



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use

HEARING DATE: JULY 8, 2010

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

Reception:  
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Planning  
Information:  
**415.558.6377**

*Date:* July 1, 2010  
*Case No.:* **2010.0113CK**  
*Project Address:* **345 Taylor Street**  
*Zoning:* RC-4 (Residential-Commercial Combined, High Density) District  
North-of-Market Residential Special Use District, Subarea No. 1  
80-130-T Height and Bulk District  
*Block/Lot:* 0324/002  
*Project Sponsor:* Chris Rosas of  
DKR Partners LP  
345 Taylor Street  
San Francisco, CA 94102  
*Staff Contact:* Aaron Hollister – (415) 575-9078  
[aaron.hollister@sfgov.org](mailto:aaron.hollister@sfgov.org)  
*Recommendation:* **Approval with Conditions**

### PROJECT DESCRIPTION

The project proposes to construct a partial, single-story addition on the rooftop of the subject building, which contains a tourist hotel. The addition would accommodate an approximate 965 square-foot dwelling unit that would have an approximate maximum height of 110 feet above grade and would be set back approximately 16.75 feet from the front of the building. The dwelling unit would not be associated with the tourist hotel. No off-street parking is proposed for the new dwelling unit, nor would any be required by the RC-4 Use District, which requires one off-street parking space per four dwelling units. Also, the existing rooftop structure found at the front of the subject building would be demolished under the subject proposal.

### SITE DESCRIPTION AND PRESENT USE

The project is located on the west side of Taylor Street, mid-block between O'Farrell and Ellis Streets, Assessor's Block 0324, Lot 002. This site is within an RC-4 (Residential-Commercial Combined, High Density) District, the North-of-Market Residential Special Use District (NOMRSUD), Subarea No. 1, and an 80-130-T Height and Bulk District.

The Project Site is solely occupied by a nine-story, 118-room tourist hotel (dba Hotel Mark Twain). Currently, no other dwelling units legally exist at the project site. The subject building is a contributory building within the Uptown Tenderloin National Register Historic District.

### SURROUNDING PROPERTIES & NEIGHBORHOOD

The project is located in Downtown San Francisco immediately to the west of the Union Square Retail District. This area of Downtown serves as a transition area between tourist/retail uses found near Union Square to more residential uses found to the west of the project site. The surrounding development has an urban, mixed-use character which primarily features mixed-use, mid-rise and high-rise buildings containing ground-floor commercial uses. The most common ground floor retail uses in the area include eating and drinking establishments as well as general retail stores serving the immediate neighborhood. Many of the buildings in the area contain large tourist hotels such as the Union Square Hilton and the Clift Hotel as well as dense, multi-unit apartment buildings and residential hotels. Other uses of note in the project area include Glide Memorial Church, which can be found on the same subject block, and Boeddeker Park located approximately one block to the south of the project site.

### ENVIRONMENTAL REVIEW STATUS

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

### HEARING NOTIFICATION REQUIREMENTS

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 16, 2010	June 18, 2010	22 days
Posted Notice	20 days	June 18, 2010	June 18, 2010	20 days
Mailed Notice	10 days	June 28, 2010	June 18, 2010	20 days

### PUBLIC COMMENT

- The Department has received a letter from the Alliance for a Better District 6 requesting a continuance of the case to a later date. The Alliance is requesting that the project sponsor present the project to the Alliance at one of their regular meetings before the Commission considers the case.
- No other public comment has been received by the Department since the filing of the application.

### ISSUES AND OTHER CONSIDERATIONS

- A shadow analysis of the proposed addition revealed that no shadow impacts would result from the project on property under the jurisdiction of the Recreation & Parks Department.

- The proposed addition has been set back on the rooftop to a point where the addition is not anticipated to be visible from public rights-of-way.
- If the Commission grants an exception for the subject proposal to further exceed the base height limit of 80 feet, a Condition of Approval would require the applicant to pay a fee to the City Controller, which would be deposited in the North of Market Affordable Housing Fund per the provisions of Planning Code Section 263.7. Please see the immediately below section for more details regarding the required Commission action and findings for the granting of an exception to the base height limit.
- No Variances would need to be granted by the Zoning Administrator for residential Planning Code requirements such as rear yard, open space or dwelling unit exposure.

#### REQUIRED COMMISSION ACTION

- Pursuant to Planning Code Section 253, Conditional Use Authorization is required for the proposed addition to further exceed 40 feet in height in an "R" District.
- Pursuant to Planning Code Section 249.5(c)(8), exceptions to the base height limit of 80 feet in the 80-130-T Height and Bulk District found within the North-of-Market Special Use Districts (NOMRSUD) may be granted pursuant to the provisions of Code Section 263.7 by Conditional Use approval as set forth in Code Section 303.

In order to grant an exception to the base height limit, the Commission must find that the proposed height would transition from the generally higher heights found in Downtown to the generally lower heights found in the core NOMRSUD area and the Civic Center area, and further, would be consistent with the general purposes of the NOMRSUD as described in Planning Code Section 249.5(b).

#### BASIS FOR RECOMMENDATION

- The project would provide development that is desirable and compatible with the surrounding area that features buildings developed to similar or greater heights and scale as the subject building.
- The proposed addition would be consistent with the general purposes of the NOMRSUD in that the project would not prevent an opportunity for an affordable housing development to be pursued; the project would preserve a building of architectural importance; and the project would preserve the existing scale of development in the area by not affecting the transition of generally higher to lower building heights from the eastern portion (where the project is located) to the western portion of the NOMRSUD.
- Because the proposed addition will not be visible from nearby public rights-of-way, the addition will not add unwanted massing to the street wall.

- The project would provide a dwelling unit in a transit-rich neighborhood featuring several MUNI lines and regional transportation options
- The proposed Project meets all applicable requirements of the Planning Code. Additionally, the proposal is consistent with the objectives and policies of the Housing Element and the Urban Design Element of the General Plan.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
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**Attachments:**

Draft Approval Motion  
Block Book Map  
Sanborn Map  
Height & Bulk Map  
Special Use District Map  
Aerial Photographs  
Public Correspondence  
Photographs  
Reduced Plans

## Exhibit Checklist

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary   | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion        | Drawings: <u>Existing Conditions</u>                          |
| <input type="checkbox"/> Environmental Determination    | <input checked="" type="checkbox"/> Check for legibility      |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u>                             |
| <input checked="" type="checkbox"/> Height & Bulk Map   | <input checked="" type="checkbox"/> Check for legibility      |
| <input checked="" type="checkbox"/> Parcel Map          | <input type="checkbox"/> Health Dept. review of RF levels     |
| <input checked="" type="checkbox"/> Sanborn Map         | <input type="checkbox"/> RF Report                            |
| <input checked="" type="checkbox"/> Aerial Photo        | <input type="checkbox"/> Community Meeting Notice             |
| <input checked="" type="checkbox"/> Context Photos      | <input checked="" type="checkbox"/> Public Correspondence     |
| <input checked="" type="checkbox"/> Site Photos         |   |

