94109

PROJECT NAME  
719 Larkin Street  
San Francisco, CA 94109

PROJECT NO.  
100000

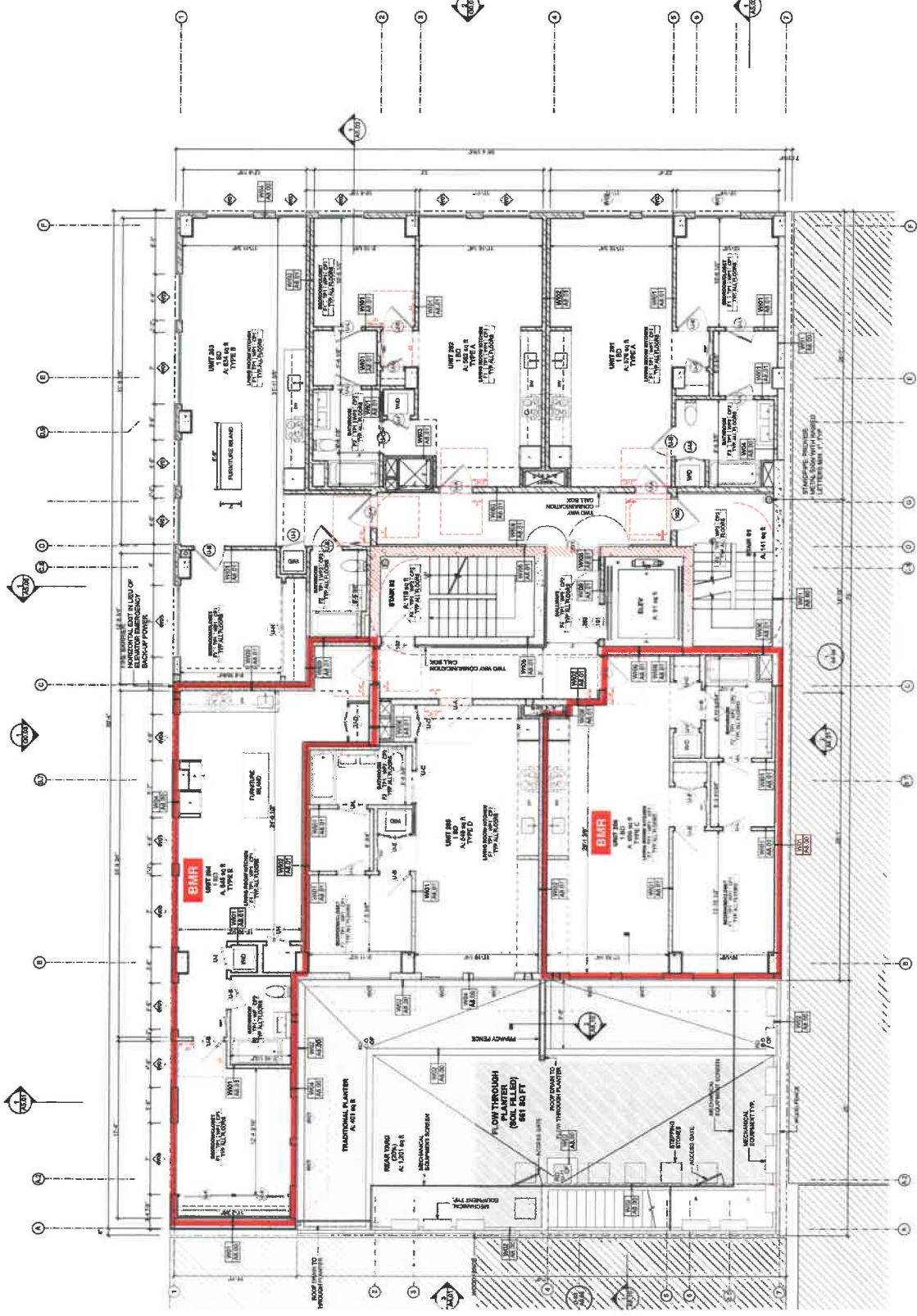
DATE  
07/20/17

LEVEL: 1st FLOOR  
SCALE: 1/16" = 1'-0"



STORY 2

DRAWING NO. 11 OF 12  
A2.01





SHEET NOTES

REVISIONS	NO.	DATE	REVISION
	01	01/17/17	01/17/17 SITE PERMIT
	02	02/01/17	02/01/17 UNIT RESPONSE
	03	03/01/17	03/01/17 50% DO
	04	04/01/17	04/01/17 50% DO
	05	05/01/17	05/01/17 50% DO
	06	06/01/17	06/01/17 50% DO
	07	07/01/17	07/01/17 SITE PERMIT
	08	08/01/17	08/01/17 PLANCHER LIFTED REVIEW
	09	09/01/17	09/01/17 75% DO
	10	10/01/17	10/01/17 80% DO

