



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Determination of Compliance 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  
*Recommendation:* **Approval with Conditions**

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The proposal would extend the approval under Motion No. 17902, which expired on March 15, 2010, for an additional 12 months for determination of compliance under Planning Code Section 309.1. This would be the second extension request. The original approval under Motion No. 17397 on March 15, 2007, was 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. The approval period would be extended to March 15, 2011. No other changes to the project are proposed with this request.

### 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 was significantly altered in the 1960's, was demolished in 2008.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The adjacent property to the north at 386 First Street is an existing gas station operating since 1969. The adjacent property to the south at 81 Lansing Street is an existing residential/commercial mixed-use

building constructed in 1995. The Rincon Hill area has been transitioning from light industrial to residential with some supportive commercial uses.

On August 2, 2005, the Board of Supervisor's approved, on a first reading, 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 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. Amongst 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.

## **ENVIRONMENTAL REVIEW**

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. 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").

## **HEARING NOTIFICATION**

<b>TYPE</b>	<b>REQUIRED PERIOD</b>	<b>REQUIRED NOTICE DATE</b>	<b>ACTUAL NOTICE DATE</b>	<b>ACTUAL PERIOD</b>
Classified News Ad	20 days	May 07, 2010	May 07, 2010	20 days
Posted Notice	20 days	May 07, 2010	May 06, 2010	21 days
Mailed Notice	10 days	May 17, 2010	May 12, 2010	15 days

## **PUBLIC COMMENT**

- The Department is not aware of any opposition to this project.

## **ISSUES AND OTHER CONSIDERATIONS**

On March 15, 2007, the Commission held a held a duly advertised public hearing and approved with conditions a 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). Exceptions were granted 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).

### REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant the request pursuant to Planning Code Section 309.1 to extend the performance period for another 12 months after the date of expiration of the previous extension granted under Motion No. 17902.

### BASIS FOR RECOMMENDATION

The Department believes this project is necessary and/or desirable under Section 303 of the Planning Code for the following reasons:

- The project complies with the applicable requirements of the Planning Code.
- The project is consistent with the objectives and policies of the General Plan.
- The project is consistent with the Rincon Hill Plan.
- The project complies with the First Source Hiring Program.
- The project design, with its residential steps and stoops, and ample landscaping will provide a rich pedestrian environment and play a key role in the creation of an active neighborhood.
- The project will provide approximately 227 dwelling units to the City's housing stock.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
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#### Attachment Checklist

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary   | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion        | Drawings: <u>Approved Project</u>                             |
| <input checked="" type="checkbox"/> Zoning District Map | <input checked="" type="checkbox"/> Check for legibility      |
| <input checked="" type="checkbox"/> Parcel Map          |   |
| <input checked="" type="checkbox"/> Sanborn Map         |   |
| <input checked="" type="checkbox"/> Aerial Photo        |   |
| <input checked="" type="checkbox"/> Context Photos      |   |

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

\_\_\_\_\_ BF \_\_\_\_\_

Planner's Initials

*BF:G:\DOCUMENTS\Lansing\_45\_20100170X\ExecutiveSummary.doc*



# SAN FRANCISCO PLANNING DEPARTMENT

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*Subject to: (Select only if applicable)*

- |  |  |
|--|--|
| <input type="checkbox"/> Inclusionary Housing (Sec. 315)         | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 313) | <input type="checkbox"/> Child Care Requirement (Sec. 314) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 139)            | <input type="checkbox"/> Other                             |

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## Planning Commission Draft Motion

HEARING DATE: MAY 27, 2010

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*Case No.:* **2010.0170X**  
*Project Address:* **45 LANSING STREET**  
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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. 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 94102.**

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

Linda D. Avery  
Commission Secretary

AYES:

NAYS:

ABSENT:

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.

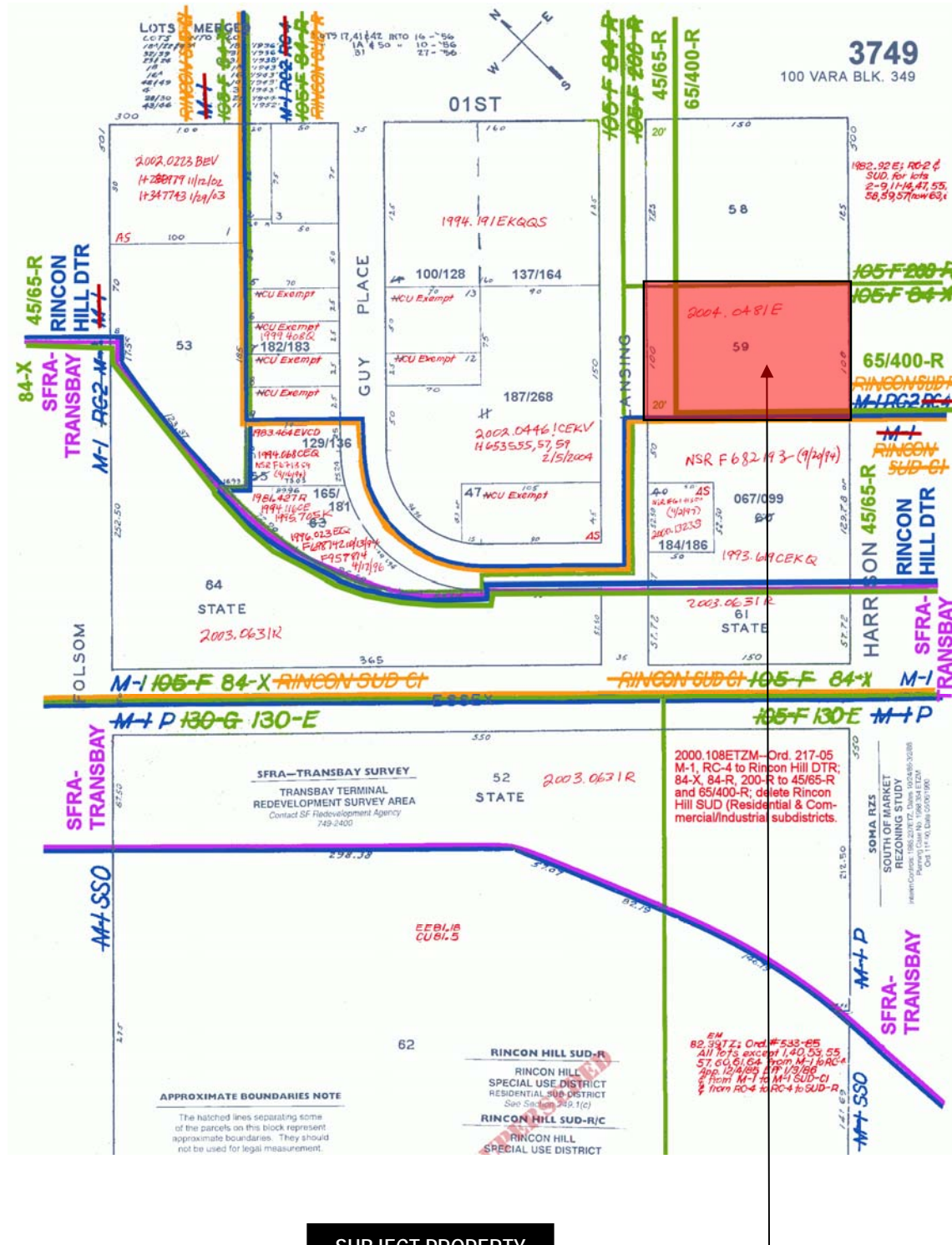
This approval is pursuant to Section 309.1 to extend the performance period under Motion No. 17902 for 12 months from March 15, 2010. The approved proposal under Motion No. 17397 is to demolish the existing office building and construct a tower reaching 400 feet (exclusive of mechanical penthouses) and 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.