Exhibits above marked with an "X" are included in this packet

AJH  
Planner's Initials

AJH: 345 Taylor Street Executive Summary.doc



# 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

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## Planning Commission Motion No. XXXXX

HEARING DATE: JULY 8, 2010

*Date:* July 8, 2010  
*Case No.:* **2010.0113CK**  
*Project Address:* **345 Taylor Street**  
*Zoning:* RC-4 (Residential Commercial Combined, High Density) District  
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**ADOPTING FINDINGS RELATED TO THE APPROVALS OF CONDITIONAL USE AUTHORIZATIONS PURSUANT TO SECTIONS 253, 249.5(c)(8) AND 263.7 OF THE PLANNING CODE TO ALLOW AN ADDITION TO AN EXISTING BUILDING TO EXCEED 40 FEET IN HEIGHT WITHIN AN "R" DISTRICT AND TO GRANT AN EXCEPTION TO THE BASE HEIGHT LIMIT OF 80 FEET WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL COMBINED, HIGH DENSITY) DISTRICT, THE NORTH-OF-MARKET SPECIAL USE DISTRICT NO. 1 AND THE 80-130-T HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On April 13, 2010, Chris Rosas ("Project Sponsor") submitted a request with the City and County of San Francisco Planning Department ("Department") for Conditional Use Authorization to allow development exceeding 40 feet in height within an "R" District pursuant to Planning Code Section ("Section") 253 and to allow the development to exceed the base height limit of 80 feet in the North-of-Market Special Use District No. 1 (NOMRSUD). The project proposes to construct a partial, single-story addition on the rooftop of the nine-story subject building, which contains a tourist hotel. The addition would accommodate an approximate 965 square-foot dwelling unit that would have an approximate maximum height of 110 feet above grade and would be set back approximately 16.75 feet from the front of the building. (Case No. 2010.0113CK; collectively, hereinafter "Project").

On April 13, 2010, the Project Sponsor submitted a request for review of the proposed development under Planning Code Section ("Section") 295, analyzing the potential impacts of the Project to properties under the jurisdiction of the Department of Recreation and Parks (Case No. 2010.0113K). Department staff prepared a shadow fan depicting the potential shadow cast by the Project and concluded that the Project would have no impact to properties subject to Section 295.

The Department determined the application is categorically exempt pursuant to the California Environmental Quality Act (CEQA), Section 15301 (Class 1, Minor Alterations to Existing Structures).

The Commission has reviewed and considered reports, studies, plans and other documents pertaining to the Project.

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 Project Sponsor, Department staff, and other interested parties.

**MOVED**, that the Commission hereby grants the approval requested in Application No. 2010.0113CK, as modified herein, subject to the conditions contained in Exhibit A, attached hereto and incorporated herein by reference, based on the following findings:

## **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 constitute findings of this Commission.
2. **Project Description.** The project proposes to construct a partial, single-story addition on the rooftop of the subject building, which contains a tourist hotel. The addition would accommodate an approximate 965 square-foot dwelling unit that would have an approximate maximum height of 110 feet above grade and would be set back approximately 16.75 feet from the front of the building. The dwelling unit would not be associated with the tourist hotel. No off-street parking is proposed for the new dwelling unit. Also, the existing rooftop structure found at the front of the subject building would be demolished under the subject proposal
3. **Site Description and Present Use.** The project is located on the west side of Taylor Street, mid-block between O'Farrell and Ellis Streets, Assessor's Block 0324, Lot 002. This site is within an RC-4 (Residential-Commercial Combined, High Density) District, the North-of-Market Residential Special Use District, Subarea No. 1, and an 80-130-T Height and Bulk District
4. **Surrounding Properties and Neighborhood.** The project is located in Downtown San Francisco immediately to the west of the Union Square Retail District. This area of Downtown serves as a transition area between tourist/retail uses found near Union Square to more residential uses found to the west of the project site. The surrounding development has an urban, mixed-use character which primarily features mixed-use, mid-rise and high-rise buildings containing

ground-floor commercial uses. The most common ground floor retail uses in the area include eating and drinking establishments as well as general retail stores serving the immediate neighborhood. Many of the buildings in the area contain large tourist hotels such as the Union Square Hilton and the Clift Hotel as well as dense, multi-unit apartment buildings and residential hotels. Other uses of note in the project area include Glide Memorial Church, which can be found on the same subject block, and Boeddeker Park located approximately one block to the south of the project site.

5. **Public Comment.** The Department has received a letter from the Alliance for a Better District 6 requesting a continuance of the case to a later date. The Alliance is requesting that the project sponsor present the project to the Alliance at one of their regular meetings before the Commission considers the case.
6. **Planning Code Compliance:** The Commission finds that the project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Floor Area Ratio.** Section 124 establishes basic floor area ratios (FAR) for all use districts. FAR is the ratio of the gross floor area of all the buildings on a lot to the total area of the lot. Under Section 124(a), the FAR for RC-4 Districts is 4.8 to 1.

*In RC-4 Districts, the FAR limit does not apply to residential uses or floor area devoted to accessory parking.*

- B. **Use and Density.** Section 209.1 permits residential uses within the RC-4 District at a maximum density of one dwelling unit for each 200 square feet of lot area.

*The Project would add one dwelling unit to the subject site, which conforms to the use and density allowed by the Planning Code. The existing building currently contains 118 tourist hotel rooms, but no legal dwelling units.*

- C. **Height and Bulk.** The subject property is located within an 80-130-T Height and Bulk District, which permits a base height of 80 feet and a maximum height of 130 feet with the granting of an exception to exceed 80 feet in height. In the subject case, this District also limits the horizontal dimension of a building above 80 feet in height to 110 feet, and the diagonal dimension to 125 feet.

*With the granting of an exception to the base height of 80 feet, the Project would have a maximum height of approximately 110 feet above grade, which would be under the maximum height of 130 feet. Furthermore, the Project would not exceed a horizontal dimension of 110 feet, or a diagonal dimension of 125 feet above 80 feet in height.*

- D. **Rear Yard.** Section 134 of the Planning Code requires a rear yard of approximately 34 feet, 4 inches at the first floor containing residential units at the subject site.



*The proposed addition will occur on the rooftop of the subject building, but not in the required rear yard area. Therefore, the project complies with the rear yard requirements of the Planning Code.*

- E. Usable Open Space.** Section 135 of the Planning Code requires a minimum amount of usable open space to be provided for dwelling units within the RC-4 District either in the form of 36 square feet of private usable open space per dwelling unit or 48 square feet of usable public open space per dwelling unit. This Section specifies that an outdoor area must meet minimum requirements for area, horizontal dimensions, and exposure to light and air to be considered usable open space.

*The Project will provide the required open space in the form of a private roof deck located immediately adjacent to the addition.*

- F. Dwelling Unit Exposure.** Section 140 requires every dwelling unit in every use district to face either a public street, a public alley at least 25 feet in width, a rear yard meeting the requirements of the Code, or an open area at least 25 feet in every horizontal dimension for the floor at which the dwelling unit in question with an increase in five feet in every horizontal dimension at each subsequent floor.