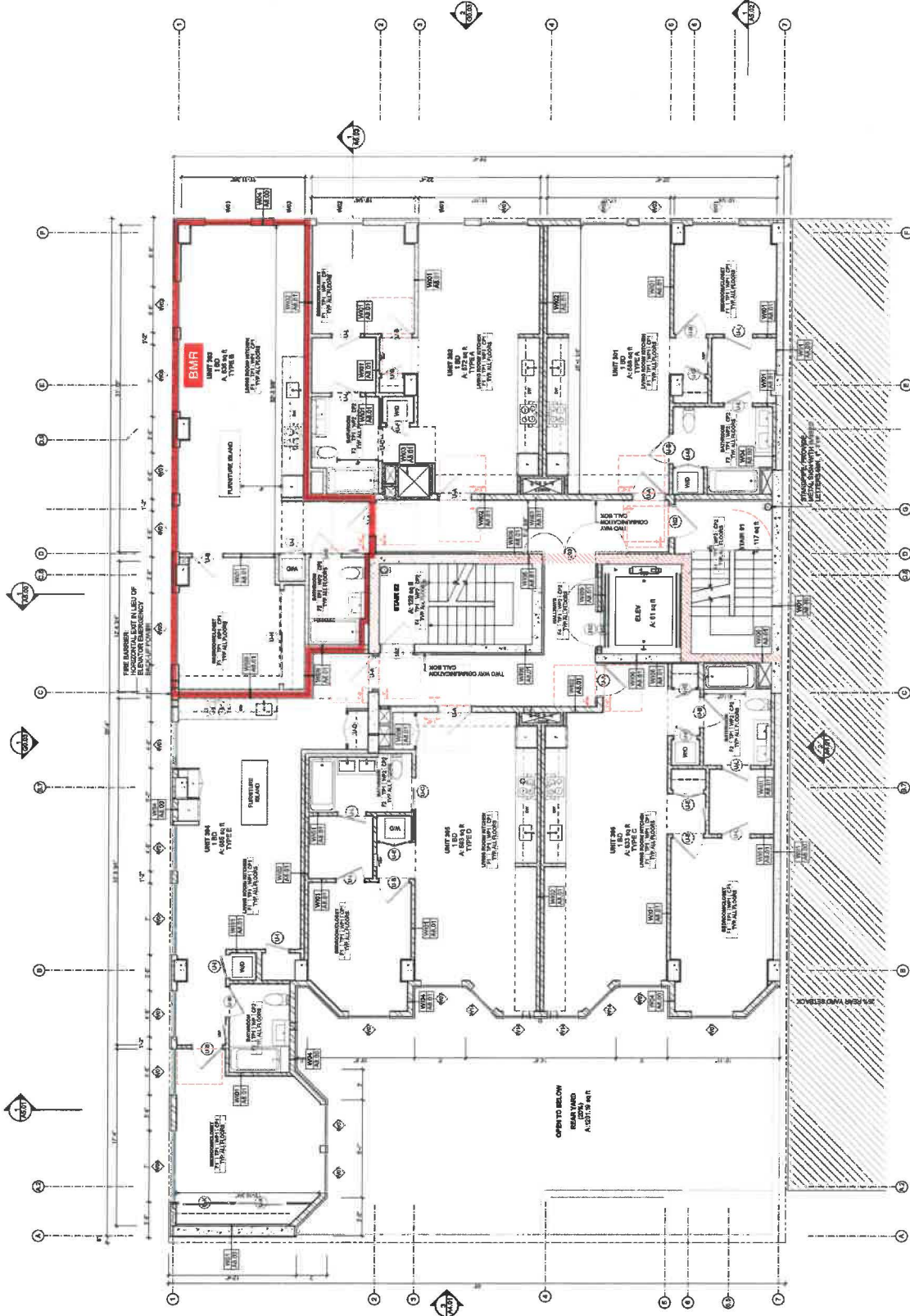
OWNER: 719 Larkin LLC  
2004 Mission Street, 3rd Floor  
San Francisco, CA 94115  
PROJECT NAME: 719 Larkin Street  
San Francisco, CA 94109  
BLOCKLOT: 871003  
SCALE: AS NOTED  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
PROJECT NO.: [Blank]  
DATE OF PUBLICATION: 11/17/17

STORY 3

DRAWING NO. 32 OF 42  
A2.02

LEVEL 3 1/8" = 1'-0"

SCALE 1/4" = 1'-0"







REVISIONS	NO.	DATE	REVISION
	00	06/05/16	SITE PERMIT
	01	09/19/17	10% RESPONSE
	02	03/29/17	50% CD
	03	06/09/17	50% CD
	04	06/09/17	50% CD
	05	07/20/17	SITE PERMIT
	06	08/20/17	PLAN CHECK & SPD REVIEW
	07	09/11/17	75% CD
	08	11/17/17	50% CD

SCALE  
1"=10'-0"

OWNER  
719 Larkin Street LLC  
2044 Pierce Street, 3rd Floor  
San Francisco, CA 94115  
PROJECT NAME  
719 Larkin Street  
San Francisco, CA 94109