# Parcel Map

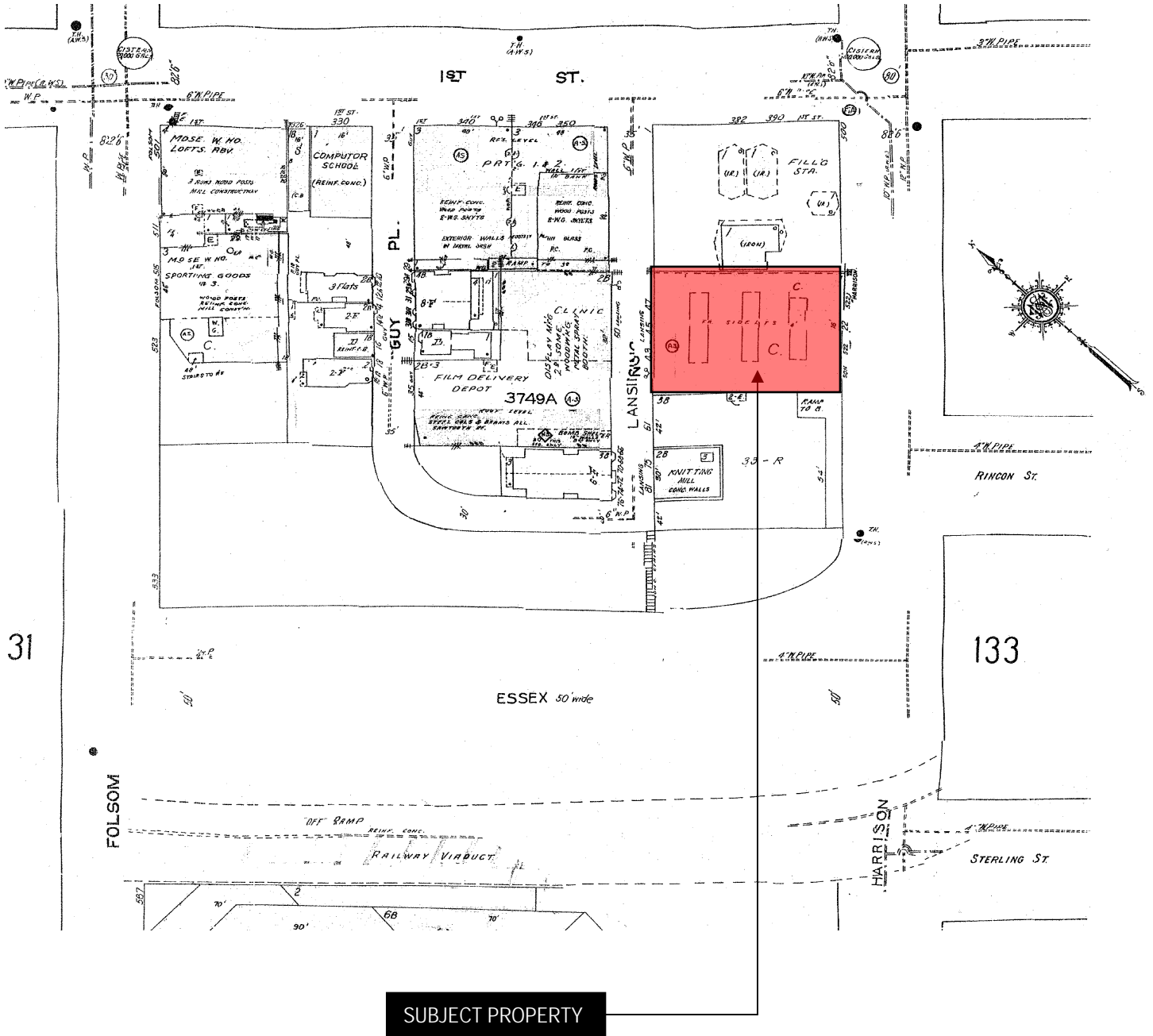


**SUBJECT PROPERTY**



Planning Commission Hearing  
Case Number 2010.0170X  
45 Lansing Street

# Sanborn Map\*



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



Planning Commission Hearing  
 Case Number 2010.0170X  
 45 Lansing Street

# Aerial Photo



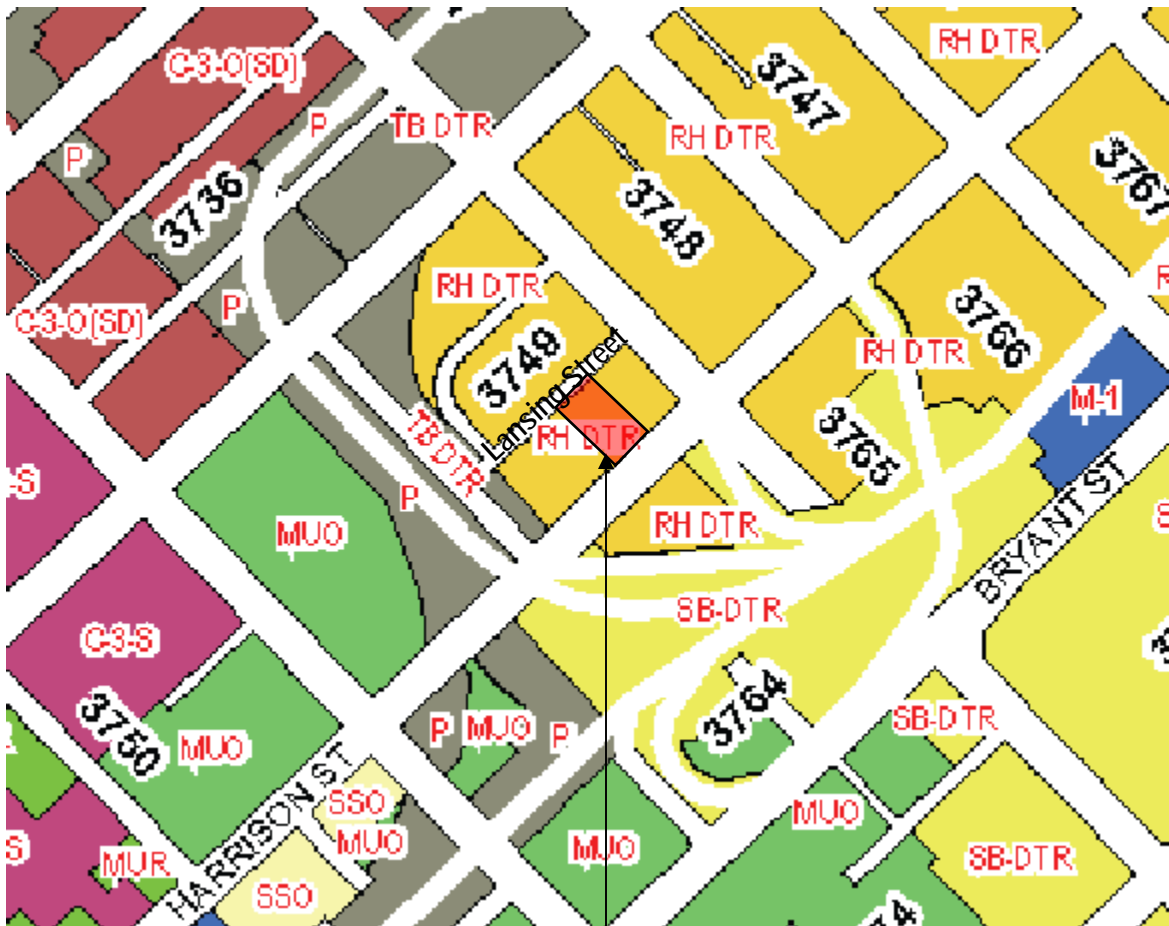
SUBJECT PROPERTY



Planning Commission Hearing  
Case Number 2010.0170X  
45 Lansing Street



# Zoning Map



**SUBJECT PROPERTY**

## ZONING USE DISTRICTS

### RESIDENTIAL, HOUSE DISTRICTS

RH-1(D) RH-1 RH-1(S) RH-2 RH-3

### RESIDENTIAL, MIXED (APARTMENTS & HOUSES) DISTRICTS

RM-1 RM-2 RM-3 RM-4

### NEIGHBORHOOD COMMERCIAL DISTRICTS

NC-1 NC-2 NC-3 NCD NC-S

### SOUTH OF MARKET MIXED USE DISTRICTS

SPD RED RSD SLR SLI SSO

### COMMERCIAL DISTRICTS

C-2 C-3-S C-3-G C-3-R C-3-O C-3-O(SD)

### INDUSTRIAL DISTRICTS

C-M M-1 M-2

### CHINATOWN MIXED USE DISTRICTS

CRNC CVR CCB

### RESIDENTIAL-COMMERCIAL DISTRICTS

RC-3 RC-4

### REDEVELOPMENT AGENCY DISTRICTS

MB-RA HP-RA

### DOWNTOWN RESIDENTIAL DISTRICTS

RH DTR TB DTR

### MISSION BAY DISTRICTS

MB-OS MB-O

### PUBLIC DISTRICT

P



Planning Commission Hearing  
Case Number 2010.0170X  
45 Lansing Street

**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 Sections 309.1, for the construction of a residential project that would both be taller than 85-feet and larger than 50,000 gross square feet; and is to grant an exception to the limitation of allowing only one parking space for every two dwelling units under Planning Code Sections 151.1(d) and 309.1(b)(1)(B), to allow reduction in dwelling unit exposure requirement under Planning Code Sections 140 and 309.1(b)(1)(D), to allow exception in the design, location, and size of publicly accessible open space under Planning Code Sections 827(e) and 