*The dwelling unit would open onto Taylor Street, a public street over 25 feet in width.*

- G. Street Trees.** Section 143 requires the installation of street trees if an addition of gross floor area equal to 20 percent or more of the gross floor area of an existing building is proposed. One 15-gallon street tree shall be required for every 20 feet of property frontage along each street or alley, with any remaining fraction of ten feet or more of frontage requiring an additional tree. The species and locations of trees installed in the public right-of-way shall be subject to approval by the Department of Public Works.

*With a proposed addition of approximately 966 square feet and an existing total area of approximately 50,020 square feet, streets trees are not required.*

- H. Off-Street Parking.** Section 151 of the Planning Code requires one parking space for every four dwelling units on the subject property.

*The Project does not propose to add off-street parking, nor is any off-street parking required for the Project.*

- I. Off-Street Freight Loading.** Section 152 requires off-street freight loading for uses above a certain size. Residential uses up to 100,000 gross square feet are not required to provide off-street freight loading.

*With a gross square floor area of approximately 966 square feet, the Project is not required to provide off-street loading.*

- J. **Shadow on Recreation and Parks Department Properties.** Section 295 requires any project proposing a structure exceeding a height of 40 feet to undergo a shadow analysis in order to determine if the project will result in the net addition of shadow to properties under the jurisdiction of the Recreation and Parks Department.

*The Department conducted a shadow analysis and determined that the Project would not impact any properties under the jurisdiction of the Recreation and Parks Department.*

7. **Planning Code Section 303(c)** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use Authorization. On balance, the Project does comply with said criteria in that:

- A. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with the neighborhood or community.

*The Project complies with all requirements of the Planning Code, including density, height, bulk, and rear yard. The area surrounding the subject property is characterized by an urban, mixed-use character which primarily features mixed-use, mid-rise and high-rise buildings containing ground-floor commercial uses. The project would provide development that is desirable and compatible with the surrounding area that features buildings developed to similar or greater heights and scale as the subject building. Considered as a whole, the Project is compatible with the character and intensity of the surrounding neighborhood.*

- B. Such use or feature as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to property, improvements, or potential development in the vicinity, with respect to aspects including but not limited to the following:

- i. The nature of the proposed site, including its size and shape, and the proposed size, shape, and arrangement of structures.

*The Project will be set back approximately 16.75 feet from the front of the building, which will make the addition not visible from adjacent public rights-of-way. Setting back the addition to a point where it is not visible will continue to allow the subject building to be compatible with the streetwall formed by the adjacent structures and would keep any potential additional massing from the front of the building. The set back addition would also not architecturally detract from a building that has been rated as a contributor to the Uptown Tenderloin National Register District. Side setbacks of approximately 4.66 feet and 16 feet respectively are anticipated to allow light and air reception to the adjacent properties.*

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code.

*The Project does not propose to add off-street parking, nor does the Project require off-street parking. Furthermore, the area is well served by transit (numerous MUNI routes and regional transit are near the project site), and the size of the development is not expected to generate additional automobile traffic. The Project is not required to provide car-share spaces pursuant to the thresholds of Section 166.*

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust, and odor.

*The Project includes residential uses that are typical of the surrounding context, and will not introduce operational noises, odors, or dust that are detrimental, excessive, or atypical for the area. While some temporary increase in noise can be expected during construction, this noise is limited in duration and will be regulated by the San Francisco Noise Ordinance which prohibits excessive noise levels from construction activity and limits the permitted hours of work. The building will not exhibit an excessive amount of glazing or other reflective materials; therefore, the Project is not expected to cause offensive amounts of glare.*

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

*The Project will preserve light and openness for adjacent properties by providing the aforementioned setbacks. A private roof deck will satisfy the open space requirement of the dwelling unit. Off-street parking and loading areas currently do not exist at the subject, nor are they proposed or required for the Project. The existing tourist hotel has signs, but not no additional signs would be proposed for the Project as it is residential in nature.*

- C. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

*The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.*

- 8. **Planning Code Section 253** requires that, for projects exceeding 40 feet in height in an "R" District, the Planning Commission consider the expressed purposes of the applicable "R" district and the general purposes of the height and bulk district in which the property is located. On balance, the Project does comply with these purposes, in that:

- A. **RC-4 (Residential-Commercial Combined, High Density) District – Section 206.3.** These districts provide for a mixture of high-density dwellings similar to those in RM-4 Districts with supporting commercial uses. The commercial uses are those permitted in C-2 Districts, located in or below the ground story in most instances, and excluding automobile-oriented establishments. Open spaces are required for dwellings in the same manner as in RM-4 Districts, except that rear yards need not be at ground level and front

setback areas are not required. The high-density and mixed-use nature of these districts is recognized by certain reductions in off-street parking requirements.

*The Project would be compatible with the mixed-use nature of the RC-4 District and the subject neighborhood and is comparable with the massing and scale of the adjacent mixed-use buildings, especially considering the addition will not be visible from adjacent public rights-of-way. The Project also fulfills General Plan policies in regards to creating new housing opportunities, especially near transit.*

- B. **80-130-T Height and Bulk District.** Section 251 establishes that the general purposes of the height and bulk district are to relate the scale of new development to be harmonious with existing development patterns and the overall form of the City, respect and protect public open spaces and neighborhood resources, and to synchronize levels of development intensity with an appropriate land use and transportation pattern. The scale of the proposed development fits within the general character of the area.
9. **Planning Code Section 249.5(c)(8)** stipulates that an exception to the base 80-foot height limit in the 80-130-T Height and Bulk District may be granted pursuant to the provisions of **Code Section 263.7** through Conditional Use Authorization. In order to grant an exception to the base height limit, the Commission must find that the proposed height would transition from the generally higher heights found in Downtown to the generally lower heights found in the core NOMRSUD area and the Civic Center area, and further, would be consistent with the general purposes of the NOMRSUD as described in **Planning Code Section 249.5(b)**.

- A. **North-of-Market Residential Special Use District Purposes – 249.5(b).** The purposes of the NOMRSUD are to protect and enhance important housing resources in an area near downtown, conserve and upgrade existing low and moderate income housing stock, preserve buildings of architectural and historic importance and preserve the existing scale of development, maintain sunlight in public spaces, encourage new infill housing at a compatible density, limit the development of tourist hotels and other commercial uses that could adversely impact the residential nature of the area, and limit the number of commercial establishments which are not intended primarily for customers who are residents of the area.

*On balance, the proposed addition would be consistent with the general purposes of the NOMRSUD in that the Project would not prevent an opportunity for an affordable housing development to be pursued; the Project would preserve a building of architectural importance; the Project would preserve the existing scale of development in the area by not affecting the transition of generally higher to lower building heights from the eastern portion (where the project is located) to the western portion of the NOMRSUD; and would not promote the development of tourist hotels or other commercial uses.*

10. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

**HOUSING ELEMENT:**

**Objectives and Policies**

**OBJECTIVE 1**

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.

**Policy 1.1:**

Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are affordable to lower income households. Set allowable densities in established residential areas at levels which will promote compatibility with prevailing neighborhood scale and character where there is neighborhoods support.