SCALE  
AS NOTED

DO NOT SCALE  
FOR DIMENSIONS  
SEE FINISH SCHEDULE  
AS NOTED

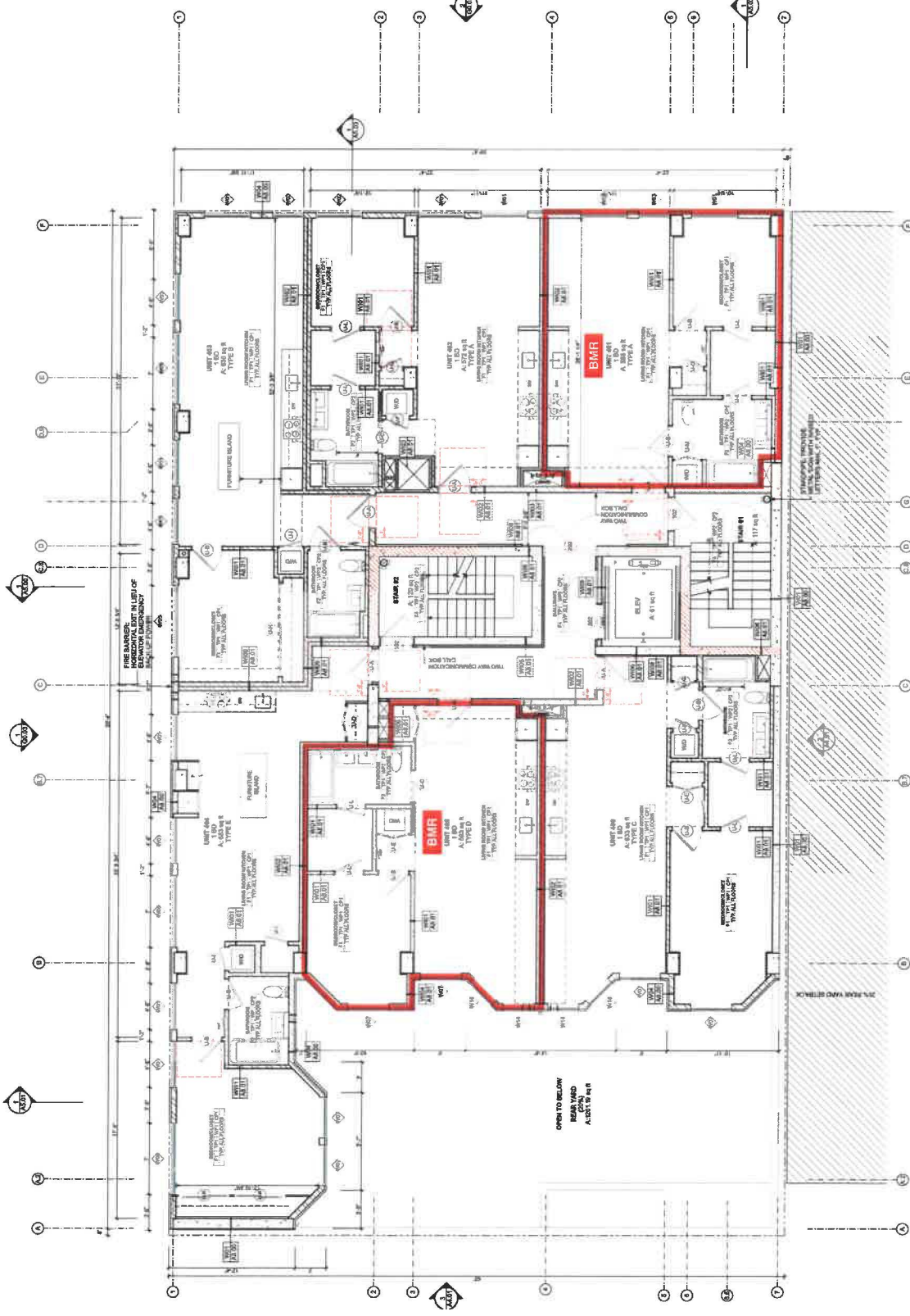
DESIGNED BY  
STUDIO ARCHITECTS  
PROJECT NO.  
111717  
DATE OF PUBLICATION  
11/17/17

STORY 4

LEVEL: 4' TOP  
SCALE: 1/4" = 1'-0"



DRAWING NO. 31 OF 42  
A2.03







REF ID	NO.	DATE	ISSUE
	06/09/16	SITE PMGMT	
	06/07/17	STATE RESPONSE	
	03/23/17	RMS DO	
	06/08/17	-100% DO	
	06/30/17	85% CD	
	07/26/17	SITE PMGMT	
	06/25/17	PLAN CHECK & RPT REVIEW	
	06/11/17	75% CD	
	11/17/17	80% CD	

11/17/17 10% CD

**OWNER**  
719 Larkin Street LLC  
2044 Fillmore Street, 2nd Floor  
San Francisco, CA 94115

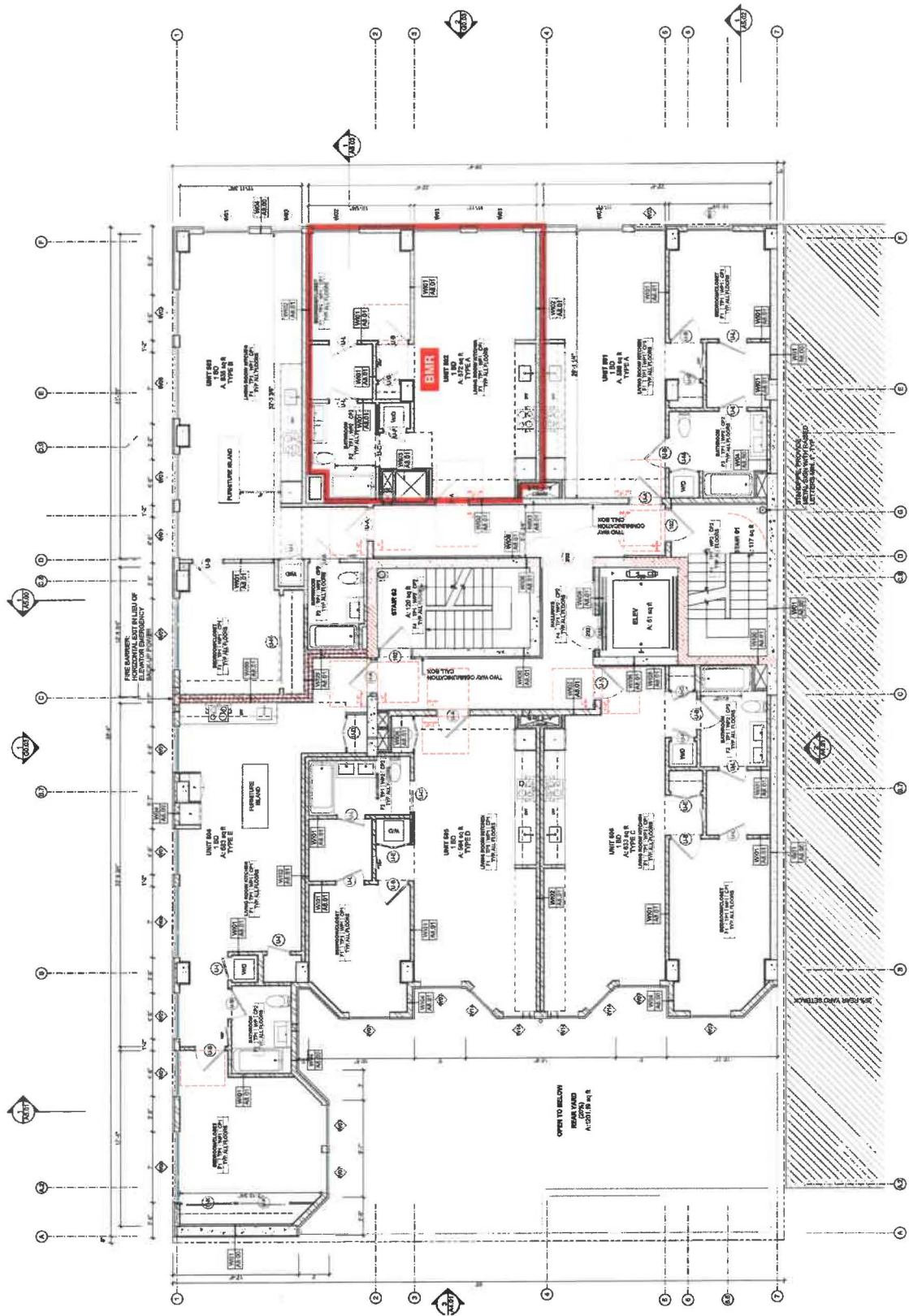
**PROJECT NAME**  
**719 Larkin Street**  
San Francisco, CA 94109