309.1(b)(1)(G), and to allow reduction in 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). The project approved under this determination of compliance includes the demolition of the existing one-story office building and the construction of a new residential project that would include approximately 227 dwelling units, and up to 227 off-street parking spaces in a development that would include one tower-on-podium that would reach 400-feet (exclusive of mechanical penthouses) in height that would border Harrison Street and Lansing Street in general conformance with the plans dated March 07, 2007.

**GENERAL CONDITIONS**

1. Wind Exception. The final approval of a site or building permit for this project is contingent of the granting of an exception to the limitation on wind exceedances caused by this project as regulated by Planning Code Section 827(f).
2. Performance. This authorization is valid for a period of 24 months after the approval by the Planning Commission, or the Board of Permit Appeals. Specific procedures regarding the performance requirement follow Planning Code Section 309.1(e).
3. 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.

4. Community Liaison. The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to the owners and occupants of nearby properties at all times during Project construction. Prior to the commencement of Project construction, the Project Sponsor shall give the Zoning Administrator and the owners of properties within 300 feet of the Project site boundaries written notice of the name, business address and telephone number of the community liaison.
5. First Source Hiring Program. The Project is subject to the requirements of the First Source Hiring Program (Chapter 83 of the Administrative Code) and the Project Sponsor shall comply with the requirements of this program.