**Policy 1.3:**

Identify opportunities for housing and mixed-use districts near downtown and former industrial portions of the City.

**OBJECTIVE 11**

IN INCREASING THE SUPPLY OF HOUSING, PURSUE PLACE MAKING AND NEIGHBORHOOD BUILDING PRINCIPLES AND PRACTICES TO MAINTAIN SAN FRANCISCO'S DESIRABLE URBAN FABRIC AND ENHANCE LIVABILITY IN ALL NEIGHBORHOODS.

**Policy 11.2:**

Ensure housing is provided with adequate public improvements, services, and amenities.

*The Project will not be visible from adjacent public rights-of-way making the Project compatible with the surrounding buildings and the Uptown Tenderloin National Register District.*

*The Proposed new dwelling unit will be in a location well-served by transit, which would make public transit convenient.*

**URBAN DESIGN ELEMENT:**

**Objectives and Policies**

**OBJECTIVE 2**

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE,  
CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING

**Policy 2.4**

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

**Policy 2.7**

Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

*By not being visible from public rights-of-way, the Project preserves a building that has been found to be a contributor to a National Register Historic District.*

**OBJECTIVE 3**

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY  
PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD  
ENVIRONMENT.

**Policy 3.1**

Promote harmony in the visual relationships and transitions between new and older buildings.

**Policy 3.5**

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

**Policy 3.6**

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

*The Project's height, dimensions and character have been designed to be respectful to the buildings surrounding the project site. Furthermore, the Project has been found to be consistent with the character, height and bulk of existing buildings in the neighborhood.*

11. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- 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 not displace any retail establishments or compromise employment opportunities in the area.*

- 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 will not diminish the existing housing stock, and will add to the existing building in a manner that complements the prevailing development pattern of the neighborhood. The existing housing stock and neighborhood character in the area would not be adversely affected.*

- C. That the City's supply of affordable housing be preserved and enhanced,

*The Project will will not result in the loss of any existing affordable housing units*

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

*The Project will retain the same number of existing dwelling units, and will not result in increased development intensity. The area is well served by transit, and the size of the development is not expected to generate substantial automobile traffic. The Project complies with the off-street parking requirements of the Planning Code.*

- 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 does not include any commercial space and will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this Project.*

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

*The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*The Project has been sensitively designed to be compatible with the character and scale of adjacent buildings in the area as well as with the character of the overall District. Furthermore, the Project would not detract from the architectural integrity of the subject building.*

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

*The Project will not cast shadows or impede views for parks and open spaces in the area, nor have any negative impact on existing public parks and open spaces. The Project has been configured to minimize impacts on light and air to remnant open areas at ground level on adjacent private properties.*

12. 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.
13. The Commission hereby finds that approval of the Conditional Use authorization 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 Conditional Use**



**Application No. 2010.0113CK** 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. XXXXX. 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 94012.**

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 8, 2010.

Linda Avery  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 8, 2010

## Exhibit A

# Conditions of Approval

1. This for a Conditional Use Authorization under Planning Code Section 253 to allow development in excess of 40 feet in height within an "R" District and to allow the granting of an exception to base height limit of 80 feet, on the property at 345 Taylor Street within the RC-4 (Residential-Commercial Combined, High Density) District, the North-of-Market Special Use District No. 1 and an 80-130-T Height and Bulk District, in general conformance with plans filed with the Application and stamped "EXHIBIT B" included in the docket for **Case No. 2010.0113CK**, reviewed and approved by the Commission on July 8, 2010.
2. Prior to the issuance of the Building Permit 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 premises (Assessor's Block 0324, Lot 002), which notice shall state that construction 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.
3. All dwelling units on the property shall be utilized solely as residential dwelling units, and shall not be used, rented, or hired out to transient visitors intending to occupy the unit for less than 32 consecutive days.
4. Pursuant to Planning Code Section 263.7 a fee shall be required equal to the sum of \$5 times the total gross square footage of floor space located above 80 feet in height as determined by the Zoning Administrator, as shown on the building plans. The fee shall be due and payable prior to the issuance of a temporary certificate of occupancy, unless the project sponsor agrees to and qualifies for participation in an amortized payment program, to be established by the Director of the Mayor's Office of Housing and Economic Development (MOHED) and the Director of City Planning, such program to be subject to subsequent review and approval by the City Planning Commission and the Board of Supervisors, which program would result in the City receiving an amount equivalent to the value of the contribution at the time the temporary certificate of occupancy is issued. The fee shall be paid to the City Controller which shall be deposited in the North-of-Market Affordable Housing Fund.
5. Minor modifications as determined by the Zoning Administrator may be permitted.
6. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls shall apply.

7. Final detailed building plans shall be submitted for review by, and shall be satisfactory to Planning Department staff. Detailed building plans shall include a final site plan, floor plans, elevations, sections, architectural and decorative detailing, materials, glazing, color and texture of exterior finishes, specification of finish materials, and details of construction.
8. The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to owners and occupants of nearby properties at all times during construction of the Project. Prior to the commencement of construction activities, the Project Sponsor shall provide the Zoning Administrator and the owners of the properties within 300 feet of the Project site written notice of the name, business address, and telephone number of the community liaison.
9. Violation of the conditions contained in this Motion or of any other provisions of the Planning Code may be subject to abatement procedures and fines up to \$500 a day in accordance with Planning Code Section 176.
10. Should monitoring of the Conditions of Approval contained in Exhibit A of this Motion be required, the Project Sponsor or successors shall pay fees as established in Planning Code Section 351(e)(1).
11. The Planning Commission may, in a public hearing, consider the revocation of this Conditional Use Authorization if a site or building permit has not been issued within three (3) years of the date of the Motion approving the project. 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 thenceforth diligently to completion. The Commission may also consider revoking this conditional use authorization if a permit for the project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved. This authorization may be extended at the discretion of the Zoning Administrator only if the failure to issue a permit by the Department of Building Inspection is delayed by a City, state or federal agency or by appeal of the issuance of such permit.