PROJECT NAME	SEE FINISH SCHEDULE
DATE	10/1/2016
SCALE	AS NOTED
BY	DRYAN
TO	EP
CHECKED BY	NG
PROJECT NO.	201612
DATE OF PUBLICATION	11/17/17

## STORY 5

DRAWING NO. 34 OF 82  
**A2.04**

LEVEL: 5+47.0'  
SCALE: 1/4" = 1'-0"



**SHEET NOTES**

KEY

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11

# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

## RECORDING REQUESTED BY

### And When Recorded Mail To:

Name: 719 Larkin Street, LLC

Address: 2044 Fillmore Street, 3<sup>rd</sup> Floor

City: San Francisco

State: CA

ZIP: 94115

CONFORMED COPY of document recorded

07/20/2017, 2017K478973

on \_\_\_\_\_ with document no. \_\_\_\_\_  
This document has not been compared with the original  
SAN FRANCISCO ASSESSOR-RECORDER

(Space Above This Line For Recorder's Use)

I (We) Hyun Sean Sullivan, the owner(s)  
of that certain real property situated in the City and County of San Francisco, State of California more  
particularly described as follows: (or see attached sheet marked "Exhibit A" on which property is more  
fully described):

**BEING ASSESSOR'S BLOCK: 0717; LOT: 003;**

**COMMONLY KNOWN AS: 719 LARKIN STREET;**

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II  
of the San Francisco Municipal Code (Planning Code).

Said Restrictions consist of conditions attached to **Conditional Use Application  
No. 2015-005329CUAENVTDMMVAR** authorized by the Planning Commission of the City and County of  
San Francisco on May 18, 2017, as set forth in Planning Commission **Motion No. 19924**, to allow the  
construction of a building exceeding 40 feet in height with over 50 feet of frontage located at 719  
Larkin Street, Block 0717 and Lot 003 pursuant to Planning Code Section(s) 235 and 303 within the RC-  
4 (Residential-Commercial, High-Density) District.

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

## AUTHORIZATION

This authorization is for a conditional use to allow the construction of a building exceeding 40 feet in  
height with over 50 feet of frontage located at 719 Larkin Street, Block 0717 and Lot 003 pursuant to  
Planning Code Section(s) 235 and 303 within the RC-4 (Residential-Commercial, High-Density) District,  
the North of Market Residential Special Use District, and an 80-T Height and Bulk District; in general  
conformance with plans, dated May 2, 2017, and stamped "EXHIBIT B" included in the docket for Case  
No. 2015-005329CUA and subject to conditions of approval reviewed and approved by the Commission

## **NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

on May 18, 2017 under Motion No 19924. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### **RECORDATION OF CONDITIONS OF APPROVAL**

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 May 18, 2017 under Motion No 19924.

### **PRINTING OF CONDITIONS OF APPROVAL ON PLANS**

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19924 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**

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**

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.



# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent pursuit.** 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. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

6. **Additional Project Authorization.** The Project Sponsor must obtain a Variance from Section 140 (Dwelling Unit Exposure) and a Modification of Section 134 (Rear Yard) and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on

## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

### DESIGN

7. **Future Modification of Retail Spaces.** The project sponsor shall maintain four ground floor retail spaces, ranging from 556 to 921 square feet, and as illustrated in Exhibit B. Any future modifications of the size or number of retail spaces shall be reviewed by the Planning Commission as a Conditional Use Authorization to modify the Conditions of Approval set forth Motion \_\_\_\_\_ No. \_\_\_\_\_ 19924.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

8. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

9. **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)*

10. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- b. On-site, in a driveway, underground;
- c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- e. Public right-of-way, underground; and based on Better Streets Plan guidelines;



## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*

### PARKING AND TRAFFIC

- 11. Bicycle Parking.** Pursuant to Planning Code Sections 155, 155.1, and 155.2, the Project shall provide no fewer than 48 bicycle parking spaces (42 Class 1 spaces for the residential portion of the Project and 6 Class 2 spaces for the residential and commercial portions of the Project). SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at [bikeparking@sfmta.com](mailto:bikeparking@sfmta.com) to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

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

- 12. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

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

### PROVISIONS

- 13. Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

- 14. First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

*For information about compliance, contact the First Source Hiring Manager at 415-581-2335, [www.onestopSF.org](http://www.onestopSF.org)*

## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- 15. Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

- 16. Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

- 17. Affordable Units.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.

1. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide 14.5% of the proposed dwelling units as affordable to qualifying households. The Project contains 42 units; therefore, six affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the six affordable units on-site. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

2. **Unit Mix.** The Project contains 42 one-bedroom units; therefore, the required affordable unit mix is six one-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

3. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

4. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than fourteen and one half percent (14.5%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.



## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

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

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

6. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at: <http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).*

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the units in the building are offered for sale, the affordable unit(s) shall be sold to first time home buyer households. The affordable unit shall be affordable to low-income households, as defined in the Planning Code and Procedures Manual. The initial sales price of such units shall be calculated according to the Procedures Manual. Limitations on (i) reselling; (ii) renting; (iii) recouping capital improvements; (iv) refinancing; and (v) procedures for inheritance apply and are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.

## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.
  - d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
  - e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
  - f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the Project.
  - g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
  - h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.
18. **Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions.

## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

Prior to the issuance of the first Building Permit or Site Permit, 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 to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

### MONITORING

- 19. 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)*

- 20. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

### OPERATION

- 21. 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/>*

- 22. Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>*

- 23. Community Liaison.** Prior to issuance of a building permit 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 with 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



## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

shall report to the Zoning Administrator what issues, if any, are of concern to the community and 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)*


### ENTERTAINMENT COMMISSION – NOISE ATTENUATION CONDITIONS

**Chapter 116 Residential Projects.** The Project Sponsor shall comply with the “Recommended Noise Attenuation Conditions for Chapter 116 Residential Projects,” which were recommended by the Entertainment Commission on August 25, 2015. These conditions state:

1. **Community Outreach.** Project Sponsor shall include in its community outreach process any businesses located within 300 feet of the proposed project that operate between the hours of 9PM-5AM. Notice shall be made in person, written or electronic form.
2. **Sound Study.** Project sponsor shall conduct an acoustical sound study, which shall include sound readings taken when performances are taking place at the proximate Places of Entertainment, as well as when patrons arrive and leave these locations at closing time. Readings should be taken at locations that most accurately capture sound from the Place of Entertainment to best of their ability. Any recommendation(s) in the sound study regarding window glaze ratings and soundproofing materials including but not limited to walls, doors, roofing, etc. shall be given highest consideration by the project sponsor when designing and building the project.
3. **Design Considerations.**
  - a. During design phase, project sponsor shall consider the entrance and egress location and paths of travel at the Place(s) of Entertainment in designing the location of (a) any entrance/egress for the residential building and (b) any parking garage in the building.
  - b. In designing doors, windows, and other openings for the residential building, project sponsor should consider the POE’s operations and noise during all hours of the day and night.
4. **Construction Impacts.** Project sponsor shall communicate with adjacent or nearby Place(s) of Entertainment as to the construction schedule, daytime and nighttime, and consider how this schedule and any storage of construction materials may impact the POE operations.
5. **Communication.** Project Sponsor shall make a cell phone number available to Place(s) of Entertainment management during all phases of development through construction. In addition, a line of communication should be created to ongoing building management throughout the occupation phase and beyond.

## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

(Signature)  (Printed Name) Sam Sullivan  
**Dated:** July 19, 2017 at San Francisco, California.  
(Month, Day) (City)

(Signature) \_\_\_\_\_ (Printed Name) \_\_\_\_\_  
**Dated:** \_\_\_\_\_, 20 at \_\_\_\_\_, California.  
(Month, Day) (City)

(Signature) \_\_\_\_\_ (Printed Name) \_\_\_\_\_  
**Dated:** \_\_\_\_\_, 20 at \_\_\_\_\_, California.  
(Month, Day) (City)

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

## Exhibit 'A'

### LEGAL DESCRIPTION

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

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF THE SOUTHERLY LINE OF OLIVE STREET WITH THE WESTERLY LINE OF LARKIN STREET AND RUNNING THENCE SOUTHERLY ALONG THE SAID WESTERLY LINE OF LARKIN STREET 60 FEET, THENCE AT RIGHT ANGLE WESTERLY 100 FEET, THENCE AT A RIGHT ANGLE NORTHERLY 60 FEET TO THE SOUTHERLY LINE OF OLIVE STREET AND THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE OF OLIVE STREET 100 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF LARKIN STREET AND THE POINT OF COMMENCEMENT. BEING A PORTION OF WESTERN ADDITIONAL BLOCK NUMBER 9.

APN: LOT: 003, BLOCK: 0717

## ACKNOWLEDGMENT

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

State of California

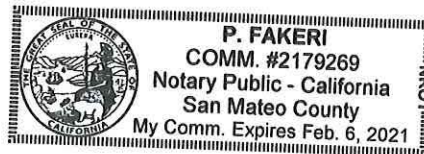
County of San Francisco

On JULY 19, 2017 before me, P. Fakeri Notary Public  
(insert name and title of the officer)

personally appeared Hyun Sean Sullivan,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature] (Seal)



# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY: )  
)  
And When Recorded Mail To: ) San Francisco Assessor-Recorder  
) Carmen Chu, Assessor-Recorder  
) **DOC- 2017-K524988-00**  
Name: 719 LARKIN STREET, LLC ) Thursday, OCT 12, 2017 10:51:30  
) Ttl Pd \$54.00 Rcpt # 0005695673  
Address: 2044 FILLMORE STREET, 3RDFLR. ) okc/KC/1-14  
)  
City: SAN FRANCISCO )  
)  
State: California ) Space Above this Line For Recorder's Use 14

I (We) HYUN SEAN SULLIVAN, the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows:

(PLEASE ATTACH THE LEGAL DESCRIPTION AS ON DEED)

BEING ASSESSOR'S BLOCK: 0717; LOT: 003,

COMMONLY KNOWN AS: 719 LARKIN STREET;

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

Pursuant to Planning Code Section 169 and the TDM Program Standards (as amended on February 17, 2017), the Development Project authorized by Building Permit No. 201612225735 (Case No. 2015-005329) shall be subject to the following:

- (1) Prior to the issuance of a first certificate of occupancy, the property owner shall facilitate a site inspection by Planning Department staff to confirm that all approved physical improvement measures in the Development Project's TDM Plan have been implemented and/or installed. The property owner shall also provide documentation that all approved programmatic measures in the Development Project's TDM Plan will be implemented. The process and standards for determining compliance shall be specified in the Planning Commission's TDM Program Standards.
- (2) Throughout the life of the Development Project, the property owner, and all successors, shall:



## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

- a. Maintain a TDM coordinator, as defined in the TDM Program Standards, who shall coordinate with the City on the Development Project's compliance with its approved TDM Plan.
- b. Allow City staff access to relevant portions of the property to conduct site visits, surveys, inspection of physical improvements, and/or other empirical data collection, and facilitate in-person, phone, and/or e-mail or web-based interviews with residents, tenants, employees, and/or visitors. City staff shall provide advance notice of any request for access and shall use all reasonable efforts to protect personal privacy during visits and in the use of any data collected during this process.
- c. Submit periodic compliance reports to the Planning Department, as required by the TDM Program Standards.