#### **DESIGN**

6. The Project shall meet all Planning Code requirements and/or the allowed exceptions set forth in this motion.
7. Final Design. The project sponsor shall continue to work with Planning Department staff on the details of the design of the project, particularly focusing on the western facade.
8. Streetscape Improvements. The project sponsor shall make sidewalk improvements pursuant to the proposed Rincon Hill Streetscape Plan, in accordance with Planning Code Section 827(g) and as directed by staff. The project sponsor shall work with staff to ensure the improvements are of good quality, compatible with the neighborhood, and compliant with any applicable requirements of the Public Works Department, the Bureau of Light, Heat and Power of the Public Utilities Commission and the Art Commission. The owners of abutting properties to the improved sidewalk shall hold harmless the City and County of San Francisco, its officers, agents, and employees, from any damage or injury caused by reason of the design, construction or maintenance of the improvements, and shall require the owner or owners or subsequent owner or owners of the respective property to be solely liable for any damage or loss occasioned by any act or neglect in respect to the design, construction or maintenance of the sidewalk improvements.
9. Street Trees. Street trees shall be installed in accordance with Planning Code Section 143 and 827(g)(2), which provides specific requirements regarding the location of the trees relative to curb, the specifications of the planted street tree, and the planted street tree sidewalk opening, and irrigation.
10. Trash receptacles and dumpsters shall not be stored on public property or in project common open space, and they shall be screened from public view.

11. Mechanical equipment and appurtenances shall be enclosed in such a manner that (a) the enclosure is designed as a logical extension of the building form and an integral part of overall building design and (b) its cladding and detailing is comparable in quality to the rest of the building. Any such enclosures may have openings necessary for proper ventilation of equipment.

### **AFFORDABLE UNITS**

12. The Applicant has chosen to pay a fee in-lieu of providing units. The Applicant shall comply with the inclusionary housing requirements set forth in Planning Code Sections 315 through 315.9 and 827(b)(5).

### **IMPACT FEES**

13. The project shall comply with the provisions of Planning Code Section 318, including payment of the Rincon Hill Community Infrastructure Impact Fee or execution of a Waiver Agreement with the Planning Department prior to issuance of the first site or building permit, and payment of the SOMA Community Stabilization Fee as required by Planning Code Section 318.

### **PARKING AND CIRCULATION**

14. Sale of Parking Space Separate from Sale or Rental of Unit. Residential parking spaces shall be made available to buyers or renters (depending on whether the building is ultimately a condominium or rental development) as a separate "add-on" option for purchase or rent, rather than having the parking space bundled with each unit in accordance with procedures and specification of Planning Code Section 167.
15. Car Share Space. The Project Sponsor shall provide space at no cost one car share space, to be operated by car-share organization (as defined by Planning Code Section 166(a)(2)) in accordance with Planning Code Section 166.

### **MONITORING AND VIOLATION**

16. Violation of the conditions noted above or any other provisions of the Planning Code may be subject to abatement procedures and fines up to \$500 a day in accordance with Code Section 176.
17. Should implementation of this Project result in complaints from neighborhood residents or business owners and tenants, which are not resolved by the Project Sponsor and are subsequently reported to the Zoning Administrator and found to be in violation of the Planning Code and/or the specific Conditions of Approval for the Project as set forth in

**PLANNING COMMISSION**  
**March 15, 2007**

**Case No. 2007.0101X**  
45 Lansing Street  
Motion No. 17397  
Assessor's Block 3749, Lot 059  
Page 3

Exhibit A of this motion, the Zoning Administrator shall report such complaints to the Planning Commission which may thereafter hold a public hearing on the matter in accordance with the hearing notification and conduct procedures as set forth in Sections 174, 306.3 and 306.4 of the Code to consider revocation of this Design Review Authorization.

18. Should the 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(f)(2)

**MITIGATION MEASURES**

19. The program EIR Final Mitigation Measures and Monitoring Program dated March 07, 2007, are incorporated into these Conditions of Approval by reference as Exhibit C.



# REUBEN & JUNIUS<sub>LLP</sub>

May 18, 2010

Ben Fu  
San Francisco Planning Department  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

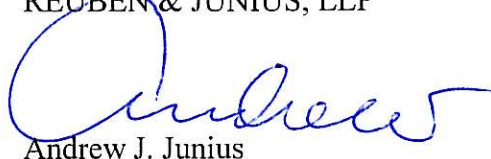
**Re: 45 Lansing Street Entitlement Extension**  
**Our File No.: 5968.01**

Dear Ben:

Our office represents Turnberry Lansing, L.P. ("Project Sponsor"), the project sponsor for the property located at 45 Lansing Street. The Project Sponsor is currently seeking a one-year extension of its entitlement to construct a 400 foot tall residential tower with 227 dwelling units and 227 off-street parking spaces. Enclosed please find 21 copies of the Planning Commission brief, consisting of a letter from the owner of 45 Lansing Street to the Planning Commission, a description, drawings and photographs of the interim site beautification use, and condensed set of plans of the approved project, which will serve as the brief for the project at the entitlement extension hearing to be held May 27, 2010. Please contact me if you have any questions.

Very truly yours,

REUBEN & JUNIUS, LLP



Andrew J. Junius

Enclosures

cc: Matt Jacobs, Turnberry, Ltd.



May 18, 2010

Planning Commissioners  
c/o Mr. Ben A. Fu  
Planning Department  
1660 Mission Street, 5/F  
San Francisco, CA 94103

RE: 45 Lansing Street

Dear Commissioners,

Unfortunately, we are before you to request an extension of entitlements for our project at 45 Lansing Street. Economic conditions remain such that the financing of the project remains infeasible at present. However, recent improvements in the Bay Area economy have given us hope that a turnaround is on the horizon.

With our economic lemons, we have decided to make lemonade. To get us through this period of project delay, Turnberry has partnered with the talented artists and landscape architects of REBAR to make better use of the site. We became familiar with REBAR's work a few years ago from a brilliant project called (PARK)ing Day. REBAR are an imaginative, artistically progressive, and environmentally responsible interdisciplinary studio based in San Francisco. Working in collaboration with the Pollinator Partnership, they have put significant effort into transforming our vacant lot into a beautiful and thought-provoking environment. We hope you have a chance to visit the garden.

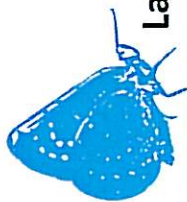
I am getting married this Saturday, May 22<sup>nd</sup>, and will be heading off for my honeymoon. As such, I will be unable to attend this month's hearing. Should any of you have any questions regarding the garden or the project, don't hesitate to contact me.