# STAFF-SUBMITTED GRAPHICS

345 TAYLOR STREET  
CASE NO. 2010.0113C

# Parcel Map

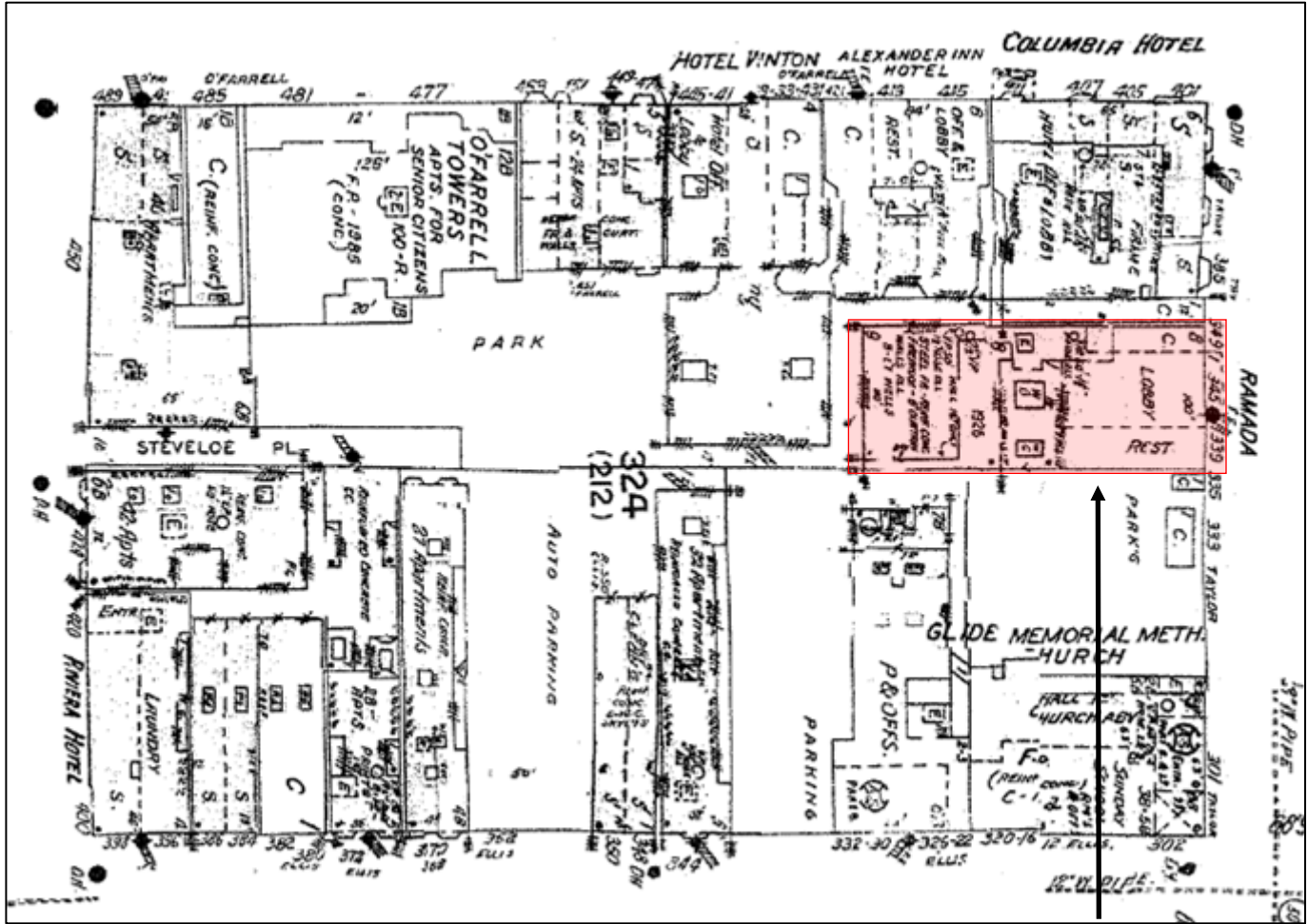


**SUBJECT PROPERTY**



Conditional Use Authorization Request  
Case Number 2010.0113C  
Vertical Addition  
345 Taylor Street

# Sanborn Map\*



**SUBJECT PROPERTY**



\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Conditional Use Authorization Request  
Case Number 2010.0113C  
Vertical Addition  
345 Taylor Street

# Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization Request  
Case Number 2010.0113C  
Vertical Addition  
345 Taylor Street

# Aerial Photo

South-Facing



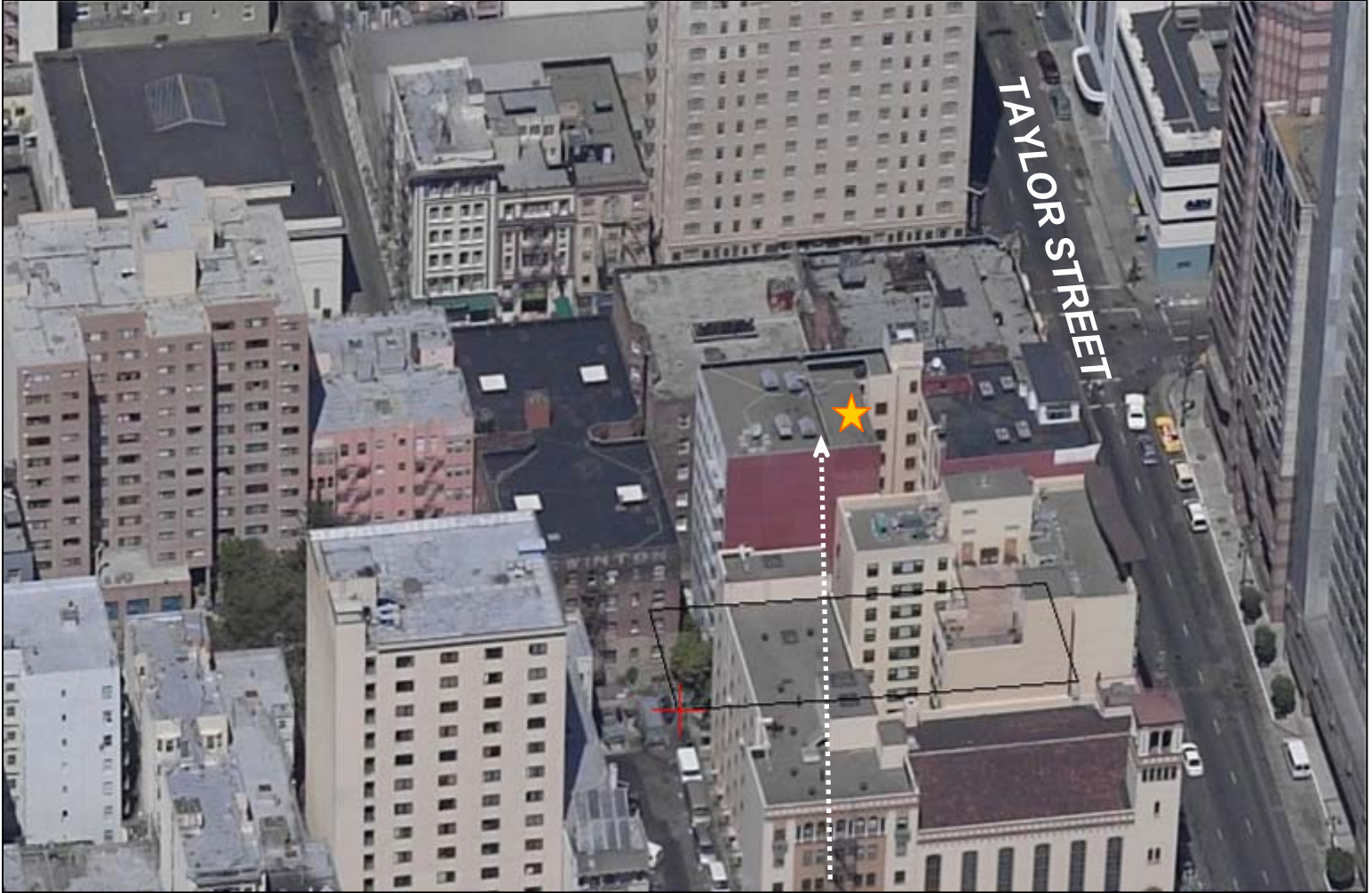
SUBJECT PROPERTY





# Aerial Photo

North-Facing



SUBJECT PROPERTY



Conditional Use Authorization Request  
Case Number 2010.0113C  
Vertical Addition  
345 Taylor Street