(3) The following constitutes the TDM Plan for this Development Project:

TDM Measures	Points
PKG-4: Parking Supply – Option K	11
ACTIVE-2: Bicycle Parking – Option A	1
LU-2: On-Site Affordable Housing – Option B	2
<b>Required Target Points</b>	<b>5</b>
<b>Points Achieved</b>	<b>14</b>

(4) Details for each TDM measure included in the plan above are attached as Exhibit A of this notice.

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco.

Dated: October 12, 2017 at San Francisco, California.

  
\_\_\_\_\_  
(Owner's Signature) Hyun Sean Sullivan

\_\_\_\_\_  
(Agent's Signature)

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

## ACKNOWLEDGMENT

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

State of California

County of SAN FRANCISCO

On 10/12/2017 before me, JOHN MINJIRAS, Notary Public  
(insert name and title of the officer)

personally appeared HYUN SEAN SULLIVAN,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.



Signature John Minjiras (Seal)

# **NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

## **EXHIBIT A – TDM MEASURE DETAILS**





# Bicycle Parking

## TDM MEASURE:

The property owner may choose ONE of the following options to provide Class 1 and/or Class 2 Bicycle Parking spaces as defined by the Planning Code:

### OPTION A

POINTS:

**Residential:** Class 1 and Class 2 bicycle parking spaces as required by the Planning Code.

1

**Office:** Class 1 and Class 2 bicycle parking spaces as required by the Planning Code.

**Retail:** Class 1 and Class 2 bicycle parking spaces as required by the Planning Code.

### OPTION B<sup>1</sup>

POINTS:

**Residential:** One Class 1 Bicycle Parking space for each Dwelling Unit, and two Class 2 Bicycle Parking spaces for every 20 Dwelling Units.

2

**Office:** One Class 1 Bicycle Parking space for every 2,500 square feet of Occupied Floor Area, and two Class 2 Bicycle Parking spaces for every 25,000 square feet of Occupied Floor Area.

**Retail:** One Class 1 Bicycle Parking space for every 3,750 square feet of Occupied Floor Area, and one Class 2 Bicycle Parking space for every 750 square feet of Occupied Floor Area; or five percent of the maximum number of visitors which the project is designed to accommodate, whichever is less.

## APPLICABILITY:

This measure is required for some projects under **Planning Code Section 155.2**, and is applicable to Development Projects in any land use category.

POINTS:

1-4 ○○○○

## Bicycle Parking

## ACTIVE-2

### OPTION C'

POINTS:

3

**Residential:** One and a half Class 1 Bicycle Parking spaces for each Dwelling Unit, and three Class 2 Bicycle Parking spaces for every 20 Dwelling Units.

**Office:** One Class 1 Bicycle Parking space for every 1,667 square feet of Occupied Floor Area, and three Class 2 Bicycle Parking spaces for every 25,000 square feet of Occupied Floor Area.

**Retail:** One Class 1 Bicycle Parking space for every 2,500 square feet of Occupied Floor Area, and two Class 2 Bicycle Parking spaces for every 750 square feet of Occupied Floor Area or 10 percent of the maximum number of visitors which the project is designed to accommodate, whichever is less.

### OPTION D'

POINTS:

4

**Residential:** For each Dwelling Unit, one and half Class 1 Bicycle Parking spaces or one Class 1 Bicycle Parking space for each bedroom, whichever is greater, and four Class 2 Bicycle Parking spaces for every 20 Dwelling Units.

**Office:** One Class 1 Bicycle Parking space for every 1,250 square feet of Occupied Floor Area, and four Class 2 Bicycle Parking spaces for every 25,000 square feet of Occupied Floor Area.

**Retail:** One Class 1 Bicycle Parking space for every 1,875 square feet of Occupied Floor Area, and three Class 2 Bicycle Parking spaces for every 750 square feet of Occupied Floor Area or 20 percent of the maximum number of visitors which the project is designed to accommodate, whichever is less.

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**DEVELOPMENT  
REVIEW:**

The property owner shall submit plans that identify the amount, type (Class 1 or Class 2), and location of bicycle parking. City staff shall review the plans to ensure that the bicycle parking spaces provided meet the standards and minimums identified in the Planning Code, Zoning Administrator Bulletin No. 9, and/or those specified in this measure. City staff shall assign points based on the level of implementation. Class 1 Bicycle Parking spaces provided in excess of Planning Code requirements may vary from Planning Code standards as to location and spacing, provided that the intent of the standards regarding convenience and security is preserved.

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**PRE-OCCUPANCY  
MONITORING AND  
REPORTING:**

The TDM coordinator shall facilitate a site inspection by Planning Department staff to verify that the bicycle parking meets the standards specified in the project approvals.

Additionally, City staff shall provide the TDM coordinator with a copy of the approved TDM Plan. The TDM coordinator will provide City staff with a signed letter agreeing to distribute the TDM Plan via new employee packets, tenant lease documents, and/or deeds.

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**ONGOING  
MONITORING AND  
REPORTING:**

The property owner shall provide photographs of the bicycle parking. City staff shall verify that the standards specified in the project approvals are met. City staff will perform one site visit every three years to verify that the project continues to meet the standards specified in the project approvals.

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**RELEVANT  
MUNICIPAL  
CODE(S):**

San Francisco Planning Code Sections [155.1](#), [155.2](#), [155.3](#) and [430](#).

**NOTES:**

- 1 At least five percent of all Class 1 Bicycle Parking spaces provided in excess of Planning Code requirements shall be designed to accommodate cargo bicycles. The number of Class 2 Bicycle Parking spaces in excess of Planning Code requirements may be reduced by up to 50 percent provided all Class 2 spaces provided are free to patrons of the project; located in one or more on-site facilities; easily accessible; monitored; protected from inclement weather; and designed and operated to reasonably allow patrons the ability to retrieve their bicycle.





