



# 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)
- 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. 18094

HEARING DATE: MAY 27, 2010

*Date:* May 20, 2010  
*Case No.:* **2010.0170X**  
*Project Address:* **45 LANSING STREET**  
*Zoning:* RH DTR (Rincon Hill Downtown Residential Mixed Use) District  
 65/400-R Height And Bulk Designation  
*Block/Lot:* 3749/059  
*Project Sponsor:* Turnberry Lansing, L.P.  
 c/o John Kevlin  
 Reuben & Junius, LLP  
 1 Bush Street, Suite 600  
 San Francisco, CA 94104  
*Staff Contact:* Ben Fu – (415) 558-6318  
 ben.fu@sfgov.org

**ADOPTING FINDINGS UNDER PLANNING CODE SECTIONS 309.1, 825, AND 827 TO AUTHORIZE AN EXTENSION IN THE PERFORMANCE PERIOD FOR ANOTHER 12 MONTHS FROM THE ORIGINAL APPROVAL DATE WITHIN THE RH DTR (RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE) DISTRICT WITH A 65/400-R HEIGHT AND BULK DESIGNATION.**

### PREAMBLE

On March 11, 2010, Reuben & Junius, LLP (hereinafter "Project Sponsor") filed Application No. 2010.0170X (hereinafter "Application") with the Planning Department (hereinafter "Department") for the extension of the performance period per Planning Code Sections 309.1, 825 and 827 for an additional 12 months from the approval under Motion No. 17902. The proposal was originally approved on March 15, 2007 under Motion No. 17397 to demolish the existing office building and construct a tower reaching 400 feet (exclusive of mechanical penthouses) and consists of approximately 227 dwelling units and up to 227 non-independently accessible parking spaces. The proposal included exceptions to allow greater than one parking space for every two units, to provide off-site open space in lieu of on-site, and for dwelling unit exposure. The project included extensive streetscape improvements for Lansing Street between First Street and Essex Street. The approval period would be extended to March 15, 2011. No other changes to the project are proposed with this request.

The environmental effects of the Project were determined by the San Francisco Planning Department (hereinafter "Department") to have been fully reviewed under the Rincon Hill Plan Environmental Impact Report (hereinafter "Rincon EIR"). The Rincon EIR was prepared, circulated for public review and comment, and on May 5, 2005, by Motion No. 17007 certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et. Seq., hereinafter "CEQA"). The Rincon EIR is a Program EIR.

The Commission adopted CEQA findings related to the Rincon EIR in support of its approval of the Rincon Hill Plan and related actions in its Motion No. 17008 and hereby incorporates such findings by reference. The Application to extend the approval period was determined by the San Francisco Planning Department (hereinafter "Department") not to require additional environmental review under the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA").

On May 27, 2010, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2010.0170X.

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

**MOVED**, that the Commission hereby authorizes the extension of the performance period requested in Application No. 2010.0170X, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## **FINDINGS**

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The approximately 15,025 square foot project site consists of one parcel that is located on a through lot with frontages on the southeastern side of Lansing Street and the northwestern side of Harrison Street. The existing single-story brick office building that was originally constructed in the early 1940's and significantly altered in the 1960's was demolished.
3. **Past History and Actions.** On March 02, 2006, the Commission held a duly advertised public hearing and approved with conditions a proposal to demolish the existing improvements, and construct a residential project that would consist of one tower-on-podium building with approximately 265 dwelling units, 265 off-street parking spaces (non-independently accessible), for the design, location, and size of publicly accessible open space under Planning Code Sections 827(e) and 309.1(b)(1)(g), and to provide reduction in the required on-site residential open space.

On March 15, 2007, the Commission held a held a duly advertised public hearing and approved with conditions under Motion No. 17397 a revised proposal consisting of up to 227 dwelling units and 227 off-street parking spaces, in a development that would include one tower reaching 400-feet in height (exclusive of mechanical penthouses) and for the granting of exceptions to allow greater than one parking space for every two dwelling units under Planning Code Sections 151.1(d) and 309.1(b)(1)(b), for reduction of the dwelling unit exposure requirements under Planning Code Sections 140 and 309.1(b)(1)(d), for the design, location, and size of publicly accessible open space under Planning Code Sections 827(e) and 309.1(b)(1)(g), and to provide reduction in the required on-site residential open space of 36 square feet per unit under Planning Code Sections 827(e)(2)(a) and 309.1(b)(1)(f).