# Aerial Photo

East-Facing

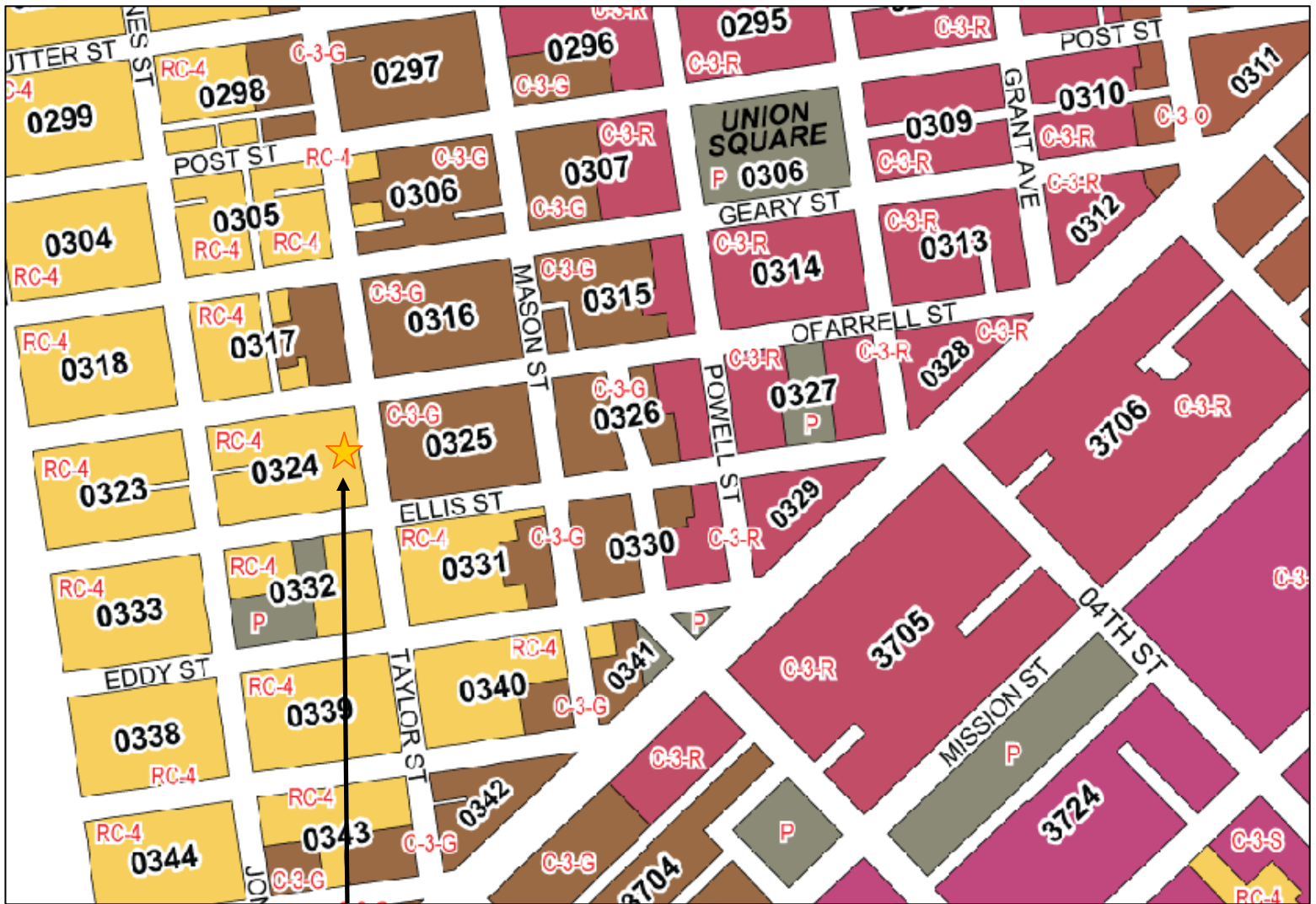


SUBJECT PROPERTY



Conditional Use Authorization Request  
Case Number 2010.0113C  
Vertical Addition  
345 Taylor Street