Sincerest Regards,

Matthew B. Jacobs  
Turnberry Lansing, LP

*Turnberry, Ltd.*

6623 SOUTH LAS VEGAS BOULEVARD, SUITE 200, LAS VEGAS, NV 89119  
PHONE 702 836 9100 [www.turnberryltd.com](http://www.turnberryltd.com)



## Lansing Street Pollinator Garden

The Lansing Street Pollinator Garden is a temporary garden and art installation at the 45 Lansing street site in the Rincon Hill Neighborhood of San Francisco.

Rebar is collaborating with the Pollinator Partnership and the property owners of the 45 Lansing Street Site, Turnberry Associates, to bring you a pollinator garden and educational exhibit. The garden will be installed in the spring of 2010 on display for the coming 1-2 years, until which time development plans move forward on the site.

The garden features circular planting beds made from rice straw wattle - tubes of straw wrapped in burlap. This material is entirely biodegradable. Beds are planted with a variety of pollinator attracting plants including: Purple lupines, White Yarrow, blue Gillias, Flax, Orange California poppies, Baby blue eyes, Pink and white Clarkias, Red Chinese houses, purple Owl's Clover.

Appearing in the garden are a series of pollinator silhouettes. These silhouettes are large scale version of the very types of species that are likely to appear in the garden over the coming year. These are: Mission Blue, Bay Checkerspot, Anna's humming bird, and the Honey Bee



installing a wattle planting bed



A giant size Honey Bee silhouette floats above a planting bed in progress



detail of wattle, rope, and wooden stakes

### Progress in the Garden

The garden has currently hosted 4 community workdays attended by hundreds of volunteers. Volunteer work crews have installed the wattle beds, filled them with planting soil, installed irrigation and planted pollinator plant seeds. We plan to organize several more workdays in the months ahead and are in discussion with several Bay Area beekeeping groups discussing the possibility of locating beehives in the garden. Project partners are developing interpretive signage describing the nature of the project, the need to create pollinator habitat, and describing some of the common species which we hope to attract to the site.



### Project Partners

#### Rebar

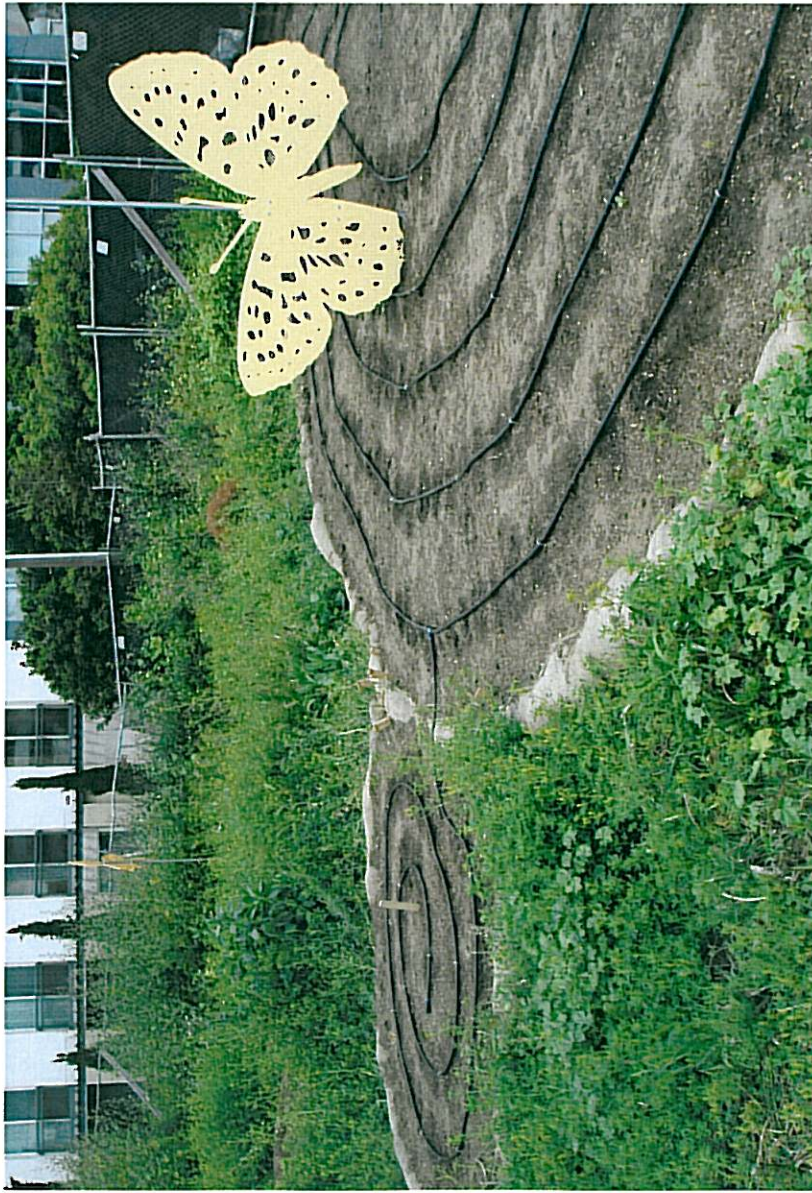
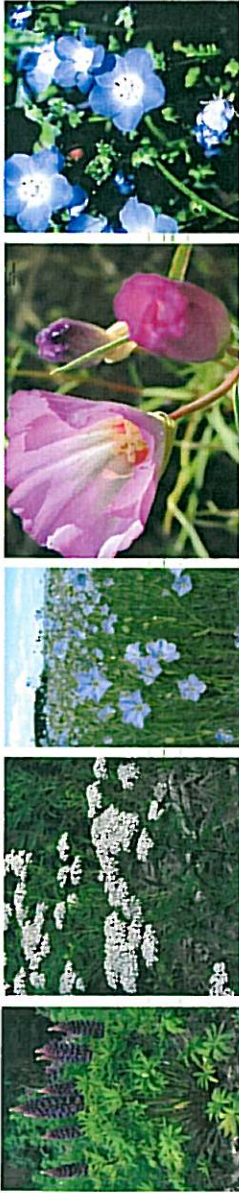
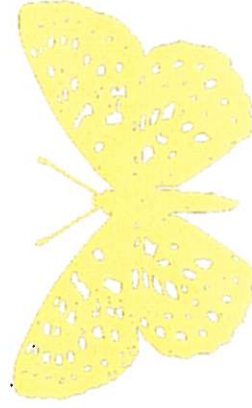
Rebar is an environmental art and design studio based in San Francisco. In 2008, Rebar designed and built the Civic Center Victory Garden in front of San Francisco's City Hall. [rebargroup.org](http://rebargroup.org)