# Parking Supply

## TDM MEASURE:

The Development Project shall provide off-street private vehicular parking (Accessory Parking) in an amount no greater than the off-street parking rate for the neighborhood (neighborhood parking rate), based on the transportation analysis zone for the project site. For non-residential uses (land use categories A, B, and D), the neighborhood parking rate is shown in the non-residential neighborhood parking rate map and spreadsheet. For residential uses (land use category C), the neighborhood parking rate is shown in the residential neighborhood parking rate map and spreadsheet. The neighborhood parking rates may be updated over time to reflect refined estimates, but shall not be higher than the rates established at the time of TDM Ordinance adoption. The property owner shall be subject to the neighborhood parking rates established at the time of project approval.

### OPTION A

POINTS:

**One point** for providing less than or equal to 100 percent and greater than 90 percent of the neighborhood parking rate; OR

**1**

### OPTION B

POINTS:

**Two points** for providing less than or equal to 90 percent and greater than 80 percent of the neighborhood parking rate; OR

**2**

### OPTION C

POINTS:

**Three points** for providing less than or equal to 80 percent and greater than 70 percent of the neighborhood parking rate; OR

**3**

## APPLICABILITY:

This measure is applicable to Development Projects in any land use category.

## POINTS:

**1-11** ○○○○○○○○○○○○

## Parking Supply Management

PKG-4

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### OPTION D

POINTS:

**Four points** for providing less than or equal to 70 percent and greater than 60 percent of the neighborhood parking rate; OR

**4**

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### OPTION E

POINTS:

**Five point** for providing less than or equal to 60 percent and greater than 50 percent of the neighborhood parking rate; OR

**5**

---

### OPTION F

POINTS:

**Six points** for providing less than or equal to 50 percent and greater than 40 percent of the neighborhood parking rate; OR

**6**

---

### OPTION G

POINTS:

**Seven points** for providing less than or equal to 40 percent and greater than 30 percent of the neighborhood parking rate; OR

**7**

---

### OPTION H

POINTS:

**Eight points** for providing less than or equal to 30 percent and greater than 20 percent of the neighborhood parking rate; OR

**8**

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### OPTION I

POINTS:

**Nine points** for providing less than or equal to 20 percent and greater than 10 percent of the neighborhood parking rate; OR

**9**

---

### OPTION J

POINTS:

**Ten points** for providing less than or equal to 10 percent of the neighborhood parking rate but at least one parking space; OR

**10**

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### OPTION K

POINTS:

**Eleven points** for providing no parking.

**11**

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**DEVELOPMENT  
REVIEW:**

The property owner shall submit plans showing the proposed number of parking spaces and the spatial layout of the parking, including means of ingress/egress. In the project description, the property owner shall describe any planned components that may increase the capacity of the parking facility (e.g., by providing valet parking or installing mechanical parking systems). City staff will compare the amount of proposed parking to the parking rate in that neighborhood to confirm the Development Project's point allocation under this measure. City staff will also review the parking facilities to confirm that use of the facility would not create hazards for persons using other modes of transportation.

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**PRE-OCCUPANCY  
MONITORING AND  
REPORTING:**

The TDM coordinator shall facilitate a site inspection by Planning Department staff to verify that the project meets the standards specified in the project approvals, and that the configuration of the vehicular parking (including ingress/egress) does not create hazards.

Additionally, City staff shall provide the TDM coordinator with a copy of the approved TDM Plan. The TDM coordinator will provide City staff with a signed letter agreeing to distribute the TDM Plan via new employee packets, tenant lease documents, and/or deeds.

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**ONGOING  
MONITORING AND  
REPORTING:**

The property owner shall submit photographs of the parking facilities. City Staff shall verify that the project continues to meet the standards specified in the Development Project's approvals, and that the configuration of the vehicular parking (including ingress/egress) does not create hazards.. City staff will perform one site visit every three years to verify that the project continues to meet the standards specified in the project approvals.

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**RELEVANT  
MUNICIPAL  
CODE(S):**

San Francisco Planning Code Sections 150, 151, 151.1, and 161.





# On-site Affordable Housing

## TDM MEASURE:

The Development Project shall include on-site Affordable Housing, as defined in Planning Code Section 415, as research indicates that Affordable Housing units generate fewer vehicle trips than market-rate housing units. This measure is in recognition of the amount of on-site affordable housing a Development Project may provide as permitted by City law, as opposed to a requirement.

PERCENTAGE OF UNITS BY INCOME RANGE			
Option	Low Income (Income > 55 ≤ 80%)	Low Income (Income ≤ 55%)	Points
OPTION A	≥ 5 ≤ 10%	≥ 3 ≤ 7%	● 1
OPTION B	> 10 ≤ 20%	> 7 ≤ 14%	●● 2
OPTION C	> 20 ≤ 25%	> 14 ≤ 20%	●●● 3
OPTION D	--	> 20 ≤ 25%	●●●● 4

### APPLICABILITY:

This measure is applicable to residential Development Projects (land use category C).

### POINTS:

**1-4** ○○○○

## On-site Affordable Housing

LU-2

### OPTION A

POINTS:

1

**One point** if providing greater than or equal to five percent and less than or equal to 10 percent on-site Affordable Housing where total household income does not exceed 80 percent of Area Median Income; OR

**One point** if providing greater than or equal to three percent and less than or equal to seven percent on-site Affordable Housing where total household income does not exceed 55 percent of Area Median Income; OR

### OPTION B

POINTS:

2

**Two points** if providing greater than 10 percent and less than or equal to 20 percent on-site Affordable Housing where total household income does not exceed 80 percent of Area Median Income; OR

**Two points** if providing greater than 7 percent and less than or equal to 14 percent on-site Affordable Housing where total household income does not exceed 55 percent of Area Median Income; OR

### OPTION C

POINTS:

3

**Three points** if providing greater than 20 percent and less than or equal to 25 percent on-site Affordable Housing where total household income does not exceed 80 percent of Area Median Income; OR

Three points if providing greater than 14 percent and less than or equal to 20 percent on-site Affordable Housing where total household income does not exceed 55 percent of Area Median Income; OR

### OPTION D

POINTS:

4

**Four points** if providing greater than 20 percent and less than or equal to 25 percent on-site Affordable Housing where total household income does not exceed 55 percent of Area Median Income.