# Zoning Map

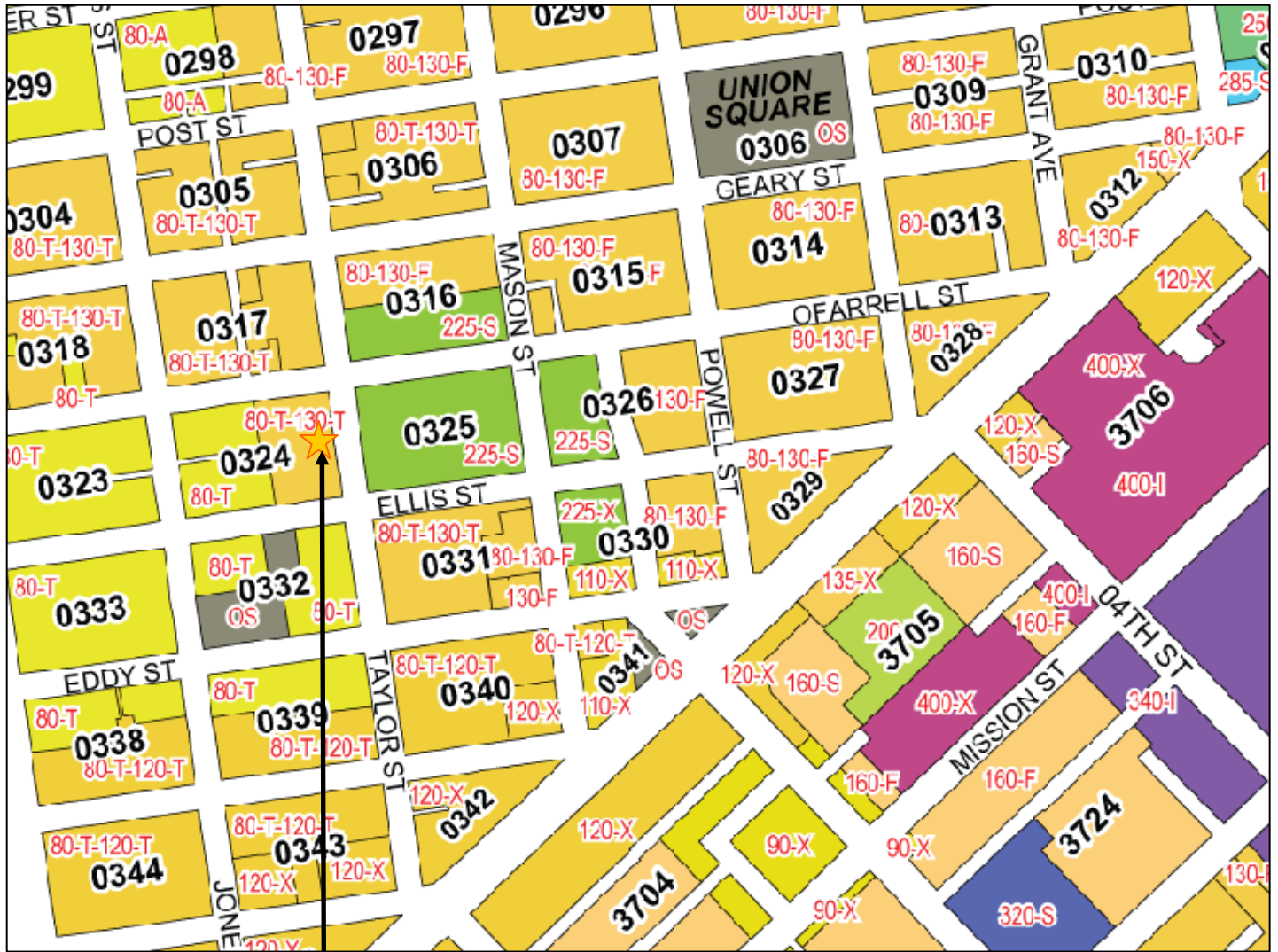


**SUBJECT PROPERTY**



Conditional Use Authorization Request  
Case Number 2010.0113C  
Vertical Addition  
345 Taylor Street

# Height and Bulk District Map



**SUBJECT PROPERTY**



Conditional Use Authorization Request  
Case Number 2010.0113C  
Vertical Addition  
345 Taylor Street

SAN FRANCISCO PLANNING COMMISSION  
COMMISSION PRESIDENT'S OFFICE  
PRESIDENT RON MIGUEL  
1650 MISSION ST SUITE 400  
SAN FRANCISCO, CA 94103

DEAR PRESIDENT MIGUEL,

MY NAME IS MARVIS J. PHILLIPS, I AM THE  
LAND USE CHAIR OF THE ALLIANCE FOR A BETTER  
DIST 6 (BUSINESS CARD ENCLOSED). I AM WRITING  
TO REQUEST A 2 WEEK CONTINGENCE ON  
CASE NO. 2010.0113C 345 TAYLOR. THE PROJECT  
SPONSOR HAS NOT ~~done~~ done any community outreach  
AND THE NEXT ALLIANCE MEETING IS 13 JULY 2010  
AT 1800 HRS AT 230 EIGHT ST IN THE COMMUNITY  
ROOM. WHICH IS FOLLOWED 10 WEEK LATER BY  
THE TENDERLOIN FUTURES COLLABORATIVE WHICH  
WILL MEET ON ~~WED~~ WEDNESDAY 21 JULY 2010  
1100 HRS AT 301 EIGHT COMMUNITY ROOM.

THE ALLIANCE HAS PICK-UP THE SUCK LEFT  
WHEN <sup>THE</sup> NORTH OF MARKET PLANNING COORDINATOR  
FOLDED YRS AGO. AND WE MONITOR THE ENFORCEMENT  
OF THE NOM/540 ZONING POLICY. PLANNER  
~~AARON~~ AARON HOLLISTER IS CONTACTING THE PROJECT  
SPONSOR TO GET HIM TO ATTEND THE NEXT  
ALLIANCE MEETING.

P. 1 OF 2

OUR CONCERNS, LIE AROUND THE BUILDINGS'S  
OPEN SPACE REQUIREMENTS, GUEST AMITIES &  
TENANT COMMON SPACE AND HOW THE ADDITIONS  
WILL ~~EVE~~ EFFECT THESE. WE ALSO WANT  
TO SEE THE PLAN'S TO MAKE SURE THEY MEET  
THE NEEDS OF THE DISABLED COMMUNITY.

WE OF THE ALLIANCE THANK YOU FOR YOUR  
ASSISTANCE IN THIS MATTER

SINCERELY

MARCO J. PHILLIPS

LAND USE CHAIR

ALLIANCE FOR A BETTER DIST C

CC: COMMISSION SECRETARY

LINDA AUERY

DEPT. PLANNING

AARON HOLLISTER

FILE

1409 HRS

21 JUNE 2010





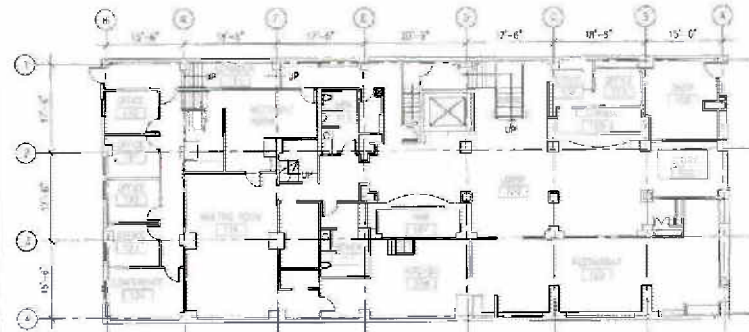
4 VIEW FROM SW CORNER LOOKING NE



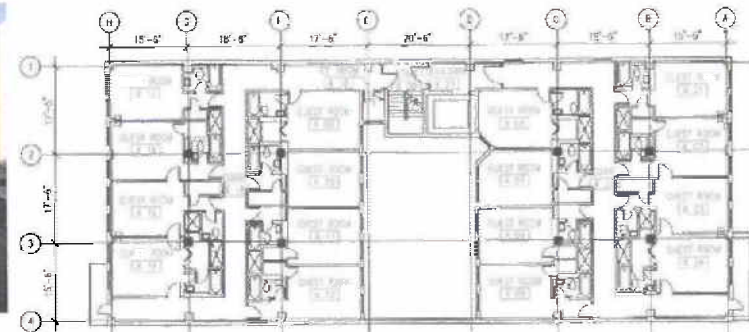
5 VIEW FROM SE CORNER LOOKING NW



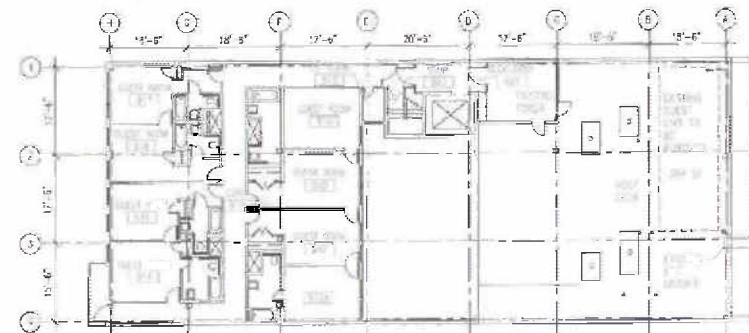
6 FACADE PHOTOGRAPHS



1 GROUND FLOOR PLAN  
SCALE: 1/8" = 1'-0"



2 TYPICAL FLOOR PLAN 2-B  
SCALE: 1/8" = 1'-0"



3 9TH FLOOR PLAN  
SCALE: 1/8" = 1'-0"

**doorthirteen**  
architectural construction design/build  
1000 MARKET STREET, SUITE 1000  
SAN FRANCISCO, CALIFORNIA 94102

CONTRACT NO.