#### Turnberry Associates

Turnberry is one of the premier real estate development and property management companies in America. Founded more than 40 years ago, the developer's diverse projects have revolutionized the living, working, and shopping habits of millions of people across the country. [turnberry.com](http://turnberry.com)

#### The Pollinator Partnership

The Pollinator Partnership (P2) is a 501(c)(3) nonprofit organization headquartered in San Francisco, California. P2 works to protect the health of managed and native pollinating animals vital to our North American ecosystems and agriculture. [pollinator.org](http://pollinator.org)



Mounting a giant Bay Checkerspot butterfly silhouette and newly installed drip irrigation in a pair of planting beds. Above: a few of the species planted in the garden



Project Name:

45 LANSING POLLINATOR GARDEN

Sheet Name:

FRONT ELEVATION

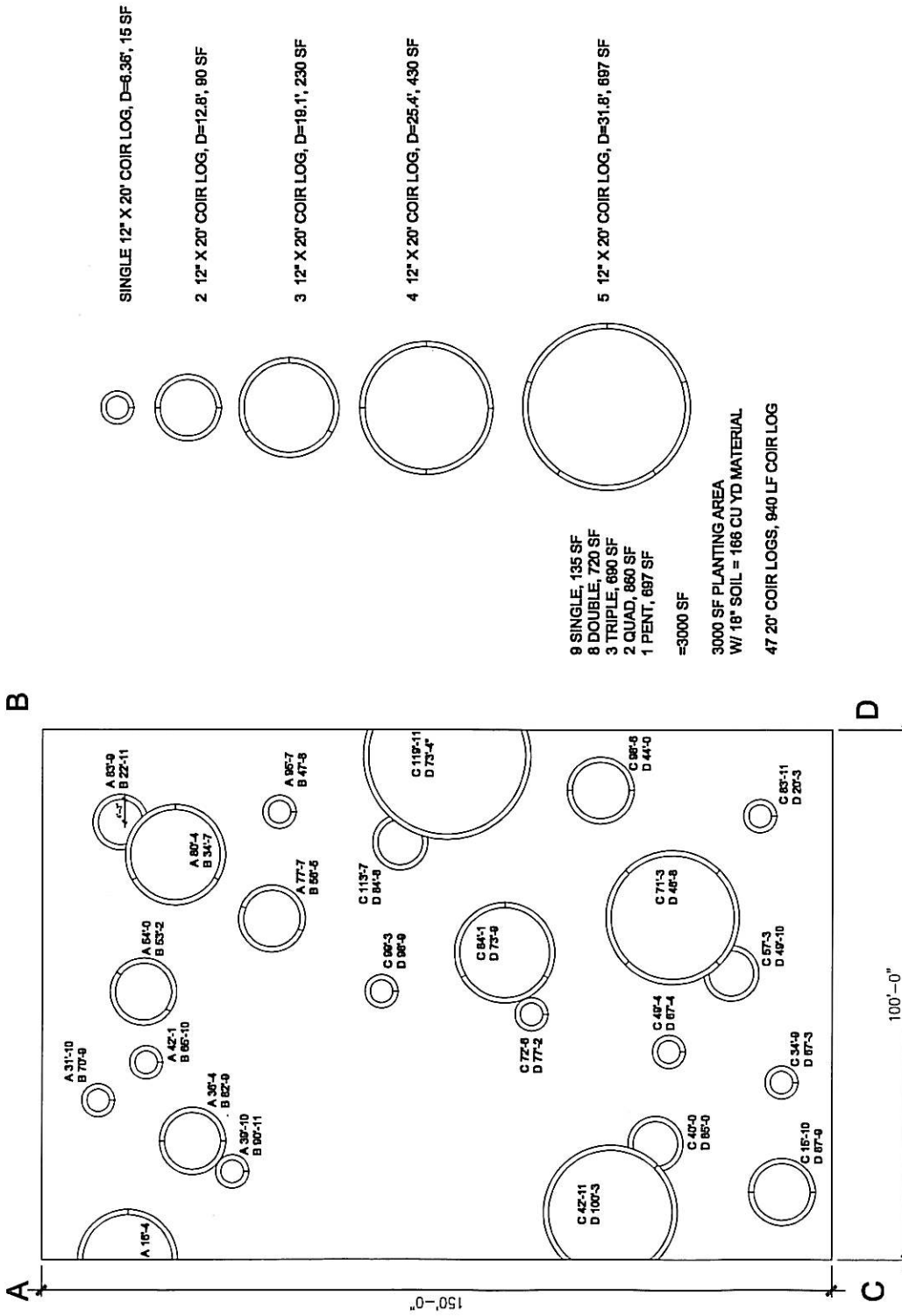
DATE: \_ \_ 02.17.10

DRAWN BY: \_ \_ JB

NORTH

SCALE: 1" = 20'0"

Sheet Number: 4



- 1 SINGLE 12" X 20' COIR LOG, D=8.36', 15 SF
- 2 12" X 20' COIR LOG, D=12.8', 90 SF
- 3 12" X 20' COIR LOG, D=18.1', 230 SF
- 4 12" X 20' COIR LOG, D=25.4', 430 SF
- 5 12" X 20' COIR LOG, D=31.8', 897 SF