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<b>DEVELOPMENT REVIEW:</b>	The property owner shall submit a project description that specifies the number of affordable units and income levels to which they are affordable. City staff will assign points based on the level of implementation.
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<b>PRE-OCCUPANCY MONITORING AND REPORTING:</b>	The property owner shall submit a copy of the Notice of Special Restrictions specifying the affordability restrictions for the project, including the number, location, and sizes for all affordable units. City staff shall confirm that affordable units are offered as described in the project approvals.
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Additionally, City staff shall provide the TDM coordinator with a copy of the approved TDM Plan. The TDM coordinator will provide City staff with a signed letter agreeing to distribute the TDM Plan via new employee packets, tenant lease documents, and/or deeds.

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<b>ONGOING MONITORING AND REPORTING:</b>	The Mayor's Office of Housing and Community Development (MOHCD) shall monitor and require occupancy certification for affordable ownership and rental units on an annual or bi-annual basis, as outlined in the Procedures Manual <sup>1</sup> . The MOHCD may also require the owner of an affordable rental unit, the owner's designated representative, or the tenant in an affordable unit to verify the income levels of the tenant on an annual or bi-annual basis, as outlined in the Procedures Manual.
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<b>RELEVANT MUNICIPAL CODE(S):</b>	San Francisco Planning Code Section 415.
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**NOTES:**

- 1 City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures manual, effective May, 2013.



## Exhibit 'B'

### LEGAL DESCRIPTION

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

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF THE SOUTHERLY LINE OF OLIVE STREET WITH THE WESTERLY LINE OF LARKIN STREET AND RUNNING THENCE SOUTHERLY ALONG THE SAID WESTERLY LINE OF LARKIN STREET 60 FEET, THENCE AT RIGHT ANGLE WESTERLY 100 FEET, THENCE AT A RIGHT ANGLE NORTHERLY 60 FEET TO THE SOUTHERLY LINE OF OLIVE STREET AND THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE OF OLIVE STREET 100 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF LARKIN STREET AND THE POINT OF COMMENCEMENT. BEING A PORTION OF WESTERN ADDITIONAL BLOCK NUMBER 9.

APN: LOT: 003, BLOCK: 0717

# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY

And When Recorded Mail To:

Name: 719 Larkin Street, LLC

Address: 2044 Fillmore Street, 3<sup>rd</sup> Floor

City: San Francisco

State: CA

ZIP: 94115

CONFORMED COPY of document recorded

07/20/2017, 2017K478974  
ON \_\_\_\_\_ WITH \_\_\_\_\_  
This document has not been compared with the original  
SAN FRANCISCO ASSESSOR-RECORDER

(Space Above This Line For Recorder's Use)

I (We) Hyun Sean Sullivan, the owner(s)  
of that certain real property situated in the City and County of San Francisco, State of California more  
particularly described as follows: (or see attached sheet marked "Exhibit A" on which property is more  
fully described):

BEING ASSESSOR'S BLOCK: 0717; LOT: 003;

COMMONLY KNOWN AS: 719 LARKIN STREET;

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

Said Restrictions consist of conditions attached to Variance Application No. 2015-005329VAR  
authorized by the Zoning Administrator of the City and County of San Francisco on July 12, 2017, to  
allow the new construction of an eight story mixed-use building with 42 dwelling units and ground  
floor commercial space.


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

1. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character and scale. If the Zoning Administrator determines that there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected property owners or a new Variance application be sought and justified.
2. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.

## NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

3. Minor modifications as determined by the Zoning Administrator may be permitted.
4. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.
5. This Variance Decision and the recorded Notice of Special Restrictions shall be reproduced on the Index Sheet of the construction plans submitted with the Site or Building Permit Application for the Project. This Index Sheet of the construction plans shall reference the Variance Case Number.

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

\_\_\_\_\_  
(Signature)  \_\_\_\_\_  
\_\_\_\_\_  
(Printed Name) *Hyun Sullman* \_\_\_\_\_

Dated: July 19, 2017 at San Francisco, California.  
(Month, Day) (City)

\_\_\_\_\_  
(Signature) \_\_\_\_\_  
\_\_\_\_\_  
(Printed Name) \_\_\_\_\_

Dated: \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_, California.  
(Month, Day) (City)

\_\_\_\_\_  
(Signature) \_\_\_\_\_  
\_\_\_\_\_  
(Printed Name) \_\_\_\_\_

Dated: \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_, California.  
(Month, Day) (City)

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



## Exhibit 'A'

### LEGAL DESCRIPTION

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

COMMENCING AT A POINT FORMED BY THE INTERSECTION OF THE SOUTHERLY LINE OF OLIVE STREET WITH THE WESTERLY LINE OF LARKIN STREET AND RUNNING THENCE SOUTHERLY ALONG THE SAID WESTERLY LINE OF LARKIN STREET 60 FEET, THENCE AT RIGHT ANGLE WESTERLY 100 FEET, THENCE AT A RIGHT ANGLE NORTHERLY 60 FEET TO THE SOUTHERLY LINE OF OLIVE STREET AND THENCE EASTERLY ALONG THE SAID SOUTHERLY LINE OF OLIVE STREET 100 FEET TO ITS INTERSECTION WITH THE WESTERLY LINE OF LARKIN STREET AND THE POINT OF COMMENCEMENT, BEING A PORTION OF WESTERN ADDITIONAL BLOCK NUMBER 9.

APN: LOT: 003, BLOCK: 0717

## ACKNOWLEDGMENT

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

State of California

County of San Francisco

On JULY 19, 2017 before me, P. Fakeri Notary public  
(insert name and title of the officer)

personally appeared Hyun Sean Sullivan,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in  
his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