**MARK TWAIN  
PEN HOUSE**

345 TAYLOR ST  
SAN FRANCISCO, CA 94102

**NOT FOR  
CONSTRUCTION**

DATE: 04/20/10

DATE: 07/20/10  
DATE: 12/3/10  
DATE: 06/13/12  
DATE: 08/02/12

PROJECT NO.  
MODEL FILE  
DRAWN BY: FOTER/LOHMEYER  
CHK: BY  
COPYRIGHT

SHEET TITLE  
EXISTING CONDITIONS

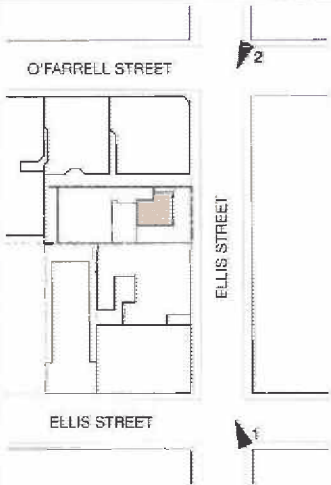
**A001**

SHEET 1 OF 5





consult: wjccs@earthlink.net | phone: (415) 398-4444 | www.wjccs.com | 1000 Market Street, Suite 1000, San Francisco, CA 94102



EXISTING OWNER'S UNIT,  
(N) UNIT SITS 2'-0" BEHIND  
EXISTING STRUCTURE

2 VANTAGE POINT 2 FROM TAYLOR AND O'FARRELL

**doorthirteen**  
architects construction design/build

CONSULTANTS



**MARK TWAIN  
PENTHOUSE**  
445 LASSON ST  
SAN FRANCISCO, CA 94102

**NOT FOR  
CONSTRUCTION**

DATE: 6/18/10

MARK	01/17/2010	PHASE 1 PERM APPROVAL
MARK	02/19/2010	PERM APPROVAL SUBMITTAL
MARK	03/18/2010	PRE-APP REVIEW
MARK	07/12/2010	PRE-APP REVIEW

PHASE 1	NO
PHASE 2	NO
PHASE 3	NO
PHASE 4	NO
PHASE 5	NO
PHASE 6	NO
PHASE 7	NO
PHASE 8	NO
PHASE 9	NO
PHASE 10	NO
PHASE 11	NO
PHASE 12	NO
PHASE 13	NO
PHASE 14	NO
PHASE 15	NO
PHASE 16	NO
PHASE 17	NO
PHASE 18	NO
PHASE 19	NO
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PHASE 22	NO
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PHASE 34	NO
PHASE 35	NO
PHASE 36	NO
PHASE 37	NO
PHASE 38	NO
PHASE 39	NO
PHASE 40	NO
PHASE 41	NO
PHASE 42	NO
PHASE 43	NO
PHASE 44	NO
PHASE 45	NO
PHASE 46	NO
PHASE 47	NO
PHASE 48	NO
PHASE 49	NO
PHASE 50	NO

SHEET TITLE  
PHOTO COLLAGE OF  
VANTAGE POINTS

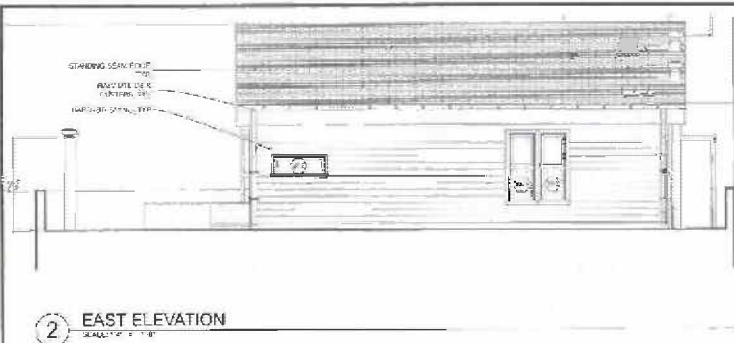
**A003**  
SHEET 24 OF 4



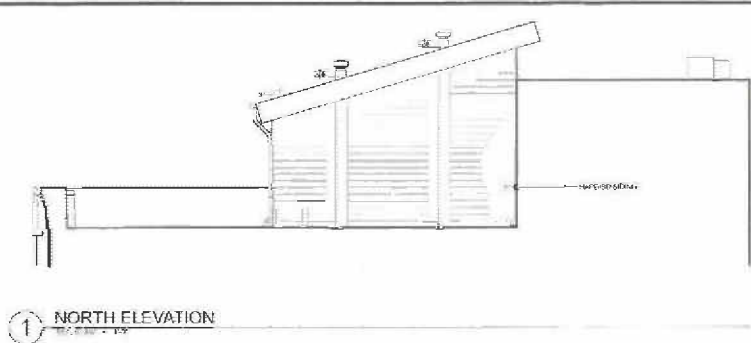




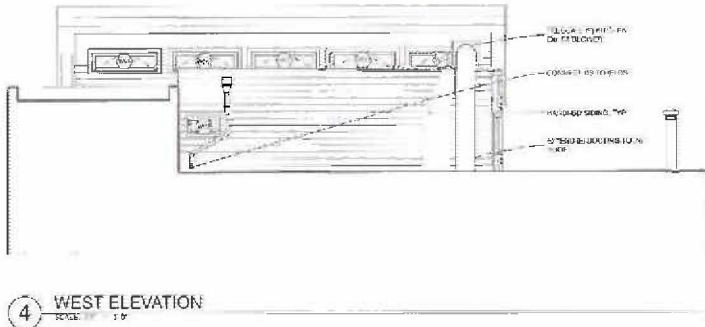
architect: Mier MW; Mark Twain Penthouse (MKT 1007) (design) [MKT]-ark Twain Penthouse Project.dwg



2 EAST ELEVATION  
SCALE: 1/8" = 1'-0"



1 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



4 WEST ELEVATION  
SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

**door thirteen**  
ARCHITECTS

CONSULTANTS



**MARK TWAIN  
PENTHOUSE**  
345 TAYLOR ST  
SAN FRANCISCO, CA 94102

**NOT FOR  
CONSTRUCTION**

DATE: 01/16/10

MARK 01 12 2010 PHASE PRELIM FRONT  
MARK 02 19 2010 PERMIT SUBMIT TAIL  
MARK 03 15 2010 PHASE REVIEWS  
MARK 07 15 2010 PHASE PERMITS

PROJECT NO.  
DRAWING NO. **EXTERIOR ELEVATIONS**  
DATE: 01/16/10  
BY: [signature]

SHEET TITLE  
**EXTERIOR ELEVATIONS**

**A200**

SHEET 7 OF 4