- 9 SINGLE, 135 SF
- 8 DOUBLE, 720 SF
- 3 TRIPLE, 690 SF
- 2 QUAD, 860 SF
- 1 PENT, 897 SF
- =3000 SF

3000 SF PLANTING AREA  
W/ 18" SOIL = 166 CU YD MATERIAL  
47 20' COIR LOGS, 940 LF COIR LOG





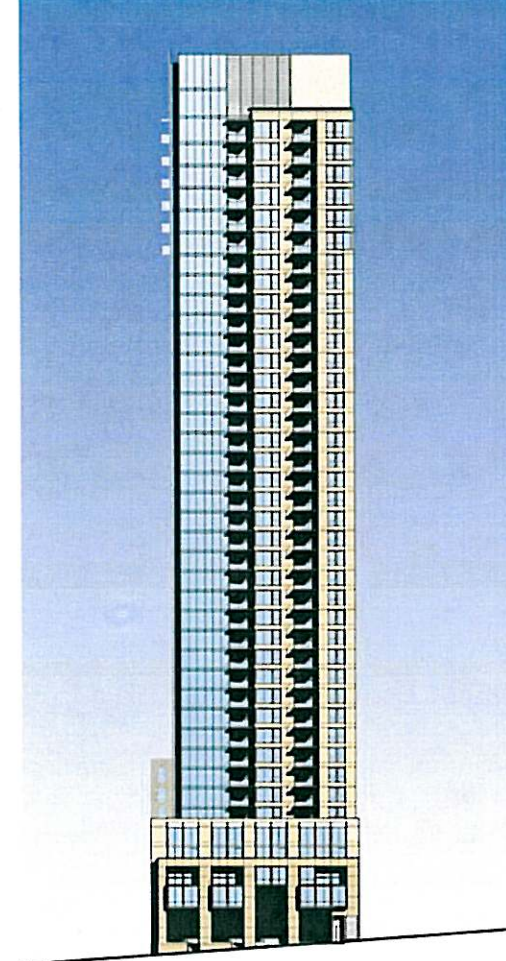
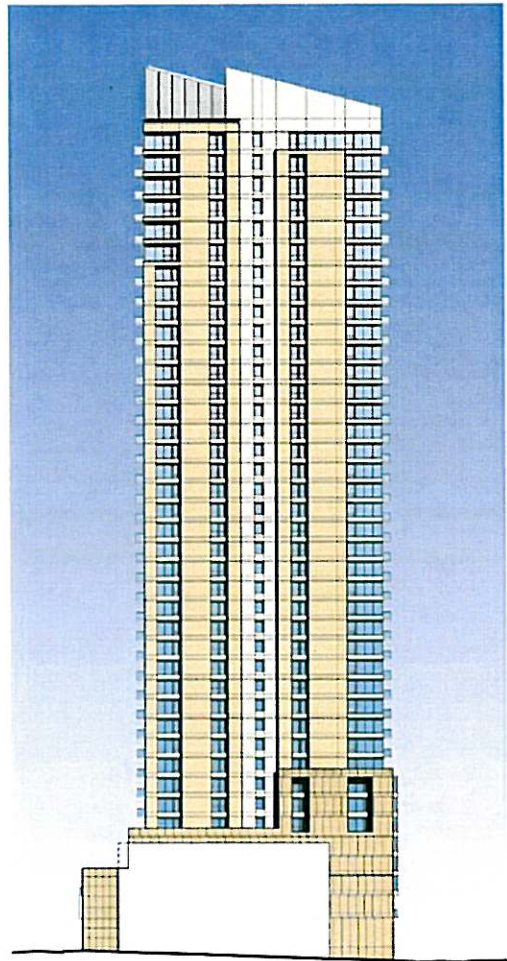
PHOTO MONTAGE  
LOOKING  
NORTHWEST  
**A5.51**