On June 11, 2009, the Commission held a held a duly advertised public hearing and approved an extension request under Motion No. 17902 for 12 months, to March 15, 2010.

4. **Project Description.** The project proposes to extend the performance period for another 12 months, to March 15, 2011, taken from the date of expiration of the previous extension granted per Motion No. 17902.
5. **Public Comment.** The Department has received no opposition to the proposal.
6. **The Rincon Hill Downtown Residential Mixed Use District – Planning Commission Design Review and Determination of Compliance Required.** On July 26, 2005, the Board of Supervisors approved the Rincon Hill Plan Element of the General Plan and associated General Plan Amendments. On August 2, 2005, the Board of Supervisors approved General Plan amendments, zoning text and map amendments, along with other associated legislation in adopting the new Rincon Hill Plan. The new Rincon Hill Plan further encourages the conversion of the existing Rincon Hill area to a high-density residential neighborhood with significant pedestrian and residential amenities such as parks and open space. The proposed new zoning provides more specific direction in designing new buildings, to assure their bulk and height is appropriate and that their interaction with the pedestrian realm contributes to the creation of a new neighborhood. Among the goals of the new zoning controls is to encourage high-rise development in slender towers amply separated, and to limit the amount of excessive off-street parking. To provide more specific direction to project sponsors and to help assure a more predictable project review process, the controls are designed to be more specific and allow less variability. The new controls utilize a design review process before the Commission, similar to the project review process for Downtown C-3 Districts, rather than utilizing the Conditional Use and Planned Unit Development review processes.
7. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
8. The Commission hereby finds that approval of the request for extension would promote the health, safety and welfare of the City.

**DECISION**

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Case No. 2010.0170X** subject to the following conditions attached hereto as EXHIBIT A which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 18094. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.**

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 27, 2010.

Linda D. Avery  
Commission Secretary

AYES: Commissioners Antonini, Lee, Miguel, and Sugaya

NAYS: None

ABSENT: Commissioners Borden, Moore and Olague

ADOPTED: May 27, 2010

# Exhibit A

## Conditions of Approval

Whenever "Project Sponsor" is used in the following conditions, the conditions shall also bind any successor to the Project or other persons having an interest in the Project or underlying property.

This approval is pursuant to Section 309.1 to extend the performance period under Motion No. 17902 for 12 months from March 15, 2010. The approved proposal under Motion No. 17397 is to demolish the existing office building and construct a tower reaching 400 feet (exclusive of mechanical penthouses) and consists of approximately 227 dwelling units and up to 227 non-independently accessible parking spaces, and exceptions to allow greater than one parking space for every two units, to provide off-site open space in lieu of on-site, and for dwelling unit exposure. The project included extensive streetscape improvements for Lansing Street between First Street and Essex Street. No other changes to the project are proposed with this request. All previously granted exceptions and Conditions of Approval would remain and are attached as Exhibit C.

### GENERAL CONDITIONS

1. Performance. This authorization is valid for a period of 12 months after the date of expiration of the previous extension granted under Motion No. 17902. Specific procedures regarding the performance requirement follow Planning Code Section 309.1(e). The approval period is extended to March 15, 2011.
2. Recordation. Prior to the issuance of any building or site permit for the construction of 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, which notice shall state that construction of the Project has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied, and record said writing if requested.
3. The property shall be kept free of weeds, debris, and blight. The Project Sponsor shall install a fence to prevent vagrant camping, unlawful dumping and to minimize the security threat to the neighborhood. The fence shall be kept free of graffiti and postings.
4. The Project Sponsor shall submit plans for revised fencing, grading, and covering of site for Planning Department review and approval within 30 days after the date of this Motion.