Turnberry Lansing, LP | 45 Lansing Street Condominium

**HKS**

SAN FRANCISCO, CALIFORNIA

MARCH 07, 2007



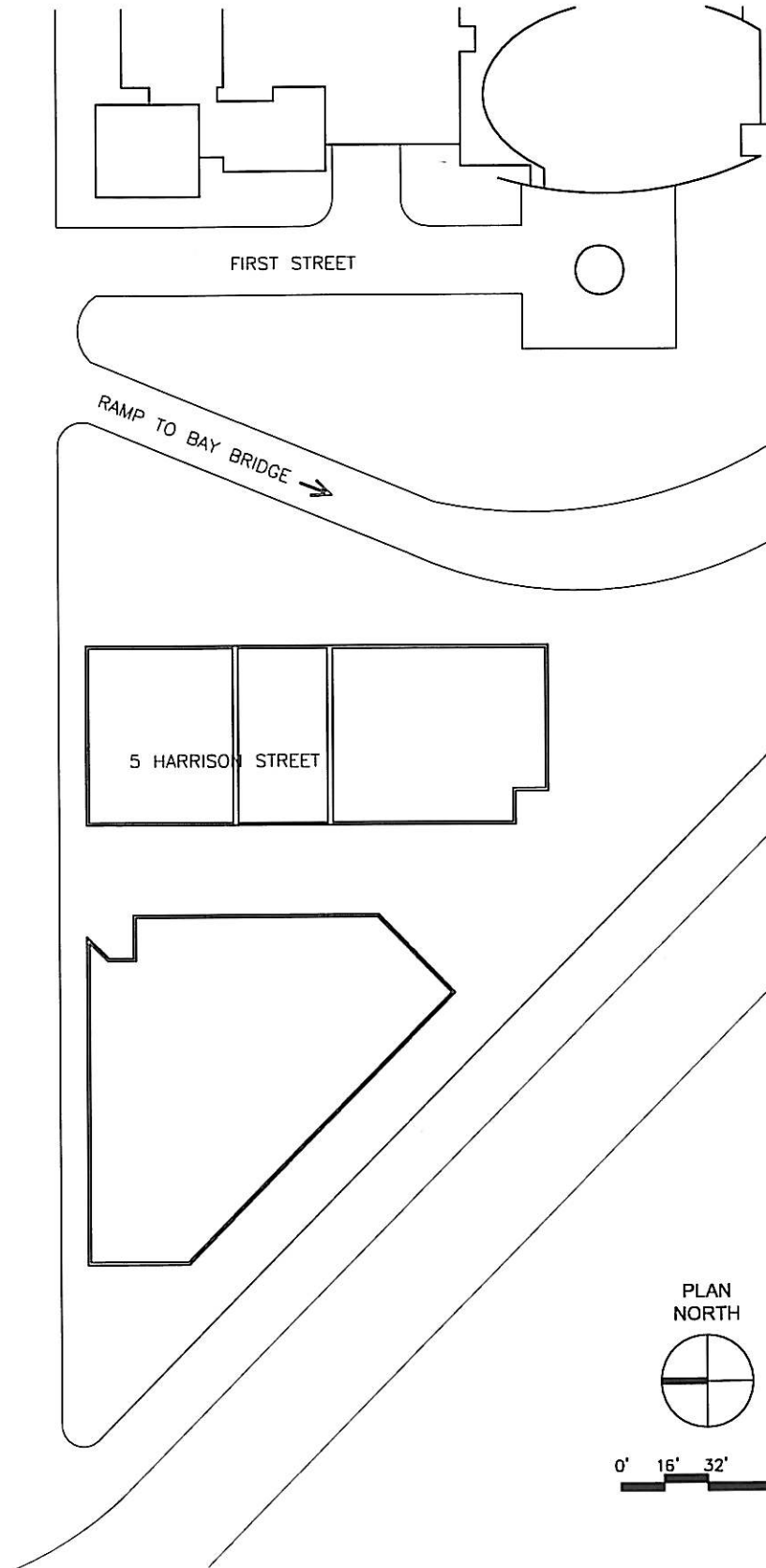
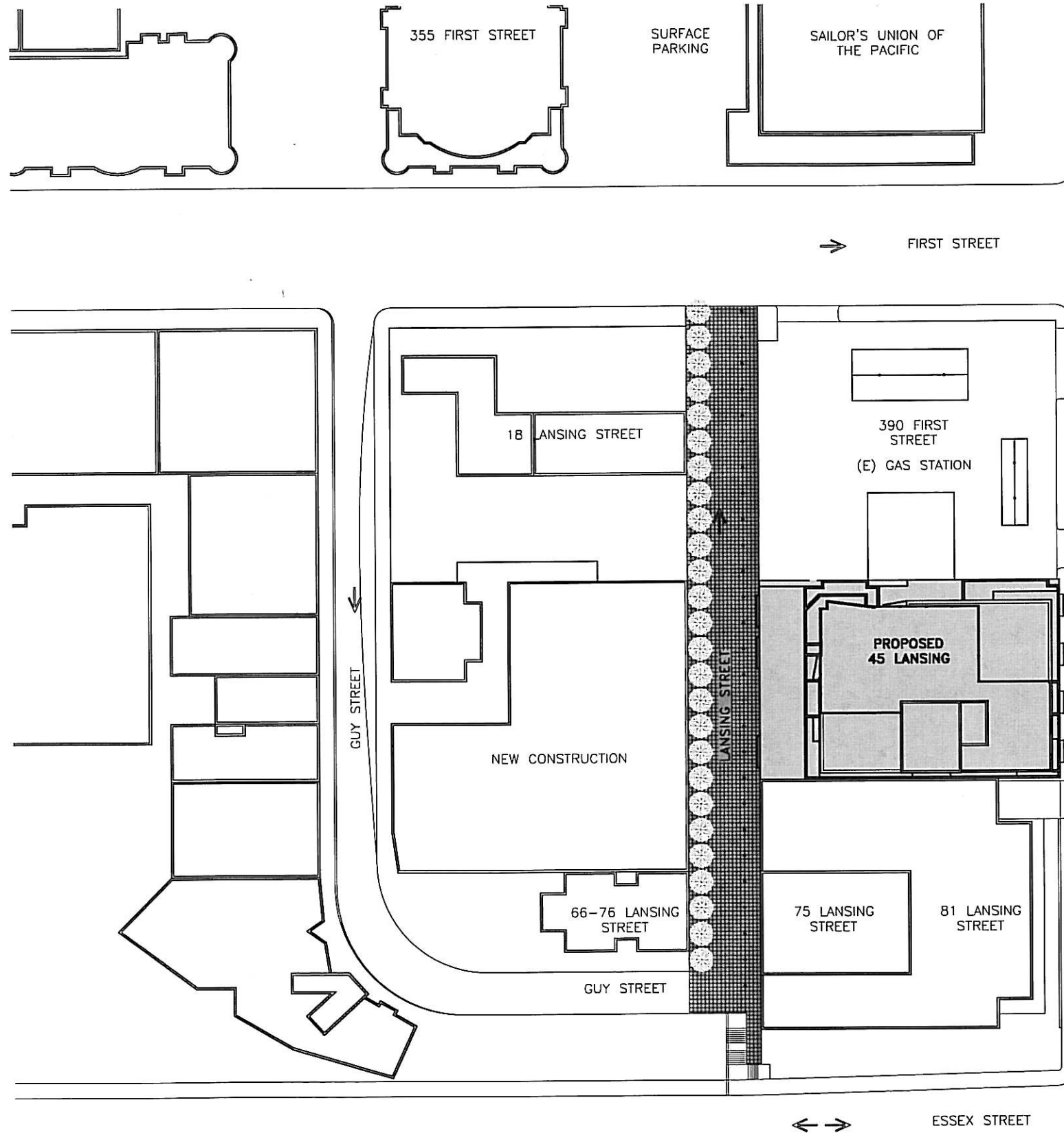
TURNBERRY LANSING, LP  
**45 LANSING STREET CONDOMINIUM**  
SAN FRANCISCO, CALIFORNIA

**HKS**

PLANNING SUBMITTAL/ CASE NO. 2004.0481X

MARCH 07, 2007





**45 LANSING STREET  
PLANNING SUBMITTAL  
CASE NO. 2004.0481X**

**OWNER/DEVELOPER**  
TURNBERRY LANSING, LP  
6725 VIA AUSTI PARKWAY, SUITE 380  
LAS VEGAS, NV 89119  
PHONE: 702.836.9100

**ARCHITECT**  
HKS ARCHITECTS, INC.  
650 CALIFORNIA STREET, 4TH FLOOR  
SAN FRANCISCO, CA 94108  
PHONE: 415.356.3800

**CIVIL ENGINEER**  
BKF ENGINEERS  
255 SHARELINE DR., SUITE 200  
REDWOOD CITY, CA 94065  
PHONE: 650.482.6300

**STRUCTURAL ENGINEER**  
MIDDLEBROOK + LOUIE  
ONE BUSH STREET  
SAN FRANCISCO, CA 94104  
PHONE: 415.477.9000

**MEP ENGINEER**  
C&B CONSULTING ENGINEERS  
449 10TH STREET  
SAN FRANCISCO, CA 94103  
PHONE: 415.437.7330

**SITE PLAN  
A1.01**

MARCH 07, 2007

Turnberry Lansing, LP | 45 Lansing Street Condominium

**HKS**

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GROSS FLOOR AREA: 9,533 SF  
DIAGONAL: 144'-2"  
NET UNIT AREA: 7,114 SF

**UNIT SUMMARY**

STUDIO	1 BR	2 BR	3 BR	TOTAL
0	1	3	1	5

